Laos Legislative Drafting Programme

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Comments on Basse report re admin.

(1) From Bureau du Premier Ministre, Direction de l’Administration et de Fonction Publique - Projet de Reforms Administration / UNDP Project# 07/050/005

Structure of local govt. of 1958/1975

Kampong = village

" monong - urban centers. (ex: "kingdom")

- lowest level of state, directed by a gwent official, rests rel. ct.

Province & rural commune lose financial autonomy.

Basic districts - cantons: 10 = 3 levels: above rural commune, & the villages (bars) = base (village)

= 1,782 villages > 20 families (10,000 pop.) = run by chief elected by yrs.

Can serve for social affairs [e.g. religion] + culture; 2) social affairs; 3) economic affairs

4) security & public order

- Canton: Abt. 12

Taxey = quotient of villages = 2500, 5000, pop. = 922 in 1973

Council of Canton = reps. of villages (chief(s))

All on the Mini. St. Salary

1975-86

Central power = Exec. Chmn. of Party, Govt. + Assembly.

Similar structure at provincial level = est'd pyramid command structure

run by admin. official at Canton (Taxey) level, subject to P’s authority

w/o system of laws/regulations, provincial admin. head = president =

minister/powers fit, provincial admin. budget, collected taxes + made

expenditures/salaries

Ministers’ equivalent begins exercised, policies at, but had practically

no control, over the provincial technical services which remained directly

controlled by district chiefs (elected by team, post Minister); provincial

chief was ‘assisted’ by provincial assembly, popularly elected (abt. 20)

from list nominated by party; Prov. Chief & his staff executed policies

of provincial Party (Prov. Sec. Gen. of P)

1986-91 new strategy

Failure of corps = weak plan results; raised mission by 45% P's conv./1986

- NEP = profound shift, incl. of ec. centers & pub. inv. (1988) for pub in

- reinforced local autonomy; by late 1980s admin. system provoked disturbance

provincial autonomy = nice’d - obstacle to ec. trend; finances lost control

over resources; provincial budgets autonomy amplified inequalities among

provinces; threatened national integrity - tendency to decentralize = P conv. of 1991

1991:

- Constitution = enacted // NEP's centralization finance in MoF thru decree No. 66/PM 28 Aug. 1991

but not all have agreed; new decree signed 21 May 1993

- Frame of reference for different & need local autonomy

- MoF
Res. No. 21: governo, democracy: for recruitment, apply + assignment to concerned Min. in consultation w. Dept of Admin & local author.

No. 171/pm, 9 Nov. 1973 - outline of Govt.

Art 5: No one shall be deprived of his/her fundamental rights under any circumstances.

Art 39: The President represents the laws of the country.

Art 41: The President has the power to dissolve the Parliament.

Art 51: The President can appoint or reject provincial governors and prefects at PM's recommendation.

Art 57: The President can dissolve the administrative organizations.

Art 60: The PM coordinates the work of Governors & Prefects. He appoints

vice governors/chiefs.

Art 63: The President can appoint or reject provincial governors and prefects at PM's recommendation.

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Lao: 16 provinces + Vientiane (capital, 2 provinces, 1 special zone + 134 districts + 113,751 villages. Provinces + districts = organized according to Central Office's Information No. 1237 Dec. 1973. Town budgets are integrated into State budget; once villages. Village chief is elected as candidate. The existing chief is elected by vote for 2 yrs for 3 terms (security, culture, economy) + for environ.

Voting socio-economic, support, win laws, court of final facts + statistics.

Problems:

Unofficial elected chiefs don't have qualifications for job.