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AN OVERVIEW OF SELECTED TOOLS AND STRATEGIES FOR AGRICULTURAL LAND PROTECTION IN SLOVAKIA AND THE EUROPEAN UNION

PREHĽAD VYBRANÝCH NÁSTROJOV A STRATÉGIÍ NA OCHRANU POĽNOHOSPODÁRSKEJ PÔDY NA SLOVENSKU A V EURÓPSKEJ ÚNII

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I. Introduction

In the field of environmental protection, we recognize the most common legislative, economic and voluntary tools, which should, in direct relation, lead to the protection of agricultural land as a natural resource. Legislative tools for the protection of agricultural land are implemented through the application of laws, regulations, or other legal acts of a national or transnational nature. The most common in connection with soil protection are:

- emission standards used to determine the maximum acceptable amount of pollutants discharged into the soil,
- the very specification of the specific hazardous substances, the exceedance of which in the soil leads to its irreversible degradation,
- technological standards specifying sustainable agricultural practices or production techniques which the producer is obliged to use in connection with land use and management,
- the standardization of agricultural products, specifying the qualitative and quantitative characteristics of the products in the context of production which is consistent with the protection and sustainability of agricultural land[(1), (2)].

Laws, regulations, etc. as part of the legislative tools also regulate to some extent other tools related to the protection of agricultural land. In particular, it is a legislative regulation of the implementation of economic tools, which are understood as one of the options supporting positive changes in the field of environmental protection and management of natural resources, which also include agricultural land. They aim to support the reduction of negative effects on the environment and soil, through:

- compensation, i.e. reparation for the damaged environment and soil,
- fiscal function, where these economic tools represent the

(1) Jaďuďová et al. (2015).

(2) Slovak Environment Agency (a) (2020).

Abstract (EN)

Agricultural land, as a component of the environment, is one of the irreplaceable natural resources and, at the same time, through its functions, is an integral part of the quality of human lives. Several international institutions or scientists point to problems with land loss or decline in quality and, ultimately, to the increased need for soil protection, based on which governments implement various tools. The aim of the paper is therefore to compile a general overview of existing tools for the protection of agricultural land in Slovakia and to analyse selected strategies for land protection in the EU. The main source of information was represented by literary sources of publications by scientific researchers, Slovak and European bodies or institutions, and, last but not least, legal acts. The paper points to a wide range of existing tools and innovative strategies for the protection of agricultural land in Slovakia and the EU.

Keywords (EN)

agricultural land protection, tools for agricultural land protection, European strategies

Abstrakt (SK)

Poľnohospodárska pôda, ako zložka životného prostredia, patrí k nenahraditeľným prírodným zdrojom a zároveň prostredníctvom svojich funkcií predstavuje neoddeliteľnú súčasť v oblasti kvality ľudských životov. Viaceré medzinárodné inštitúcie či vedeckí pracovníci poukazujú na problémy v súvislosti s úbytkami pôdy či poklesom jej kvality a v konečnom dôsledku na zvýšenú potrebu ochrany pôdy, na základe čoho vládne orgány prijímajú rôzne opatrenia. Cieľom príspevku je preto zostaviť všeobecný prehľad existujúcich nástrojov na ochranu poľnohospodárskej pôdy na Slovensku a analyzovať vybrané stratégie na ochranu poľnohospodárskej pôdy v EÚ. Hlavný zdroj informácií predstavovali literárne zdroje publikácií vedeckých výskumníkov, slovenských a európskych orgánov či inštitúcií a v neposlednom rade právnych aktov. Príspevok poukazuje na širokú škálu existujúcich nástrojov a inovatívnych stratégií na ochranu poľnohospodárskej pôdy na Slovensku a v EÚ.

Kľúčové slová (SK)

ochrana poľnohospodárskej pôdy, nástroje na ochranu poľnohospodárskej pôdy, európske stratégie

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income of the state budget used to finance activities ensuring the protection of the environment and soil,
- stimulatory function to support the realization of a certain goal through certain activities.

This includes the so-called sanctioning economic tools, the aim of which is to impose a fine/sanction fee on the owner or user of agricultural land, for unsustainable land management, which leads to a reduction in its quality or overall degradation. These tools include in particular:
- charges for pollution of agricultural land as a component of the environment, which include e.g. fees for landfilling, for discharging pollutants into the soil, for contamination of the soil with hazardous substances, etc.
- charges for the use of agricultural land, in particular for non-agricultural purposes, where in several countries there is a legal obligation to pay a levy on the agricultural land occupation or withdrawal,
- user fees for the use and consumption of specific fertilizers or pesticides, the presence of which in the soil reduces its quality and endangers not only its condition but also other components of the environment,
- taxes,
- sanction fees and fines for violation of the provisions of the law, regulations, etc.

The second group of economic tools in connection with the protection of agricultural land consists of the so-called stimulating economic tools, the aim of which is to provide the owner or user of land with state aid and support such as the so-called reward or relief for managing the land in accordance with the law, its protection and the preservation of its quality. This group includes, for example:
- tax relief for farmers after meeting certain conditions, e.g. on income tax, real estate, excise taxes, etc.,
- financial support for persons cultivating the agricultural land, again after certain conditions relating to ensuring soil protection. These include subsidies, grants, support from European and state funds, preferential forms of loans, etc.,
- financial concessions include full or partial exemptions for farmers from certain compulsory payments, e.g. relief on penalties for late payment of contributions to the Social Insurance Agency, etc.,
- deposit refund fees, including refundable fees for backed-up packaging or bottles or other recycling fees,
- environmental insurance, which may be compulsory for some farmers as it covers environmental insurance, of which land is also a component[3], [4].

Voluntary tools for the protection of the environment and agricultural land as a natural resource aim, in particular, to promote environmental awareness and strengthen environmental responsibility within the awareness of individuals and the decision-making processes of managing authorities. They operate on a voluntary basis, i.e. they are used by landowners, land users, or the general public without direct coercion. Voluntary tools include:
- voluntary agreements between the Member States, managing authorities, etc. with a commitment to sustainable land management, maintaining soil quality and protecting it from degradation,
- environmental education at primary, secondary, and tertiary schools,
- information strategies that inform and educate the general public through the various platforms available,
- green public procurement, through which farmers will give priority to sustainable, environmentally friendly technologies, or another procured product,
- eco-labelling of products, through nationally/transnationally recognized labels, to inform consumers about environmentally and resource-friendly products,
- public participation[5].

The most effective way to protect agricultural land as a natural resource is to combine the above tools. The tools are applied in individual countries by various administrative procedures through various public authorities in the field of soil protection.

As for specific examples, most countries of the European Union apply legislative and economic tools in the case of agricultural land protection, such as, in particular, decisions of the relevant soil protection authorities and the associated fees in the case of land withdrawals. In addition, in some countries, the spatial planning documentation of the protected area plays an important role in the case of land withdrawal. Some countries (for example Austria), based on the natural conditions and background of the country, are primarily focused on the protection of forests or other kinds of land, others on the protection of agricultural land, especially soils of the highest quality, which is the case in Slovakia, but for example also in Poland[6].

II. Objective and Methodology

Based on the increased need to protect the agricultural land and its functions, the paper aims to identify and compile an overview of existing tools in Slovakia and analyse selected European strategies in the related field. Secondary sources consisting of scientific publications of researchers, Slovak or European legal acts, and publications of Slovak and European bodies and institutions in the field of agricultural land protection were used to examine the issue. Two current European strategies were analysed separately:

- European Green Deal,
- European soil strategy for 2030.

The strategies were processed by the European Commission. Based on the method of content analysis of the mentioned secondary sources, the results were interpreted in the form of an overview.

[3] Jaďuďová et al. (2015).
[4] Slovak Environment Agency (a) (2020).
[5] Slovak Environment Agency (b), (2020).
[6] CEDR (2017).

Table 1: General overview of the existing tools for agricultural land protection in Slovakia

Legislative tools (legal acts regulating)	emission standards
	technological standards
	standardization of agricultural products
	sanctions and fines
Economic tools	
Stimulating economic tools	compensation of the damaged environment and agricultural land
	financing of environmental and soil protection activities
	tax relief
	financial support
	financial relief
	deposit refund fees
	environmental insurance
Sanctioning economic tools	agricultural land pollution charges
	fees for the use/withdrawal of agricultural land
	user fees (e.g. for harmful pesticides)
	taxes
	sanctions and fines
Voluntary tools	voluntary agreements of Member States, managing authorities, etc.
	environmental education and training
	information strategies for public education
	green public procurement
	eco-labelling of products
	public participation

Source: own processing, 2022 based on Jaďuďová (2015), Slovak Environment Agency, (a), (b) (2020)

III. Results and Discussion

3.1 Tools for agricultural land protection in Slovakia

Legislative tools

In the conditions of the Slovak Republic, agricultural land is an amendment to the Constitutional Act no. 422/2020 Coll. with effect from 1 January 2021, protected directly in the Constitution of the Slovak Republic, according to which it belongs under special protection by the state and society. Agricultural land is protected mainly by Act No. 220/2014 Coll. on the protection and use of agricultural land, which regulates the protection of its character and functions, sustainable use, environmental functions, acreage against unauthorized use, procedures for changing the type of land or its withdrawal for non-agricultural purposes and sanctions for violation of the law. This Act is implemented by the Regulation of the Government of the Slovak Republic no. 58/2013 Coll. on levies for seizure and unauthorized occupation of agricultural land, which regulates the basic rate of levy, list of the agricultural land in the highest quality in the cadastral area according to the BPEJ code, method and due of payment, and certain exemption from levy. Further, the act is also implemented by the Decree of the Ministry of Agriculture of the Slovak Republic no. 508/2004 Coll., which implements § 27 of the Soil Protection Act, which lays down details on the processing of the soil organic matter balance, the processing of the agricultural land reclamation project, and the evaluation of the consequences of construction plans or others.

However, in the area of agricultural land protection, we recognize several legislative tools that are related to its protection, either directly or indirectly. This is, for example, Act no. 330/1991 Coll. on Land Adjustment, Land Ownership Arrangement, Land Offices, Land Fund, and Land Communities, regulating the definition of basic provisions in the field of land readjustment, land readjustment proceedings, the implementation of land readjustment projects and related costs or the establishment of the Slovak Land Fund.

Legislative tools for agricultural land protection also include Act no. 229/1991 Coll. on the regulation of ownership relations to land and other agricultural properties, regulating the rights and obligations of owners, original landowners, users, and tenants of land, and the competence of the state in the regulation of ownership and users' rights to land. And Act no. 140/2014 Coll. on the acquisition of ownership of agricultural land and the amendment of certain laws, regulating the procedure for acquiring land ownership by transfer and the competences of state administration bodies in this area.

Tools also include Act no. 543/2002 Coll. on nature and landscape protection, regulating the competence of state administration bodies and municipalities, rights and obligations of individuals and legal persons within nature and landscape

protection with the goals of long-term preservation of natural balance, protection of the diversity of conditions and life forms or natural values and heritages, sustainable use of natural resources and the provision of ecosystem services, taking into account economic, social, cultural needs and regional and local conditions.

Furthermore, we can also include Act no. 24/2006 Coll. on Environmental Impact Assessment and amendments of certain laws, regulating the procedure of professional and public assessment of anticipated environmental impacts, rights and obligations of participants in the impact assessment, and the competence of state administration bodies and municipalities in this given area.

Also, Act no. 136/2000 Coll. on fertilizers as part of legislative tools for agricultural land protection, regulates conditions for the circulation of fertilizers, growing substrates or soil auxiliaries, certification of fertilizers, conditions of their storage and use, conditions of agrochemical testing of agricultural soils, conditions of land cultivation in vulnerable areas, the competence of state administration bodies in this area.[7], [8]

Economic tools

Various economic tools are used in Slovakia to protect agricultural land, in terms of sanctioning economic tools, in particular, levies for the seizure and unauthorized occupation of agricultural land, fines for violations in the field of soil protection, land taxes, and agricultural land prices. In the case of economic stimulating tools, there are mainly payments and subsidies which are supposed to motivate the applicant for the payment to protect the agricultural land.

Levies for agricultural land withdrawals and unauthorized occupation

According to Act No. 220/2014 Coll. on the protection and use of agricultural land, agricultural land may also be used for housing or other non-agricultural purposes, but this should only be in necessary cases with no other solution and to the extent that is justified. The agricultural land protection authority ensures the protection of the highest quality agricultural land in the given cadastral area, competent in quality groups 1-4 according to the BPEJ code, and the protection of vineyards. The levy for the permanent or temporary withdrawal of the agricultural land of the highest quality must be paid by the person who is obliged to propose its non-agricultural use. This obligation also applies in the case of the unauthorized occupation of agricultural land, which is made without a decision by the agricultural land protection authority. If the levy is not paid on time, an additional penalty arises for each day of late payment of 0.05% of the outstanding amount, starting on the day following the due date. The basic levy rate ranges are from € 20/m^2 to € 0,5/m^2 for permanent withdrawal and from € 0,20/m^2 to € 0,005/m^2 for temporary withdrawal from the first to the ninth group of the land quality. Information on the basic rates of the levy, the method of payment of the levy, exemptions from the payment of levies, and a list of the agricultural land of the highest quality in the relevant cadastral area according to the BPEJ code are regulated in the Government Regulation no. 58/2013 Coll. on levies for agricultural land withdrawals and unauthorized occupation[9], [10].

Fines for infringements in the field of agricultural land protection

The Land Protection Act defines offenses and other administrative violations in the area of agricultural land protection. It allows the agricultural land protection authority to impose a fine of up to € 330, € 660, or € 995 for an individual. For other administrative offenses, it allows that individual/entrepreneur or legal entity to be fined from € 166 to € 33,200 for each hectare of agricultural land. However, if that person commits an unauthorized occupation of agricultural land for non-agricultural purposes or causes damage to agricultural land by risk substances, a fine of between € 1 660 and € 166 000 per hectare of agricultural land may be imposed. In the process of determining the amount of the fine, the agricultural protection authority takes into account in particular the gravity of the infringement, the manner and duration of the infringement, and the extent of the threatened or already caused damage[11].

Land taxes and agricultural land prices

According to Act no. 582/2004 Coll. on local taxes and local fees for municipal waste and small construction waste, the type of local taxes that can be imposed by the municipality is also a real estate tax, which includes land tax. The subject of the land tax is, besides other, arable land, hop gardens, vineyards, orchards, and permanent grassland. The tax base, in this case, is the value of land without coppices determined by multiplying the area in m^2 and the value of land per 1 m^2, which is given in € /m^2 in Annex 1 of the Act: Value of arable land and permanent grassland in a table according to the territory, code and the name of the cadastral district.

According to the purpose for which the price of agricultural land is determined, we distinguish the market price and the official price. The market price is regulated mainly by the land market, i.e. supply and demand. Furthermore, its amount may be affected by the type and quality of land according to the BPEJ, district, land acreage, existing tenancy relations, or the distance of land from the district town. The official price of land is defined by legislative tools; the current legislation uses the term land value. It is used, for example, to determine the amount of real estate tax or payment for the expropriation of land in the public interest. The basis for the determination of land value is BPEJ. The official price reflects also the qualitative parameters of the soil, such as soil type, slope, or grain size[12], [13].

[7] Machničová (2021).

[8] Slov-lex

[9] Act No. 220/2014 Coll. on the protection and use of agricultural land.

[10] Regulation No. 58/2013 Coll. on levies for agricultural land withdrawals and unauthorized occupation.

[11] Act No. 220/2014 Coll. on the protection and use of agricultural land.

[12] Act no. 582/2004 Coll. on local taxes and local fees for municipal waste and small construction waste.

[13] Lazíková (2010).

Payments and subsidies for agricultural land protection

In the area of agricultural land, payments and subsidies from national or European sources also act as economic tools for agricultural land protection. They are considered a stimulating tools leading to the fulfilment of political goals, which are regulated in the Concept of Agricultural Development 2013–20120 with the main goal of sustainable agricultural development or in the Rural Development Program of the Slovak Republic for the programming period 2021–2027 with the main goal to support agricultural competitiveness in accordance to environmental sustainability and rural development, based on the objectives of the Common Agricultural Policy (CAP), which are viable e.g. food production, balanced territorial development or sustainable management of natural resources, as well as measures to combat climate change[14], [15], [16].

Voluntary tools

Environmental education

In Slovakia, there are several entities that formally or informally participate in Environmental Education, Training, and Awareness (hereinafter as EETA) in the field of the environment. Within the Ministry of the Environment of the Slovak Republic, 6 sections and 8 departmental organizations deal with the issue of EETA as a supporting activity. Formal EETE in Slovakia is concentrated in school-type facilities. It is covered by the State Education Program within the category of pre-primary education and secondary vocational education.

Non-formal EETA is implemented in Slovakia by the departmental organizations of the Ministry of the Environment of the Slovak Republic for the public and specific target groups in accordance with their statutes. Individual departmental organizations are preparing many events that focus on information in the field of environmental protection and its components, as well as the field of EETA itself. These educational are using interactive elements, which include, for example, one or multi-day educational events, discussions for all categories of schools (kindergartens, primary schools, high schools, universities), events for marginalized groups, exhibitions, excursions, film festivals, etc.

Business entities in Slovakia are also involved in EETA, directly or through their foundations set up to raise awareness in the field of environmental protection and sustainability. They direct their activities to all levels of schools as well.

However, as stated by the Ministry of the Environment itself, the problem in this area is that in Slovakia there is a Concept of Environmental Education since 1997 still valid, which causes the data do not reflect the current situation[17].

Green public procurement

In order to ensure uniform and transparent implementation of green public procurement and uniform monitoring of the level achieved in the Member States, uniform environmental characteristics recommended for selected product groups are created and regularly updated at the EU level to simplify a green contract creation.

From these product groups, the Slovak Republic chose 12 priorities, which became the basis for the "National Action Plan for Green Public Procurement in the Slovak Republic for 2016–2020" adopted by the Slovak Government in 2016. Environmental Policy Strategy of the Slovak Republic until 2030 (Greener Slovakia) also sets the goal that Slovakia will provide at least 70% of the total value of public procurement by green public procurement by 2030.

Legislatively, green public procurement in Slovakia is regulated in Act no. 343/2015 Coll. on Public Procurement and amendments to certain acts, as amended (hereinafter referred to as the "Public Procurement Act") and Government Resolution no. 590 of 14 December 2016 on the draft National Action Plan for Green Public Procurement in the Slovak Republic for the years 2016 – 2020, which enable the application of environmental aspects in all stages of public procurement.

For example, in the case of the procurement of goods, works, or services with specific environmental, social, or other characteristics, the contracting authority may require in the contract description a specifically recognized eco-label (e.g. European Eco-label) as one of the criteria to evaluate relevant offers and a proof that goods, works or services meet specific characteristics[18], [19].

3.2 Selected strategies for agricultural land protection in European Union

In the context of combating climate change and protecting the environment, the European Union has currently adopted several key documents presenting strategies or agreements that will have a direct impact on agricultural land protection.

These include, in particular, the *European Green Deal* which represents the EU's efforts to become the first climate-neutral continent on Earth. It aims to become a modern and competitive economy with zero net greenhouse gas emissions by 2050, which will grow economically and at the same time will not depend on the use of resources.

In connection with the protection of agricultural land, the measures entitled Agriculture and the Environment and Oceans are key in the framework of the European Green Deal. The aim of the measure *Agriculture* is primarily to create a safe, balanced and, above all, sustainable and self-sufficient food system within the sub-measure *Reform of the Common Agricultural Policy*. As a direct follow-up to the protection of agricultural land, this measure is mainly affected by the reform of the Common Agricultural Policy in line with the objectives of the Europe Green Deal. As a result, the Common Agricultural Policy will focus on promoting natural resource management, sustainable farming practices, and strengthening biodiversity across the EU. This will support the implementation of organic production systems, such as agroecology, agroforestry, and organic farming. As a sustainable food system is the heart of the European Green Deal, its measures place an overall emphasis on the production of high-quality food with a low environmental impact, as a result of which organic farming is a key

[14] Ministry of Agriculture and Rural Development (2013).
[15] European Commission (2022).
[16] Government Office of SR (2020).
[17] Ministry of Environment (2015).
[18] Public Procurement Office of SR (2017).
[19] Ministry of Environment (2022).

factor. Therefore, the development of an action plan for organic farming is a separate sub-measure under the Agriculture measure. The priority is to achieve that at least 25% of the total EU land area will be managed by organic farming by 2030 (currently 8.5% of the EU's agricultural area is organic). Support for the conversion of conventional farming to organic is supposed to take place through the above-mentioned action plan based on 3 axes:

- support demand and motivate consumers to prefer products from organic farming,
- stimulation of the conversion process itself and support farmers in the process of transition to organic farming,
- promote organic matter and other positive examples such as the contribution of organic farming to environmental sustainability.

The application of these three axes will be supported mainly through the reform of the Common Agricultural Policy, in particular from rural development commitments, additionally through ecological schemes. The EU plans to strengthen agricultural advisory and technical services, including in particular the exchange of knowledge on best practices in organic farming and innovations in organic matter. As organic farming itself is knowledge-intensive, the Commission plans to allocate at least 30% of its budget to research and innovation activities in this area.

Another important sub-measure, which is one of the EU's long-term goals and includes agriculture and agricultural protection, is the Sustainable Use of Pesticides. The purpose of the sub-measure is to support the so-called integrated pest management and alternative approaches or techniques (e.g. non-chemical pesticide alternatives). The main tools of this sub-measure are training of users, producers, or distributors of pesticides, inspections of the soil fund on harmful components of pesticides, banning aerial spraying, restricting the use of pesticides in risk areas, and, last but not least, raising awareness about the risks and harmful consequences of certain pesticides. The sub-measure is directly supported and implemented by Directive 2009/128/EC of the European Parliament and of the Council which regulates a framework for Community action to achieve sustainable use of pesticides. To implement this Directive, the Member States have drawn up separate action plans.

The second measure, entitled Environment and Oceans, which partly covers the protection of agricultural land, aims, in particular, to protect our biodiversity and ecosystems, reduce pollution of all natural resources, including soil, and improve waste management. Concerning the protection of agricultural land, the following measures are key:

- *The 2030 Biodiversity Strategy* as a long-term plan to protect nature and reverse the degradation of ecosystems, which will include e.g. extension of Natura 2000 protected areas with high biodiversity and climate value. The strategy also aims to restore currently degraded ecosystems and manage them sustainably,
- *The Organic Farming Action Plan*, already mentioned under the Agriculture measure, to ensure that at least 25% of the EU's agricultural area is managed organically by 2030,
- *Action plan for zero air, water, and soil pollution* as natural resources. The aim is to reduce pollution of these resources to levels that are not considered harmful to health, and ecosystems to a level that the planet can cope with, which will create an environment free of toxic substances. In the context of the protection and restoration of agricultural land, the specific objective is to ensure a 50% improvement of its current condition,
- *The fork-to-fork strategy* also has a partial impact on the protection of agricultural land by supporting consumer demand for organically produced food with many benefits for individual health and the overall sustainability of the planet. The Common Agricultural Policy and the Fisheries Policy are the key tools for implementing this strategy.

One-third of the €1.8 trillion investments from the NextGenerationEU recovery plan has been earmarked for the European Green Deal which will also be financed from the seven-year budget of the EU. Several legislative frameworks are currently being prepared under the various measures of the European Green Deal[20].

The adoption of a new European Soil Strategy 2030, reflecting the demands of the public, the European Parliament, and the Member States, is also considered a breakthrough in soil protection. The strategy identifies at the outset that, even though "land hosts more than 25% of all biodiversity on the planet and is the basis of food chains that feed humanity and above-ground biodiversity", up to 70% of the total land area is not healthy. It is one of the reasons, the EU wants to pay urgent attention to protecting and improving the overall condition of the soil. T*he main vision of the strategy is to achieve healthy soil by 2050*, when "land protection, sustainable use, and restoration would become the norm". EU strategy for soil by 2030 defines medium-term and long-term goals that will directly contribute to the goals of the Europe Green Deal.

The medium-term goals until 2030 represent:

- combating desertification,
- restoration of degraded and carbon-rich ecosystems,
- greenhouse gas removal of 310 million tonnes of CO_2 equivalent per year for the land use, land-use change, and forestry sector (LULUCF),
- until 2027 to achieve a good ecological and chemical status of surface waters and good chemical and quantitative status of groundwater,
- until 2030 to reduce nutrient losses by at least 50%, reduce the overall use and risk of chemical pesticides by 50% as well as the use of more dangerous pesticides by 50%,
- to achieve significant progress in the remediation of contaminated areas.

The long-term goals until 2050 represent:

- zero clear soil coverage,
- reduction of soil pollution to a level that is not considered harmful to human health and natural ecosystems and which respects the natural boundaries of our planet, therefore to create an environment that will be free of toxic substances,

[20] European Commission (a) (2021).

- to achieve a climate-neutral Europe, achieve terrestrial climate neutrality in the EU by 2035,
- until 2050 to achieve a climate-change resilient society within the EU.

The most important framework of the strategy from the point of view of Slovakia as an EU Member State will be the legislation on soil health, the so-called Act of *The Soil Health*, which the European Commission plans to present in 2023 and will be drafted in consultation with the Member States to ensure the principle of subsidiarity and national competences. The consultation will also include an assessment of the possibility of reducing nutrient losses by at least 50%, which will directly reduce fertilizers use by at least 20%.

As part of the Soil Strategy 2030, the European Commission also came up with a proposal for a *"test your land for free" initiative*. The initiative aims to provide users with the necessary data on soil composition (pH, organic matter, etc.), as a result of which it will be easier to select and implement appropriate soil management practices in relation to its sustainability. European Commission recommends to the Member States implement this initiative at the national level. Regarding the funding of individual activities, the Commission states that "the current EU budget provides funding sources to support the sustainable use and restoration of degraded land, such as the CAP, program LIFE, Horizon Europe, Cohesion policy".

In order to facilitate cooperation and consultation between all stakeholders, a new governance model based on a *"network of networks"* called the *EU Coalition4HealthySoils (C4HS)* will also be designed and developed. The soil expert group will also be extended to ensure a balanced representation of stakeholders.

Regarding the next steps resulting from the Soil Strategy 2030 for Slovakia as one of the EU Member States, it will be necessary to evaluate the strategy in detail, harmonize positions and competences between the Ministry of Agriculture and Rural Development of the Slovak Republic and the Ministry of the Environment, to promote the importance of the legislative framework for soil protection and health and also to provide co-operation in shaping the legislative framework in the presented Strategy[21].

IV. Conclusion

In Slovakia, there is currently a wide range of legislative, economic, and voluntary tools that are implemented in the field of agricultural land protection.

As far as legislative tools are concerned, Act No. 220/2014 Coll. on the protection and use of agricultural land implemented by the Regulation of the Government of the Slovak Republic no. 58/2013 Coll. on levies for seizure and unauthorized occupation of agricultural land, which regulates the basic rate of levy on agricultural land withdrawal for non-agricultural purpose is considered the most important and effective. Other important legislative tools are also Act no. 330/1991 Coll. on Land Adjustment, Land Ownership Arrangement, Land Offices, Land Fund, and Land Communities and Act no. 140/2014 Coll. on the acquisition of ownership of agricultural land and the amendment of certain laws.

Important economic tools for the protection of agricultural land are in particular levies for agricultural land withdrawals and unauthorized occupation, within the category of sanctioning economic tools and payments and subsidies for agricultural land protection, within the category of stimulating economic tools.

Environmental education in particular has great potential in the field of voluntary tools, but as mentioned in the document of the Ministry of Environment of the Slovak Republic, the concept of this type of education in Slovakia is not yet sufficiently updated and finalized.

In the context of the protection and sustainability of agricultural land, raising awareness or implementing more effective goals, new European Union strategies, in particular, the European Green Deal or the European Soil Strategy 2030 appear, which, among other things, commit themselves to:

- ensure that at least 25% of the land is organically cultivated by 2030,
- ensure at least a 50% improvement in the current soil condition,
- reduce the use of harmful pesticides and other substances in soil by 50% by 2030,
- prepare a legislative framework for soil protection, the so-called Soil health law, etc.

Despite the existence of all described tools in Slovakia, the total area, but also the quality of agricultural land has been declining for a long period of time[22], [23]. Therefore, future research needs to examine in particular the effectiveness of the tools as such, for example, levies for agricultural land withdrawal for non-agricultural purposes, as they do not appear to be high enough to act as a barrier for land acquirers. It is also necessary to examine the effectiveness of the authorities in terms of the implementation of specific tools. A more detailed analysis of tools or land management strategies applied in other countries with similar predispositions and conditions as Slovakia and their effectiveness may also be a suitable solution for the implementation of the right tools for soil protection.

References

1. CEDR. 2017. *Journal of Rural Law.* [online]. [cit. 2022.06.20]. Available online: <https://www.cedr.org/wp-content/uploads/2019/12/CEDR-JRL-2017-1.pdfhttps://www.mdpi.com/2073-445X/10/8/873/htm - B46-land-10-00873>.
2. EUROPEAN COMMISSION (a). 2021. *European Green Deal.* [online]. [cit. 2022.04.05]. Available online:<https://ec.europa.eu/info/strategy/priorities-2019-2024/european-green-deal_enhttps://www.mdpi.com/2073-445X/10/8/873/htm - B46-land-10-00873>.
3. EUROPEAN COMMISSION (b). 2021. EU *Soil Strategy for 2030.* Reaping the benefits of healthy soils for people, food, nature and climate [online]. [cit. 2022.14.05]. Available online:< https://ec.europa.eu/environment/publications/eu-soil-strategy-2030_enhttps://www.mdpi.com/2073-445X/10/8/873/htm - B46-land-10-00873>.

[21] European Commission (b) (2021).

[22] Palšová, Melichová, Melišková (2019).

[23] Machničová, Palšová (2020).

4. EUROPEAN COMMISSION, 2022. *Factsheet on 2014–2022 Rural Development Programme for Slovakia*. [online]. [cit. 2022.04.21]. Available online: <https://ec.europa.eu/info/food-farming-fisheries/key-policies/common-agricultural-policy/rural-development/country/slovakia_skhttps://www.mdpi.com/2073-445X/10/8/873/htm - B46-land-10-00873>.
5. GOVERNMENT OFFICE OF SR, 2020. *Partnerská dohoda Slovenskej republiky na roky 2021–2027*. [online]. [cit. 2022.04.24]. Available online: <https://www.partnerskadohoda.gov.sk/programove-obdobie-2021-2027/https://www.mdpi.com/2073-445X/10/8/873/htm - B46-land-10-00873>.
6. JAĎUĎOVÁ, J. et al. 2015. *Ekonomické a legislatívne nástroje životného prostredia*. Banská Bystrica : Belianum, 174 p. ISBN 978-80-557-1027-3.
7. LAZÍKOVÁ, J. 2010. *Cena a hodnota poľnohospodárskej pôdy*. Variable value of agricultural land. Nitra: SPU. [online]. [cit. 2022.04.21]. Available online: <http://www.slpk.sk/eldo/2011/zborniky/03-11/lazikova2.pdfhttps://www.mdpi.com/2073-445X/10/8/873/htm - B46-land-10-00873>.
8. MACHNIČOVÁ, Z -, PALŠOVÁ, L. 2020. *Vplyv vnútornej migrácie obyvateľov na kvalitu poľnohospodárskej pôdy v rámci vybraných regiónov Slovenska*. Education, 2020. [online]. [cit. 2022.04.28]. Available online: <https://www.researchgate.net/profile/Zina-Machnicova-2/publication/350277862_vplyv_vnutornej_migracie_obyvatelov_na_kvalitu_polnohospodarskej_pody_v_ramci_vybranych_regionov_slovenska/links/60587119299bf173675ca6e5/vplyv-vnutornej-migracie-obyvatelov-na-kvalitu-polnohospodarskej-pody-v-ramci-vybranych-regionov-slovenska.pdfhttps://www.mdpi.com/2073-445X/10/8/873/htm - B46-land-10-00873>.
9. MACHNIČOVÁ, Z. 2021. *Evaluation of Selected Indicators Pointing at the Current Condition and Importance of Agricultural Land Protection in Slovakia*. EU agrarian Law, 10(1), 20-26. [online]. [cit. 2022.04.03]. Available online: <https://www.sciendo.com/article/10.2478/eual-2021-0004https://www.mdpi.com/2073-445X/10/8/873/htm - B46-land-10-00873>.
10. MINISTRY OF AGRICULTURE AND RURAL DEVELOPMENT, 2013. *Koncepcia rozvoja pôdohospodárstva na roky 2013*–2020. [online]. [cit. 2022.04.21]. Available online: <http://www.mpsr.sk/download.php?fID=7015https://www.mdpi.com/2073-445X/10/8/873/htm - B46-land-10-00873>.
11. MINISTRY OF ENVIRONMENT, 2015. *Rezortná koncepcia environmentálnej výchovy, vzdelávania a osvety do roku 2025*. [online]. [cit. 2022.04.25]. Available online: <https://www.minzp.sk/files/dokumenty/strategicke-dokumenty/rezortna-koncepcia-evvao.pdf>.
12. MINISTRY OF ENVIRONMENT. 2022. *Zelené verejné obstarávanie*. [online]. [cit. 2022.04.24]. Available online: <https://www.minzp.sk/obehove-hospodarstvo/environmentalne-manazerstvo/zelene-verejne-obstaravanie/https://www.mdpi.com/2073-445X/10/8/873/htm - B46-land-10-00873>.
13. PALŠOVÁ, L. - MELICHOVÁ, K. - MELIŠKOVÁ, I. 2019. *Modelling Development, Territorial and Legislative Factors Impacting the Changes in Use of Agricultural Land in Slovakia*. Sustainability, 11(14), 3893. [online]. [cit. 2022.04.24]. Available online: <https://www.mdpi.com/2071-1050/11/14/3893https://www.mdpi.com/2073-445X/10/8/873/htm - B46-land-10-00873>.
14. PUBLIC PROCUREMENT OFFICE OF SR, 2017. *Zelené verejné obstarávanie*. [online]. [cit. 2022.04.24]. Available online: <https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwjDt4K03Lb3AhXoQ_EDHdrmApUQFnoECAgQAQ&url=https%3A%2F%2Fwww.uvo.gov.sk%2Fextdoc%2F1675%2FZ_VO&usg=AOvVaw3RntDeBS1NIS6Fc5gjLQtjhttps://www.mdpi.com/2073-445X/10/8/873/htm - B46-land-10-00873>.
15. SLOVAK ENVIRONMENT AGENCY a). 2020. *Ekonomické nástroje*. In Enviroportál. [online]. [cit. 2021.12.03]. Available online: <https://www.enviroportal.sk/environmentalne-temy/starostlivost-o-zp/ekonomicke-nastroje?view=print https://www.mdpi.com/2073-445X/10/8/873/htm - B46-land-10-00873>.
16. SLOVAK ENVIRONMENT AGENCY b). 2020. *Dobrovoľné nástroje environmentálnej politiky*. In Enviroportál. [online]. [cit. 2021.12.03]. Available online: <https://www.enviroportal.sk/environmentalne-temy/starostlivost-o-zp/dobrovolne-nastroje-environmentalnej-politikyhttps://www.mdpi.com/2073-445X/10/8/873/htm - B46-land-10-00873>.
17. Act No. 220/2014 *Coll. on the protection and use of agricultural land.*
18. Act no. 582/2004 *Coll. on local taxes and local fees for municipal waste and small construction waste.*
19. *Regulation no. 58/2013 Coll. on levies for agricultural land withdrawals and unauthorized occupation.*

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