The risk factors of the land registration system in Mongolia

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국문초록

이 연구의 개발 시스템은 권리 소유자 및 외자 유치와 관련된 다른 부동산 관련에 대한 보안을 제공하기 위해, 토지, 건물에 대한 등록을 통일 할 필요가 있다는 가정에 기초한다. 부동산 등록 시스템은 시장 경제가 제대로 작동하기 위한 중요한 도구 뿐만 아니라, 이중 등록, 분할 양도 토지 차원의 지속 가능성이 다. 그리고 간접 경제 국가에서 도입 법률 및 경제 개혁에 따라, 이중 등록 시스템이 필요한 것보다. 분할 양도가 하나의 통합 시스템으로 가지는 것이 중요하다.

주제어: 토지, 건물, 부동산, 등록, 양도

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I. Historical background of the Mongolian land registration system

This research is based on the assumption that a formal and developed system is necessary to unified registration for land and buildings in order to provide security for owner rights and for foreign investment and other immovable property rights related to landownership. An immovable property registration system is an important tool for a market economy to work properly, as well as for sustainable management of land resources. In dual registration, divided conveyance: a separate hypothec regulation represents an unplanned byproduct of Mongolia’s legal and economic transition. In other words, this is the end result of the socialist ideology, centralized economy, the restricting of private property, and also traditions of state monopoly on land.

Mongolia faced a difficult task in creating a registration system for immovable property and title assurance because for most of the nation’s history the private or commercial ownership of land was prohibited. Over this past century Mongolian society has undergone several transformations, each one of which would bring significant changes in property laws. Compared with other countries, the land issue of Mongolia, as a country with livestock husbandry is based on a nomadic life style of herders, which unique and led to land remaining in the exclusive domain of the state.

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3) N.Lundendorj, Mongol gazzii huvdi omiiii balseg seel talearkhi tuuhen margaan, tuund hisen tuuken, philosophy, erkh zuin shiniitgiiin (The historical, philosophical and legal analyze on the controversial argument of the whether Mongolia had a private land ownership or not), (2005)