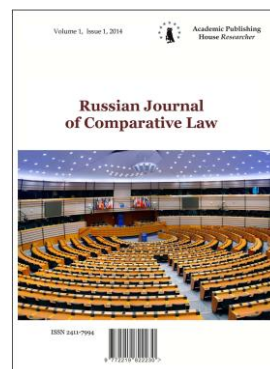


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Law in Recovery of Agricultural Land to Develop Socio-Economic for National and Public Interest of Vietnam Nowadays: Reality and Petition for Changes

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Abstract

The research focuses on analyzing the content of Land Law 2013 about recovery of agricultural land to develop socio-economic for national and public interest of Vietnam, which includes: Firstly, cases of agricultural land recovery by the State to develop socio-economic for national and public interest; secondly, the competence of state agency in decision of land recovery to develop socio-economic for national and public interest; thirdly, procedures applied for agricultural land recovery to develop socio-economic for national and public interest; fourthly, compensation upon land and land-attached assets for people whose agricultural land is recovered. Besides, this research also elucidates limitations raised from reality of executing these law provisions, then petition for modification with a view to completing Land Law 2013 following the direction of ensuring more and more interests for people whose agricultural land is recovered.

Keywords: recovery of agricultural land; cases of recovery agricultural land; competence to recover land; procedures for agricultural land recovery; compensation upon land recovery by the State.

1. Introduction

Recovery of agricultural land is a special content in Land Law of Vietnam which has been stipulated throughout Land Law 1987 ([Land Law, 1987](#)), Land Law 1993 ([Land Law, 1993](#)), Land Law 2003 ([Land Law, 2003](#)) and now Land Law 2013 ([Land Law, 2013](#)).

Due to the swiftly development of the economics and society in Vietnam this times ([World Bank, 2017](#)), recovering a large number of agricultural land in serving the benefit of community, industrial development and service is unavoidable. Simultaneously, this is also the important base which contributes in founding the premise for the socio-economic development of Vietnam following the process of industrialization and modernization ([Ministry of Natural Resources and Environment, 2012](#)). However, the weakness in Land Law 2003's provisions of recovering land has lead to several negatives such as: mass number of land recovery but land has not been used which soon creates uncultivated land situation; inappropriate land compensation; insufficiency of land recovery publicity; ... which makes complaint and proceedings situations more complex along with a huge numbers and length ([Duc Le Van, 2011](#)). Besides, in a more serious level, many opposed cases using violence have appeared by people whose land was recovered. A typical case was the enforcing land recovery of Mr. Doan Van Vuon in Tien Lang district, Hai Phong city ([Nghia Pham Duy, 2012](#)), which affects negatively to the stability and development of the country's socio-

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economic. In Land Law 2013, the provisions about agricultural land recovery have been modified following the direction of narrowing down the situations of land recovered by the State, better procedures for land recovery and land, ensuring benefit of people whose land was recovered with compensation of land as well as property damages after the recovery by the State. Though, in implementing reality, those provisions in Land Law 2013 have showed limitations which require modification and addition. These issues will be fully stated in the article.

2. Document and study method

2.1. The research is executed on the current and former provisions of Vietnamese Law about agricultural land recovery. It is also executed by referring some public research such as: “*Mechanism of land recovery by the State and voluntary land transfer in Vietnam*” (World Bank, 2011), “*Case of Doan Van Vuon – a perspective from the press and communication in Vietnam*” (Nghia Pham Duy, 2012) “*Effects of land recovery to land capitalization in Vietnam*” (Thanh Nguyen Quang, 2017), “*The Legal Nature of Land Use Rights in Vietnam*” (Luan Thanh Nguyen, Ngoc Thi Ha, 2018).

2.2. The research is completed by simultaneously using different research techniques such as analysis, general, dialectical materialism, interpretation, comparison, history, to dissect and comment those problems relating to agricultural land recovery in Vietnam.

3. Discussion

The State recovers land means the State decides to recover land use rights from a person that is granted land use rights by the State, or from a land user that violates the land law. This is one of the rights of the State as the national representative in land which is stipulated in Article 54.2 Constitution 2013 and và Article 13.4 Land Law 2013. However, the State is only able to use the right in the cases and procedures prescribed by Land Law 2013.

First of all, the cases of land recovery for socio-economic development in the national or public interest have been stipulated in Article 62 Land Law 2013 as follows:

- Implementation of projects of national importance which are approved in principle by the National Assembly for which land must be recovered;

- Implementation of projects which are approved or decided by the Prime Minister, including:

- + Projects on construction of industrial parks, export processing zones, hi-tech zones, economic zones, new urban centers; investment projects funded with official development assistance (ODA) capital;

- + Projects for construction of national technical infrastructure including transport, irrigation, water supply and drainage, electricity and communication facilities; oil and gasoline pipelines and depots; national reserve warehouses; facilities for waste collection and treatment;

- Implementation of projects which are approved by provincial-level People’s Councils for which land must be recovered, including:

- + Projects on construction of offices of state agencies, political and socio-political organizations; ranked historical-cultural relics and scenic spots, parks, squares, statues, monuments, and local public non-business facilities;

- + Projects on construction of local technical infrastructure including transport, irrigation, water supply and drainage, electricity, communication and urban lighting works; facilities for waste collection and treatment;

- + Projects on construction of common activities of the communities; projects on resettlement, dormitories for students, social houses, and public-duty houses; construction of religious institutions, public culture, sports and entertainment and recreation centers; markets; graveyards, cemeteries, funeral service centers and cremation centers;

- + Projects on construction of new urban centers and rural residential areas; on improvement of urban areas and rural residential areas; industrial clusters; concentrated zones for production and processing of agricultural, forestry, aquaculture and seafood products; and projects on development of protection forests or special-use forests;

- + Mining projects that are licensed by competent agencies, except mining of minerals for use as common construction materials, peat, and minerals in scattered and small mining areas, and salvage mining.

Besides, in order to recover agricultural land to develop socio-economic for national benefit, we need to base on the annual district-level land use plans which are approved by competent state agencies and the land use schedule of the projects.

In comparison to Land Law 2003, Land Law 2013 has clearly stipulated and narrowed the scope of the cases which recovers agricultural land to develop socio-economic for the benefit of nation and community. Consciously, the cases: the State recovering agricultural land for national defense or security purpose and socio-economic development in the national or public interest (stipulated in Land Law 2013) are necessary events that in need of land recovery for the general interest of the country. Another noticeable point is that Land Law 2013 only assigns for the State stipulating more cases of land recovery due to violations of land law land recovery (Article 64) and land recovery due to termination of land use in accordance with law, voluntary return of land or risks of threatening human life (Article 65). The specific cases of land recovery for socio-economic development in the national or public interest is only stipulated by the National Assembly in Land Law 2013. This has shown the attempt in narrowing scope of land recovery cases by the State, preventing the arbitrariness in stipulating more land recovery cases while former land recovery for economic development objective had been abused to recover land in a mass and easy way (Thao Nguyen Phuong, 2013).

Apart from the mentioned cases above, utilization of agricultural land in executing projects, business production in accordance with the land use master plans and plans approved by competent state agencies is implemented following concept of voluntary land transfer without intervention from the State in order to bring about the equality between people whose land is recovered and investor (World Bank, 2011). Therefore, the investors may receive the transfer of, or lease, land use rights, or receive land use rights contributed as capital and encourage investors to rent land use right, receive land use rights contributed as capital from economics organization, households, individuals with a view to executing projects, business production plan. A problem may occur is that people whose land is recovered and investors do not come to any agreement due to the reason of land owners tending to push up the price, which makes the voluntary land transfer mechanism hard to be effective (Truong Luu, 2016). In fact, since Land Law 2013 became effective, agricultural land recovery still took place more popular than voluntary land transfer, specifically: According to figures summary of 34 provinces, municipalities which sent reports to Ministry of Resources and Environment 2014, regions had executed 2.194 constructions, projects with the total amount of land compensation, land clearance was 7.882 ha while agricultural land accounted for 6.810 ha (Ministry of Natural resources and Environment, 2015). In the next time, it's necessary to boost the implementation of voluntary land transfer in replacement to land recovery by the State to execute projects, business productions because this is the best solution to balance the economics advantage between people whose land is recovered and investors. From that we can thoroughly solve the contradictions, conflicts arose during these times and reach the target of building a socialist-oriented market economy.

Second of all is the competence to recover agricultural land in developing economic, society for national and public interest.

The competence to recover land in general and agricultural land in particular is belonged to official government agency. Basically, the competence to recover land is stipulated in Land Law 2013 as well as Land Law 2003, specifically:

(i) Provincial-level People's Committee may decide on land recovery in the following cases: Recovery of land from organizations, religious institutions, overseas Vietnamese, foreign organizations with diplomatic functions, and foreign-invested enterprises, recovery of agricultural land which is part of the public land funds of communes, wards or townships;

(ii) District-level People's Committees may decide on land recovery in the case of recovery of land from households, individuals and communities.

However, Land Law 2013 already had the simplicity about the competence to recover land more than Land Law 2003 in the case of land recovery region included the subject who belongs to land recovery competence of provincial-level People's Committee and district-level People's Committees. As the provision in Land Law 2003 and Article 31.2 Decree 181/2004/NĐ-CP of the State about Land Law implementation (Decree 43/2014/ND-CP, Art.31.2), provincial-level People's Committee determines to recover all the land area in this case, then bases on the decision of recovering all land area by district-level People's Committees to recover the particular land area

toward to each household, individual. This is obviously more verbose and complex than provision of Land Law 2013 which is provincial-level People's Committee deciding to recover land or granting power to district-level People's Committees to recover land.

Third of all is about procedures for land recovery for socio-economic development in the national or public interest.

Procedures for land recovery are stipulated in Land Law 2013 as follows:

Firstly, the making and implementation of plans for land recovery, investigation, survey, measurement and inventory are prescribed as orders:

- The People's Committee having competence to recover land shall issue a notice of land recovery. Competent state agencies must inform to individual, household whose agricultural land is recovered at least 90 days before having the decision on land recovery. The notice of land recovery must be sent to every land user whose land is recovered, publicized in the meetings with people in the recovered area and through the mass media, posted up at offices of the commune-level People's Committee and at common public places of the residential areas of which land is recovered;

- The commune-level People's Committee shall coordinate with the organization in charge of compensation and ground clearance to implement plans for land recovery, investigation, survey, measurement and inventory;

- Land users shall coordinate with the organization in charge of compensation and ground clearance in conducting investigation, survey and measurement of land area and other land-attached assets to develop plans for compensation, support;

- In case the land users in the recovered area do not cooperate with the organization in charge of compensation and ground clearance for investigation, survey, measurement and inventory, the commune-level People's Committee and Vietnam Fatherland Front in the locality and the organization in charge of compensation and ground clearance shall mobilize and persuade the land users to cooperate.

If the land users still do not cooperate with the organization in charge of compensation and ground clearance within 10 days after the mobilization and persuasion, the chairperson of the district-level People's Committee shall issue a decision on compulsory inventory. Land users whose land is to be recovered shall comply with that decision. In case the land users do not comply with the decision, the chairperson of the district-level People's Committee shall issue a decision on enforcement of the decision on compulsory inventory and organize the enforcement. The enforcement is conducted in a public, democratic, objective, orderly, safe and lawful manner. The times of starting the enforcement fall in working hours. Simultaneously, the enforcement of a decision on compulsory inventory may be conducted when all the following requirements are met:

- + Land users whose land is to be recovered do not comply with the decision on compulsory inventory after the mobilization and persuasion by the commune-level People's Committee, Vietnam Fatherland Front and the organization in charge of compensation and ground clearance.

- + The decision on enforcement of the compulsory inventory decision is posted up publicly at the office of the commune-level People's Committee and at common public places of the residential area of which land is recovered.

- + The decision on enforcement of the compulsory inventory decision has taken effect.

- + The person who is to be coerced has received the effective decision on enforcement. In case the person who is to be coerced refuses to receive the decision on enforcement or is absent when the decision on enforcement is delivered, the commune-level People's Committee shall make a written record of delivery.

The order and procedures for executing the decision on enforcement of compulsory inventory are prescribed as follows:

- + The organization assigned to conduct the enforcement shall mobilize, persuade and organize dialogues with, the coerced people;

- + In case the coerced person complies with the decision on enforcement, the organization assigned to conduct enforcement shall make a written record to acknowledge the compliance, and conduct investigation, survey, measurement or inventory.

- + In case the coerced person fails to comply with the decision on enforcement, the organization assigned to conduct the enforcement shall execute the decision on enforcement.

Secondly, execution of compensation, support to people whose agricultural land is recovered.

The organization in charge of compensation and ground clearance shall make the plan for compensation, support and coordinate with the commune-level People's Committee in the locality to conduct consultations on the plans for compensation, support and resettlement in the forms of meetings with land users living in the recovered area, posting up the plan for compensation, support and resettlement at offices of the commune-level People's Committee and at common public places of the residential areas of which land is recovered. The consultation results must be recorded in minutes which are certified by representatives of the commune-level People's Committee and Vietnam Fatherland Front, and land users whose land is recovered. Simultaneously, the organization in charge of compensation and ground clearance shall make a written summarization of opinions which clearly specifies the numbers of opinions for, against and other opinions regarding the plans for compensation and support. Coordinating with the commune-level People's Committee in the locality in organizing dialogues with those who have objections on the plans for compensation, support and improve the plans for compensation, support for submission to competent agencies. Competent agencies shall appraise the plans for compensation, support and resettlement before submitting them to the competent People's Committee for decision on land recovery and a decision on approval of the plans for compensation, support and resettlement in the same day.

After that, the organization in charge of compensation and ground clearance shall coordinate with the commune-level People's Committee to publicize and post up the decision on approval of the plans for compensation, support and at the commune-level People's Committee offices and at common public places of the residential areas of which land is recovered. The organization shall send the decision on compensation, support to each person whose land is recovered and that decision will clearly show the level of compensation and support, time and place of payment for compensation or support, time to arrange resettlement land and time to hand over the recovered land to the organization in charge of compensation and ground clearance. The organization in charge of compensation and ground clearance shall implement activities in accordance with the approved plans for compensation, support and resettlement.

The compensation and support upon land recovery by the State to people whose land is recovered includes:

- Compensation for land and remaining investment costs on land when the State recovers agricultural land from households and individuals

Agricultural land compensation means the State returns the value of agricultural land use rights for the recovered agricultural land area to individuals, households in the country. Compensation for agricultural land investment costs include costs for ground fill-up and leveling and other directly related costs that can be proved to have been invested in the land and have not been retrieved by the time the State recovers the land. Compensation is applied to individuals, households who meet the requirement for compensation as prescribed by law. Households and individuals using land which is not leased land with annual rental payment, having a certificate of land use rights, or a certificate or being eligible to be granted a certificate under this Law but not being granted that certificate yet.

The compensation is executed by allocating land which has the same usage objective with the recovered land. If there is no land for compensation, money compensation will take place following the particular land price of that kind of recovered land approved by provincial-level People's Committees in the time of land recovery decision.

Compensation for land and remaining investment costs on land when the State recovers agricultural land from households and individuals is stipulated as follows:

+) Agricultural land area to be compensated includes the area within the allocation quotas for agricultural land without collects money and the area received in the form of inheritance;

+) Agricultural land area exceeding the allocation quotas for agricultural land without collects money is ineligible for compensation for land but is eligible for the remaining investment costs on land;

+) The area of agricultural land by receiving or transferring land use right which exceeds the quotas before Land Law 2013 taking effect by inheritance, being given, lease of land use rights from others as prescribed in Law and meets the requirements for compensation will be compensated, supported following the real area of land being recovered by the State. If land user does not have certificate of land use rights or meet the requirements to be granted certificate of land use rights

and other land-attached assets can only be compensated towards the land area in agricultural land allocation quotas. To the agricultural land area which exceeds the agricultural land allocation quotas, it will not be compensated with land but to be considered in support.

+) For agricultural land which was used before July 1, 2004, of which land users are households and individuals directly engaged in agricultural production but have not been granted a certificate or not being eligible to be granted a certificate of land use rights and ownership of houses and other land-attached assets under this Law, the compensation must be made for the land area which is actually used and does not exceed the agricultural land allocation quota.

- Principles of compensation for damage to assets and damage incurred due to production upon land recovery by the State.

If land-attached assets are damaged upon land recovery by the State, lawful owners of those assets are entitled to compensation as follows:

+) For annual crops, the compensation must be equal to the output value of the harvest. The output value of the harvest is the highest yield of the harvests in the preceding 3 years of the local main crop and the average price at the time of land recovery.

+) For perennial crops, the compensation must be equal to the current value of the planting area calculated in local prices at the time of the land recovery, excluding the value of land use rights.

+) For plants which have not been harvested yet but can be brought to another location, the transportation cost and the actual damage due to the transportation and re-planting must be compensated.

+) For planted forests funded by the state budget and for natural forests allocated to organizations, households and individuals for planting, management, growing or protection, the value of the actual damage must be compensated. The compensation amount must be divided to those who manage, grow and protect the forests in accordance with the law on forest protection and development.

+ For aquatic livestock which are due to be harvested at the time of land recovery, no compensation must be made.

+) For aquatic livestock which are not due to be harvested at the time of land recovery, the actual damage due to the early harvest must be compensated. In case the aquatic livestock can be brought to another location, the transportation cost and the damage caused by the transportation must be compensated. The specific compensation amount must be determined by provincial-level People's Committees.

- Support upon land recovery by the State.

It means the State provides assistance to those whose land is recovered, in order to stabilize their livelihood, production and development.

+) Support for stabilizing livelihood and production: Support for stabilizing livelihood by money of 30 kilograms rice in 1 month following the average price in the time supported by locals; Support for production such as tree seed, animal breed for agricultural production, services of encouraging agriculture, forestry, services of plant protection, veterinary, cultivating technique,...

+) Support for training, occupation change and job seeking for cases of recovery of agricultural land from households and individuals directly engaged in agricultural. If a person who is supported in occupation change and job seeking in labor age has demand to be educated in job, he/she will be accepted in job training center; supported in job seeking and bonus credit capital borrowing to develop production, business.

Thirdly is enforcement of agricultural land recovery.

In case the land users fail to comply with the decision even after the mobilization and persuasion, the chairperson of the district-level People's Committee shall issue a decision on enforcement of land recovery and organize the enforcement. Besides, the enforcement must be in accordance with stipulations as enforcement of compulsory inventory and it can only be executed when it meets these requirements:

+) The person whose land is to be recovered fails to comply with the land recovery decision after the mobilization and persuasion by the commune-level People's Committee and Vietnam Fatherland Front in the locality and the organization in charge of compensation and ground clearance.

+) The decision on enforcement of the land recovery decision is posted up at the office of the commune-level People's Committee and at common public places of the residential area of which land is recovered.

+) The decision on enforcement of the land recovery decision has taken effect

+) The person who is to be coerced has received the effective decision on enforcement.

In case the person who is to be coerced refuses to receive the decision on enforcement or is absent when the decision on enforcement is delivered, the commune-level People's Committee shall make a written record of delivery.

The chairperson of the district-level People's Committee issues the decision on enforcement of the land recovery decision, and organizes the execution of the decision. Order of implementing enforcement on land recovery as follows:

+) Before executing the enforcement, the chairperson of the district-level People's Committee shall decide to establish an enforcement board.

+) The enforcement board shall mobilize, persuade, and conduct dialogues with, the coerced persons. If the coerced persons comply, the enforcement board shall prepare a written record to acknowledge the compliance. The land must be handed over within 30 days from the date of making the minutes. In case the coerced person fails to comply with the decision on enforcement, the enforcement board shall execute the enforcement;

+) The enforcement board has the power to ask coerced persons and related people to leave the coerced areas and to move their properties out of the land areas by themselves. If these people fail to comply, the enforcement board shall move the coerced persons, related people and their properties out of the areas. In case the coerced person refuses to receive their properties, the enforcement board shall make a written record, preserve the properties in accordance with law, and notify the properties' owners to get the properties back.

In general, Land Law 2013 has a movement in compared to Land Law 2003 when the procedures of land recovery in developing socio-economic for national and public interest are stipulated in a clear and particular way in order to avoid arbitrariness when executing land recovery procedures of competent authorities. At the same time, land recovery procedures in Land Law 2013 had emphasized the communication and voluntary in returning land of people whose land is recovered, enforcement can only be taken place when the mobilization and persuasion to those people are not effective.

Even though, when the State recover agricultural land in reality to develop socio-economic for national and public interest, it's enforcement method that mostly takes place (Hoang Do, 2016; Dai Quang, 2017; Dung Hoang, 2018; Nguyen Khoi, 2018). The basic reason that leads to this situation is that the land price for compensation prescribed by the State when agricultural land recovery happens is still very low in comparison with other types of land and land price on the market. Specially in the construction plan of building new urban area, new rural inhabitant, urban decoration, rural inhabitant when agricultural land recovery happens, people whose land is recovered will be compensated with low price, however when investors finishes the plans or even just allots portion to sell land, the area of recovered land is still the same but the price is very high. This difference price can be up to thousands time. *Example:* The land area in the plan: New urban area in North East, zone 1, Phan Rang – Thap Cham city is identified as agricultural land which had been executed enforcement of land recovery. Currently, investors have not completed compensation procedures and infrastructure technique but they are actively allotting land portion to sell with the price of 10.000.000đ/m² (approximately 430 USD) while they only compensates for people whose land is recovered with the price of 60.000đ/m² (approximately 2.6 USD) (Binh Thai, 2017) and many other plans (Le Hoang Hoa, 2017; Bang Nhiet, 2018). It's clearly that people whose land is recovered are disadvantaged in economics benefit so that the way they are not willing to hand in land is quite understandable. Besides, the low price of compensation will advantage investors so that arises the avoidance in agreement with agricultural land users to have land for plan execution and combination with government agencies through negative methods such as bribe in executing land recovery.

The price of land for compensation when land is recovered by the State prescribing in Land Law 2013 is the result of modification in Land Law 2003 on the following contents:

First of all, it has been added with Article 112 stipulating about land price valuation:

(i) based on the lawful land use purpose at the time of land valuation;

(ii) based on the land use term;

(iii) being suitable with the popular market price of transferred land with the same land use purpose, or winning price in auctions of land use rights in case of organizing auctions of land use rights, or the income earned from land use;

(iv) at a time, the adjacent land parcels with the same land use purpose, profitability and income earned from land use have the same price. The Government shall prescribe land valuation methods such as direct comparison method, the subtraction method, the income-based method, the surplus-based method, the method using land price coefficient ([Decree 43/2014/ND-CP, Art.4, 5](#)).

Second of all, it has been added with stipulation in Article 113 about land price frames. The Government shall promulgate land price frames once every 5 years for each type of land and for each region. During the implementation of land price frames, if the popular price in the market increases 20 % or more over the maximum price or reduces 20 % or more below the minimum price prescribed in land price frames, the Government shall adjust land price frames accordingly.

Third of all, it has been modified about the provision in building land price tables, Article 114 Land Law 2013: *“Based on the principles, methods of land valuation and land price frames, provincial-level People’s Committees shall develop and submit the land price tables to the People’s Councils of the same level for review before promulgation. Land price tables shall be developed once every 5 years and publicized on January 1 of the beginning year of the period”*. Moreover, when building the projects prescribing about cases of adjusting land price tables, two projects are raised: (i) adjusting when market price has particular change in a particular point of time (changing over 20 % compared to land price table and changing time exceeds 60 days); (ii) adjusting in a particular time (05 years). Obviously, the first project follows the happening of market more than the second one which has been chosen ([Thuy Hoang Thi Bien, 2013](#)).

In general, the way of valuating land in Land Law 2013 though has much more improvement, however, it has not tightly followed the fluctuation of market. The reason lies in agricultural land market still operating in a feeble speed and having no organization so that it can hardly gather the trustful information about land price, excepts for having stipulated price from land price table of provincial-level People’s Committees ([Chau Chan Thi Minh, 2011](#)). Hence, it is necessary to have an adjustment, modification of provisions in Land Law 2013 about land price following the direction that it equals the land price on the market to become the base for compensation to people whose agricultural land is recovered.

4. Results

From the analyzed contents above, this research has construed and clarified the matter and practical execution of currently law provisions about agricultural land recovery to develop socio-economic for national and public interest of Vietnam which are cases of agricultural land recovery; procedures of agricultural land recovery; compensation in land for people whose land is recovered, from that base to propose the petitions for completing these provisions of Land Law 2013 more and more.

5. Conclusion

Overall, though provisions about cases of land recovery in Land Law 2013 have been much more narrowed in comparison to Land Law 2003, it is still now allowing many subjects who have competence to recover land as well as many other cases of land recovery, especially recovering for economic development. About the utilization of land recovery mechanism to execute the projects serving the economic development, a well-known argument used by farmers in land dispute happened during 10 years of implementing Land Law 2003 is that: If the state recovers land to construct public facilities, schools, hospitals, cemeteries,..., people will be willing to follow the recovery decision and receive money for compensation as in price frames of the State. However, if the State recovers land for businesses to construct urban area, apartment block, people shall be compensated following the agreed price with the business. The State can only stand as an intermediary negotiation but not to use its power to force or damage people. Obviously this argument just should be considered as a general provision of Land Law and can be built with some particular exceptions. However, when we see back in land disputes during these happened times, it is essential to have a modification of stipulations about foundations for land recovery of Land Law 2013, which

follows the direction of limiting then stopping land recovery for projects of economic development – the main cause that leads to several disputes about land between people and the State.

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