

LAND CONSOLIDATION FOR THE FUTURE REGULATION OF THE KOSOVO'S LAND

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ABSTRACT

Land regulation through *land consolidation* is very important for the society and geodesic activities. Today, it is a means to address rural development policy i.e., forestry, preservation of the environment and landscaping, regulation of rural areas, infrastructure construction and coordination of all non-agrarian interests in rural areas.

1. INTRODUCTION

The present paper reports about the importance of *land consolidation* for geodesy and society in general. In Kosovo land consolidation started in 1983, in compliance with the law dated in 1976. According to the archives of the Cadastral Agency, 78 cadastral zones were included from 1983 to 1986 and the land consolidation covered an area of 26927ha (Ligji për /Fletorezyrtare KSAK nr. 31/87). In addition to agriculture activities, it is important for the preservation of environment and landscape, rural areas regulation, urban plans, juridical-ownership regulation, infrastructure construction, new geodesy plans and cadaster. The integration process of the country to the European Union requires the adoption of established EU law, preparations to be in a position to properly apply and enforce it, and other reforms necessary for the country to meet the conditions for joining, known as accession criteria.

Nowadays, the term “land consolidation” (regulation) refers to the most complete agrarian operation as it includes the re-allocation of parcels together with a broad range of other measures to promote rural development. Therefore, when applied as an instrument of rural development, land consolidation can improve the efficiency and cost-effectiveness of public and private investments in transportation and communication networks, utilities and irrigation systems. Forest complexes might also be included.

2. Development of regulation process (*Land Consolidation*) in the European Community

Land policy has strong links with agricultural and economic policy. Land tenure security encourages investments, thereby providing the incentive and ability for farmers to invest in making improvements to the land and supporting family farming.

Given the current situation of land use intensity and export of agricultural products on the market and the balance between production and exploitation requirements, 10% to 15% of agricultural lands could be excluded from production (Attenberger 1989). Agricultural areas could be reduced by: i) using land for: a) nature conservation, b) leisure time (rest, recreation), c) infrastructure and, d) urban and industrial development purposes; ii) production of herbs that are not used for food. Once agricultural area is reduced, elimination of excessive food waste, environmental protection, the transfer of social irregularities to the village and village development become possible.

2.1. Land consolidation in agriculture and forestry

Agrarian Reform could be defined as the rectification of the whole system of agriculture. It is normally done by the government where they redistribute the agricultural land among the farmers of the country. Here lies in the importance of *land consolidation*. Reforms are made to protect the rights of the farmers and produce incomes by increasing production, reducing technical costs and eliminating of structural irregularities (distance, patching of parcels). The links between the richness of the natural environment and farming practices are complex. Many valuable habitats in Europe e.g. are maintained by extensive farming, and a wide range of wild species rely on this for their survival. But inappropriate agricultural practices and land use can also have an adverse impact on natural resources, like: i) pollution of soil, water and air, ii) fragmentation of habitats and, iii) loss of wildlife.

Nowadays, *land consolidation* is a means to address the agrarian structures and the regulation and development of the village through: i) regulation of settlement for current and future needs, ii) regulation of the meadows of forest complexes, iii) construction of irrigation systems and if necessary, land drainage, iv) providing of a functional network of countryside roads, v) providing land for any eventual network of roads to be built in the future, vi) designing plans for the areas to be planted with multi-annual plants (trees, vines, etc.), and with forests as well, vii) construction of wood fences for protection from the wind, viii) taking measures to prevent steep hilly areas from erosion, ix) regulating the water regime of the territory (regulation of river beds, stream, etc.) to prevent population from floods and, x) creating

sufficient agricultural land to meet the needs for the present and future. For this reason the role of *land consolidation* remains important with the purpose of coordinating all numerous interests in the village, respectively in all areas outside large and dense settlements.

2.2. *Land consolidation and ecology*

Professional planning is commonly defined as an activity which is concerned with the rational allocation or exploitation of resources for man's maximum short- and long-term benefit. Ecology refers to the basic components of natural resources like soil, water, air etc. and their interrelationships with living organisms. Planning and ecology therefore have many common interests and, as such, have long been associated in resource management.

So, three priority areas for action to protect and enhance the Kosovo's rural heritage through *land consolidation* have been identified: i) preservation of biodiversity, development of 'natural' farming, forestry systems, and traditional agricultural landscapes, ii) adoption of established EU law with regard and, iii) addressing contradictions between environmental protection and landscape preservation and agricultural yields.

On one hand preservation of the existing landscape is very important. On the other, the unlabored areas should be linked with a network of biotopes as it has a key function in the ecosystems. It is defined as a geographical region in which the biological environment is uniform, and the flora and fauna distribution is also uniform.

Although the term "biotope" is considered to be a technical word with respect to ecology, in recent years the term is more generally used in administrative and civic activities in which many sectors could be included like including architecture, civil engineering, urban planning, traffic, agriculture, river engineering, limnology, biology, education, landscape gardening, and domestic gardening (Attenberger 1989).

2.3. *Land consolidation and regulation of villages*

Regulation of villages and agrarian policy are key elements for the development of agriculture. As regulation of villages requires professional planning, many sectors could be included like including architecture, civil engineering, urban planning, traffic, agriculture, river engineering, limnology, biology, education, landscape gardening, and domestic gardening. Preservation of historical and cultural monuments is very important. So, both socio-cultural and economic (agriculture) aspects are considered.

2.4. Social and economic aspect in rural areas

Most people in rural areas are dependent directly or indirectly on the natural resources of the area for their livelihood.

Since agricultural projects and programs almost inevitably involve some change in this relationship between people and environment, they will only be successful if all aspects of the present relationship are taken into consideration in the planning stage. This does not mean that the existing relationship is the best one, or that there is always a 'natural' balance between human activities and the environment. In many cases, this is not so, and that is often why some sort of intervention is necessary. It merely means that one cannot introduce change without considering all the aspects or implications of the change, and that means understanding the full nature of the relationship between people and environment.

Social and economic aspects relate to : i) the social characteristics of the area or society, ii) the overall quality of life, iii) availability of and access to social service and, iv) social justice. The implication of the government is crucial as it plays the role of the regulator.

These aspects of the village life require the involvement of local and central government, of the society and many other stakeholders involved in the area (Grosskopf 1988).

3. DEVELOPING DIRECTION OF *LAND CONSOLIDATION* IN KOSOVA

3.1. Village Development

Agriculture policies are of primary importance for any government as the majority of the population lives in the villages. Agriculture is found in a very bad situation due to urbanization/immigration, expensive technology, poor infrastructure etc. Some of the measures to be taken to improve the situation are: i) preservation of the environment and landscape, ii) creation of small economies for the development of agro-tourism and, iii) improved infrastructure. The latter facilitates the communication with the surrounding areas and city and the other activities. Here, local commitment and financial policies (subsidies) by the government would be important.

Given the current situation in Kosovo and its integration process, adoption of established EU law with regard, preparations to be in a position to properly apply and enforce it and other reforms necessary remain crucial for the country (Meha and Anderson 2003).

3.2. Primary goals of land consolidation

3.2.1. Agriculture

Agriculture remains the primary goal of *land consolidation* as it provides better conditions and decreased production costs. Government policy plays a crucial role in our food system. Decisions made about how government supports and regulates Kosovo's agriculture have far-reaching impacts on what food is available, what it costs, and how it is produced.

Bad food policy is a major contributor to the failures of our food system—making junk food cheaper, healthy food more expensive, and sustainable farming more difficult.

Adaptation of new regulation and laws for appropriate economic reforms leads to: i) equivalence of agriculture with other market players, ii) pluralism of the property forms (individual, united and social) and, iii) reduce of the maximum area of land. The positive results obtained make *land consolidation* significant.

3.2.2. Forestry

Forests and forests landscape regulation relates to land consolidation for the following reasons: i) increasing production in forestry, ii) economic development in the villages, iii) preservation of the environment and landscape which leads to tourism and recreation development in rural areas.

3.2.3. Preserving the environment and landscape

Environmental and landscape preservation and agriculture are closely related. Appropriate agricultural land management creates a rich landscape diversity, including a mosaic of woodlands, wetlands, and extensive tracts of an open countryside.

Whilst the farming past has shaped the landscape, often the farming activities that helped generating those features have lost their competitiveness. The agricultural policies stress the importance of preserving the farmed landscape as: i) traditional agricultural landscapes form part of the cultural and natural heritage, ii) the ecological integrity and the scenic value of landscapes make rural areas attractive for the establishment of enterprises, for places to live, for tourism, and recreation businesses. The latter does not require the application of *land consolidation*.

In the first phase due to material, it can be started by the well-known ecological attitude: better to not apply land consolidation. So that, the negative consequences should be overcome. Examples of its negative impact are the landscape cleaning, cutting of trees around the boundaries of the parcels, wood groupings and, at last but not least, and the labor of long and large parcels in which the erosion can strongly affect.

In the second phase with the organizational and material support of the state, the preservation of the environment and the landscape becomes an element of equal rights, which is planned and implemented with the land consolidation.

3.2.4. Regulation of rural settlements

Unfortunately, components of the village life are to be included in the *land consolidation* process (meadows, road infrastructure, cultural and historical heritage etc.). The settlements regulation should be part of *land consolidation* depending on residence's type. For settlement planning, regions need to be provided for inhabitants and for new buildings.

3.2.5. Infrastructure facilities

Here, *land consolidation* plays an important role. Geodesy activities in procedures of land consolidation, such as the design of the road and duct networks would ameliorate the situation. Communication with the surrounding areas and city and the other activities are possible. The legal framework is another very important component of the process.

3.2.6. Real estate Cadasters

The establishment of the cadaster remains the main task of *land consolidation*. During the process, a lot of information about land and land ownership, road infrastructure, water resources and other resources needful for the geographic information system (GIS) is required.

3.2.7. New technology

In addition to the adoption of the established EU laws, application of new technologies would be very helpful as the *land consolidation* process becomes easier and quicker and many unsolved issues could be addressed to.

3.3. Planning and implementation of *land consolidation*

The term "*land consolidation*" (regulation) refers to the most complete agrarian operation as it aims to unify the scattered parcels. Nowadays, it is a means to address the agrarian structures and the regulation and development of the village. The process is very complex and consists of three stages: i) preparation and planning, ii) the formation of new parcels and, iii) construction of planned facilities and implementation of the foreseen measures.

The full implementation of activities included in *land consolidation* requires from 8 to 10 years depending on the surface area and the procedure itself.

4. CONCLUSIONS

Geodetic operation is used for the regulation of the legal-property status and the comparison of cadastral records and property book through years with the current situation on spot. Today, it is a means to address rural development policy i.e., forestry, preservation of the environment and landscaping, regulation of rural areas, infrastructure construction and coordination of all non-agrarian interests in rural areas. The country's integration process to the European Union requires the adoption of established EU law, preparations to be in a position to properly apply and enforce it and other reforms necessary for the country to meet the conditions for joining, known as accession criteria.

Agriculture policies are of primary importance for any government as the majority of the population lives in the villages. As agriculture is found in a very bad situation due to urbanization/immigration, expensive technology, poor infrastructure etc. the following measures could be taken: i) preservation of the environment and landscape, ii) long-term planning, iii) creation of small economies for the development of agro-tourism, iv) involvement of all stakeholders, v) information system for rural population, vi) application of new technologies during the process and, v) improved infrastructure. The latter facilitates the communication with the surrounding areas and city and the other activities. Here, local commitment and financial policies (subsidies) by the government would be important.

Given the current situation in Kosovo and its integration process, adoption of established EU law with regard, preparations to be in a position to properly apply and enforce it and other reforms necessary remain crucial for the country.

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