

The Farmland Fragmentation and Assessment of Legal Regulations for the Prevention of Farmland Fragmentation Within the Framework of Land Management in Turkey

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SUMMARY

Land is used for multi purpose in rural and urban areas, and the land resources are the main factors of production in agricultural activities. The change in farmland use all over the world is linkage with economic, demographic, social and environmental factors. The population pressure on farmland in developing countries caused to decrease the average farm size, decrease productivity and degraded land resources. The operating land of farms are observed to be fragmented and scattered. The official data reveals that the average farmland size per households in 2018 was 7.0 parcel unit. It is observed that small-scale farm enterprises are widespread, and the average size of enterprises is insufficient and the distribution of lands between the regions and within the households is uneven. Due to increasing population pressure and inadequacy of non-farm employment opportunities, land fragmentation remains as a cumulative challenge to rural land management and administration. In order to minimize these problem, legal arrangements have been made and land consolidation projects have been carried out. In the cause of preventing fragmentation to prime farmland due to inheritance and sales of farmland to non-farm activities, the parliament has made some amendments to some of the sections in Soil Conservation and Land Use Law in 2014 concerning the compulsory farmland ownership and land transfer after inheritance and the prevention of land fragmentation which is frequently emerged due to land selling's. Nevertheless, the Ministry responsible may only allow the transfer of land by considering certain criteria such as farm size, the sufficient level of revenue generated from the farmland, together with economic integrity of farmland.

The aim of the research is to examine the legislations which were enacted to prevent the farmland fragmentation in Turkey, legal lacunas and inadequacies observed in the cause of implementations, and the necessary measures to be taken to solve the problems were outlined. The research results aim at evaluating the causes of disputes over land transfer and to suggest proper solutions to resolve

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land ownership's issues based on national survey results as secondary and primary data. The data were obtained through the survey of provincial and districts agricultural directorates and farmers chamber managers and specialist to describe the implementation of legal regulations and land consolidation and conservation policies. In-depth interviews and questionnaires were applied in 150 districts and provincial directors and specialists within the province of Ankara. In this study, the land fragmentation, land consolidation and the impacts of and conservation legal regulation is to evaluate based upon the national data, administrative data, and court cases. The impacts of legal regulation on land use and rural land fragmentation is examined and then a situation analysis is conducted in terms of farmland in Ankara province, one of the oldest human settlements in Anatolia. It is noteworthy that the change in land resources and use in the province is slow, but the practices of tenancy and sharecropping change yearly. It is obviously determined that newly legal regulations on land resources has a notably impact on the land tenure system, sustainability, land markets, rural land management strategies and land fragmentations in Turkey. In addition, these regulations have reduced the land mobility and transfer option in local markets and affect land rent and current capitalization rates used land valuation practices.

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