

ATHENS 2004

 FIG Working Week
 Athens, Greece, May 22-27, 2004

Simplification of Land Tenure in Belarus

Way to Good Land Administration

Marina Vaskovich
 Royal Institute of Technology, Stockholm

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Existing Property Rights on land

- Ownership
- Life Heritable Possession
- Permanent/Temporary Use
- Servitude
- Leasehold
- Mortgage

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Private ownership on land (I)

- Abolished in 1917
- Re-established in 1993
- No land restitution
- For specified land use only:

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Private ownership on land (II)

- Dwelling house (permanent housing)
- Summer house (secondary housing)
- Gardening
- Subsidiary farming (agriculture for own use)

0,35% land privatised (of 15 % possible)

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Right of Life Heritable Possession

- Introduced in 1990
- Available for individuals
- For transfers of state owned land (by succession)
- Restricted to land without buildings on it
- For specified land use

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Right of Permanent Use

- Remains from Soviet time
- No limitation in time
- On state owned land
- Available for individuals and legal entities

Right of Temporary Use Leasehold Right

- Granted by decision of municipality
- Time limits
 - Up to three years
 - Three to ten years
- Impossible to build
- On state land
- Granted by contract
- Up to 99 years
- Possible to build
- On state or private land

Attributes of property rights non-governmental legal entities

Property rights on land	Duties/possibilities								
	Use	Regis-ter	Exc-han-ge	Ser-vi-tude	Sell	Lea-se	Mo-rt-ga-ge	Buil-d	Tran-sfer to use
Ownership/joint ownership									
Permanent use									
Temporary use									
Lease						?			

Available
 Restricted
 Unavailable

Attributes of property rights individuals

Property rights on land	Duties/possibilities									
	U-se	Re-gis-ter	Exc-han-ge	Ser-vi-tude	Se-ll	Lea-se	Mo-rt-ga-ge	Su-cc-ssi-on	Bui-l-d	Tran-sfer to use
Ownership/joint ownership										
Life heritable possession										
Permanent use										
Temporary use										
Lease										

Available
 Restricted
 Unavailable

Conclusions

- Life heritable possession is of little importance nowadays
- Permanent and Temporary use to be transformed to ownership/lease
- Leasehold and mortgage to be more clarified