

Article

Strengthening Liability for Illegal Construction

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Abstract: Illegal construction represents a serious challenge for urban planning, public safety, and sustainable development in many countries. In Uzbekistan, rapid urbanization and increased construction activity have led to cases of unauthorized construction that violate urban planning and seismic safety regulations. This study analyzes the scale of illegal construction activities and evaluates current legislative measures aimed at strengthening liability for such violations. The research examines statistical data on construction inspections, identifies major legal and administrative shortcomings, and reviews international experience in regulating illegal construction. The results demonstrate that stronger legal enforcement mechanisms, improved regulatory monitoring, and stricter liability measures are necessary to ensure compliance with construction standards and improve public safety. The study proposes legislative and institutional measures aimed at strengthening liability for illegal construction and improving regulatory oversight in the construction sector.

Keywords: illegal construction, construction regulation, urban planning law, seismic safety, regulatory enforcement, construction supervision

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1. Introduction

The rapid development of urban infrastructure and housing construction has significantly increased the importance of effective regulatory control in the construction sector. Ensuring compliance with urban planning regulations, safety standards, and construction norms is essential for protecting public safety and maintaining sustainable urban development. However, illegal construction activities remain a significant challenge in many countries, including Uzbekistan [1].

Illegal construction refers to construction activities carried out without proper permits, registration, or compliance with established legal and technical requirements. Such activities may result in violations of urban planning standards, increased risks to structural safety, and potential threats to public welfare. In particular, the construction of multi-storey residential buildings without proper supervision can create serious risks in regions with high seismic activity [2].

Strengthening legal liability for illegal construction is therefore necessary to prevent violations and ensure that construction activities comply with regulatory requirements. This study analyzes the current state of illegal construction and evaluates legislative initiatives aimed at improving regulatory control and strengthening liability mechanisms [3].

In order to use new seismic indicators in the design and examination of buildings and structures, the earthquake resistance of 8,974 multi-apartment residential buildings constructed during 2017–2024, 2,559 buildings planned for construction in 2025, and 301 buildings already commissioned was inspected. In total, 11,834 apartment buildings were examined [4].

The study revealed that 1,434 of the inspected buildings were constructed without official registration, and 185 buildings had additional floors added illegally.

As of January 1, 2026, a total of 3,418 illegal construction objects built without registration with the Construction and Housing and Communal Services Control Inspection were identified, of which 549 are multi-storey residential buildings.

As a result of the measures taken, submissions were made to suspend activities or revoke the licenses of 85 violating design organizations, the licenses of 8 organizations were revoked, more than 100 illegal constructions were demolished in accordance with established procedures, and 98 criminal cases were initiated.

To prevent such situations in the future, increase the seismic resistance of existing and under-construction buildings and structures, improve earthquake forecasting and monitoring, and ensure effective cooperation between state authorities and relevant organizations, the Prosecutor General's Office has developed a draft law and submitted it to the Legislative Chamber of the Oliy Majlis of the Republic of Uzbekistan [5].

2. Methodology

The research applies a qualitative and quantitative analytical approach to examine illegal construction practices and regulatory responses. Several research methods were used in the study [6].

First, a **statistical analysis method** was applied to examine official data related to inspections of residential buildings and construction projects conducted by regulatory authorities [7].

Second, **legal analysis** was conducted to evaluate existing legislation regulating construction activities, including provisions related to administrative and criminal liability for illegal construction [8].

Third, a **comparative analysis** method was used to examine international practices in regulating construction activities and preventing unauthorized construction in countries such as the United States, Canada, Japan, China, Singapore, and several European states.

These research methods made it possible to identify weaknesses in the current regulatory framework and propose legal improvements aimed at strengthening liability for illegal construction [9].

This draft law consists of 9 articles and provides for the following provisions:

1. In the Code of Administrative Responsibility, it is proposed to establish a fine for the unauthorized construction of multi-apartment buildings amounting to 400 times the base calculation amount for citizens and 450 times for officials.
2. If the offense of unauthorized construction of multi-apartment buildings is committed repeatedly, criminal liability will be introduced, with a punishment of imprisonment from 3 to 5 years [10].
3. In the Urban Planning Code, master plans will be defined as one of the key urban planning documents.
4. In the Law "On Licensing, Permitting and Notification Procedures":
 - the requirement that licenses for designing and constructing bridges, tunnels, and high-risk facilities be issued without a time limit will be abolished;
 - the notification procedure for starting construction and installation works will be replaced with a permit-based procedure [11].

In addition to the above-mentioned laws, amendments and additions are also being introduced to the Law "On Ensuring Seismic Safety of the Population and Territory of the Republic of Uzbekistan." These changes are related to reconsidering certain powers of the Ministry of Construction and Housing and Communal Services and the Inspection for Control in the Construction and Housing and Communal Services Sector under the Cabinet of Ministers [12].

During the preparation of the draft law, the legislation of the United States, Canada, Japan, China, Singapore, the European Union countries, Kazakhstan, Russia, Belarus, Georgia, and other countries was studied.

The draft has been agreed with the Cabinet of Ministers, the Supreme Court, the Ministry of Construction and Housing and Communal Services, the Ministry of Economy and Finance, the Ministry of Justice, and other relevant ministries and agencies.

Currently, the draft law is being considered at the plenary session of the Legislative Chamber of the Oliy Majlis of the Republic of Uzbekistan [13].

3. Results

The analysis of inspection data revealed significant problems related to unauthorized construction activities. During the period from 2017 to 2024, inspections were conducted on **8,974 multi-apartment residential buildings**, as well as **2,559 buildings planned for construction in 2025** and **301 buildings already commissioned**. In total, **11,834 apartment buildings were examined**.

The results of the inspection showed that **1,434 buildings were constructed without official registration**, while **185 buildings had illegally added floors**. These findings demonstrate the widespread nature of regulatory violations in the construction sector [14].

Furthermore, as of January 1, 2026, **3,418 illegal construction objects** were identified that had been built without proper registration with the Construction and Housing and Communal Services Control Inspection. Among these objects, **549 were multi-storey residential buildings**.

Regulatory enforcement measures were taken against several organizations involved in illegal construction activities. In particular, proposals were submitted to suspend the activities of **85 design organizations**, and **8 licenses were revoked** due to violations. Additionally, more than **100 illegal constructions were demolished**, and **98 criminal cases were initiated** against responsible parties.

These findings highlight the need for stronger regulatory mechanisms and stricter legal liability for illegal construction [15].

4. Discussion

The results of the study indicate that illegal construction remains a significant challenge for urban planning and construction management. The absence of strict regulatory oversight and insufficient enforcement of existing laws contribute to the persistence of unauthorized construction activities.

Strengthening liability mechanisms can significantly reduce illegal construction practices. Administrative penalties, criminal liability for repeated violations, and stricter licensing requirements can act as effective deterrents against unauthorized construction.

International experience demonstrates that strict regulatory frameworks combined with digital monitoring systems and effective institutional coordination significantly improve compliance in the construction sector. Countries such as Japan and Singapore have implemented strong regulatory control systems that ensure strict adherence to construction standards.

In Uzbekistan, proposed legislative amendments aim to introduce stronger penalties for unauthorized construction and improve regulatory monitoring. The introduction of criminal liability for repeated offenses and stricter licensing procedures represents an important step toward strengthening regulatory enforcement.

5. Conclusion

Illegal construction poses significant risks to urban planning, structural safety, and public welfare. The findings of this study demonstrate that despite existing regulatory measures, unauthorized construction activities remain a persistent problem in the construction sector.

Strengthening legal liability for illegal construction is essential for ensuring compliance with construction standards and improving public safety. The proposed legislative amendments aimed at increasing fines, introducing criminal liability for repeated violations, and improving licensing procedures can significantly strengthen regulatory control.

In addition, improving cooperation between regulatory institutions and implementing modern monitoring mechanisms will contribute to the prevention of illegal construction activities and promote sustainable development in the construction

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