

Development of Land Consolidation Legislation in North Macedonia

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SUMMARY

The Government of North Macedonia has requested technical support from the Food and Agriculture Organization of the United Nations (FAO) for the implementation of the land consolidation instrument and the operationalization of the National Land Consolidation Programme, recognizing the need for structural land reform. As a consequence, a FAO technical cooperation project began in 2014 and was finalized in 2017. During the project, the legislation on land consolidation adopted in 2013 was tested in two land consolidation pilots, one with a majority-based approach and one in a voluntary approach. As the implementation of land consolidation in the pilots revealed bottlenecks in the legislation that prevented further implementation of the instrument, a detailed legal assessment was carried out including for compliance with the Voluntary Guidelines on the Responsible Governance of Tenure (VGGT) and an extensive package of legal recommendations was provided to the Ministry of Agriculture, Forestry and Water economy.

The field experiences from the land consolidation pilot projects and legal assessments related to property rights in North Macedonia revealed numerous implementation constraints that are relevant for many of the post communist and post socialist countries related to real estate registration, informal transactions, unsolved inheritance, registration of the property acquired during marriage, the procedures for restitution and privatization and management of state owned assets etc.

As a continuation of the above activities, FAO is currently implementing the EU funded project “Mainstreaming of the National Land Consolidation Programme” (MAINLAND) from 2017 until 2021 with overall goal to support the implementation of the first round of land consolidation projects under the national programme.

In order to enable the implementation of the two pilots and further the National Land Consolidation Programme, the Law on consolidation of agricultural land was amended in May 2018 with the support of the MAINLAND project. As a consequence of the improved legal framework, 10 land consolidation projects are currently in different stages of implementation following the procedures of the amended law and supported by the FAO project team. In so far two land consolidation projects (as of May 2020) the re-allotment plans were successfully adopted by the landowners.

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