

## **Territorialising sustainable development: The politics of land-use planning in the Lao People's Democratic Republic**

Guillaume Lestrelin<sup>1,2</sup>, Jean-Christophe Castella<sup>1,2</sup> and Jeremy Bourgoin<sup>1,3</sup>

<sup>1</sup> Center for International Forestry Research (CIFOR), Bogor, Indonesia

<sup>2</sup> Institut de Recherche pour le Développement (IRD), UMR 220 GRED (IRD UPV Montpellier 3), Montpellier, France

<sup>3</sup> The University of Queensland, School of Geography, Planning and Environmental Management, Brisbane, Australia

\* Corresponding author: Guillaume Lestrelin  
IRD-CIFOR  
PO Box 5992  
Vientiane, Lao PDR  
Tel. +856 20 55 93 94 43  
Email: g.lestrelin@gmail.com

### **ABSTRACT**

Since the emergence of the sustainable development paradigm in the late 1980s, land-use planning has become a key arena for political debates over society–environment interactions and, in practice, an important means for territorialisation projects. The paper reviews the main planning approaches that have been employed over the past three decades in the Lao People's Democratic Republic, a country that has long been a valuable policy testing ground for the proponents of sustainable development. It highlights three concurrent territorialisation projects that have shaped the history of land-use planning and have fuelled tensions between central and subnational governments and local actors, national and foreign institutions, and land suitability and sustainability approaches. The paper argues that the latter tensions reflect an important dynamism and reactivity in the planning arena. It concludes that the capacity of land-use planners to adapt to specific contexts and evolving socioenvironmental challenges should be harnessed in order to reconcile conflicting approaches to planning and, perhaps, to achieve sustainable development.

**KEYWORDS:** land use planning; sustainable development; politics; territorialisation; Lao PDR

## INTRODUCTION

*“Land-use planning is the systematic assessment of land and water potential, alternatives for land use and economic and social conditions in order to select and adopt the best land-use options. Its purpose is to select and put into practice those land uses that will best meet the needs of the people while safeguarding resources for the future.”* (FAO, 1993)

Over the past two decades, the concept of sustainable development has gained important ground in the field of land-use planning (LUP) (Meadowcroft, 1997; Silberstein and Maser, 2000). As a future- and resource-oriented activity, LUP is inherently related to the concept of sustainable development, which concerns the environmental resources and services that humanity should safeguard for future generations (Owens, 1994; Rydin, 1995). As such, LUP has been recognized as a key instrument for achieving sustainable development ever since the concept was institutionalized (WCED, 1987; UN, 1992). In the 1960s and 1970s land-use planners were concerned with assessing land development potential and optimizing land allocation between different economic sectors (e.g., Klingebiel and Montgomery, 1961; FAO, 1976). However, with the emergence of the sustainable development paradigm and the idea that unregulated land development can affect essential environmental services (and, hence, threaten the future of humanity), their objective has shifted to creating a sustainable territorial balance between socioeconomic development and environmental conservation (e.g., FAO and UNEP, 1999; Randolph, 2004).

The emergence of global environmental discourses in the late 1980s and the recognition of the diversity of scales involved in the constitution and potential resolution of environmental issues have also contributed to reshaping the practice of LUP. Issues once considered national, calling for national policy intervention, such as deforestation and desertification, have come to be regarded as global environmental issues requiring international or transnational regulation and mitigation (Adger et al., 2001; Meadowcroft, 2002). However, environmental issues remain consequences of socioecological processes and interactions, which occur at multiple scales and across scales. Thus, dealing with global environmental issues requires more comprehensive approaches to the various levels of social and ecological organization (Adger et al., 2005; Cash et al., 2006). In response to this growing complexity, LUP systems have rapidly evolved worldwide to include a wider range of scales and actors (Meadowcroft, 2002).

With this wider focus, LUP has become a key arena for political debates over society–environment interactions (Healey and Shaw, 1994; Myerson and Rydin, 1994; Owens, 1994; Hillier, 1999). As Whatmore and Boucher put it, LUP represents “an institutional terrain which is deeply implicated in policing the ontological divide between society and nature” (1993: 176), so that related discourses and policies not only attempt to regulate the way land-based resources are used by society but also reflect and contribute to broader efforts to redefine human relations with nature and reshape the meaning of ‘the environment’. Thus, the practice of LUP entails much more than the straightforward, technical exercise suggested by the opening quote from the Food and Agriculture Organization (FAO)

Guidelines for Land-Use Planning (1993). Rather, it is concerned with the territorial projection of particular socioenvironmental perspectives and values.

In that sense, LUP constitutes an important instrument for territorialisation projects. Through LUP, states “divide their territories into complex and overlapping political and economic zones, rearrange people and resources within these units, and create regulations delineating how and by whom these areas can be used” (Vandergeest and Peluso, 1995: 387). More generally, LUP assists the efforts of governments and other actors (e.g., development agencies, nongovernmental organizations [NGOs]) in putting into practice particular socioenvironmental representations and projects, and assigning people and their activities to the ‘right place’ (e.g., Isager and Ivarson, 2002; Buch-Hansen, 2003; Sowerwine, 2004; Peluso, 2005). Thus, LUP is definitely part of the production and reproduction of the social relations of power, since the plans produced serve the dominant political economy as much as they challenge and reshape existing social configurations (Perry, 2003).

This conceptualization is useful as it moves away from normative representations – e.g., the FAO’s definition of LUP as a politically neutral exercise undertaken by well-intentioned experts – and reconnects the practice to the realities of social organization. It also emphasizes the dynamic nature of LUP and leaves scope for a critical approach to the rationales, discourses and social interactions underlying continuation and change in planning practices. As Perry puts it, “planning is always remaking itself as it is embedded in and responds to a world that itself is always in the process of being remade” (2003: 151). The emergence of sustainable development thinking and the associated paradigmatic and practical shifts in LUP are just one manifestation of these dynamic relations.

This paper applies this conceptual lens to better understand the evolution and current status of LUP in the Lao People’s Democratic Republic (Lao PDR). This country has a specific set of characteristics related to sustainable development which have important consequences for LUP. Firstly, natural resources are central to the livelihoods of much of the population. Urbanization is limited and the economy is still very rural, with 73% of the population living in rural areas (GoL, 2006a). In that sense, the interactions between society and nature can be considered more direct and ‘operative’ than in more industrialized countries (e.g. neighbouring China and Thailand), where significant sections of society have shifted towards non-agricultural activities and migrated to cities. Secondly, Lao PDR is ranked among the poorest countries of the world (UNCTAD, 2008) but is rich in ecological terms (UNEP, 2001; Carew-Reid, 2002). The country is considered a potential hotspot for a ‘poverty–environment nexus’ that links poverty and environmental damage in a mutually reinforcing relationship (Dasgupta et al., 2005; World Bank, 2006). With natural resources as a key source of livelihood for a major part of the population and the threat of a downward spiral of poverty and environmental degradation, Lao PDR represents an ideal ‘laboratory’ for policy experimentation aimed at both fostering socioeconomic development and preserving the environment. This situation has attracted a great deal of attention from the international community and, over the past two decades, the number of international development agencies (IDAs) and NGOs involved in rural development, natural resource management and LUP has increased rapidly.

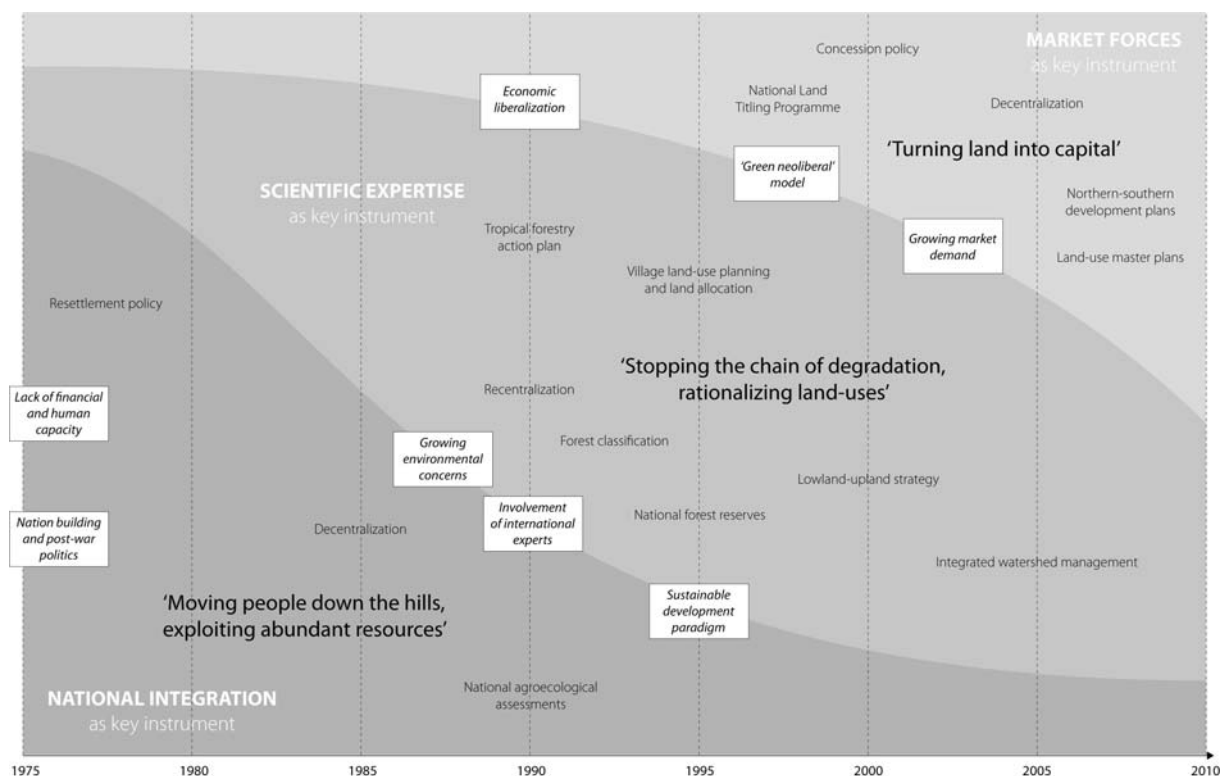
Based on a review of policy documents and project reports and a series of interviews conducted with government officials and staff from IDAs, this paper highlights three

successive stages that have characterized LUP from the establishment of the Lao PDR, in 1975, until 2010. It further describes how LUP practices in the country are shaped by tensions between different actors and competing approaches. In doing so, the paper shows that in Lao PDR LUP is a dynamic and reactive arena, and that related policies are constantly evolving to suit specific contexts and account for reported deficiencies. From there, the paper argues that the capacity of the LUP practitioners and policy makers to learn from experience should be harnessed to improve future implementation.

## LAND-USE PLANNING AND TERRITORIALISATION IN LAO PDR: A HISTORICAL PERSPECTIVE

Reflecting the general evolution worldwide (Meadowcroft, 2002), LUP efforts in Lao PDR have strongly intensified and diversified over the past decades. Starting at different times but extending to the present day, three main territorialisation projects can be identified, each one reflecting specific objectives, shaped by different sets of actors, and translated into different LUP initiatives (Figure 1).

**Figure 1. Territorialisation projects and key LUP instruments in Lao PDR (1975–2010)**



### **Moving people down from the hills and exploiting abundant resources (1975 onwards)**

In the immediate post-war period, LUP was highly reflective of a desire from the new political leaders to secure national territory, strengthen national integrity and reinforce State control over key resources (Stuart-Fox, 1997; Jerndal and Rigg, 1998; Goudineau, 1997, 2000). After years of armed conflict (1946-1954 and 1959–1975), the revolutionary government was facing a number of key challenges. The French colonial administration and the United States had exploited ethnic divisions in order to fight the North Vietnamese troops stationed in the country and the Laotian communist rebellion. The government urgently needed to increase political control over remote and potentially subversive populations. The creation of a socialist State also meant that disparate and often poorly connected ethnic minorities had to be gathered into a unique national project. To some extent, political leaders also had to fulfil the promises of development and social justice made to the upland minorities (who, in exchange, had played a key role in securing the victory of the communist rebellion). With very limited financial resources and human capacity,<sup>1</sup> the main strategy envisaged was that of internal resettlement. Thus, although no official policy was formulated before the late 1980s, from 1975 the Lao government started pushing remote upland communities to relocate along roadsides, river banks and other more accessible areas (Evrard and Goudineau, 2004).

Although displacement for security reasons became much less frequent with time, the resettlement strategy persisted as a means of speeding up nation building and cultural integration, facilitating State service delivery and market access, and limiting shifting cultivation and opium production (Goudineau, 2000; Evrard and Goudineau, 2004; Baird and Shoemaker, 2005; 2007). In 1989, the Village Relocation and Consolidation strategy was finally established (GoL, 2008), which advocated the displacement and merging of villages with less than 50 households and the development of State services (e.g., agricultural extension, schools, health centres, power and clean water) in the new sites. The strategy was later reaffirmed with the introduction of a ‘focal site’ approach in the 1998 National Rural Development Programme.<sup>2</sup> Over the past two decades, the pace of internal resettlements from the hills to the valleys and plains has remained steady. Yet, although the stated logic was to create development centres, due to an enduring lack of investment capacity, provision of State services has extended little beyond the gathering of remote populations into more accessible areas (Rigg, 2005).

Another key challenge also strongly influenced Lao PDR’s early LUP efforts. With a peasant economy barely transformed during the colonial period, but seriously damaged by many years of war (Dufumier, 1980), the new political leaders were heavily dependent on economic aid from other socialist countries (i.e., the Soviet Union and, to a lesser extent, Vietnam). Failed attempts at agricultural collectivization did not improve the situation and, with the drying up of Soviet aid in the mid-1980s, the government had to find other sources of revenue. This prompted a radical economic reform (*chintanakan mai* or ‘New Economic Mechanism’) that began the process of transforming the country into a market economy. By doing so, the government effectively gained access to new sources of funding, loans and revenue from international finance institutions and foreign investors (Stuart-Fox, 2005).

With the support of new ‘development partners’ such as the World Bank, the UN and various IDAs, the Lao authorities were also able to engage in country-wide assessments of

natural resources (e.g., GoL, 1992; World Bank, 1993) and agroecological potential (e.g., FAO, 1986; 1989) which would constitute the foundation of the nation's socioeconomic development. Building on these assessments and a broader agenda put forward by the FAO, the United Nations Development Programme (UNDP), the World Bank and the World Resources Institute (WRI), the Tropical Forestry Action Plan (TFAP) was one of the first joint efforts of the Lao government and major IDAs towards LUP. The plan was shaped by the resolutions of the first national forestry conference, held in 1989 with support from the FAO, the World Bank, the Asian Development Bank (ADB) and the Swedish International Development Cooperation Agency (SIDA). The TFAP recommended the implementation of forest conservation and tree plantation measures over an area equivalent to 70% of the country. It also mentioned the planned resettlement of two thirds of the population engaged in shifting cultivation: an estimated 170,000 households (Evrard and Goudineau, 2004).

Limited human and financial capacities, poor infrastructure and the constraints on centralized resource control imposed by rugged topography pushed the central government to transfer some responsibilities to lower administrative levels in an effort to accelerate rural development and reduce socioeconomic inequalities between provinces (UNDP, 2002). Significantly, decentralization policy of the late 1980s redefined the provinces as strategic units for the elaboration of socioeconomic development plans. Districts were identified as responsible for planning and budgeting provincial plans, and villages were charged with implementation. Provincial governments gained significant power and autonomy as they were provided with greater control over budgets, revenues and development plans and given permission to pursue trade agreements with the private sector (Stuart-Fox, 2005). As a result, between 1986 and 1991, plundering of natural resources (especially timber and wildlife) became institutionalized by State companies and subnational administrations (Box 1). However, rapid depletion of natural resources, growing mismanagement, corruption and, in some extreme cases, a complete collapse of State services forced the central government to backtrack and engage in a radical recentralization process, through the 1991 Constitution.

#### **Box 1. History of the Import-Export Company No. 4**

*“The Import-Export Company No. 4 of Luang Prabang was created in 1985, when support from the Soviet Union receded, to export agricultural and natural products and balance importations from other countries. Three State companies (no. 1, 4 and 6) shared a common mandate for collection of agricultural products (e.g., soybean, groundnut, sesame) and non-timber forest products (NTFPs) (e.g., cardamom, benzoin, sticklac) in the whole northern uplands. These products would be exchanged against other goods in neighbouring China or Thailand via Burmese intermediaries. They were doing business in a barter economy. On the one hand, they were giving away seeds, barbed wire and other inputs to local subsistence farmers against their agricultural products and NTFPs. On the other hand, they were exchanging these products against cement, steel, tractors or motorcycles with China. When possible, Thai Baht notes were welcome for payroll of government staff. There were not enough Lao Kip bank notes available at that time. Due to poor road and transportation quality, light products were preferred over heavy ones and local people spontaneously brought wildlife to the*

*company's collectors. Wildlife was the only product paid for in cash. During the first years, Company No 4 could export annually about 300 deer antler, 4,000 tortoiseshells, 50 tonnes of pangolin scales, etc. to China, which provided about the same gross profit as vegetal NTFPs. Total profit from NTFPs (including wildlife) was about the same as from agricultural products. But after only a few years, the natural products became scarce and the company suffered great losses from agricultural product sales (e.g., Job's tear, soybean and groundnuts) because of poor management and storage facilities. Combined with the end of its monopoly on agricultural business, these issues led the company to reorient its activities towards other businesses (e.g., car sales) and finally to dissolve in 1991."*

Former head of collectors at the Import-Export Company No. 4 of Luang Prabang (1986–1988). Interviewed on 20 August 2010.

### **Stopping the chain of degradation and rationalizing land use (1990 onwards)**

As a reaction to both the previous period of rapid resource depletion and the growing involvement of IDAs in Lao PDR, the 1990s were marked by a transformation of the LUP arena. Although the TFAP was quickly aborted after being evaluated negatively in reports prepared by the FAO, WRI and various international NGOs (Sizer, 1994; Goldman, 2001), it introduced a new set of linkages that would characterize most LUP initiatives: IDAs became key partners of the Lao authorities in developing planning tools and land-use plans; and 'scientific' expertise replaced national integration as the main instrument for developing the country (Figure 1). Sustainable development became a key objective for policy-makers, following the evolving concerns of the international community (e.g., GoL, 1993; 1999; 2003).

This emphasis on LUP for sustainable development, however, was not only motivated by a simple desire to combine sustained social welfare with environmental preservation; it appeared imperative for dealing with an immediate threat. As described by Lestrelin (2010), the government and several key IDAs believed that Lao PDR's development was threatened by a 'chain of degradation' stretching from upland shifting cultivation, population growth, deforestation and increased soil erosion to siltation of lowlands and reservoirs. While questionable, this narrative reinforced the importance of the sustainable development paradigm in mainstream development discourses and represented a key rationale for the intensification of LUP efforts throughout the country. As stated by a Ministry of Agriculture and Forestry (MAF) official:

*"During the past 20 years thousands of hectares of forest have been cleared for agricultural expansion. Considerable pressure is thus placed on natural resources and forests to meet the increasing needs of an expanding population and to satisfy governmental policy of improving living standards. Therefore, emphasis will be placed on ensuring proper land use planning and sufficient land allocation for all rural people; protecting catchment areas to reduce erosion and ensuring a more even flow of water."* (Khamhung, 2002: 252)

In other words, evading the assumed 'chain of degradation' and achieving sustainable development necessitated a 'rationalization' of land use. In practice, this also required a

delineation of eco-zones, balancing development and conservation purposes on the basis of scientific assessments (e.g., soil erosion risks, ecological degradation and recovery rates) (Goldman, 2001). Thus, the Prime Minister’s Decree No. 169 (1993) established a village-scale land zoning system that divided land into five categories of forest: ‘protection’, ‘conservation’ and ‘regeneration’ forests, where economic activities are prohibited; ‘production’ forest, where limited logging and collection of forest products are permitted; and ‘degraded’ forest, which can be allocated for tree plantation, livestock farming or permanent agriculture.

Through the delineation of ‘National Production Forests’ by the MAF<sup>3</sup> and, more importantly, the Land-Use Planning and Land Allocation programme (LUPLA), this classification became the main instrument of an ‘area-based’ approach to development in Lao PDR (Rigg, 2005). First trialled in the early 1990s with support from SIDA, LUPLA became one of the main elements of the country’s LUP system and a key mechanism in the government’s efforts to eradicate shifting cultivation (Lestrelin, 2010). In its early form – often referred to as Land and Forest Allocation – the programme involved identification of village boundaries and demarcation of land to be conserved or regenerated as forest (LSFP, 1997). Village forest areas were further subdivided according to the five official categories of forest. The process became gradually more elaborate, involving the individual allocation of agricultural plots to village households and the zoning and mapping of village land (Figure 2) according to slope gradients and forest types (LSFP, 2001).

Figure 2. Village land-use planning map following LUPLA implementation (Paklao, Luang Prabang province)



Colour codes: dark green = national protected area; light green = village conservation forest; light brown = protection forest; blue = regeneration forest; grey = production forest; beige = allocated agricultural land; dark brown = reserved agricultural land.



At the same time that the forest classification system was established, a protected area system of 18 National Biodiversity Conservation Areas was developed. The reserves were expanded to 20 areas (covering 12.5% of the country) in the late 1990s. Then, in line with the shifting concerns of major environmental organizations (i.e., from biodiversity to multipurpose conservation areas), they were renamed National Protected Areas in the early 2000s. The development of a national conservation strategy and the identification of the reserves involved direct support from international organizations like SIDA, the International Union for the Conservation of Nature (IUCN), the World Wildlife Fund (WWF) and the Wildlife Conservation Society (WCS). During 1993–1994, 12 different international organizations were engaged in funding and managing the National Protected Areas (Fujita, 2004).

Finally, a number of governmental strategies were designed to serve as broad-scale frameworks for LUP in the country. For instance, the 1999 Strategic Vision for the Agricultural Sector promoted a two-tiered rural development strategy which, in the lowlands, emphasized farming diversification, credit development and the promotion of agribusiness while, in the uplands, favoured largely environmental conservation and poverty reduction through land zoning and community-based land management. In line with the objective of ‘rationalizing’ land-uses, the strategy contended that a key step for achieving sustainable development in the country consisted in systematic “land-use and agro-ecological zoning [...] based on biophysical, landform, erosion risk and other criteria” (GoL, 1999: 61). The lowland–upland differentiated LUP treatment was reiterated in the National Growth and Poverty Eradication Strategy, which focused on the 47 poorest upland districts of the country and aimed at “improving access to essential factors of development and strengthening a comprehensive, poverty-focused planning process at the district level” (GoL, 2003: 9).

### **Turning land into capital (1997 onwards)**

The late 1990s marked another important shift for LUP in Lao PDR. Although sustainable development remained a central concern for planners, the relative importance of ‘scientific’ expertise and research-development projects as an instrument for change was reduced. With the ‘green neoliberal’ development models put forward by donors like the World Bank and the ADB (Goldman, 2001) and a growing demand from the (mainly foreign) private sector to gain access to the country’s land and natural wealth, market forces have come to be considered another key instrument for facilitating sustainable development (Figure 1). Hence, the focus of LUP has shifted from ‘rationalizing’ existing land uses to identifying ‘empty’ space or freeing space<sup>4</sup> for the development of large scale mining, hydropower, plantation and agribusiness concessions. Through this process, Lao PDR has effectively become a new ‘resource frontier’ for global capital flows and investment (Barney, 2009).

A first step in this process was the establishment of a National Land Titling Programme in 1997. Supported by the World Bank and AusAID, the Programme was aimed at allocating secure land titles in urban and peri-urban areas and, thereby, providing incentives for land holders to invest in productive and market-oriented land uses (Dixon and Lunnay, 2010). The project yielded positive results in terms of legal and administrative capacity building. However, by the mid-2000s, it reached an institutional stalemate as the very specific objectives and approach put forward by the World Bank had become less and less in line

with the broader vision of the land sector adopted by the Laotian government (see below). At the same time that the Land Titling Programme was implemented in and around urban centres, in rural areas, granting land concessions became a key policy instrument to make supposedly unutilized or underutilized land productive while achieving goals in other stated government policies (Hanssen, 2007): (i) to eradicate shifting cultivation by allocating swidden land to (mainly foreign) companies that would invest in modern and more productive technologies; (ii) to aggregate small and remote villages closer to main roads while allocating large tracts of remote land to more profitable industrial plantation projects; and (iii) to provide opportunities to upland ethnic minorities to develop or 'civilize' (La-orngplew, 2010).

In 1994, the Prime Minister's Decree No. 186 conferred to district administrations the power to authorize land leases up to 100 ha of State forest land. Provincial administrations were made responsible for land leases of up to 1000 ha, while larger concessions would require the approval of the National Assembly. In many cases however, these regulations have been ignored, with concessions of thousands of hectares granted by provincial governments. As a result, in May 2007, the Prime Minister announced a moratorium on the granting of all new large-scale land concessions. Serious concern had been voiced by senior government officials about the fact that very little of the income supposedly generated by land concessions ended up in State coffers. In addition, a growing number of reports highlighted negative socioeconomic and ecological impacts of land concessions (Dwyer, 2007). Reasons for inadequate implementation of land policy were found in a lack of capacity within responsible State institutions, on the one hand, and a perceived lack of incentives to correctly implement the rules and regulations, mainly among provincial and district authorities, on the other hand.

The National Land Management Authority (NLMA), created four years earlier in 2003, really emerged as an operational agency after the moratorium, and took the lead in systematically inventorying State land leases and concession contracts passed with private companies. As an outcome of this process, a decree was made in 2009 that aimed to provide clear guidelines about how to 'turn land into capital' (Prime Minister's Decree No. 136). It stressed the need to refine existing rules by establishing a proper filing, monitoring and reporting system, to harmonize the price of land rent across the country, and to monitor the implementation of regulations. It also made the NLMA responsible for classifying potential concession areas, based on biophysical indicators such as soil and vegetation types. Under the decree, concessions are only allowed to plant industrial crops deemed suitable for each parcel of land. A number of provincial land-use master plans were thus designed by the NLMA to identify potential land available for concessions and provide guidance to the overall territorialisation project (GoL, 2010). At the national level, the Ministry of Planning and Investment, with support from the Province of Yunnan (China) and the ADB, also developed two regional southern and northern master plans for industrial economic development (e.g., Shi, 2009).

At the same time that land concession policy and practices were revisited, the 'p' of 'participation' was added to LUP to create a new approach called Participatory Land-Use Planning (PLUP). Drawing lessons from reported deficiencies in LUPLA and reflecting concerns over concession development and land seizures (Lestrelin et al., 2011), PLUP

includes several major innovations. It pledges to better coordinate intervention of governmental organizations; to facilitate the integration of land-use plans developed in villages, village clusters and districts; and to improve the collection, management and storage of spatial data (MAF and NLMA, 2009). The possibility of communal land titling is also introduced as a tool to preserve existing land management systems and prevent land seizures.

Looking at the broad picture, Lao PDR's LUP system appears to have evolved towards an increasingly complex structure that is expected to facilitate sustained socioeconomic development and poverty reduction, while allowing for the preservation of forest, soil, biodiversity and water resources. Yet, the rapid pace at which new concepts and policies have been developed in response to emerging issues and goals raises important questions as regards to the actual functioning of the overall system: Is this system constituted by a coherent and unified set of actors and approaches? Do different territorialisation projects coexist without generating particular conflicts of interest? The following section addresses these questions and highlights a number of tensions – between stakeholders, policies and paradigms – that play key roles in shaping the way LUP initiatives are designed, interpreted and implemented on the ground.

## **MANAGING TRADE-OFFS IN LAND-USE PLANNING: AN EMERGING COMPLEXITY**

### **Tensions between central and subnational governments and local populations**

The decentralization and recentralization processes of the late 1980s and early 1990s have had significant impacts on central–local relations. While decentralization provided provincial and district governments with significant power and autonomy, the ensuing recentralization seriously reduced local democratic participation and the power of local governments (Stuart-Fox, 2005). With the abolishment of the elected people's councils and administrative committees (at village, district and provincial level), district and provincial administration became the exclusive responsibility of corresponding Party secretaries. The newly appointed provincial governors were then brought into the Party's Central Committee, while district governors were charged with drawing up short lists of acceptable candidates – generally Party members – for the election of village chiefs. With a return to centrally allocated budgets, provinces and districts were deprived of financial autonomy. At the same time, however, the authority and influence of the provincial governors grew significantly with their integration into the Party's Central Committee. As a main outcome of this decentralization–recentralization processes, the Party effectively strengthened its political power and involvement in administrative matters at the subnational level.

A decade later, under the influence of IDAs like the UN and Sida, the tide turned back again to decentralization. After the publication of official instructions and recommendations by the Prime Minister's Office, a Law on Local Administration was promulgated in 2004 which established a legal basis for decentralized governance. In particular, it allowed for setting up popular elections of local government bodies in urban areas and provided for the emergence of consultative bodies at the village and district levels (Braathen and Sköld, 2004; GPAR, 2004). The law also reiterated the governance structure advocated in the late 1980s (i.e., provinces as strategic planning units, districts as planning and budgeting units, and villages

as implementation units). Through this process, provincial, district and village authorities regained significant autonomy and power. A move was also engaged towards more democratic governance at the local level.<sup>5</sup>

As a consequence of these administrative reconfigurations, the current patterns of rural development in Lao PDR are, broadly speaking, driven by objectives and strategies set at the central level and largely reinterpreted at the subnational level on the basis of existing economic opportunities and constraints and the perspective of provincial and district leaders. The case of rubber concessions illustrates this point. In particular, the way companies' demands for large-scale concessions are dealt with is significantly different at national, provincial and district levels. As suggested by Dwyer (2007), the small number of concessions in northern provinces is linked to the preference of provincial authorities for contract farming or smallholder production.<sup>6</sup> In contrast, in the south, Vietnamese companies may negotiate concession agreements directly with the central government and put pressure on provincial and district officials to gain access to extensive tracts of land for large, private rubber concessions (Baird, 2010). Subnational governments and agencies can thus play a key role in shaping the way rubber production contracts and concessions are negotiated between farmers and companies (Fox and Castella, 2010). Hence, they greatly influence local land-use patterns.

Yet, this perspective should not mask the capacity of local populations and their leaders to resist, negotiate and reinterpret plans defined at higher levels. The relationship of local populations with the authority of district and provincial agencies is imbued with everyday forms of resistance such as passive noncompliance, foot-dragging and deception (Scott, 1985). Although they do not directly challenge the planning process, these practices certainly compromise the integrity of the plans. In the case of LUPLA, resistance often materializes through disappearing village land-use maps and registries or through collective reinterpretations or 'memory losses' in relation to land-use regulations.<sup>7</sup> Thus, explicit land-use maps may well be designed with local representatives and posted at the entrance to villages (Figure 2), but the reality of land use often reveals significant differences from the plans (Lestrelin et al., 2011).

Resistance, however, is not the only way for local actors to have an effect on plans. As argued in the introduction, rather than an independent top-down process, LUP is influenced by all sorts of social relations. Local actors can build on their social networks and political alliances to weigh on decisions taken at higher levels and, in particular, push land-use planners to account for local claims. Perhaps more importantly, implementers frequently adapt the plans in order to account for both perceived local constraints and past experiences of failure. For example, during an interview conducted in 2003, the director of Luang Prabang's District Agriculture and Forestry Office acknowledged that, in some cases, his agency did not implement national land regulations because they were considered 'unrealistic'. Discussing the case of an upland village researched by one of the authors, he mentioned a new regulation that would prohibit agriculture on slopes steeper than 30%. "If we had implemented such a regulation there", he said, "the villagers would not have any land left for agriculture".

Overall, LUP in Lao PDR is far from straightforward and is very much contingent on the way central policies are translated into plans that fit the perspectives and interests of provincial

and district officials and that are further reinterpreted, resisted and negotiated locally. Hence, as Li argues, while broad-scale planning schemes play an important role in moulding the general conditions for local decision making (e.g., closing or opening up opportunities for livelihoods), the actual outcomes of such schemes are largely determined by local “practices of compromise and collusion [that] fill the gap between project plans and on-the-ground realities” (2005: 391).

### **Tensions between national and foreign institutions**

Another set of tensions has emerged in relation to the growing involvement of the international community in the planning sector. From the outset, the development of this sector has been a case of “mimetic institutional isomorphism” (Lambin and Meyfroidt, 2010: 115). Initially modelled on examples found in neighbouring Vietnam (Stuart-Fox, 2005), planning institutions have rapidly evolved under the influence of Western development agencies. In 1986, a critical and enduring lack of funds pushed the Lao government to implement wide-ranging reforms towards a progressive liberalization of the domestic economy. In order to facilitate the process, foreign experts were sent by international organizations like the World Bank, the International Monetary Fund (IMF) and the ADB to contribute to the drafting of regulations and strategies in various sectors.<sup>8</sup> In the field of environmental planning, the UNDP and the World Bank directly contributed to the design of the TFAP (1989) and the first National Environmental Action Plan (1993). They have also strongly influenced the creation of laws and decrees on environmental management – e.g., Prime Minister’s decrees No. 67 (1991) and No. 169 (1993), the Forestry Law (1996) and the Environmental Protection Law (1999). Similarly, through bilateral and multilateral projects, international organizations have become involved in the operations of various ministries. In 1999, the Forestry Department of the MAF was thus hosting at least 50 international projects, including the Lao-Swedish Forestry Programme, the Lao-ADB Commercial Tree Plantation Project and the World Bank-Government of Finland Forest Management and Conservation Project (Goldman, 2001). Accordingly, financial assistance from multilateral and bilateral development agencies gradually increased from the early 1990s to constitute 92% of the central government expense in 2007 (Table 1).

**Table 1. The portion of foreign aid in the Lao economy**

	1985	1990	1995	2000	2005	2006	2007	2008
% of GNI	1.7	17.2	17.5	16.9	11.7	10.9	9.6	9.3
% of central government expense	-	-	41	50	67	87	92	84
US\$ per capita	10.8	35.4	63.8	51.9	51.3	60.8	65.0	79.9

Note: estimations of central government expense include the total remuneration, in cash or in kind, payable to employees of central government agencies in return for work (IMF 2001).

Sources: DGCD (2002); GoL (2006b); World Bank (2010)

Due to the heavy presence of IDAs in ministry departments and the strong reliance of the development sector on foreign support, many policy decisions – including LUP initiatives – have to be negotiated with donors. In this regard, the principal subject of contention is the question of internal resettlement. As described by Baird and Shoemaker (2005) for instance,

organizations like the Japan International Cooperation Agency (JICA) and SIDA – two of the country’s largest donors – have taken a strong stand against resettlement, raising awareness among other donors and attempting to influence policy making on this issue. As has become usual in the world of development, conditionality is also employed, with donors imposing their procedures and values as preconditions for grants, loans and investments (Jones and Hardstaff, 2005). These forms of negotiation – over resettlement, food security, environmental planning and management issues – culminate in the case of large-scale infrastructure projects. For instance, the World Bank’s guarantee for a US\$ 1.45 billion loan for the Nam Theun 2 hydropower project was made conditional upon the commitment of the Lao authorities to issue and revise a number of laws, establish new government agencies and facilitate participation of the affected populations in planning and monitoring activities (Singh, 2009).

The significant economic and bargaining power of IDAs does not mean that the role of the Lao government is one of simple obedience. As Stuart-Fox describes, responses to international pressure can sometimes be simple demonstrations of good will which engage the government only superficially:

*“Discussions take place, usually with middle-level technocrats who speak English; arguments for change are laid out; there is agreement over likely benefits – and then nothing is done. Or perhaps something does happen. A new law is promulgated, new regulations are introduced, a presidential or prime ministerial decree is announced. [...] But nobody takes any notice. Implementation is minimal, but the government can point to its good intentions.”* (2006: 72)

The relationship between the Lao government and IDAs, therefore, does not follow a simple top-down diffusion model; neither does it imply bilateral negotiation. Another consequence of the significant influence of IDAs is that a multitude of actors have emerged in relation to new planning scales and issues. In 1993 for instance, the establishment of the Science, Technology and Environment Organisation (STENO) was attendant with the drafting of a National Environmental Action Plan by World Bank consultants. With significant support from UNDP and SIDA, STENO was later reformed as the Science, Technology and Environment Agency (STEA) and moved into the Prime Minister’s Office. Although the autonomy of agency was significantly reduced, it remained a key institution responsible for guiding environmental policy and planning, and pushing related legislation through the National Assembly – including the UNDP-supported Environmental Protection Law. In 2007, STEA was restructured again and became the Water Resource and Environment Agency (WREA). Under the encouragement of UN agencies, and reflecting concerns about the impacts of large scale private concessions (GoL et al., 2009), the mandate of the agency was widened to include environmental and social impact assessment and issuance of licences to companies involved in mining, hydropower and plantation.

The emergence of a national ‘land concession issue’ has also had significant repercussions for land administration. In 2001 for instance, the Department of National Land-Use Planning and Development (DONLUPAD) replaced the National Land Management Committee, which had been established in the mid-1990s in relation to the World Bank and AusAID’s Land Titling Programme. One of DONLUPAD’s main objectives was “to advise the Prime Minister on the need for cancellation or suspension of land concessions and land leases previously

authorized by provincial governors” (Prime Minister’s Decree No. 237, Article 3, 2001). The creation of the department reflected central concerns over provincial autonomy and the ‘uncontrolled’ development of private concessions. In 2004, DONLUPAD merged with two departments of the Ministry of Finance and was renamed the National Land Management Authority (NLMA). At the same time, an amendment to the Land Law made the organization responsible for handling land management issues and designing national land-use master plans.

In a largely foreign-funded development sector, these new institutions – the NLMA and WREA – compete with each other and with the more ‘traditional’ recipients of foreign support like the MAF. They also put forward different agendas which give value to land through different processes (e.g., individual land titling, nationwide zoning of potential for land concessions, environmental certification). In addition, IDAs themselves do not necessarily put forward a unified agenda<sup>9</sup> – see for instance Baird and Shoemaker (2005; 2007) on the internal resettlement issue. Thus, the context within which LUP initiatives are designed and implemented is one of complex, multilateral negotiations and trade-offs between a diversity of stakeholders.

This highly complex process – through which plans are defined, contested and reinterpreted by a diversity of parties – is far from being trivial. Disconnections, if not direct competition, between the territorialisation projects of LUP agencies with overlapping geographical and temporal focuses can indeed have very negative consequences at the local level. As described by researchers and development workers (e.g. Romagny and Daviau, 2003; Evrard and Goudineau, 2004), non-coordinated planning and intervention between provincial and district governments, in charge of village resettlement plans, and Agriculture and Forestry services, responsible for LUPLA, often engenders critical land issues. For instance, a study conducted by Lestrelin and Giordano (2007) shows that the cumulative effects of LUPLA and the Village Relocation and Consolidation programme in a village of Luang Prabang province have been a ten-fold increase in population density per unit of agricultural land and a rapid degradation of farmland over the past 25 years. As further described by Evrard (2004) in a countrywide review of case studies, with insufficient land reserved for new families and potential newcomers, villagers resettled after LUPLA implementation often have to cultivate land illegally or purchase land to early settlers in their recipient village. This issue tends to generalize and aggravate in the recent context of allocation of large land concessions to private companies in villages where LUPLA has already been implemented. In many cases, former land-use plans are just ignored, demonstrating the poor binding value of the contract linking the different parties involved in the LUPLA (Dwyer, 2007; Hanssen, 2007; Baird, 2010). In the best cases, new land-use plans are designed with the support of private companies, allowing the latter to reserve large tracks of ‘degraded forest’ later reclaimed for plantation concessions.

### **Tensions between land suitability and sustainability paradigms**

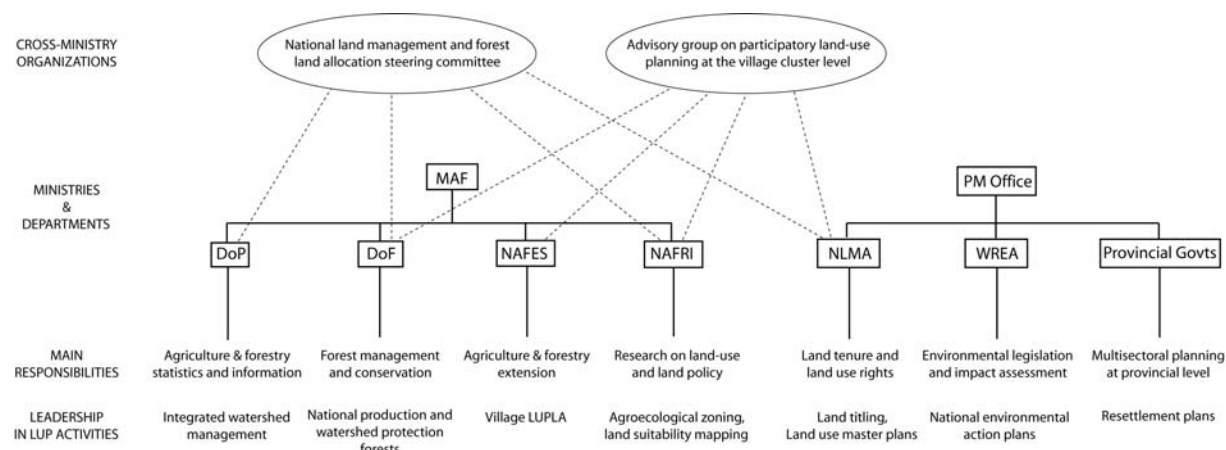
Another important area of tension has emerged between proponents of land suitability and sustainable development approaches. There are indeed critical divergences between the two models. The key objectives of the land suitability approach are to assess land development potential and allocate land for different economic purposes. This approach takes a sectoral perspective which engenders a clear partitioning of institutional mandates

and a multiplication of the institutions involved in land management (i.e., one institution per land-use type). Contemporary applications of this approach can be found, for instance, in land and crop suitability maps which, in the medium term, are expected to be important land management and planning tools. These maps – based on satellite imagery analysis and local soil and topographic surveys – are prepared by the National Agriculture and Forestry Research Institute (NAFRI) and provided to lower administrative levels in order to inform provincial and district LUP and guide the allocation of land concessions. With support from SIDA, NAFRI has also developed an Agro-Ecological Analysis and Zoning (AEA-AEZ) approach (LSUAFRP, 2004; NAFRI, 2006), which involves identification and delineation of different agroecological zones at the district scale, description of the agricultural systems present within the different zones and identification of the main biophysical and socioeconomic constraints and opportunities for development. While not an official planning instrument per se, the AEA-AEZ approach has nevertheless been applied for defining agricultural extension and land improvement activities in several districts. These two instruments – land suitability mapping and AEA-AEZ – find their roots in work conducted by the FAO during the 1970s (e.g., FAO, 1976; 1978) and reflect the ‘old’ LUP paradigm focused on assessing land development potential and optimizing land resource allocation.

In contrast, the key objectives of LUP for sustainable development are to account for the multidimensionality of livelihoods and to preserve land-use options for future generations. This approach attempts to integrate different economic sectors and planning scales, promoting coordination and shared mandates between institutions. For example, the Department of Planning of the MAF has developed an Integrated Watershed Management (IWM) approach in coordination with the Mekong River Commission (MRC) and the Danish International Development Agency (DANIDA). From 2002, IWM was piloted in five watersheds and is currently implemented in the Nam Ngum watershed. The approach is based on analogies between various administrative and biophysical levels (Pravongviengkham et al., 2005). Provincial authorities are responsible for the definition of strategic plans at the river basin scale – i.e., identification of watershed units and delineation of conservation and economic development zones. On this basis, district authorities are responsible for developing management plans at the watershed unit scale, budgeting and, in coordination with village development committees, implementing the plans. In line with this approach, the Department of Forestry has also engaged in the delineation of National Watershed Protection Forests throughout the country since 2007. Compromises have to be found between superimposed planning layers and scales, between the two normative land management approaches – suitability and sustainability – and their proponents. In a context of competition between governmental agencies, these compromises often materialize through the creation of cross-institutional committees and advisory groups (Figure 3). Thus, the tension between land suitability and sustainability paradigms brings additional players and complexity into the negotiations described above.



**Figure 3. The main governmental agencies involved in land-use planning**



Codes: DoF = Department of Forestry, DoP = Department of Planning, MAF = Ministry of Agriculture and Forestry, NAFES = National Agriculture and Forestry Extension Services, NAFRI = National Agriculture and Forestry Research Institute, NLMA = National Land Management Authority, WREA = Water Resources and Environment Agency.

## DISCUSSION AND CONCLUSIONS

The conceptual approach employed in this paper provides valuable insights into the various socioenvironmental projects that have shaped the history of LUP in Lao PDR. It also allows reflection on the sources of contention between the country's planning actors. As described above, three concurrent territorialisation projects have engendered a diversity of LUP initiatives. In the first of these projects, nation building efforts during the early years of the Lao PDR directly influenced the design of an extensive internal resettlement programme from the remote uplands to the valleys and plains. Also, decentralization was carried out for the purpose of boosting rural development. Finally, countrywide agroecological assessments were conducted, with the assistance of major IDAs, aimed at identifying potential sources of revenue for the national economy. In the 1990s, another territorialisation project emerged out of growing environmental concerns, the increasing involvement of foreign experts and the rapid diffusion of the sustainable development paradigm. Various land zoning, land-use classification and land allocation programmes were thus designed and implemented throughout the country for the purpose of rationalizing land-uses and limiting environmental degradation. Recentralization was also pursued partly in response to land mismanagement at the subnational level. More recently, a third territorialisation project has emerged as a sequel to the economic reform of the mid-1980s and under the influence of neoliberal ideas put forward by international donors. A new decentralization agenda was established while concession-related policies and large-scale land-use plans were created in order to facilitate private land development and the establishment of large capital projects.

The coexistence of these territorialisation projects is not seamless however. The overall LUP system is entangled in conflicts of interest and power struggles, as a growing diversity of actors support different views and planning initiatives. Tensions have emerged between the centre and the periphery as a result of successive decentralization–recentralization processes, with the consequence that central decisions are systematically negotiated and

reinterpreted at the provincial, district and local levels. At the same time, the growing involvement of the international community in the planning sector and inconsistencies between the 'old' land suitability approach and 'new' models inspired by sustainable development have resulted in the creation or import of new planning institutions and have brought more players and further complexity into the mediation process. As a result of these dynamics, LUP implementation procedures and end products are contingent on the outcomes of multilateral 'negotiations' between numerous actors: central and subnational governments and planning agencies, local populations, private investors, international donors, IDAs and NGOs, and proponents of land suitability and sustainability approaches. From this highly complex process – through which plans are defined, contested, resisted and reinterpreted by a diversity of parties – emerge an extreme variety of local situations. Over time, superimposed planning geometries have also resulted in a highly complex territorial structure which does not necessarily reflect on-the-ground realities nor convey a coherent message. This complexity can have important consequences for the efficiency of LUP and its outcomes at the local level.

In many instances, significant social and environmental problems have been reported to arise from superimposed land-use plans and the resulting constraints imposed on local livelihoods (e.g., Vandergeest, 2003; Evrard and Goudineau, 2004; Ducourtieux et al., 2005; Lestrelin and Giordano, 2007; Fujita and Phanvilay, 2008). These issues reveal important disconnections, if not direct conflicts, between the concurrent approaches of planning agencies. In turn, they also suggest that there is a great need for facilitated communication and negotiation, not only between local populations and planners but also between planning agencies themselves. This paper argues that the promises of 'new' approaches like PLUP may be partly achieved by harnessing the reactivity of the LUP arena. The complexity of the planning system and the existence of tensions between planning actors, institutions and approaches reflect the capacity of the LUP arena to adapt policies to specific contexts and changing socioenvironmental challenges. This sustained effort towards policy adaptation and 'improvement' needs not only to be better informed, but also better coordinated and channelled. In other words, the practice of LUP should not be exclusively concerned about selecting and putting into practice the 'best land-use options' (FAO, 1993). It should also involve a broader and more critical reflection on the way individual and institutional divergences around particular social and environmental values might be addressed as part of a collective endeavour (Owens, 1994; Rydin, 1995; Meadowcroft, 1997; Hillier, 1999). New research, better science and greater expertise are not necessarily the key ingredients for achieving sustainable development. Instead, what is primarily needed is "the development of new forms of partnership, and new tools for creating political dialogue, that frame the problems as questions of political choice, given uncertainty and constraints; that renounce the goal of precise and unambiguous definition and knowledge; and that involve many more people in the conversation" (Robinson, 2004: 382).

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## ENDNOTES

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<sup>1</sup> Around 300,000 people – including the majority of the country's intellectuals, well-qualified cadres and technicians – left the country in the few years following the 1975 communist takeover (Stuart-Fox, 1986).

<sup>2</sup> Through this ongoing process, 87 focal sites were expected to become the recipient for 1,200 villages and 450,000 people (12% of the country's rural population), half of whom would come from displaced communities.

<sup>3</sup> Since the mid-1990s, the MAF – with support from the World Bank and the governments of Sweden and Finland – has delineated 106 national production forests covering about 3.2 million hectares. Half of these areas have been targeted by projects on participatory forestry and forest certification (GoL, 2005). According to an MAF official, delineation is based on a set of criteria related to slope, availability of water resources and potential for socioeconomic development (Khamphay Homsisavath, personal communication, 10 November 2009).

<sup>4</sup> Both practically (e.g., resettlements) and figuratively (e.g., policies that define shifting cultivation land as idle after 3 years of fallow).

<sup>5</sup> This move remains to be confirmed on the long term. As a matter of fact, if decentralization figured as an important theme in the Sixth National Socio-Economic Development Plan (2006-2010), it appears to have moved to the background (if not completely disappeared) in the Seventh National Socio-Economic Development Plan (2011-2015).

<sup>6</sup> Generally under the form of 2+3 agreements, where villagers provide land and labour and the companies provide inputs, technical knowledge and market channels.

<sup>7</sup> 'Improving data storage and retrieval systems' is recurrently mentioned as an important objective for land-use planners in Lao PDR (e.g., LSFP, 2001; MAF and NLMA, 2009).

<sup>8</sup> Reflecting the influence of the international community, the set of reforms introduced through the 'New Economic Mechanism' follows closely the principles established by the 'Washington Consensus' of the World Bank, the IMF and the US treasury (Rigg, 2005; 2009).

<sup>9</sup> Despite remarkable efforts to better coordinate their actions through regular round table meetings and joint working groups organized with government agencies under the Paris and Vientiane declarations.