

Land Tenure in Transition: Case Uzbekistan

Mika-Petteri TÖRHÖNEN, Finland

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ABSTRACT

This paper presents results of a land tenure research that was carried out in August 2001 in Uzbekistan. The aim was to review the land tenure rules and practises; and their influence to real property market. The paper commences with a short introduction to the land policy and to the present statutory tenure in the country. Turning into the research data, both rural and urban land tenure systems are explored. Uzbekistan celebrating the tenth year of independence has the land tenure still in transition. The Soviet era systems have been replaced, but often with similar practises. Land belongs to the government and people may enjoy only use rights to land. The privatisation process of the collective farms and the establishment of individual land rights are still topical in Uzbekistan. Apart from land, the immovable properties have been privatised. The artificial division between land and buildings that is built-in to the concept of real property has affected negatively the security of tenure and the functionality of real property market. In the urban settings the real property market has emerged, but many of its crucial elements do not function. The mortgaging is in an infant stage and the banks rather except movables as collateral than real properties. The public control on land use is high, but for example the environmental authority has only a marginal mandate. The paper ends with conclusions and suggests lessons to be learned from the land tenure situation of Uzbekistan.

CONTACT

Mika-Petteri Törhönen
FM-International Oy FINNMAP
P.O. Box 14
FIN-00511 Helsinki
FINLAND
Tel. +358 9 7744 260
Fax. +358 9 7744 2650
E-mail: mika.torhonen@finnmap.com
Web site: www.finnmap.com

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Mika-Petteri Törhönen
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