

FIG WORKING WEEK 2019

22-26 April, Hanoi, Vietnam

Presented by the FIG Working Week 2019,
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"Geospatial Information for a Smarter Life
and Environmental Resilience"



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The Institutional Reform of Rural Residential Land in China Based on the Comparison with Vietnam

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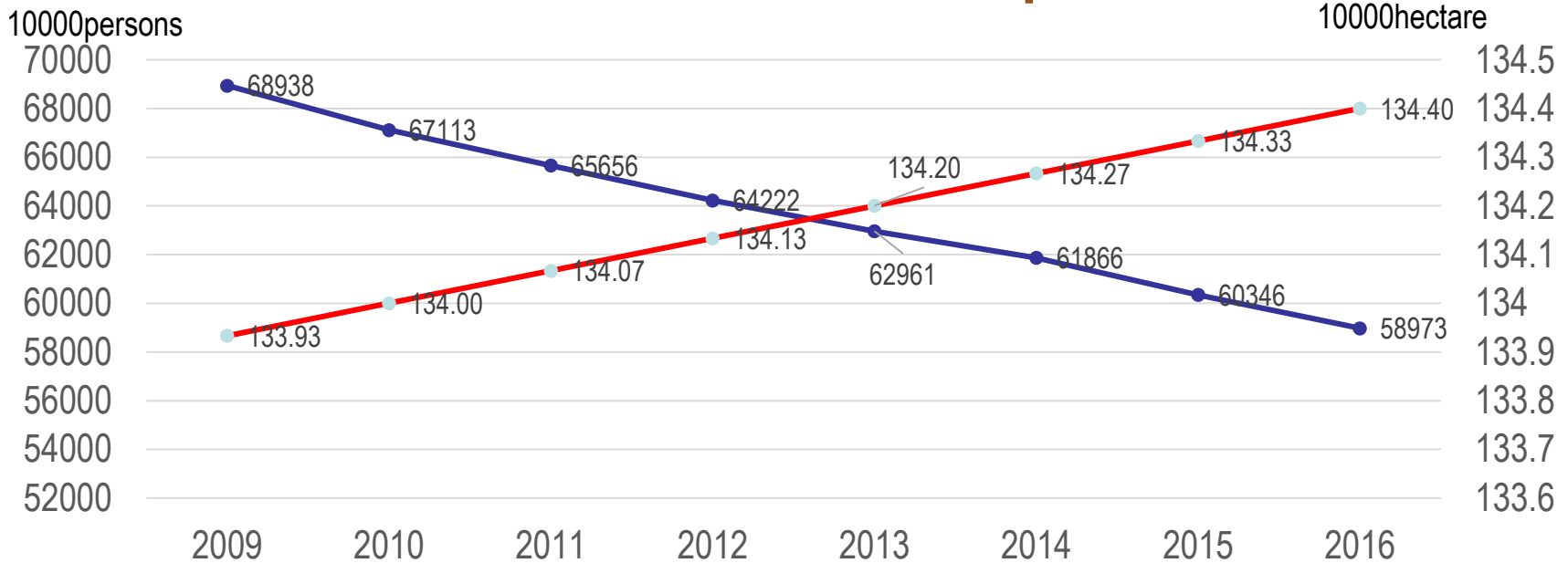
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Chapter 1: Background

Why do we focus on this topic?



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● rural population

● rural construction land

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Why do we choose Vietnam?

The similar regime, ideology and history background

Socialist country, former planned-oriented country, undergoing the Đổi mới strategy like reform and open-up strategy in China.

The Vietnamese land market reform is more further than China in some fields, which can supply positive or negative experiences.



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Chapter 2: Introduction of RRL System Between China and Vietnam

	China	Vietnam
Initial acquisition of RRL	Free	Land use levy*
The plan of RRL	The lack of rural residential plan causes several problems	Rural residential plan is detailed, many provisions on the rural houses, such as regulating the "quota area"
Management of RRL	One household one parcel; Infinite Use; Restricted transaction	One household several parcels; Land title and registered; Free transaction



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Chapter 3: Comparison

1. The background of institutional reform

China

The institution of planned economy and the collective ownership have lasting a long time. So path dependence of collective land institution is stronger in China, which strongly influence the extent and speed of market transition.

Vietnam

Since national unity to now, the period of national collectivization is short and the institution of collective land is weak. So Vietnamese reform seems like more radical, big step, than China. **Because, there is weak path dependence of institution in Vietnam**



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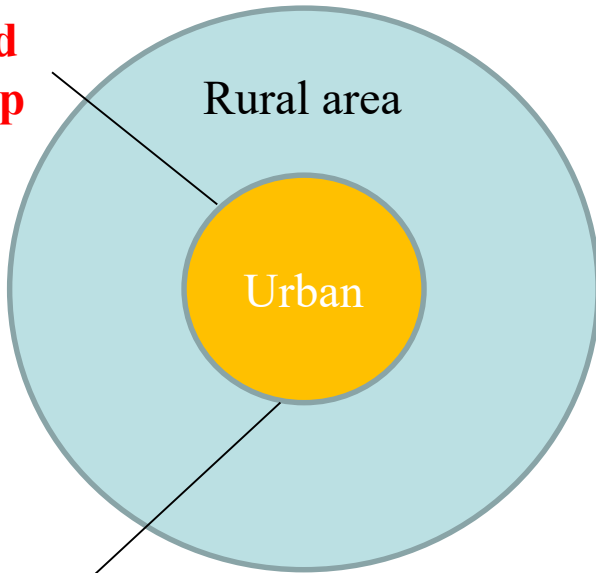


2. The structure of property right of RRL



State land ownership

Dual Subjects System



Rural collective land ownership



Rural area

Urban

One Subject System

Stated land ownership

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The land tenure

	China	Vietnam
Object of property right	Land tenure	Land tenure
Initial acquisition cost	Free	Charge
Holding cost	Free	Land use tax

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The power of property right

	Sell	Lease	Mortgage	Inherit
China	Incomplete*	√		√
Vietnam	√	√	√	√

*RRL of China can be transacted in the same membership of collective community, not for other members and urban citizen.

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3.The management of RRL

Legal system

In China the legal system of RRL is relatively abstract, outdated, the government uses administrative regulations to control and adjust.

	Legal system
China	《Land Management Law》 (2004) , 《The Property Law》 (2007), Lots of government notifications
Vietnam	《Land Law》 (2014) 《Building code》、《Law on personal income tax》、 《Non-agriculture land use tax》

Vietnamese land system is much more complete, authoritative, systematic so as to keep the higher level of management by law.

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Value orientation of management system



Planned welfare oriented system



Marketed economical oriented system

It is key how to balance both value orientation for authorities in order to effective land distribution and living security of peasants in developing countries.

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Chapter 4: Enlightenment and references for China

- 1.Reinforcing the construction of legal system
- 2.Eventually promoting the institutional reform, avoiding the big jump of institution reform.
- 3.Strengthening the role of rural land plan.
- 4.The management of RRL should more apply the economical instruments.

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Thank you for your time !

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