

# **Protection of cultivated land: rural planning law and agricultural property and real estate law in the Czech Republic**

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## **1. Characterise the importance of planning instruments to protect agricultural land resources in your country of origin, taking the following issues into account:**

### **1.1. Scope of land-use plans (for the whole territory or only certain areas).**

The scope of land-use planning in the Czech Republic includes the whole territory. It takes place at several levels, from the highest “nationwide” level (the most general and binding for the lower levels) to the lowest “local” level (the most detailed one). The relevant legislation is contained in the Act No. 183/2006 Coll., on town and country planning and building code (hereinafter referred to as the “**Building Act**”).<sup>1</sup> The basic structure is as follows:

(1) Spatial Development Policy at the nationwide level: It determines, within the stipulated period, the requirements for concretization of the tasks of the town and country planning within the republic wide, over border and international context, especially with respect to the area sustainable development, and determines the strategy and basic conditions for the implementation of these tasks (Sec. 31 (1) Building Act). For more details about its contents see Sec. 32 Building Act. The spatial development policy is binding for procurement and issuance of development principles, plans, regulatory plans and for decision-making within the area [...] (Sec. 31 (4) Building Act). Currently, the Spatial Development Policy from 2008 which was first updated in 2015 is in force.<sup>2</sup>

(2) Spatial Development Principles at the regional level: They determine especially the basic requirements for purposeful and economic arrangement of the region’s territory, delimit the areas or corridors of the supra local importance and determines the requirements for their utilization, especially the areas or corridors for the public works, public benefit measures, [...] (Sec. 36 (1) Building Act). They are binding for procurement and issuance of the plans, regulatory plans and for the decision-making in the area (Sec. 36 (5) Building Act).

(3) (Local) Plan at the local level: The plan determines the basic concept of the development of the municipality, protection of its values, its areal and spatial arrangement [...], arrangement of the landscape, and the concept of the public infrastructure; delimits the developed area, areas and corridors, especially the areas with development potential and the areas delimited for the alteration of the existing development, etc. (Sec. 43 (1) Building Act).

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<sup>1</sup> For more details see the Act No. 183/2006 Coll., on town and country planning and building code (Czech Republic). It is available [online] also in English language, but the wording of the translation is unfortunately not amended: [https://www.mmr.cz/getmedia/9a941cf5-268b-4243-9880-d1b169fb33d6/SZ\\_angl.pdf](https://www.mmr.cz/getmedia/9a941cf5-268b-4243-9880-d1b169fb33d6/SZ_angl.pdf) [11. 9. 2019].

<sup>2</sup> See the publication about Spatial Development Principles as of 2015 [online] in English language: [https://www.mmr.cz/MMR/media/MMR\\_MediaLib/%c3%9azemn%c3%ad%20a%20bytov%c3%a1%20politika/%c3%9azemn%c3%ad%20pl%c3%a1nov%c3%a1n%c3%ad/PUR%20c4%8cR/2015\\_VIII\\_7\\_SDP\\_update1\\_EN.pdf](https://www.mmr.cz/MMR/media/MMR_MediaLib/%c3%9azemn%c3%ad%20a%20bytov%c3%a1%20politika/%c3%9azemn%c3%ad%20pl%c3%a1nov%c3%a1n%c3%ad/PUR%20c4%8cR/2015_VIII_7_SDP_update1_EN.pdf) [11. 9. 2019].

The plan specifies and develops the objectives and tasks of the town & country planning in context and details of the municipality's territory in accordance with the region's development principles and the spatial development policy. [...] (Sec. 43 (3) Building Act). (Local) plan is a facultative planning instrument, i.e. not every municipality has issued one.

(4) Optionally regulatory plan (see Sec. 61 et seq. Building Act).

(5) These levels of spatial planning are followed by concrete decision-making in the territory. This concerns location of buildings and other structures, changes in the use of the area, changes in the impact the use of the structure has on the area, division and consolidation of the plots, and protective zones (Sec. 77 Building Act).

As for agricultural land in relation to land-use planning, the level of the (local) plan and the next level of decision-making about the concrete territory are crucial. In these levels the important decisions about the use of the concrete territory are made. In the context of this questionnaire, it is inseparably connected with the legislation in the field of protection of agricultural land, which provides further conditions.

### **1.2. Special instruments for the conservation of cultivated land (especially priority areas).**

There are no special instruments concerning conservation of cultivated land directly in the Building Act – except for the more generally formulated provisions regarding (local) plans and decision-making about the concrete territory, and partly also except the provisions regarding protection of the non-developed area. The more specific instruments may be found rather in special legislation, especially in the Act No. 334/1992 Coll., on protection of agricultural land fund (hereinafter referred to as the “**Act on Protection of Agricultural Land Fund**”).<sup>3</sup> This Act provides for protection of both the quality and quantity of the agricultural land. More information about this Act and about the instruments enshrined in it is provided below. In connection with this particular question, the conceptual instrument of division of five different “classes” of agricultural land is of particular importance.

### **1.3. Permissibility of activities on agricultural land (in particular buildings) according to land-use plans (or outside of them).**

To answer this question, it is necessary to recall some of the above-mentioned general provisions of the Building Act, and explain them in a little bit more detail:

First, the (local) plan determines how the concrete territory may be used. If a plot is designated as an agricultural area, it cannot be used for construction, unless a change in the land-use plan is made. The Act on Protection of Agricultural Land Fund provides for more conditions (these are described below). As for the issue of the possible land uses, more information is provided in the Decree No. 501/2006 Coll., on general land use instruments. In the second part of this Decree, general requirements on the delimitation of areas in (local) plans are included. According to Sec. 14, agricultural areas are usually separately designated in order to ensure the conditions for the prevailing agricultural use. Agricultural land includes

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<sup>3</sup> For explanation, “Agricultural land fund” is defined in Sec. 1 of the Act on Protection of Agricultural Land Fund as follows: The agricultural land fund consists of agricultural (cultivated) land, i.e. arable land, hop gardens, vineyards, gardens, orchards, permanent grassland and land which has been and is to be farmed but it is temporarily not (i.e. “agricultural land”). The agricultural land fund includes also fish farms or water poultry and non-agricultural land needed for agricultural production, such as dirt roads, land with equipment important for field irrigation, irrigation water reservoirs, drainage ditches, dams for protection against waterlogging or flooding, technical anti-erosion measures, etc. An English translation of the Act is unfortunately not available.

mainly areas included in the agricultural land fund, areas with buildings, equipment and other measures used for agriculture, and areas necessary for the related transport and technical infrastructure. It depends on the given land-use plan whether it specifies the use of agricultural land, e.g. as permanent grassland or as arable land, or whether it declares only generally that it is an agricultural area.

Second, according to Sec. 80 Building Act, a decision on change of the use of the area is necessary in the following cases (provided that the relevant concrete land uses are covered by the delimitation in the (local) plan): changes in the type of land or its use, in particular the establishment, abolition and alteration of vineyards, hop gardens, forests, parks, gardens and orchards, unless other conditions are laid down by approved land consolidation or by other decision. The changes in the type of land or its use do not need such decision in cases when their scope do not exceed 300 m<sup>2</sup>. Again, further conditions are specified in the Act on Protection of Agricultural Land Fund. It shall be especially noted that a special consent of the agricultural land fund protection authority is needed in cases of change of usage from permanent grassland (pastures and meadows) to arable land (Sec. 2 Act on Protection of Agricultural Land Fund).

Third, in cases where no (local) plan was issued (as mentioned above, issuance of (local) plans is facultative for the municipalities), the Building Act includes also general provisions on protection of the non-developed area. According to Sec. 18 (5) Building Act, within the non-developed area it is possible, in accordance with its character, to locate the structures, facilities and other measures only for agriculture, forestry, water management, raw material extraction, for protection of nature and landscape, for public transport and public infrastructure, for reduction of danger of ecological and natural disasters and for removing of their consequences, and further technical measures and structures, which will improve the conditions of its utilization for purposes of recreation and tourism, for example, cycle paths, sanitary facilities, ecological and information centres.

Further limitations and more concrete conditions are included in other legislation, especially in the Act on Protection of Agricultural Land Fund. According to its Sec. 3 (1) d), the use of agricultural land for non-agricultural purposes is prohibited unless a consent to the removal from the agricultural land fund is given (except for the cases where such consent is not required). According to Sec. 3 (4), the owner or any other person authorized to use the agricultural land shall use or maintain it in accordance with the characteristics of the respective type of land. More information is provided below.

#### **1.4. Instruments in national planning law aimed at limiting changes to the intended use of agricultural land for purposes not related to agriculture.**

The above-mentioned applies also in the case of this question – there are no specific instruments aimed at limiting changes to the intended use of agricultural land for purposes not related to agriculture in the Building Act, i.e. in the context of the general planning law. The most important instruments were described above: it is especially the obligation to use the plot in a way permitted by the (local) plan and the need to obtain the necessary decision for location of buildings and other structures, changes in the use of the area etc.

Nevertheless, some specific instruments are included in the Act on Protection of Agricultural Land Fund. The most important of them are described below, divided into three groups according to the type of instrument - conceptual, administrative and economic.

(1) Probably the most important conceptual instrument is represented by the distinction of five different soil types (“classes”) according to their quality. The soil that is awarded as class I. or

II. (i.e. the highest quality) is enjoying higher standard of protection. It is forbidden to use the soil of class I. or II. as plantation of trees (Sec. 3 (5) Act on Protection of Agricultural Land Fund). If it is necessary to remove agricultural land from the agricultural land fund, it is preferable to remove less quality agricultural land (the classes are the basic guide here) (Sec. 4 (1) b)). According to Sec. 4 (3), agricultural land of class I. and II. can only be removed from the agricultural land fund if another public interest significantly outweighs the public interest in protecting the agricultural land fund. Finally, protection classes are taken into account also when calculating the fee to be paid when agricultural land shall be removed from the agricultural land fund.

(2) The key administrative instrument is enshrined in Sec. 9 (1) of the Act on Protection of Agricultural Land Fund: The removal of agricultural land from the agricultural land fund for non-agricultural purposes requires a consent of the Agricultural Land Fund Protection Authority. Any project requiring the removal of agricultural land from the agricultural land fund cannot be authorized under special legislation (including the Building Act) without this consent (there are, however, some exceptions to this rule). This provision also implies, that in many cases, also a decision according to the Building Act is needed, e.g. decision concerning location of buildings and other structures, changes in the use of the area etc.

(3) Finally, there is also one important economic instrument, namely the obligation to pay a specific fee for removal of agricultural land from the agricultural land fund (also here there are some exceptions to this obligation). The fee has to be paid after the initiation of realisation of the project, i.e. in the stage where the scope of the removal is absolutely clear and fixed (Sec. 11 (2) of the Act on Protection of Agricultural Land Fund). The fee is calculated with respect to the quality (class) of the agricultural land to be removed.

### **1.5. Consequences of changing the intended use of agricultural land to purposes not related to agriculture in so far as it may alter classification as agricultural land under any regulations of agricultural property transactions.**

There are no special consequences in relation to agricultural property transactions. The above-mentioned conditions must be met, i.e. especially the compliance with the (local) land use plan, consent with removal of the land from the agricultural land fund, a decision according to the Building Act (if it is required in the given case), and payment of the fee for removal of the land from the agricultural land fund. It is possible to remove the land from agricultural land fund permanently or temporarily. Temporary removal is possible in cases where after the purpose of the removal is completed, the area can be restored and returned to the agricultural land fund (Sec. 9 (3) of the Act on Protection of Agricultural Land Fund).

### **1.6. Evaluation of the adopted instruments for the protection of agricultural land resources in the light of national academic literature.**

Criticism of an utterly inadequate effectiveness of the existing legal barriers to the removal of agricultural land (especially of arable land) from the agricultural land fund can be found in several academic papers, e.g. DAMOHORSKÝ, M. *Ochrana půdy v právu* (Soil protection in law). In: *České právo životního prostředí* No. 42/2016.<sup>4</sup> The issue is usually discussed in the context of general environmental law rather than in the context of agricultural law.

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<sup>4</sup> DAMOHORSKÝ, M. *Ochrana půdy v právu* (Soil protection in law). In: *České právo životního prostředí* (Czech Environmental Law Review) [online], No. 42/2016. ISSN 1213-5542. Pages 8-19. Available at: [http://www.cspzp.com/dokumenty/casopis/cislo\\_42.pdf](http://www.cspzp.com/dokumenty/casopis/cislo_42.pdf) [15. 9. 2019].

The rates of removal of agricultural land from the agricultural land fund, especially for non-agricultural purposes (permanent development), reach more than 11 ha of agricultural land a day.<sup>5</sup> It is therefore clear that the existing instruments (especially the economic ones – fees) work only partially and that a total ban on removal of the most valuable land classes would be more desirable. However, in some cases, moving the removal to available areas with less valuable soil classes could endanger other ecological and water management functions of the landscape, the issue is therefore very complex and needs to be considered thoroughly.

In any case, the Czech construction industry needs to move “from a green meadow to a brown field” and start using more of the formerly built up and devastated areas, especially former industrial or military sites, etc. Otherwise, shortages of agricultural land for food production, as well as problems with the fulfilment of other ecological functions of the soil, may soon become reality. This change will certainly be quite painful, and its implementation complicated.

## **2. Characterise the importance of instruments to counteract the degradation and devastation of agricultural land in your country of origin, taking the following issues into account:**

### **2.1. Degree of agricultural land degradation and devastation; issue of erosion and desertification of agricultural land.**

The quality of the Czech agricultural land is unfortunately not very high, which impairs its natural functions. This issue is connected with the ownership structure of the agricultural land (much of Czech agricultural land is rented), which will be further discussed below, and also with shortcomings in the legislation in this area. In the next paragraphs, some data is provided, which were translated from the Situational and perspective report concerning agricultural land in the Czech Republic, which was published by the Ministry of Agriculture in 2018.<sup>6</sup>

At present, soil degradation is a serious issue in the Czech Republic. The main factors that cause soil loss or degradation include water and wind erosion, soil compaction, further development, organic matter loss, acidification or soil contamination. A major problem in the Czech Republic is also soil waterlogging and incorrect land management in water protection zones.<sup>7</sup> Only approximately 9% of agricultural land is very high to high production agricultural land, 11% is medium production land, 48% is less to very low production land and up to 32% are low to not significant production land.<sup>8</sup>

Water and wind erosion is one of the most pressing issues. Some form of water erosion potentially endangers 54% of agricultural land. The most vulnerable soils are covering 18% of the area of the Czech Republic. Currently, the maximum loss of land in the Czech Republic is estimated at approximately 21 million tons of topsoil per year, which can be expressed as an economic loss of at least CZK 4.2 billion. Approximately 18% of agricultural land is

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<sup>5</sup> Ministry of Agriculture. Situational and perspective report Soil 2018 (Situční a výhledová zpráva Půda 2018) [online]. Available at: [http://eagri.cz/public/web/file/611976/SVZ\\_Puda\\_11\\_2018.pdf](http://eagri.cz/public/web/file/611976/SVZ_Puda_11_2018.pdf) [13. 9. 2019]. Page 6.

<sup>6</sup> Ministry of Agriculture. Situational and perspective report Soil 2018 (Situční a výhledová zpráva Půda 2018) [online]. Available at: [http://eagri.cz/public/web/file/611976/SVZ\\_Puda\\_11\\_2018.pdf](http://eagri.cz/public/web/file/611976/SVZ_Puda_11_2018.pdf) [13. 9. 2019].

<sup>7</sup> Ibid, page 25-26.

<sup>8</sup> Ibid, page 6.

potentially endangered by varying degrees of wind erosion (of which 3.2% is in the highest level of endangerment, and 1.81% of land is strongly endangered).<sup>9</sup>

Desertification is not a current issue in the Czech Republic, nevertheless, as climate change is advancing, certain areas are experiencing significant periods of agricultural drought.

## **2.2. Legal instruments to counteract the degradation and devastation of agricultural land (administrative orders and prohibitions; creation of protected areas surrounding industrial facilities; other).**

There are several general rules concerning protection of the quality of agricultural land in the Act on Protection of Agricultural Land Fund. The main principles are enshrined in Sec. 3 (1) of the Act: it is especially forbidden (a) to cause contamination of agricultural land [...], (b) to cause the agricultural land to be endangered by erosion by exceeding the permissible levels of the erosion hazard laid down in the implementing legislation, [...], (d) to deteriorate the physical, chemical or biological properties of agricultural land by compaction, waterlogging, drying, overlaying or erosion, etc.

One of the most pressing issues in the Czech Republic is certainly the erosion of agricultural land. Even though there is the above-mentioned principle enshrined in the Act on Protection of Agricultural Land Fund, it is not usable in practice, as the necessary implementing legislation was never issued. Thus, in the current situation, it is neither possible to determine the level of erosion hazard nor to impose remedial measures pursuant to Sec. 3c of the Act. There were several attempts to issue the implementing legislation, but it hasn't been done yet.

Consequently, the only existing legal protection instrument usable against erosion is currently the obligation under Sec. 2 of the Act according to which the agricultural land registered as a permanent grassland may be converted to arable land only with the approval of the Agricultural Land Fund Protection Authority granted on the basis of an assessment of its physical or biological characteristics, and of the erosion hazard, including the location of valleys and the measures taken to mitigate such risks.

Further conditions may be given independently of the above problems as conditions for subsidies. The condition for providing the full amount of subsidy is usually the compliance with the Europe-wide standards known as “*Good Agricultural and Environmental Conditions*” (GAEC). In relation to erosion, it is especially the GAEC 5 (“minimum land management reflecting site specific conditions to limit erosion”) which should be of interest.<sup>10</sup> However, compared to the general rules that should be laid down in the implementing legislation to the Act on Protection of Agricultural Land Fund and which should be dealing specifically with the protection of Czech agricultural land against erosion, this is only a minor satisfaction.

## **2.3. Reclamation of degraded or devastated agricultural land (its methods; entities obliged to perform this task).**

Sec. 3c of the Act on Protection of Agricultural Land Fund is dealing with remedial measures usable in case of contamination of agricultural land or in case of its threat by erosion. As already mentioned above, it does not actually work in case of erosion, because the necessary implementing legislative was not issued. However, in other cases, it authorises the

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<sup>9</sup> Ibid, page 6.

<sup>10</sup> For more information see Regulation (EU) No. 1306/2013 of 17 December 2013 on the financing, management and monitoring of the common agricultural policy [online]. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32013R1306&from=CS> [15. 9. 2019].

Agricultural Land Fund Protection Authority to impose remedial measures to the originator of the defective condition, who also bears the costs of these measures.

According to Sec. 3c (2) of the Act it is possible to impose the following measures as remedial measures (depending on the respective contamination of agricultural land which was identified): special crop sowing procedures, agrotechnical and melioration measures aimed at improving soil properties, reduction of accessibility or draining off hazardous elements and hazardous substances, or optionally also change the type of land.

#### **2.4. Evaluation of instruments adopted to counteract the degradation and devastation of agricultural land and methods for reclamation in the light of academic research.**

In addition to the above, the academic community has long been pointing out that the limited effectiveness of the current legal protection of agricultural land against its degradation and devastation is not only caused by the above-mentioned insufficiencies of the available legal instruments, but also (and even rather) by the current way of human thinking about these issues and by people's attitude towards it.

More than 70 % of agricultural land in the Czech Republic is managed based on a lease agreement, i.e. not by its owners.<sup>11</sup> Positive ties of the owner to his or her land are therefore weakened or absent. Many tenants tend to manage the agricultural land in a way to achieve maximum and quick profit, not to cultivate it. They grow the crops which are economically profitable at the moment, and they support it by intensive use of various chemical products. This approach seems to be unsustainable and harmful not only for the quality of food, but also for the quality of soil, water and for biodiversity.

However, even though the academic community has been criticizing this state of things and proposing measures to remedy the situation for a long time now, the situation has not changed significantly yet.

#### **3. Are there any specific regulations concerning agricultural property transactions in your country?**

There are no specific regulations. Agricultural property may be disposed of in the same way as any other property. For historical reasons, important amounts of agricultural land is now owned by a number of entities that do not manage it, mainly because of the size and location of the land (this problem is continuously being solved with the help of complex land consolidation) or because of lack of interest and necessary skill (loss of tradition in the family). This land is usually rented or sold to agricultural companies – these transactions are therefore very common in the Czech Republic and they are not specifically regulated.

#### **4. Are there any restrictions as to the acquisition of agricultural property by foreigners in your country?**

There are no such restrictions.

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<sup>11</sup> Ministry of Agriculture. *Situational and perspective report Soil 2018* [online]. Op. cit. Page 80.

**5. Given the data available to you, does the issue of the so-called land grabbing exist in your country and are there any regulations concerning it, to counteract this phenomenon?**

**5.1. Scope for land grabbing.<sup>12</sup>**

In the Czech Republic, there are several domestic giant agricultural companies (legal entities), which control most of the land and agricultural production (see the statistical data below). As a result, these companies determine the conditions of the entire market and thus affect prices. Many (especially large) agricultural companies farm partly on someone else's agricultural land without a valid legal title (without the knowledge or consent of its owner), and they make a profit not only out of the production gained on this land, but also by receiving subsidies for its management. They justify it as a remuneration for the service, because otherwise, according to their arguments, "this land would lay fallow and degrade".

Selected statistical data are provided below:

As of 2017, the agricultural holdings were farming on 3 456 646 ha of agricultural land in total, thereof only 2 507 business companies were farming on 1 720 555 ha of agricultural land.<sup>13</sup>

The largest group of agricultural holdings is represented by small entities, which make up less than two thirds (60%) of all agricultural holdings in the Czech Republic. The smallest group of agricultural holdings is represented large agricultural entities (7%). Although it is the least represented group, a large part of the Czech agricultural production is concentrated within large agricultural holdings. These holdings farm on 66% of the total agricultural land and, in livestock units, account for 76% of the total number of farm animals. The opposite situation occurs in the case of small agricultural holdings (the vast majority of them are natural persons) who, as the largest size group, manage only 5% of agricultural land in the Czech Republic with a share of 4% of the total number of farm animals.<sup>14</sup>

In 2016, a hypothetical average agricultural subject managed 132 ha of agricultural land. From this total area, the average entity owned 35 ha of agricultural land and leased 97 ha. An average natural person farmed 45 ha of agricultural land, of which 22 ha were owned and 23 ha were leased. An average legal entity farmed 805 ha of agricultural land, of which an average of 144 ha of land were owned and 661 ha were leased.<sup>15</sup>

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<sup>12</sup> Land grabbing is understood here under the following definition: „Land grabbing can be defined as being the control (whether through ownership, lease, concession, contracts, quotas, or general power) of larger than locally-typical amounts of land by any person or entity (public or private, foreign or domestic) via any means ('legal' or 'illegal') for purposes of speculation, extraction, resource control or commodification at the expense of peasant farmers, agroecology, land stewardship, food sovereignty and human rights.“ EcoRuralis. *What is land grabbing? A critical review of existing definitions* [online]. Available at: [https://drive.google.com/file/d/0B\\_x9XeYoYkWSDh3dGk3SVh2cDg/view](https://drive.google.com/file/d/0B_x9XeYoYkWSDh3dGk3SVh2cDg/view) [16. 9. 2019].

<sup>13</sup> Czech Statistical Office. *Structural survey in agriculture, 2016 – Agricultural holdings by legal forms* [online]. Available at: <https://www.czso.cz/documents/10180/46015056/27015117001.pdf/bfb2db12-8d1d-4f56-b30b-49bd6d372285?version=1.0> [16. 9. 2019].

<sup>14</sup> Czech Statistical Office. *Structural survey in agriculture, analytical evaluation 2016 – Structure of agricultural holdings expressed in classes according to economic size* [online]. Available at: <https://www.czso.cz/documents/10180/79535242/27016818k02cz.pdf/eaf95599-31e7-4865-9dff-2f59fcd59f02?version=1.1> [16. 9. 2019].

<sup>15</sup> Czech Statistical Office. *Structural survey in agriculture, analytical evaluation 2016 – Average agricultural entity* [online]. Available at: <https://www.czso.cz/documents/10180/79535242/27016818k07cz.pdf/2652c203-550b-459c-8dbd-cea88cbc7934?version=1.1> [16. 9. 2019].

## **5.2. Instruments to counteract this phenomenon.**

There are currently no specific legal instruments in the Czech Republic that would prevent the above phenomenon. The purchase or lease of land itself and its management is not illegal, assuming that everything is done in accordance with the civil law, agricultural law and environmental law. If this is not the case, the sanction mechanisms within administrative or criminal law apply. At the same time, compliance with competition rules needs to be observed.

Moreover, further progress in the process of complex land consolidation might contribute to some improvement of the situation, as it aims at, inter alia, ensuring that the agricultural land is accessible to the owners and that it can be managed independently.

## **5.3. Evaluation of the efficiency of adopted instruments to counteract land grabbing as regards their efficiency.**

The efficiency and interest in applying the above instruments is generally relatively low. In a country where the family members of the Prime Minister, Minister of Agriculture or other senior officials control a large part of the agricultural and food sector, it is difficult to fully implement legal, economic and ethical instruments against this phenomenon.