

LEGAL STATUS OF ENSURING EFFICIENCY OF LAND USE OF FARMS IN UZBEKISTAN

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ABSTRACT

In this article, national and foreign laws related to increasing the efficiency of agricultural land use by farms, the issue of using modern technologies in land use are analyzed from a scientific theoretical point of view. Also, along with the national legal documents regulating the activities of agricultural entities, normative documents aimed at the legal regulation of agricultural land were studied. The specific experiences of foreign countries on the use of agricultural irrigated land, dry land and pasture land of farms were analyzed based on the comparative research method. Consequently, opinions and considerations were given regarding the use of effective aspects of drip irrigation in agriculture in the dry and moderate climate of Uzbekistan and the creation of its legal basis. Ways to improve the procedure for providing subsidies to farms and the legal basis for applying incentives to increase the efficiency of land use were considered. Attempts were made to make suggestions and recommendations on the improvement of national legislation using the best experiences of foreign countries.

Keywords: farm, plot of land, agricultural land, irrigated land, dry land, pasture land, land use, land conservation, agricultural entity, subsidy, drip irrigation, land use efficiency.

In today's development period, more attention is paid to farms, because in the near future, the increase in the population and the increase in demand for ecological natural products will automatically require it. In this field, a number of innovations are being created in European and East Asian countries. In this regard, there are several legislative documents in our country, their effectiveness is good, but today's rapid development requires that every field has a perfect appearance.

MATERIAL AND METHODS

As a result of research and research, this article includes the use of national legislation, scientific and theoretical sources, the experiences of advanced countries in this field in our own experience, and new opinions in this direction. In the article, methods of analytical-comparative, statistical and logical review of legal norms and experiences of foreign countries are used to improve the efficiency of land use of farms.

RESEARCH RESULTS

The legal status of ensuring the efficiency of land use of farms is primarily focused on the rational use of land and increasing the efficiency of farms. The role of farms is important in the sustainable development of the industry of each country, especially light industry, agriculture and other similar sectors.

In this regard, Japan signed the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) in 2018 to improve the efficiency of farms and agriculture and to test new technologies in land use. The CPTPP includes policies aimed at reducing the human factor in farms and agriculture by introducing IT technologies. Based on the agreement:

- Subsidies for those who introduce agricultural machinery using new technologies.
- Procedures for providing subsidies for those who introduce IT tools in agriculture have been established.

In addition, in the practice of Japan, subsidies for the establishment of farms are given to citizens who have taken the initiative in the use of mountainous and unsuited land for agriculture, and whose business projects have been used by the state[1]. According to the indicators of 2018, only 12.13% of the land in Japan is allocated for agriculture, and by 2020, this indicator has decreased to 11.6%, but despite this, it is in terms of soybean production[2]. takes the leading place in the world. All this indicates that the Japanese legislation and economy are on the right track. The Japanese government has an ambitious plan to increase self-sufficiency from 37 percent to 45 percent by 2030 and to increase agricultural exports to ¥3.5 trillion (about €40 billion) by 2030. the principle of "Smart agriculture" is being promoted using all kinds of modern equipment such as drones, artificial intelligence, robots. Also, capital requires a resilient farmer with large and financial resources to make many investments. In Japan, the number of large farms and the share of production is increasing, while the number of small farms continues to decrease. Family farming is the most common in Japan and covers a wide variety of farms, involving full-time and part-time farmers as well as support farmers. In 2019, Japan had 3.6 million farm owners, 2.1 million household farmers, and 1.1 million (part-time) family farms. The last group is called "commercial farms". These commercial farms are defined as those that grow produce on more than 0.3 hectares of agricultural land or earn more than ¥500,000 (€4,250) per year from the sale of agricultural products. Japan's land use law consists of two plans, one of which is the National Land Use Plan, which sets out general principles for land. That is, land use, environmental protection, sustainable use of natural resources and prevention of natural disasters. The national land use plan contains the basic concept and contours of land use, and it is this plan that includes the land set aside for agriculture. In Japanese legislation, four acts form the basis of the land use planning system. The "National Comprehensive Land Development Law" and the "National Land Use Plan" law serve as the legal basis. The National Land Use Plan is a general guideline for land use in Japan. "The Urban Planning Law sets out the details of urban land use planning. There are also three 'Environmental Laws' which contain important provisions affecting land use. "On the Control of Soil Pollution "Law" and "Water Pollution Control Law"[3]. In December 1989, the basic land law "Basic Law on Land Use" was adopted in Japan, the first article of which called for the rational and efficient use of land.

"The purpose of this Law is to clarify the obligations of the state, local public associations, and economic entities, and to ensure the basic principles and grounds of citizens for land, issues of land measures, taking into account the basic principles of land. So, comprehensive promotion of land measures, formation of normal supply and demand relations and reasonable land prices, ensuring proper use of land, thereby contributing to increasing stability in the life of citizens and solid development of the national economy[4]"

The law also highlights the importance of state management in land use." Creating favorable conditions for intensive land use is the environment, proper change, formation or maintenance of land use and favorable environment or land use. Implementation measures in accordance with the rules of use should belong to the state and local state organizations"

And in most farms operating in Uzbekistan, insufficient attention is paid to the issues of creating the necessary work and rest conditions for employees, that is, the absence of field sheds, the lack of agricultural crops planted on the edges of the fields, poultry. As a result of the lack of feeding, the labour productivity of watermen, mechanics, labourers and farmers who work during the season is decreasing. As a result of the lack of control, leaving the edges of the fields uncultivated, and the lack of a system for adding fertile soil from irrigation and cleaning the collector-drainage networks to the land areas, the cultivated areas are shrinking.

In order to prevent this, in 2018, the Cabinet of Ministers of the Republic of Uzbekistan adopted Decision No. 25 "On measures to organize more efficient use of land plots and additional income of farms". The decision envisages re-implementing the activities of farms and making significant efforts in the irrigation system.

"The state agrarian policy is a component of the state socio-economic policy aimed at sustainable development of agriculture and rural areas. Sustainable development of villages means their sustainable socio-economic development, increase in production of agricultural products, increase in agricultural efficiency, it is understood to achieve full employment of the rural population and increase their standard of living, and rational use of land is also envisaged."

If we look at the agricultural legislation of the Russian Federation. The main tasks of the state agrarian policy are as follows:

- 1) increase the competitiveness of Russian agricultural products and Russian agricultural producers, ensure the quality of Russian food products;
- 2) ensuring stable development of villages, employment of rural residents, raising the standard of living, including payment of wages for the work of employees employed in agriculture;
- 3) preservation and reproduction of natural resources used for the needs of agricultural production; formation of an efficient market of agricultural products, raw materials and food products, which will increase the profitability of agricultural producers and ensure the development of infrastructure. this is the market;
- 5) creating a favorable investment environment and increasing the volume of investments in the agricultural sector;
- 6) monitoring of agricultural products, raw material price index and price index (tariffs) of industrial products (services) used by agricultural producers and maintaining the parity of such price (tariff) indices Increasing land productivity, protecting agricultural land State support for measures to do[5].

In order to implement the state policy aimed at ensuring ecological balance, protecting agricultural lands, and increasing their productivity, implementation of the measures specified in the state program of agricultural producers, including encouraging the use of fertilizers at the expense of the budgets of all states is supported by the state for promotion. In accordance with the powers established by the laws of the Russian Federation, the levels of the budget

system of the Russian Federation during the period of market changes, farms became an integral part of the national economy in general, and multi-sectoral agriculture in particular. They perform one of the main economic tasks, which is the production of agricultural products, as well as solving social problems of the village and sustainable development of rural areas. At the same time, farms are experiencing a number of characteristic problems in the course of their economic activities, which can be solved by organizing effective state support. In the implementation of national projects, special attention is paid to the development of farms in villages and the formation of market facilities. In the development of state programs, the most important directions of the rural development policy are determined. As a result of the consistent support provided by the state in recent years, the agro-industrial complex is showing stable growth rates. The share of farms is also gradually increasing - in 2011, the contribution of farmers to the agricultural industry was 8.9 percent, and in 2020 this indicator is already 14 percent. According to forecasts of the Agricultural Bank of Russia, the share of farmers in the agro-industrial complex will increase to 18-20% in the next 4-6 years. Up to 90 billion rubles are allocated annually from the federal budget for the development of entrepreneurship in agricultural production. Targeted state programs for the development of farms are gaining importance in improving the activities of farms and beautifying villages. State support is an important factor in the development of a strong farm. One of the priority measures of state support in the region is the "Agrostartup" grant aimed at helping new farmers in the development of agriculture. Grants can be received by farmers (farmers) registered this year, as well as citizens of the Russian Federation who are registered with the Federal Tax Service as farmers. The purposes for which the grant can be directed are the activities of farms and peasant farms[6]. Accordingly, it can be said that special importance is attached to the development of agro-industry in Russia. Many facilities are being created, such opportunities are realized not only in Russia, but also in a number of European countries.

As one of these, we can give an example of this law adopted in Italy in the last century. Article 9 of the law of September 29, 1973 contains the following points[7].

There is an opinion in the Italian legislation that farms are given certain benefits if they use land in mountainous areas for farming.

A number of reforms are being implemented in our country to improve the efficiency of land in agriculture, including. "Land and water in agriculture" adopted by the President of the Republic of Uzbekistan on 17.06.2019 to implement large-scale irrigation and melioration measures within the framework of state programs in order to increase the productivity of irrigated areas, improve land reclamation and water supply The decree on measures of effective use of resources" was also one of the main documents.

According to this decree:

- land users were given the right to independently place agricultural crops, plant crops without cultivating the land and sublease the land;

- these land areas are not acceptable, the land plot or part of it will be taken away for state and public needs, based on the consent of the land user, only after the market value of the funds spent and the damage caused due to the takeover have been fully compensated is allowed.

On the basis of decrees and laws, sufficient importance is given to increasing the efficiency of land use, as an example, we can obtain the right to sublease their land to farms. In this case,

the farmer also assigns part of the responsibility to the tenant. That is, renting out farms with difficult irrigation or a large area ensures harvesting from vacant land and frequent watering and softening of the land. In addition, both the tenant and the lessor are interested in this situation, and this situation will have a positive effect on the country's economy.

However, all the problems of efficient use of land in farms have not yet been fully resolved. Our legislation does not provide farmers with as many opportunities as expected to increase efficiency in land use. As an example, we can consider annual plans. Farmers are required to grow a certain amount of cotton, grain, rice and other products by the authorities of each region. However, it is not always perfectly studied whether the soil of the area where these crops are to be grown and whether the irrigation system will meet this plan. As we all know, the territory of our republic is sunny, unlike the north-eastern parts of the region, water distribution in the south-western parts is quite scarce in the months of July-August, and regional agreement on water use is implemented. If we consider this agreement at the level of one district, the canals leading from the main river to farms are used for a certain period by one farm, and for a certain period are used by another. There are more than one such farms, meanwhile, the crops of the farms waiting for a farm to receive water cannot withstand the sun, which negatively affects the growth rate of the plant, the amount of yield, and the level of soil moisture.

True, in some regions cotton and crops are irrigated through fresh water taps, but this also has a negative effect on the naturally decreasing reserves of clean drinking water in Central Asia. Another problem is blindly using the experience of other European countries. It is well known that in European countries, the level of soil moisture is high, and the rainy season lasts longer than in our region. For this reason, Northern countries use drip irrigation in order to prevent the soil from getting too wet. Drip irrigation does not use much water, the water only reaches the roots of the plant, and the excess water does not soak into the ground, which also prevents the soil with a high level of humidity from becoming more wet and salty. The same experience was used in our country. It is not inefficient to use it, but how correct is it to apply this method to the waterless dry lands located in the steppe regions? Since the ground is very dry, in the system based on drip irrigation, the remaining moisture is absorbed into the soil before the water reaches the plant stem. Weeds are more viable than food plants, so they absorb water before it reaches the plant roots. Even if the water reaches the stem of the plant, there is no possibility that the furrows will not be completely wetted, and instead of loosening, the layer where the root of the plant is located will harden and become salty in the heat of the sun. It can be effective only if the drop flows for a long time, but electric current is needed to release the water to the high mountains, but the electric current in the country is not moderate and does not always exist. While most of the experiences have a positive effect, some of them can have a negative effect. Moreover, the situation of extraterritorial waters is not enviable in the Asian region, because the rivers we use are used for other state farms at the same time. As the issues of water and land are inextricably linked, before applying legal norms and best practices, those who are experts in this direction should conduct scientific research for a while. In order to increase the efficiency and legal status of the lands in the farm, their structure should also meet the requirements. On the territory of our country, there are also farms that were blindly abandoned during the time of the former Soviet Union. Some agricultural lands are not suitable for water supply, some are not located in an area suitable for planting crops. The problem in

this area is that adopting norms over and over again may not always work. First of all, it is necessary to understand the essence of the problem and then take action[8].

At the same time, we can see useful norms for a number of sectors in our national legislation on improving the efficiency of land use. The decision of the Cabinet of Ministers No. 95 "On measures to cover a part of the costs of introducing water-saving irrigation technologies of agricultural producers" promotes the use of new methods of water-efficient use in order to improve land efficiency. It was mentioned that a number of subsidies were allocated to the farms. In paragraph 3 of the decision, agricultural producers who have received subsidies for the introduction of water-saving irrigation technology must use this technology:

80 percent of the subsidy if not used in the second year;

60 percent of the subsidy if not used in the third year;

40 percent of the subsidy if not used in the fourth year;

if it is not used in the fifth year, it will return 20 percent of the subsidy to the ministry and office that provided the subsidy in the prescribed manner[9].

If the agricultural producers fully use this technology for five years, the subsidy will be completely left. As we discussed above, we have incentives for agricultural entities that use new national methods of irrigation, like the subsidies given for the establishment of farms in mountainous areas in Japan and Italy. The use of national technology in creating national systems of irrigation and improving land productivity will benefit the country's economy and natural environment. In addition, it is mentioned that the public control over the allocation of land plots, their use and their protection, which is mentioned in Article 84 of the Land Code[10] of the Republic of Uzbekistan, is consistent control over the actions of agricultural subjects in terms of land use. However, from the content of the article, it is understood that this public supervision has the right to exercise its control only within its powers. Therefore, continuous interference in the activities of agricultural subjects can damage their creativity and ability to create high-quality agricultural products. Taking into account that each update will appear only when a free environment is created for it, it would be appropriate to give freedom to the current legislation to improve the efficiency of land use in farms. The Land Code stipulates that the largest share of land allocated to farms will be allocated for cotton cultivation. It is in this case that it is necessary to listen to the opinions of farmers who have been working on the land for years, because they understand better than any research scientist that it is necessary to repeatedly try planting cotton or growing other products in their territory.

To sum up, it is necessary to test agricultural innovations in our country, which have a developed economy such as Japan, Russia, and Italy, and have a leading effect in this development, but this test is blind. It would be appropriate not to implement it. The reason is that our lands are fundamentally different from the fertile soils of the Far East and Northern regions. Almost all of the mentioned countries have a good rainfall, due to the sufficient amount of rain and snow, the land can store enough water for its own needs every year. However, since our region is a southern region, we cannot try all the experiences of advanced countries. In addition, there are not enough large water bodies in the territory of the country, and the ones that exist are transboundary waters, and whether we want it or not, we have to use water in compromise with other border countries. However, it will not hurt to use the best practices of hot regions like ours.

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