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

Prof. Dr.Sc. Dang Hung Vo
Vietnam Association of Geodesy - Cartography - Remote Sensing

M.Sc. Ngo Duc Mau
Vietnam Land Administration Project (VLAP)
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

- Economic Development
- Environmental Issues

No adequate attention
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
Land Administration,
not only see the world, but see it in a new light!

Thank you very much for your kind attention!