

## Current Challenges of Sustainable Rural Development in Russia: Trends and Prospects<sup>1</sup>

### Wyzwania zrównoważonego rozwoju obszarów wiejskich w Rosji: trendy i perspektywy

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#### Abstract

The article proves that the concept of sustainable development of rural areas for many years rather consistently formed in international and Russian law, but so far has not advanced any further than consolidating general principles. It is worth proceeding to the next phase of the implementation of the concept under consideration, and discuss (and then standardize) the list of specific practical steps. They should include both a set of static measures aimed at overcoming challenges of the current state of rural areas, as well as dynamic opposition to the global threats of our time (for example, climate change processes). This will require the development of additional implementation back-up measures, including the extension of women's land rights, support for traditional rural culture and agricultural tourism.

**Key words:** sustainable development, rural territories, economy, ecology

#### Streszczenie

Artykuł dowodzi, że koncepcja zrównoważonego rozwoju obszarów wiejskich od wielu lat obecna jest tak w prawie międzynarodowym, jak i rosyjskim, niemniej – jak dotąd – obejmuje jedynie zbiór ogólnych zasad. Warto przejść do następnej fazy wdrażania rozważanej koncepcji i omówić (a następnie ujednoczyć) listę konkretnych kroków praktycznych. Powinny one obejmować zarówno zestaw środków statycznych mających na celu przezwyciężenie problemów związanych z obecnym stanem obszarów wiejskich, jak i dynamiczne przeciwdziałanie globalnym zagrożeniom naszych czasów (np. procesów związanych ze zmianami klimatu). Będzie to wymagało opracowania dodatkowych środków wspierających wdrażanie, w tym rozszerzenia praw kobiet do ziemi, wsparcia tradycyjnej kultury wiejskiej i turystyki rolniczej.

**Słowa kluczowe:** rozwój zrównoważony, obszary wiejskie, ekonomia, ekologia

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## Introduction

Farming is one of the traditional forms of human economic activity, it dates back to many thousands of years ago when it replaced hunting and gathering. For centuries, this activity did not greatly influence the natural processes, and therefore did not require active government intervention. However, in the 20th century, the intensification of agricultural production led to deterioration of soil fertility, which at first brought about the concept of rational use of agricultural land, legislative measures for their protection, and then the trend of urbanization and mass relocation of rural residents to cities put village social issues on the agenda.

Similar processes, as well as the desire to ensure a balance of economic, environmental and social interests are currently observed in many countries of the world, and each of them is marked with some special features. This means that sustainable development should be understood in the *specific historical, cultural, economic, ethnic, social and environmental conditions characteristic of a particular state, region or subregion* (Mensa, 2015). This approach allows us to formulate an overall picture of trends, problems and prospects for implementing the concept of sustainable development in all areas of society (energy, industry, specially protected natural territories, transport, waste treatment, etc.) in each country of the world, to identify common patterns and solutions.

This article summarizes the Russian experience, which could be of interest to other countries in transition. Since agriculture has a significant number of economic, environmental and social issues that are not directly related to each other (for example, low retirement benefits for rural residents has nothing to do with the environment), in determining the subject of our study, we tried to focus on those rural development challenges that clearly fall within the scope of the sustainable development. At the same time, in our opinion, *rural sustainable development* should be understood as the stable implementation of economic activities on farmlands, ensuring the growth of agricultural production, provided that the social rights of residents of rural settlements are adequately guaranteed, and environmental protection measures are taken both for agricultural land (including measures for the conservation of agricultural land fertility) and in rural settlements. The relevance of the study of this problem is defined by the fact that agriculture still continues to be one of the most important areas of economic activity of the population in many countries of the world.

Nearly 45% of the world's population lives in rural areas and receives a livelihood from agriculture. Agricultural products account for almost 5% of global gross domestic product (GDP) and about 7% of total world trade (Report, 2006). Rural development remains an issue for Russia as well. Russian land area is 1712.5 million hectares, with agricultural land occupying 385.5 million hectares, and rural settlements – 11.8 million hectares (State national report, 2015). One of the negative trends in recent years in Russia is the annual reduction of agricultural land due to the unsatisfactory financial and economic situation of rural producers. This makes the owners refuse from the land plots provided, and the land gets re-classified into other categories meant for construction development in suburban areas, the insufficiency of measures for reclamation and restoration of soil fertility. Therefore, the creation of conditions for the sustainable development of rural areas is the most important strategic goal of Russia, and its achievement will ensure food security, increase the competitiveness of the Russian economy and the well-being of citizens.<sup>2</sup>

Solving these problems is difficult today due to environmental factors, since most of the rural areas have an alarming ecological situation due to the long-term specific regional economic development which focused on the use of natural resources, its low technological level, lack of environmental education and immigration processes. Almost a quarter of agricultural land, including about 30% of arable land, is subject to water and wind erosion. Every year, as a result of non-agricultural activities in Russia, about 50 thousand hectares of land are destroyed, the extent of such a loss exceeds the area of land being rehabilitated. Runoff from livestock farms, irrigation systems and surface runoff from fields pollutes water areas.<sup>3</sup> Thus, the degradation of the environment, tough economic and social situation in rural areas undermine the ability of future generations to meet their needs on a par with the current generation, and require immediate action.

### 1. The main provisions of the Concept of Sustainable Development in the International and the Russian Legislations

The term *sustainability* which describes the economy *in equilibrium with the main ecological support systems* dates back to the 70s of the last century. Even then, environmentalists pointed out the limits of growth and saw the *sustainable state of the economy* as an alternative solution to environmental issues. Thus, the concept of sustainable development

<sup>2</sup> Order of the Government of the Russian Federation of 02.02.2015 No. 151-p (as amended on January 13, 2017) *On Approval of the Strategy for Sustainable Development of Rural Territories of the Russian Federation up to 2030, Reference Legal System 'Consultant Plus'* (03.12. 2018).

<sup>3</sup> Order of the Government of the Russian Federation of November 30, 2010 No. 2136-p *On Approval of the Concept of Sustainable Development of Rural Territories of the Russian Federation for the Period until 2020*, <http://docs.cntd.ru/document/902250089> (03.12.2018).

was a logical development from *environmentalizing* scientific knowledge and socio-economic development, which began so rapidly in the 1970s (Adzinba, 2012).

The category *sustainable development* was first used in the report of the International Commission on Environment and Development *Our Common Future* in 1989, and subsequently received further specification in the *Declaration on Environment and Development*, adopted at the UN Conference in Rio de Janeiro in 1992, the *Johannesburg Declaration on Sustainable Development* in 2002, as well as in a number of other international documents.

They remark that sustainable development should be understood as a balanced socio-economic development, implemented in compliance with environmental requirements and standards, taking into account the interests of not only the current, but also the future generations. And although the first definition of the commission G.Kh. Brundtland is often called anthropocentric (and not eco-centric) (Vylegzhanina, 2005), it was a remarkable step forward. From the first UN documents it was clear that sustainable development as a definite social ideal has a pronounced systemic, integrative character.

Meanwhile, in the first UN documents on sustainable development, rural areas (or agriculture) were not mentioned in any way, which can be explained by the need to develop, first of all, general principles, goals and objectives for sustainable development, without specifying them in certain areas of human activity. Such a concretization was carried out in the final document of the United Nations Conference on Sustainable Development (Rio de Janeiro, June 2012) *The future we want*, which indicated the need to increase sustainable agricultural production, as well as increase its global productivity, taking into account the diversity of agricultural conditions and systems. A call was made to apply a coherent strategic approach and to increase public and private investment in sustainable agriculture, land management and rural development. Among the investment-attractive areas was the strengthening of rural infrastructure; research on sustainable agricultural practices and technologies; ensuring more efficient functioning of markets and trading systems; the development of powerful agricultural cooperatives and value chains; building institutional and human capacity for relevant stakeholders.

The Resolution of the UN General Assembly of September 25, 2015 *Transforming our world: the Sustainable Development Agenda until 2030* plans to double agricultural productivity by 2030 (with equal access to land and other productive resources), develop sustainable systems and methods of food production, increase investment in rural infrastructure, curb trade restrictions, etc. However, a number of subsequent key UN documents on the measures for global sustainable development haven't given a relevant attention to the process of rural areas advance

ment. For example, the *UN report on sustainable development goals* (2017) mentions the need to ensure sustainable urban development rather than not rural areas.

Nevertheless, the principles and objectives of sustainable development, enshrined in international documents of the United Nations, have had a significant impact on the development of Russian legislation. Thus, ensuring sustainable development is defined as one of the principles of environmental protection (Article 3 of the Federal Law of January 10, 2002 *On Environmental Protection*).

Given the territories, the Russian legislation mentions sustainable development within two contexts. Firstly, according to Article 1 of the *Town Planning Code of the Russian Federation* of December 29, 2004, sustainable development of territories means ensuring the security and favorable living conditions to any person while implementing urban development activities, limiting the negative impact of economic and other activities on the environment and providing protection and rational use of natural resources in the interests of present and future generations. Secondly, according to Article 5 of the Federal Law of December 29, 2006 *On the Development of Agriculture*, the sustainable development of rural areas is understood as their stable socio-economic growth, increase in agricultural production and agricultural efficiency, land management, full employment of rural population and raising their standard of living. Thus, terminology-wise, the question arises about the relationship with each other given legal language.

It appears that the urban planning documentation records the existing and planned territorial distribution of various objects (these can be capital construction objects, or undeveloped territories intended for recreation or agriculture), which are mandatory to achieve the main goal set by the state – to ensure stable and sustainable development of the Russian Federation in general (including, of course, rural areas). The agrarian legislation of Russia determines the content of such measures, including requirements for rural producers, the rural population and the ways the public authorities provide for economic, environmental and social conditions for further enhancement of the respective territories. At the same time, despite the numerous references to sustainable development in laws or program documents, the mechanism for achieving this goal is spelled out very weakly in Russian legislation. It is assumed that the Russian legal system does not develop the principles of sustainable development, but only declares them, defining the development goals for the society and the state. Over the years that have passed since the Conference in Rio de Janeiro (1992), conclusions on development could already be drawn, but statistical data on Russia's economic, environmental and social status indicate a completely opposite fact, i.e. the Russian Federation is developing *unsustainably*.

One reason for this is that federal executive authorities have developed criteria and indicators for sustainable development (management) for certain areas of sustainable development (for example, for forestry). And although they are subject to substantiated criticism in scientific papers (Abanina, 2016) on sustainable development, this has not been done for such development of rural areas. Currently, there are only *Target indicators of long-term sustainable development of rural areas*,<sup>4</sup> though, this is nothing more than plans and ambitions of the government, since they are not supported by a detailed implementation mechanism.

## 2. Current issues of rural sustainable development in the legal doctrine and judicial practice of the Russian Federation

### 2.1. Doctrinal discussions on rural development

In the global legal science on the issues of rural sustainable development two main approaches have come out. According to the former, environmental aspects are mainly considered in the framework of the *sustainable development* category. In the latter, sustainable development is associated with social orientation and complexity of rural development (Minina, 2009). Russian academic space does not show any consensus here.

The *narrow approach* emphasizes that sustainable development of agriculture should be understood as a stable production based on the use of advanced technologies in order to fully meet the population's food needs (Mozhaev E.E. et al., 2010). Other supporters of this approach point out that the environmental factor is decisive in the triad of sustainable development (Boklan, 2008). Undoubtedly, there are grounds for assessing the importance of the environmental element in the triad of directions for ensuring rural sustainable development. There is a lot of information on the negative impact of pesticides on the environment and the population health (Ayanbaev, 2017), consequences of land reclamation (Mamaeva, 2000) or exploitation of livestock farms (Degterev, 2007) (meanwhile, the same situation in other countries, for example, the runoff from industrial farms causes US \$ 9 billion in annual damage) (Peters, 2010).

At the same time, this approach means interference with the balance between the three main elements of the sustainable development concept, focusing on one of them to the detriment of the other. It is difficult for us to agree with this, although, of course, the issue is worth further discussion. A *broader approach*, which proves the equality of all sustainable development elements, is seen as much more promising (Tazayan, 2010). It focuses on the system of incentives for the implementation of the concept of

sustainable rural development. At least three types of incentives can be distinguished: political, cultural, and institutional. The latter group involves public participation in decision-making, enhancing the role of science in achieving the goals of sustainable rural development, the exchange of information when making strategic decisions, and a number of other parameters (Stepanova, 2011).

Another issue discussed in the post-Soviet scientific doctrine is the composition of criteria and indicators of sustainable development, most well represented in relation to forests (Klyukanova, 2015) and fauna (Ivanova, 2018).

As for indicators of sustainable rural development, a large contribution to this discussion was made by Belarusian scientists, highlighting the level of employment of the able-bodied population (%); average monthly salary; per capita disposable resources of the rural population; the proportion of the population with disposable resources below the subsistence minimum in the total poor population (%); availability of housing, access to gas supply (%); access to drinking water (high-quality drinking water); availability of roads with high-quality hard surface; index of agricultural production in farms of all categories; population numbers (Blokhin, 2018). However, analyzing this system of indicators, we note that it focuses on social criteria, while the economic and environmental parameters of sustainable development are poorly represented.

Other researchers believe that economic indicators include international cooperation which accelerates sustainable development and related local policies; change in consumption characteristics; financial resources and arrangements; technology transfer, cooperation and capacity building (Ostrovsky, 2002). Environmental criteria for assessing the sustainable development of agriculture consider the state of the soil cover, the emission of harmful gases, the use of chemicals, the size and energy status of fields, the intensity of changes in cultivated plant species. Social criteria include employment, the level of remuneration, the issues of vocational training of rural residents, the intensity of labor processes, labor protection, health care, the preservation of the cultural landscape, the quality of products, the intensity of production factors, social integration (Gurnovich et al, 2010). Meanwhile, no matter how attractive are the positions presented above, they are based on a *static* perception of the issues of sustainable development of rural territories, and do not imply the introduction of an innovative type criteria. However, we believe that such a system of criteria should be based on future development tasks for rural territories, and contain answers to the new challenges of the 21st century in the agricultural sphere (Vypkhanova, 2016; Maguire, 2010).

<sup>4</sup> Order of the Government of the Russian Federation of 02.02.2015 No. 151-p (as amended on January 13, 2017) *On approval of the Strategy for Sustainable Development*

*of Rural Territories of the Russian Federation up to 2030, Reference Legal System 'Consultant Plus', access date 03.12.2018.*

Undoubtedly, the discussion on criteria and indicators should be continued, since they provide an opportunity to assess not only the achievement of individual economic, environmental or social goals, but also reveal the extent to which the development level of specific rural areas (for example, within the boundaries of or municipal district) generally corresponds to the specified parameters of sustainable development set by the federal or regional authorities, allow to evaluate the efficiency of the measures applied to meet these indicators.

## 2.2. Sustainable rural development in judicial practice

Despite the fact that the Russian legislation does not define a clear mechanism for sustainable development of rural territories, as well as criteria and indicators for such development, this concept is described in sufficient detail in Russian judicial practice, since in each specific situation courts may apply scattered (non-codified) legal norms that regulate the balance of the three groups of interests that we study. A group of citizens filed a lawsuit against the termination of environmentally harmful activities to a limited liability company (LLC) – the owner of a cattle breeding and dairy farm. The plaintiffs argued that the farm's activities violated their environmental rights and demanded that its work be suspended. During the trial, the defendant argued that the revealed violations of environmental legislation were disposable, and there was no evidence of a causal link between the activities of the farm and environmental degradation. Within the trial, the court agreed with the argument that the cause-and-effect relationships between the defendant's activities and the river pollution were unproven, but made the defendant bring the air and water condition in the farm area into compliance with the sanitary rules. In addition, the verdict noted that since the termination of the farm's production activities as consequences could entail the dismissal of workers permanently residing in the village (negative social consequences), the court only partially satisfied the claim, refusing to suspend the farm activities.<sup>5</sup>

Another graphic and indicative example of the attitude to the sustainable development concept was a case considered by a district court. April 29, 2013, the Council of Deputies of the Boristsevsky Rural Settlement made a decision to approve of the plan for running livestock through the villages of Dubrovka, Semenovskoye, Yakutino, located in the rural municipality *Boristsevskoye Rural Settlement*, which caused discontent among residents.

A number of citizens considered this decision to have violated their rights, since the cattle run was to be carried out in close proximity to their homes, and

could have an adverse physical, sanitary and psychological impact on them. The adverse physical impact was seen in the fact that the cows were putting into disrepair some constructions in the street, which the citizens produced at their own expense. Unfavorable sanitary impact meant that after running the cows manure was abundant on the unpaved road. In this regard, citizens experienced moral inconvenience. Having considered the case, the court accepted the decision of the municipal council of deputies of April 29, 2013, regarding the approval of the livestock run plan as illegal.<sup>6</sup>

It appears that in these cases the court actually applied the concept of sustainable development (although it is not mentioned in the text of the court decisions themselves), having carried out a reasonable search for a balance of three groups of interests: economic (livestock breeding on the farm and dairy production; cattle grazing); environmental (sanitary condition of the farm or the street) and social (the right of the villagers to health or to work). Arguments in favor of a compromise found between these three interests are detailed in the texts of court decisions, and there are no laws in Russia requiring the court to take into account the consequences of the termination of a single village enterprise (farm). There are a lot of similar court decisions within the aspect of *sustainable development* in Russia, which allows us to speak about *spontaneous* rather than consistent implementation of the concept of sustainable development in practice (Ryzhenkov, 2018).

It seems that in many European and other countries the implementation of the sustainable development concept comes from top to bottom, that is, they first adopt international documents followed by domestic acts, then all these requirements are brought down to regular law enforcers, and then the mechanism developed by the national legislator for implementing the concept of sustainable development begins to be applied in practice. In Russia, this mechanism seems to be completely different.

Currently, Russia has ratified many international acts on the implementation of the sustainable development concept, adopted laws, presidential and governmental acts on its implementation, but the latter are declarative in nature and do not contain a clear plan of necessary actions. Little is known about them to citizens and ordinary law enforcers (for example, judges of district courts). However, as was shown above with specific examples from judicial practice, ordinary citizens of rural areas and judges actively apply the provisions of the concept of sustainable agricultural development, even without being unaware of their existence. This is because this concept coincides with what Russian citizens who independently arrived at similar conclusions understand as justice.

<sup>5</sup> The decision of the Istra City Court of the Moscow Region in the case of 25.10.2011 No. 2-101 / 11, <https://rospravosudie.com/court-istrinskij-gorodskoj-sud-moskovskaya-oblast-s/act-104983432/> (03.12.2018).

<sup>6</sup> The decision of the Torzhok city court of the Tver region of August 1, 2013 in case No 2-521/2013, <https://rospravosudie.com/court-torzhokskij-gorodskoj-sud-tverskaya-oblast-s/act-434126673/> (03.12.2018).

### 2.3. *Modern problems of sustainable development of rural areas within certain regions of southern Russia*

One of the typical problems of the southern regions of Russia is ineffective legal regulation of cattle grazing. The essence of the problem is that residents of rural areas and their neighbors (for example, from the republics of the Northern Caucasus) each year graze millions of head of cattle (mostly sheep) in steppe areas (for example, the Volgograd region), which cause damage to farm environment and often pose a threat to livestock of other residents due to various diseases. This grazing is carried out outside the designated areas due to a loophole in the Russian land legislation, which is made even worse by a large number of uncultivated lands.

This problem lies within the concept of sustainable development, since its example clearly shows the intersection of three groups of interests: economic (cattle owners avoid entering into rental relations with the local administration, avoid counting their cattle); environmental (sanitary and epidemiological threats, destruction of the soil layer due to overgrazing of livestock); social (citizens do not want to enter into a lease agreement, not only because of legal nihilism, but also because of poverty).

Awareness of the scale of the problems led to the adoption of the Law of the Volgograd region of January 16, 2018 No. 7-OD *On some issues of managing cattle grazing and running in the Volgograd region*, which provides that the places of grazing and running of farm animals on land plots owned by the state of the region are determined by a specially authorized executive authority of the Volgograd region; such activity is carried out by local governments when it comes to municipal lands (or lands where public ownership is not clearly defined)<sup>7</sup>. This provision corresponds to article 79 of the Land Code of Russia, which establishes the complex internal structure of agricultural land, and distinguishes arable land, hayfields, pastures, deposits, land occupied by perennial plantings (orchards, vineyards and others), which are prioritized in use and subject to special protection. Meanwhile, this law, while focusing on state and municipal property, says nothing about private property, leaving unregulated the process of delimiting the types of agricultural land of farmers and other owners.

The latter problem is aggravated by the fact that in the regions of Russia a large part of the land shares

that arose after the agrarian reform of the early 1990s (on reorganizing collective farms and transferring them to employees' shared ownership) has not been demarcated yet or legally framed (Charkin, 2008).

Undoubtedly, in order to implement this law, it is necessary to conduct cadastral registration of all lands of a municipality, allocating land plots (with clear boundaries) or zones where grazing is allowed, with cadastral registration, which will allow us to conclude pasture lease agreements with cattle owners. However, as for cadastral works, the municipalities do not currently have financial and human resources, and the cattle owners, as it was already noted above, are trying to avoid having contractual relations with local authorities. Similar problems arise in the case of the establishment of public servitudes.

Therefore, in order to guarantee compliance with the provisions of this law, in 2018, amendments were made to the *Volgograd Region Administrative Liability Code* of June 11, 2008 No. 1693-OD. The Code was supplemented by Article 7.5, which establishes administrative responsibility for grazing and the running of farm cattle and poultry outside the places determined by the law of the Volgograd region. And although such offenses are not very numerous, this liability rule can hardly be applied because clear boundaries of grazing zones are not well-defined, since local governments are not empowered to zoning agricultural land (and city planning is not their responsibility)<sup>8</sup>. There are also a number of challenges in paperwork for amending the public cadastral map maintained by a specially authorized federal agency (it is impossible to register abstract boundaries that are not tied to a locality, and the municipality does not have money for survey work). There are some other reasons which can make the application of this article is difficult.

First, the law of the Volgograd region of January 16, 2018 No. 7-OD applies only to state and municipal, but not private land. The reason for this is probably that the deputies decided that private property is within the scope of civil legislation (and it is under the exclusive jurisdiction of the Russian Federation), and public lands are under the jurisdiction of land legislation (it is jointly administered by the federation and its subjects). Meanwhile, stipulated by Art. 8 of the Constitution of the Russian Federation, all forms of ownership are equal, and can exercise equal protection. However, in this part, the law itself and

<sup>7</sup> The phenomenon of *undivided state property* is not known to developed European or American legislation, and is inherent only in transition economies. Its essence lies in the fact that the single Soviet state property after 1991 should be demarcated into private, federal, federal and municipal property. However, this process was delayed, and many of the land masses still have no boundaries, and are not registered in private or public property.

<sup>8</sup> According to Part 6 of Article 36 of the *Town Planning Code of the Russian Federation* of December 29, 2004 No.

190-FZ (as amended on 08/03/2018), city planning regulations are not established for forest land, land covered by surface water, reserve land, land especially protected natural areas (with the exception of the lands of therapeutic and recreational areas and resorts), agricultural land in the composition of agricultural land, land plots located within the boundaries of special economic zones and territories of the leading social and economic Cesky development..

the rules on administrative responsibility for its violations cannot be applied. Secondly, the municipal land control bodies themselves cannot impose measures of responsibility; they only make up protocols and hand them down for proper legal decision-making. Such a system is not effective and does not strengthen the rule of law.

### 3. Constructive proposals for the implementation of the sustainable development concept within the borders of rural territories of Russia

One of the options to ensure a balance of economic, environmental and social interests in rural areas is to develop a concept of agricultural zoning. To date, urban zoning has been carried out in all rural municipalities, where *Land use and Development Rules* (LDR) have been adopted. These Rules (municipal legal act) subdivide the territory of the municipality into territorial zones (residential, industrial, infrastructural, etc.), and determine for each such zone city planning regulations that establish the parameters and types of permitted use of land plots and real estate located a zone. However, agricultural lands do not fall within the scope of the construction regulations. A similar construction (forestry regulations) is valid on forest lands, also beyond the LDR.

These circumstances suggest that the logic of the current legislation does not hinder the development of the agricultural zoning concept, within which agricultural land could be divided into special territorial zones, with the establishment of agricultural regulations for each of them (for example, the maximum number of livestock grazed defined for a particular pasture). In addition to the establishment of boundaries and regulations, such Rules could define procedural rules on re-classification of permitted use and the boundaries of certain types of agricultural land (for example, transferring arable land into the pasture category). Undoubtedly, the solution of this problem will require an integrated approach, since at the moment municipalities lack financial and human resources.

Another option to solve this problem would be to set limits on the number of livestock in farms. If such a decision is made, the ecological condition of the pastures will undoubtedly improve, though this will deal a fatal blow to the rural household economy, worsen the social situation, and increase poverty.

The third alternative solution to grazing livestock is to work out a new definition to an administrative offense in the federal or regional Codes of Administrative offenses. Currently, the Code of Administrative Offenses of the Russian Federation contains Article 7.1 which defines an *unauthorized occupation of a land plot*. However, in the case of unauthorized grazing, *occupation* as such does not occur, since the livestock is in constant motion. Therefore, it is difficult to prove which herd in particular passed through

the site, moreover, agricultural lands are not always registered in cadastre, have acknowledged borders, are registered as property, and are a certain *site*. In this sense, a special article on the *unauthorized temporary use of alien agricultural land* is needed, but this concept is not discussed today either by the legislative bodies or in the doctrine. The above judgments are relevant in some extent to other regions.

In addition, we would open a discussion on the following issues:

1) Following the suit of criteria and indicators of sustainable forest management (or wildlife), it is necessary to discuss similar parameters for rural areas. As noted earlier, the existing doctrinal approaches are static in nature and are not focused on solving sustainable development problems that will arise in the future.

Given existing international and foreign experience, criteria for sustainable development of rural areas might look as follows. Economic criteria can reflect the dynamics of the use of technologies for the environmentally friendly production; competitiveness of agricultural production (share of agricultural produce in local (regional) markets); the level of development of small and medium-sized businesses in rural areas (dynamics of increase / decrease in the number of farms and agricultural legal entities in the subject of the Russian Federation); development of sales cooperation (coverage of rural producers); infrastructural facilities (kilometers of new roads); income dynamics of rural entrepreneurs from state subsidies for agricultural products; availability of new clean energy facilities in agriculture (including biofuel production); the number of agricultural tourism objects; dynamics of growth in agricultural production in the municipality; the amount of idle land (hectares) in the region (municipality).

Social criteria Social criteria will include population size (fertility, mortality, migration); provision of public services; income level of the rural population; the social facilities availability dynamics (kindergartens, schools, hospitals, cultural institutions) in a municipal area; employment growth in the municipal area; social housing construction growth in the municipal area; the number of dilapidated housing in the municipal area; public access to the means of communication (development of the Internet); crime level; level of trade network development.

Environmental criteria will define the dynamics of land prone to water and wind erosion; growth dynamics of protective forests infrastructure; availability of climate change adaptation policy documents in the region (municipality); drinking water quality within the municipality; measures for the protection of hunting and aquatic bio-resources; unauthorized landfills in the municipality; hydraulic structures and melioration systems.

2) the world legislation pays much attention to the issues of equal farming opportunities to land for women. This is due to the fact that in many countries,

women farmers face a situation of inequality in gaining access to productive resources, services and markets, which leads to inefficient allocation of resources, reduced agricultural productivity and adverse health and nutritional consequences. There is a high need for strategies for empowering women by expanding their knowledge, skills and resources in order to increase their productivity, as this is expected to have a significant impact not only on individuals but also whole communities (Report, 2015). In Russian legal science and legislation, this issue is left behind in silence. Meanwhile, it seems that ignoring the land rights of women is a violation of the principles of social equality and limits their ability to ensure their means of living. Studies conducted in a number of African countries, where land plots managed by men were redistributed within specific households in favor of women showed an increase in the production volume. In addition, women's access to land management and disposition has shown a tendency to increase social justice in terms of growing spending on girls' education and health care (Deininger, 2005).

In this regard, it appears that ensuring equal access of men and women to equal private land ownership in rural areas will require the development of an effective mechanism for implementing the state's gender policy and the consolidation of all state and public institutions to overcome current stereotypes (Melikhov, 2007).

3) implementation of the sustainable development concept involves an integrated approach to improving quality of life in rural areas. One element of such a quality of life is the adoption of measures to preserve traditional peasant culture. It has been repeatedly noted that the preservation of rural culture is a key component in promoting sustainable agricultural development and soil protection. In other words, sustainability implies not only an environmental but also a cultural aspect (Fromherz, 2012).

The preservation and development of this component is possible in two ways: through the system of the village social support measures and through the development of agrarian tourism. Sustainable agrarian tourism implies mild use of the natural and cultural potential of the village, allows the local population to become involved in entrepreneurial activity, leads to increased employment and incomes of the rural population, preserves and promotes the cultural characteristics of the rural lifestyle, reduces population outflows, and stimulates folk crafts. As a result, the agrarian regions receive a new impetus for development based on local resources that were not previously sufficiently involved in the local economy. However, the number of visitors should not exceed the capacity of the territory that is defined due to ecological and socio-cultural characteristics of rural areas (Pimenova, 2006).

4) the institutional factor becomes a factor which ensures the implementation of the sustainable development concept, that is, an administrative body to manage / coordinate other public authorities and civil society institutions interested in achieving a balance of economic, environmental and social interests. There is a fairly diverse international and national experience in solving this problem.

Thus, on February 12, 1993, at the request of the UN General Assembly, the UN Commission on Sustainable Development was established to ensure the effective implementation of decisions of the UN Conference on Environment and Development, strengthen international cooperation and rationalize the intergovernmental decision-making mechanism on environment and development, consider the implementation of Agenda 21 at the international level to achieve sustainable development goals.

Currently, the UN is discussing the creation of a new institution, the Sustainable Development Council, which could consider appeals from non-governmental organizations and even individuals pointing out possible violations of commitments to sustainable development goals agreed by states, conduct peer review and encourage improved reporting by countries to fulfill their international obligations. The establishment of the post of international ombudsman on sustainable development seems to be very reasonable, although so far this idea has been rejected (Horn, 2013).

In some countries, national analogues of such a structure have been created. For example, it is the permanent body on sustainable development under the President of the United States (Council for Sustainable Development), which constantly interacts with all US parliamentary, governmental and presidential structures concerned with the social, environmental and economic development of the country (Kukushkina, 2017).

The position of the National Coordinator on the achievement of the *Sustainable Development Goals* (SDGs) was established by the President of the Republic of Belarus; under his leadership a national council for sustainable development has been formed (The national report of the Republic of Belarus, 2017).

Creating similar institutions in Russia will help eliminate interdepartmental dissociation in the rural areas management, allow coordination of their efforts and interaction with local authorities, as well as raise public awareness (Dronova, Sorokina, 2016).

5) sustainable development in the context of global climate change. This interdependence can have several implications. First, global warming will lead to higher yields in a number of northern territories of Russia, and due to desertification it is impossible to farm in traditional agrarian regions. This will entail both the migration of the indigenous minorities of



north of Russia, who will lose their traditional way of life, and the need for current peasants to change their place of residence. It is also very likely that there will be a decrease (at least temporary) in the agricultural produce.

Secondly, agriculture is a major source of greenhouse gas emissions. Globally, farms account for 14% of the global anthropogenic contribution to climate change. If livestock farming is added, then about 1/5 of all anthropogenic emissions will be produced in the agricultural sector. Expanding the crop and pasture area is the main factor of deforestation (Report, 2007). Combined, the contribution of agriculture and deforestation to global climate change is almost one third of the total. In this regard, it is necessary to reduce greenhouse gas emissions, but so far in Russia and the world little has been done in this regard. This situation will require some adaptation measures for world agriculture to global climate change (for example, breeding drought-resistant species of cultivated plants), which will require additional costs and entail profound changes in the agricultural production methods used today for various types of food (Report, 2015).

### Conclusion

The conducted study brings about a conclusion that the concept of sustainable development of rural areas for many years has been developed rather consistently in international and Russian law, but so far has not progressed further than consolidating general principles. It seems necessary to proceed to the next stage of the concept implementation, and discuss (and then standardize) a list of specific actions (and their financial support) for its practical implementation, which should include not only a set of static measures aimed at solving the problems of the current state of rural areas but also a dynamic confrontation to the global threats of our time. This will require the development of a new assurance system, that is, additional conditions for the implementation of this concept, including the expansion of women's land rights, support for traditional peasant culture, and the development of agricultural tourism. At the same time, we are not supporters of the idea of developing a special Federal Law *On Sustainable Development* that is widespread in Russia, but are in favor of developing a system of institutional guarantees (creating a coordinating body), as was done in the Republic of Belarus. Regulatory support for the implementation of the concept of sustainable development will require amendments to the Federal Law *On the Development of Agriculture*, as well as a number of other laws that form the new system of criteria and indicators for the sustainable development of rural areas, similar to how it has already been done for the fauna sustainable development.

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