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CONSULTATION CONFERENCE ON LAND CONSOLIDATION (BRATISLAVA, 31 MAY 2023) / Ľudovít Máčaj

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On the 31st of May 2023, Comenius University Bratislava, Faculty of Law organised an international scientific conference entitled "Consultation conference on land consolidation". The conference was organised at the faculty with the participation of several Slovak, as well as foreign guests. The conference represented the outcome of the research team concerning the project No. APVV-19-0494 „Effective land consolidation“, granted by Slovak Research and Development Agency (APVV).

The consultation conference represented a significant milestone in scientific research aimed at efficient land consolidation. In this phase of addressing the grant project, it is crucial to establish deeper collaboration with professional partners and, through the delivered research results, directly contribute to improving legal practices in this sector.

It was prepared as a means for consultation with professional partners who are also engaged in land consolidation in their practice. Primarily, the Chamber of Land Consolidation, as well as the Chamber of Geodesists and Cartographers. We also engaged other partners in the discussion who willingly accepted our invitation. These included representatives from the Ministry of Agriculture and Rural Development of the Slovak Republic, the Notarial Chamber of the Slovak Republic, Geodesy, Cartography and Cadastre Authority of the Slovak Republic, the Slovak Agriculture and Food Chamber (SPPK), the Association of Towns and Communities of Slovakia (ZMOS), the National Motorway Company of Slovakia, the Slovak Land Fund and others.

The conference had an international dimension as well, as it was attended by JUDr. Jakub Hanák, Ph.D., Head of the Department of Environmental Law and Land Law at Masaryk University in Brno, Czech Republic. However, other representatives from universities also participated in the conference, such as Slovak Agricultural University in Nitra, and Technical University in Zvolen. The conference was attended by additional guests and a broad professional audience.

The conference was not structured in the traditional format of scientific or professional contributions. On the contrary, it involved a moderated discussion and consultation between academics from universities and professional partners concerning pre-defined areas of land law issues, with a focus on land consolidation.

The discussion was divided into four fundamental thematic areas: Land Consolidation Act and new legal regulation, Land consolidation and public administration, Proceedings on land consolidation, and Special issues related to land consolidation proceedings.

The conference was organised under the auspices of prof. JUDr. Marián Vrabko, CSc., the head of the research team for the mentioned project and simultaneously the head of the Department of Administrative and Environmental Law at the Faculty of Law, Comenius University in Bratislava. He welcomed the conference participants, informed them about the achieved results in addressing the grant, and highlighted the current relevance and importance of land consolidation issues in today's society.

Subsequently, Mgr. Maroš Pavlovič, PhD., LL.M, the vice-dean of the Faculty of Law at Comenius University also welcomed the guests and, together with JUDr. Ľudovít Máčaj, PhD., moderated discussions on concrete thematic areas.

In the first part of the conference, focused on the Land Consolidation Act and the new legal regulation, conference participants discussed the current status, the need for new legislation, and implementing regulations. Representatives from the Chamber of Land Consolidation and the Chamber of Geodesists and Cartographers expressed that the current legal framework, primarily found in the Land Consolidation Act, is inadequate. They highlighted several practical issues, such as the implementation of landowners' agreements. They also mentioned that the current criteria for land consolidation reasons are restrictive, especially because it is not possible to combine these reasons in practice to address all deficiencies in land ownership in a given area. Therefore, they proposed new legislation, including an implementing decree. On the other hand, the representatives of the Ministry of Agriculture and Rural Development of the Slovak Republic pointed out that while the current legal framework is not perfect, introducing new laws may also create problems where none currently exist. Representatives from Slovak Agricultural University in Nitra and Technical University in Zvolen emphasised the importance of considering landscape planning aspects in the new Land Consolidation Act. This importance grew after a separate law on landscape planning, previously in the National Council of the Slovak Republic, was not approved. It is particularly crucial to take into account public interest in this context.

In the second part of the conference, focusing on land consolidation and public administration, participants discussed the organisation of state administration in the field of land consolidation. The discussion included topics such as creating specialised state administration or establishing a new state administration body with nationwide jurisdiction. Representatives from the Slovak Land Fund mentioned that the creation of a unified authority, serving as the central body for state administration in the field of land, and simultaneously managing state-owned land or land of unidentified owners, could lead to conflicts of interest in various proceedings. A representative from Masaryk University in Brno countered this by stating that this model works well and efficiently in

the Czech Republic and has not caused problems in practice. Representatives from the Chamber of Land Consolidation supported the idea of creating a unified state land office, which would also serve as the administrator of the mentioned lands. Simultaneously, they supported establishing specialised local state administration in the form of land offices. The majority of conference participants agreed with this perspective.

In the third part of the conference, focused on proceedings related to land consolidation, participants presented various opinions regarding the course of these proceedings. This included topics such as defining participation in the proceedings, agreements among landowners, rules of proportionality considering differences in value and size between original and new plots owned by the same individual, remedial measures, and the establishment of a land consolidation court. Although these topics may not be as socially and politically sensitive, they have significant practical implications, making the discussion about them highly valuable.

In the fourth part of the conference, which was focused on specific issues related to land consolidation, participants continued their discussion on current topics. This included matters such as the status of common properties, lands with unknown or unidentified owners, costs related to the construction of shared facilities and measures, and the termination of lease relationships due to the new arrangement of lands after land consolidation.

At the conclusion of the discussion, Mgr. Maroš Pavlovič, PhD., LL.M, expressed gratitude to the participants for the valuable discussion. He also pledged to continue scientific work on these issues and collaborate with the involved partners.

The consultation conference on land consolidation brought forth several interesting perspectives and an exchange of opinions on issues related to the implementation of land consolidation. It served as a solid foundation for further collaboration with partners in this field.

