Laos Legislative Drafting Programme

Seidman, Robert B.

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Boston University
Comments on Base Report — Pr. the Grade!

1. From Bureau du Premier Ministre, Direction de l’Administration et de Fonction publique — Projet de Reforms Administratives: UNDP Project No. 175/63-125

Structure of local govern.of 1952/1973

<table>
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<th>1975-86</th>
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<td><strong>Central power</strong> = Govt of People’s Asssembly</td>
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Similar structures at provincial level — pyramid command structure run by admin. offices at canton (Tahune) levels, subject to Pr’s authority w/o system of laws/regulations; provincial admin. head = president = minister of prov., person财 with prov. control on budget, collected taxes & made expenditures/salaries.

Ministers equivalent to prov. ministers, but had practically no control over the provincial technical services which remained directly controlled by district chiefs (equivalent of team, not minister); provincial chief was ‘assisted’ by prov. assembly, popularly elected (abt. 30) from list nominated by party. Prov. Chief + his staff executed policies of prov. Party (Prov. Secy Gen of P).

1986- new strategy

Failure of corps = weak plan results = radical mission by 1975 P Conq./1986

- NEM = powerful corps, incl. of econ. centres & put inv. 1988; for put in

**1.** Reinforced local autonomy by late 1980s, admin. system provoked distortions in prov. autonomy — more or less obstacle to econ. work; minimized loss control over revenue, prov. budget autonomy amplified inequalities among provs. Threatened national integrity. Tendency to decentralize = P Conq of 1991

1991

- Constitution enacted // NEM super |

Centralized Finance in Mof. thru decree No. 68/P MDO 28 Aug. 1991; but not all have accepted agreed // new decree, Constitution No. 21, May 8, 1993 //
Res. No 21: please, for recruiting, apply + assignment to concerned Min. in consultation w/ Dept of Admin & local author.

No. 171/pm, 16 Nov, 1993 - Subordinate Civil Service

Constitution 14/July, 1991 - basic principles of Law, functional administration.

Art 5: Nation is at all times strong, since all democratic contradicts. (Party = key stone, orgs., pop. in mass orgs. bin+(in is, govt, party) control.

Art 34: State's power 1st laws & make laws fundamental importance/country.

Art 44: 1st law: obedience or arrogate laws & rules. 2nd: to modify.

Constitution (PM-Prime Minister, VP, Sy. C Pres. & Council of Ministers; councils: provincial, municipal, local; counties, municipalities, etc.) to appoint or reject foreign treaties.

Art 15: PM, President can appoint or reject provincial governors & prefects.

Art 57: State's coordination & supervision the administrative arrangements.

Art 60: PM coordinates activities of governors & prefects; it appoints

vice governors, councillors, etc.

Art 63: specifies relations provinces, prefectures, districts + villages.

Art 64: village chiefs carry out tasks of village in form of

local laws, decisions/regularities, etc.

Lao = 16 provinces + Vientiane Province, Vientiane Special Zone,
+ 134 districts + 11,724 villages. - Provinces + districts organized
according to Central Office's Information No. 1237 on Dec. 1993. Total
budgets = integrated into St. budget; one village = 1,000-1,500 pop.

Village chiefs & councilors as candidates by existing chiefs, voted by pop, for
2 yrs. - resp. for 3 ones (security, culture, economy) & for environ.

w/ socio-economic support w/ laws, account of all facts + statistics, etc.

Problem:

unnamed elected chiefs don't have qualifications for job.