



The 14th PCGIAP Meeting

Kuala Lumpur, MALAYSIA

Land Legislation Construction Issue in Developing and Transition Economy Countries with Practical Experiences in Vietnam

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Contents of Presentation

- Vietnam Land Legislation Construction Process
- Main Characteristics of Land Issues in Developing and Transition Economy Countries
- Renovations on Land Legislation Construction in Developing and Transition Economy Countries
- Conclusion

Land Legislation Construction in Vietnam (2)

Before “Doi Moi” 1986

- The State’s commanded subsidy economy mechanism
- No Land Administration System established

Land Law 1988:

- Allocation of agricultural land to households
- Issuance of Land Use Right Certificate to land user
- No specific LAS established

Land Law 1993:

- Define and give 5 rights to land users
- Land price: determined by the State
- LAS: Titling System

Land Legislation Construction in Vietnam (3)

Land Law 1993 was amended in 1998 and 2001

- Rights and obligations of the organizations
- Decentralized LAS (from central >> commune)

Land Law in 2003:

- Defining the whole people ownership on land
- Resolve complicated history on land
- Land Finance Management established
- Administrative Reform in LA
- Settlement of land disputes and complaints.

Land Legislation Construction in Vietnam (4)

Projects supporting Vietnam Land Administration System:

SEMLA (Sida) 2006-2009

Vietnam Land Administration Project (WB) 2008-2013

Capacity Building (Landgate - Australia)

Main Characteristics of Land Issues (1)

A Complicated History

Big changes in land use and land user

LAS: not yet established

Lack and no Consistency of cadastral documents

Political system changes >> **land issues to be more complicated**

Changes in economic system >> **Land use right to be re-considered**

Main Characteristics of Land Issues (2)

Awareness on land management built on administrative principle
not appropriate with a civilian society

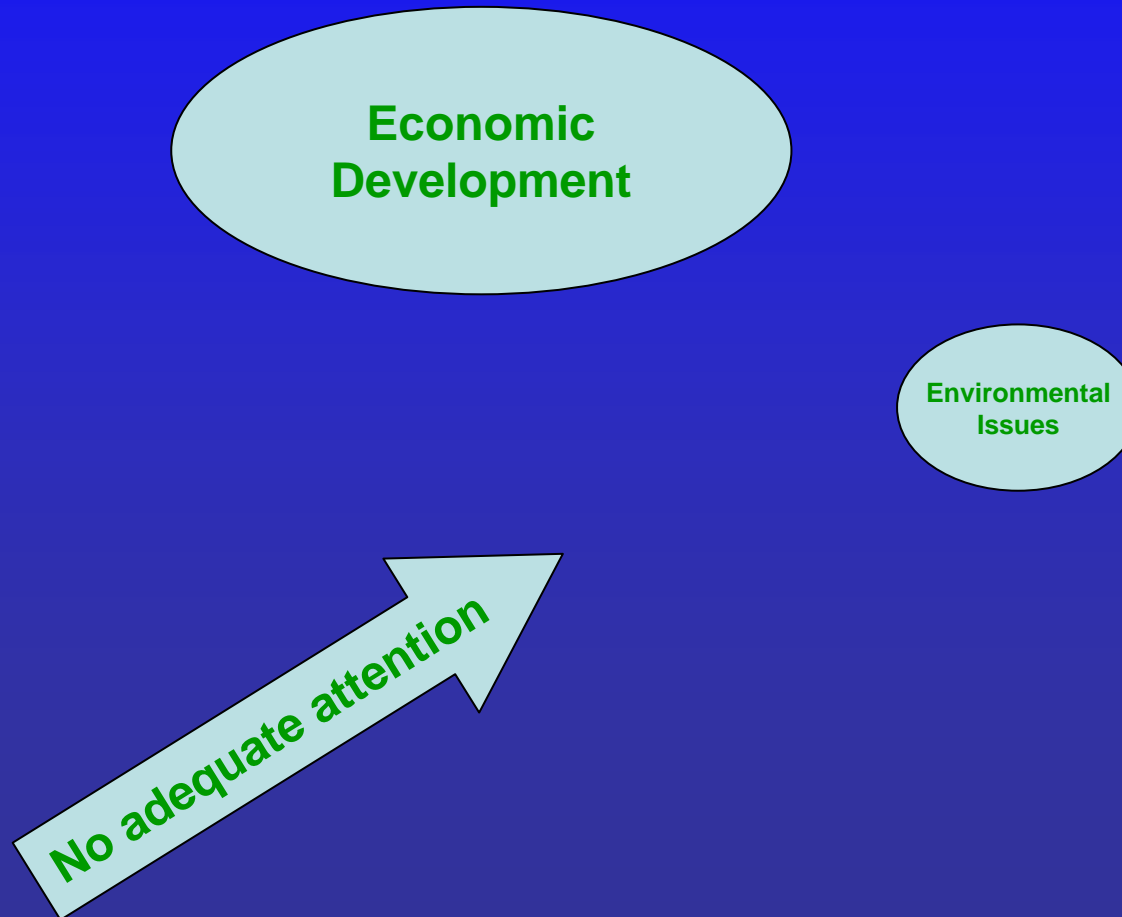
Govt. authorities: different for Land and real-estate management

No Integrated Management System

Gaps and Overlaps in land management system

Main Characteristics of Land Issues (4)

Environmental Issues and Economic Development



Renovation of Land Legislation ...

Privatization Ownership on Land

Land Legislation and Environmental Protection

Transparency LAS

Access to land from foreign investor

Conclusion

Land Legislation in developing countries
incompleteness, unclear

A Good Land Administration System

Require:

- >> A good Land Legislation System
- >> Long term vision on economic development
- >> Long term vision on environmental protection



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Land Administration,
not only see the world, but see it in a new light !

Thank you very much for your kind attention !