



MASTER PLAN

ON

DEVELOPMENT OF THE RULE OF LAW IN THE LAO P. D. R TOWARD THE YEAR 2020

**The Ministry of Justice, Office of the Supreme People's Prosecutor, People's Supreme
Court, Ministry of Security**

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Introduction

The brave mission of the heroic struggle to fight for the national liberation of Lao and Ethnic People against the invasion of the colonial empire and their dependants under the Lao People's Revolutionary Party was completed with victory of and of the proclamation of The Lao PDR in 2nd December 1975, opening a new era of independence and true national ownership by the Lao and Ethnic People". The Lao People's Revolutionary Party, from an underground movement in the past, has become in power and undertakes to lead in all areas of the society in Lao PDR.

The development of good governance at the highest level to ensure full, deep and true democratic rights of the citizens on the basis of provision of Laws is a growing trend of current States and in the international arena, in which Lao PDR State as a member of many international conventions as well as the international community, and other side with deepening of Maxis-Leninism theory, which stated that: "the issue of governing power is the basic issue of all revolutionary societies and to gain such governing power is such a complex and problematic difficulty, but the issue of the protection of such governing power in a stable way is more difficult". Thus, since the gaining of power is in hand, the party pays the highest attention to the creation and preservation of strong state power.

The State administration through the Constitution and Laws is a new, long-term and thorough task for our country, which requires implementation with detailed procedures ensuring to reach the defined goal in a realistic, strong and stable way.

For almost three decades, from the Lao People's Revolutionary Party has converted to the New Policy of all aspects and certain principles in 19986, the State of the Lao People's Democratic Republic has been governing the socio-economic development through the Constitution and Laws steadily, which is an administrative method in accordance to the general current trends of State's governing rules and consistent with the desires of the Lao, and Ethnic People ensuring the extension of the national ownership of the Lao and Ethnic People based on the Constitution and Laws.

The State administration through the Constitution and Laws in the environment that our Country has in previous history never experienced with the State governance based on the rule of Laws, including a lack of experience and shortages of lawyers and with the rush adoption of Laws has caused some limitations in addressing the requirements for socio-economic reality and ideally of Lao society on one hand. On the other hand, the adoption of Laws is not deeply connected with the implementation of Laws and the strength of improvement of Law implementing agencies causing ineffective and weak implementation of Laws as it should be.

The State administration through the Constitution and Laws is a new, long-term and thorough task for our Country, and the former President Kaysone PHOMVIHANE stated that the Rule of Law State is the State that regards Laws as supreme governing rules above all and legal consciousness of citizens should become customary practices in daily life. Thus, the establishment of the Rule of Law State is the goal that requires a long-term process depending on the socio-economic growth of the country, on the knowledge, and political awareness of civilized people and many other factors.

The guiding objective on the development of the rule of Law State of the Lao P.D.R was initially announced in the resolution of the VIII Party Congress. The main objective of the development of the Rule of Law State is to secure the extension of ownership of Lao and Ethnic People, rights of citizens, rights and interests of children, equality between men - women, ethnic groups, as well as for ensuring the implementation of obligations under international treaties to which Lao is a party. Thus, the development and improvement of Laws, the establishment and the improvement of Law implementing mechanisms must secure the realization of these basic elements mentioned above.

Therefore, the increase of state administration, socio-economic management, through the Constitution and Laws as well as the development of Lao P.D.R's State to step by step become a Rule of Law State, requires steady and continuous development of the Lao P. D. R legal system in connection with the fundamental principles in article 10 of the Constitution amended in 2003, which stated that "the State administers society by the Constitution and Laws". By implementing these principles, the Constitution and Laws are supreme legislation which all Party organizations and State agencies, Society and all Citizens must obey and implement. To ensure the effective implementation of the supreme Laws of the Land as stated above, it is necessary to develop the State's mechanism, political system, especially the to fully establish law implementing agencies. Beside the development of Laws to make available for the administration and encourage all activities based on the Constitution and Laws with the aim to ensure that the Citizens can do any activities not prohibited by Laws and the Civil Servants as well as all organizational sectors have the duties to perform only as defined by provisions of Laws.

The general vision on the development of the rule of Law state of Lao P. D. R up to the year 2020 is:

Striving that the Lao P. D. R State ensures to fully perform basic obligations under the Laws toward its citizens and that the citizens perform their obligation toward the State.

The Master Plan on the development of the Rule of Law State of the Lao P D R toward the year 2020 consists of three linked and interrelated parts as follows:

Part I: The Evaluation of Constitutional and Legal, Socio-Economic Administration of the Lao P.D.R State up to date identifying the Strengths, Weakness and lessons learned, the past human resources development in the legal and judicial sector, the development of legal information and the people's participation in legal and judicial sector development.

Part II. The Objective, Conceptual Needs, Directives and Strategy in the Development of the Rule of Law State of Lao P.D.R toward the year 2020.

This Part determines the following strategic plans in each area:

- 1). The Development of Laws of Lao P. D. R**
- 2). The Development of Law Implementing Organizations of Lao P. D. R**

- 3). **The Development of Human Resources in the Legal and Judicial Sector**
- 4). **The Development of Legal Information and Participation of People in the Legal and Judicial Sector;**
- 5). **The Development of Infrastructure of Law Implementing Organizations of Lao P. D. R**

Part III: Methods and Measures for the Implementation of the Master Plan.

To ensure the effective implementation of the Master Plan, this Part determines the functional mechanism responsible for its specific implementation, which consists of the National Steering Committee (NSC), Inter-agency Working Committee (IWC) and the Secretariat.

The ANNEXES

The ANNEXES determine programs, projects and detailed activities in each period for the implementation of the Master Plan on the development of laws, the establishment the laws implementing organizations, the development of human resources in the legal and judicial sector and the development of legal information and people's participation in legal and judicial development where the Master Plan is divided into 4 major programs, 16 projects and 42 activities.

PART I: THE EVALUATION OF THE DEVELOPMENT OF LAWS AND LAWS IMPLEMENTING ORGANIZATIONS IN THE PAST

I. The Past Development of Laws of Lao P.D.R

As stated in the introductory part of this Master Plan:” the administration of the State, socio-economic management through the Constitution and Laws is a necessary objective of all States in the present as the measures of justice and the livelihood of a peaceful people in a civilized country. Thus, the law is an instrument to adjust the social relationship, to guaranty the equality and justice for all classes of people in the society.

For Lao PDR, the development of completed legal system step by step in the new age of globalization, where there is very high level of competition, is a necessity that Lao PDR pays most attention to and actively to enable the country to compete and not to fall into a disadvantaged situation in regional and international cooperation. However, this is a new issue, which we must deeply undertake and carefully take into accountt.

At the present, with the continuous development of Laws and regulations and practical performance, the Government confirms the importance of the administration of the country through the Constitution and Laws, which have been continuously and broadly supported by all sectors within the country and international communities.

Since the country is a less-developed country comprising a small population, which is made up of many ethnicities with different traditions and many different languages, and who live separately in small groups, is located in a landlocked geography, and most importantly in history, Laos had never been administered by the Rule of Law before. This leads to obstacles for the development of a basic socio-economic foundation and the Rule of Law of the Country.

Since the proclamation of Lao PDR in the year 1975, the Party and State had focused primarily on the restoration of life of the people, the remedy of damages suffered from the war period, the recovery of the economy of the state and the restoration of national unity. Therefore, the state, socio-economic administration at this first stage is based on the policy of the party and some simple levels of legislations issued by the state such as: decree, orders and others. The adoption of Laws is thus not dominant in the state administration. Since the Lao Revolutionary Party adopted its new policy with certain principles in the year 1986, to date it increasingly requires the Country to administer the State and socio-economic development through the Constitution and Laws, which has become a necessary objective for the Country in order to be able protect and develop the Nation, under the condition of market economic expansion and international integration.

A. The basic Legislative Reference for the Development of Laws and other Legislations.

The development of a legal framework of the Lao PDR primarily is based on the new policy of the Party, the specific socio-economic criteria of the Country, national traditions and lessons of different countries around the world.

Prior to 1990, the development and promulgation of laws and other legislation had no legislative procedure for reference thus making the research, development and proposal of

laws and other legislations an unsystematic, inconsistent and duplicating process, which in turn largely affects the function of the State's administration.

Since the promulgation of the first Constitution of the Lao P.D.R in 1991, the Government and the National Assembly have begun to consider developing legislative procedures for drafting and adapting laws and different levels of legislation step by step commencing from the Notification of the Office of the Prime Minister No. 662/PMO, dated 26/05/1994 on the Improvement of the Procedure and Drafting of Laws, Presidential Ordinance, Decrees and other Legislations; followed by the additional Notification No. 05/PM, dated 19/07/1996 on the drafting and Proposal of Laws, Ordinance, Decree and other Legislation;

On the basis of these two Notifications, and with increasing requirements of the actual process on the drafting and adoption of Laws and other legislation of the Country in the year 2003, the President of the Lao P.D.R issued Presidential Ordinance No. 02/President, dated 20 October 2003 on the drafting and adoption of legislation in the Lao PDR, which clearly set the hierarchy of the Laws and other administrative legal instruments, including the procedures for drafting, proposing and adoption of laws.

1. Hierarchy of Laws in the Lao P.D.R

The Presidential Ordinance No. 02/President, dated 20 October 2003 on the drafting and adoption of legislation in the Lao PDR identifies the hierarchy of Laws as following:

- (1) The Constitution;
- (2) The Laws;
- (3) Resolutions of the National Assembly;
- (4) Resolutions and recommendations of the Standing Committee of the National Assembly;
- (5) Ordinance and Decrees of the President;
- (6) Decision and Decrees of the Government;
- (7) Decrees, Regulations, Orders, and Recommendations of the Prime Minister;
- (8) Decisions, Orders, Instructions and Notifications of Ministers, Heads of Organizations equivalent to Ministries, Heads of Organizations under the jurisdiction of the Government, President of the Supreme People's Court, the General Public Prosecutor, Provincial Governor, Mayor, Office Head, Department Head, District and Municipal Chief.
- (9) Village Regulations.

2. The Procedures and Methods on Drafting of Laws

The Presidential Ordinance No. 02/President defines rules, procedures and methods for the creation of Laws as follows:

- The relevant sector must prepare the draft of the Law in collaboration with the Ministry of Justice in technical aspects;
- The Ministry of Justice reviews technical aspects and their consistency with the Constitution and other promulgated Laws to propose to the Government for consideration.

- At the Government's meeting, the draft law is considered for adoption or rejection, and then is submitted to the Standing Committee of the National Assembly for consideration.
- The National Assembly considers the adoption of the Law and upon completion, the Chairman submits to the President of the Country for promulgation within 30 days from time the National Assembly has adopted such Law.
- The Law is effective from the date the President has promulgated the Law. In certain cases, the Law is effective from the date the Prime Minister has issued the implementing Decree.
- The drafting and proposing of Law by the Lao National Front, Mass Organization at central level, by the Supreme People's Prosecutor and the Supreme People's Court must be submitted to the Standing Committee of The National Assembly in collaboration with the Government.

3. The People's Participation in drafting and adoption of Laws

Law in general is an instrument to serve the extension and ownership of the Country by the people and ethnic groups. Thus, the process of drafting and considering each Law, especially the Constitution as the basic Law of the Country, the Party and State pay special attention to the extension of rights and democracy of the people and all groups to participate in consideration of drafting Laws in many ways, such as organizing discussions with various political, social, business organizations and representatives of people's groups or organizing meetings for comments of the people under the activities of the National Assembly in each electoral district.

Although, people do not directly participate in actual consideration and adoption of Laws in the National Assembly, such draft Laws are subject to consideration and debate through the members of the National Assembly who are their elected representatives.

4. The Incorporation of international Treaties into the domestic Laws of the Lao P.D.R

As a party to international treaties, the Lao P.D.R has a duty to implement and incorporate such treaties into the domestic Laws of the Country. In general, the procedures for participation in international treaties and the legal status of international treaties in the domestic context have not yet been regulated by the domestic legislation of the Lao P.D.R. However, the State of the Lao P.D.R has considered a draft of Ordinances on participation and implementation of international treaties.

In the area of international Law, the United Nations has determined 25 main international treaties that reflect the main policy objectives of the United Nations, and out of these 25 international treaties, Lao P.D.R. has signed and is party to 15, and is preparing to enter into the Rome Statute of the International Criminal Court. These 25 international treaties of the United Nations are divided into five areas, of which the Lao P.D.R is party to four areas, with only one area remaining, namely the area of "refugees and stateless people".

Many international treaties to which the Lao P.D.R is party are legally binding on the Lao P.D.R, and thus, it is necessary to incorporate the contents of these international

treaties into the provisions of the Laws of the Lao P.D.R to allow all levels of state agencies and society to implement these rights and perform obligations under these treaties, and in order for the Lao P.D.R to be considered reliable and trustworthy within the international community.

5. Issuance of regulations on the implementation of Laws

(1). Issuance of Presidential Edicts for promulgating and Decree for implementing Laws

The Constitution provides that “*Laws adopted by the National Assembly must be promulgated by the President of the State within 30 days from such adoption*”. During the said period, the President has the right to veto and propose to the National Assembly for reconsideration. If the National Assembly insists and affirms the original provision, the President must promulgate such Law within 15 days.

In actual process from the past, the promulgation of many Laws adopted by the National Assembly were mostly promulgated late (exceeding 30 days), because there were many Laws to be adopted and promulgated at the same time.

The Ordinance on drafting and adoption of legislation provides that once a Law is promulgated, the law will become effective in a certain period to allow full requirements for the implementation, with the exception that if it is a necessary and urgent case, the Law be effective from the date the President has promulgated it. On this issue, it is observed that the application of the Law in the past was a complex difficulty for those who actually implement the Laws, because many Laws are generally defined and require the implementing Decrees for detail elaboration on one hand, and on the other hand the Law is effective from the date of promulgation.

(2). Issuance of Ministerial and Local Legislations

Ministerial and Local legislations are comprised of: Decisions, Orders, Instructions and Notifications by Ministers, Heads of organizations equivalent to Ministries, Heads of government organizations, the President of the Supreme People's Court, the Public Prosecutor, the Provincial Governor, Mayor, District Chief. In the creation of such legislation, Head of the organization assigns its secretariat to prepare plans, compile data and draft the legislation. The structure, framework, contents and discourse follow the provision of the Ordinance on the drafting and adoption of legislation No. 02 of the President.

B. Evolution of the Development of Laws in the Past.

1. Evolution of the Process on the Development of Laws

The evolution of the development of Laws in the Lao P.D.R to date can be classified into two historical periods as follows:

(1). First Stage (1975-1985)

Immediately, after the Lao People’s Revolutionary Party, leading the people and ethnic groups, successfully achieved the national democratic revolution, with the

proclamation of the Lao PDR on 2nd December 1975, during the first stage, the Party and State had focused strongly and led to the recovery of the economy, and the restoration of national unity with two strategic revolutionary missions: protecting and developing the Country. Therefore, the state, socio-economic administration at this stage was mainly governed by resolutions, orders and others. The first set of legislations of the Lao PDR was determined by resolutions of the first National General People Conference.

The conference unanimously proclaimed the Lao People's Democratic Republic, appointed the Supreme People's Assembly, President of the Country and the Council of Ministers of Lao PDR. This legislation was basic legislative referendum for the Government and Local Administrative Committee to issue necessary additional legislation for administration of the Lao PDR. This basic legislation includes:

- Law on the establishment of the Council of Ministers of Lao PDR, No. 100, dated 30/07/1978;
- Law on the establishment of the People's Assembly and local administration, No. 101, dated 31/07/1978;
- Law on the Council of Ministers of Lao PDR, No. 01/80/SPA, dated 10/08/1982.

In addition, there were a number of legislation acts issued in the form of Decrees, Orders of the Prime Minister and Resolutions of the Local Administration.

In pursuing the principles of State administration under the Constitution and Law, the Lao PDR State has prepared to adopt Laws in different areas to meet the needs of the society, meanwhile the Supreme People's Assembly (SPA I and II Legislatures) was increasingly dominated in its legislative functions in preparing for adoption of the first Constitution of Lao PDR.

Although the State of Lao PDR is the result of a revolutionary democratic process with socialist orientations, all international treaties previously signed by the former regime have been recognized and respected, implemented and used as the foundation of international legal laws by the Lao PDR State as the referendum in continuing activities in international relationships, maintaining and expanding good diplomatic relationships with other nations.

(2). Second Stage (from 1986 to date).

The development of the Laws of the Lao P.D.R has been actively focused, in particular after Lao Revolutionary Party changed to the New Policy in 1986. The development of a market economy with participation by multi-sector economies has been recognized by Law, and the State has systematically pursued development of complete Laws. The promulgation of the first constitution in 1991 was the milestone for the Lao PDR State to continue development of its complete legal system in a systematic manner. Up to the present day, our State has classified the area of Laws and adopted more than 80 Laws which are based on the specific socio-economic criteria of the Country, on the political task of the new reform and the past practical experiences of the early State's administration and national development. In addition, selected international experiences and assistances and supporting projects have also contributed to the improvement of Lao's legal system.

Although, the legal system in Lao PDR has not been clearly classified in the major legal systems of the world, the Lao legal system may be characterized as a mixed legal system, and has derived its basic development from the civil Law system.

2. Evaluation on the Strengthsand Weaknessess in the Development of Laws in the Past

Through practical implementation on the development of the legal system of the Lao P.D.R up to date we may summarize the dominant strengths of the process as follows:

- (1). The drafting of Laws is defined by legislative drafting procedures, which has become basic references for the development of Laws;
- (2). A legislative plan has been systematically planned and implemented;
- (3). In the legal development process, it has been basically coordinated, consulted and opened for people's participation;
- (4). The considerations of Law at the National Assembly are ensured with democratic principles and steadily improved;
- (5). All adopted Laws are consistent with the socio-economic reality of the nation, also become instruments for the administration of the State, socio-economic development, and protection of benefits of the state, collective, protection and extension of the legitimated interests of the people, ensuring, strengthening and widening the good cooperation and relationships with countries in the region and in the world.
- (6). Laws and various acts of legislation, which have been adopted, are used widely in the actual life of the society, the awareness and understanding on the state administration by the rules of Laws and for the planning of works on the basis of Laws of all political levels have been increasingly improved, and the legal awareness of the society has also been strengthened.

Nevertheless, along with an active attempt in the development of Laws, there are various weaknesses, which require improvement and resolution, these include:

- (1) The Structure of the Lao legal system is still not completed and is not consistent with the needs of the administration of the state and socio-economic development;
- (2) The drafting of Laws in the past has been rushed, without the benefit of detailed research resulting in the provisions of laws which conflict with other laws, causing discrepancy and not enough detail and leading to frequent amendments in a short period of time. In addition, the drafting of Laws has not followed the defined procedures and plans;
- (3) Lack of strong central technical review allowing the proposals of Laws by the relevant sector with strong empowerment of its own agencies resulting in the imbalance in the determination on rights and obligations between specific and general tasks of whole activities;
- (4) The issuance of implementing Decrees or guidelines for implementation of Laws endorsed by the National Assembly is slow and leads to obstacles for the implementation of Laws and in some case the Laws are not able or

implemented in a timely fashion due to the slow issuance of the implementing decree;

- (5) The implementation of international treaties to which the Lao P.D.R is a party in respect to the incorporation into domestic Laws is not completed. Moreover, there is no specific legislation and clear principles on the incorporation of international treaties into the Laws of the Lao P.D.R.;
- (6) The application in actual daily life of the society is not deepened and widely used by all subjects; the collaboration on the application of Laws and the customary practices in various locations are not well established. Much more emphasis has been placed on the practicing of the customary or old habits than implementing laws; the active implementation of laws by various sectors is not strict and not effective enough; the legal awareness of the society is not deepening; the violations of laws by the agencies, officials and civil servants as well as the business units of all sectors are widespread.

C. Lessons learned

From the practical experiences in the development of Laws from the past, we may draw the following lessons:

- (1). The drafting of Laws must start from the political policy of the Party and be consistent with the special socio-economic characteristics of the Country which have changed from time to time and with be consistent with the good traditions of the country, and in addition the drafting of Laws must ensure that:
 - The content of the Laws is clear and predictable and consistent with the principles of a market economy, ensuring the integration of the national economy into regional and international economies;
 - The basic rights of the citizens, individual, collective and state property must be guaranteed by the Laws;
 - The protection of the natural environment, biodiversities, promotion the health, education, culture, and the mastery of the people;
 - The obligations under the international treaties must be met.
- (2). The drafting of Laws must ensure the extension of a social democratic character, which reflects the meaning of the State of the people, by the people and for the benefit of the people and all ethnicities with the socialist orientation;
- (3). The drafting of Laws must be consistent with the Constitution, and follow the procedures defined for the drafting of Laws;
- (4). The development of Law must be connected with education and promotion of legal awareness of the citizens and society, preservation of the organizational strength of political system, especially the Law implementing agencies.

II. The Past Development and Improvement of Law-related Institutions

Under the environment that Lao PDR administers the State and socio-economic activities through the Constitution and Laws by now have been developed for almost two decades, and certainly neither a completed legal system nor the systematic establishment of law related organizations have been completed. Basically, a State comprises various institutions in the state's structure of the Lao PDR, which has been fully established based on the principles of administration by unifying the State with the division of detailed responsibilities between State's organs exercising the powers.

The status and mandates and division of the responsibilities among the State's organs exercising State powers are defined in the first Constitution of Lao PDR and continued to a clearer and dominant improvement in the amended Constitution of the Lao PDR in the year 2003.

Part of the State structures composing of the State's organs that have direct mandates to implement the Laws comprise executive and judicial organs (defined under the Constitution 1991) and redefined as adjudicating organ and Office of the People's Prosecutor (defined under amended Constitution 2003). Hence, to ensure the administration of the state, and socio-economic activities through the Constitution and Laws, the State pays particular attention to the improvement of the Law-related institutions from central to local levels in the direction of simplifying but more effectively and continually to fully and systematically develop and becoming strong agencies and prompt performance.

Although, the Party and State pay attention to improving the State mechanism to continuously make the State organs with stable it is considered that various State agencies are not deep and strong enough as defined by the Constitution and Laws.

The determination on the status and the mandates of many sectors are duplicated and the division of the responsibilities between vertical and horizontal organizations is not in clear detail and deeply defined which in turn often causes overlapping of the rights and duties among the agencies in the actual performances.

The research and improvement of local State agencies, especially at district and grassroots level takes a long time and is often delayed, and unclear, making the performance of duties ineffective and not strict as required under the Constitution and Laws.

This Master Plan will not focus on the development of legislative organ; it is because the National Assembly has developed its own strategic plan. Therefore, the Master Plan merely concentrates on the Law executing agencies.

1. The status of the creation and improvement of Law-related institutions in the executive area

- Period of 1975-1990: The executive organ was extended in the growing direction with many procedures and levels. The administrative rules had also many levels and steps. The system of building the personnel and allocation was based primarily on the requirements of work which led to a bureaucratic character. The law implementing agencies and institutions in the area of justice were administered by the executive organ (the Ministry of Justice) which included the Judiciaries and Prosecutors. Another part was under the Ministry of Interior or Ministry of Public Security without clearly separation of the responsibilities between executive and judicial branches.

From the year 1991 to date, in which the first Constitution of the Lao PDR was promulgated, the improvement of State mechanisms moved in the direction of simplicity and more effectiveness with a substantial reduction of the numerous State agencies from 36 Ministries to 19 and reducing the civil servants with more suitable and selective criteria for allocation of capable civil servants. At the central level, the Council of Ministers was replaced by the Members of Government and at the provincial and district levels, the provincial and district administrative committee was replaced by governor and district mayor and cancellation of Commune (Taseng) and replaced the village committee by the village chief.

Following the Constitution, the State promulgates various Laws to define roles and functions of administrative mechanisms at different levels and dividing the responsibilities between judicial organ from the executive organ, these include the following legislative acts:

- The Law on People's Court adopted in 1990;
- The Law on People's Prosecutor adopted in 1990;
- The Law on Government adopted in 1995;
- The Law on Local Administration adopted in 2003.

In addition, there are various legislative acts defining the establishment and activities of different Ministries, Agencies in the State executive mechanism.

In summary, the executive branch of the Lao PDR has been developed in the direction of simplification but increasingly more effectiveness and the administration of the State, socio-economic activities by the Rule of Laws.

2. The status on the Establishment and Improvement of Judicial Institutions.

The Law-related institutions in the judicial area defined in the Constitution of 1991 and amended in 2003 include the Office of Public Prosecutor, People's Court and investigate-interrogative authorities. In addition, there are auxiliary organizations under the administration of executive and judicial organs such as: the Law enforcement agencies, agency responsible for the custody, lawyer and other agencies.

In the past, our Party and State also paid attention to the establishment and improvement of the organizations in the justice system in respect of status and mandates on the basis of the Constitution and Laws meanwhile to enhance the productivity of these organizations continuously, which are reflected as the follows:

2.1. Status of Establishment and Improvement of the People's Courts of Lao PDR.

Prior to the year 1991, the court's system was under the administration of an executive agency as one part of the justice sector based on the order no. 53/PM, dated 15 October 1976 on the arrest and investigation and decision on punished persons.

The People's Court was separated from the executive organ to a specific judicial organ of the Lao PDR after the State promulgated Law on People's Court.

In 1991, after the first Constitution of Lao PDR was promulgated, the Supreme People's Court was separated from the Ministry of Justice taking a new step for development of the judiciary moving toward independence in the performance of duties based on the Laws:

The development of the judicial system in the past can be divided into the following periods:

(1). The Period from 1975 to August 1982

In the period from 1975 to 1982, the function of the People's Court was performed by the executive organ, the Judgment Department subordinated to the Ministry of Justice performing as the central Court. At the local level, in the end of 1979, the provincial and prefecture justice divisions that performed the function of the local people's courts were under the control of the local administrative authorities. At that time, the jurisdiction of the criminal Courts at different levels had operated on the basis of the Order No. 53/PM, dated 15/10/1976 on the arrest, investigations and judgment of punished persons. Civil disputes and other matters were settled through mediation and decisions of the administrative authorities on a case by case basis.

(2). The period from 15 August 1982 to 13 August 1991

From 15 August 1982, the Judgment Department extended its jurisdiction and changed to the Supreme People's Court based on the resolution of the Supreme People's Assembly No. 01/83/SPA, dated 11 January 1983 on the establishment of the Supreme People's Court.

The organization, jurisdictions, rights and duties of the Supreme People's Court at this period were determined by the resolution of the Standing Committee of the Supreme People Assembly No. 74/SPA, dated 30 November 1993. The structure of the Supreme People's Court composed of civil, criminal chambers and 5 supportive divisions. The Minister of Justice was responsible for operations of the Supreme People's Court.

On 23 December 1989, the second ordinary meeting of the National Assembly, II legislatures, adopted Law on the People's Court and elected President of the Supreme People's Court (SPC). At this stage, SPC has duties to supervise on the technical aspects to the Local Courts and directly report on its activities to the Supreme People's Assembly. It was a turning point for the extended growth and independent responsibility based on the Law on People's Court. However, organizational structure and administration of the local courts at the provinces, prefecture and the districts were still under the Ministry of Justice.

The principle of decision was vested in a collective where one judge and two people juries were appointed. With practical performance, the collective decision caused significant delays in the judicial process and did not secure the legal effectiveness due to the fact that the selected juries were not able to fully perform their tasks and mostly had no proper legal knowledge.

(3). From 14 August 1991 to 5 September 2003.

The first Constitution of Lao PDR promulgated in 1991 defined mandates of the People's Court in chapter VIII, article 65 that the People's Court is a judicial organ composing of Supreme People's Court, Provincial and Prefecture Court, District Courts and Military Court. At this stage, a panel of three judges was required to adjudicate cases.

With the promulgation of the Constitution and several Laws, the status of the People's Courts was increasingly upgraded. The organization of the Supreme People's Court was enhanced steadily with the duty of direct supervision on the legal aspects to the Local Courts in order to secure the uniform implementation of Laws throughout the Country. The Ministry still administered the local People's Courts at the Provinces, Prefecture and Districts on the organizational structure. At that time, the provincial and prefecture and district courts have were continuously established and improved and in early 2001, 18 prefecture and provincial courts, 136 district courts existed. However, the shortages of judges obliged the Ministry of Justice to restructure the district courts by consolidating two or three district country in one court.

(4). From 2003 to the Present

To comply with State and Party's policies as well as the socio-economic extension in the new period the Constitution was amended in 2003 by the National Assembly. The Constitution defined mandates of the People's Courts in article 79 stating that "*the People's Courts are the adjudicating organ comprising the People's Supreme Court, Appeal Courts, Provincial and Capital City Court, the District and Municipal Courts, and Military Court*". In necessary cases, special Courts may be established by decision of the standing committee of the NA, and article 80 specifies that "PSC" is the supreme adjudicating body of the State that shall have the duty to supervise all court levels, including the Military Court and control the judgments made by lower courts. From this point, the local People's Courts were transferred from the Ministry of Justice to the administration of People's Supreme Court on 5 September 2003. At the transfer of local courts to the PSC, there were 18 provincial courts with 291 staff which included 126 judges, and 41 district courts with 165 staff which included 105 judges, with the total of 456 officials, of which 231 judges have been transferred.

After local courts were transferred to the People's Supreme Court, the PSC significantly emphasized the improvement of the local courts; including relocation of officials, nominating suitable persons to appoint as judges and basically improving the provincial, capital city, district and military courts. Currently, three appeal courts have been established in the northern, middle and southern parts of the Country, including establishment of eight new district courts. For compliance with the amended Law on People's Court, the Civil Chamber, Criminal Chamber, Trade Chamber, Family Chamber, and Juvenile Chamber were established at the level of PSC, appellate, provincial and capital city Courts. The district and municipal court level has not created additional chambers.

At present, the organizational structure of the People's Courts of Lao PDR are made up of one PSC, three Appeal Courts, 17 Provincial and Capital City Courts, 103 district Courts, one High Military Court, three regional Military Courts. Total staff members are 1,012, where there are 312 women, with 393 Judges, of which 58 are female. By the year 2020, the Courts need total of 1,869 officials, where 732 Judges are required.

2.2. Status of the Office of the Supreme Public Prosecutor.

After the proclamation of the Lao PDR in 1975, the Office of the Supreme Public Prosecutor (OSPP) of the Lao P.D.R has been continuously improved in the following periods:

(1) From 1975 to 1983:

The OSPP was established as part of the executive organ, at the central level administered by the Ministry of Justice and at the local level as part of the provincial Justice Division, also at municipality and district level. The mandates of the Public Prosecutors were determined by the Prime Minister's order No. 53/PM, dated 15/10/1976 on the arrest, investigation and decision on punished person and have main duties for prosecuting cases before court.

(2) From 1983 to 1990:

The Office of the Supreme Public Prosecutor at the central level was temporally organized and operated under the administration of the People's Supreme Court, but under the supervision of the Minister of Justice. At the local level, the prosecutors belonged to the provincial Justice Division and the district Justice Office under the administration of the Ministry of Justice, which operated under the direction of the local administrative authority.

(3). From 1990 to 2003:

It was the period in which the organization, the rights and duties of the Office of Public Prosecutors was redefined pursuant to the Constitution of 1991 and under the Law on the Organization of the People's Prosecutor (OPP) 1989. The Constitution and Law on OPP defined that the OPP is an adjudicating organ jointly with the People's Courts. However, the OPP is considered an organizational system separate from the People's Courts and from the executive agencies at both central and local level. The organizational structure of the OSPP is composed of the Supreme Public Prosecutor's Office, the Provincial, Prefecture Public Prosecutor's Offices, and the District and Military Public Prosecutor's Offices.

The rights and duties of the OPP have been steadily improved and increased, namely, in addition to a prosecution function, it also has a function to control the Court's judgment and enforcement of judgment, right to inspect the execution in the custody and to monitor the implementation of Laws in general uniformly throughout the Country..

(4). From 2003 to Date:

Pursuant to the amended Constitution 2003 and the Law on the Office of the Public Prosecutor as amended in 2003, the OPP was reorganized, redefined on the mandates, rights and duties clearly and completely as defined under the Constitution and Laws.

The Office of Public Prosecutor has become a State organ and has mandates to monitor proper and uniform implementation of Laws by the Ministries, ministerial equivalent Agencies under the Government, by the National Front, Mass

Organization, Social Organization, Local Authorities, Enterprises, and Citizens and perform the function of prosecution.

The OPP is comprised of the Supreme Public Prosecutor's Office, the appellate OPP at different parts of the Country, the Provincial, Prefecture Public Prosecutor's Offices, and the District and Military Public Prosecutor's Offices. Presently, the OPP has expanded its organizational structure including the appellate Office Public Prosecutor in three parts of the Country in Northern, Central and Southern Parts.

Since 2003 the OPP has completed its organization as following:

- Establishing the Offices of Appeals Public Prosecutors;
- Completely establishing and improving all 140 District Public Prosecutor Offices;
- Establishing and improving internal mechanisms of the ODP and enhancing the mechanism of supervision and implementation of its function, rights and duties of more effectively.

Throughout the country, the organizational structure of the OPP to date has 848 officials, of which 215 are women, and 531 legal technical staffs, 92 female staff members (1 PhD level, 15 master's degree level, 256 bachelor's level, 145 diploma level, 79 middle level, and 20 primary trainees), 317 other total technical staff, of which 123 are women (2 master's degree level, 16 bachelor level, 51 diploma level, 128 middle level, and 94 primary levels, 26 have no degree) and consist of 159 investigative officers, of which 26 are females. From these human resources plus other available technical conditions and technical materials, the OPP has in general performed its duties and responsibilities successfully.

In addition to its normal course of responsibilities in accordance to mandates and duties, the OPP also emphasizes continuous training and upgrades of the knowledge and capacity of its professional staff at both central and local levels. To exchange the experiences and lessons as well as encouraging technical cooperation within region and at international level, OPP extends its relationship to various countries such as Socialist Republic Vietnam, the People's Republic of China, Cuba, Russia, the Kingdom of Thailand, Singapore, Japan, Myanmar and others.

The Investigative Authorities under OPP

In the performance of its duties in monitoring the implementation of Laws by the investigative authorities, to secure its criminal investigation-interrogation in objective, complete manner, it requires all levels of OPP to have supportive mechanism. Thus, the personnel structure of the OPP must include the investigative authorities, who are appointed and removed by the Office of the People's Supreme Prosecutor performing the secretariat function to consider cases which are submitted by the investigative-interrogative agencies and to undertake the investigation-interrogation assigned by the superior prosecutors.

2.3. The Status of the Criminal investigative-interrogative Authorities.

The Law on Criminal Procedure of 1989 and the amended Law of 2004 mandate investigative-interrogative authorities that include:

- The Police investigative-interrogative Agency;
- The investigative-interrogative Agency of Military;
- The investigative-interrogative Agency on Tax.
- The investigative-interrogative Agency of the Forestry Sector;
- The other investigative-interrogative Agencies defined by Laws, such as: the Anti-corruption Authorities under the central State Inspection Authority and local Inspection Authority, the State Audit Agency who perform auditing functions on the State's economic activities and finance. In the justice process, these investigative-interrogative agencies have the following main rights and duties:

- (1). To receive and record any information on the offense;
- (2). To promptly report to the Public Prosecutor on the offense;
- (3). To order the opening of investigation-interrogation and immediately file the copy of such order to the Public Prosecutor;
- (4). To proceed the investigation-interrogation;
- (5). To use preventive measures defined by the Laws, including release of the suspect in its custody and report in writing to the Public Prosecutor;
- (6). To request for the appeal of order of the lower level Public Prosecutor to higher level Public Prosecutor;
- (7). To conclude the investigation-interrogation and submit the file on the case to the Public Prosecutor.

In the performance of its duties and rights, the investigative-interrogative authority must act within the scope of its power as defined by the Laws. These agencies are established in order to investigate and interrogate the matters on criminal cases with quality which must be reflected when compiling evidence on the case completely, thoroughly and objectively, and to enhance high responsibilities of its sector in the implementation of Laws as well as the prevention and fight against any drawback of the society that fall under its responsibilities in an effective manner, to create conditions which allow people access to Laws and Justice easily and widely.

2.3.1. - The Police investigative-interrogative Agency

The Police investigative-interrogative Agency is organized into two levels, the central and local levels.

+ The Central level

The Police investigative-interrogative Agency at the central level has been developed as follows:

- From 1975 to 1976: As a division of municipal police department consisting of two divisions such as: crime control division and technical support division;
- From 1976-1983. The Department of Police was established;
- In 1984, investigative Unit under the Department No. 4 and thereafter several changes were made, and in 1994 it became Department of investigation-interrogation belonging to the General Police Department up to date.

The Police investigative-interrogative Department is composed of three divisions, two units and one custody camp such as the General Research Department, the Inspection Division on the implementation of Laws, and the Investigation Division; the Investigation Unit, Combat Patrol Unit (Unit 193) and temporally Custody Camp.

The criminal investigation-interrogation Department supervises at a macro level with broad functions in directing investigation-interrogation of the local police officers and the overall responsibilities to combat crime in deep collaboration with other relevant authorities, especially, with the Office of the Public Prosecutor.

+ The local level

The local Police investigative-interrogative agencies were established as agencies of the provincial or district Police Offices under the direction and leadership of the provincial or district Police Commander Unit. At the district, the investigative-interrogative agencies belong to district police unit. In general, the local police investigative-interrogative agencies have been steadily improved and have divided their responsibilities in different types of criminal offenses under actual conditions and capacity.

2.3.2. The Military Investigation and Interrogation Agency

The Military Investigation and Interrogation Agency was established under the administration of the Military Security Division under the General Politic Arm Department of the Ministry of Defense.

The implementation of rights and duties in criminal investigation-interrogation occurring within the military from the past to present has been carried out under the Laws, orders or directions of the Ministry of Defense. However, criminal proceeding reflects half administrative character on one hand and on the other hand, the organizational structure throughout the country is not comprehensively established due to the shortage of trained investigative-interrogative officers that suit their responsibilities.

2.3.3. The Tax Investigative Agency

The violations of the tax regime are criminally against the nation's economy. For this reason, the State of the Lao P.D.R delegates the power to this sector to conduct criminal proceeding against violators and combat prevent tax evasion so that the nation can administer national income effectively. In actual life, the tax evasion in Lao society has become a drawback and is a long standing practice in the society and the resolution continuously is based on administrative measures.

The relevant authorities have not yet established the investigative-interrogative agency in this sector as required by Law. In this absence, the investigative-interrogative agency of the police intervenes in this task. Therefore, access to Laws and Justice of the people in this area is still limited.

2.3.4. The Forestry investigative-interrogative Agency

The criminal procedure Law defines investigative-interrogative authorities who have authority to bring proceedings against cases in violations of the Forestry and Forest Resource Law. The Forest Rangers was established in 1986 and resolved in 1992, and up to the present, the forest investigative-interrogative agency has not yet been reestablished. The said above violations, therefore, are resolved by the administrative measures. In cases in

criminal offenses that are not able to be resolved administratively, the court proceeding is used in coordination with the police authority.

2.3.5. Other investigative-interrogative Agencies

Other investigative-interrogative Agencies defined by Laws, such as:

- The Anti-corruption Authorities under the central State Inspection Authority and local Inspection Authority acting as investigative-interrogative Agencies pursuant to the Law on Anti-corruption, No. 03/NA, dated 19 May 2005;
- The State Audit Agency performing and auditing function on the State's economic activities and finance pursuant to the Law on State's audit, No. 05/NA, dated 3 July 2007.

2.4. The Status of the Organization and Improvement of Enforcement of Court Decisions.

The enforcement of the Court's decisions is the final stage of court proceedings to secure the justice as determined in the orders, decisions and final judgments of the Court. The Government of the Lao P.D.R has established and improved institutions that have responsibilities to carry out such duties continuously and actively.

On the basis of the Constitution and the Laws of the Lao PDR, especially the Law on the Enforcement of Judgment, dated 2005, which defined that the enforcement of civil judgments is the responsibility of the Ministry of Justice and the Ministry of Security carries out the enforcement of criminal judgment. The status of the improvement in each period is stated below:

2.4.1. The Ministry of Justice is responsible for Enforcement of Civil Court Decisions, Civil Responsibility and the Fines in Criminal Cases

The improvement on the enforcement of Civil Court's decisions, civil responsibility and fines that fall under the responsibility of the Ministry of Justice is indicated in the following evolution:

- **The period from 1975-1990:** the Agency that carried out the enforcement of civil judgments was not systematically established, the implementation fell directly under the responsibility of the Court;

- **The period from 1991-2004:** following the Constitution of 1991 and the Law of the People's Court of 1989, the enforcement of judgment under the responsibility of the Ministry of Justice was delegated to the officer on enforcement of court decisions, who was appointed and removed by the Minister of Justice. These officers were posted in the Provincial and District People's Courts to prepare and to enforce court decisions within their relevant localities. The principal officers responsible for the enforcement of court decisions were under the supervision of the Justice Administration Department under the direction of the Minister of Justice.

- From 2004 to Present;

After considering the status of the enforcement of judgments, it was found that the officers under the organization that are responsible for implementation of court decisions continue lacking the effectiveness and a lack of functioning in a timely manner; they frequently lack coordination between relevant agencies resulting in delays in enforcing the judgments or unable or improper to enforce. The problems reflect drawbacks in the

enforcement of court decisions and have had negative impacts on the effectiveness on the implementation of Laws as well as causing distrust among the people. Thus, in the year 2000, the Ministry of Justice decided to improve the enforcement process by reestablishing a new Department on Enforcement of Court Decisions to directly administer and supervise this task. At the local level, the Judgment Enforcement Offices and Units were also established for the Provinces, Prefecture and Districts respectively.

This new organization contributes to a modest improvement for better quality in the enforcement of the court decisions than before, and in order to enhance the works on judgment enforcement in a more strict, definite and effective manner, the State has promulgated the Law on the Enforcement of Court Decisions in 2004, which is the basic legislation for the judgment enforcement organization, and for protection of legitimate interests of the State, the collective and citizens.

2.4.2. The Enforcement of Court Decisions in Criminal Matters in respect of Reeducation, Imprisonment and Capital Punishment.

The enforcement of criminal judgments with respect to the reeducation, imprisonment or probation and capital punishment under the Security Sector has been assigned to the General Custody Police Department. At the present, the management of prisons follows the regulations issued by the prisons committees, and in general is not uniformly implemented throughout the Country.

Basically, the administration of prisoners depends on the State budget, which only covers daily operational costs, while some reeducation camps established in various places create self supporting income for improving the conditions within their camps. In summary, all reeducation camps are not able to fulfill the required objectives of the punishment and implementation of the policies of the Party and State on humanitarian issues.

2.5. Status on the Establishment and Improvement of the Dispute Resolution Organizations

Among the most important values making up the sense of identity of the Laotian people and all its ethnic groups is the desire to live in unity and peaceful harmony. This is a value that any development of the legal system must protect and preserve good tradition and heritages, in the condition of development of the market economy and international integration the State of the Lao PDR, thus, laying down proper policy in various dispute resolutions occurring in the society primarily by educational measures and reconciliation and only utilizing decision by courts when it is necessary. In addition, the alternative dispute resolution systems with peaceful and non-confrontational approaches are currently widely acknowledged. Hence, the establishment and improvement of the disputes resolution organization is an important task of the Government, which in present, the Economic Dispute Resolution Office and the Village Mediation Units are established.

2.5.1. The status of the Economic Dispute Resolution Office.

The Economic Dispute Resolution Office was officially established on 21 March, 1995 by Prime Minister Decree No. 106/PM, dated 15/7/1994, which is an organization under the organization structure of the justice sector.

The Economic Dispute Resolution Office has the function to resolve the economic disputes through mediation or arbitration by committee based on the request of the parties involving in the disputes between foreign nationals or Lao nationals, or between foreigner and Lao nationals. The Lao P.D.R has been a party to the New York Convention of 1958 on the enforcement of foreign awards since 1998.

In order to expand its role throughout the country, the branches of the Economic Dispute Resolution Office have been established in other localities. By the end of 2004, branch offices were established in the northern region in Oudomxay and Luang Prabang, in the central region in Savannaket, and in the southern region in Champasak. The Economic Dispute Resolution Office currently has 140 mediators and arbitrators throughout Country.

To increase the quality of its operation, the Economic Dispute Resolution Office concentrates on professional training for its personnel in conjunction with the study on the experiences of international economic dispute resolution organizations in, Austria, Singapore, Malaysia, Australia, the People's Republic of China, the Kingdom of Thailand and other countries.

The role of the Economic Dispute Resolution Office of the Lao P.D.R has been further strengthened by the Law on Economic Dispute Resolution at the end of 2005.

2.5.2. The status of the development of the Village Mediation Units

Due to the fact that Villages have become the basic grass-root unit in the administrative system and as a center of assembly workforces of the people, thus, the State of the Lao PDR has determined that the Village has become an important basis for the implementation of the socio-economic development plan of the nation as well as the Laws of the State. In order to extend the strength of the Village administration, increase solidarity, maintain unity, peace and order within the Village based on the Laws and good customary practices, the Government delegates the Minister of Justice to consider the establishment of Village Mediation Units. Therefore, the Minister of Justice issued regulation No. 304/MOJ, dated 7/8/1997 to establish the Village Mediation Units and amended by the regulation No. 08/MoJ, dated 22/2/2005 and followed by regulation No.02/MoJ.

The Village Mediation Unit has become a Law-related institution at the Village level, which plays a role to solve the disputes occurring within the village using peaceful means based on both the legal framework and the value of good local traditions. On the basis of the regulations above, the Village Mediation Units also have the main responsibility to resolve civil and family disputes. Moreover, in order to promote social order within the village, the Village Mediation Units have also been vested with the authority to resolve minor criminal wrongdoing as determined in Article 25 of the amended Criminal Law No. 12/NA, dated 09 November 2005.

Currently, the Village Mediation Units have been established in all Villages and continuously receive training from the Ministry of Justice in large part .However, all Village Mediation Units need to be improved and strengthened in all aspects to become knowledgeable and to fulfill the role of legal education center for the people within its Village.

2.6. The status on the Development of the Lao Bar Association

The Government of the Lao P.D.R approved the establishment of the Lao Bar Association under a Decree of the Ministerial Committee No. 24/CM, dated 30/3/1989 on the establishment and operations of Lawyers Committee of the Lao P.D.R.

As the State and its people were at that time only at the inception of the socio-economic administration under the Constitution and new Laws, there was a very low level of legal awareness. In addition, the understanding of the special role of lawyers in the legal framework was limited, and a low level of ethics of numerous lawyers resulted in distrust among the people and caused interrupted operation and development of the Lao Bar Association, and finally making difficulties for the administration of the State and socio-economic development under the Constitution and Laws as well as the strengthening of the justice in the society under the Laws. Thus, the Bar Association was temporally suspended.

The Lao Bar Association was re-established and improved in 1996 based on the Decree of the Prime Minister No. 64/PM, dated 21/2/1996 on the establishment and operations of the Lao Bar Association of the Lao PDR.

After its establishment, the Lao Bar Association concentrated on increasing the capacity of its members, and provided legal assistance to its clients by strengthening morality, ethics and more appropriate application of Laws, and its activities were supervised by the Minister of Justice, who appoints and removes lawyers.

From the year 2000, the Lao Bar Association has emphasized the improvement of its members by organizing continuous training opportunities for law graduates applying to be lawyers. At the same time, the Bar also moved to both regional and international exchanges with foreign countries. The development of an active Bar Association in Lao P.D.R., since 2004 to date, has received assistance from UNDP and the Canadian Bar Association and Australia.

At present, the Lao Bar Association has 105 members with 14 female members. Out of that number, there are 16 trained Lawyers, 6 females, and the organization is divided into five zones nationwide, with Vientiane Capital City being divided into nine units.

2.7. The Status on the Development of the Notary Offices.

The Law on the Notary Office was promulgated in 1991, but actual implementation of this Law began from 2000, with the establishment of the Notary Office at the Ministry of Justice. The delay in implementation of the Law on the Notary Office was a result of the delay in the preparation of its personnel and the limited support on one side and on the other side, the awareness of the duties of a notary office was low and confused with the tax registration on assets.

Since the establishment of the Notary Office, the public awareness of the duties of the notary has been widely and deeply raised in the society. Meanwhile, professional legal training for its employees has been also conducted continuously. From 2004 to the present, Provincial, Capital City Notary Offices have been established throughout the Country. However, the institution still needs to be strengthened and its mandates fully implemented.

2.8. The Status of “Family Registration Office”

The Law on the Family Registration was promulgated in 1991. In practice; the administrative Districts carry out this duty of the Family Registration and in many

Localities administration of this Law has been delegated directly to the Village Chief or the District Police Office.

In general, the Law on the Family Registration has not been uniformly implemented, and the stated duties under the Law have not been fully carried out, which in turn has resulted in a disorganized administration on registration of citizens and no basic standards for the justice administration required under the Law.

2.9. The Status on the Development of other Law-related institutions

In order to secure the justice that is supported by many agencies, especially those having direct mandates in the administration of justice the Laws of Lao PDR recognize the participation of other Law-related organizations, whether the State or Social Organizations in the process of disputes resolution and mitigation of cases to secure the fair and justice. Among other Law related institutions involved in the protection and securing the justice as defined by the Laws of the Lao P.D.R there are the Legal Advice Offices, Evidence or Forensic Units and others.

2.9.1. The Status on the Development of Legal Advice Offices.

Legal advice provided to the public in Lao PDR has been conducted in two forms: by the State Legal Advice Offices and Private Legal Advice Offices.

(1) The State Legal Advice Office.

The provision of legal advice by the State was under the responsibility the Legal Advice Office established under different sectors of the State authorities. Specifically, under the Ministry of Justice, two Departments are responsible: the Law Dissemination Department and the Judicial Administration Department. Such duties extend to local levels under the responsibility of the provincial, district and capital justice Divisions. The provision of legal advice by governmental institutions has been provided free of charge, and the advice is limited.

(2) Private Legal Consultants

To provide various options to the public in accessing the Laws and Justice, the Ministry of Ministry of Justice has approved the establishment of private legal consultancy offices. At present, 9 offices have been approved in Vientiane Capital City with 20 Lawyers, four of whom are females.

2.9.2. The Status on the Development of the Evidence or Forensic Units

The Law on Criminal and Civil Procedure is considered important for the collecting, preserving and presenting of evidence. Case proceedings are only properly and just when evidence is collected in full, completely and objectively. When the evidence is unclear, such evidence must be proved by the experts.

In the past, the appointment of experts to establish and to prove the evidence, when deemed necessary, was made by the order of the person responsible for the case. However, the Evidence or Forensic Unit was established as a permanent institution exists under the supervision of the Ministry of Public Security and the institution has been organized in the following sequence:

- In 1976, the unit was called the Evidence Unit Department under the supervision of the Municipal Police.
- In 1980, a Criminal Technical Division under the Criminal Police Department was established;
- In 1999, the Criminal Techniques Office under the General Investigation Bureau;
- In 2003, the Criminal Technical Department under the General Police Department was established composing four divisions, namely, the administrative division, the suspect and prisoner's administration's division, the document proving division, and forensic division.

-For the dead body forensic and other proof of evidence that are not related to the evidence proof unit of the Ministry of Public Security are temporally appointed for conducting the proof as necessary.

In general, the development and operation of this activity is not so advanced and not modern enough.

3. Evaluation of the development of key Law-related institutions during the Past.

In general, weakness and any unsolved issues that were evaluated in the past have been considerably improved by the Constitution and Laws Nonetheless, these have not fully and systematically improved and strengthened as indicated following:

Throughout 20 years of the administration of the State, socio-economic development through the Constitution and Laws in the Lao P.D.R, the legal system has been steadily and continuously strengthened. Law-making and implementation of the Laws shows both progress and drawbacks. Nonetheless, the move toward the good governance at certain levels, as well the effort to create a Lao Civil Society and with Justice is still an ultimate goal of the State of the Lao PDR throughout the process of improvement and extension of people's democracy dedicated by the Party and Lao PDR State.

3.1. Strengths

- The Law-related Institutions have been significantly established in major State Agencies such as the State Executive Organ, the People's Courts and the Office of the Supreme Public Prosecutor in a comprehensive system which has been steadily improved;
- The alternative dispute resolution Institution has been established and improved;
- Other Law-related Institutions, especially, the investigative-interrogative Agencies, the Lao Bar Association, the legal Advice Offices, and the Court Judgment Enforcement Agencies have been established.

In summary, the establishment and improvement of the Law-related institutions in the Lao PDR have received great attention from the State of the Lao PDR continuously in the direction of simplifying but with a more effective approach.

3.2. Weaknesses

- Certain types of Law-related institutions have not been fully established as required by the Law, namely: the Forestry investigative Agency, the Family Registration Offices, etc;

- Certain Law-related Institutions that already existed, have no uniformity in their activities, and are not operated according to the spirit of the Law and there are no effective Laws governing the operation, such as the Prison Camp.
- The performing mandates, rights and duties of key institutions on the implementation of Laws overlap, suffer interference by other authorities or by unauthorized individuals causing confusion and difficulty in the enforcement of judgments and diverted from the intention of the Law.

In summary, the understanding toward the Law-related institutions is not deep and coherent causing improperly and unsystematically establishment and improvements of these institutions. Not only is there delay in action; certain of the operations often conflict with the intention of the Law and in some cases, there are overlaps and interference in the performance of duties causing disputes and crossing problems in using another rights.

4. Lessons learned

- (1). The establishment of improvement of the organizations must be consistent with the political vision of the Party and requirements of the Constitution and Laws;
- (2). The mandate of each organization must be clearly defined with strong and harmonized system of coordination to avoid overlapping and interfering in another official's responsibilities;
- (3). The implementation of Laws must be closely and regularly monitored, and any breaches of Laws must be promptly, properly and fair resolved to ensure the effectiveness of Laws;
- (4). The civil servants and experienced experts with sufficient knowledge, good attitude and strong political consciousness must be in place to ensure the performance of professional duties.

III. The Status of Past Development of Human Resources in the Legal and Judicial Sector

The development of human resources has an important direct impact on the development of the socio-economy for the least developed country like Laos. Because our Party and State is pursuing the new policies in all areas with certain principles in the environment of the development of market economy and international integration, therefore, after proclamation of the Lao PDR, the Party and State consider the human resource development as the first priority important with decisive character in the protection and development of the Country. From that perspective, the human resources development in the legal and judicial sector has been significantly contributed to the whole human resources development.

Form an important consideration, the State of the Lao P.D.R upholds the development of human resources as an important task and with decisive character in the socio-economic development plan putting this framework as the top of all and as the important key for the entire activities in each period.

The human resources development from 1975 to 1985, however, was not systematically developed due to the fact that the state's administration and socio-economic activities were primarily based on the policy directive and order, most of the legal resources studied in former Soviet Union with less than 50 persons. After the Party implemented new economic mechanism in 1986, it required our State to move forward to the administration of the socio-economic development through the Constitution and the Laws, thus, the development of human resources in the legal sector encountered an urgent and important need.

To achieve this goal, the government assigned the Ministry of Justice to draw up a plan on the development of human resources for legal and judicial sector by different ways:

- The capacity building in the short term by giving training to existing performing officials;
- The long-term development by establishing Law School;
- Sending personnel to train and study abroad.

Since 1985, the Ministry of Justice has continuously conducted several legal trainings and education to officials, military, polices for short term (21 days) and middle term (for three months). In 1986, the middle level Law School with a three years term was established and upgraded to diploma level in 1992; thereafter the Law School was transferred for the administration by the Ministry of Education in 1998, where the Law School has been conducted Bachelor Degree up to the present. After transferring the Law School for the administration by the Ministry of Education, the Ministry of Justice considered that it was still the need to establish a Law School; thus, three Law Schools were set up starting from middle level Law Education to Diploma and Bachelor Degree respectively.

Although, there have been much progress in the development and use of legal personnel in the legal and judicial sector, this work still faces many problems that need to make clear direction on further development and use of legal personnel, which identified each issue as following:

1. The status of basic legal education

The primary source providing basic legal education in Lao P.D.R up to the present comes from the Law Faculty and State of the National University under the supervision of the Ministry of Education. This Law Faculty and State was originally created by the MOJ in 1986 as a middle level Law school, and was upgraded to the diploma level in 1992. It then was consolidated into the National University in 1997. At present, the curriculum of the Faculty of Law is divided into three sections: Law section, Public Administration section, and International Relations section. All students completing one of these study programs receive a Bachelors of Law degree.

In addition to legal study at any of the three sections of the Faculty of Law of the National University, with the aim to build capacity of legal officials for the District and Village Administration, the MoJ has opened three middle level then diploma level Law Schools in Savannakhet in 2002, in Louang Prabang in 2003, and Vientiane Capital City in 2004. All are under the technical supervision of the Ministry of Justice. To this date, these three Law Schools have recruited more than 6.000 students.

Throughout the past 20 years from the basic legal education, the task on capacity building of legal personnel at the highest level is still limited at the level of Bachelor and Master Degree. The research for PhD level has not yet been developed in the Country, and for this reason, the person who completes a bachelor degree still wants to continue while working, training in foreign languages and seeking funds for continued study. These factors make it difficult for the officials and affect their work performance.

The basic legal education throughout the past has been largely contributed into the human resources development as whole from that middle, diploma and bachelor levels. In summary, from establishing the schools providing basic legal education to level of bachelor degree, the number of completed students is more than 1,400 Law graduates.

Although the number of Law graduates is high, the demand for Law graduates in state sector remains high, especially in administration and justice sector at provinces, districts and grass-root levels. This figure is not including the demand from the private sector.

From this view, the Ministry of Justice has considered upgrading the middle level Law Schools to Bachelor Degrees for the Law School in Savannakhet, Louang Phrabang, and Vientiane Capital City, and at the same time, it also has considered the development of a Master's Degree Course to upgrade the Law graduates and legal officials who complete bachelor degrees by uplifting the Faculty of Law and State of the National University to a Master Degree Level.

In general, the status on the development of basic legal personnel up to this date is lacking in many aspects indicated as follows:

1.1. The Lecturers

The majority of the lecturers teaching at the Faculty of Law and State have recently completed their bachelor's degrees and still lack practical experiences. Thereafter the number of Master's Degree from abroad has increased and there small permanent lecturer at the level of associate professors. In addition, the invited lecturers with higher experience also give lectures to the Law School.

In general at present, all schools are lacking adequate numbers of lecturers, and all require lecturers with more experience in the role Law plays in a market economy. Lecturers have little capacity to train new Lawyers to practice within and support a market-oriented commercial Law system, because they lack, e.g., knowledge on fundamental commercial Law concepts, including company Law, contract Law, or secured transactions, and more sophisticated topics, such as competition Law, intellectual property, or international trade Law.

The quality of teachers at the basic-level Law schools (both Faculty of Law and the Law Schools of the Ministry of Justice) is considered low; most of the lecturers are generally inexperienced and have not received training in pedagogy. The visiting lecturers have somewhat higher levels of legal education, but most completed their legal study in former socialist block countries, or from domestic education institutions, or in other neighboring countries or newly completed studies from western countries. In general, old economic mechanism-thinking concepts are still in use and the new market economic concepts are used in a limited fashion and not extended in teaching. A limited number of legal experts get the Masters Degree from abroad, and at the same time, the Law students who have completed their studies during the new market economy within the country lack experience, and many are not able to prepare adequate teaching materials or to use teaching methodology, and thus they are not able to transfer knowledge effectively.

1.2. Teaching Methodology

Most of Law Schools just have been recently established, and all have a shortage of basic materials, and the teaching methodology compared to the requirements is out of date, and primitive and does not meet the needs for the HRD in the new era: the current teaching methodology being applied is not able to help students in analyzing Law and expanding their knowledge and for development of independent and creative thinking. The testing and examination methods are also not conducted in a scientific way.

At present, although there is a proposal on new development of learning-teaching methodology, many limitations still exist, primarily including:

- All legal educational institutions lack teachers in both quantitative and qualitative terms. The ratio between teacher and students is not suitable causing difficulty for the teaching and learning.
- The teaching-learning methods do not provide sufficient number of case studies, but more theory than case studies are provided to students, which can not clearly show to the students how the actual Law is applied in practice and there are no practical field visits, thus causing students to misunderstand the positive or negative impacts of Laws on the daily lives of citizens;
- School space is also limited, and there are not enough class rooms to divide into small group discussions;
- In addition, there is insufficient support to the Law Schools, low salary, and other financial support is limited.

1.3. Teaching materials

Although, Lao legal education was started long enough ago, the teaching materials have been developed slowly. Many of the teaching materials have not been properly

developed and are shorter than the Law itself. The amount of printed material is not sufficient.

Recently, the teaching materials have increased in number and have been developed by members of the Faculty of Law of the National University. However, when considering these materials, many aspects require improvement, especially the theories of Law compared with practices to explain Lao Laws and regulations. Moreover, the materials, in general, make reference neither to the Court's decisions or judgments, nor to other practical application of Laws.

Those teaching materials of the Law Schools prepared by legal officials of the MOJ mostly have been prepared by visiting lecturers, and while these teaching materials are highly evaluated and are suitable for teaching, they are not properly published or widely used.

In general, teaching materials have been increasingly developed, nevertheless, many topics and contents often are not completed and uniformly developed and not connected with or suitable to the practical situation.

1.4. The Curriculum on Legal Education

At this stage, the curriculums for the legal education have been created for middle level, Bachelor and Master Degree levels, which in general are stable and steadily improved, but still require uniformity and consistency with some sectors. Suitable contents are required to meet the policy framework of the Party and tradition of the country together with the legal profession.

Most curriculums exclusively emphasize theory, where practical training is less engaged. Compared to all neighboring countries, Law Schools still have a low quality and are not complex in many aspects. Some Law Schools put greater emphasis on practical training (for Example the MOJ's Law Schools), but it requires a combination of these curriculum developed in the Faculty of Law to reflect the reality of teaching in the era of market economy. Moreover, some topics, such as Law drafting and procedure for the adoption of Laws also need to be developed, and all improvements must be combined with socio-economic development in each period.

Therefore, the curriculum should pay greater attention to a combination of practices, actual implementation and basic theory, as well as the teaching of using best practical skills.

1.5. The Infrastructure of the legal educational Institutions

(1). The Faculty of Law of the National University.

The Law school has basic physical infrastructure, with standard classrooms and libraries, staff rooms, internet-connection, computers and student dormitories.

(2). The Law Schools of the Ministry of Justice

Three Law Schools under the Ministry of Justice have been newly established, thus the infrastructure is still lacking, i.e., school building, lecture halls, libraries, dormitories, water systems, including budget, vehicles and teaching materials are substantially limited.

1.6. International Cooperation

In recent years, human resources development in the legal and judicial sector, including basic legal training has received substantial support from various countries and international organizations via forms of technical assistance, expert support, exchange visits, study tour, financial and material supports, sending teachers for training abroad or continuing higher study. Most of these assistances have been provided by the former Soviet Union, SR Vietnam, Republic of China, France, South Korea, Thailand, Australia, USA, Bulgaria, Germany, UNDP, SIDA, and JICA, other countries and organization.

2. The Status of Legal Professional Training

The basic professional legal training in the past was mostly under the responsibility of the MOJ. At the same time, the Supreme Public Prosecutor's Office (OSPP) has also conducted training on investigations and other supplementary subjects to supply human resources in this sector. After local courts, which were formerly under the supervision of the MOJ, were transferred to the administration of the Supreme Court, the judicial training and clerical training, was also placed under the Supreme People's Court (SPC).

Professional legal and judicial training requires a systematic and continuous approach to solve their human resource shortage on a piece-meal and ad hoc basis. The Ministry of Justice, thus, established the Judicial Training Institute (JTI) in 1997 aiming at building the capacity of officials working in the legal and judicial sector, including Judges, Court Clerks, Judgment Enforcement Officers, the Investigative-Interrogative Officers, Economic Arbitrators, Notary Officers, Lawyers and others.

After the establishment of the Institute, the OSPP and SPC have also conducted several trainings for the investigative-interrogative Officers and Judges at the JTI.

The OSPP has also conducted training for its staff at middle level prosecutor with 8 month courses and practical training using other training places, and due to the shortage of budget, the training was interrupted on several occasions.

For the Ministry of Public Security, it has several training facilities in all of the provinces of Lao P.D.R. These facilities, except as noted below, are not within the coverage of this Master Plan.

With much effort In spite of the effort the Ministry of Justice and other sectors put in the training to upgrade legal knowledge and professional skills to its officials, there are still many limitations and shortcomings to achieve more effective training, and these include:

(a). The Trainers

Most trainers of the JTI that provide training to the Prosecutor' Office are invited lecturers from the MOJ, OSPP, SPC, and other relevant Ministries. These lecturers have a certain high experience but they t have not received pedagogical training. They have also very limited time because of their main office duties. In general, the trainers or teachers serving in the legal training are junior and have little experience to meet the demand, although they are permanent trainers, and most of them do not have specific pedagogical training, or even never receive professional training in the country or abroad.

(b). Training Methodology

Methodology of training at the JTI and at the training of the Prosecutor's Office, mainly use old methodology, such as explaining Laws and giving lectures. New methods such as case studies, problem solving methodology, using moot-court are very rarely used. The combination between theoretical lecturing and practicing by demonstration in moot court was, however, successfully used in recent training course.

(c). Training Materials

Even though, the JTI has been established for almost ten years, the teaching materials used in the training have not been properly improved. Most of the teaching materials are assigned to the lecturers to prepare, and the same materials are subsequently used a long time for different target groups. Although at present, teaching materials are specifically developed for every training course, it, however, does not emphasise teaching skills, but rather emphasises on the explanation of basic issues only. Many of the topics are duplicated with basic legal education which wastes trainees' time.

(d). Material Infrastructure

The JTI possesses a building with two floors, which are used as classrooms, as dormitory, and the office space at the same time received support from the French Government. The JTI has been improved over time, but in general, the basic infrastructure is not sufficient; it lacks small classrooms for discussion, moot court room, and library, modern equipment for the lecturers, permanent dormitory, kitchen facilities, conference hall, sport facilities, rest rooms and wall protection of the area.

3. The status on the Use of Legal and Judicial Personnel

3.1. The use of legal experts of the Law Implementing Agencies.

Even though legal experts have been substantially developed, still many organizations in the legal sector lack adequate legal personnel shown in the following:

- (1) In 2008, the Ministry of Justice administered a total of 969 persons, at central 182 persons, at provinces 409 persons, and 378 persons at the district level (1 Professor, 2 PhD Degree, 26 Master Degree, 344 Bachelor Degree, 190 with Diploma Degree, 254 Middle level, and 140 with primary level). The sector requires additional 2,135 staff members in order to match their work.
- (2) The Judiciaries (the People's Supreme Court, the Appeals Courts; the Provincial Courts, the District Courts, the Municipal Courts), have a total number of 1,012 officials, from which there 312 are female staff, 393 Judges, 58 female Judges. The Courts require an additional 1,869 persons to meet its responsibilities.
- (3) The Public Prosecutor Organization (Office of the Supreme Public Prosecutor, the Appeal Prosecutor's Office, the Offices of the Provincial Public Prosecutor, the Office of the District Public Prosecutor, the Office of the Municipal Public Prosecutor) have total of 848 officials, 215 female

staff. In addition, the Offices require 2000 official employees to meet the needs of their work.

- (4) The investigative-interrogative Agencies (Police Investigative Agency, Forestry Investigative Agency, Tax Investigative Agency, The Military Investigative Agency) all require large numbers of officials for effective implementation of their duties in certain levels;

3.2. The Status on the Use of Legal Experts in Social Organizations

(1). The Lao Bar Association

At first, members of the Lao Bar Association included retired officials, one member who had studied Law systematically with a long period of working experience, while other members had received only short-term legal training with limited practical experiences. After the establishment of the Lao Bar Association, it has steadily paid attention to improving the organization while providing services to their clients in which ethics and Laws are well observed by the members and in which the personnel of the Bar is still under the administration of the Ministry of Justice.

At present, the Lao Bar has a total of 105 members and a number of trainees.

Eventhough the Lao Bar Association has been operational for some time, the number of members is still small, and does not meet the needs to serve the society with larger number of Lawyers to secure demands of services to the society.

(2). Legal Advice Offices

Currently, ten legal advice offices have been established and are providing services to the public. However, the number of legal advice offices needs to be extended further and more Lawyers are required to meet the demands of society.

4. The Evaluation on the Development of Human Resources of the area of Laws and Justice

4.1. Strengths

- The development of human resources in the area of Law and Justice up to the present has been actively focused and expanded in greater extent than during the past (from middle-level to Bachelor Degree and Master Degree).
- The capacity building of lawyers has been carried out within the country, and abroad; and whether through the basic legal education or trainings, there has been an increase in number and quality;
- The infrastructure for the development of lawyers has received attention from the Government.
- The development of teachers and trainers has been supported from various sources within country and from abroad;
- Private vocational schools have also supported the development of legal trained persons in certain area, especially the economic sector;

- The use of legal experts in the legal sector and justice has secured to serve the role, implement rights and perform duties of these organizations basically.
- In other public sectors, from the central to the local levels, a larger number of legal trainees have been included in their workplace and these persons have received support and have become key officials in these sectors;
- Within the social organizations, a number of legal specialists have been broadly used and contributed to create the condition for people to access the Law and Justice.

4.2. Weaknesses

- The budget and fund supporting the development and training of legal resources in the Law and Justice Sector have not been paid enough attention resulting in a substantial shortage of facilities and material support for the legal education and training;
- The level of knowledge and experience of teachers is still limited; at the same time, the number of teachers is not sufficient, making low quality and lacking standard for the development of teachers;
- The development of curriculum and teaching methodology has been slow and not in line with new teaching methods and not be able be integrated regionally and internationally;
- The training of the legal Sector and Justice is still not centralized, the curriculum and syllabuses are not uniformly developed, not suitable to meet long-term needs;
- The administration of support provided by international organizations in the development and training of legal resources has not been actively participated in by relevant agencies. The attraction of international support is also not effective due to several reasons, including language problems;
- The use of legal personnel in the field of public administration has not been adequately utilized, which makes the administration of the State and Society through the Constitution and Laws ineffective.
- The lack of a strong political aspect in the training makes a certain number of officials abuse power and duties for personal benefits and this problem continues to exist with little attention paid to combating and preventing this problem in a proper and immediate manner;
- The enrollment of Law students, management of time, use and recruitment of trained legal personnel are still restricted due to the quota system of the Government causing a substantial shortage of officials in this sector;

In summary, there is no clear plan on the development and use of the legal personnel, and there is lack of quality in the capacity building; the infrastructure, material and technical support, and investment in the legal education and training are still limited.

5. Lessons Learned

- (1) The Human Resources Development in the legal and justice sector as well as other sectors requires continuous improvement and the political aspects must be specifically paid attention to in combination with capacity building of legal training both in theory and practice;
- (2). Upgrading the quality of knowledge and skill of teachers, reforming of the curriculum and teaching materials and methodology consistent with the practical situation of Lao society in each period and essential criteria for better qualitative and effective training and building human resources is needed;
- (3). A plan needs to be developed for building, allocating and using personnel that meet technical and professional standards requirements, meanwhile implementing proper policy towards officials in order to secure the best performance of works;
- (4). The public investment must be adequate in collaboration with the contribution by the society and attract support from the international, regional support into infrastructure and material developments in order to uplift the learning and teaching as most important elements that secure the capacity building of legal resources and that serve the development of a Rule of Law State step by step.

IV. The Status on the Development of Legal Databases and Information and the Participation of the People in Legal and Justice Sector in the Past

The implementation of new mechanisms from the management of the State and socio-economic activities by orders, resolutions to the administration by the Constitution and Laws has become part of the new mechanism policy. In order to have effective administration of the State and the socio-economic development by the Constitution and Laws, it is required that citizens know and understand the Laws at certain levels. Thus, the first Constitution of the Lao P.D.R promulgated in 1991, provided that all Party, State, Social Organizations, as well as the civil servants must participate in the dissemination and education of Laws to the citizens regularly. This is a particular role of the Ministry of Justice as a center of the implementation of the said policy, which in the past the Ministry has actively paid great attention to.

The capacity building and the upgrading of legal awareness, by method of dissemination of Laws and supplying legal information broadly, is essential and urgent, and will allow people access to Law and Justice. The dissemination of Laws, especially, these Laws affecting daily life of the people, protecting legitimate interests and promoting the rights and performing of obligations of all citizens in the society will primarily add to a reduction of the violation of Laws. In addition, the promotion of and allowing people to participate in legal and justice development through consultations and legal assistance, primarily, the resolution of the people's claim is the direct responsibility of the State and this mechanism must be secured and the duties of the citizens must be correctly performed in accordance to the Constitution and Laws.

Based on this view, the Ministry of Justice has broadly expanded work on dissemination of Laws and it is the task of all sectors by establishing the network from central to local level and to conduct training on this task to all sectors, continuously and regularly.

Additionally, the National Assembly, the People's Supreme Court, the People's Supreme Public Prosecutor and other authorities also carried out the dissemination of Laws involving their organizations.

The development of legal databases and information in the past is summarized in the following:

1. The Establishment of legal Database and Information Centers

The legal databases and information can be accessed through many ways primarily including the using of Libraries, Mass Media, CD-ROM and Website. Thus, the legal database and information center was an objective which needed to be established, such as Law Library at the center and local level, legal consulting service center and disseminate Laws relating to rights of the citizens, create Website aiming at providing legal information to the public and the Law Center started with some progress.

However, the creation of legal information has certain limitations making people's access to legal data and information not effective enough, especially for the people living in the remote areas, who mostly received information mainly from Mass-Media. The people that can easily access legal data and information mainly live in the big cities. In addition,

access to legal data and information depends on the opportunity and the conditions of each location.

2. The Supply of Legal Information

In the past, the provision of legal data and information was accomplished through Law libraries, publication of Law books distributed or sold to the public, and through Official Gazette, Proposals, Law Classes and People's complaints orally or in writing.

The provision of legal data and Laws, Dissemination and legal education and training has received special attention and is undertaken in the following forms and methods:

Dissemination through Mass media: newspapers, magazines, radio, television and others.

Dissemination through other forms such as: dissemination in various organizations both public and private in central and local levels, giving lectures of Laws in educational institutions, training centers, including giving advice for any legal requests to the citizens.

Furthermore, to make the dissemination of Laws more attractive, forms of dissemination have been extended through dramas, forums, cartoons, leaflets, playing games and other activities that create legal awareness to the society.

3. Evaluation on the Legal Information and Law Dissemination and People's Participation in Legal and Judicial Sector in Lao P.D.R

3.1. Strengths

- (1) Successful establishment of Law dissemination networks from central through local levels around Country;
- (2) Successful Establishment of certain types of legal data and information with the participation of the State and international organizations;
- (3) Supporting to the Mass Media Organizations in disseminating Laws as active counterpart;
- (4) Raising of the level of knowledge and capacity and extending the creativity of persons that are responsible for disseminating Laws who make better quality of such work;
- (5) Raising the legal acknowledge and understanding to the people of their certain rights and basic obligations as determined in the Constitution and Laws.

3.2. Weaknesses

- (1) Legal information center has not been effectively and systematically developed and the service is not widely and timely; the legal information network that has been established is not broad and strong and has limited activities;
- (2) The provision of legal data and information is not sufficient and cannot meet the demands of the public;

- (3) Budgetary support, funding to development of legal data and information and Law dissemination are not sufficient enough.
- (4) The dissemination through Mass media have not been implemented according to plan; there is not a variety of Law dissemination and not effectively suitable to target group.

4. Lessons learned

- (1). The development and extension of sources of legal and judicial data and information require a systematic, full, continuous and wide approach that must be based for the development of the State of the Rule of Law step by step;
- (2). The full provision of legal information to the people creates conditions for securing the ownership of rights and justice in the society which in turn promotes the effective implementation and respect of Laws.
- (3). It is necessary to adequately invest in the development of legal data and information in a systematic and modern manner, step by step.

V. The Status on the Development of basic Infrastructure of Legal and Justice Sector

Since the proclamation of the Lao PDR, the Party and State have continuously paid attention to the development of infrastructure of the legal sector that has secured the performance of duties of this sector. Especially, the development of infrastructure for the Law-related organizations, SPC, OSPP, and the provincial, Vientiane Capital legal and Judicial Offices have been provided with new buildings. The government also has decided to rebuild the Ministry of Justice replacing the old building used at the moment. This new infrastructure of legal and judicial sectors creates effective improvement of the working places for legal and judicial sector steadily. At the local levels, previously, the same infrastructure has been used by the Courts and Justice Divisions and performed the political duties for certain period. After separating between the Courts and Justice Divisions, the two sectors have also divided the infrastructures, vehicles and equipment, causing many difficulties for both sides.

In general, the infrastructure of these sectors is not properly and fully developed, especially at the local levels and more focus is required urgently at the district levels, all 141 districts still lack adequate office spaces and proper vehicle and materials. Most of the legal education institutions are not secured with basic infrastructure and facilities for learning-teaching which affect the capacity and quality of the teaching-learning.

Therefore, in the process of the development of the Rule of Laws, it is urgently required to seek proper investment in the infrastructure of the legal and judicial sector with modernizing them step by step to secure the success of implementation of the long term strategic development plan.

Part II. The Strategic Development of the Rule of Law of Lao P.D.R toward the year 2020

The Party and State have set a general strategic goal for the year 2020 to bring the Country out of the least developed country status, alleviate the poverty, and stop slash burn and shifting cultivation to a stable profession, while at the same time securing political stability, independence, sovereign integrity and prosperity of the country. Hence, it requires us to pay attention on the development of completed legal system step by step and strengthen the Law implementing agencies to become more transparent, deepening and strong organizations in the direction of developing Lao PDR State to a State of the Rule of Law to becoming a true State of the People, by the People and for the People under the leadership of the Party.

The long term objective vision in the development of the legal system and organizational mechanism for the implementation of Law of the Lao PDR, thus aims at: *“Development of the Lao PDR to become a State that ensures the performance of duties towards the Citizens according to Laws and the Citizens fully perform their obligations toward the State in accordance to Laws”*.

Therefore, up to the year 2020, we must concentrate to achieve the development of the legal system and organizational mechanism for the implementation of Laws as follows:

I. Strategic Plan for the development of Law of Lao P D R until the year 2020

In order to achieve the vision on the development of the legal framework with the view to: *“Development of a uniform, coherent, clear, credible and predictable, with quality, just and all people accessible legal framework, in a transparent and participatory manner”*.

Therefore, this Master Plan determines objective, expected needs and strategies on the development of Laws toward the year 2020 as following:

A. General Objectives, Guiding Principles, Expected Outcomes and General Directions

1. The General Objectives

- (1). Focusing on the development of a complete, uniform, coherent, clear, credible and predictable and just legal framework accessible to all people by regarding the development and preservation of Laws as central in securing the expansion of the market economy with a socialist orientation;
- (2). Establishing and improving the mechanism for making and implementing Laws in full, consistent and effective manners;
- (3). Encouraging the function and effectiveness of Laws into the administration of the State, socio-economic development, ensuring the political stability, economic expansion, regional and international integration, and to create and preserve a strong and transparent State;

- (4). Securing the individuals rights, rights to free exercising, democracy of the citizens based on the Laws and regulations, contributing to the transforming country to an industrialized and modernized nation step by step after the year 2020.

2. Guiding Principles,

- 1). Ensuring the transforming of directives, strategic plan, policy of the Party and provisions of the Constitution into Laws and regulations promptly, fully, correctly in order to establish our State to the Rule of Law State of the people, by the people and for the people; securing the individuals rights, rights to free exercising, democracy of the citizens;
- 2). Ensuring the creation of a favorable environment for the basis for expansion of the market economy with a socialist orientation, extending good socio-cultural heritages of the nation, securing the independence, sovereign integrity and national security;
- 3). Creation and improvement of Laws must guaranty the use of local potential resources with active undertaking of ownership in regional and internal integration on the basis of securing the independence, sovereign integrity, national security and socialist orientation;
- 4). Creation and improvement and implementation of Laws must be based on the actual specific character of Lao society, meanwhile selecting best and suitable lessons from the international community; with coherent combining between specific cultural character and good heritages of the Nation with a modern legal system of current trends;
- 5). Creation, improvement and implementation of Laws must be based on the extension of democracy of people and ethnic groups, enhancing social justice, increasing legal awareness.
- 6). Creation, improvement and implementation of Laws must be undertaken systematically, fully and continuously and in connection with the improvement and restoring the administration of the State and Justice System by suitable and strong step; undertaking important step in creation of Laws that ensure both qualitative and quantitative aspects, with full focusing, centering, predicting requirements that secure the forces and effectiveness of Laws.

3. Expected Outcomes

- (1). By the year 2020, the legal system of our country must achieve basic, complete legal framework, where the Civil Code, Commercial Code, Criminal Code are completed, printed and promulgated;
- (2). The function of Laws becomes strongly, fully extended in the livelihood of the society;
- (3). The respect of Laws by the society appears in clear visible forms;
- (4). The individual's rights, rights to free exercising, democracy of the citizens are protected by Laws in a real sense;
- (5). The basic mechanism of creation and implementation of Laws is fully developed in a prompt, coherent, consistent and effective manner;
- (6). The international commitments will be qualitatively implemented;
- (7). All activities of the political system will be based on the Constitution and Laws'

4. General Directions

- (1) Creation, and improvement of a legal framework on the establishment and activities of completed organizations in political, people, democratic system and consistent with the demands of our State to become State of the Rule of Law of the People, by the People and for the People.
- (2) Creation, improvement of a legal framework on the protection of individual's rights, rights to free exercising, democracy of the citizens.
- (3) Creation, improvement of completed legal framework on Civil Law, economic Law as the center of the extension of a market economy with a socialist orientation.
- (4) Creation, improvement of a legal framework on education, science-technology, health, culture-information, sport, tourism, ethnics, religion, citizenship, family, mothers and children and other Laws relating to social policy.
- (5) Creation, improvement of a legal framework on the national defense, national security, social order and social safety.
- (6) Creation, improvement of a legal framework on the regional, international integration, implementation of international treaties, contracts which Laos is a party to.
- (7) Creation, improvement of complete, full and coherent procedures and standards on the drafting of legislations.

B. Major Tasks in the Development of Completed Basic Legal Framework toward the Year 2020

- (1). Immediate undertaking for considering and planning on the Laws development projects of our State from the year 2010-2015 and 2015-2020 to be reference for development and improvement of our legal framework between the years 2010-2015 and 2015-2020 on the basis of the resolution of the General Party Congress IX and X and the State's Socio-Economic Development Plan of the Government.

The programs and projects on the development of legal framework until 2015 and 2020 must clearly, systematically take into consideration all basic needs, necessities and level of expected outcomes on the creation and improvement of legal framework of our Country rationally in all area such as: administrative and justice area, in the area of economic and international integration, social-culture, labor and natural resources area.

- (2). The development and improvement of legal framework between 2015 and 2020 must focus on the following:
 - Focusing to continue creating and improving complete and systematic legal framework in the area of political system and justice, ensuring the legal principles that all agencies, State sector and officials, civil servants must not do anything, except that which is expressly permitted by Laws." This makes entire political system of the people democracy under the leadership of the Party become uniformly and strongly established and operated on the basis of the Constitution and Laws.
 - Creation, improvement of a legal framework on the protection of individual's rights, rights to free exercising and democracy of Lao citizens, including, consider

- the Law on the rights and obligations of the citizens and others. This will continue to increase in securing rights to free exercising and democracy of Lao citizens, promoting human rights by creating mechanisms for ensuring the implementation of such policy consistent with the principle that the citizens may do anything that is not prohibited by Laws”, at the same time, to create necessary legislation that allows citizens to use rights in inspecting the activities of the State agencies and civil servants by allowing them to make claims, complaining about misconduct of the agencies or civil servants.
- Creation, improvement of a complete legal framework on civil, economic Laws which become a center of expansion of the market economy with a socialist orientation. This must include development and improvement of the following Laws:
 - o Law that secures payment of loans by registering with transparent central registration center. Laws on stock market, natural resources and environment.
 - o Laws on education, science-technology, health, culture-information, sport, tourism, ethnics, religion, citizenship, family, mothers and children and other Laws relating to social policy.
 - o Laws on the national defense, national security, social order and social safety, detention camp and others;
 - o Laws to the regional, international integration, implementation of international treaties, contracts which Laos is a party. The attention must be paid to creation and improvement of local Laws to harmonize with international treaties that Lao PDR is a party to and international customary practices; developing a legal framework that harmonizes with ASEAN framework agreements and for accession to the WTO by incorporating these international treaties into a domestic legal framework;
 - Creation and improvement of procedures and standards on the drafting of legislations or create Law on Law and other legislation. Special attention must be paid to the following activities:
 - o Creating regulations on the procedures and technical standards on the creation of Laws, and the incorporation of international treaties into the Laws of the Lao P.D.R;
 - o Creating Legal units in all sectors and provide sufficient training and upgrading knowledge to these officials;
 - o Reviewing the role on the interpretation of Laws between the National Assembly and the Supreme People’s Courts;
 - o Creating mechanism for responsibility and assessment on the application of promulgated Laws periodically to secure the amendment, improvement of Laws with the current situation in a timely manner;
 - o Determining mechanisms and principles for economic, environment, socio-culture impact assessment on the creation of new Laws in each period;
 - o Promoting to include senior experts from the society for participation in reviewing and creating a legal framework and monitoring the implementation of Laws of the Lao PDR.

(3). Creation and improvement of Laws in connection with conversion of Laws into social life, increasing social justice, promoting the increase of respect and implementation of Laws making Laws more effective and strict implementation.

To achieve these objectives, we need to increase the legal education by all means, forms and instruments, including immediate and long term measures in broad and deep manners. Encouraging the best model of leadership of officials, Party members, civil in making life consistent with the Laws, giving effort to seriously prevent and fight against any violation of Laws.

These required needs stated above are of crucial importance for determining and developing a Lao legal framework to a clearer system. Nevertheless, these required needs are only general needs for the development of a legal system. The true development of a legal system in the practice may include other required needs as well.

C. Opportunities and Challenges

(1). Opportunities

- There are Party and State's Development Plan and Policies as the reference for the development;
- There is relatively high public consciousness about the administration of the State, socio-economic activities through the Constitution and the Law;
- There are certain successes and lessons on the administration of the State, socio-economic activities through the Constitution and Laws, with knowledgeable of the legal and judicial human resources;
- There are number of international and friendly foreign country's support.

(2). Challenges

- The level of knowledge and ability of legal research by relevant authorities is still limited;
- The budget support and financial funding and vehicles, facilities are still limited;
- Technical and scientific as well as economic growth, socio-cultural development at national and international level has rapidly changed;
- The development of Laws is not coinciding with trends of regional and international continuous legal expansion.
- The investment in the legal sector is still limited.

II. Strategic Plan for the Development of Laws on the related institutions in Lao P D R until the year 2020

In order to develop systematic, transparent and effective Law implementing institutions, this Master Plan determines the objectives, required needs and strategy on the development of Laws-related institutions toward the year 2020 as following:

1. Objective

- (1). Developing the qualities of the strong State that is more strictly governed by the Constitution and the Laws;
- (2). Increasing full Law implementing mechanism aimed at ensuring the effectiveness of the Laws.
- (3). Protecting and increasing basic rights of the citizens and social justice on the basis of the Laws;
- (4). Increasing the conditions for people's access to Laws and Justice through public participation in legal and justice activities;
- (5). Ensuring the implementation of Laws in international relationships based on the principles of equality and mutual benefits on the basis of the Law.

2. Expected Outcomes

The Law implementing agencies must receive the improvement in organizational structure to a stronger, deeper and more transparent organization, improving the regulatory working approach and avoiding overlapping and suitable allocation of officials with their capacity and professional expertise, receiving professional ethics and revolutionary moral attitude; giving effort to allow the Law implementing agencies in receiving the development and obtaining regional and international standard step by step. Main activities to focus on are:

2.1. Strengthening the Law Implementing Agencies in General

- (1) Determining clear, full mandates, duties and rights of each State sector from central to local levels (National Assembly, Government, Supreme People's Court, Office of the Supreme Public Prosecutor and other Committees at different levels). For the cross cutting responsibilities between many organizations, sectors of the State must have a coordination mechanism.
- (2) Ensuring that the Decisions, Judgments of the Courts at all levels are made in accordance to mandates of the Courts.
- (3) Streamlining the investigative-interrogative agencies with efficiency, and re-determine their authorities in order to ensure that the investigations are conducted in a speedy, proper and transparent manner. Assure that no case of improper or arbitrary arrest, detention, accusation or judgment will occur, and no economic or civil disputes will be dealt with by criminal measures in violation of the legitimate rights of citizens and legal entities.
- (4) Strengthening the Judgment enforcement agencies enabling all final and definite court decision, judgment being fully, properly and promptly enforced and considering and determining the ways of strong and coherent collaboration between various agencies that are involved with the enforcement of judgments. Meanwhile, legal capacity must be considered in order to create a basis for knowledge that brings to the enforcement of foreign court's decisions, especially of the Countries with which the Lao PDR has signed agreements on legal and judicial assistances in order to enable these decisions to be enforced in Lao PDR.

- (5) Establish a Judicial Police to perform duties in maintaining security and order in the court, administer the suspects, defendants, prisoners and supporting the enforcement of Court's decisions judgments
- (6) Organizing and improving the functions of Bar Association, Notary Offices, Family Registration's Offices, and Office of the Land Registration to strengthen their substantive roles for fully independent operation aiming to contribute in securing proper conduct of the justice sector and protect the social justice.
- (7) Enhancing the role of quasi-judicial activities, such as legal aid and consultancy to the citizens in various forms, namely: Legal Advice Office, free Legal Aid and others to enable the protection of rights and interests of the individuals and relevant entities.
- (8) Considering and improving the organizations that have mandates to resolve economic disputes in order to enable their operations in according with the UNCITRAL model Law principles, increasing the technical standard to the Arbitration's Office and ensuring the enforceability of both foreign and domestic arbitral awards, incorporating these practices consistent with Civil Procedure Law. In addition, other alternative dispute resolution mechanisms, such as the village mediation units must be also improved.
- (9) Continue to improve State agencies by simplifying the organization, but are effective, paying attention to clarify functions, tasks, and powers of the State in public administration by separation of the State's executive function from its service management function, and management of public service from management of private service, in order to avoid the intervention in each others' responsibilities.
- (10) Complete Laws and regulations and strong mechanism on anticorruption and be capable to effectively implement Laws, regulations, programs and measures on the prevention of corruption effectively.

2.2. Strengthen the Procuracy

- (1). Improving the organization and operation of the procuracies with the aim that the procuracies perform their duties in exercising the functions of public prosecution and monitoring of all legal and judicial activities i.e. criminal investigations, arrest, pre-trial detention, enforcement of judgments and the right to appeal criminal judgments and decisions that are inconsistent with the Laws.
- (2). Creating a coordinating mechanism between the OSPP and the Ministry of Public Security and other organizations involved with crime prevention and criminal justice enforcement, including consideration on issues relating to female and juvenile offenders.
- (3). Assuring the cooperation between the OSPP and Prosecutors Offices of other countries in the region and other countries, and implementing agreements on the cooperation that have been signed.

2.3. Strengthen the Court's System:

- (1). Analyzing Law on Courts and Laws on civil and criminal procedures and other related Laws or other legislations in order to develop judicial system in the following directions:

- Reviewing the mandates of the People's Supreme Court to be responsible for adjudicating in the cassation, determining the Case Laws, and instructing the Local Courts on the application of Laws and management of courts uniformly and effectively throughout the Country;
 - Considering the possibility for speeding of Court proceedings by establishing summary procedures so that the Courts can resolve disputes speedily, without full trials.
 - Improving the Laws and regulations on recruitment of the Court personnel, appointing Judges and increase the terms and qualifications of Judges to ensure the principle of independence and only obeying the Law in making judgments.
 - Considering and strengthening the ethical code for the Judges clearly;
 - Considering the establishment of special courts as necessary to serve the needs of the society and as available condition, such as the Courts that deal with administrative, female, juvenile and youth issues.
- (2). Strengthening the management of local courts in terms of their organizational structure to ensure that monitoring, professional supervision and management of the quality of trials which is the basis for evaluation, recruitments and promotion of Judges and other Court personnel for better management of Courts.
 - (3). Create budgetary and technical basis and financial resources for wider circulation of all the court's decisions and judgments aiming to create a mechanism for the people to obtain easy access to the court decisions and judgments.
 - (4). Reviewing the mandates of all levels of the courts to redefine the responsibilities accordingly in order to increase the responsibility of the judiciaries properly and more attention must be paid to the incentives, salary, other policies, including all disciplinary procedures imposed on Judges.
 - (5). Enhancing the role and responsibility of Judges to ensure the trials and decision in the court proceeding are independently and only on the basis of Law; all other organizations, agencies, civil servants and individuals that are not related must not be unauthorized power to interfere with the Court proceeding or otherwise create pressure to influence the court in making its decision.
 - (6). Reviewing the Criminal and Civil Procedure Laws to assure the democratic character of adversarial trial in the court proceedings and equality among the parties at all level consistent with the principle of humanity, justice, strengthen the legal condition to allow Lawyers participating in the court proceedings to help their clients, including ensuring the protection of the rights and interests of the witnesses in compliance with the evidences in full, objective on the basis of Laws.

3. Strategic Directions

The general strategic direction up to the year 2020, the administration of the State, socio-economic development through the Constitution and the Laws must be fully, properly and effectively implemented by the Law-related institutions, which must be

systematically established with sufficiently capable personnel for controlling and their mandates and duties are clearly defined. This is to ensure the performance of the main role and duty of the State in the implementation and enforcement of Laws and in fostering and creating condition to the society for respect of the Law and strict implementation of Laws as a whole. At the same time, it is required to prevent and eliminate all negative effects on the effectiveness of the Law.

In the condition that the Lao P.D.R administers the State on the principle of a Unity State by division of the responsibilities among State's organs exercising State power, the responsibility for implementing the Constitution, Laws and other legislation is the responsibility of executive organs; the Office of the Supreme Public Prosecutor (OSPP), however, is responsible for monitoring the respect and implementing of Laws and prosecutes cases when there is any violation of Laws, and the Judicial organ is responsible for adjudicating cases on the basis of Laws.

Therefore, enhancing the effectiveness of the Laws is connected with the increase of the responsibility of these Law-related institutions above by systematic improvement of their internal organizational mechanisms as a whole, determining of their roles in detail and clear to enable them in proper exercising of the rights and duties in strong and transparent manner, including to ensure the effectiveness and broad access to the Law and Justice by the People.

3.1. The Development Law-related Agencies of executive Organ.

The Government is a part of the State power made up of Ministries, ministerial equivalent organizations, department and equivalent agencies. At the local level, the administrative organizations are made up of provincial, capital city administrative Authorities, district, and municipal and village administrative bodies. These organizations are responsible for the implementation of the Constitution and the Laws by having general mandates as secretariat to the Government and specific mandates as a sector within the governmental structure.

The strategic development of mechanisms of Law-related agencies in the executive organ must concentrate on the following:

- (1) Full establishment and improvement of internal mechanism of Law-related agencies in executive organ and consistent with the intention of Laws, and fully, properly development of all mechanisms of Law-related agencies in executive organ, examining and reviewing contents of Laws in other sectors; re-examining the adequacy and completion establishment of Law-related agencies in executive organ at central and local levels. Increasing the quality and efficiency in researching and developing of Laws and other legislations on the Government and executive agencies at local levels. In addition, the respect of Laws among the State executive agencies must be strongly enhanced;
- (2) Increasing the establishment and improvement of responsible legal units in all sectors of the executive organ from the central level to the local level. There must be a legal unit in each administrative agency undertaking the responsibility on legal matters relating to its organization to secure the proper and efficient implementation

of the Laws. The main mandates and duties of the Legal Units of the sectors are focused on:

- Creating legal awareness of the society through legal dissemination on the Laws of its sector and providing training and encouraging the respects and implementing Laws.
 - Monitoring, collecting and evaluating on the status of the implementation of the Law in its sector;
 - Providing legal advice to the leaders as well as other organization within their respective sectors and to the public without charge;
 - Responding on any requests, people's complaints on all issues relating to the implementation of the Laws of its sector;
 - Collecting legal data and considering drafts of Laws, and proposing for amending of Laws as well as drafts of other legislation that the sector requires to develop and implement;
 - Being representative of its sector to participate in all legal matters in protecting legitimate interest of its sector;
- (3). The strategy on the development of inspection mechanism on the implementation of Laws in the executive agencies, in general, though, the State of Lao P.D.R pays attention to develop many types of inspection mechanisms in all sectors to defeat and prevent social drawbacks and within State organizations, the inspection is still needed to be strongly improved, focusing to create conditions that facilitate the strength and enhancing function of the inspection organizations in depth, and thoroughly, clear with two aims:
- Properly improving the organizational structure of the inspection organizations which is the mandate of the NA, Civil Servants and Administration Department;
 - Inspection on the activities in performing its organizational mandates, inspection on the compliance of Laws which are the duties of the Standing Committee of the NA, and National State Inspection.
- (4). Establishing and expanding networks to broaden public participation in the fight against any drawbacks resulting from the State administrative Agencies.
- (5). Researching and determining conditions for compensation, remedy of damages resulting from violation of Laws by State organizations and Government employees in case such conducts are not able to bring to criminal or civil proceedings.
- (6). Researching and considering for the establishment of an Administrative Court to consider disputes of an administrative nature.
- (7). Strengthening the investigative-interrogative Agency to deal with corruption cases at central level who must undertake the responsibility on the investigation-interrogation throughout the country;

3.2. Development of Law-related Institutions in Legal and Justice Area.

3.2.1. Development of the People's Courts of the Lao P.D.R.

The People's Court is the adjudicating Organ of the State having adjudicating function aiming at protection of legitimate interests of the citizens, upholding Justice, Security and social Order, enhancing the legitimacy, restricting and preventing the violation of Laws. The decisions of the People's Court that are final and definite must be strictly implemented by all organizations and citizens.

Thus, the performance of jurisdiction of the People's Court, as determined by the Law in real sense, become an essential objective in order to increase the qualitative value of the institution of the Court system to be independent in carrying out its adjudicating function as defined by the Laws, to take high responsibility of its duties in upholding justice, be transparent and high ethical organization, to receive strong confidence from the society and capable to integrate with judicial regional and international institutions. Therefore, the quality of the State's adjudicate Organ becomes the objective of the development of the Court system in future and long-run.

Up to the year 2020, on the basis of actual circumstances of the Lao P.D.R, the development of qualitative State Adjudicate Organ is as follows:

(1). Developing quality and efficiency of the People's Court in adjudicating case on the basis of the Constitution of the Lao P.D.R must in depth continue to enhance the independence of the Court in deciding cases with more attention being given that:

- The Party, Government, National Fronts, Mass organization and other social organizations respect, perform its duties and mandates in accordance to Laws;
- Continuing to improve internal organizational mechanism of all levels of the People's Courts in full and capable to efficient, fully administer the Courts;
- Providing capacity building to personnel, training to Judges allocating to various positions of each level of the Courts with full quality;
- Creating legislation on the protection of Judges;
- Providing basic infrastructure, vehicles, material equipments and necessary budget to the all level of People's Courts.

(2). Increasing high responsibility in performing duties of the Court and Judges;

The responsibility in performing duties is deeply connected with the independence in making decision of cases which reflect that, if the adjudicating organization does not perform its mandatory duties in accordance to Laws, it will affect on certain levels of its responsibility. In addition, an incomplete organization, limited knowledge and lacking capacity of Judges will also affect the responsibility of Judges. Hence, in order to enhance the responsibility of the People's Courts in reality, the development must focus on:

- Ensuring that hearing procedures at the Court of the first instance, in appeal and of the Court of Cassation must be consistent with the fact and Laws in order to uphold the justice in the society;
- Establishing the Courts systematically, allocating personnel that have full knowledge and capacity in order to secure the quality and timeliness of the Court proceeding;

- Issuing instruction, explanations of the Law and necessary legislation as references for making Judgments during Court proceeding;
- Creating case books by compiling court decisions and judgments classifying in different types of cases to allow other People's courts to use as reference and as case Laws;
- Continue to increase the political, ethical and professional capacity of the Judges at regular basis.

(3). Developing political, ethical Standards for the Courts and Judges

The State adjudicate organization has the obligation to uphold justice in the society under the Laws by insisting on ethical principles. In order to ensure the development of such standard, attention must be given to:

- Providing education on political ideology to the Judges in order to strengthen their capacity with revolutionary attitude and scientific working approach on a regular basis;
- Enhancing the responsibility of the Judges in considering cases in depth, thoroughly, fully, objectively and promptly ;
- Creating conditions to allow people access to justice by themselves or through Lawyers or other guardians in all levels of the court proceedings and in all cases to secure the rights in obtaining legal assistance, especially for the poor and people having less opportunity;
- Drafting and improving regulations and procedures for administration of documents and management of cases in a systematic and speedy manner;
- Improving working standards and best conditions of the Judges at all Court levels step by step;
- Reconsidering the status, suitable policy of salary and positions, code of conduct, performance and other issues relating to improvement of the Judges.

(4). Developing Public Trust to the Courts

In order to create the public trust in the Courts System in rendering cases properly and in a just manner, the following activities must be focused on:

- The procedure for selection and appointing Judges must be transparent, and consistent with standards and requirements;
- Upgrading knowledge and capacity of Judges;
- Improving the Judges with better attitudes, ethics, human relationships, legal awareness and strict application of Laws;
- Increasing the legal education of the officials, military personnel, polices and people and ethnic groups making all people to have legal knowledge, awareness and participation in the implementation of Laws;
- Considering cases consistent with the facts, Laws and ensuring that the Judgment be properly enforced.

(5). Develop the capability of the People's Court in cooperation with other regional and international Justices.

For the State adjudicating organization, the broad opening for cooperation with regional and international organizations is not specifically for the purpose of

exchanging lessons in the judicial area only, but also to cooperate on other activities in depth harmonization including implementing of regional, international duties under the agreements with another; thus, the adjudicating organization of the Lao PDR must pay attention to:

- Increasing the professional standards of the Judges to enable them to work with regional and international Law-related institutions;
- Undertaking the international cooperation among countries to exchange and study lessons on the justice initiatives, as well as study on adequate information that are benefits for the development of justice;
- Implementing treaties that have been signed with certain countries such as: SR Vietnam, Republic of China, and studying the possibility to sign similar treaties with other Countries.

3.2.2. Develop the Office of the Supreme Public Prosecutor.

The Office of the Supreme Public Prosecutor is an organ of State power that has mandates to properly and uniformly inspect the implementation of Laws by Ministries, Agencies equivalent to Ministries, Agencies under the Government control, the National front, Mass organizations, Social organizations, Local administrative Authorities, Enterprises, Citizens and implementing right on Prosecution.

In order to enable the performance of mandates and duties of the OSPP effectively in accordance to the Constitution and Laws, the priority should be given to:

- (1). Improve and establishment of the OSPP at all levels completely and fully:
 - Establishing new functional Department within the OSPP that is necessary;
 - Establishing District Offices of People Prosecutors in the remaining districts;
 - Assigning capable staff into positions sufficiently and suitably to the standards, requirements;

- (2). Create and improving Laws, regulations necessary to implement rights and perform duties of the Office of People Prosecutors:
 - Develop and improve relevant Laws relating to the tasks of the Public Prosecutors;
 - Issue guidance and explanations on the implementation of Laws;
 - Issue joint decisions with other relevant agencies on the implementation of Laws;

- (3). Strengthening the capacity of the OSPP and modernizing the organization, to ensure transparent, effective, efficient and lawful operation of OSPP, and receiving social trust by:
 - Strengthening the officers with in depth political conscious, good attitude, ethics, transparent and justice;
 - Increasing the capacity of the technical officers on foreign languages, science and technology relating to the OSPP;

 - Considering legislation regulating the economic status of the staff of OPP with adequate policy, salary, and promotion to be approved.
 - Developing an information system that connects with local network and to integrate regional, international network;

- Providing sufficient budget, modernizing offices, material equipment and sufficient vehicles as required from time to time;

(4). The monitoring on Law implementation of the investigative-interrogative agencies by:

- Creating coordinating mechanism with the investigative-interrogative agencies to ensure the criminal proceedings, that are correct, complete, thorough and objective;
- Monitoring the proceeding that is conducted by the investigative-interrogative agencies in accordance to the Law;
- Participating in the criminal proceeding with investigative-interrogative agencies if it is necessary to ensure that wrongdoers are punished in accordance to Laws and avoiding that the innocent persons are punished;
- Giving written instructions to the investigative-interrogative agencies on criminal proceedings;
- Jointly organizing seminars or workshops between the Office of the Prosecutors and the investigative-interrogative agencies on the investigation-interrogation.

(5). The inspection on the implementation of Law in the court proceeding and enforcement of Judgments by:

- Enhancing the mandate and capacity of the Prosecutors in representing cases in the Court proceedings;
- Increasing the responsibility in presenting evidences and prosecuting case before Court;
- Active inspecting on or challenging the decisions, orders or judgment of the Courts that are not final, which are considered contrary to the Law;
- Increasing the inspection for strict and effective enforcement of judgments.

(6). Inspection on the implementation of Laws in Jails, detention and reeducation camps by:

- Creating mechanism for coordinating with the officers administering the custody, jails, and reeducation camp on the management of detainees or prisoners;
- Collaborating with the Ministry of Public Security to create uniform statistics of the suspects, detainees and prisoners throughout the country;
- Developing legislations jointly with the Ministry of Public Security and other relevant Ministries on administration of the suspects, detainees, prisoners and reeducating persons and considering on amnesty and pardon to prisoners;
- Increasing the inspection on the implementation of Laws and other Court's measures on the places of custody, detention and reeducation camps.
- Organizing seminars and increasing the responsibilities of the places for management of the custody, detention and reeducation camps.

(7). Increase the general inspection, engaging in Combat and Crime Prevention

- Inspecting the legislations of various Offices under its responsibility to ensure that they are lawful and consistent with the Constitution and Laws;
- Creating mechanisms for coordinating with the Ministry of Public Security and other relevant Ministries to combat and prevent crimes;

- Collecting statistics, and analyzing conditions and causality of crimes;
- Disseminating and educating Laws;
- Creating Public Prosecutor's Journals;
- Organizing seminars and trainings jointly with other relevant agencies on combating and preventing of crimes;

(8). Cooperation with Public Prosecutors and Justice Organizations of other Countries, regionally and internationally

- Improving mechanisms for a strong cooperation and foreign relations;
- Implementing agreement on mutual cooperation signed with Vietnam, China and other Countries;
- Considering possible similar cooperation with other countries;
- Exchanging legal information;
- Collaborating with other countries in combating and preventing crimes;
- Uplifting the knowledge and capacity of the Public Prosecutors in foreign relations.

3.2.3. Develop the Criminal Investigation Institutions.

The criminal investigative-interrogative agencies are most important in providing information and evidence in various types of criminal cases. Thus, it becomes important that the criminal investigative-interrogative agencies are fully established to deal with different types of crimes as defined by Laws. In development of criminal investigative-interrogative agencies, the following activities must be considered:

- Establishing investigative-interrogative agencies of the Forestry and Tax sectors;
- Improving for strong investigative-interrogative agency in combating corruption;
- Reviewing the implementation of the Laws by the investigative-interrogative police and ensuring the implementation of the authority of the OSPP to enhance its operation.
- Considering the possibility to establish judicial police;
- Increasing the decisive requirement in the proceedings at the stage of investigation and interrogation in order to prosecute all dangerous crimes before the Court;
- Establishing and improving regulations on the operations of all investigative-interrogative agencies in a clear, thorough manner and consistent with the Laws.

3.2.4. Development of the Disputes Resolution Organization

(A). The Economic Arbitration Organization

At present, the Economic Dispute Resolution Office has been established in several parts throughout the Country. The future development of the organization must focus on:

- Improving the organizational mechanisms and working approach on operation of the Economic Arbitration Office (EAO) to a strong and a professional service organization;
- Continue to soliciting for standardized arbitrators sufficiently into each Office in order to ensure the active operation and to give more options for rendering services to the public;
- Consider to create regulations on the activities of arbitrators for uniform administration throughout the country in consisting with the relevant Laws;

- Considering on developing of a handbook for reference or use to disseminate the importance of the EAO and to attract the public interests;
- Considering on the possibility in exchange of lessons between local and international arbitrators;

(B). The Village Mediation Units

The development of Village Mediation Units has expanded with additional establishment and strengthening the Village Mediation Units throughout the Country to become grass root Justice Organizations that play role in ensuring of justice and implementation of Laws and good customary practices of the people and ethnic group at grass root. The following strategies must be focus on the development:

- Continue to establish and improve of Village Mediation Units on a countrywide basis and with better quality;
- Consideration of development of handbooks and trainers to provide training to the Village Mediation Units;
- Continue to improve the scope of the rights and duties of the Village Mediation Units in accordance with the Laws and consistent with actual situations of the society; including to develop guidelines to enable that certain cases are priority mediated at the Village Mediation Unit. This is to reduce cases upload to the People's Courts.

3.2.5 The Development of the Judgment Enforcement Office

To raise the quality and effectiveness of the judgment enforcement, the strategic development of these offices must focus on the following:

(A). The Judgment Enforcement Offices under the Supervision of the Ministry of Justice.

The macro management on judgment enforcement is the direct responsibility of the Judgment Enforcement Department who must pay attention to:

- Considering on the creation of uniform forms on the management, circulation of the Court decisions assigned for enforcement;
- Considering on the coordinating procedures with other relevant authorities on a case by case basis for efficient and effective enforcement of the court decisions;
- Considering on the establishment of necessary units for full enforcement of Court decisions, such as: the Detective and Asset Management Unit, the Auction Unit and Liquidation Unit;
- Continuously and regularly raising the knowledge, capability and ethical standards of officers to enforce the court decisions;

For micro level, the Offices and Units on the Court Judgment Enforcement at the provincial and district justice Divisions are responsible for the enforcement which must focus on the following developments:

- Fully establishing and strongly improving the offices and units on the enforcement of the court decisions countrywide;

- Considering the establishment of internal administrative mechanisms to strengthen the administrative organization moving towards a professional service organization step by step;
- Increasing to install vehicles, material equipment and necessary budget to facilitate the effective operation of the organization.

(B). The Judgment Enforcement Office under the Supervision of the Ministry of Public Security.

In order to increase the reeducation function that the prisoners achieve the objectives of punishment, the developments of detention centers throughout the Country must focus on the following:

- Considering and establishing Law on Prisons and reeducation centers;
- Improving the internal regulations and standards of the prisons and reeducation centers uniformly throughout the country in accordance with relevant Laws (supporting to the development of the Laws on the reeducation centers);
- Securing that court decisions involving criminal punishment are correctly and fully enforced pursuant to the court decision;
- Raising the knowledge and capacity of the officers administering the prisons and reeducation center;
- Reviewing the securing conditions on living standards within detention centers by increasing combining the State budget and self-establishing and strengthening fund of the centers;
- Developing conditions for skilled professional training in addition to raise the level of education of the prisoners as appropriate to enable them for reintegration into the society after jail term.

3.2.6. The Notary Office

The strategic direction for the development of the Notary Office is focusing on raising the level of the quality in providing service to the public by creating favorable conditions, prompt and with full legal standard services. Therefore, the development must focus on:

- Improving full internal mechanisms of each Notary Office for transparent management of its overall responsibilities in an efficient and effective manner moving toward the professional service organization;
- Coordinating with other relevant agencies to clearly redefine mandates of each agency;
- Considering the creation of handbooks, standard forms that are required for notarization by the Notary Office for ready service to the public;
- Reviewing the mandates of the Notary Office to prevent the disputes on the contents of any documents that have been notarized by the Notary Office without necessity to refer for judicial review;
- Considering on the possibility of establishing additional Notary Offices in the major cities to enable close and broad public service.

3.2.7. The Family Registration Office

It is necessary to review the Law on the Family Status for proper implementation by establishing the Family Registration Office at the District Administrative Bodies that carry out necessary duties such as birth registration, death registration, disappearance registration, marriage registration, divorce (after court decision), adoption, and other matters.

3.2.8. Strategic Development of other Law-related Organization

(1). Develop the Lao Bar Association.

The development of the Lao Bar Association (LBA) should emphasize on:

- Considering and adopting Law of the Law on Lao Bar Association;
- Improving the internal regulations of the Lao Bar Association in consistent with Laws and related Decrees concerning operations of Lawyers;
- Considering and determining a Code of Ethics of the Lawyers;
- Improving full administrative mechanism of the Lao Bar Association and internal management in full and strong manner;
- Disseminating the role and mandates of the Lao Bar Association in the justice process deeply enabling the society with knowledge and understand the need of Lawyers participating in the protection of justice in the court proceeding;
- Reviewing the capability of people in access to Lawyer services as important elements for people to access to Laws and Justice through Lao Bar Association; at the same time to promote the public interest to use the service of the Lao Bar Association;
- Continue to expand the membership of LBA that has high standards and develop regulations on the selection, admission of the members to secure the quality;
- Reviewing the sources of income to create a fund for the LBA and develop regulations on the use of such funds in order to benefit its development in the direction of self sufficient funding, strengthening and to provide legal assistance to people with fewer opportunities;
- Reviewing the capacity in delegating power to the Lawyers for protection of rights of their clients throughout whole proceedings;
- Continue to mobilize funds from international assistances and increase in exchanging lessons on Lawyers from regional and international communities.

(2).Legal Advice Office

- On the government authorities, it must focus on the establishment of legal advice offices throughout the Governmental Ministries and Agencies of all sectors (in house Legal Units) and the District Justice Division for providing legal advices to the people without charges.
- The Private Legal Advice Offices must also be extended throughout the country and in big cities.

(3).Evidences Proof or Forensic Unit

These Law-related organizations that have mandates in maintaining Justice to be developed include Evidence Proof or Forensic Unit, which needs to be systematically,

fully and permanently established at central and local level in order to operate the service in qualitative, modern and just manner.

4. Opportunities and Challenges

4.1. Opportunities

- The existence of a Constitution and Laws that clearly determine the establishment of Law-related institutions;
- Appropriate organizational mechanisms of State authorities that divide the responsibilities among the different State Organs;
- Policies on improvement of the administration, as well as the continuing policy on simplifying State mechanisms with strengthening the quality as continuing and long term policy in order to enhance the people's democratic system in depth and strong direction;
- International assistance and support from organizations at the regional and international levels.

4.2. Challenges.

The status of being a least developed country with severe limitations in its national budget and material aspects required by fast and extended organizational structure to perform their tasks;

- The mandatory functions of different State Agencies is still unclear, not in detail defined and conflicting with one another, which affects the efficiency of the State power with obstacles in exercising power by relevant State organs;
- The policies required for the development of legal and justice sector, as well as for the development of human resources in the legal sector has broad general character which affects the responsibility to bring success of this area;
- The lack of vigorous and strong decision in combating against social drawbacks, such as corruption that undermines the effectiveness and strict implementation of the Laws by government agencies in general.

III. The Strategic Development of Human Resources in the Legal and Justice Sector until the year 2020

To attain the following vision on the development of legal education and training to: *Development of personnel in the legal and justice sector in sufficient numbers and with quality and quantity*”, this Master Plan determines the objectives, expected outcomes, and strategic development on the legal education and training toward the year 2020 as follows:

1. Objective

- (1) Develop human resources in legal and justice sector with deep knowledge, competent and in depth ethical personnel who are able to serve the works in administration of State, socio-economic activities under the Constitution and Laws broadly and effectively manner in different State and social organizations, aiming to secure the protection and extending justice in the society as well as the **free exercise** of the citizens on the basis of the Constitution and Laws;
- (2) Create the condition to increase extended international cooperation in the development of human resources based on the principles of equality and mutual benefits.

2. Expected Outcomes

2.1. Increase the quantity and quality of the trainees.

By the year 2020 sufficient quantity of officials must satisfy basic requirements of legal and justice sector and in each year, training must be provided to upgrade knowledge and capacity of the officials. Building capacity and training officials not less than 15-20% of existing officials must be provided. Legal experts will be updated with new information and they will receive training once every year. In addition, there must be continuous activities on the capacity building and training to the trainers.

2.2. Raise quality of training

By the year 2020, the capacity building and training to officials must reach the level of equivalent to those in the region's developed countries, i.e. generally, Lawyers, Judges and Law officials, will possess sufficient theoretical and practical knowledge, and are capable of in depth conducting legal analysis and problem solving, in clear legal drafting, creative thinking, using information technology, independently conducting legal research, including comparative legal research on the Internet and speaking and writing fluently of foreign language.

Practicing legal professionals must meet standards and have the skills and knowledge required for their specific work. A core team of officials will receive high level training within the country and in foreign countries.

2.3. Develop and improve Laws and Regulations relating to legal training and education

The following development and improvement must be focused:

- 1) Adopting legislation to guide the implementation of the Education Law in the area of basic legal education;
- 2) Adopting legislation on the human resource development in legal and justice sector;
- 3) Adopting legislation the training of the officials in legal and justice sector;
- 4) Adopting legislation relating to the rights and obligations of the lecturers at the Judicial Training Institutes, as well as to these of lecturers of basic legal educational schools.
- 5) Adopting regulations on the use of facilities at the Legal Training Institutes and design annually and developing budget plan every 5 year;
- 6) Assuring that all training programs for the OSPP and the MPS, including topics teacher by Judges or Prosecutors on the system of Court, Prosecutors and Police on the Court decisions are the high level of training.

2.4. Standardize all legal education institutions within the country

All basic legal educations, legal professional trainings and continues training, in particular, the standard of minimum number of years for compulsory subject in the legal education and duration of the training for each compulsory subject in the training institutions that issue the same diploma or degree (detail regulation on the development in each Law Schools) must receive a certain standard.

2.5. Increase numbers of Textbooks

There must be promotion of reference books and improvement of methods of managing materials to assure that all students receive sufficient textbooks; also creating favorable conditions for access to domestic and international materials by providing a system of library loans using computerized control and developing traditional libraries and with computerized electronic and Internet libraries.

2.6. Strengthen and ensure teachers in quantity and quality at legal training institutions:

There must be training that support teachers to become leading professors and experts by sending teachers to legal training institutions for study, and undertaking practice on judicial or legal professions within country and in foreign countries to enable them to gain practical experience and enhancing their legal knowledge, including language training and improving the methods of training for teachers.

2.7. Attract experienced Judges, Prosecutors, Lawyers and Officials to take part in teaching.

2.8. Improve teacher working conditions and salaries.

2.9. Improve teaching methods, materials and equipment

In stimulation to the creative and active thinking of students and training participants must include the following:

- (1) Ensuring that the majority of class-time in legal training programs spending in classes receives modern teaching methods such as: clinical education, teacher-student interaction in class, and problem-solving.
- (2) Improving textbooks that secure the theory with real problem solving which contain actual and hypothetical cases and real cases to encourage students to think actively.
- (3) Assuring the development of a legal library and all legislation to facilitate the research study of the students and understand how these Laws and regulations affect citizens' rights and obligations.
- (4) Guarantee that the majority of students in basic legal educational schools, in legal professional training institutes receive curriculum courses for developing legal professionals and experts that are capable of using modern equipment such as audio-visual equipment and computers linked Internet networks and access to inter-university library.

2.10. Improve the Facilities:

Infrastructure such as school buildings, access roads, other constructions and technical equipment must be improved and supplemented in new conditions, installing modern facilities. Reasonable regulations on the use of such facilities must be created. In the legal education, there must be reasonable funds for maintenance of the equipment available. There must be also special funds available for improvement and modernization of Law libraries to accommodate legal education system.

3. Strategic Directions

- (1). Reviewing the curriculum to improve quality and standard that allow to integrate with regional and international levels;
- (2). Creating favorable conditions and capability for upgrading domestic basic legal education to higher levels step by step, and at the same time continuing to send legal officials for study abroad systematically;
- (3). Building and improving a completed modern material techniques and teaching materials;
- (4). Increasing teachers both qualitatively and quantitatively with a new learning and teaching approach;
- (5). Developing the quantity and quality of textbooks and provide full research materials that are available to all students;
- (6). Extending broad legal education network of both public and private sectors;
- (7). Clearly determining the mandates, rights, duties and the responsibilities on the legal and judicial training;
- (8). Reviewing the standards and requirements on the recruitment and use of legal resources in the areas of the administration, judicial and economic sectors;
- (9). Properly determine number of staff allocated to the justice (Law-related) institutions on the basis of clear determining of position;
- (10). Reviewing the implementation of policies and protective measures for legal and judicial personnel;

4. Opportunities and Challenges

4.1. Opportunities

- There are clear State policies on the development of human resources;
- There is active public participation in the State and socio-economic administration through the Constitution and the Laws;
- There are basic conditions to facilitate the development of education in legal and justice sectors;
- The country receives support from friendly countries and the international community.

4.2. Challenges

- Under the condition of a least developed country, there is limited budget and funding for legal education;
- Teachers lack both quantity and quality, level of knowledge and experiences of the present teachers are limited resulting in negative effect on the long term development of legal education that aims to move into modern system;
- The management and implementation of policies on personnel in the legal and justice sector lack clear standardized regulations;
- The effect of market economic mechanism results in social drawbacks which seriously affect the ideology, ethical and behavior of personnel in the legal and justice sectors.

IV. The Strategic Plan for the Development of Legal Databases and Information Resources and People participation in the Legal and Justice Sector until the Year 2020

To attain the vision for the development of legal information and people's participation in the legal and justice sectors aiming to: *Develop a complete, modern legal database and information sources to increase legal awareness to the society, and to enhance people's participation in legal and justice sectors.* Thus, this master plan determines objective, expected outcomes, and strategy on the development of legal information and people's participation in the legal and justice sector toward the year 2020 as following:

1. Objective

- (1) Developing and improving modernized, broadening database on legal and justice information sources steadily;
- (2) Providing more and broad legal and justice data and information to the society aiming to raise the legal awareness and implementation of Laws by the citizens;
- (3) Increasing the condition for more people's participation in the legal and justice sector activities;

2. Expected Outcomes

- (1). Developing modern and complete system of legal information and legal dissemination;
- (2). Improving the complete legal basis on legal information and legal dissemination by:
 - Issuing necessary regulations on the establishment of information center and activities of the Law dissemination.
 - Amending the legislation on the creating and enacting Laws and legislation to ensure that the Laws and all legislations adopted are effective only after publishing in the Official Gazette and regularly and promptly published;
 - Increasing the coordination between existing efforts and institutions to collect, publish and distribute of legal normative acts and legislation in order to widely enable in providing legal information and dissemination of Laws, especially from the agencies that have mandates in publishing the Official Gazette must collect all legislations issued by State to promptly and full published in the Gazette.
- (3). Increasing the support and sharing legal information between Lao P.D. R with other regional and international communities by:
 - Strengthening with basic technical materials to the National Legal Information Center at central and local levels;
 - Creating and completing legal database on treaties and international agreements, especially which Lao PDR is party to add into the National Legal Databases.
- (4). Establishing a special unit responsible for research and training on the dissemination and education of Laws in each sector to develop such a framework into educational schools, vocational schools and training institutes in order to improve the dissemination of Law to broad and suitable target.

3. Strategic Directions

- (1). Researching on the conditions and the possibility for the establishment of a National Legal Information Center as a center to provide such services at the domestic, regional and international levels;
- (2). Increasing forms and methods of providing Law databases and information to make available legal data and information for easy access to the public in promptly and suitably to the target;
- (3). Increasing the provision of legal information to libraries and developing the management, service of legal information within the libraries;
- 4). Realizing the development of quality Law and justice magazines;
- (5). Reviewing and encourage of Official Gazette and developing this work by making Official Gazette as importance in its real sense.
- (6). Reviewing the conditions for collaboration between the State and Private sectors in the publication of various forms of legal information to meet the demands of society in sufficient and complete manner;

- (7). Creating facilities to each sectors in undertaking of Law dissemination continuously to the public, at the same time to improve mechanism in State organizations for accepting legal information from the public;
- (8). Establishing a compilation of Court's decisions, judgments, orders for publication and distribution to the society in studying and researching by Judges;
- (9). Providing personnel, budgets, materials and vehicles for allowing regular operation of Law dissemination.

4. Opportunities and Challenges

4.1. Opportunities

- Clear State policies on Law dissemination throughout society;
- People and ethnic groups have interests in legal information and require to have active Law dissemination throughout Country;
- Basic conditions in facilitating the development of the sources of legal and justice data and information are available;
- There is support and assistance from friendly countries and the international community.

4.2. Challenges

- Lack of budget and funding;
- The daily livelihood of the people are diversified in remote area, people are still poor with low level of education and not fully able to access to legal information;
- The work on Law dissemination is not able immediately evaluated, which affects to the efforts of relevant staff;
- The Law dissemination is duty of the political system, but many sectors do not properly understand the importance of the activities.

V. The Development of the Basic Infrastructure of the Legal and Justice Sector

1. Objective

Up to the year 2020, there must be effort to enable the legal and justice sector from central to local level having permanent, sufficient and systematic workplaces, including appropriate vehicles and material equipment in accordance to their work and duties. All must be developed with proper standards and in the level that are able to effectively cooperate and coordinate work within the country.

2. Expected Outcomes

- Ensuring that the workplaces of the legal and justice sector, of the Offices of Public Prosecutors, the People's Courts, investigative-interrogative agencies, detention centers and

other legal and justice supportive places from central to local levels are suitably, systematically and safely designed and developed in accordance to their specific needs.

- Establishing common place for accommodation at central and local level of the Offices of Public Prosecutors, the People's Courts, investigative-interrogative Agencies with high safety for short accommodation of the officers that alternately change location of work in different places;
- Ensuring that the places for legal education and training of officers in legal and justice sector are centrally developed;
- Ensuring that the facilities for the performance of duties in each sector are sufficient;

3. Strategic Directions

- The infrastructure of the People's Court must be designed suitably with the functional mandates of the judicial organ of the State and full components of organizational structure on Court chamber from central to local levels which allow people easy access to the Courts with high safety, suitable court room, temporary place for custody of defendants in criminal cases, safety room for maintaining of evidences and other facilities such as places for short period accommodation for Judges;
- The infrastructure of the Office of Public Prosecutors must connect with the mandatory function of the Office from the central through local level, equipped with efficient and modern data and information, and communication system;
- The infrastructure of the legal and justice sector must include places and facilities suitable to the mandatory function of the sectors such as Judgment Enforcement Office, Notary Office, Arbitration's Office and other as offices of the public service section must be separated in specific places that allow people for easy access with high safety, including places for maintaining evidences and other document systematically. For the offices of the legal and justice administrative section must be secured with workplaces, modern conference room and communication system.
- Places of legal training and education are needed to develop for long term use which must be designed suitably to the purpose of building and training to the officers of legal and justice sector;
- The infrastructure of the investigative-interrogative agencies must be designed suitable for their mandatory functions with training center, laboratories and modern forensic facilities;
- For the detention places and reeducation camp detaining prisoners must be highly secured, developing in that close to the standard of the regions step by step.

The development of infrastructure in different components in legal and justice sectors in each period must be considered with appropriateness and requirements of the general socio-economic development of the the country by creating development projects to implement each program in detail.

Part III. Methods and Measures for the Implementation of the Master Plan.

Determining of the measures on the implementation of the Master Plan is significant in order:

- To ensure successful implementation of the Master Plan up to the year 2020 by commencing the Projects under the Progras in the Master Plan as soon as possible and with efficiency;
- To ensure that all important decisions required by the Projects will be made on the basis of thorough consideration and analysis of all relevant information and options;
- To ensure sufficient provision of all resources needed for efficient and effective implementation of each activity in the Projects;

The implementation of this Master Plan is the direct responsibility of the Lao P.D.R State. However, the contribution from all economic sectors and assistance from the international community will facilitate and expedite many activities of the Master Plan. Thus, the Master Plan requires the establishment of the following implementing mechanism:

I. Methods

The necessary organizational mechanism for implementing the Legal Sector Master Plan consists of various organizational Committees as following:

1. The National Steering Committee (NSC)

The NSC is the highest Committee of monitoring the implementation of Master Plan.

1.1. Organizational structure consists of:

- (1). Prime Minister as Chairman
- (2). The Minister of Justice as Resident Deputy Chairman
- (3). President of the SPC as Deputy Chairman
- (4). Procurator General of the OSPP as Deputy Chairman
- (5). Minister of National Defense as the Member
- (6). Minister of Public Security as the Member
- (7). Minister of the Office of the President as the Member
- (8). Minister of the Prime Minister's Office (Cabinet Chief) as the Member
- (9). Minister of Foreign Affairs as the Member
- (10). Minister of Finance as the Member
- (11). Minister of Education as the Member
- (12). Chairman of the Committee on Planning and Investments as the Member
- (13). Chairman of the Law Committee of the National Assembly as the Member
- (14). Other relevant Agencies that the Government considers as necessary to include as the Member from time to time.

1.2. Functions, Tasks and Responsibilities of the NSC:

- (1) To supervise and direct the timely implementation of the Master Plan and to make timely decisions to resolve constraints and difficulties for its implementation.
- (2) To consider and approve all important decisions during the Master Plan's implementation process upon requests from the Inter-agency Working Committee (IWC).
- (3) To coordinate at a high level with international donors, foreign governments and international organizations when necessary.
- (4) To supervise and direct the timely and sufficient supply of financial resources for the successful implementation of the Master Plan, including funding from the State Budget and funding from international donors and other resources.

1.3. Working approach:

The NSC will meet every six (06) months to consider reports on the implementation of the Projects under the Master Plan, to make important policy decisions, to implement tasks mentioned above and, if necessary, to give instructions to the IWC to implement important tasks with respect to the Master Plan.

The extraordinary meetings may be convened by the NSC Chairman at any time.

2. Inter-agency Working Committee (IWC)

2.1. Organizational structure consists of:

- (1). Minister of Justice, Chairman
- (2). Vice Minister of Justice, as resident Vice Chairman
- (3). Deputy Procurator General of the OSPP, as Vice Chairman
- (4). Vice President of the SPC, as Vice Chairman
- (5). Deputy Chairman of the Cabinet Office of the Prime Minister as Member
- (6). The Assistant to the President as Member
- (7). Vice Minister of Ministry of Foreign Affairs as Member
- (8). Vice Minister of National Defense as Member
- (9). Vice Minister of Public Security as Member
- (10). Vice Minister of finance as Member
- (11). Vice Chairman of Planning and Investment as Member
- (12). Vice Minister of Education as Member
- (13). Deputy Director of the Administration and Civil servant Department as Member
- (14). Deputy Directors of Agencies equivalent to Ministry level by the decision of the Government from time to time as the Members.

2.2. The IWC has functions, tasks, rights and responsibilities in the following:

- (1). To consider, approve and direct the implementation of specific Projects and sub-projects necessary for the implementation of the Master Plan.
- (2). To appoint the members of the Secretariat.
- (3). To make policy decisions and apply measures necessary for the implementation of projects and projects in the Master Plan.

- (4). To propose options to the NSC for final consideration and decision of appropriate policies and solutions after thorough and sufficient consideration of the strengths and weaknesses of each option.
- (5). To gather opinions of relevant policy makers, and experts and consult with different interest groups in the society to ensure that important decisions and solutions are suitable for the common objectives and best satisfy the interests of these groups.
- (6). To supervise and evaluate regularly all activities of the Action Plan to ensure that the Master Plan is timely implemented, constraints and difficulties are identified for further solutions and good experiences are built upon.
- (7). To ensure the implementation of all important decisions in an efficient manner and to provide all necessary resources in terms of professional expertise, personnel, material infrastructure, and to ensure timely identification of needs for funding and funding sources for the implementation process.

2.3. Working approach

The members of the IWC will meet every month and may have more frequent meetings if its Chairman considers it necessary.

3. Secretariat

3.1. Organizational structure of the Secretariat:

- 1) Head of the Secretariat.
- 2) Deputy Head of the Secretariat.
- 3) Officer responsible for managing the Legislative Development Project.
- 4) Officer responsible for managing the Project for Strengthening of the Effectiveness and Efficiency of Law-related Organizations consisting of:
 - Project Management Unit on the development of organizations implementing administrative Law area,
 - Project Management Unit on the development of Judicial and Procuracy system;
 - Project Management Unit on the development other Law-related agencies.
- 5) Officers responsible for managing the Project for Legal Education and Training of Legal Professionals.
- 6) Officer responsible for managing the Project for Development of Legal Information Systems, Legal Dissemination and People's Participation.
- 7) Administrative Officer.
- 8) Officer responsible for accounting and managing the financial matters of the Master Plan.
- 9) 2 interpreters/translators
- 10) Secretaries and other supporting staff as required for the work and as agreed by the IWC.

3.2. Functions, tasks, rights, and responsibilities of the Secretariat:

- (1). The Secretariat has the duties to assist the NSC and IWC in carrying out the Master Plan.
- (2). The Secretariat has its own office at an institution decided by the NSC, which will get full support from the Committee;
- (3). The Head of the Secretariat performs secretariat function to the IWC, and shall attend all meetings of the NSC and IWC and be responsible before the NSC and IWC for the implementation of decisions, guidelines or instructions made by the NSC and IWC.
- (4). The Deputy Head of the Secretariat will assist the Head of the Secretariat in managing the daily work of the Secretariat and implementing the Head's functions when the Head is absent.
- (5). Each Project Officer will prepare detailed work plans and time schedules for implementing necessary activities to achieve the objectives of the relevant Projects and sub-projects, including monitoring and evaluation of the implementation of project activities;
- (6). In the case of 3 (4)), the Head of each Unit has the responsibility for implementation of the activities and is accountable to the Project Officer.
- (7). The Administrative Officer has overall responsibilities for logistics to ensure the implementation of Projects, including purchase, procurement, organization of workshops, study tours, equipment for meetings and perform other works as assigned by the Head of the secretariat.
- (8). The Accountant and financial Officer of the secretariat have overall responsibilities for making funding proposals and estimates, and managing the funding sources and budgets for implementation.
- (9). All professional staff and secretaries work to assist the Chair of the Secretariat and Project Officers to implement their tasks.

II. Measures

1. The Principles

The implementation of this Master Plan is open wide for the cooperation with international organizations under the policy of the Government of the Lao PDR on the international cooperation based on the principles of “*sovereignty, territorial integrity, and non intervention in another internal affairs, equality and mutual benefits*”.

In case members of the international community are interested in the cooperation on implementation of this Master Plan, the general needs with respect to international cooperation and assistances will be clarified in specific project documents. The list of specific projects and needs will be updated annually and discussed with the donors at an Annual Meeting between donors and the IWC.

Existing international support projects will continue to be implemented according to the signed project documents. Future projects, which are developed according to the general and detailed needs of this Report, will be carried out in accordance with the Master Plan.

2. Concepts

2.1. Concept of inter-agency cooperation and coordination

All cooperation and assistances of the international organizations to the development of Lao PDR legal system must be uniformly managed and implemented through the NSC, IWC and Secretariat.

All sources of supporting funds of the international organizations must be consolidated into common Trust Fund which may be established by decision of the NSC.

2.2. Concept of cooperation with the Donors

(1). Annual meetings between IWC and donors, relevant State agencies must be convened. In necessary case, the IWC, donors and other relevant State agencies may convene special meeting in order to listen to progress report on the implementation of the Master Plan, listen and discuss on the proposed changes in the Master Plan, the implementation status of internationally assisted projects and programs, consider on the immediate and long-term needs for international assistances in developing Lao P.D.R.'s legal system, summary and lesson learned from the past implementation and give comments on future plans;

(2). The secretariat must organize a Bi-Monthly Roundtable with participation from resident international donors, local and international legal advisors and experts and members of the Secretariat and/or members of the IWC.

The issues to be discussed and commented in the meeting include the existing difficulties on the implementation of the projects, future needs of international cooperation and assistances. The minutes of such meetings will be produced and maintained by the Secretariat.

(3). The Secretariat may set up a Web-site to provide and exchange information on major developments and coming events related to Lao P.D.R.'s legal system development, including projects, programs implementation and other activities relating to the development of legal system.

2.3. Concept of transparency

The IWC, secretariat, relevant State agencies and Donors will make every effort to maintain a high degree of transparency on the implementation of the Master Plan on legal system development of the Lao PDR through the measures and mechanisms for effective use of funds and efficient coordination between different activities.

2.4. Concept of creativity

Throughout the process of implementing the Projects, Programs and Activities on the development of legal framework, the IWC and Secretariat must have suitable creative views to facilitate and create conditions for the inter-agency, including the public to participate in specific projects activities.

2.5. International Coordination and Assistance Needs

(1). The support and assistance from the international community are essential for the Secretariat in assisting the NSC and IWC to realize the implementation of the Master Plan, thus must be focused on:

- Strengthening the capacity in the predation of plans, coordination, management and running programs/projects and specific activities.
- Strengthening the coordination and management of legal projects that receive international assistance, especially with regard to designing/planning, preparing annual and long term internationally-assisted programs/projects, strengthening the evaluation and assessment of impacts and effects of internationally-assisted legal projects.

(2). Technical supports are needed to enable the application of information technology in the management and operation of the NSC and IWC and Secretariat;

(3). Creating mechanisms for regular exchange and sharing information and distribution among the NSC and IWC and the implementing team in each project, donors and interested counterparts;

(4). Providing facilities and equipment necessary for the operation of the Secretariat;

5). Providing international and local experts to assist the operation/management works, planning, assessing impacts and to assist in other work at the request of the NSC and IWC.

3. Mobilized Resources:

For the development of the legal system in the long-run, it is necessary to have international experts who have legal knowledge and other relevant professional expertise participating in the operation. Herewith, contributions are needed from different sources of funds for the development including from the State's budget, funding from international organizations.

Each year, the government must invest from its budget to the implementation of this Master Plan, at the same time, to mobilize funds from international support. On the use of international supporting fund, the priority must be given to the grant or donations (from ODA, assistances from NGO and other sources) into short term and long term training courses within the country or in foreign countries. A partial support contributes in the form of equipment and hardware, exchange and training of public servants, teachers, lecturers; international exchange of information, and provision of scholarships.

Short term and long term preferential credits may be used for the following activities:

- (1). Building technical infrastructure (e.g., building a national computerized uniform secured transactions registration system and a national database for secured transactions).
- (2). Building technical infrastructure needed to computerize system of public notary agencies and to manage the judgment enforcement service.
- (3). Building and improving training institutions.
- (4). Using in other areas and activities must be determined by the National Steering Committee (NSC).

ANNEX

To implement the Master Plan 2020, the following programs and projects of Lao PDR are set up:

To implement the Legal Sector Master Plan of the Lao PDR to the year 2020 successfully, the following programs and projects are set up:

Program I: Development of the legal/regulatory framework towards the year 2020

Project 1: Development of official procedures and techniques for the drafting of legislation, including the process for the incorporation of international treaties into the Lao legal system

Activity 1: Development of procedures and technique for drafting of Legislation

Consider, revise and improve Presidential Ordinance No. 02, date 20 Oct. 2003 to adopt as Law on Law, at the same time to consider inclusion the procedures developed by Ministry of Foreign affairs (the Department of Law and Treaties) for entering to international treaties, conventions, and process of development of domestic Laws.

Review and strengthen existing manuals and guidelines on the drafting of legislation developed by the Ministry of Justice and the National Assembly to ensure it consistency with the above mentioned law, and to organize training and dissemination of such law to the public.

- **Period for implementation: 2009-2010**
- **Implementation responsibilities: NA, MoFA, MoJ**

Activity2. Development of Lao Legal System to ensure it is in compliance with International Conventions and Treaties.

- (1). To develop capacity of the Lao PDR as a member country to international conventions by reviewing and examining conventions and treaties that the Lao PDR has acceded and signed in order to ensure that those conventions and treaties are completely ratified.
- (2). To examine and prioritize international conventions that Lao PDR is not yet the party to in order to make proposals for ratification or accession by focusing on the needs and urgency for the integration of the Lao PDR into ASEAN and international economies.

The conventions that need to be emphasized are as follows:

- 1980 Vienna Convention on the International Sales of Goods;
- 1965 Washington Convention on the Settlement of Investment Disputes;
- Hague Convention on the Service Abroad of Judicial and Extra judicial Documents in Civil or Commercial Matters;

- International conventions and agreements presented in the Assessment Report 2003;
- International conventions and agreements presented in the Assessment Report 1997-2003;
- International conventions and agreements of the international law project under the Ministry of Foreign Affairs;
- World Heritage Convention (WHC);
- Framework Convention on Climate Change (FCCC);
- Agreement on The Cooperation for The Sustainable Development of The Mekong River Basin (Mekong Agreement);
- Convention on Biological Diversity (CBD);
- Convention on Combating Desertification (CCD) ;
- Vienna Convention for the Protection of the Ozone Layer;
- Montreal Protocol on Substances that Deplete the Ozone Layer;
- Basel Convention on the Control of Tran-boundary Movement and Treatment of hazardous Waste
- ASEAN Agreement on Tran boundary Haze Pollution;
- Plant Protection Agreement for the Asian and Pacific Region;
- Kyoto Protocol to the Climate Change Convention.

- Period for implementation: 2009-2015

- Implementation responsibilities: NA, MoFA, Government Secretariat, Water Resource and Environment Administration, Lao National Mekong Committee

Project 2: Development of Market Economy Factors into a Complete System

Activity 1: Development of Real Estate Market

- Create a favorable legal foundation for creating and developing a real estate market, including the opening up of the real estate market service for promotion of investments step by step;
- Establish an agency responsible for evaluating the price of real estate;
- Establish a centralized registration system for real estate to ensure the transaction of transfer or purchase-sale of real estate is properly registered;
- Formulate regulations on pledges, and auction to create favorable conditions for those who are interested in purchasing of the real estate;
- Formulate regulations and mechanisms to ensure the systematic execution regarding the “expropriation of real estate for public use” and also to ensure fair compensation.

Activity 2: Development of Labor Market

- Strengthen the protection of the rights and interests of employees and employers as well as promote the export of laborforce;
- Protect and respect the rights of contractual parties in accordance with the labor law and employment agreements;

- Strengthen the state's inspection and control of labor with regard to the violation of the labor law, upgrade the role of labor representatives (trade unions), encourage the respect and enforcement of collective labor agreements;
- Formulate strong measures on labor dispute settlements such as conciliation, dispute settlement by the Trade Union, and the right to self-determination of the contractual parties in settling the dispute;
- Create the legal basis for setting up an unemployment insurance fund for employees following the direction that such a fund has to be jointly contributed by the government, enterprises, and workers.

Activity 3: Development of Intellectual Property Market

- Draft laws and regulations on granting copyrights as the property owned by an individual or a group of people that have created that property;
- Improve regulations on the methods of calculating remuneration to the inventor and the individual legally possessing the right to the created item in accordance with the agreement made between the contractual parties, and ensure that any legal action is resorted to only when the parties fail to reach an agreement;
- Strengthen the protection of other intellectual properties by law by creating a mechanism responsible for implementation of such mandate in accordance with the conditions provided by laws, conventions, and international agreements on intellectual property;
- Improve laws and regulations on technology transfer in order to reduce the state's intervention in the technology transfer agreement, and set up a consulting agency in technology transfer;
- Consider ratifying the international conventions on intellectual property as follows:
 - 1971 Berne Convention for the Protection of Literary and Artistic Works;
 - 1967 Paris Convention for the Protection of Industrial Property;
 - 1978 and 1991 International Conventions for the Protection of New Plant Varieties;
 - 1974 Brussels Convention Relating to Protection of Satellite Program Signals;
 - 1971 Vienna International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations Against Unauthorized Copying;
 - 1989 Washington Treaty on Intellectual Property in Respect of Integrated Circuits.

Activity 4: Development of Insurance Market

- Improve the law on insurance to increase competition in the insurance market;
- Improve the law on bankruptcy of enterprise related to the insurance business operation to protect the legitimate rights and interests of customers;
- Open competition of the insurance business.

Activity 5: Development of Stock Market

- Seek and collect information and exchange lessons learned about stock markets;
- Study and develop laws and regulations pertaining to stock markets;
- Formulate a mechanism for administrating and servicing stock markets.

Implementing period: starting from now and speeding up between 2010-2015

Responsible agencies: Concerned sectors, both public and private sectors

Project 3: Development of capacity of mechanism in charge of legislation drafting and studying probabilities of setting up the monitoring mechanism for law implementation

Activity 1: Continue to improve and upgrade human resources in the mechanism in charge of legislation drafting

- Law Committee of the National Assembly;
- Secretariat of the government (the law committee);
- Legal department, ministry of justice;
- Legal divisions of concerned sectors, at central and local.

Activity 2: Studying probabilities of setting up the monitoring mechanism for law implementation, the activities that need to be emphasized are as follow:

- Review the mandates and roles of the Standing Committee of the National Assembly pertaining to the interpretation in order to transfer these roles and mandate to the People's Supreme Court;
- Study the possibility to set up a permanent mechanism [body] that performs the responsibilities for the above-mentioned mandates and roles in the future, meaning that the proposed establishment of the mechanism [body] could be in the form of an organization (i.e. constitutional court, administrative court, Ombudsman or others).

Implementing period: 2009-2015

Responsible agencies: National Assembly, People's Supreme Court, Prime Minister's Office, Ministry of Justice, and other concerned agencies

Project 4: Development of the structure of the legal system in Lao PDR

Activity 1: Harmonize the country's laws with international conventions in which Lao PDR is a state party, by:

- (1). To continue the development of market-oriented economic mechanism in order to integrate into the regional and international economies based on the ASEAN free trade agreement framework that was effective in all member countries in 2008; and
- (2). Preparing conditions for the legal framework and the implementing mechanism that fundamentally pave the way for the country to become a member of the World Trade Organization.

Laws that need to be amended are listed below:

- Law on National Assembly;
- Law on state budget;
- Law on enterprise accounting;
- Law on hygiene, disease prevention and health promotion;
- Law on medical drug and products;
- Law on local administration;
- Law on government;
- Law on road transportation;

- Law on military service;
- Law on forestry;
- Law on agriculture;
- Law on education;
- Notary Public Law
- Law on court fees;
- Family law
- Law on mines;
- Law on electricity;
- Law on processing industry;
- Law on labor;
- Law on environment protection;
- Law on promotion of domestic and foreign investment (amended version)
- Penal law
- Law on family
- Law on bank of Lao PDR

Activity 2: Study to draft new laws

New laws to be drafted are below:

- Law on custom (especially import-export);
- Law on value added tax;
- Law on commercial agent and broker;
- Law on auction in the procurement of goods;
- Law on import and export of goods;
- Law on cooperatives;
- Law on consumer protection;
- Law on awarding distinguishes artists;
- Law on professional associations;
- Law on commercial banks;
- Law on state audit
- Law on Lao bar association;
- Law on detention center;
- Law on justice police;
- Civil code;
- Criminal code;
- Commercial code;
- Law on water supply;
- Law on construction (housing);
- Law on military prosecutor (to be upgraded from the presidential decree);
- Law on military court;
- Law on national public security;
- Law on Lao federation of trade unions;
- Law on youth union;
- Law on management of social organizations;
- Law on Lao Front for National Reconstruction;

- Law on foreign affairs (international relations);
- Law on implementation of international conventions;
- Law on biotechnology and biodiversity safety (i.e. protection of extinct wild plants and aquatic animals);
- Law on national statistics (to be upgraded from the prime minister's decree);
- Law on establishment and management of socio-economy (to be upgraded from the prime minister's decree);
- Law on public investment management (to be upgraded from the prime minister's decree);
- Law on tobacco control;
- Law on economization and anti-luxury;
- Law on supreme military prosecutor;
- Law on civil servants;
- Law on municipal administration.

Implementing period: 2009-2015

Responsible agencies: National Assembly, People's Supreme Court, Prime Minister's Office, ministry of justice, and other concerned agencies

The 2015-2020 periods will continue to draft new laws found necessary for the development of the State of the rule of law in Lao PDR and also to continue to draft and present the proposed draft laws to be approved.

Program II. Development of Law Implementing System of Lao PDR towards 2020

Project 1: Strengthening the organization and operations of the people's court system

Activity 1: Strengthen the organizational and operational management of the people's court system

Phase 1: From 2009 to 2012

- (1). Review laws and regulations pertaining to the organization and operations of the people's court at various levels in order to make them as complete and comprehensive [legislation] ensuring a status and role of the people's court regarded as a state judicial organization. This activity should also deal with morale/ethical issues of judges by formulating regulations on work ethics, hierarchical/ranking system, recruitment/allocation, standard, and other criteria applying to judges who perform their duties at different levels of the people's courts.
- (2). Review the management regime of the people's court aiming to strengthen its capacity;
- (3). Review the current situation of the recruitment/allocation and performance functions of judges at each level, and assess and evaluate the possibility of improving the people's court's organization as a whole based on the assessment

and evaluation, continue to reform the organizational system of the court and personnel management.

Phase 2: From 2011 to 2015

- (1). Continue to establish special judicial chambers to fully cover all sectors;
- (2). Establish complete system of juvenile courts;
- (3). Study the possibility of carrying out short-cut [simplified] proceedings;
- (4). Study the possibility for the establishment of the administrative court.

Activity 2: Improve the ability in adjudication of the people's courts at different levels

- Improve the quality of judges by upgrading their knowledge, technical ability, and work ethics of judges and associate judges;
- Improve bench' handbooks to be used during the proceedings, hearing, and other activities;
- Study and improve the salary system and other benefits for judges and of other law enforcement officers, ensuring their favorable living standards;
- Provide sufficient legal information through an online-real time database communication network.

Activity 3: Improve and modernize facilities for people's courts

- Develop fundamental infrastructure favorable to accommodate the operations of the people's court at different levels;
- Fully supply the people's courts the modern equipment for operations;
- Publish reading materials or specific newspaper of the people's supreme courts aiming to disseminate the supreme courts' judgments and decisions (this will be launched in "the project for developing the legal information and assuring the dissemination and education of laws");
- Print and widely publish judgments of the people's court aiming to create conditions or to find ways for widely publishing the court's judgments; doing so it will also help the people's courts at the local level to find way and direction to publish the judgments;
- Develop database systems and computer networks, and link them with the systems or networks of the people's courts at the local level that is one component of the People's Supreme Court's networks. To provide inputs of all judgments and decisions of the courts and other data and information onto the online database to serve the activities of judges in complete and timely manner. To respond to the public requests by creating conditions to allow people to get full access to online legal information services ensuring their active participation in state governance via the Internet. Thus, a website is to be created providing and updating people the court's decisions and judgments. This is another way for disseminating the information by people. At the same time, the website will also inform people of orders or instructions made by the Supreme Court. Additionally, the website will post regulations on proceedings at the court and other legal documents, including ongoing activities in the court.

Implementing period: 2009-2020

Responsible agencies: National Assembly, People's Supreme Court, and Ministry of Justice

Project 2: Strengthening the organization and the operations of the public prosecutor office

Activity 1: Strengthen the organizational and the operational system of the public prosecutor office

- (1). Review laws and regulations related to the organization and the operation of the public prosecutor office at each level in order to make them as complete and comprehensive [legislation] ensuring a status and role of the prosecutor office as an organization that monitors and inspects that laws are respected and implemented/enforced nationwide. Thus, regulations must be made pertaining to work ethics, hierarchical positioning/ranking of prosecutors, recruitment/allocation, criteria and qualifications of prosecutors at each level;
- (2). Review the management of the prosecution activities for the strengthening purpose;
- (3). Review the situation of recruitment and the operation of the public prosecutor office at each level, and assess and evaluate the possibility of reforming the organization of the public prosecutor office. Based upon the assessment and evaluation, continue to improve the organizational and personnel management system of the public prosecutor office;
- (4). Completely develop the organization of each of the public prosecutor office at the local level;
- (5). Continue to improve regulations and mechanisms pertaining to the coordination and cooperation between the public prosecutor office and other concerned agencies;
- (6). Coordinate with the ministry of public security to set up a unified statistics system for dealing with detainees and prisoners;
- (7). Review all of the documents mention affect the accused and prisoners with the purpose to develop laws and regulations and practical conditions of the Lao PDR, and also laws and regulations of other countries in the region, including the consideration of proper method for handling special cases of female and juvenile prisoners;
- (8). Formulate joint agreements or legal documents related with prosecutors, ministry of public security, and other agencies dealing with the handling of accused or prisoners, including a study on patronage. The said agreements or documents should clearly state the mandates and roles of the prosecutors in monitoring and guiding activities in this area.

Implementing period: 2009-2012

Responsible agencies: National Assembly, Supreme Prosecutor Office, Ministry of Public Security

Activity 2: Improve the operational ability of the public prosecutor office at each level, by:

- 1) Enhancing technical knowledge and ability of public prosecutors and technical officers based in the prosecutor offices (investigators), and raising their awareness of work ethics;
- 2) Increasing the cooperation and coordination between the public prosecutor offices and other agencies to ensure proper inspections of the proceedings in criminal cases and of the handling of accused and prisoners;
- 3) Improving various reward policies related to public prosecutors.

Implementing period: 2009-2015

Responsible agencies: National Assembly, Public Supreme Prosecutor Office, Ministry of Public Security, and Ministry of Justice

Activity 3: Improve and modernize technical (physical) infrastructure of public prosecutor office

- 1) Develop fundamental infrastructure favorable to accommodate the operations of the public prosecutor office at each level;
- 2) Improve equipment to be used for inspecting cases by computerized systems;
- 3) Develop the coordination network by employing electronics management system to serve the activities of the public prosecutors. Respond to the requests from people by creating conditions to allow them to get access to legal services and to actively participate in state governance via the Internet. Thus, a website is to be created providing people with opportunities to view information, orders, and instructions made by public supreme prosecutor office, including regulations on the criminal proceedings and other documents as well as prosecutor office's events and activities that general people are supposed to know.

Project 3: Strengthening the organization and operation of the investigation office

- 1) Review laws and regulations pertaining to the organization and operations of the investigation office to amend and improve those laws and regulations to meet the capacity in practical implementation;
- 2) Study and draft regulations pertaining to code of ethics, performance management system, reward policies, standards and criteria of the investigation officers;
- 3) Reexamine the recruitment/allocation and performance of investigation officers in the investigation offices to improve and strengthen the organization and operations as a whole;
- 4) Upgrade the professional knowledge and ability of investigation officers;
- 5) Develop and modernize technical (physical) infrastructure/facilities for the investigation offices ensuring the inter-link among and between the investigation offices;
- 6) Develop [police] custody and prison for each of its own purpose in accordance with the purpose/use to avoid putting suspected persons together with accused, and between gender and age.

Implementing period: 2009-2012 for (1)-(3); 2011-2015 for (4)-(5)

Responsible agencies: Public Prosecutor Office, Central Inspection Committee, Ministry of Public Security, Ministry of Defense, Ministry of Finance, and Ministry of Agriculture and Forestry

Project 4: Developing the organization responsible for evidence proving

Activity 1: Establish and systematize the organization responsible for evidence proving

- 1) Review laws and regulations pertaining to the appointment of specialists to conduct the evidence proving in order to upgrade (certain parts in those laws and regulations) a specific provision for this activity;
- 2) Collect information as a reference for establishing a systematic, strong organization responsible for evidence proving activities; and also study the possibility for establishment this organization;
- 3) Continue to develop evidence proving activities in a scientific and modern way.

- Implementing period: 2009-2015;

- Responsible agencies: Prime Minister's Office, Ministry of Justice, Ministry of Public Security

Activity 2: Develop evidence-proving function of Ministry of Public Security

- 1) Improve regulations on mandate, roles, rights, and authority of the organization proving evidence in the ministry of public security;
- 2) Continue to upgrade the technical ability of the mentioned organization in proving evidence/facts;
- 3) Coordinate with the ministry of justice to increasingly concentrate on evidence proving activities.

Implementing period: 2009-2015

Responsible agencies: Ministry of Justice, Ministry of Public Security

Project 5: Strengthening the organization and operations of the justice sector

Sub-project 1: Strengthen the organization and operations of ministry of justice

Activity 1: Increase the role of Ministry of Justice

- 1) Review the mandate, role, task and right of the Ministry of Justice to ensure it functions in accordance with the new political era;
- 2) Review the mechanism of the internal organization of the Ministry of Justice to enable it to perform its guiding duty in its own right at the macro level each aspect;
- 3) Scientific legal research;
- 4) Research and drafting laws and legal documents;
- 5) Legal dissemination and education/training;
- 6) Legal due diligence;
- 7) Inspection of the enforcement of the court judgment and public notary;
- 8) Management of the organization and operation of local justice authorities and other authorities that have a duty and mandate to assist and provide legal advice or contribute to protect social justice;

- 9) Provision of free legal advice and assistance to people.
- 10) Develop and modernize facilities and techniques to enable the ministry to be able to undertake its supervision role widely and in a timely manner.

Activity 2: Strengthen the office for economic dispute resolution

- 1) Review laws and regulations pertaining to the organization and operation of the office for economic dispute resolution to improve its function to be linked with the regional and international dispute resolution centers;
- 2) Review the expansion of the local offices of the office for the economic dispute resolution that is appropriate to practical situation;
- 3) Continuously disseminate laws and regulations pertaining to the mandate and role of the office for economic dispute resolution so that people can get full access to justice;
- 4) Continuously mobilize and upgrade the knowledge and ability of mediators and the arbitrators based in the office for economic dispute resolution;
- 5) Create favorable conditions to enable the coordination between the office of the economic dispute resolution and the regional and international organizations of the economic dispute resolution in order to build public trust in Lao PDR's economic dispute resolution office;
- 6) Prepare conditions to transform a status of the economic dispute resolution office into the state service organization step by step.

Implementing period: 2009-2015

Responsible agencies: Ministry of Justice, Public Administration and Civil Service Authority

Sub-project 2: Strengthen the local justice authority (provincial, or city justice division and district justice office)

Activity 1: Improve provincial, or city justice division and district justice office

- 1) Review the status and role of the local justice department to make both the vertical and horizontal administrative lines run smoothly and the command within the local justice department systematic and strong based upon the principle of one commander in chief;
- 2) Develop regulations pertaining to standards and criteria as well as regulations on recruitment/positioning of human resources in the local justice department. Reviewing the previous recruitment/allocation activities is also required for further development;
- 3) Regularly upgrade the knowledge and ability of the personnel in the local justice department.

Activity 2: Strengthen the function that implements/enforces the court decision and that is under the supervision of the local justice department

- 1) Review laws and regulations pertaining to the implementation/enforcement of the court judgment and awards of the office for economic dispute resolution to ensure

- strict compliance with those laws and regulations and consistence with international standards;
- 2) Develop a complete and transparent mechanism that deals with the enforcement of the court judgment;
 - 3) Upgrade the technical knowledge, ability and skill of personnel who enforce the court judgment by providing the training on laws and techniques, producing manuals for personnel in charge of enforcing the court judgment;
 - 4) Study the possibility to create conditions for the people to participate in enforcement of the court judgment (on their own or through lawyers or through legal advisors);
 - 5) Improve and modernize facilities and techniques that enable the enforcement of the court judgment;
 - 6) Prepare conditions to transform a status of the enforcement office into the state service organization step by step.

Implementing period: 2009-2015

Responsible agencies: Ministry of Justice

Activity 3: Strengthen public notary offices that are under the supervision of local justice authorities

- 1) Review laws and regulations concerned to ensure public notary offices function in accordance with the real situation of Lao PDR and reflect regulations of countries regionally and internationally;
- 2) Draft regulations pertaining to the sound and transparent management of income earned from public notary activities, aiming to enable public notary offices to be transformed into state service organization step by step;
- 3) In coordination with the Ministry of Finance, review and set reasonable fees of registration and certification of documents stated in the public notary activities;
- 4) Continue to set up and improve the sound organization of public notary offices, ensuring they can provide efficient services;
- 5) Upgrade technical knowledge and ability of personnel in charge of notary functions;
- 6) Improve and modernize facilities and techniques to enable the operations of the notary.

Implementing period: 2009-2015

Responsible agencies: Ministry of Justice, Ministry of Finance, Public Administration and Civil Service Authority and Local Administrative Authorities

Activity 4: Strengthen village dispute mediation units (informal resolution)

- 1) Continue to set up and improve village dispute mediation units throughout [the country] so that they are in a strong position to perform their duties efficiently aiming to increase right and mandate of the village mediation units by identifying forms of disputes under jurisdiction of the village mediation units;
- 2) Study the possibility of making and publishing manuals for village dispute mediation units, and then conduct training to strengthen their capacity;
- 3) Continue to develop village dispute mediation units into true social organizations;

- 4) Study the possibility of converting legal documents and regulations pertaining to the organization and operation of village dispute medication units into a law.

Implementing period: 2009-2015

Responsible agencies: Ministry of Justice and Local Administrative Authorities

Project 6: Strengthen court judgment enforcing organization that is under the supervision of the Ministry of Public Security

- 1) Review regulations on enforcement of court judgments in which the ministry of public security is in charge that are related to detention and rehabilitation of prisoners as part of continuous efforts to campaign for human rights of those detained in the prison or in the rehabilitation centers;
- 2) Study and draft a law on detention and rehabilitation centers;
- 3) Increase the right of public prosecutors to the inspection of detention and rehabilitation centers to enable them to perform their duty smoothly and in a timely manner;
- 4) Coordinate with the prosecutor office to set up a unified statistic system of prisoners and other documents pertaining to prisoner management, and patronage or amnesty, which is joint mandate between the ministry of public security and the public prosecutor office;
- 5) Categorize the type of detention ensuring that prisoners are separately detained based upon gender, age, and degree of offence;
- 6) Develop detention and rehabilitation centers are suitably for a degree and type of punishment. Also pay attention to educating prisoners so that, when released, they can behave in a socially accepted manner, and vocational training should be provided to them;
- 7) Improve facilities and techniques to facilitate court decision enforcement in detention and rehabilitation centers;
- 8) Study the possibility of setting up a justice police units to take responsibilities for court enforcement particularly concerning the issue of prisoner management, contributing to authorities executing court decisions in the ministry of justice, while at the same time, ensure security for people's courts at all levels.

Implementing period: 2009-2015

Responsible agencies: National Assembly, Public Prosecutor Office, Ministry of Public Security, and Ministry of Justice

Project 7: Strengthen the organization and operations of the Lao Bar Association and legal consulting offices

Activity 1: Strengthen the organization and operations of the Lao Bar Association

- 1) Review legislation pertaining to the organization and operations of the Lao Bar Association to continue improving the law on Lao Bar Association, as well as formulate the code of conduct of the association and improve the internal regulations of the association aiming to strengthen its professional independence step by step;

- 2) Continue to improve the organization of the association to enable it to manage its activities in all aspects;
- 3) Increase the training of lawyers so that they are well equipped with knowledge and ability to perform their mandate;
- 4) Formulate regulations on the management of income earned from services provided by the association, to ensure that its sustainability;
- 5) Study possible conditions to provide free-of-charge legal services to poor people or in case such free legal assistance is stipulated in the laws;
- 6) Widely increase legal services networks and assistance to create conditions for people to get access to legal services and justice;
- 7) Study the possibility of establishing the state practicing lawyers to provide free-of-charge legal services to the people;
- 8) Enhance the capacity of Lao PDR Bar Association and integrate it with the regional and international community;
- 9) Improve and modernize the technical foundation of the association.

Implementing period: 2009-2012 for (1), (2) and (9); 2011-2020 for (3)-(8)

Responsible agencies: National Assembly, Ministry of Justice, and Lao Bar Association

Activity 2: Strengthen the organization and operations of the legal consulting office

- 1) Study and formulate regulations on the establishment and operation of the private legal consulting office;
- 2) Continuously encourage the establishment of private legal consulting offices widely;
- 3) Establish and improve the legal counseling activities provided by central and local state organizations without charges.

Implementing period: 2009-2020

Responsible agencies: all public and private organizations under the leadership of the Ministry of Justice

Project 8: Strengthen other registry offices

Activity 1: Strengthen family registry offices

- 1) Review the family registry law and regulations on citizenship administration to make it suitable for the role of the office;
- 2) Redefine the role of the office responsible for administrating Lao citizens, alliance and stateless people, who permanently reside in Lao PDR for the purpose of certifying their legal status (birth, death, marriage, divorce of foreigners, and of general citizens) aiming to maintain public security and order.
- 3) Continue to establish family registry offices in each district, including the improvement of their operations.

Implementing period: 2009-2012

Responsible agencies Ministry of Justice, Ministry of Public Security, Public Administration and Civil Service Authority, local administrative authorities

Activity 2: Strengthen the property registration office in the Ministry of Finance

- 1) Review regulations on the establishment and operations of the property registration office in the Ministry of Finance, together with the improvement of this office in accordance with the law on public notary, law on family registry and other concerned legislation;
- 2) Coordinate with the Ministry of Justice (department of public notary) to clearly identify documents that each sector has the right and task to register or jointly register with others;
- 3) Upgrade the knowledge and ability of the property registry personnel with respect to their tasks and responsibilities to contribute to the effective implementation of laws, specifically in the area of the transfer of land use right.

Implementing period: 2002-2012

Responsible agencies: Ministry of Justice, and Ministry of Finance

Program III. Development of Human Resources in the Legal and Judicial Sector**Project 1: Development of the legal education at the grass-root level****Activity1: Improve curriculum, teaching method**

- 1) Improve teaching and learning courses to make them comprehensive with high quality and standard that can be integrated with the in the region and around the world;
- 2) Develop complete set of textbooks to meet curriculum requirement and that can be use national wide and in uniform manner;
- 3) Develop teaching techniques to be scientific and consistent with new teaching and knowledge transfer techniques.

Activity 2: Increase the quantity and quality of teaching staff and personnel who are in charge of education administration

- 1) Increase the number of teaching staff in terms of quality and quantity who can provide or conduct new training and learning methods, and who, at the same time, are committed to becoming specialized staff in given subjects/courses, ensuring the continuing creation of a new generation;
- 2) Regularly develop and train teachers and lecturers in teaching skills;
- 3) Organize in-house and overseas seminars regularly to exchange lessons on teaching methods in order to upgrade the teaching ability of teaching staff;
- 4) Mobilize and encourage legally experienced people, especially judges, prosecutors, lawyers and legal staff to teach in classes to increase knowledge and skill to the students, both theoretical and practical skills;
- 5) Develop personnel who administer educational activities in law schools/institutions aiming to equip them with knowledge and ability in carrying out educational administration activities;
- 6) Mobilize legally experienced people, especially judges, prosecutors, lawyers and legal staff to teach in classes

Activity 3: Develop and modernize fundamental facilities and infrastructures to be used for teaching and managing activities of legal education

- 1) Develop sufficient teaching facilities such as class rooms, libraries, offices, relaxing places, and sports centers;
- 2) Increase the number of textbooks to accommodate research activities, and to transform libraries into wealthy treasury of knowledge;
- 3) Increase sufficient and modern teaching equipment;
- 4) Study conditions to enable the public to actively participate in the development of the legal education.

Implementing period: 2009-2015

Responsible agencies: Ministry of Justice, Ministry of Education, National University of Laos (faculty of law and political science)

Project 2: Development of legal and judicial training

Activity 1: Improve training curricula and techniques

- 1) Improve legal and judicial training courses to make them complete and with high quality consistence with the objectives;
- 2) Produce comprehensive training manuals that can be applicable for all;
- 3) Develop a full set of training techniques to be scientific, rational, and consistent with new training and knowledge transfer techniques.

Activity 2: Increase the quantity and quality of teachers, professors, and administrative personnel on training activities

- 1) Increase the quality and quantity of teaching staff to ensure that those staff can provide or conduct new training courses, and that, at the same time, they are encouraged to become specialized staff in given subjects/courses. This will ensure the continuing creation of new generation;
- 2) Regularly develop and train teaching skills to teaching staff and lecturers;
- 3) Regularly organize in-house and overseas seminars and training to exchange lessons on training methods in order to upgrade the teaching ability;
- 4) Mobilize and encourage legally experienced people, especially judges, prosecutors, lawyers and legal staff to teach classes to increase knowledge and skill to the students, both theoretical and practical skills;
- 5) Determine clear responsibilities for the management of the training of legal technical personnel and general personnel, and personnel specializing in certain legal matters in each legal agency, such as dividing responsibilities between the Ministry of Justice, People's Supreme Court and Public Supreme Prosecutor office and Lao Bar Association;
- 6) Develop personnel who administrate legal education activities in legal training institutions by equipping them with knowledge and ability in managing training activities in the legal sector.

Activity 3: To develop completed and modern facilities and techniques used for training and management of legal training

- 1) Develop sufficient training venues, specifically classrooms, libraries, offices, relaxing places, and sports facilities;
- 2) Increase the number of text books and materials for the purpose of research making libraries as a wealthy treasury of knowledge;
- 3) Increase sufficient and modern equipments used for training; and
- 4) Study conditions that enable public to participate in development of legal and judicial training.

Implementing period: 2009-2015

Responsible agencies: Ministry of Justice, People's Supreme Court, and People's Prosecutor Office and Bar Association

Program IV. Development of Legal Information Center and People's Participation in the Area of Laws and Justice

Project 1: Development of a system for supplying the legal information

Activity 1: To establish legal information center

- (1). Study and develop regulations pertaining to the establishment and the operation of the legal information center;
- (2). Study possibilities for the establishment of the national legal information center in order to collect and widely disseminate the legal information domestically, regionally, and internationally; and
- (3). Establish and improve the legal information centers of various sectors at the central and local levels and ensure they are linked with the national legal information center.

Activity 2: Development of the Official Gazette

- 1) Study and develop regulations on the publication of the official gazette, including the redefining of agencies responsible for publishing and disseminating the official gazette and its importance as it must be made as part of the legislation procedure. The procedure will have to stipulate that every law and legal instrument can be effective only when such a law and legal instrument is first published in the official gazette;
- 2) Set up mechanisms and create conditions to publish the official gazette in a speedy and widely manner.

Activity 3: Development of mechanism and provide conditions to enable the publication of the court's judgment, decisions, and the orders and instructions of the people's court.

Implementing period: 2009-2015

Responsible agencies: Prime Minister's Office, Ministry of Justice, People's Supreme Court, and other line sectors at the central and local levels

Project 2: Development of legal dissemination and education

Activity 1: To improve sound and modern mechanisms dealing with legal dissemination and education

- 1) Establish and strengthen the unit that performs a task of legal dissemination and education in all sectors of the central and local administrative levels;
- 2) Upgrade the activities related to legal dissemination and education for concerned personnel;
- 3) Produce sufficient handbooks for legal dissemination and education; and
- 4) Improve facilities and techniques for legal publication, dissemination, and education in various kinds and modern forms.

Activity 2 Integration of legal dissemination and education into the curriculum of formal education

- 1) Develop the curriculum for the primary and secondary levels to include legal subjects, for the purpose of providing students with basic knowledge in laws that relate to people's daily livelihood;
- 2) Train teachers to teach law subjects in primary and secondary schools across the country.

Implementing Period: 2009-2020

Responsible Agencies: Ministry of Education, Ministry of Justice, Public Administration and Civil Service Authority, Local Administration Authorities

References

Lao People's Revolutionary Party's Congress Resolutions VII and VIII;
Constitution, Resolution No: 25/NA dated 06 May 2003;
Law on Criminal Procedures, No. 01/NA, dated 21 October 2004;
Law on People's Court, No. 05/NA, dated 21 October 2003;
Law on People's Prosecutor Office, No. 06/NA, dated 21 October 2003;
Law on Notary Office, No. 04/PSC, dated 30 December 1991;
Law on Enforcement, No. 03/NA, dated 15 October 2004;
Law on Economic Dispute Resolution, No. 25/NA, dated 20 May 2005;
Law on Government, No.: 02/NA, dated 06 May 2003; Law on Education, No.: 03/NA, dated 08 April 2000;
Law on Education, No. 03/NA, dated 08 April 2000;
Law on Family Registry, No. 03/PSC, dated 30 December 1991;
Law on National Assembly, No. 01/NA, dated 06 May 2003;
Law on Petition, No. 07/NA, dated 09 November 2005;
Law on National Assembly Oversight, No. 03/NA, dated 22 October 2004;
Law on Local Administration, No. 03/NA, dated 21 October 2003;
List of international conventions in which Lao PDR is as a State party;
Presidential Ordinance on Legislative Drafting, No. 02/NA, dated 20 October 2003;
Prime Minister's Decree on Establishment and Operation of Lao Bar Association, No. 64/PM, dated 21 February 1996;
Work Plan on Legal Development and Amendments and of the Standing Committee of National Assembly 2006-2010;
Strategic Plan of Ministry of Justice from the present to 2020;
Strategic Plan of People's Supreme Court from the present to 2020;
Strategic Plan of People's Supreme Office from the present to 2020;
Needs Assessment Report on the Legal Sector, 2003;
Document of Roundtable Meeting on Public Administration Development Reform in Lao PDR (2003);
Needs Assessment Report on Comprehensive Legal Development of Socialist Republic of Vietnam.