LAND-USE CONFLICTS IN KAZAKHSTAN: INSTITUTIONAL CHALLENGES AND STRATEGIC OPTIONS

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Abstract - Rational land use is a key factor in the sustainable development of the Republic of Kazakhstan. The country is experiencing increasing competition for land resources among agriculture, industry, infrastructure, and nature conservation, which necessitates a comprehensive approach to land-use regulation. This article analyzes the functions of central and local government bodies in Kazakhstan responsible for land governance, examines changes in land-use structure in 2019–2023, and identifies major challenges and conflicts, including illegal changes in land designation, contradictions between economic and environmental priorities, and overlapping administrative powers. The results show that the area of agricultural land has increased over the past five years due to state measures aimed at returning unused land to productive use; however, significant gaps in coordination and compliance with legislation remain. The discussion proposes recommendations for improving land-use governance, including the development of a unified national strategy, clearer distribution of competences, the introduction of digital coordination platforms, and the strengthening of environmental requirements. The findings are based on an analysis of legal documents, statistical data, and practical cases, and are consistent with contemporary research in the field of land management.

I. INTRODUCTION

Rational and sustainable use of land resources is a necessary condition for the socio-economic development of Kazakhstan. As demand for agricultural land increases, cities expand, and transport and industrial infrastructure continues to develop, the government's land-use regulation system must ensure a balance of interests among all stakeholders. The relevance of this issue is driven by potential conflicts between economic growth objectives and the need to preserve ecological sustainability. Industrial and urban expansion often requires the conversion of agricultural land, which can threaten food security. Conversely, allocating land for economic activities may conflict with nature protection goals, including the preservation of specially protected natural areas and forest reserves.

The need for an integrated approach to land use is reflected in the country's strategic policy documents. In particular, the National Development Plan of the Republic of Kazakhstan until 2029 emphasizes the integration of cadastral data, environmental monitoring, and urban planning tools to prevent conflicts between different types of land use. However, in practice, regulation is carried out by various agencies at national and regional levels whose functions frequently overlap, leading to duplicated procedures and gaps in responsibility. In this context, the aim of this study is to examine the roles of key government bodies involved in land governance, identify legal and institutional shortcomings, and develop recommendations for improving Kazakhstan's land-use regulation mechanisms. The research is based on the hypothesis that the existing land governance system is fragmented and requires a unified coordinating strategy with clearly defined powers. Without such a framework, achieving sustainable land management becomes extremely challenging. To examine this hypothesis, the study analyzes the relevant legal framework, statistical data on the structure of the national land fund, and case studies illustrating conflicts of interest and weaknesses in law enforcement.

II. LITERATURE REVIEW

The issues of rational land use and the improvement of land governance mechanisms occupy a central place in both Kazakhstani and international research. Land is viewed as a unique natural asset with economic, ecological, and socially significant functions, which makes its legal and institutional regulation inherently complex. Barsukova (2012) emphasizes the special status of land as both a resource and an object of property rights, highlighting the multidimensional nature of land relations. Later works (Barsukova, 2016; Shashkova & Solovtsov, 2021) further explore the theoretical foundations of land market formation and the need to modernize governance institutions, including the adoption of digital technologies in cadastral accounting and land monitoring.

International research demonstrates considerable diversity in approaches to land-use regulation. Cunningham (1964) shows that in the United States, local governments play the primary role in zoning and territorial planning. However, fragmented legislation and substantial variation across states lead to inconsistent practices and a reliance of municipal

decision-making on state-level policies. Building on this, Lemar (2018) notes the increasing involvement of state governments in liberalizing zoning regulations to expand the supply of affordable housing. These studies underscore the need for coherent legal instruments within multilayered governance systems.

Several works focus on specific legal regimes in cities with special administrative statuses. For example, Voskresenskaya, Zhilskiy, and Shariapova (2018) analyze land allocation procedures in Russian federal cities, highlighting the importance of transparent and clearly standardized processes as well as coordination between federal and municipal norms. In other contexts, such as South Africa, Ntsebeza (2003) identifies systemic tensions between traditional authorities and local governments, which generate conflicts in rural land distribution and necessitate institutional harmonization of powers.

Another important strand of international literature addresses the scarcity of land as a resource. Wyatt (2011), examining microstates, argues that limited territory requires highly precise planning and strict land-use procedures based on comprehensive analyses and transparent data. Similarly, Kaganova (2012) studies the division of authority between central and local governments, noting that imbalances in centralized regulation, weak land inventories, and low transparency in decision-making present significant risks for effective governance. The author proposes an integrated model emphasizing market-based land valuation, standardized procedures, and incentives for responsible management.

In the context of sustainable rural development, Kononenko (2019) stresses that traditional models of rural land governance fail to account for multidimensional sustainability requirements and calls for strategic planning, environmental safeguards, and market-based mechanisms for agricultural land turnover.

Kazakhstani studies develop these themes within national specificities. Mukhamediyarova, Moroz, and Akimbekova (2025) identify major challenges in agricultural land transactions, including limited procedural transparency, insufficient public awareness, barriers faced by young farmers, and risks of land concentration. The authors emphasize the need to digitalize cadastral systems and strengthen the accountability of government agencies. Likewise, Khadys, Sikhimbayeva, and Bozhkarauly (2018) show that sustainable development of the agro-industrial sector requires modernization of the regulatory framework, improved investment attractiveness, and better state support mechanisms. Yerkinbayeva (2018) adds that the development of agricultural cooperatives is possible only when supported by clear legal mechanisms and adequate institutional conditions.

Recent research also examines post-Soviet transformations in land relations. Beristenov and Ospanov (2013) document the gradual evolution of Kazakhstan's land legislation, while Kurbanov et al. (2025) demonstrate that secure land-use rights encourage investment in the rural land sector. Regional aspects of land policy are explored by Seidakhmetov and Tyshkanbayeva (2020) and by Kaidarova et al. (2023), who underscore the importance of adapting reforms to local conditions.

International guidelines, particularly the FAO report (Ziadat et al., 2018), offer standards for integrated and sustainable land-use planning that align with findings of domestic research. Digital technologies play a growing role in modern land management: Imanbayeva et al. (2024) show that the adoption of GIS, electronic cadasters, and automated databases enhances transparency and reduces administrative barriers.

Taken together, the literature suggests that effective land governance requires clearly defined and well-protected land-use rights, institutional coherence across government levels, strategic and environmentally oriented planning, and the incorporation of international best practices and digital tools. This study builds on these insights and examines their implementation in the Kazakhstani context.

III. METHODOLOGY

This study employs a combination of qualitative and quantitative methods. First, an analysis of legal and regulatory documents governing the powers of state bodies in the field of land relations was conducted, including the Land Code, ministerial regulations, and administrative rules. Through content analysis of these documents, the functions of central authorities (ministries) and local executive bodies (akimats) were systematized. To identify gaps in law enforcement, a case-study approach was applied, examining specific instances of conflicts and violations, including materials from prosecutorial reviews and judicial practice.

In addition, statistical data from the Committee for Land Resources Management and the Bureau of National Statistics on the structure of the national land fund for 2019–2023 were analyzed. This enabled the assessment of changes across land-use categories and their relationship to state policy measures. Comparative and percentage-based analytical methods were used to calculate category shares as well as the absolute and relative changes in land area.

Accordingly, the methodological framework consists of:

- Content analysis of legislation – to describe the current institutional structure of land governance;
- Institutional analysis – to compare the powers of different levels of government and identify overlaps;
- Statistical analysis – to quantify land-use trends, including expansions and reductions across categories;
- Case analysis – to illustrate real-world governance problems through examples of illegal or conflict-prone land-use decisions.

The combined application of these methods made it possible to develop well-substantiated conclusions about the challenges facing state bodies and the pathways for improving land governance in Kazakhstan.

Normative and Institutional Framework for Land Governance

The system of state bodies responsible for land governance in Kazakhstan consists of central (national) authorities in charge of strategic planning, rulemaking, and oversight, as well as local executive bodies responsible for implementing these powers at the regional and municipal levels. The key central authorities include the Ministry of Agriculture, the Ministry of Ecology and Natural Resources, and the Ministry of Industry and Construction, whose functions are differentiated according to land categories and types of land use. At the same time, representative bodies (maslikhats) approve and supervise major land-use decisions at the regional and local levels. A brief summary of the core competences of these institutions is presented below (Table 1).

Government Body	Key Functions
Ministry of Agriculture of the Republic of Kazakhstan	Development of state policy and regulatory acts on the use and protection of agricultural land; maintenance of the state land cadastre; monitoring and control of the rational use of agricultural land; coordination of local executive bodies on land-related issues.
Ministry of Ecology and Natural Resources of the Republic of Kazakhstan	Ensuring the protection and rational use of lands with special legal status (forest fund, water fund, specially protected natural areas, ecological disaster zones); conducting environmental expertise of land-use projects; establishing rules for the reclamation of disturbed lands; exercising state environmental control over compliance with ecological requirements in land use.
Ministry of Industry and Construction of the Republic of Kazakhstan	Regulation of land allocation and use for industrial, investment, and infrastructure projects; coordination of land-related issues in special economic and industrial zones; approval of criteria for free land allocation to priority sectors; development of standard contracts for land-use transactions in investment contexts.
Local Executive Bodies (Akimats)	Direct management of land resources at the regional, city, district, and rural levels; allocation of land plots for individual housing construction, industrial facilities, and agricultural activities; withdrawal of land for state needs or in cases of misuse; control over land use and protection within their jurisdiction; maintenance of the local land reserve.

Table 1. Key Functions of Government Bodies in Kazakhstan's Land-Use Governance

Note: Maslikhats of regions and cities of republican significance approve programs and plans for land use and protection, endorse the transfer of land between categories, and oversee the activities of akimats in this area.

The division of powers prescribed by legislation is intended to ensure a multi-level governance system: at the regional level, this includes strategic planning and the coordination of major land-use changes, while at the district and rural levels it involves the operational allocation of land plots to citizens and organizations. In practice, however, responsibilities often overlap across levels of government. An analysis of the regulations governing state bodies and their interactions reveals several institutional problems. First, there is duplication of functions between central and local authorities, such as the requirement to obtain approval for the same decision at multiple levels. Second, legal ambiguity and blurred accountability make it unclear, in cases of violation, whether responsibility lies with the central authority that developed the rules or with the local authority that issued the permit. Third, the absence of unified methodologies and digital procedures at the local level leads to inconsistent interpretations of regulations and delays in administrative processes. An equally important problem is the heightened corruption risk: multiple stages of approval create opportunities for intentional delays and administrative barriers aimed at extracting personal benefits.

For example, obtaining a land plot for a business project may require approval first from a district akimat, then from a regional authority, and in some cases from a relevant line ministry. Such multi-tiered procedures reduce investment attractiveness, as evidenced by prolonged project implementation timelines observed in various regions.

Measures to improve the institutional system, based on the identified shortcomings, include legally formalizing clear divisions of authority between levels of government (eliminating overlapping functions of central and local bodies); consolidating specific powers at one level -for instance, transferring all state land inspection functions to a single authorized body, while assigning full responsibility for the allocation and withdrawal of land plots to local executives; implementing a unified digital platform for decision-making and land-related public services to ensure transparency and accelerate processes; and introducing joint (comprehensive) inspections involving multiple agencies under unified standards to remove duplication of control and reduce the burden on land users. Some of these measures are already being partially implemented as part of the national digitalization agenda (e-licensing, the electronic cadastre, etc.), but require further scaling and institutional reinforcement.

Identification of Key Problems and Conflicts

Despite positive trends in the regulatory framework and the overall structure of land use, practical implementation reveals a number of acute issues that hinder effective and lawful land management. The most significant of these can be grouped into several categories.

1.Illegal or irrational transformation of agricultural land.Competition between the agricultural sector and other industries often leads to the conversion of valuable agricultural land for construction purposes, frequently in violation of legally established procedures for changing land categories. Several cases have been documented in which local authorities unlawfully altered the designation of agricultural land in order to sell it for cottage development or other commercial projects. For example, in 2023 the Prosecutor's Office of Turkistan Region discovered that 270 land plots near the city of Shymkent had been illegally allocated for the construction of elite villas, with 26 cases involving forged documents and 28 involving unlawful changes to plot boundaries (kapsters.kz, 2008). In the same areas, approximately 200 agricultural plots were reclassified into construction zones without proper justification, leading to eight criminal cases and the initiation of procedures to return more than 400 plots to the state. Similar violations were observed earlier: a notable case in Sairam District (South Kazakhstan Region) in the mid-2000s involved former and current akims who, abusing their authority, unlawfully converted around 400 hectares of agricultural land into residential plots without officially changing the land category (Kazakhstan Today, 2008). The land was subdivided into hundreds of small parcels and sold for housing despite the absence of necessary infrastructure. This case, widely publicized in 2008, illustrates that unauthorized land-use conversions constitute a systemic issue. The consequences include the loss of fertile land, disruption of territorial development plans, and the generation of speculative profits for private individuals at the expense of public interests. Such practices also undermine public trust in government institutions and highlight the need for stronger oversight.

2. Conflict between economic development and environmental priorities.Efforts to expand industrial and infrastructure projects often clash with the imperative to preserve natural ecosystems. Kazakhstan, endowed with unique ecological landscapes, must navigate a delicate balance between investment ambitions and environmental constraints. A prominent example is the proposed construction of the Kok-Zhailyau ski resort in the mountains near Almaty. Initiated by investors as a promising tourism project, it triggered widespread public opposition: environmentalists and local residents protested because the planned construction site was located within the Ile-Alatau National Park. Independent environmental assessments warned of significant risks to biodiversity and water resources. Ultimately, the government sided with environmental advocates: in October 2019, President Kassym-Jomart Tokayev publicly announced the cancellation of the Kok-Zhailyau project, emphasizing that "construction is unnecessary" and that expert opinion must be respected (zakon.kz, 2019). This case demonstrated the state's commitment to prioritizing environmental protection over short-term economic gain. However, it also revealed the absence of early-stage "filters": the project advanced to a late stage before being stopped, indicating the need for environmental criteria to be integrated at the earliest phases of site selection and planning. Similar conflicts -such as disputes over construction within the boundaries of national parks, lakeshore zones, and other ecologically sensitive areas -emerge regularly in different regions, underscoring the necessity of institutionalizing environmental safeguards in land-use regulations rather than relying on ad hoc political intervention.

3. Lack of cross-sectoral coordination and unified procedures.Numerous agencies involved in land-use decision-making often operate in isolation. Sectoral plans -such as those for agro-industrial development, transport infrastructure, and urban master planning - are formulated with limited consideration of one

another, leading to inconsistencies. In practice, this results in overlapping rights and regulatory requirements. For example, legislation on subsoil use and land legislation are not sufficiently harmonized, which creates obstacles for subsoil investors. A revealing case is that of the company Ural Oil and Gas JSC in West Kazakhstan Region. The company obtained a subsoil-use contract from the Ministry of Energy for gas exploration and production within the Fedorovsky hydrocarbon block, which granted it subsoil rights under the Subsoil Code. However, the Land Code requires that surface land-use rights be obtained separately from the local executive authority (the regional akimat). It was discovered that portions of the land above the field had already been allocated to farming households. As a result, the subsoil user had to negotiate with a local farmer and establish a private servitude (a paid access agreement), compensating the farmer for losses. In effect, the government had allocated the same physical space to two different users: the subsoil to the investor and the surface to the agricultural producer. This situation, described in Asanov (2023), clearly illustrates failures in coordination between agencies and levels of government. For businesses, such conflicts lead to additional costs and uncertainty, reducing the attractiveness of the investment environment. Similar challenges arise when implementing large infrastructure projects that cross regional boundaries - each administration seeks to protect its own interests, and there is no unified “one-stop-shop” mechanism.

4. Formal compliance or neglect of environmental regulations in territorial planning.Although legislation requires mandatory consideration of sanitary, epidemiological, and environmental norms in land use -such as the establishment of sanitary protection zones (SPZs) around industrial facilities - these rules are often ignored in practice. Facing shortages of suitable land within cities, developers and local authorities sometimes initiate projects without fully accounting for required buffer distances. A well-known example occurred in Uralsk: in 2019–2020, the city akimat approved the construction of several multi-story residential buildings in close proximity to the operating “Kubley” canning plant, even though the area fell within the plant’s sanitary protection zone. As a result, one building was constructed just ~100 meters from the factory and put into operation, leading to legal disputes between the plant and local authorities. The controversy gained public attention, and ongoing construction was suspended; however, the fact remains that SPZ norms were disregarded during the approval of the detailed development plan. This case, reported by Orda.kz (2020), highlights insufficient oversight of sanitary regulations when changing land-use designations. Such violations are dangerous because they can cause environmental degradation and worsen living conditions (air and water pollution, noise exposure, etc.). They also create legal complications: once socially significant objects like housing have been constructed, their demolition or repurposing becomes extremely difficult, even if regulations were breached. This underscores the need to avoid a merely formal approach -every decision on land conversion must be accompanied by thorough environmental compliance assessments.

The issues outlined above -loss of agricultural land due to illegal development, conflicts between investment and environmental interests, inefficiencies in multi-layered governance, and failure to observe environmental restrictions -indicate that the current land-governance model in Kazakhstan remains fragmented and reactive. Decisions are often made in response to isolated cases and the interests of individual agencies rather than within a unified strategic framework. Given that land is a non-renewable resource, mistakes in its allocation are difficult to reverse. The identified shortcomings undermine public trust, generate social tension (particularly regarding equitable access to land for farmers and citizens), and pose risks to sustainable development. The following section outlines potential measures to address these challenges.

V. RESULTS AND DISCUSSION

The findings of the study indicate that, despite an extensive regulatory framework and a formally established division of powers between central ministries and local executive bodies, Kazakhstan’s land-use governance system remains fragmented and vulnerable to institutional risks. Statistical data for 2019–2023 confirm that government efforts to return unused agricultural land to productive use have had a positive effect; however, structural governance deficiencies continue to influence the quality and predictability of decision-making.

A key result of the research is the identification of misalignment between different levels of government and economic sectors, which leads to duplicated functions, administrative delays, and conflicts of interest. The examined cases clearly demonstrate the absence of a unified spatial planning mechanism and inadequate interagency data exchange. A notable example is the conflict in which subsoil rights and surface land rights were allocated to different users, creating legal uncertainty and forcing the investor to negotiate with landholders who had been granted overlapping territory by the state.

Another significant finding concerns systemic violations of rational land-use principles at the local level. Cases documented by the Prosecutor’s Office - including illegal changes in land designation, allocation of plots in violation of procedures, and use of forged documents -point to persistent corruption risks and weak oversight mechanisms. These

examples reveal that formal procedures do not always ensure proper legal scrutiny or compliance.

The study also highlights the persistent tension between economic development and environmental protection. The analysis of practical cases shows that environmental constraints are often considered only at later stages, when projects have already advanced institutionally. The promotion of investment initiatives within protected areas, as well as residential construction within a sanitary protection zone of an industrial enterprise, illustrate a pattern in which short-term economic incentives override environmental safeguards. The insufficient application of early environmental filters creates significant risks for biodiversity, environmental quality, and public health.

The discussion of the results demonstrates that the core problem lies not in the absence of regulatory norms, but in insufficient coordination and misaligned objectives across stakeholders involved in land governance. As urbanization, agricultural production, industrial development, and nature conservation increasingly compete for limited territorial resources, the lack of a unified strategic framework results in reactive, case-specific decision-making. The study concludes that Kazakhstan needs to transition from a sectoral model to an integrated governance approach that accounts for cross-sectoral interdependencies and ensures coherent land-use rules for all stakeholders.

A comparison of the findings with the existing literature confirms these conclusions. As noted in the works of Kurbanov et al. (2025), Beristenov and Ospanov (2013), and Mukhamediyarova et al. (2025), the effectiveness of land governance depends on institutional coherence, transparency of procedures, and legal certainty. International experience (Cunningham, 1964; Kaganova, 2012; FAO, 2018) likewise shows that successful land-use policy requires a unified spatial strategy, robust digital planning tools, and strict environmental safeguards.

Based on these insights, the study underscores the need for:

- The Development of a Unified National Land-Use Strategy That Balances Economic, Environmental, and Social Priorities;
- Clear Delineation of Powers Across Levels of Government and Elimination of Overlapping Functions;
- Implementation of an Integrated Digital Platform for Cadastre, Permitting, and Monitoring;
- Strengthening of Environmental Assessment Mechanisms and Strategic Environmental Evaluation;
- Increased Transparency in Decision-Making by Akimats and Expansion of Public Oversight Tools.

Addressing these systemic challenges will improve the effectiveness, predictability, and long-term sustainability of Kazakhstan's land-use policy, ensuring the rational management of one of the country's most critical natural resources -land.

VI. CONCLUSION

The analysis of the activities of state bodies in the Republic of Kazakhstan in the field of land-use regulation demonstrates that, despite an extensive regulatory framework and a formally defined distribution of powers across levels of government, the system of land governance remains fragmented and vulnerable to organizational, institutional, and environmental risks. Ambiguities in the division of authority, duplication of functions, insufficient interagency coordination, and the formalistic nature of environmental oversight create conditions for unjustified land reallocations and conflicts of interest between agricultural, industrial, and environmental priorities. At the same time, trends in land-use structure -such as the return of unused agricultural land to productive use, the restrained expansion of urban areas, and the growth of protected natural zones -indicate the state's intention to address food security and environmental sustainability, although issues related to water resource degradation still require a comprehensive policy response.

To develop a sustainable land-use model, Kazakhstan needs a national strategy for integrated land-resource management that aligns sectoral objectives and promotes long-term, cross-sectoral decision-making. Such a strategy should clearly delineate powers in legislation, eliminate overlapping functions, introduce a unified digital platform for cadastral accounting, permitting, and monitoring, and strengthen environmental regulations that prevent unsustainable land-use practices. Preventive measures also play an essential role: systematic monitoring of land use, public oversight of local decision-making, cultivation of a culture of legality and accountability, and the inevitability of administrative and legal responsibility for violations.

Overall, rational land-use governance represents a balance of economic, social, and environmental interests. For Kazakhstan -with its extensive land resources and diverse natural landscapes -achieving such a balance is of strategic importance. International practice and academic research alike demonstrate that institutional transparency, integrated planning, and adherence to natural constraints are key prerequisites for sustainable land governance. Implementation of the proposed measures will help establish a coherent, effective, and equitable system of land-use regulation capable of meeting the needs

of society and the economy without compromising the country's natural potential.

ACKNOWLEDGMENT

This research is funded by the Committee of Science of the Ministry of Science and Higher Education of the Republic of Kazakhstan (Grant No. BR24993047)

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