

Comparative Analysis of the Legalization Processes in Republic of Serbia and Republic of Macedonia

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SUMMARY

Illegal constructions, as a mass phenomenon in the Balkans and developing countries in general, created a trend of scientific and professional unveiling as a basis for developing strategies, measures, policies, etc., through which land administration systems could be successfully fighting the phenomenon that has been increased over the years.

At some point, almost all Balkan countries, have taken initiatives for legalization/regularization of illegal constructions toward changing the status of the illegal buildings, from illegal to legal or taking decisions for building demolishing. Legalization theoretically is considered as a breakpoint in the history of the land management system since after that the system is no longer tolerant regarding illegal constructions, taking drastic measurements like demolitions or sanctions which at the end should result with not emerging illegal buildings.

Becoming regional problem, affecting economic and legal system, has forced countries to a greater mutual cooperation and obligating them by international declarations for parallel actions, resulting with document Vienna declaration on Informal Settlements in South Eastern Europe.

The generation of the illegal buildings has taken deep roots in the system. This perpetual issue of the Balkan countries imposes a need for research and detecting points in the system treatment that will show the reason of the continuous emerge of illegal buildings and will rise the question how to solve the issue. The question is: is legalization a solution or not? What happens after legalization processes? Are illegal buildings still emerging after legalization or not?

In this paper we included two countries that have similar situations. At this moment, R. Macedonia is conducting a project for legalization of illegal buildings, and R. Serbia is conducting campaigns

for legalization processes in the last two decades. Also, this paper includes discussions about emerging illegal buildings after completing the legalization process and treating the causes that encourage and maintain this phenomenon.

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