

CONFERENCE REVIEWS

ZAVDAT SAFIN

Doctor of Legal Science, Professor, Head of the Department of Environmental, Labor Law and Civil Procedure of Kazan (Volga Region) Federal University

ZARINA KONDRATENKO

Candidate of Legal Science, Associate Professor, Head of the Department of Civil Law and Procedure of Mari State University

ELENA LUNEVA

Candidate of Legal Science, Associate Professor of the Department of Environmental, Labor Law and Civil Procedure of Kazan (Volga Region) Federal University

REVIEW OF THE INTERNATIONAL SCIENTIFIC AND PRACTICAL CONFERENCE 'MANAGING LAND AND OTHER NATURAL RESOURCES: LEGAL REGULATION AND JUDICIAL PRACTICE'

<https://doi.org/10.31085/2541-8823-2020-5-1-52-60>

Abstract: The article reports on the preparation, course and results of the joint International Research and Practice Conference of the Kazan (Volga Region) Federal University and Mari State University 'Managing land and other natural resources: legal regulation and judicial practice' held in October 11–13, 2019. The conference was sponsored by the Russian Fund of Fundamental Research. The conference covered three main areas: (1) improvement of legal regulation of land

management; (2) improvement of legal regulation of environmental protection and rational nature management; (3) management of regional and municipal land and other natural resources: legislative issues and ways to overcome them.

The article reports on the international level of the conference, its research and practice specifics. The conference scale is vividly represented by participation statistics. The main results and decisions made are listed.

In conclusion, the article shows the Conference impact on the competitiveness of the Kazan (Volga region) Federal University. The conference supported scientific relations with the scientific communities of the Republic of Belarus, the Kyrgyz Republic, the Republic of Kazakhstan, the constituent entities of the Russian Federation, dealing with legal issues of managing land and other natural resources. The Conference improved cooperation with public authorities, public and private organizations.

Keywords: environmental management, land, natural resources, conference, grant, Russian Fund of Fundamental Research.

The joint International Research and Practice Conference of the Kazan (Volga region) Federal University and Mari State University ‘Managing land and other natural resources: legal regulation and judicial practice’ (hereinafter the Conference) was held in the Mari State University (Yoshkar-Ola) between October 11 and 13. The scientific novelty of the event is to develop new approaches to modern methods of managing land and other natural resources, to recommend amendments to the legislation, i. e. algorithms to implement innovative management methods.

Initially, a working group of the representatives of Kazan and Mari State Universities was formed for the purpose of the conference. Namely,

- Safin Zavdat Fayzrahmanovich, the Head of the Department of Environmental, Labor Law and Civil Procedure of KFU, Doctor of Law, Professor;
- Kondratenko Zarina Kamilevna, the Head of the Department of Civil Law and Process of MarSU, Candidate of Law, Associate Professor;
- Luneva Elena, Associate Professor, the Department of Environmental, Labor Law and Civil Procedure, Federal University, Candidate of Law, Associate Professor.

The application (project No. 19-011-20154) for the Conference submitted by the working group was supported and financed by the Russian Fund of Fundamental Research.

The conference Proceedings were published prior to its beginning (cite as: ‘Managing land and other natural resources: legal regulation and judicial practice’ Proceedings of the International Research and Practice Conference, October 11–13, 2019).

The plenary session held on the first day of the conference (October 11), was moderated by Safin Zavdat Fayzrahmanovich – the Chairman of the Conference Organizing committee and Volkov Gennady Alexandrovich – Professor of the Department of Environmental and Land Law of Moscow State University named after M. V. Lomonosov. The plenary session included the reports on Environmental and Land Law of leading researchers: Sergey Alexandrovich Bogolyubov (Moscow, Institute of Legislation and Comparative Law under the Government of the Russian Federation), Gennady Alexandrovich Volkov (Moscow State University named after M. V. Lomonosov, Moscow), Makarova Tamara Ivanovna (Belarus State University, Minsk), Krasnova Irina Olegovna (Russian State University of Justice, Moscow), Ustyukova Valentina Vladimirovna (Institute of State and Law of the Russian Academy of Sciences, Moscow), Safin Zavdat Fayzrahmanovich (Kazan (Volga Region) Federal University, Kazan), Lipsky Stanislav Andzheyevich (State University of Land Management, Moscow), Zlotnikova Tamara Vladimirovna (Moscow State University of Geodesy and Cartography, Moscow), Lizgaro Victoria Evgenievna (Belarus State University, Minsk), Salpieva Nurgul Sharshenbekovna (the Higher School of Justice at the Supreme Court of the Kyrgyz Republic, Bishkek), Otorova Baktygul Kanybekovna (Kyrgyz National University named after Zhusup Balasagyn, Bishkek) and Sarybaev Omurbek Ryskulovich (Uzgen District Court of the Osh Region of the Kyrgyz Republic, Osh).

Three main research areas were discussed on the second day (October 12) of the Conference. Namely, (1) improving the legal regulation of land management, (2) improving legal regulation of management of environmental protection and rational nature management, (3) regional and municipal management of land and other natural resources: legislative issues and ways to overcome them.

A significant number of Russian and foreign scientific and educational institutions participated in the Conference. Foreign participants came from the Republic of Belarus (T. I. Makarova, Doctor of Law, Professor, the Belarus State University, V. E. Lizgaro, Candidate of Law, Associate Professor, the Belarus State University), Kyrgyz Republic (N .Sh. Salpieva, Candidate of Law, executive director of the Association of Lawyers of Kyrgyzstan, Senior lecturer of the Higher School of Justice under the Supreme Court of the Kyrgyz Republic, B. K. Otorova, Candidate of Law, Associate Professor of Kyrgyz National University named after Zhusupa Balasagyna, O. R. Sarybaev, judge of the Uzgen district court of the Osh region of the Kyrgyz Republic, A. A. Kadyrov, acting Associate Professor of the Kyrgyz National University named after Zhusup Balasagyn) and the Republic of Kazakhstan (A. K. Kukeev, Senior lecturer of the South Kazakhstan State University named after M. Auezov).

Traditionally, the topic of given Conference covers two major research areas: (1) improving the legal regulation of land management, (2) improving legal regula-

tion of management of environmental protection and rational nature management. It is used to categorize submitted papers and reports.

The reports made on the improvement of the legal regulation of land management, focused on the following results and conclusions: the limitations of land ownership (Z. A. Akhtet'yanova); court practice: cases of violation of land legislation (L. A. Bitkova); legal regimen for defense and security lands (N. S. Vavilov); constitutional guarantees of the protection of rights to land and other real estate (G. A. Volkov); court protection and effectiveness of land administration (T. V. Volkova); free provision of land to families with children (I. V. Vorontsova, R. R. Dolotina); methods of legal regulation of land formation (E. Ya. Gryada); legal regulation of forests in modern conditions (E. V. Ivanova, N. V. Semenova); court contesting acts, decisions and actions of public authorities on land rights (A. V. Kamaeva); legal regulation of servitude land law relations (A. A. Kozodubov); issues on the provision of land required for the implementation of concession agreements, public, municipal and private partnership agreements (Z. K. Konratenko); grounds to acquire and terminate the right of municipal land ownership (I. B. Kondratenko); use of agricultural land as part of implementing governmental policy (S. V. Krashenninikov); functions of managing land resources by state and their legislative provisions in post-Soviet Russia (S. A. Lipski); digital technologies in land law (E. V. Luneva); issues of legislative regulation and law practice of providing land to citizens and legal entities (ownership) (A. V. Malysheva); legal and economic tools of modern Far Eastern land policy (T. Yu. Mashkova); targeted provision of land for large-scale investments (N. S. Mustakimov); social functions of land rights (E. F. Nigmatullina); issues on law practice on disputes of ensuring the housing rights of the owner of a residential property on withdrawal of a land for public needs (N. N. Smirnov); legal regime of land withdrawn from use (V. V. Ystyukova); local authorities in municipal land control viewed as a form of land fund management (L. K. Fazlieva); invalidation of auctions and contracts of sale and rent of land owned by state or municipal bodies (O. M. Fominykh); state legal regulation of land control (E. Yu. Chmykhalo); legal conflicts of land use and development viewed within the legalization of unauthorized buildings (O. I. Sharno).

The reports made on the improvement of legal regulation of management of environmental protection and rational nature management focused on the following results and conclusions: legal regulation of public administration aimed to conserve forest biodiversity (E. N. Abanina); legal support of natural resources and other areas of sustainable development (S. A. Bogolyubov); the history of the development of Russian natural resource and land law (I. Ya. Boyarintseva); the notion of 'land and other natural resources management'; management viewed as an environmental and legal category (M. M. Brinchuk); the state management of land use and protection; issues of ensuring international legal protection and marine protection from

atmospheric pollution (K. B. Valiullina); legal regulation of certification and planning as environmental management tools (I. N. Zhochkina); the significance of forestry borders' registration (G. L. Zemlyakova); the correlation of law, nature, economics and geopolitics in the modern Arctic (T. V. Zlotnikova); legal support for the environmental requirements for urban planning (N. V. Kichigin); public involvement in ecological expertise of business projects (I. O. Krasnova); management features in the exercising public ownership of natural resources (T. N. Malaya); legal compensation for land resources' damage due to waste disposal (M. V. Ponomaryov); environmental insurance standards within legal regulation of environmental protection and efficient management (S. V. Pushkaryov); the improvement of legal regulation of hunting for efficient and sustainable environmental management (T. V. Rednikova); organizational and legal issues of managing water reservoir (Z. F. Safin); legal issues of developing areas of traditional nature management by local settlements of the North, Siberia and the Far East of the Russian Federation (N. I. Khludeneva); legal regulation of public court hearings on the issues of state and municipal environmental protection (R. V. Gornev).

The conference outlined a number of essential scientific issues:

- modern approaches to managing state ownership of natural objects and resources within economical 'digitalization';
- new elements in the legal public administration of environmental protection and efficient management of nature;
- 'digital' management of the legal protection and use of land and other natural resources;
- innovative ways to manage land and other natural resources;
- the Constitutional state within transformation of the state management of natural resources;
- legal issues of land management (in case of land zoning);
- the trends in the development of legislation on land management;
- the limitations of land ownership within the land management system;
- the improvement of methods of land use control by the State;
- modern approaches to the organization of land use aimed at legal stimulation of ownership, capitalization and restructuring.

The researchers (lawyers, scientists, university scholars, Public Chambers representatives) and public authorities discussed modern methods of managing land and other natural resources, i. e. developing e-government mechanism tools, 'digitalization' of regulations, introducing a number of electronic procedures, switching to electronic trading, etc. The participants revealed legal gaps impeding law enforcement and suggested possible ways to improve the management of land and other natural resources the Russian legislation and the legislation of the constituent entities of the Russian Federation. Foreign participants shared their

countries' experience similar in history and traditions; it can be further applied to Russian legislation practices.

Among 110 Conference participants (n = 102 Russian, n = 8 foreign countries) there were 14 Doctors of Sciences and 46 PhD¹.

The participants came from more than 20 universities:

- Bashkir State University;
- Belarus State University;
- Volgograd State University;
- the Academy of Justice of the Supreme Court of the Republic of Kazakhstan;
- the State University of Land Management;
- The Institute of State and Law of the Russian Academy of Sciences;
- The Institute of Legislation and Comparative Law under the Government of the Russian Federation;
- Kazan (Volga region) Federal University;
- Kazan Law Institute of the Ministry of Internal Affairs of the Russian Federation;
- Kazan Law Institute of the University of the Prosecutor's Office of the Russian Federation (branch);
- Kuban State University of Agriculture named after I. T. Trubilin;
- Kyrgyz National University named after Jusup Balasagyn;
- Mari State University;
- Interregional Open Social Institute;
- Ogaryov Mordovia State University;
- Moscow State University of Geodesy and Cartography;
- Moscow State University;
- Kutafin Moscow State Law University (MSAL);
- Orel State University named after I. S. Turgenev;
- Russian State University of Agriculture – Moscow Timiryazev Academy of Agriculture;
- Russian State University of Justice;
- Saratov State Law Academy;
- Sevastopol Institute of Economics and Humanities of the 'Crimean Federal University named after V.I Vernadsky' (branch);
- Branch of the Academy of Management of the Ministry of Internal Affairs of Russia 'Bolshevo';

¹ The website of the Faculty of Law of the Kazan (Volga Region) Federal University, information on the joint International Research and Practice Conference of the law faculties of KFU and MarSU 'Managing land and other natural resources: legal regulation and judicial practice' Available at <https://kpfu.ru/law/sovmestnaya-mezhdunarodnaya-nauchno-379291.html>.

- Chuvash State University;
- South Kazakhstan State University named after M. Auezov;

The state and local authorities, state and private organizations also participated in the Conference. Namely,

- Law Office 'Reznik, Gagarin and partners' (Moscow);
- 'Yoshkar-Ola City' authorities (Yoshkar-Ola);
- The Court of Arbitration of the Republic of Mari El (Yoshkar-Ola);
- the Association 'Lawyers of Kyrgyzstan' (Bishkek);
- Volgograd Regional Collegium of Advocates (Volgograd);
- Volga Interregional Environmental Prosecutor's Office (Tver);
- The Arbitration Court of Appeal # 12 (Saratov);
- Yoshkar-Ola City Court of the Mari El Republic (the city of Yoshkar-Ola);
- the Ministry of Internal Policy, Development of Local Self-Government and Justice of the Republic of Mari El (Yoshkar-Ola);
- The Ministry of Natural Resources, Ecology and Environment Protection, the Republic of Mari El (Yoshkar-Ola);
- the LLC 'Real Estate +' (Kazan);
- The prosecutor's office of the Moscow region, Kazan;
- the Union of Criminalists and criminologists (Moscow);
- Uzgen District Court of the Osh Region, the Kyrgyz Republic (Osh city);
- the Department of the Ministry of Justice of the Republic of Mari El (Yoshkar-Ola);
- Federal Service for the State Registration, Cadastre and Cartography of the Republic of Mari El (Yoshkar-Ola);
- the Department of the Federal Service for Supervision of Natural Resources in the Republic of Mordovia (Saransk).

The Conference suggested the following research and practice statements:

Legal science lacks the unified term meaning 'nature management' and uses such notions as 'managing land and other natural resources', 'environmental management', 'nature management controlled by the state', 'state management of individual natural resources', 'environmental protection and effective nature management', 'managing environmental protection', 'environmental management', etc.

The Conference questions the possibility to manage nature and natural resources directly. As land and natural resources can only be managed indirectly, i.e. implementing measures and requirements to ensure it is rational to protect nature, land, natural resources, and to dispose of owned natural resources. In other words, management correlates with the environmental law. The correlation appears if management is regarded as an environmental and legal entity.

1. The state control of nature management, protection of environment, natural complexes, land and other natural resources is an executive and administrative

activity performed by legal authorities. It aims to implement the requirements of environmental and natural resource legislation consistently and effectively. The executive authorities, i. e., public administration, implements legal acts, promotes legal norms provided in the legislation and adjusts them for public benefit. The laws on environmental and natural resources are formed within enforcing legislation and public administration,

2. The natural resources and other branches of Russian law and legislation apply to the international term 'sustainable development'. It can be interpreted as 'continuously supported', 'self-sustaining', 'acceptable', 'balanced', 'undepleted', 'integral', 'without additional costs when minimizing negative externalities between generations', 'economic, social, natural resource (environmental) directions implied'.

The natural resources (environment) correlate with economy and society within the sustainable development. However, it is not as developed and, therefore, needs to be combined with law, legality, legal support, and other means. The lack of depletion viewed as one of the conditions of sustainable development, implies restoration of mining, the use of other natural resources, in other words, environmentally reasonable economic and social development.

3. The development of long-term environmental education and culture are viewed as an integral part of sustainable development when combined with increasing legal awareness and environmental development policy in Russia. The imperative and dispositive regulations entwine and stabilize the development as natural resources are of primary social and economic concern. Consequently, the more legal support of environment, economy and society is given to the 'sustainable development', the more reliable it becomes.

4. The land and environmental law use certain digital technologies which are planned to be extended. The possible benefits as well as risks and consequences of land law digitalization need to be considered within the wide spreading IT methods. The consequences range from replicating official websites to hacking databases and other abuse of data collection, processing methods, storing, search, use and distribution.

5. The public administration of land use and its protection have two defects: (1) a number of agencies pertaining to the Ministry of Natural Resources of Russia lack corresponding land authority; (2) finding managing functions applied to land controlled by the Ministry of Economic Development of Russia and the Ministry of Agriculture of Russia. The land or 'the basis of the life and work of peoples' (according to a number of provisions of the Constitution of the Russian Federation, (Article 9)) in such a way is 'dispersed' between the Ministry of Economic Development of Russia, the Ministry of Agriculture of Russia and the Ministry of Natural Resources of Russia. Obviously, the tasks and goals of these ministries are

completely different. Therefore, a Federal Agency for Land Resources needs to be established among given environmental authorities.

The research and practice Conference, as it seems, contributed to the environmental science of the Faculty of Law and Kazan Federal University. It improved the collaboration with the researchers from the Republic of Belarus, the Kyrgyz Republic, the Republic of Kazakhstan, and the constituent entities of the Russian Federation dealing with the legal aspects of managing land and other natural resources. The enhanced cooperation with the government, municipal and judicial authorities, law enforcement agencies, public and private organizations as potential employers is beneficial for graduates.

Information about the authors

Zavdat Safin (Kazan, Russia) – Doctor of Legal Science, Professor, Head of the Department of Environmental, Labor Law and Civil Procedure of Kazan (Volga Region) Federal University (18, Kremlyvskaya St., 420008, Kazan; e-mail: zsafin56@gmail.com).

Zarina Kondratenko (Yoshkar-Ola, Russia) – Candidate of Legal Science, Associate Professor, Head of the Department of Civil Law and Procedure of Mari State University (1, Lenin Square, 424000, Yoshkar-Ola; e-mail: mati07@rambler.ru).

Elena Luneva (Kazan, Russia) – Candidate of Legal Science, Associate Professor of the Department of Environmental, Labor Law and Civil Procedure of Kazan (Volga Region) Federal University (18, Kremlyvskaya St., 420008, Kazan; e-mail: vilisa_vilisa@mail.ru).

Recommended citation

Safin Z. F., Kondratenko Z. K., Luneva E. V. Review of the International scientific and practical conference 'Managing land and other natural resources: legal regulation and judicial practice'. *Kazan University Law Review*. 2020; 1 (5): 52–60. <https://doi.org/10.31085/2541-8823-2020-5-1-52-60>.