

**Lao People's Democratic Republic**  
**Peace Independence Democracy Unity Prosperity**



**Prime Minister's Office.**

**No/: 06/PMO**  
**Dated: 30May 2007**

**Resolution of the National Land Meeting 07---08<sup>th</sup> May 2007**

The national land meeting organized on 7-8<sup>th</sup> May 2007 in Vientiane under by H.E. Bouasone BOUPHAVANE, Chairman of the party, Prime Minister of Laos PDR. The objectives of this meeting were to discuss and exchange ideas each other and the implementation of land policy, land allocation and tiling in the last ten years and to set the strategic direction for work on land issues in the years to come. This meeting was the first to focus on land in the history of Laos PDR. The participation of the party and government at the central and local levels, included the Deputy Head of the National Assembly. Legal commissioners, Economic and political Commissioners, People's Supreme Court, Public Prosecutor of the People's Supreme Court, Ministers. Head of the Authorities (at the same level of Ministries) Head of the Party Organization Committees at the central levels. Deputy Chairman of the National Construction Front. Head of the Mass Organizations the provincial Governors, the Vientiane Capital Governors, Heads of the NLMA, at central and local levels, and different sectors related to land management whole the country (total 158 people, including 5 women).

Through the meeting had conducted for two days, the meeting got discussion of H.E. Bouasone BOUPHAVANE, chairman of the party, Prime Minister of Laos PDR. Report of H.E. Kham Ouane BOUPHA Minister of Prime Minister's Office, Head of NLMA and approval research of delegation about implementation of land, land allocation and titling in the last ten years (20006 to 2010) that made this meeting achievement in purpose to expectation of meeting.

**The meeting unanimously agreed the following points:**

**I. Strategic view and Understanding**

1. Recognize the importance of strategic position and roles of land and natural resources to the cause of protecting and developing our nation into a strong country with a sustainable and continuous socioeconomic growth, well-off population, and a peaceful, civilized and justice society.
2. Clearly recognize the actual and current status of existing conditions of the country's land and natural resources, particularly the condition of its land, forest, water and biodiversity resources which have been gradually and seriously degraded and destroyed through different means and ways. The main reason for such degradation is because land has been utilized without any prior-proper planning and allocation and being managed according to its suitability. This has led to excessive harvests and exploitations of natural resources exceeding its carrying capacity and hence not able to naturally regenerate itself.
3. Recognize that there is a critical need to effectively manage, protect, conserve, and develop and to both directly and indirectly utilize land and natural resources

as well as the need to ensure that the integrity of natural environment is not being destroyed.

4. Recognize the essential need for undertaking appropriate survey, zoning, classification, planning and mapping of every piece of land and natural resources found in the country.
5. Special care must be given priority first to the duty of ensuring the proper management and conservation of land, natural resources and natural environment as the most basic and critical mandate whereas the issue related to sustainable development and utilization of land and natural resources should be seen as an important one but only as a secondary one.

## **II. Strategic directions for land sector**

With reference to the national economic and social development plan in line with the elaboration of Party resolution of 8<sup>th</sup> Congress of Lao Revolutionary Party and the unanimous agreement to the conclusion and observation made related to the implementation of land policy and to the implementation of the national programme on re-adjustment and allocation of land and forest rights and issuance of land titles during the past 10 years. Based on the results from studying achievements and pending issues and the impacts of not properly implement the policy and legislation as well as all the steps needed to be taken as specified, the meeting fully agreed to recommend overall strategic policy direction related to land sector as follows:

1. Special care must be given to the management, protection, conservation, development and utilization of the nation's land and natural resources in such a way that they create greatest benefits to the nation while increasing and building up their abundance and richness.
2. Create systems, mechanisms and measures to both directly and indirectly manage, protect, conserve, develop and utilize land and natural resources in a scientific and effective way, without degrading or destroying land and natural resources and not creating any negative impacts to economy, society and environment. At the same time, there must be strict adherence to the utilization measures related to land and natural resources which have to be effectively managed according to the rule of laws.
3. There is a need for an increasing higher role of duties related to managing, protecting, conserving, developing and utilizing land and natural resources, by involving all the concerned sectors and local authorities to pay special attentions to these duties in order to ensure that land and natural resources are stably, equitably and fairly managed as specified in the articles 9 and 10 of the Land Law.

## **III. Implementation Measures:**

### **a.) Measures to be implemented**

In order to achieve the strategic objectives identified for land sector during the new era of country development, the meeting is unanimously agreed on measures to be implemented are as follow:

1. to accelerate the study and drawing up of clear and detailed policies on land and natural resources, by getting broader society to aware and realize about the position, role and importance of land and natural resources in overall state administration system and in the cause of both current and long-term future socioeconomic development and environmental protection potentials in the country.
2. to study and amend all legislations that related are to land and natural resources which are not yet in consistent with reality or which cannot be implemented and which do not bring any benefits to the state, to the community, physical individuals and legal persons, particularly those legal articles of other laws which are inconsistent with the land law. Moreover, there is also a need to develop new set of draft laws that are found to be necessary such as: National Code on natural resources/Natural Resource Management. At the same time, there are need to disseminate and educate the popular society to be aware, obedient and implement promulgated policies and legislation related to land and natural resources through the form of organizing meetings, technical seminars, media broadcastings and translating them into school curriculum.
3. to emphasize on activities related to survey, data collection, land adjustment and allocation, land use zoning and classification, land mapping and development of land use master plans for planning in management, protection/conservation, development and utilization of land and natural resources at both local, regional and national levels. These plans have to be produced in cooperation and coordination between Land Management Authorities (of all levels), line sectors concerned who are responsible for technical management of their sectoral land and local government authorities concerned for the submission to the government and national assembly for consideration and approval.
4. Each line sector which is responsible for technical management of its sectoral land must create administrative units at both central and local levels to be directly responsible for actual technical administration and supervision of all development and utilization activities related to their sectoral land in accordance to the specified land use objective and intentions of the laws and regulations.
5. to suspend of all land leases and concessions of a size larger than 100 hectares and above for both local and foreign investors which are targeted for growing industrial tree crops or short rotation cash crops. Land lease and concession permits can still be obtained only for land area of less than 100 hectares in size but only for the purpose of be used as nursery sites for distributing seedlings to local population or to be used as demonstration areas, but only in areas of denuded or degraded status and cannot be naturally self-rehabilitated.

For those lease and concession investment proposals that are interested in industrial tree or other crash crop plantations, the government do welcome them and encourage them to use 2+3 model. However, case-by-case basis will be used while considering its approval.

In the case of 2+3 concession model, local population will have their own land and labour resources as contribution to the joint-investment deal while investors will be responsible for providing additional capital, technologies and seedlings and markets to the local population as their contribution to the joint-investment deal.

6. In the case of land lease and concession projects that have already been approved/authorized or under implementation process will all be subjected to be re-evaluated whether they were authorized or implemented correctly or not according to the official procedures, state objectives and inconsistency with promulgated laws and regulations as well as whether they have any severe negative environmental and social impacts or not so that they are subsequently reported to the government for its consideration and actions.
7. Related to the objective of land adjustment, house settlement and livelihood improvement for rural communities, priority actions should be given to internal resettlement planning within province concerned which should applying the principle approach of integrating number of small communities into a larger village or cluster of villages. Whereas in urban areas, the primary objective of land adjustment and resettlement is to resolve and clean up dirty and move congested settlement communities to new allocated land areas. In both cases, there must be guarantees for targeted population to have adequate access to employments and a place to farm or earn secured livelihood and have good opportunities to improve their quality of life. In any cases, no any sporadic and unregulated evictions, unplanned and unauthorized settlements from local government authorities concerned should be avoided. Whereas intra-provincial resettlement can also be made but must be discussed in details between provincial authorities concerned and to be reported to the government for approval.
8. to inspect all land that are illegal occupied and utilized by organizations, legal persons, individuals persons whose include both government officers, military personal, policeman, and ordinary people. If it is found that there were any irregularities in any land possessions or uses or such acts are not accordance to prescribed laws and regulations such acts must be strictly resolved according to prescribe legislations.
9. to increase the speed and to expand land titling exercise to cover every province, district and village of the country, which should include both urban, sub-urban and rural areas. The objective of this exercise is to ensure that every piece of land in the country has been totally registered and enable to meet the main purposes of land titling exercise such as: (1) to contribute to the poverty eradication efforts of the people. (2) to certify permanent land use rights, and response to policy related to turning land into capital assets. (3) to increase the value added of every piece of land. (4) to encourage and facilitate land owners and users to comprehensively perform all their duties and responsibilities in exchange of their rights to the state as specified in the legislation.
10. Importance is to be placed on the building up of NLMA's capacity at every level through the development of technical capacity of government officers who should have a good political mentality, honesty, have good technical knowledge and skills, can be assigned to suitable position and who can use modern scientific and

- techniques in carrying out their own duties and responsibilities in order to enable NLMA at every level to become a lead agency responsible for effective coordination with other agencies concerned. At the same time, there should be the availability of suitable regulations, work plan and methodologies for every line agencies and local authorities so that they effectively manage, protect, conserve, develop and utilize land that are under their controls.
11. to promote the use of the state enterprise, the “Land Development and Service” Company in the implementation of programmes related to land development, turning land into capital assets and transaction of land rights so that they will orderly and effectively implemented as prescribed in the legislation.

## **b.) Implementation and Organizations**

### **1. National Land Management Authority (NLMA)**

- To disseminate and elaborate the strategic direction related to land and natural resources into detailed policy, strategic plan, long-term vision master plan, and detailed action plan for land sector from now to the year 2020 and development of five years plan and annual workplans.
- To act as a lead agency responsible for coordinating with all concerned agencies and sectors in the development and amendment of legislation so that these legal instruments are responding to the actuality and real situations and can be effectively put the management, protection, conservation, development and utilization practices of land of every type and natural resources are effectively and objectively put into force as prescribed in the laws.
- To undertake organizational restructuring and staff recruitment of NLMA at both the central and local levels so that a strong institutional capacity will be developed for NLMA at the earliest possible.
- To carry out studies and to collect data and information related to land and natural resources that are found throughout the country to be used as a references for inspection and planning of management and utilization of land and natural resources’
- To undertake surveys and collect needed data and information, land adjustment and allocation, land use zoning, classification and categorization, development of land survey plans and master plans for the planning, management, protection, conservation, development and utilization of land at both the local, regional and national wide levels. These plans have to be coordinate between NLMA and other sectors concerned who are governing the use of land, and local government authorities and they have to be reported to the government and the National Assembly for approvals.
- To facilitate and assist the local governments and agencies in issuing land titles and to perform land right registrations in every village of the country and according to the laws and regulations.
- To create mechanism and systems for inspection and monitoring the use of land and natural resources by both the organizations, individuals, legal

persons, and to timely resolve any occurred conflicts related every type of land use as specified in the land law.

- To cooperate with other line agencies and other international organizations in the search for exchanging and sharing of technical experiences and lessons and for financial cooperations.

## **2. Other Sectors Concerned**

- The Ministry of Agriculture and Forestry, Ministry of communications, Transport, Postal Services and Construction, Ministry of Information and Culture, Ministry of Industry and Commerce, Ministry of Energy and Mining, Ministry of National Security, Ministry of Protection of the peace, the different State Committees, and other relate sectors, which manage and use land and natural resources must coordinate with the NLMA in development of regulatory system and installation of measures needed for improved management and use of land allocated to their agencies. Apart from this, they must assist local government authorities in collecting and supplying needed data and information and to implement workplans and to make regular reports to NLMA on the management status of land found under the jurisdiction of their organization concerned and NLMA will use these report to produce a national report on land to the government.
- All organizations such as the party organizations, state organizations, the Lao National Front, business organizations, social organizations and local people have the duties to support, assist and provide information needed by LMA at every level so that it could efficiently carry out their duties related to effective management, protection, conservation, development and utilization of land and natural resources.

## **3. Local Government Authorities (provinces, municipalities, districts and villages)**

- To disseminate information and educate government officials, armed forces and local people so that they have understanding, provide cooperation and assistance and correctly perform their rights, responsibilities and obligations related to land and natural resources management as specified in the laws.
- To completely organize, restructure and supplying and placement of staffs for local LMA office at every levels so that they can effectively and completely implement their designated mandates and duties.
- Allocate appropriate budgets, supply necessary equipments, tools, vehicles and offices to LMA at relevant level.
- To support the various sectors under their area of responsibility and to provide supports and coordinations with concerned LMA in surveying and collecting data and information, land adjustment and allocation, land use zoning, classification and categorization in their area of responsibility for

the submitting proposals to NLMA which in turn will further submit it to the government for approval.

- To create conditions for LMA to enable to develop land maps and plans, to register land rights, issue land titles throughout their concerned area of responsibility.
- To organize and supervise the systematic inspection and monitoring exercises on the management, protection, conservation, development and utilization of land and natural resources so that they are strict adherence to laws.
- To organize a strictly enforcement of the implementation of all laws related to the land and natural resources promulgated by the government. At the same time to also praise and appreciation should be given to those who are working exceptionally well, and make sure that punishment measures should be strictly applied to those who abuse the system, according to prescribed legal procedures, as well as promote the quick use of administrative system in resolving cases according to prescribed laws and regulations.

The meeting has expressed their thanks and heartfelt congratulation to both the party, administrations of both central and local levels and all ethnic people as well as international organizations and both local and foreign enterprises that has actively contributed to the past successes of management, protection/conservation, development and utilization of land and natural resources.

The meeting has expressed its highest thanks and gratefulness to both the party and state leaders for their assistances, supports and close supervisions that have been provide for the preparation and organization of this national meeting on land.

The meeting has also gratefully thanks to H.E Bouasone Boupavanh, member of Polit Bureau, Prime Minister of Lao PDR. for his participation as the Chairperson and directing the meeting to achieve its targeted objectives and it also thanks to the Vice President of the National Assembly, delegates and honorable guests from both the central and local level agencies who has recognize the importance of this meeting and actively participate and provided their useful and valuable comments and ideas to this very historic and fruitful and successful meeting.

Signed by the Chairperson

H.E Bouasone Boupavanh