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LAND TENURE AND PROPERTY RIGHTS REGIONAL REPORT

VOLUME 2.7: THE BALKANS AND THE CAUCASUS



JULY 2007

This publication was produced for review by the United States Agency for International Development. It was prepared by ARD, Inc.

This product is part of ARD, Inc.'s international work in land tenure and property rights. It forms part of a 3-volume set on the subject.

VOLUME 1. LAND TENURE AND PROPERTY RIGHTS FRAMEWORK

VOLUME 2. LAND TENURE AND PROPERTY RIGHTS REGIONAL REPORT

- 2.1 East and Central Africa**
[East Africa: Congo DR, Djibouti, Eritrea, Ethiopia, Kenya, Madagascar, Somalia, Sudan, Tanzania, and Uganda; Central Africa: Burundi and Rwanda]
- 2.2 Southern Africa**
[Angola, Lesotho, Malawi, Mozambique, Namibia, South Africa, Zambia, and Zimbabwe]
- 2.3 West Africa**
[Benin, Cape Verde, Ghana, Guinea, Liberia, Mali, Nigeria, Senegal, and Sierra Leone]
- 2.4 East and Southeast Asia**
[East Asia: East Timor, Indonesia, Mongolia, and the Philippines; Southeast Asia: Cambodia, Laos, Myanmar, and Vietnam]
- 2.5 Near East Asia and North Africa**
[Near East Asia: Egypt, Iraq, Jordan, Lebanon, West Bank/Gaza, and Yemen; North Africa: Morocco]
- 2.6 South Asia**
[Afghanistan, Bangladesh, India, Nepal, Pakistan, and Sri Lanka]
- 2.7 The Balkans and the Caucasus**
[The Balkans: Albania, Bosnia and Herzegovina, Croatia, Kosovo, Republic of Macedonia, and Serbia and Montenegro; The Caucasus: Armenia, Azerbaijan, and Georgia]
- 2.8 Central Asia**
[Kazakhstan, Kyrgyzstan, Russia, Tajikistan, Turkmenistan, and Uzbekistan]
- 2.9 Eastern Europe**
[Belarus, Bulgaria, Moldova, Romania, and Ukraine]
- 2.10 The Caribbean, Central America, and North America**
[The Caribbean: Dominican Republic, Haiti, and Jamaica; Central America: El Salvador, Guatemala, Honduras, Nicaragua, and Panama; North America: Mexico]
- 2.11 South America**
[Bolivia, Brazil, Colombia, Ecuador, Guyana, Paraguay, and Peru]

VOLUME 3. LAND TENURE AND PROPERTY RIGHTS ASSESSMENT TOOLS

Prepared for the United States Agency for International Development, USAID Contract Number LAG-I-00-98-00031-00, Awareness Framework: Property Rights and Natural Resource Management, under the Broadening Access and Strengthening Input Market Systems (BASIS) Indefinite Quantity Contract.

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COVER: In Albania, forests are threatened by overgrazing and overharvesting, while fragmentation of agricultural lands is impeding the development of the agricultural sector. Photo Credit: ARD, Inc.

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ACRONYMS AND ABBREVIATIONS

BASIS	Broadening Access and Strengthening Input Systems
EGAT	Economic Growth, Agriculture, and Trade Bureau
LTPR	Land Tenure and Property Rights
USAID	United States Agency for International Development

I.0 INTRODUCTION

The demand to address property rights concerns is increasing from both United States Agency for International Development (USAID) field missions and host country governments. The increase in demand is due, in part, to a growing awareness among development practitioners of the role played by property rights (and natural resources access and use) in economic growth, governance, and conflict and resource management.

USAID and its partners have learned a great deal over the last three decades about the relationship between property rights and economic growth, productivity, and, to a lesser extent, natural resource management and conflict. There are several important lessons learned from the last decade of research and policy work on property rights with a particular emphasis on land tenure.

- Secure property rights are a critical component of economic development and social stability. Inappropriate property rights policies and institutional structures that are not synchronized with economic, political, and environmental realities can undermine growth, erode natural resource bases, and catalyze violent conflict. Insecure and non-negotiable property rights are some of the critical factors limiting economic growth and democratic governance throughout the developing world. Conversely, strong property rights systems, which are viewed as legitimate, transparent, and negotiable, can lead to increased investment and productivity, political stability, and better resource management.
- In development programming, property rights are most frequently dealt with in the context of land reforms and land tenure reform. Programming decisions made in a variety of sectors that take land tenure into consideration can have profound impacts on land use and management, agricultural systems, and associated natural resources management.
- Too often, land tenure and property rights reforms are measured in terms of *outputs* rather than *impacts* (e.g., measuring the number of land titles which have been issued as opposed to focusing on market performance and investment increases, reduced conflicts, or improved sustainable management practices). This focus on outputs prevents USAID from fully understanding the efficacy and potential cross-sectoral benefits of its property rights reforms and programs.

Issues and constraints regarding property rights vary from region to region, and they will continue to evolve over time. The most volatile of USAID-presence countries, and those that are often in the greatest need of property rights reforms, are fragile states. Since property rights are so closely linked to development agendas across the globe, there is a need to understand how these rights shift as economies move through the stages of economic growth and democratization (and, in some cases, from war to peace) and how these shifts require different property rights interventions.

In light of these common concerns and issues, a Community of Practice on Land has been created by USAID in Washington to serve as a hub of information sharing. In addition, the Land Resources Management Team has been formed within the USAID/Economic Growth, Agriculture, and Trade (EGAT) Bureau to coordinate issues of land tenure and property rights programming with other USAID bureaus and operating units.

In October 2004, USAID awarded ARD, Inc., of Burlington, Vermont a two-year task order, Awareness Framework: Property Rights and Natural Resources Management, under the Broadening Access and Strengthening Input Systems (BASIS) indefinite quantity contract. The task was to develop a land tenure and

property rights framework, a common vocabulary, and a set of tools that could be used to help guide USAID through future property rights programming.

ARD formed a virtual team of land tenure and property rights professionals from three organizations: ARD, the Rural Development Institute (RDI), and the University of Wisconsin Land Tenure Center (LTC). Each member brought to the team strong experiences in the major areas of property rights and development programming. The team consisted of Safia Aggarwal (ARD), David Bledsoe (RDI), Jennifer Brown (RDI), Renee Giovarelli (ARD), Peter Hetz (ARD), Kathrine Kelm (ARD), Susana Lastarria-Cornhiel (University of Wisconsin LTC), Mark Marquardt (ARD), Robert Morin (ARD), Ryan Roberge (ARD), and Michael Roth (ARD, formerly of LTC).

This virtual team met regularly over the course of one and half years to develop the Land Tenure and Property Rights Framework and tools:

- **Volume 1: Land Tenure and Property Rights Framework.** A conceptual tool for examining land tenure and property rights categories, constraints and interventions in USAID development programming. This volume includes a glossary of commonly used land tenure and property rights terms.
- **Volume 2: Land Tenure and Property Rights Regional Report.** This report includes the Country-specific Land Tenure and Property Rights Themes and Donor Interventions, and a database on land tenure and property rights for each presence country. The data is drawn from bilateral and multilateral literature sources. Also included in this report are Land Tenure and Property Rights Rankings and Ranking Maps for specific USAID presence countries. Rankings are an expert assessment of major land tenure and property rights issues and constraints in USAID programming countries around the world, and an illustration of those matters within “regional neighborhoods” (USAID programming regions).

Regional reports:

2.1 East and Central Africa

[East Africa: Congo DR, Djibouti, Eritrea, Ethiopia, Kenya, Madagascar, Somalia, Sudan, Tanzania, and Uganda; Central Africa: Burundi and Rwanda]

2.2 Southern Africa

[Angola, Lesotho, Malawi, Mozambique, Namibia, South Africa, Zambia, and Zimbabwe]

2.3 West Africa

[Benin, Cape Verde, Ghana, Guinea, Liberia, Mali, Nigeria, Senegal, and Sierra Leone]

2.4 East and Southeast Asia

[East Asia: East Timor, Indonesia, Mongolia, and the Philippines; Southeast Asia: Cambodia, Laos, Myanmar, and Vietnam]

2.5 Near East Asia and North Africa

[Near East Asia: Egypt, Iraq, Jordan, Lebanon, West Bank/Gaza, and Yemen; North Africa: Morocco]

2.6 South Asia

[Afghanistan, Bangladesh, India, Nepal, Pakistan, and Sri Lanka]

2.7 The Balkans and the Caucasus

[The Balkans: Albania, Bosnia and Herzegovina, Croatia, Kosovo, Republic of Macedonia, and Serbia and Montenegro; The Caucasus: Armenia, Azerbaijan, and Georgia]

2.8 Central Asia

[Kazakhstan, Kyrgyzstan, Russia, Tajikistan, Turkmenistan, and Uzbekistan]

2.9 Eastern Europe

[Belarus, Bulgaria, Moldova, Romania, and Ukraine]

2.10 The Caribbean, Central America, and North America

[The Caribbean: Dominican Republic, Haiti, and Jamaica; Central America: El Salvador, Guatemala, Honduras, Nicaragua, and Panama; North America: Mexico]

2.11 South America

[Bolivia, Brazil, Colombia, Ecuador, Guyana, Paraguay, and Peru]

- **Volume 3: Land Tenure and Property Rights Assessment Tools.** A collection of instruments that can be used by USAID missions to expand upon land tenure and property rights themes in their respective countries and determine how these contribute to or impede development programming. These materials include both an LTPR pre-assessment tool and an LTPR assessment tool. Both of these are aim to standardize the format and content addressed in USAID property rights assessments and facilitate development of potential programming in this area.

This team was also afforded the opportunity to meet with both USAID's Community of Practice on Land and the Land Resources Management Team on various occasions. These meetings were used to critique and improve the different editions of the LTPR Framework and associated tools. In addition, various renditions of this framework and tools were used to steer land tenure and property rights assessments in four of USAID programming countries—Ethiopia, Kosovo, Angola, and Kyrgyzstan.

The task order was managed and supervised by Dr. Gregory Myers. For more information or technical assistance, please contact Dr. Gregory Myers, Senior Land Tenure and Property Rights Specialist EGAT/Natural Resources Management/Land Resources Management Team, USAID, gmyers@usaid.gov. Within ARD contact Peter E. Hetz, phetz@ardinc.com or Michael Roth, mroth@ardinc.com, Senior Associates for Land, Environment, and Natural Resources.

2.0 COUNTRY-SPECIFIC LAND TENURE AND PROPERTY RIGHTS THEMES AND DONOR INTERVENTIONS REPORT

The Country-Specific Land Tenure and Property Rights (LTPR) Themes and Donor Interventions Report was developed to provide a profile of LTPR themes and related donor interventions in USAID presence countries. For each country addressed, the report provides a snapshot of current LTPR concerns and the donor interventions that seek to address them. The report serves to alert readers to current LTPR themes in each USAID presence country based on a common set of donor literature. Subsequent research and assessments conducted in each country will further inform this initial snapshot and provide the basis for intervention, if warranted.

The report is based primarily on a desk study of donor documents. Given the limited LTPR content in many of the documents reviewed, some entries in the report are limited and others are sparse. This is an indication that many of the donor programs and/or their reports are not presently focused on LTPR concerns.

It is envisioned that the Country-Specific LTPR Themes and Donor Interventions Report will be updated in its entirety on a periodic basis. Updates should mirror major reporting/country programming cycles within USAID. Thus, it is hoped that the contents of these reports will be supplemented with information provided by USAID missions and through LTPR assessments.

THE BALKANS AND THE CAUCASUS

THE BALKANS

- ALBANIA
- BOSNIA AND HERZEGOVINA
- CROATIA
- KOSOVO
- REPUBLIC OF MACEDONIA
- SERBIA AND MONTENEGRO

THE CAUCASUS

- ARMENIA
- AZERBAIJAN
- GEORGIA

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ALBANIA

I. Background Summary

Albania proceeded rapidly with land reform and privatization in the post-socialist era. The reforms began with the privatization of agricultural land in 1991, followed by privatization of state-owned apartments and other urban property in 1992, and restitution/compensation of urban property in 1993. Agricultural land was divided and assigned on a per capita basis to workers of the cooperatives and state farms, with over 400,000 farm families benefiting from the law. Thus, there is no restitution of agricultural land. Over 80 percent of agricultural land has been privatized. State-owned apartments were privatized to the adult occupants, and urban property that met certain requirements was restituted to former owners.

The fact that agricultural land cannot be restituted and the failure of the government to implement the compensation provisions from the 1993 law is controversial and has resulted in disputes between historical owners and new owners, and between historical owners and the government, especially in the valuable coastal areas. In order to address a constitutional requirement and a conditionality for stabilization and association, talks with the EU, a new Law On Restitution and Compensation of Property was approved in July 2004. The new law removes many of the restrictions that existed under the old law, but the law that privatized agricultural land to the farm workers remains in force. The State Committee on Restitution and Compensation of Property and 12 local commissions have been set up to review claims and value property for compensation purposes based on the "fair market value."

Albania suffers from a significant number of informal settlements and illegal constructions throughout the country. A Law on Legalization and Urban Planning of Informal Zones was passed in late 2004 in order to address the problem. Citizens were obliged to declare any illegal constructions and surface area occupied by March 2005 and, within one year after the approval of the urban planning study for the informal zone, submit the complete technical and legal documentation.

Finally, Albania has great potential for tourism development. A large coastal zone development project will begin in 2004. However, the development of the tourism industry is impeded by ownership conflicts, especially unresolved restitution/compensation issues along the coastline and environmental degradation. Many forests have been clear cut, coastal biodiversity is endangered, and pollution is wide-spread. (Kelm)

Tenure Types

The 1991 Constitution and Law on Land (Law No. 7501 of 1991) established the right to private ownership of land. Albania was quick to privatize and by 1994, over 94 percent of land available had been decollectivized and privatized and was being individually farmed. The country also retains a small amount of state land reserve that is leased out to farmers. Land cannot be owned by foreigners. (Giovarelli and Bledsoe at 25-27, 29)

Legal Framework

A recent Law on Restitution and Compensation of Property was approved in 2004, replacing earlier legislation on compensation and restitution. The 1994 Law on Registration of Immovable Property governs the country's registration system. Finally, a Law on Legalization

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and Urban Planning of Informal Zones was enacted in late 2004. (Kelm)

Land Administration and Institutions

In 1994, the Law on Registration of Immovable Property was approved and is the basis for the current title registration system. The immovable property registration system (IPRS) is directed by the chief registrar who is appointed by and directly responsible to the Council of Ministers. The IPRS combines in a single system all property in Albania, whether rural or urban, public or private. Albania has approximately 4 million properties. As of January 2005, approximately 2.5 million properties, mostly agricultural land and former state-owned apartments, have been formally registered and transferred to the IPRS. (Kelm) Some have commented that IPRS has not received adequate cooperation from other ministries because of its independent status and that changes in institutional relationships could increase its impact and efficiency. (Giovarelli and Bledsoe at 32)

II. Land Tenure and Property Rights Constraints

Violent Conflict/Post-conflict Instability

Albania has been relatively stable since the 1997 collapse of the pyramid schemes. However, there are conflicts over the failure of the government to properly implement restitution and compensation programs, especially in the coastal areas where the land is very valuable due to potential tourism development. The historical owners dispute the post-1991 privatization of agricultural land to workers of the cooperatives and state farms and the state has not adequately implemented the restitution laws for forests and pastures. (Kelm and ROI at 25) In addition, there are many other property disputes which arise from overlapping privatizations and restitution decisions. In some cases the ownership of the land is different than the ownership of the buildings, creating conflicts between the two parties. Illegal occupation of both state and private land has caused social and political tensions, and the squatters have blocked the national roads on various occasions, demanding infrastructure services and legalization. (Kelm)

Unsustainable Natural Resources Management/Biodiversity Loss

Albania's biodiversity is seriously threatened. Forests are threatened by over harvesting, over-grazing, encroachment of urban areas, and wild fires. All freshwater bodies are threatened by pollution from domestic and industrial sources, and rivers face additional threats related to damming, sand mining, water extraction, and flood control. (BD at 7) Land administration and protection offices have been set up at the district level but have had little impact to date on improving land use management. Fragmentation of agricultural land is said to impede the development of the agricultural sector. (CAS)

Insecure Tenure and Property Rights

During the 1997 unrest that resulted from the collapse of the pyramid schemes, many government offices were burned and property documents were destroyed for several districts. It is a long and difficult task to reassemble property documentation from other archives and citizens in order to complete the process of First Registration. (Kelm)

Approximately 40 percent of all civil court cases involve property disputes. Courts are slow in adjudicating cases, judges are not well trained in real property law, help is needed with court administration, and corruption is a problem. Some disputes have been circulating

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through the court system for years, leaving the ultimate ownership questions unanswered. (AFCR at 8) Some dispute resolution NGOs have begun to specialize in alternative dispute resolution for property cases, and a mediation service is now provided as part of the First Registration process. However, mediation during the First Registration process had successful outcomes only in cases where a civil law agreement between private parties was all that was needed. Mediation could not cure illegalities arising from non-compliance with planning or urbanization regulations, or from the informal occupation of the state. (ROI at 8)

Informal settlements are numerous and cause social, economic, and political tensions. The Law On the Legalization and Urban Planning of Informal Zones was approved in October 2004 in order to allow the persons holding "illegal" land and building rights to legalize their status.

According to the Civil Code, "the family" owns agricultural land; however, there is no clear definition of who comprises a family, causing some confusion in agricultural land transactions. There are cases where the rights of women have not been respected due to this lack of clarity. (Kelm)

Inequitable Access to Land and Natural Resources

Most Albanians received either rural land or urban apartments during the land reform process in the early 1990s. Albania suffers from wide-spread illegal occupation of land and illegal buildings due to a rapid internal migration and the inability of the state to efficiently provide or assign land to meet demand near the large cities. (Kelm)

Poor Land Market Performance

The sale of land became legal in Albania in 1995, though an informal market existed before this change in law. Law No. 8337 streamlines the sales process and allows land to be sold to any Albanian after registration. Foreign citizens cannot purchase land but can lease land for up to 10 years. (Giovarelli and Bledsoe at 29)

The IPRS was set up in 1994 under the guidance of a chief registrar and unifies the cadastre and deeds registry into an integrated title system. As mentioned above, the land market is functioning, but a review of transaction costs associated with registration, especially for rural land, is needed. Notary fees are very high, often more than 50 percent of the transaction cost, and the Ministry of Finance has ordered the IPRS to collect a transfer tax on transactions which is sent to the general state budget. The public perceives that the high costs come from the IPRS, and in some cases individuals choose to not register transactions. (CAS at 20) Thus, delays in registration impede the land market or make transactions less secure. (AR at 5)

The outstanding issue of restitution and compensation has caused resistance to the land registration process in the coastal zones. Thus, some of the most valuable property in the country remains unregistered. (OSCE)

Mortgage lending is becoming more common, but creditors rights need to be better clarified and enforced, especially with regard to foreclosure procedures. (Kelm)

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III. Donor Interventions

USAID

Summary

From 1994 to 2001, USAID supported land market development projects that focused on creating the IPRS and completing First Registration of rural property. Over 2 million rural and urban apartment properties were registered. From 2002 to 2004, USAID supported the Registration Organizational Improvement Project which focused on completing priority rural zones and beginning the registration of urban property. (ROI at 5)

Key Institutional Arrangements

USAID began an anticorruption project in 2004 that provides support to the Assets Declaration Office. However, the Law on Declaration of Assets, whereby politicians and high government officials are required to declare their personal assets, including property, cannot be fully implemented until property has been formally registered. (OSCE at 5)

Conflict or Dispute Resolution

The USAID registration project contracted a local NGO with experience in dispute resolution to support registration in urban areas in order to provide public information, offer conflict resolution due to the high number of disputes in urban areas, and monitor sub-contractor performance. (ROI at 8) An earlier USAID land market development project financed research of court documents in order to analyze the extent and types of property cases that are presented to the court. (AFCR at 1)

Legal and Regulatory Framework

A USAID local governance project helped draft tax legislation and also created a manual on property tax collection for taxpayers. USAID also assisted in a decentralization program and project to transfer immovable property to local governments. (AR at 10)

Redistribution

USAID has contributed funds to the OSCE Property Project to assist the government of Albania implement new restitution/compensation legislation. (OSCE at 7)

Land Administration

USAID assistance has focused on the registration of all property and on supporting the IPRS. (AR at 3) The USAID project initiated systematic First Registration of urban land parcels and buildings, and shifted focus in rural zones to those with economic development priority. In broad terms, the project's goals were to: increase the number of property units registered in the IPRS; improve the quality of the legal documentation and geographic information; confront the complex problems of property registration in center city and peripheral urban zones; and develop new methods for management and operation of the IPRS. (ROI at 5)

The World Bank is supporting an urban land management project that includes work on planning, infrastructure upgrading, and regularization of informal settlements. (CAS at 19)

Land Use Management and Conservation

USAID has conducted a biodiversity assessment but does not have a natural resources management project at this time. (Kelm)

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Other Donors Summary

Donors are involved in land registration, legislative drafting, and natural resources management.

Key Institutional Arrangements

Insufficient information

Conflict or Dispute Resolution

Insufficient information

Legal and Regulatory Framework

OSCE supported the drafting of a restitution law and is currently providing support for implementation and monitoring of the restitution/compensation process. (OSCE at 1) The World Bank supported a legal reform project that ended in 2004.

Redistribution

The OSCE Property Project is assisting in the implementation of the restitution/compensation process that will focus on restitution of urban land and forests and pastures. However, there is no restitution of agricultural land. (OSCE at 2)

Land Administration

A World Bank project supports the automation component of land registration, rehabilitation of registration offices, and provision of equipment. (CAS at 19) The OSCE is continuing First Registration activities in priority urban and coastline areas. (OSCE at 2)

The World Bank is supporting an Urban Land Management Project that includes work on planning, infrastructure upgrading and regularization of informal settlements. (CAS at 19)

Land Use Management and Conservation

The World Bank supported a forestry project (1996-2003) and a fisheries project (2002-2007) that focus on promoting sustainable management of Albania's state and communal forests and fisheries. (BD at 23) The forestry project stressed transferring administration of forests to the local level. The World Bank has also supported an irrigation project and is starting a coastal zone management project. (CAS at 19) MedWetCoast is a five-year activity, with support from the UNDP/GEF. In Albania, MedWetCoast-supported activities include improving the availability of information on Albania's wetlands, promoting the sustainable use of wetlands, and developing and implementing national wetland policies. (BD at 24)

IV. Information and Data Sources

Albanian Foundation for Conflict Resolution. 2001. Monitoring and research on property civil cases filed at the District Courts of Tirana, Shkodër, and Berat (1995-2001) (AFCR).

Giovarelli, Renee and David Bledsoe. 2001. Land Reform in Eastern Europe: Western CIS, Transcaucuses, Balkans, and EU Accession Countries. FAO (Giovarelli and Bledsoe).

OSCE. 2005. OSCE Property Project Document <<http://www.osce.org>> (OSCE).

Kelm, Kathrine. 2001. Property Rights consultant in Albania and 2001 World Bank Case Study: Albania (Kelm).

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USAID/Albania. 2002. Annual Report FY 2002 (AR).

USAID/Albania. 2004. Registration Organizational Improvement Project Final Report (ROI).

USAID/Albania. 2003. Biodiversity Assessment (BD).

World Bank. 2001. Country Assistance Strategy for Albania (CAS).

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BOSNIA AND HERCEGOVINA

I. Background Summary

Bosnia and Herzegovina (BiH) suffered through a devastating war that destroyed vital infrastructure and created a large number of internally displaced persons and refugees. During the four years of war, over 2 million of the 4.4 million inhabitants of BiH either became refugees or were displaced from their homes. (Numic) BiH is currently divided into two entities: the Federation, containing mostly Croats and Bosniaks (Muslims) and the Republika Srpska (RS) made up mostly of Serbs. By 2001, many refugees were returning to their pre-war homes. (AR at 4)

Tenure Types

Land can be privately owned in BiH. Ninety-four percent of agricultural land is held as private property. (Giovarelli and Bledsoe at 25-26)

Legal Framework

The Constitution sets out a fundamental right to private property. The 1998 Law on Property Relations describes how land can be acquired. (Giovarelli and Bledsoe at 25)

Land Administration and Institutions

BiH has had a framework in place for land titling and registration since the 1930s. This system, implemented by the Austrians, delineates ownership of land and other property, related rights, and mortgages. Although land registers exist across BiH, approximately 30 percent of the registers were destroyed in World War II and many were not replaced. Land registers are updated manually, and many transactions have not been recorded because of political instability and a 15 percent purchase tax on real estate (pushing land transactions into the informal market). In approximately half of the country, the Austrians also implemented a cadastral system for recording real property rights. Under this system, the municipality is in charge of updating land records, but the majority of the funding comes through the state. (Rose)

In 1984, the system was updated through the Law on Land Surveying and Real Estate Cadastre. The new system was to include partial computerization, but as of 1999 the new system was barely functioning. (Giovarelli and Bledsoe at 31)

As a result of the conflict in the country, the Return and Reconstruction Task Force is responsible for collecting information on property ownership and resettling displaced persons. (Giovarelli and Bledsoe at 34) These responsibilities were returned to Bosnian institutions in 2003.

II. Land Tenure and Property Rights Constraints

Violent Conflict/Post-conflict Instability

The ethnic conflict and fighting that occurred in the early 1990s had a devastating effect on BiH. Conflict displaced thousands of people. Return and resettlement has been difficult due to continued ethnic tensions. (CAS at 2,19)

Unsustainable Natural Resources Management/Biodiversity Loss

Insufficient information

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Insecure Tenure and Property Rights

Due to conflict, some persons fled and may not be able to return to the original homes and land due to social pressure resulting from their minority ethnic status. (Giovarelli and Bledsoe at 25)

Inequitable Access to Land and Natural Resources

Approximately 94 percent of the country's agricultural land is privately owned and is farmed. Pre-1992 legislation allowed individual holdings only up to a parcel size of 10 hectares of flat land and up to 15 hectares of hilly land. (Sanjak) This legal limit has now been abandoned. About 5 percent of arable land is now held by state farms.

Poor Land Market Performance

In addition to the typical constraints seen in transition economies, there are other reasons why land transactions are few and why the land market is flat and dysfunctional. First, there was extensive destruction of property during the war. Conflict damaged or destroyed 25 percent of all buildings. Second, the focus on return of property and the related application, hearing, decision, and execution process makes it difficult to establish title to many parcels, and execution of decisions by municipal governments has been slow. Third, the current government (rightfully) will not recognize as legal any land contracts that were made under duress during the war. (Rose)

Property rights legislation is needed to support business development; a lack of access to land hinders investment. (CAS Annex 10) Mortgage lending has been curtailed due to legal obstacles in obtaining clear title. (AR at 3)

III. Donor Interventions

USAID

Summary

USAID is supporting improved governance and the creation of land market and credit institutions.

Key Institutional Arrangements

USAID is working to strengthen governance and civil society organizations. (CBJ)

Conflict or Dispute Resolution

USAID supports a Sustainable Minority Returns Program that includes providing basic services such as shelter. (AR at 8 and CBJ)

Legal and Regulatory Framework

USAID governance work and land administration work also touches on improvements to institutions and the country's legal framework. (CBJ)

Redistribution

Insufficient information

Land Administration

USAID is working to strengthen leasing and mortgage markets and improving the efficiency of transfer markets. Activities include improving the real estate profession, mortgage banking, and property appraisals. (CBJ)

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Land Use Management and Conservation

Insufficient information

Other Donors Summary

A GTZ Commercial Law Reform Project includes land law and registration work. Several donors are working on natural resources management. The World Bank is working on urban planning.

Key Institutional Arrangements

Insufficient information

Conflict or Dispute Resolution

Insufficient information

Legal and Regulatory Framework

A GTZ Commercial Law Reform Project includes land legislation and registration work. (wwwGTZ)

Redistribution

Insufficient information

Land Administration

The IFC supported access to credit for people to refurbish or purchase housing. (CAS at 15)

Land Use Management and Conservation

Both GTZ and the World Bank have forestry projects ongoing or starting up. The World Bank's Forest Development and Conservation Project will assist with the implementation of legislated forest management reforms, including implementing participatory approaches to forest land use planning. (wwwWB and wwwGTZ) The World Bank has an Urban Infrastructure and Service Delivery Project that includes work on the development of urban management development plans. (wwwWB)

IV. Information and Data Sources

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CROATIA

I. Background Summary

Croatia suffered from ethnic conflict upon the break up of former Yugoslavia which resulted in a large number of internally displaced persons and refugees. Return, reconstruction, and resettlement are ongoing but ethnic tensions still exist in some areas.

Tenure Types

The Croatian Constitution (1990) provides for private ownership. By the early 1990s private farmers held 60 percent of agricultural land. As of 2000, 83 percent of the agricultural land was privately owned. Non-privatized land is owned by the state. (Giovarelli and Bledsoe at 25, 27)

Legal Framework

The key laws governing land registration in Croatia are: the Land Registration Act (NN91/96), the State Survey and Real Estate Cadastre Act, and the Property and Other Material Rights Act. (RPRPD)

Land Administration and Institutions

Croatia belongs to the Austrian-Hungarian tradition of property registration systems, and has had a parcel based registration system and associated cadastre system since the 1880s. Cadastral records are located at the 116 municipal cadastre offices while the land registry function is handled by 104 land registry offices of the municipal courts. Many real properties in Croatia are not on the cadastre, and many houses do not have building permits. The information in the real property registry is often out of date by decades. In 2002, there were more than 300,000 unresolved land registry cases, and other property-related disputes comprise a significant portion of the large case backlog in the courts. The efficiency of the land registration system varies across the nation according to management, available resources, and the degree of use of new technologies. (RPRPD and Holstein)

II. Land Tenure and Property Rights Constraints

Violent Conflict/Post-conflict Instability

Croatia suffered from ethnic conflict upon the break up of former Yugoslavia. Approximately 200,000 ethnic Serbs were forced to leave when the Croatian army reoccupied regions in 1995. Thousands of Bosnian Croat refugees occupied local Serbian houses and apartments abandoned after 1995. When the Serbian returnees started to come back and claim their property, they were unable to obtain possession of their occupied housing. Recently, however, the return of the Serbian minority has been accelerated. The restitution of property rights, which was guaranteed by law but as a practical matter was limited or even denied to many Serbian returnees, has improved. However, the issue of housing still creates serious tensions between the Serbian and Bosnian communities. (RPRPD at 6)

Unsustainable Natural Resources Management/Biodiversity Loss

Farms in Croatia are somewhat fragmented, and the government has adopted policies to encourage increase in family farm size. (Giovarelli and Bledsoe at 34)

Insecure Tenure and Property Rights

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Most land is now privately owned, but problems related to the outdated land registration and cadastre systems make ownership rights unclear. At present, data defining property rights in court registries typically differ in as many as 50 percent of the cases from the data in the cadastre offices. These inconsistencies were revealed when the property privatization and restitution processes started in 1992. The ownership of land is even more unclear in some areas because of the practice of transferring land without registering the transaction in order to avoid transfer taxes and, in earlier times, substantial inheritance taxes. Further complicating the process of determining ownership, two registers of property exist: one for the land and related freestanding buildings, and the other for apartments. (RPRPD at 4 and Holstein)

Furthermore, some Serbs residing in Croatia are not able to reclaim their pre-war land. This is further complicated by the Law on Areas of Special State Concern, which grants complete possessory rights to occupants after a 10-year period. Furthermore, the 1995 Law on Temporary Takeover and Administration of Specified Property permitted the government to bring abandoned land under state administration and assign temporary right of use to others. Such users could then obtain permanent rights after 10 years. (Giovarelli and Bledsoe at 26)

Inequitable Access to Land and Natural Resources

Most land is in the hands of private farmers, though the state holds a portion of the country's agricultural land. The 1997 Agricultural Land Law will distribute portions of state land through sale, lease, and concession. (RPRPD at 6 and Giovarelli and Bledsoe at 27)

Poor Land Market Performance

In Croatia, the process of ascertaining ownership of property rights, acquiring land, and registering it is particularly difficult for foreign investors, and it compares poorly to other countries. Registering a land transaction takes 2 to 120 weeks or longer in Croatia depending on which municipal court handles the transaction and the type of transaction. Many of the problems in land and real estate markets and in efficient implementation of the property laws can be traced to the condition of the registries. These conditions derive from the unprecedented increase in numbers of transactions since privatization started in 1992, and the related failure to maintain the link between the land book and the cadastre systems during the communist time. This failure has resulted in significant discrepancies between the official records and the actual state of title on the ground. (RPRPD at 4) Little mortgage is occurring in Croatia; however, the government, in cooperation with donors, is seeking to open up credit markets. (Giovarelli and Bledsoe at 30)

III. Donor Interventions

USAID

Summary

USAID supports the Zagreb Land Registration Project and also a legal aid project to provide services to returning populations. USAID has partnered with the World Bank on some of this work.

Key Institutional Arrangements

USAID is working to strengthen civil society organizations and improve local governance. (CBJ)

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Conflict or Dispute Resolution

USAID plans to support alternative dispute resolution as part of a long term commercial law reform. (AR at 6)

Legal and Regulatory Framework

A USAID and World Bank commercial law reform project includes judicial training for registration. (CBJ)

Redistribution

Insufficient information

Land Administration

USAID supports Zagreb court-based registration offices, and long-term support will continue with land registries in cooperation with the World Bank. (SP at 39)

Land Use Management and Conservation

Insufficient information

Other Donors Summary

Donors are supporting land administration projects. The World Bank is working on conservation.

Key Institutional Arrangements

Insufficient information

Conflict or Dispute Resolution

Insufficient information

Legal and Regulatory Framework

Insufficient information

Redistribution

Insufficient information

Land Administration

The World Bank has a Real Property Registration and Cadastre Project (USAID, GTZ, and SIDA also contribute to registration activities). (RPRPD at 8 and CBJ) The project aims to improve the land registration system and new integrated cadastre system to build institutional capacity. (CBJ) The World Bank will support a public information campaign for registration procedures, fees, etc. (RPRPD at 48) GTZ also supports a land administration project. The European Bank for Reconstruction is funding a mortgage support program for housing loans. (Giovarelli and Bledsoe at 30)

Land Use Management and Conservation

The World Bank's Karst Ecosystem Conservation Project works to build capacity for conservation and improve the legal framework for biodiversity conservation. (www.WB)

IV. Information and Data Sources

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KOSOVO

I. Background Summary

Kosovo is attempting to recover from a post-conflict situation that has had a profound effect on property rights. Discrimination, first against ethnic Albanians and now against ethnic Serbs has complicated the situation. Ethnic tensions, renewed in March 2004, have hindered access to land and the refugee return and resettlement process.

The land administration system in Kosovo is just developing as certain functions are slowly handed over from the UN administration to the provisional Kosovo government. Property issues are one of the points that must be resolved before Final Status (of Kosovo in relation to Serbia) discussions can take place in 2005. There is a land administration action plan but funding ended in November 2003, creating a funding gap. Land information is incomplete and out of date, tenure is insecure, post-war ethnic tensions influence refugee return/resettlement, and unclear political status effects land policy. Also, the privatization process in Kosovo is stalled partly due to unresolved property claims. (PRA at 23)

Tenure Types

Most agricultural land is under private possession and most production comes from small private farmers. Private farmers hold 91 percent of cultivated land and have almost all the cattle but only 29 percent of the pasture and 38 percent of the forestland in Kosovo. (PRA at 48, PA at 20)

Legal Framework

There are many sources for property related legislation in Kosovo including old Yugoslav laws, non-discriminatory Serbian laws, United Nations Mission in Kosovo (UNMIK) regulations, and new legislation passed by the Kosovo Assembly. Harmonization of these various sources of land legislation is needed. (PRA at 23) The right of private ownership was established by Yugoslavian law in force in 1989, which has not been repealed or replaced. (Giovarelli and Bledsoe at 25)

Land Administration and Institutions

In Kosovo, the present property rights/cadastral system is basically the same system as operated prior to 1999. The Municipal Cadastral Office (MCO) maintains a cadastral map showing the boundaries of rural and urban parcels and their parcel numbers and a cadastral change book indicating any changes in the existence of parcels. The municipal court is a second key element: legal transaction and inheritance documents are registered in the court. However, the municipal courts' archives are rarely used for title searches as is done in other countries using the deed-based registration system similar to that of Kosovo. Rather, the cadastral change book in the MCO provides the information needed to verify that the person who claims to own a property is the legal possessor.

The existing immovable property rights register (IPRR)/cadastral system is incomplete and inaccurate in Kosovo. Several factors have contributed to an unacceptable situation in most municipalities: many MCO records were removed or destroyed before and during the 1999 conflict. After the conflict, more records were removed to Serbia. In worst cases, due to the removal of original cadastral documentation, the only available cadastral plans date back

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to 1957. Even in areas where the cadastre books and plans are more current, they are inaccurate in 30 percent of cases. (PRA at 19)

Courts were set up in 1999, but there are very few trained judges because ethnic Albanians were not allowed to hold legal and judicial posts under Serb rule. In some areas of Kosovo, parallel structures in land administration exist, resulting in unclear procedures for recording transaction. In these areas, parallel courts exist (run under Serb authority), and most property transactions are registered in the Serb court, not the UN-sanctioned court. (PRA at 67).

II. Land Tenure and Property Rights Constraints

Violent Conflict/Post-conflict Instability

Ethnic tension and war have affected access to land and created a large number of refugees. Ethnic Albanians were displaced in 1998-1999 and subject to discriminatory legislation. The conflict of 1999 led to large-scale property damage, with an estimated 300,000 homes damaged or destroyed and the abandonment of as many as 75,000 properties. Many land records were destroyed, while others were removed to Serbia, beginning a year before the war in 1999. There has been unauthorized occupation of Serb and Albanian-vacated properties. The UN is trying to encourage Serbs and Albanians to return to their properties, but renewed fighting in March 2004 displaced many of the returnees and has hampered the returns process. Housing and discrimination claims are still pending for both ethnic Albanians and Serbs with the UN administration. (PRA at 4)

Unsustainable Natural Resources Management/Biodiversity Loss

Illegal buildings and informal settlements are a growing problem in Kosovo. Due to the sensitive political and social nature of regulating illegal buildings and informal settlements and the diverse typologies of landholdings, a detailed law and set of procedures for determining how to address each situation are needed. (PRA at 48)

Due to the conflict situation in Kosovo, there has been little work on natural resources management or biodiversity issues.

Insecure Tenure and Property Rights

The property registration system was systematically circumvented in the years prior to 1999 due to discriminatory practices. The cadastral records remain incomplete and inaccurate partly because discriminatory legislation was in effect between 1989 and 1999, which made property transactions between and to Kosovo Albanians illegal. The result was that such transactions were done informally and not registered either with the courts or in the cadastral offices. While some of the missing housing-related transactions can now be updated and legalized by the Housing and Property Directorate, gaps still exist for properties whose prior possessors have not filed claims. (PRA at 15) The principal tenure problems which small farmers face are related inheritance issues and to informal, unrecorded transactions. (PRA at 49) Finally, illegal occupation of property vacated during the 1999 crisis is still a problem. (OSCE at 12)

Inequitable Access to Land and Natural Resources

Thirty-two percent of the population lives in households with less than 1 hectare land. (PA at

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17, 20) The Government of Kosovo is beginning to discuss the desire for land restitution, but this is in conflict with the current UNMIK policy of privatization. Currently the Roma, Ashkalia, and Egyptian communities do not have registered property rights. (OSCE at 8)

Poor Land Market Performance

Many people neither validate transactions in courts nor record transactions in MCOs because of what they consider to be prohibitive fees. Many people do not come to the MCO for recording subdivisions of parcels because they consider the cost of the cadastre measurements that are required to undertake the changes (at approximately €100) as prohibitive. (OSCE at 11)

III. Donor Interventions

USAID

Summary

USAID is presently supporting some privatization activities. Support for court administration and a land tenure assessment was completed in February 2004, but no direct work on property is currently part of the USAID program. (Kelm and CBJ)

Key Institutional Arrangements

USAID is involved in improving local governance and strengthening rule of land and legal system. (CBJ)

Conflict or Dispute Resolution

USAID supported a court administration project which had an archive updating component. (Kelm)

Legal and Regulatory Framework

Insufficient information

Redistribution

Insufficient information

Land Administration

Insufficient information

Land Use Management and Conservation

Insufficient information

Other Donors

Summary

The focus on donor support in Kosovo is to stabilize the post conflict situation. The OSCE has the lead role in addressing property rights requirements for Final Status talks. In the past, donors supported land administration work but there is currently a funding gap. (Kelm)

Key Institutional Arrangements

Insufficient information

Conflict or Dispute Resolution

Under UN guidance, other donors are attempting to restore order in Kosovo. The main support with regard to property rights is the return of refugees and rebuilding of housing with several NGOs assisting displaced persons to file housing claims. (OSCE at 35)

Legal and Regulatory Framework

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GTZ is helping to draft the new civil code for Kosovo. Provisions on immovable property are to be included in the real rights section. The draft code was to be presented to the Kosovo Assembly in April 2004. (PRA at 24) The Organization for Security and Cooperation in Europe (OSCE) drafted an implementation plan for meeting the standards set by the UN and has proposed creating a special working group for property. (PRA at 134)

Redistribution

Insufficient information

Land Administration

In 2000, the Swedish, Norwegian, and Swiss governments, UNMIK, and the UN Human Settlements Program collaborated to provide assistance to the Kosovo Cadastral Agency, but a funding gap has existed since late 2003. (PRA at 11) The World Bank is set to begin a cadastre support project in 2005. (Kelm)

Land Use Management and Conservation

Insufficient information

IV. Information and Data Sources

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REPUBLIC OF MACEDONIA

I. Background Summary

Like much of the Balkan region, the former Yugoslav Republic of Macedonia (Macedonia) has experienced ethnic tensions and fighting. A new multi-ethnic coalition government came to power in November 2002 with a mandate to implement the peace agreement that ended the 2001 conflict. Despite the recent crises that hindered development (including the 1999 Kosovo crisis and the 2001 internal conflict), progress has been made on the economic reform agenda. (CAS at 1) In general, agriculture suffers from the same impediments to private sector growth as the rest of the economy. Productivity is low due to the combination of inefficiently small farm lot sizes and lack of investment. Macedonia faces significant environmental challenges, particularly in water resource management. (CAS at 15)

Tenure Types

Land can be owned in Macedonia; however, restrictions on sale and land use limit owners' exercise of their property rights. Between 70 and 80 percent of agricultural land is privately farmed. Non-privatized land is socially owned with the state maintaining title to this land. (Giovarelli and Bledsoe at 25, 26)

Legal Framework

The Law for Transformation of Enterprises Which Manage Agricultural Land governs the country's remaining socially owned land. A new Land Use Law was being drafted as of 1998. The Law of Basic Ownership Relations and the Law on Obligations regulate mortgage. The Law on Obligations also regulates contracts for the sale, lease, and transfer of land. (Giovarelli and Bledsoe at 26, 29, 31)

Land Administration and Institutions

The 1986 Law on Land Survey, Cadastre, and Registration of Real Estate Rights called for the recordation of parcels through local cadastre offices. Progress on implementing this system has been slow; initial registrations have not been completed, and subsequent transactions have not been recorded. (Giovarelli and Bledsoe at 31)

The judicial system in Macedonia suffers from systemic problems including weak enforcement of property rights, high levels of politicization at all levels in the courts, and a lack of accountability of judges. (CAS at 13)

II. Land Tenure and Property Rights Constraints

Violent Conflict/Post-conflict Instability

In 1999, fighting between forces of the Federal Republic of Yugoslavia and ethnic Albanians in Kosovo pushed about 350,000 refugees across the border into Macedonia (the equivalent of 17 percent of the country's population). The Kosovo crisis severely strained internal stability and economic management in Macedonia. With the military intervention and financial assistance from the international community, there was an early end to hostilities, most refugees quickly returned home, and the Macedonian economy rapidly recovered. In early 2001, fighting erupted between Macedonian government forces and ethnic Albanians. As fighting spread to the outskirts of the capital, a full-blown civil war was feared. However, in August 2001, an internationally mediated ceasefire led to the disarming of insurgents. (CAS at

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2)

Unsustainable Natural Resources Management/Biodiversity Loss

Agricultural productivity is low due to the combination of inefficiently small farm sizes and lack of investment. Also, Macedonia faces significant environmental challenges, particularly in water resource management. There has been a successful collaboration with neighboring Albania on the implementation of a Global Environment Facility (GEF) supported project to improve the management of Lake Ohrid's water resources. The Vardar River, which supplies about 75 percent Macedonia's total water resources, is polluted by untreated urban and industrial waste. (CAS at 15)

Insecure Tenure and Property Rights

Unclear property rights constrain collateral and mortgage financing and act as a brake on private sector activity. (CAS at 13) Macedonia has substantial urban slums where 25 percent of houses were built without title to the land. (CAS at 17)

Inequitable Access to Land and Natural Resources

The distribution and privatization of agricultural and urban land has been slow, and better allocation methods are needed to support economic growth. (CAS at 7) Privatization has generally favored insiders, which has significantly restricted post-privatization restructuring. Ethnic Albanians claim discrimination in land distribution. (AR at 5)

Poor Land Market Performance

Inheritance and sales transactions are significant. Leasing is less common with some citing lack of available credit as a barrier to leasing and farming additional land. Legislation and processes regarding purchase are complex and result in high transaction costs. For example, the Law on Land Use grants rights of first refusal to some owners of neighboring plots, somewhat complicating transactions. (Giovarelli and Bledsoe at 28-29)

Unclear systems for recording land titles, transactions and collateral are the main impediments to economic investment. (CAS at 7,13) Work has commenced to establish a modern real estate cadastre and the development of modern and transparent processes for title transfer; however, only about 40 percent of the territory of Macedonia has thus far been registered in the new system and, as of 2003, only two out of 1,870 cadastral municipalities have been completely covered. (CAS at 13) Banks will generally not lend against land due to uncertainty of title. (CAS at 14) A Foreign Investment Advisory Service (FIAS) study indicated that problems with the purchase of and construction on real estate were rated as the most significant administrative barrier to investment in Macedonia. (CAS at 4, 13)

III. Donor Interventions

USAID

Summary

In recent years, USAID has increased its support for local government and community-based programs, but no specific work on property issues has been taken up.

Key Institutional Arrangements

USAID is supporting improved local governance and strengthened civil society. (CBJ)

Conflict or Dispute Resolution

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USAID supports a judicial reform project. (CBJ)

Legal and Regulatory Framework

Insufficient information

Redistribution

Insufficient information

Land Administration

Insufficient information

Land Use Management and Conservation

Insufficient information

Other Donors Summary

The World Bank began a Real Estate Cadastre and Registration Project in 2005 (see details below). The World Bank is also working on irrigation.

Key Institutional Arrangements

The European Agency for Reconstruction is working on improving governance, institution building, and rule of law. (CBJ)

Conflict or Dispute Resolution

Insufficient information

Legal and Regulatory Framework

Insufficient information

Redistribution

Insufficient information

Land Administration

The World Bank's Real Estate Cadastre and Registration Project is working to build a real estate and cadastre system that will encourage the efficient development of land markets. The project's four components include: (1) completion of a real estate cadastre and registration of rights to all urban and peri-urban areas by the end of 2009; (2) improvements and capacity building for the State Authority for Geodetic Works and creation of a modern national cadastre and registration agency; (3) related legal and policy reform; and (4) monitoring and evaluation. (wwwWVB)

Land Use Management and Conservation

The World Bank's Macedonia Irrigation Rehabilitation Project includes rehabilitation of old infrastructure, improved management, and the creation of users groups. (wwwWVB)

IV. Information and Data Sources

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SERBIA AND MONTENEGRO

I. Background Summary

Property rights and land administration in Serbia are under stress, owing to the country's dynamic and turbulent history. As a result, real property markets are constrained, meaning that domestic and foreign investors cannot invest with confidence, mortgage systems while available are difficult to access, and owners hold their properties somewhat insecurely. (RECPD at 1, 3) Montenegro became a constituent state of Serbia in 2003. (CBJ Montenegro)

Tenure Types

The 1992 Yugoslavian Constitution allows agricultural land to be privately owned, while natural resources remain owned by the state. As of 2001, 85 percent of the country's agricultural land had been privatized and farmed privately. State agricultural enterprises and cooperatives farm the remaining agricultural land. (Giovarelli and Bledsoe at 25, 27)

Legal Framework

Key legislation includes the Law on State Land Survey, Cadastre, and Registration of Real Estate Rights (amended in 2002). Legislation in addition to this law and the 1992 Constitution is not mentioned in reviewed documents. (RECPD)

Land Administration and Institutions

The Law on State Land Survey, Cadastre, and Registration of Real Estate Rights of 1992, amended further in May 2002, contains most functions necessary for the introduction of secure cadastre and real property registration systems. The law is flexible enough to include in the real estate cadastre properties that have been illegally constructed. (RECPD at 1, 3)

By March 2003, about 25 percent of the country's cadastral municipalities had been completed. There is a high level interministerial committee, chaired by the prime minister, to oversee formation of the real estate cadastre. The municipal courts currently conduct the legal real property registration system in 25 percent of the country (mainly in northern Serbia)--with the oversight of the Ministry of Justice and Local Administration. The law is clear that the land books are to be moved out of the local courts and into registration offices as soon as they are operational. (RECPD at 5)

II. Land Tenure and Property Rights Constraints

Violent Conflict/Post-conflict Instability

Serbia has been involved in many regional conflicts since the break up of Yugoslavia. As a result, there are many refugees and internally displaced persons. Return and resettlement in and out of Serbia proper remains difficult due to continued ethnic tensions. (PA at 124)

Unsustainable Natural Resources Management/Biodiversity Loss

Currently, the boundaries of state forest land and private forests are poorly defined. Such undefined boundaries contribute to forest management problems and possible encroachment from villages and towns. (RECPD at 6)

Insecure Tenure and Property Rights

Land rights are considered somewhat insecure. (CAS)

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Inequitable Access to Land and Natural Resources

Approximately 60 percent of rural households own some land with the average plot size 0.5 hectares. (PA at 82)

Poor Land Market Performance

Private markets for land and mortgage need to be strengthened. (CAS at 17)

III. Donor Interventions

USAID

Summary

No property-specific USAID activities were identified, although some complementary work on governance might support property rights. USAID work in Serbia and Montenegro includes privatization of state enterprises, governance reform, and rule of law. (CBJ Serbia and CBJ Montenegro)

Key Institutional Arrangements

USAID has a local governance initiative in Serbia and Montenegro, but there is no specific reference to land issues. (AR at 3, CBJ Serbia and CBJ Montenegro)

Conflict or Dispute Resolution

Insufficient information

Legal and Regulatory Framework

USAID supported the drafting of an (enterprise) privatization law. (AR at 5) USAID has a strong micro-credit program in Montenegro. (AR at 7) USAID supported drafting of local government legislation in Montenegro, including a law on property tax. (AR at 5)

Redistribution

Insufficient information

Land Administration

Insufficient information

Land Use Management and Conservation

Insufficient information

Other Donors

Summary

Donors are working on registration projects.

Key Institutional Arrangements

Insufficient information

Conflict or Dispute Resolution

Insufficient information

Legal and Regulatory Framework

Insufficient information

Redistribution

Insufficient information

Land Administration

The World Bank began a Real Estate Cadastre and Registration Project (Serbia) in 2003, with

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EU funding. (RECPD at 2) This project will support the improvement of the real estate cadastre and develop the Republic Geodetic Authority. It aims to support real property registration with urban land as a priority. (wwwWB)

Land Use Management and Conservation

The World Bank has a project in Montenegro to protect and sustainably manage its environmentally sensitive tourist areas. (wwwWB)

IV. Information and Data Sources

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ARMENIA

I. Background Summary

Armenia is small, landlocked, has few natural resources, and faces economic disadvantages compared with many of its neighbors. The unresolved conflict with Azerbaijan over Nagorno Karabakh has closed most of Armenia's land borders, cutting off rail links to the east and west. Although Armenia has gone through a land reform process, land titling needs to be completed. Land fragmentation and access to credit are problems for rural development. Depletion of forests and land degradation have also had a negative impact on the economy.

Tenure Types

In Armenia, most agricultural land was privatized in 1991 and 1992. About 70 percent of this land was transferred in private ownership to family farms. The remainder, left in a state land fund, is leased to farmers though there are plans for further privatization. Land is transferable. (Giovarelli and Bledsoe at 18)

Legal Framework

Key legislation includes the Land Code, Law of Privatization of State Property, Law on Mortgage, and Law on State Registration of Rights to Property, among numerous other pieces of related legislation. (LRT at 16)

Land Administration and Institutions

In Armenia, the responsible agency for land registration is the State Unified Cadastral Department of Real Property. The land titling process is ongoing but needs to be accelerated. (CAS at 8, 19) The current system is too small to efficiently deal with the large numbers of private landholders. (Giovarelli and Bledsoe at 23-24)

II. Land Tenure and Property Rights Constraints

Violent Conflict/Post-conflict Instability

The land conflict with Azerbaijan and a 1988 earthquake have resulted in over 300,000 refugees and internally displaced persons. The conflict over Nagorno-Karabakh remains unresolved and affects investment and access to markets. (CAS at 1, 4) In 1999, several leading Armenian politicians, including both the prime minister and speaker of Parliament, were assassinated. The political aftermath of the assassinations led to a significant deterioration in fiscal and investment performance. (CAS at 2)

Unsustainable Natural Resources Management/Biodiversity Loss

Rising prices and falling incomes have forced many people to overuse Armenia's natural resources. Since Armenia's independence, water scarcity, depletion of forests and fisheries, and land degradation have become more severe. Improved management of the environment and the natural resources base is crucial for long-term development. (CAS at 7) Armenian agriculture remains excessively fragmented, and higher productivity will require farm consolidation for which an efficient land market is critical. (IPRSP at 4)

Insecure Tenure and Property Rights

In order to improve the rural economy, the rural reform program aims to strengthen land property rights and land markets by accelerating titling of individual plots; incomplete titling

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is a cause of some insecurity. (CAS at 19) Also, surveying has been done poorly in some areas of the country, leading to unclear boundaries. (Giovarelli and Bledsoe and 24)

Inequitable Access to Land and Natural Resources

The majority of land was transferred in ownership to family farms in the early 1990s. Land was distributed to village residents (and was not necessarily restituted to former owners), land was allotted by family size, and each family was given different parcels of different qualities of agricultural land. Thus, while the distribution was quite fair and equitable, it did lead to some degree of land fragmentation. Families had to pay for the land received, but at a low (symbolic) rate. (Giovarelli and Bledsoe at 18)

Armenia has privatized almost all rural enterprises and agricultural land. (CAS at 4) To increase effective employment and promote investment, the government continues to privatize public enterprises. To encourage owners of privatized enterprises, the government will provide them the right of ownership over the land they occupy. (IPSRP at 7)

Poor Land Market Performance

The land market is not very active in Armenia and is constrained by a fixed land price (well above market value) set by the government, which results in high transaction costs (transaction fees are based on the state-set market rate). Similarly, leasing between private parties is not very common; those wishing to lease in land usually access it from the state land fund, where rates are lower. (Giovarelli and Bledsoe at 19-21)

The Armenian financial system is still small. The credit culture is generally weak, the terms offered to potential borrowers are still relatively unattractive, and much of the lending, particularly to small and medium enterprises, occurs through donor-supported programs. (IPRSP at 8)

III. Donor Interventions

USAID

Summary

USAID has worked on land registration and property legislation in Armenia and is working on improved water management, and governance and civil society.

Key Institutional Arrangements

USAID's democracy and governance work in Armenia includes work to strengthen civil society and government by improving institutional capacities and management. Activities have also included public education on legal rights. (CBJ)

Conflict or Dispute Resolution

Insufficient information

Legal and Regulatory Framework

A USAID judicial reform project was working on privatization and transfer legislation. (CAS at Annex 9)

Redistribution

USAID has supported efforts to resettle urban families who were displaced in the 1988 earthquake and had been living in temporary shelters. (CBJ)

EUROPE & EURASIA-CAUCASUS

Land Administration

Between 1998 and 2001, USAID implemented a land titling and registration program. The objectives of the project were to improve the legal and regulatory environment, create a simplified titling and registration process, educate the public, and build related professional capacity. (LRT at 5)

Land Use Management and Conservation

USAID is working to improve the country's framework of policy and institutions for water management and is supporting the government's Water Resources Management and Protections Agency. (CBJ)

Other Donors Summary

A World Bank titling project is ending. Donors are involved in natural resources management, particularly water management.

Key Institutional Arrangements

Insufficient information

Conflict or Dispute Resolution

Insufficient information

Legal and Regulatory Framework

Insufficient information

Redistribution

Insufficient information

Land Administration

The World Bank supports a registration project but it is in the process of closing out. (Holstein) This project was part of a larger agrarian reform project. The land administration portion of this project included a pilot for a unified registration system for both urban and rural land and for equipping regional registration offices. The project closes in June 2005. (wwwWB)

Land Use Management and Conservation

UNDP has a natural resources management project. (CAS at 47) The World Bank has a Natural Resources Management and Poverty Reduction Project. The project includes three components: (1) community management of natural resources; (2) rehabilitation of degraded forests and improvements to the institutions charged with forest management; and (3) improvements to the Department of Bioresources and Land Protection to help it better serve in conservation. (wwwWB)

EUROPE & EURASIA-CAUCASUS

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EUROPE & EURASIA-CAUCASUS

AZERBAIJAN

I. Background Summary

Azerbaijan has been among the leaders in the CIS in farm privatization and registration of arable land. The country implemented a farm privatization project over most of the territory. Nonetheless, land rights and responsibilities for pasture and forest land remain unclear. Rehabilitation of the large irrigation system, reliable delivery of water to farmers, and sustainable land and water management remain major challenges. (CAS at 18) Armed conflict with Armenia over Nagorno-Karabakh has led to nearly one million internally displaced people and refugees, loss of control over some 20 percent of the land area, and disruption of key regional trade and transport links. (PRSA)

Tenure Types

In Azerbaijan, land is privately owned and freely transferable. Foreigners are prohibited from buying land. (Giovarelli and Bledsoe at 18, 21)

Legal Framework

Key legislation includes the Land Code, Law on Lease of Land, Law on Mortgage, Law on Land Cadastre, and Law on Land Markets. (Giovarelli and Bledsoe at 21-22) A proper registration law is lacking. (Holstein)

Land Administration and Institutions

In Azerbaijan, the responsible agencies for land privatization and registration are the Land Committee and the National Cadastre. (CAS at 18) Land titling has been fairly successful in the country. (Giovarelli and Bledsoe at 22)

II. Land Tenure and Property Rights Constraints

Violent Conflict/Post-conflict Instability

The land conflict with Armenia has resulted in many refugees and internally displaced persons, and the conflict over Nagorno-Karabakh remains unresolved. (PRSA at 1, 79) As a result of the 1988-1992 ethnic purging policy pursued by Armenia, 250,000 Azerbaijanis were deported and expelled from their native land to Azerbaijan. The refugee population also includes about 50,000 Meshetian Turks from Central Asia who sought refuge in Azerbaijan. (PRSA at 49) In total, there are over 1 million internally displaced persons. (CAS at 1) Internally displaced persons and refugees are a core group of particularly vulnerable people, as they lack assets and their livelihood depends heavily on state transfers or donor assistance. The government is working to assign land to internally displaced persons and refugees and resettle them from tent camps. (PRSA at 8 and 30)

Unsustainable Natural Resources Management/Biodiversity Loss

Fragmentation is a problem and hinders large scale rural development. (PRSA at 94) Uncontrolled logging, due to the pressure on poor households to find fuel for heating and cooking given the lack of guaranteed gas and electricity supplies, threatens the country's forest resources. (CAS at 18, 27) Soil erosion and salinization are problems that affect rural livelihoods. (PRSA at 45) Almost all crop production comes from irrigated land (CAS at 18), and irrigation systems are in urgent need of rehabilitation and repair. This will require both investment and a system for financing ongoing maintenance. (PRSA at 13) Azerbaijan inherited several environmental problems from the Soviet period. Environmental problems

EUROPE & EURASIA-CAUCASUS

are increasing the vulnerability of some sections of the population because of the impact of environmental degradation on agricultural land. Over-grazing is occurring due to the poor management of common grazing areas. (PRSA at 27)

Insecure Tenure and Property Rights

Although agricultural land has gone through an extensive reform process, rights to forests and pastures remain unclear. (CAS at 18)

Inequitable Access to Land and Natural Resources

The Government of Azerbaijan has completed extensive agricultural land privatization, and over 1.3 million hectares of agricultural land has been privatized. The lower poverty prevalence in rural areas relative to urban areas can be attributed to the successful land reform and privatization. Access to land is important in protecting the rural population from poverty, but in many cases the land cannot be used for more than subsistence farming. (PRSA at 9, 27, 49) One exception is that internally displaced persons and refugees did not receive land during privatization process and, therefore, do not even have the ability to grow their own food. (PRSA at 4)

Poor Land Market Performance

The Law on Land Markets governs sales, mortgages, leases, and other transactions and allows for market prices to be used. Leasing is common, with payment often received in the form of a share of the crop. Mortgage is legal, however, the price of credit is very high and few loans are available to the rural sector. (Giovarelli and Bledsoe at 21, 22)

III. Donor Interventions

USAID

Summary

Until Section 907 restrictions were waived, USAID projects were minimal. USAID has provided resettlement and housing assistance to internally displaced persons, and some of its legal aid work may include property rights aspects.

Key Institutional Arrangements

USAID is providing support to improve governance and strengthen civil society. (CBJ)

Conflict or Dispute Resolution

USAID has provided assistance to internally displaced populations. (AR at 8)

Legal and Regulatory Framework

USAID supports legal aid centers, but there is no specific mention of land issues. (AR at 7)

Redistribution

Insufficient information

Land Administration

Insufficient information

Land Use Management and Conservation

Insufficient information

Other Donors

Summary

The World Bank is involved in registration and several donors are working on natural resources management.

EUROPE & EURASIA-CAUCASUS

Key Institutional Arrangements

Insufficient information

Conflict or Dispute Resolution

Insufficient information

Legal and Regulatory Framework

Insufficient information

Redistribution

Insufficient information

Land Administration

The ADB proposes support for micro-credit for internally displaced persons. (CSP at 34)
The World Bank supports a pilot project for registration. This effort is part of the World Bank's Azerbaijan Agricultural Development and Credit Program. These components consist of supporting the government's national program for privatizing and titling state and collective farm land, and developing and implementing the institutional and legal framework for a unified property cadastre. It is slated to close in September 2005. (CAS at 18 and wwwWVB)

Land Use Management and Conservation

The Asian Development Bank will address land degradation and inefficient watershed management issues. (CSP at 7) The World Bank and the Islamic Development Bank are supporting irrigation and water users projects, including the creation and support of Water Users Associations. (CAS at 18) Japan is funding the production of digital maps for resource tracking. (CSP at 15)

IV. Information and Data Sources

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EUROPE & EURASIA-CAUCASUS

GEORGIA

I. Background Summary

About half of Georgia's land has been privatized. Privatization of the arable land remaining in state ownership is the main issue in Georgian land reform.

Tenure Types

Georgia's rural citizens own about half of the country's arable agricultural land, with the remaining state-owned half either under lease to influential private parties, in use without a lease, or unused. This remaining state land is mainly farmed by restructured collective farms on 10-year leases. Pastureland is largely owned by the state. Georgia's legislative base provides support for private land relations, including private ownership and transfers through the land market. Foreigners cannot own land, but can lease it. (Rolfes, and Giovarelli and Bledsoe at 20)

Legal Framework

The legislative and regulatory framework for land relations in Georgia is fairly well developed. The Constitution, along with various pieces of land-specific legislation, supports private rights to land. Georgia also has a good civil code that applies to land relations, most notably with regard to obligations (contracts) and inheritance. (Rolfes) The Law on Agricultural Ownership facilitates the smooth sale, mortgage, and lease of agricultural land. (Giovarelli and Bledsoe at 20) New legislation on the privatization of agricultural land is anticipated. (CBJ)

Land Administration and Institutions

Georgia has a registration law that dates from 1996. This law is fundamentally sound and has worked well but currently requires modification to reflect changes over the past eight years. Most notably, in early 2004, the State Department of Land Management (SDLM), the agency that had primary responsibility for registration in the law, was abolished as part of government restructuring. This agency had primary responsibility for registration and land use regulation, thus a void currently exists in the institutional structure that needs to be filled. (Rolfes)

II. Land Tenure and Property Rights Constraints

Violent Conflict/Post-conflict Instability

Insufficient information

Unsustainable Natural Resources Management/Biodiversity Loss

Pastureland represents the majority of agricultural land in Georgia. Most of this land is still in state ownership, and the questions of how it should be managed, and whether and how it should be transferred to private ownership, remain outstanding. For the time being, Georgian villagers seem to have reasonable access to pastureland, both near the village and in the high mountains, to graze their families' livestock. (Rolfes) The World Bank notes the need for a consolidation program and for better management of irrigation and drainage networks. (IPRSP at 20)

Insecure Tenure and Property Rights

The World Bank notes a need for a comprehensive cadastre and registration system. (IPRSP

EUROPE & EURASIA-CAUCASUS

at 21) The cadastre is for rural land only, not even village land is included. (Holstein) Registration is a necessary step in the privatization process; however, the government has delayed the process of registration for many years. Full ownership of private land was restricted for some time due to the lack of registration. (Giovarelli and Bledsoe at 23)

Inequitable Access to Land and Natural Resources

Land reform began in 1992. (IPRSP at 9) As of 2001, 57 percent of agricultural land was in private ownership. (IPRSP at 10) The land in state ownership is either leased to the private sector, used informally without a lease, or not used at all. The lessees of the state-owned land are, by and large, well-connected individuals who may or may not be effective farmers. The single most contentious issue remaining with regards to land reform in Georgia is how remaining state-owned land should be turned over to private owners. Should the lessees have a priority right? Should the land be made available to any interested party? How much should the price be to acquire this land? (Rolfes)

Poor Land Market Performance

Land transactions are occurring in Georgia, and many are using such transactions to consolidate their somewhat fragmented holdings. Most leases are of state land, although private leases are possible. State land is more attractive because of the cheap rates. Mortgage is not common and financial institutions are reluctant to make agricultural land loans. (Giovarelli and Bledsoe at 21, 22)

III. Donor Interventions

USAID

Summary

USAID is supporting a farm restructuring and land titling project. It is anticipated that this work will also include assistance with the privatization of large tracts of state owned land. USAID is also involved in dispute resolution.

Key Institutional Arrangements

Insufficient information

Conflict or Dispute Resolution

USAID supports alternative dispute resolution projects, although there is no specific mention of land conflicts. The project does focus on internally displaced persons. (AR at 10)

Legal and Regulatory Framework

Insufficient information

Redistribution

Insufficient information

Land Administration

USAID has supported a land titling project. (AR at 4) Since 1997, USAID has assisted with the surveying and registration of 2.4 million properties. Further work will include supporting the privatization of large pieces of state owned agricultural land through advocacy and assistance in drafting necessary legislation. (CBJ)

Land Use Management and Conservation

Insufficient information

EUROPE & EURASIA-CAUCASUS

Other Donors Summary

The World Bank supports registration and is working in the forestry sector.

Key Institutional Arrangements

Insufficient information

Conflict or Dispute Resolution

Insufficient information

Legal and Regulatory Framework

Insufficient information

Redistribution

Insufficient information

Land Administration

The World Bank supported registration in some oblasts. This work is part of the World Bank's Agricultural Development Project, which has the goals of increasing the liquidity of the land market and enhancing the rural credit market. GTZ support focused on digital maps and records, but the data is incompatible with other systems and there are no facilities for cadastre offices to use digital files. (Holstein and wwwWB)

Land Use Management and Conservation

The World Bank's Forests Development Project works to establish improved forest management that enhances forestry incomes while also promoting protections and reforestation in select priority areas. (wwwWB)

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3.0 COUNTRY-SPECIFIC LTPR RANKINGS AND RANKING MAPS

The purpose of Section 3.0 is to highlight and illustrate key land tenure and property rights concerns and draw attention to how these affect development and development programming.

To this end, a ranking tool was developed to evaluate the severity of LTPR constraints in each USAID presence country. The LTPR ranking process then engaged a panel of LTPR specialists with both broad tenure and property rights expertise and specific geographic experience.¹ They applied the tool to each USAID presence country, the results of which are *informed judgments* on the severity of land tenure constraints. Country-based LTPR rankings generated from this exercise were then used to illustrate country-specific LTPR constraints in a visual format—the LTPR ranking maps.

The following pages provide the LTPR ranking for each USAID-presence country in the Balkans and the Caucasus region, as well as the LTPR ranking maps. Detailed explanations of the rankings for the Balkans and the Caucasus were unavailable, and therefore ***a sample description of Rwanda is provided***. Given the challenges encountered during the ranking process and the imprecision inherent therein, the ranking scores should be viewed as a first attempt to capture and illustrate the severity of LTPR constraints within a country and, more widely, in a region. These rankings will change as countries move through a transformational development process, more information is collected, and/or LTPR themes are challenged by conflict and political change.

¹ A report on ranking LTPR constraints, the ranking tool, and the composition of the expert panels is available under separate cover.

EUROPE & EURASIA-BALKANS

	Violent Conflict/Post- Conflict Instability	Unsustainable Natural Resources Management/ Biodiversity Loss	Insecure Tenure and Property Rights	Inequitable Access to Land and Natural Resources	Poor Land Market Performance
ALBANIA					
Final Rank	3	5	4	3	3
BOSNIA AND HERCEGOVINA					
Final Rank	6	4	5	4	5
CROATIA					
Final Rank	6	4	6	4	5
KOSOVO					
Final Rank	6	5	5	5	5
REPUBLIC OF MACEDONIA					
Final Rank	4	5	4	5	5
SERBIA AND MONTENEGRO					
Final Rank	5	3	4	3	4

EUROPE & EURASIA-CAUCASUS

	Violent Conflict/Post- Conflict Instability	Unsustainable Natural Resources Management/ Biodiversity Loss	Insecure Tenure and Property Rights	Inequitable Access to Land and Natural Resources	Poor Land Market Performance
ARMENIA					
Final Rank	6	5	3	3	5
AZERBAIJAN					
Final Rank	6	5	4	4	4
GEORGIA					
Final Rank	1	4	4	4	5

AFRICA-CENTRAL AFRICA

Violent Conflict/Post-Conflict Instability	Unsustainable Natural Resources Management/ Biodiversity Loss	Insecure Tenure and Property Rights	Inequitable Access to Land and Natural Resources	Poor Land Market Performance
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RWANDA

Final Rank	5	5	5	5	4
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Land has been a historic source of disputes in Rwanda, stemming from informal tenures and untitled land, and from the post-conflict departure and subsequent return of people whose lands have been occupied by others. Many of these returnees are seeking to reclaim their land or obtain compensation, but they face conflicting and overlapping land rights upon their reentry. Infrequent but serious conflict occasionally occurs in small pockets of the country, but tensions are high in other areas. Landholdings are very small and economic opportunities for the large number of rural poor are lacking.

The new Constitution provides for mediation at the sector level for most disputes, but the government is also considering promoting traditional, village level dispute resolution. Rights are protected in law, but, in practice, overlapping claims to land render these rights insecure. The law currently fails to define land rights clearly, and fears over government expropriation heighten tenure insecurity. Other shortcomings in current law include ambiguous tenure forms, non-transparent issuance of land concessions, and a command and control mentality in regulating land use and consolidation. A new draft land law seeks to address a number of these issues, with the intent to enhance tenure security by recognizing customary tenure systems and registering land rights. It also envisions that land titling will be conducted at the community level and that women's land rights will be taken into account and protected. However, these changes are relatively recent and require substantial capacity to implement, making it difficult to assess future effectiveness. In addition, it is still not clear whether the government intends for such land to be held in full ownership or as long term use rights. If these changes prove to be ineffective, the ranking for "Insecure Land Tenure and Property Rights" will be higher.

Informal land markets are functioning for urban, peri-urban, and rural land, but a lack of legal clarity on the right to transfer renders most transactions extra-legal. Additionally, the written contracts that accompany these transactions purport only to transfer immovable property improvements and not the land itself. Sales, when done, are perceived to be in perpetuity, and holders deem their rights to be in full ownership.

Fragmentation, erosion, and soil depletion are all serious problems; high pressure on land is creating degradation, and marginal areas are being brought into cultivation without proper management. Rwanda's forested area is under mounting pressure from population growth, unsustainable resource use, poor management, and problems related to poverty and political instability.

Under CARPE, USAID and its partners are promoting and assisting with the draft legal

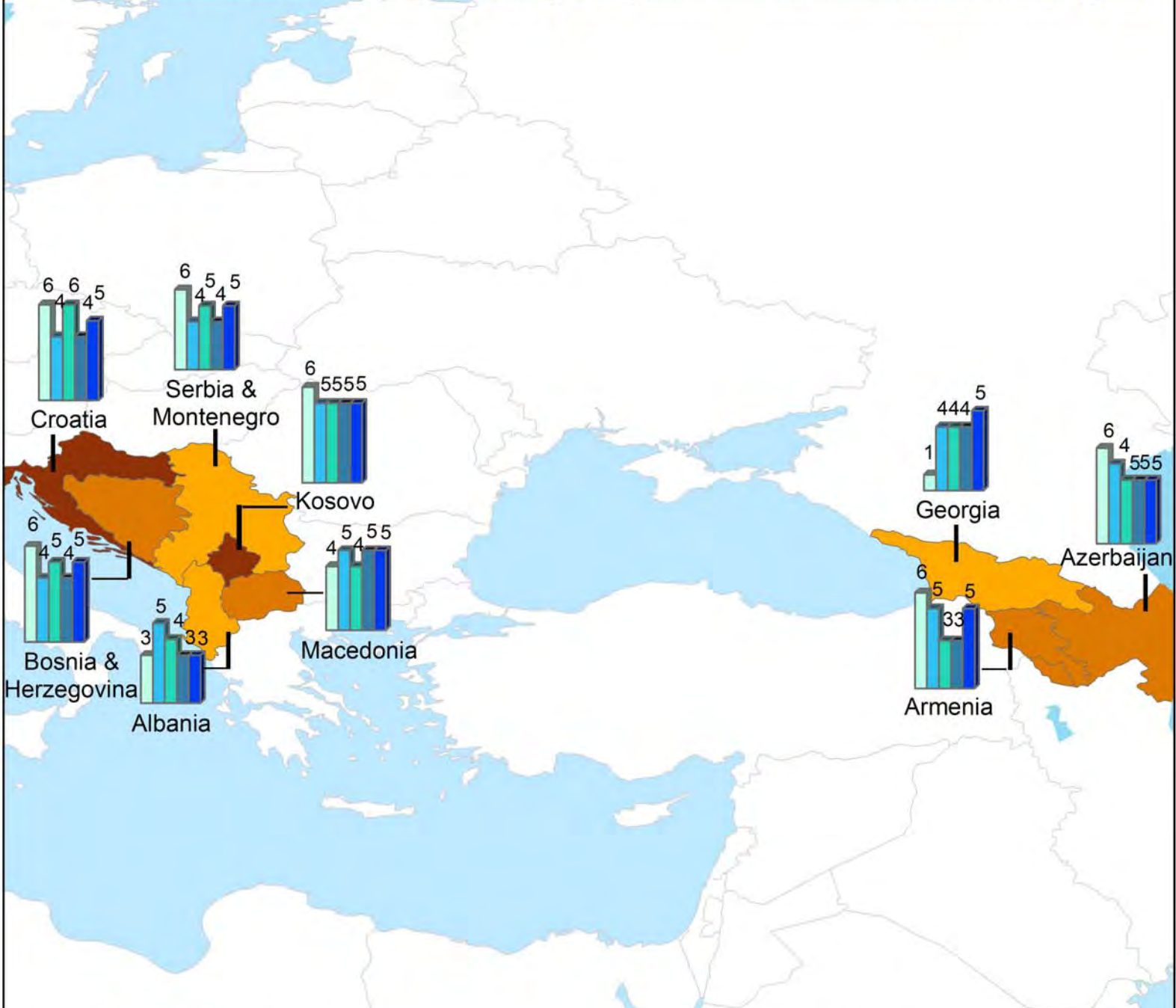
AFRICA-CENTRAL AFRICA

Violent Conflict/Post- Conflict Instability	Unsustainable Natural Resources Management/ Biodiversity Loss	Insecure Tenure and Property Rights	Inequitable Access to Land and Natural Resources	Poor Land Market Performance
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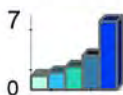
framework for land use planning, management, and zoning and broadening land access in sensitive and protected areas. However, while the new legislation is promising, enforcement and implementation are uncertain. Meanwhile, population pressure, the recent history of informal migration, and government-sponsored attacks on the DROC make disentangling LTPR institutions from political instability a major challenge.

The Balkans and The Caucasus

Land Tenure and Property Rights Constraints Ranking



LTPR Constraint Ranks



- Violent Conflict/Post-Conflict Instability
- Unsustainable Natural Resources Mgmt/Biodiversity Loss
- Insecure Tenure & Property Rights
- Inequitable Access to Land & Natural Resources
- Poor Land Market Performance

Aggregate LTPR Ranks

(Averaged over the five categories shown in bar charts)

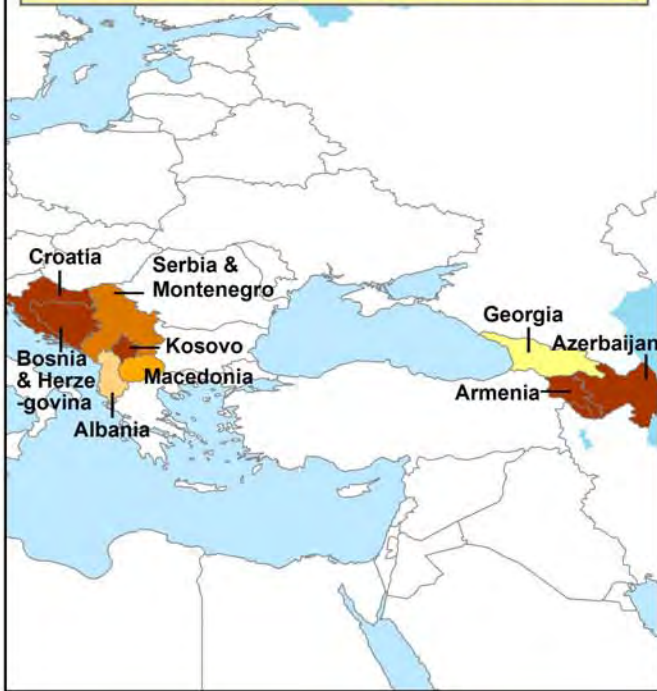
- 6-7 Extremely serious concern merits urgent attention
- 5-6
- 4-5 Serious concern merits intervention
- 3-4
- 2-3 Moderately severe concern merits monitoring
- 1-2 Not a problem
- 0 Unable to rank
- Not Ranked

Map Projection: GCS WGS 1984
 Data Source: ESRI
 Map Produced by ARD, Inc.

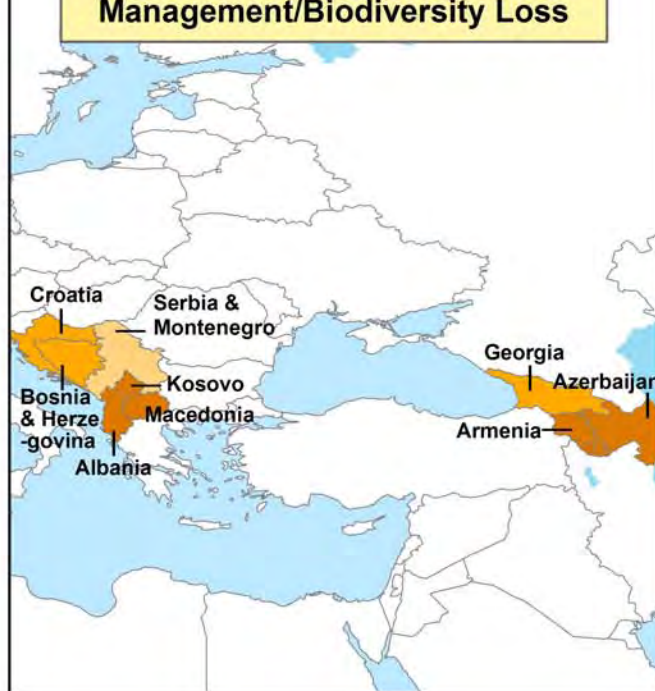
0 250 500 1,000 Kilometers



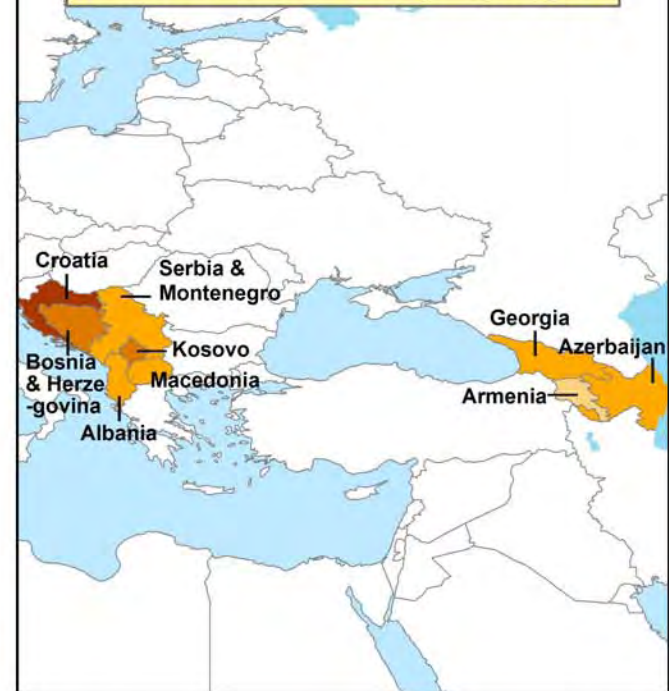
Violent Conflict/Post-Conflict Instability



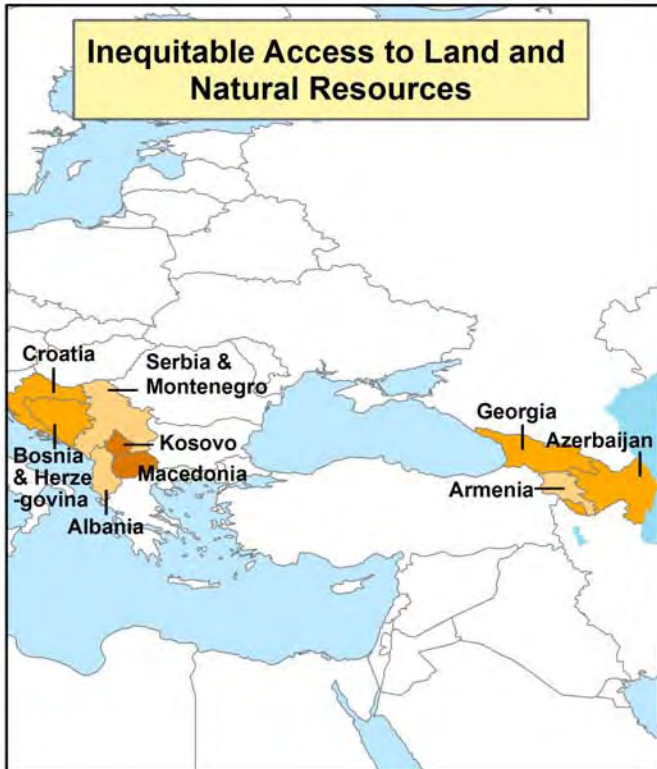
Unsustainable Natural Resources Management/Biodiversity Loss



Insecure Tenure & Property Rights



Inequitable Access to Land and Natural Resources

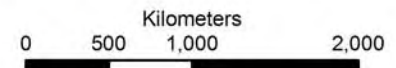
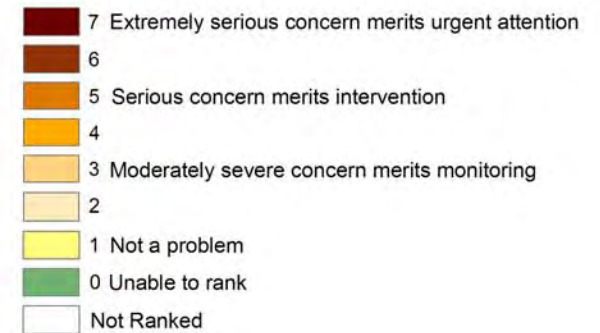


Poor Land Market Performance



The Balkans & The Caucasus

LTPR Constraint Ranks



Map Projection: GCS WGS 1984
 Data Source: ESRI
 Map Produced by ARD, Inc.

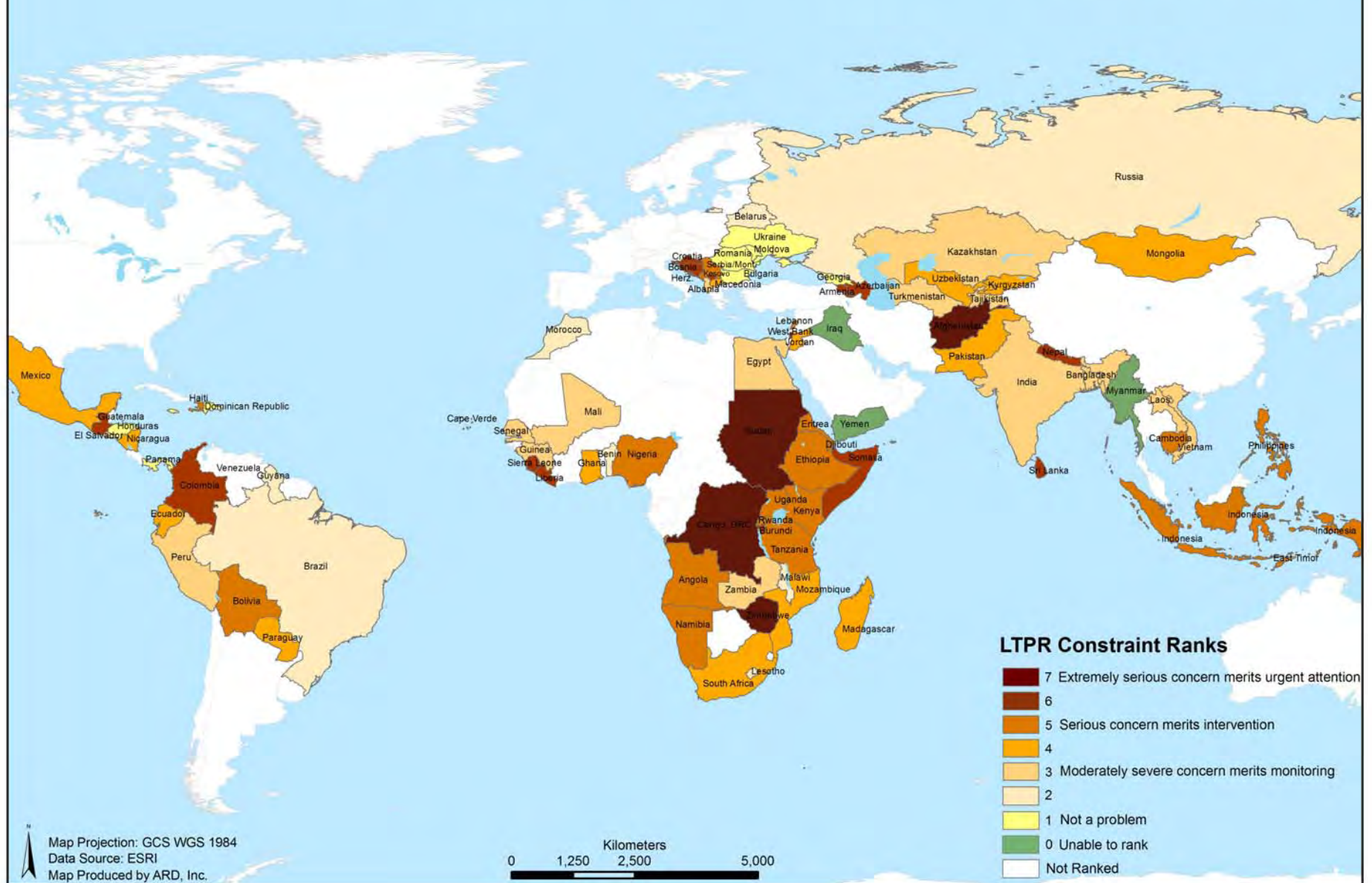


GLOBAL LTPR CONSTRAINTS MAPS FOR:

- Violent Conflict/Post-conflict Instability
- Unsustainable Natural Resources Management/Biodiversity Loss
- Insecure Tenure and Property Rights
- Inequitable Access to Land and Natural Resources
- Poor Land Market Performance

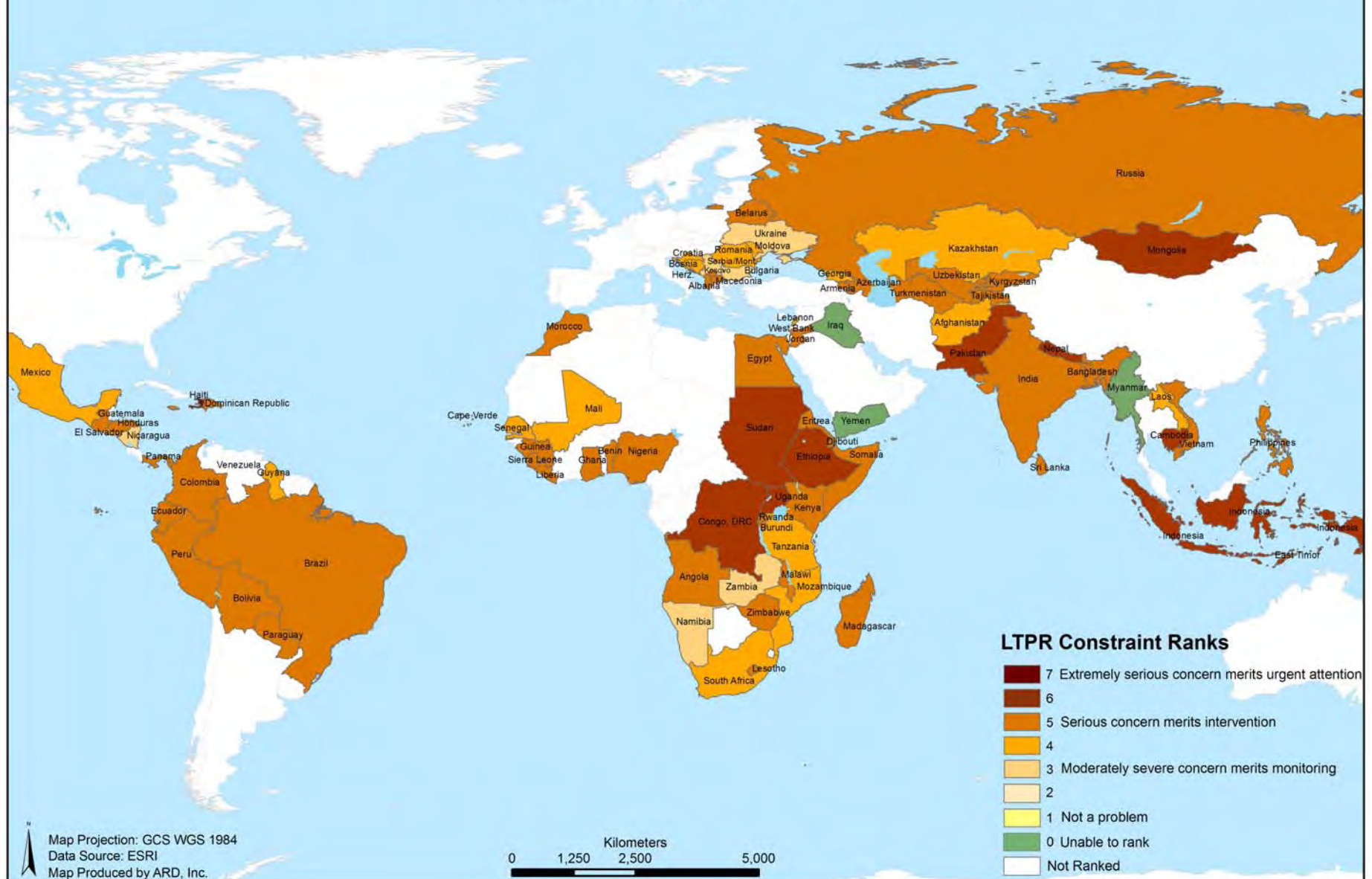
Violent Conflict/Post-Conflict Instability

Note: The rankings displayed here are suggestive, based on an experimental ranking exercise, and should not be interpreted with precision.



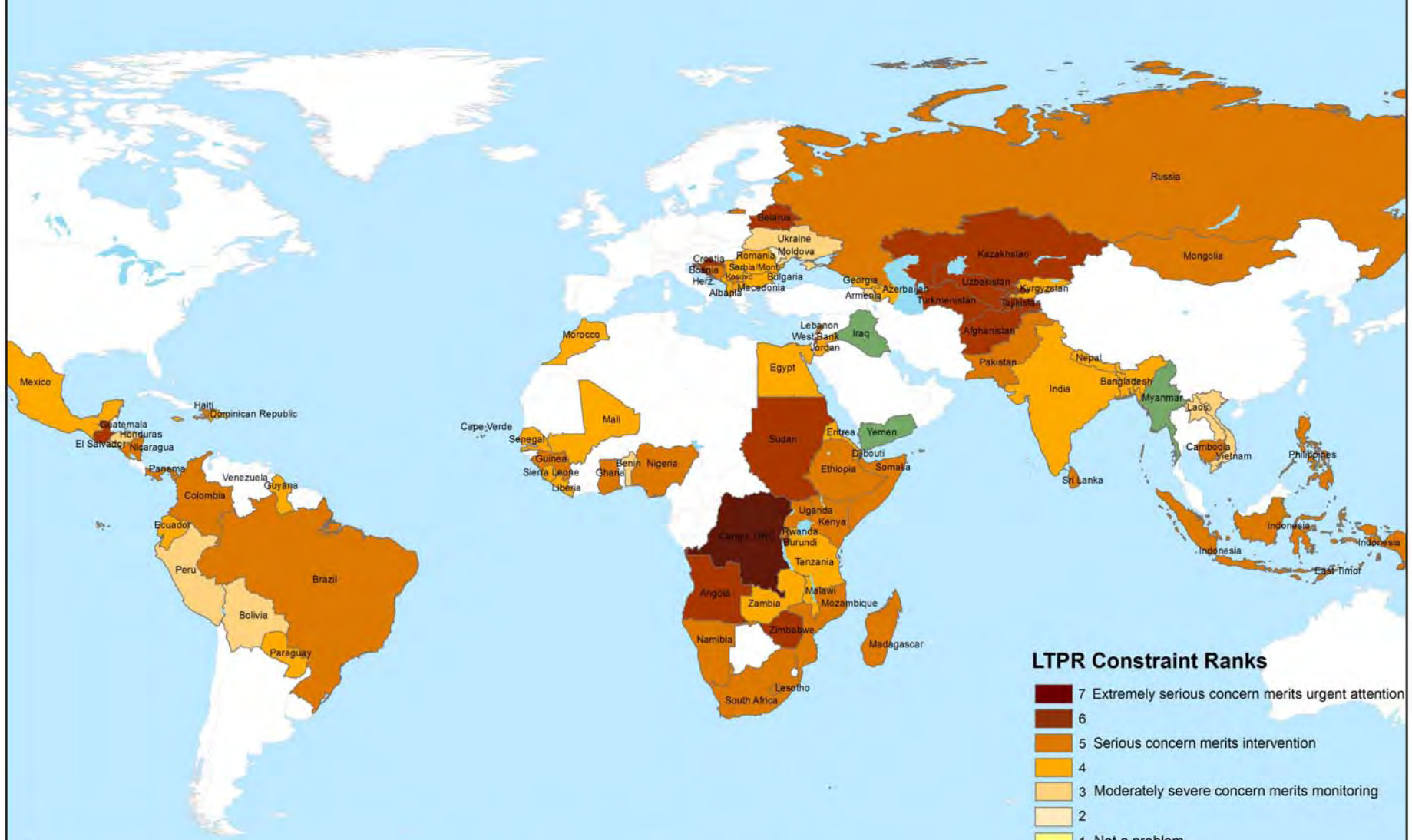
Unsustainable Natural Resources Management/ Biodiversity Loss

Note: The rankings displayed here are suggestive, based on an experimental ranking exercise, and should not be interpreted with precision.



Insecure Tenure and Property Rights

Note: The rankings displayed here are suggestive, based on an experimental ranking exercise, and should not be interpreted with precision.

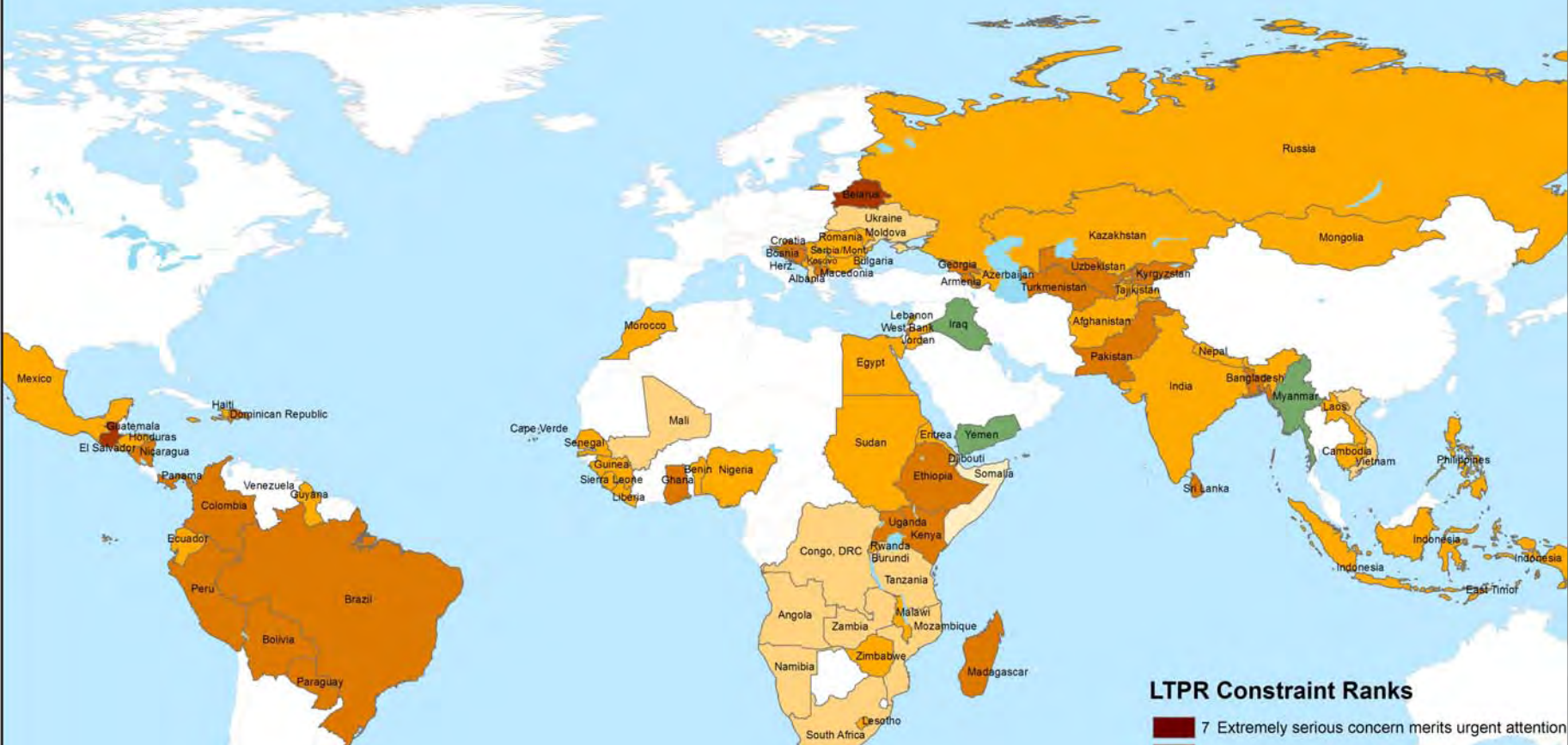


Map Projection: GCS WGS 1984
 Data Source: ESRI
 Map Produced by ARD, Inc.



Poor Land Market Performance

Note: The rankings displayed here are suggestive, based on an experimental ranking exercise, and should not be interpreted with precision.



Map Projection: GCS WGS 1984
 Data Source: ESRI
 Map Produced by ARD, Inc.



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