

Specific Features of Agricultural Land Use and Protection

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Abstract

Due to the decisive role of agricultural land in the economic stability, food security and environmental sustainability of Uzbekistan, its rational use and legal protection are among the most urgent national priorities. Continual use, unplanned utilization, the processes of erosion, and the impoverishment of fertility of soil threaten the long-term productivity of agricultural land and ultimately the sustainability of agriculture even after reforms. The paper reflects an approach to filling the gap between the efforts of strategic planning in agricultural development and the implementation effectiveness of land protection tools, particularly in terms of ensuring protection of irrigated lands and preventing unreasonable withdrawal of land from agricultural turnover.

The methodological basis of the research includes statistical analysis of indicators of national land fund, comparative legal analysis of the land legislation of the Republic of Uzbekistan and the systems analysis. Data as of the present day indicate that agricultural lands account for 58.41 percent of all land in the country, with agricultural businesses using more than 21.3 million hectares — including 3.74 million hectares of irrigated land. It also explains the legal formulation and classification of agricultural lands, from the differentiation of agricultural land vs. land in the service of agriculture, the irrigated and non-irrigated area.

The results reaffirm that irrigated lands are unique and should be protected; there are legal restrictions on their reclassification with some exceptions. Retrogressive comparison with Kazakhstan and Russia shows the similarity of approaches regarding the specific types of lands (agricultural land) and their state protection. Our findings are aligned with the policy emphasis on purpose based land use, lease based allocation, state support for farm fertility, transparency of land status information, and need for specialist regulatory acts that can promote the sustainable governance of land.

Keywords: land, rational use of land, agricultural land.

1. Introduction

Nowadays, the use and protection of agricultural lands is one of the urgent tasks facing our country. In this regard, it is appropriate to quote the following words of our first President I.A. Karimov: “If we want the land to bear fruit, we must protect it. The more you respect the land, the more it will provide you with sustenance” [1].

Land as a natural resource has such a special feature that if it is treated properly and taken care of, its productivity will always increase. On the contrary, its condition may deteriorate and become unusable. Therefore, landowners, property owners, and users should

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always take care of soil productivity and pay special attention to maintaining good soil quality [2].

Our country is implementing large-scale reforms aimed at the comprehensive development of the agricultural sector, the protection of agricultural lands and their rational use. This is being done directly based on the economic, social, and environmental importance of agricultural lands for our state. Products grown on agricultural lands, along with improving the material well-being of the population and satisfying their daily needs, are contributing to the growth of the state economy.

The Decree of the President of the Republic of Uzbekistan "On the Development Strategy of New Uzbekistan for 2022-2026" sets out the objectives of increasing the income of peasants and farmers by at least 2 times through intensive scientific development of agriculture, increasing the annual growth rate of agriculture to at least 5 percent, expanding the scope of state support in agriculture and implementing new insurance mechanisms, and increasing and protecting soil fertility [3].

2. Methods

The total land area of the Republic of Uzbekistan by administrative territory is 44,892.3 thousand hectares. As of January 1, 2025, the number of agricultural enterprises and organizations operating in the Republic was 970,436, the total area of land used by them was 26,220.7 thousand hectares, the area of agricultural land was 21,383.5 thousand hectares, of which irrigated land was 3,743.0 thousand hectares [4].

Among the land categories existing in the Republic of Uzbekistan, lands intended for agricultural purposes have a great priority in terms of both area and importance. As of January 1, 2025, lands intended for agricultural purposes in the Republic of Uzbekistan accounted for 58.41 percent of the total territory [5].

The use of agricultural land inherently requires protection of this land. The constant use of agricultural land and its irrational use have a serious impact on the land, leading to its deterioration.

Land is the basis of agricultural production. Due to its limited resources and difficulty in replenishing, the most important and urgent issue in land use is its economical and productive use.

3. Results

According to B.V. Erofeev, "land protection includes a system of legal, organizational, economic and other measures aimed at their rational use, prevention of unjustified withdrawal from agricultural turnover, protection from harmful effects, and restoration of land fertility, including forest resources, and increasing production and soil fertility [6]. Land protection is carried out on the basis of an integrated approach, taking into account the natural location of the land, the specifics of the territory, and sets the following goals.

Land protection is understood as a system of legal, organizational, economic, technological and other measures aimed at rational use of land for a specific purpose, restoration and increase in soil fertility, efficiency of forest lands, prevention of unjustified withdrawal of land from agricultural turnover and from the land composition of protected areas, protection from harmful anthropogenic impacts, and implementation on the basis of a

comprehensive approach to lands as complex natural formations (ecosystems), taking into account their zonal and regional characteristics [7].

The right to protect land is related to land use and has its own characteristics. Before discussing the right to use land, it is necessary to clarify the essence of the concept of land use.

N.F. Reimers emphasizes that land use is the use of land in the process of social production aimed at satisfying the material and spiritual needs of society [8].

Land protection is closely related to their productive use, which in turn has its own characteristics. Therefore, land use is a system of measures taken to ensure that the beneficial elements of land resources are used to meet the various socio-economic needs of members of society. Land use rights are a system of legal regulation of activities carried out on the basis of influencing the land in order to meet the economic and cultural needs of legal entities and individuals.

Based on the use of land, erosion, deterioration of their organic system, reduction of mineral substances have a harmful effect on quality indicators.

Among the land categories available in the Republic of Uzbekistan, agricultural land is given great priority, as agricultural production determines the main directions of our future [9].

In accordance with Article 43 of the Land Code of the Republic of Uzbekistan, lands allocated for agricultural needs or designated for these purposes are considered agricultural lands.

Agricultural land:

according to the type of use — to agricultural land and land serving agriculture;

Depending on the level of water supply, it is divided into irrigated and non-irrigated lands.

Agricultural land is divided into arable land (irrigated and dry cropland), land occupied by perennial vegetation (orchards, vineyards, orchards, fruit tree nurseries and other perennial vegetation), abandoned land, hayfields and pastures. Agricultural land should be specially protected.

Lands serving agriculture are divided into lands occupied by tree plantations, domestic roads, communications, reservoirs, water-saving irrigation technologies, buildings and structures used in agriculture [10]. In non-irrigated agricultural lands, it is allowed to place (build) objects that correspond to the main type of permitted use of the land plot in accordance with the domestic land development project. In this case, these lands are taken into account as agricultural service lands based on the domestic land formation project.

The transfer of agricultural lands from agriculture to lands of other categories for other purposes is allowed in special cases in accordance with this Code and other legal documents [11].

Irrigation of agricultural land is the basis of the organization of agricultural production based on the system of water use and water consumption, and it is a condition for effective use of land and increasing their productivity [12].

Article 44 of the Land Code of the Republic of Uzbekistan, irrigated lands are subject to special protection. The transfer of these lands to another category of land fund or to non-irrigated lands is carried out in exceptional cases by order of the President of the Republic of Uzbekistan, taking into account soil-ameliorative and economic conditions, the level of water supply of lands, as well as the availability of water resources and their limits, in accordance with the conclusions of the Ministry of Agriculture of the Republic of Uzbekistan, the Ministry of Water Resources of the Republic of Uzbekistan and the Cadastral Agency under the Ministry of Economy and Finance of the Republic of Uzbekistan [13].

If we analyze the Land Legislation of the CIS countries, the concepts of the use and protection of agricultural lands are analyzed as follows. In particular, Article 97 of the Land Code of the Republic of Kazakhstan “talks about the concept and composition of agricultural lands. Agricultural lands include lands allocated for agricultural needs or intended for these purposes. Agricultural lands include roads, communications, fixed water reservoirs, land reclamation networks, lands occupied by buildings and structures necessary for agricultural activities, as well as other lands” [14].

Also, Article 77 of the Land Code of the Russian Federation defines and defines agricultural land [15]. According to it, agricultural land is land located outside the boundaries of a settlement and allocated for agricultural needs, as well as land intended for these purposes. Agricultural land includes roads, communications within the farm, forest plantations designed to protect the land from negative impacts, water bodies (including ponds formed by water storage structures in watercourses and used for the purpose of draining pond water), as well as buildings and structures used for the production, storage and primary processing of agricultural products.

4. Discussion

Based on the above, we can express the following points

First, the use of agricultural land for a strictly defined purpose;

Secondly, use of agricultural lands only on the basis of lease;

Thirdly, to increase the productivity of agricultural lands and to support measures for the protection of agricultural lands by the state;

Fourth, ensuring free access to information on the condition of agricultural lands;

Fifth, adopt regulatory legal acts related to the use and protection of agricultural lands.

5. Conclusion

In conclusion, we can say that agricultural lands are of great importance for our state. Therefore, it is necessary to develop and adopt legislative norms aimed at preserving and increasing the productivity of agricultural lands in the interests of present and future generations, and to implement measures aimed at ensuring their effective implementation.

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