

«Сейфуллин окулары – 18(2): « XXI ғасыр ғылымы – трансформация дәуірі» халықаралық ғылыми - практикалық конференция материалдары = Материалы международной научно-практической конференции «Сейфуллинские чтения – 18(2): «Наука XXI века – эпоха трансформации » - 2022.- Т.III. Ч.І. – С.21-23

THE PROBLEMS OF LAND MANAGEMENT IN KAZAKHSTAN

*Shandronova Sofya, Alikhan Erasyly,
Kadyrbek Mukhammed, 1st year students
A.E. Berikhanova
S. Seifullin Kazakh Agrotechnical University, Nur-Sultan*

Aim: Review and analyze the problems of land management in Kazakhstan.

The current problems of land management affect the economic, environmental and social parts of land management can be seen through the impact of land management activities on the environment and the nature of land use, restoration and reclamation of disturbed lands, protection of lands from erosion, etc. Proper measures in land management can make it possible to obtain economically profitable land. Now the problem of land management is relevant, since in our country the potential is developing very slowly, slowing down the growth of economic development. Lack of worthwhile organization and financing of land management, refusal to develop established laws in the Constitution of the Republic of Kazakhstan [1].

Disadvantages of land use of agricultural enterprises arise most often as a result of the complex process of formation of land masses of agricultural enterprises and lead to high economic costs to eliminate these problems. It is worth adding also the impact of problems on agriculture. At present, costly land management works are on the shoulders of landowners, since there is not enough state funding. For the organization and financing of land management works, a competent policy on the part of state bodies is necessary. An inventory has not been carried out on agricultural lands, most of the land plots are not registered in the cadastre, therefore they are not considered registered. Land management work on the transfer of ownership or use to agricultural organizations or citizens of non-agricultural land has not been carried out. All this does not allow obtaining reliable information about land plots, boundaries, qualitative characteristics and location. Such shortcomings indicate the unformed inventory. As a result, the state incurs losses due to a decrease in the total amount of budget revenues from the registration of transactions with land shares and other land plots. The main disadvantage of the land cadastre is its fragmentation, the presence of information in it only about 10% of legally used land plots, that is, information in the Unified State Register of Lands is available only about land plots registered on the

cadastral basis according to the declarative principle. In modern conditions of land use, more and more relevant issues of land management and cadastre become.

The transformation processes taking place in the social and economic life of the country require the development of new conceptual approaches to the implementation of land management processes based on the analysis of problems in the land management system and cadastre. In the socio-economic development of society, land resources, land use and land relations have played a key role throughout human history. As an object of legal regulation, from an economic point of view, land acts as an object of economic activity and is the material base of any production process, organically acting as a source of satisfaction for a wide range of diverse human needs [2].

Earth in the ecological sense is a natural object, an integral part of the natural environment, interacting with other objects of nature, and in a broader sense, covering all natural resources. With independence in the Republic of Kazakhstan, the 1990 Land Code stipulated that only the possession and use of land is allowed. There was no concept of private property.

The 1993 constitution emphasized that natural resources, including land, were owned by the state. Since 1995, the main thing for foreign investors has been the availability of connections and access to government officials and state officials. committees entitled from the state of Kazakhstan to conclude contracts. The significance of the land problem has not yet been recognized by the authorities of Kazakhstan.

Research methods: researched by book sources and statistics analysis.

By 2003, the growing national bourgeoisie benefited from the exclusion of foreign participants from the struggle for agricultural land, primarily for the possibility of inexpensively buying up land in large quantities. In the next resale in the future, therefore, the right of private ownership was granted only to the citizens of the Republic of Kazakhstan.

This provision was also confirmed in the 2003 Land Code. In words, the authorities of Kazakhstan stood up for the introduction of the right of private ownership of agricultural land to include land in trade and attract wide sections of Kazakhstani society, but in reality only the wealthy nomenclature could take advantage of this [3]. As a result of the lack of educational work to clarify the essence of the changes in the Land Code, weak peasant farms became even weaker, and latifundistas who had resources associated with the executive branch were able to buy land sold to them by residents of villages and auls for a pittance. The process of legitimizing huge land masses, now openly or affiliatedly owned by people in power, has begun. The media began to appear reports of hundreds of thousands of hectares of land owned by those in power. Moreover, the vast majority of land latifundists are "businessmen from the authorities."

Since 1995, the main thing for foreign investors has been the availability of connections and access to government officials and state officials. committees entitled from the state of Kazakhstan to conclude contracts. The practice of cash kickbacks was introduced

everywhere

- "caps" when making transactions and the appearance of "helpers" to reach the right people. Since 2003, power has been concentrated in the hands of an uncontrolled executive branch. The total looting of the land fund by akims of rural areas began, selling land plots to everyone who was ready to pay. Since the local residents demanded a free transfer of land in

accordance with the queue for land, as they live here, it was profitable to sell land to the left to wealthy visitors, townspeople, political nomenklatura and oligarchs.

Akims of all levels actively pursued a policy of land acquisition through the decisions of land and town planning commissions, in which the main violin was played by developers who

carried out the will of the akims themselves. These commissions did not include civil

activists and representatives of independent NGOs that could express the will of the residents.

In the same way, the authorities decided to act in the Shanyrak microdistrict. In response, the inhabitants of Shanyrak organized the defense of their houses (some of them had state

certificates for land, but most of them did not).

By the beginning of the land rallies in 2016, the country's land fund was already concentrated in the hands of oligarchic groups, which led to pressure on the government, which raised the issue of selling land to foreign companies and foreigners. The commission proposed: to conduct an inventory of agricultural land, audit the value of land, including the cadastral value, introduce the provision of agricultural land in an electronic format in the public domain.

Corruption is already noted at the level of support for agricultural producers, which leads to the inefficiency of lending state corporations. KazAgro's money went to intermediaries.

KazAgro stimulated the emergence of false farms that existed formally, whose collateral real estate of borrowers existed, as a rule, only on paper. However, the money for KazAgro was received under state guarantees from international banks (the European Bank for Reconstruction and Development) and must be returned [4].

The activities of akims, who have been selling land in rural areas all this time, are not

controlled. With the exception of isolated cases, none of them was arrested and convicted for the sale of land, for example, in the same Talgar district of Almaty region, school and hospital territories, cemeteries in Karabulak (Klyuchi) were sold or leased.

Houses of culture were "grabbed" en masse for a pittance, and local public activists pointing to the criminal sale of land, disgusting roads, all these years received threats, even shot.

Illegal construction is going on in the cities of Kazakhstan, school sports stadiums and playgrounds have been destroyed, when officials sell these lands under the guise of denser development. Land plots were confiscated from former

orphanages, universities: KazNU named after al-Farabi, ASU named after Abai, KazGosZhen.PI, various institutions: the Institute of Obstetrics and Gynecology, the National Museum of Arts named after. Kasteev, "Kazakhfilm" and representatives of the executive branch, heads of institutions, relevant ministries, judiciary and prosecutors are involved everywhere.

Conclusion: based on this, I would like to conclude that these urgent problems of land management in Kazakhstan should be considered in the current world. And our country is doing everything possible, such as this year to allocate more than 1000 grants for the specialty of cadastre and land management. This is a huge step towards the development of this channel in Kazakhstan..

References

- 1 Constitution of the Republic of Kazakhstan
30.08.1995 г.,
https://adilet.zan.kz/rus/docs/K950001000_
- 2 About the land. Presidential decree 22.12.1995 г.,
https://adilet.zan.kz/rus/archive/docs/U950002717_ /
22.12.1995
- 3 Land code of the Republic of Kazakhstan
20.06.2003г.,
<https://adilet.zan.kz/rus/docs/K030000442>
- 4 Jabaildayeva GT. State land control in the Republic of Kazakhstan: problems of legal regulation. Journal of the Belarusian State University. Law. – 2019. -P. 104–112. Russian.