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National Land Management Authority
Land and Natural Resources Research
And Information Center

Report

Findings of The State Land Lease and Concession
Inventory Project in Luangnamtha Province



July, 2009

Supported by: **gtz**

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Findings of The State Land Lease and Concession
Inventory Project in Luangnamtha Province

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Supported by:

Land Management and Registration Project (LMRP/GTZ)

Vientiane Capital City, July 2009

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Abbreviations

LNRRIC Land and Natural Resources Research and Information Centre

PLMA Provincial Land Management Authority

NLMA National Land Management Authority

DLMA District Land Management Authority

GIS Geographic Information System

GPS Global Positioning System

GTZ German Technical Cooperation

LMRP Land Management and Registration Project

RDMA Rural Development in Mountainous Area

Executive Summary

Data collection in Luang Namtha started with the beginning of June 2009 and was finished end of July. The methodology used was the same as already applied in Vientiane Province. All line agencies at province and district level were visited to collect available documents about existing concession/lease projects and to copy existing summary tables prepared by the relevant Departments of several Ministries. During the field work also companies were visited. Documents of primer interest were approvals, contracts, agreements and maps.

Training in GIS and Database-entry was provided to PLMA, DLMA and DPI staff. The Database which was created already in April 2009 was installed within PLMA and DPI, hoping that in the future only one form for the data entry will be used and data sharing between the two agencies is facilitated

In the Province of Luang Namtha 106 concessions, lease and 1+4 contract farming projects do exist. During a first data collection which was already done in mid 2007 only 92 projects have been identified.

Most of the projects in Luang Namtha are domestic investment. Almost all foreign investment projects are Chinese. The majority of the projects are using smaller lease areas within urban and peri-urban areas, mainly within the construction- and the service sector. Most of those projects lease an area under 5 hectares.

The sector acquiring most hectares is the agricultural sector, mainly for rubber plantations in a 1+4 contract scheme, thereafter construction and service. Around 30,000 hectares are already used for rubber plantations (without counting smallholders and 2+3 contract farming scheme). This can be considered as an "overachievement" of the provincial development plan, aiming 20,000 hectares (including smallholders and 2+3 contract farming scheme) until 2020. Most projects are situated in Long district.

It may seem that the big rubber concession and contract farming schemes may provide good government revenues in the future and may even have potential for additional employment and income, directly or indirectly. However several critical issues have been identified:

- State-land given away for concession or contract farming had almost never been subject of recent land zoning and land use planning. This is one reason why the team had identified several projects within the National Protected Area of Nam Ha.
- State-land given away for concession or contract farming may often contradict to other government strategies/policies: e.g. food security strategy, forest strategy 2020, eco-tourism, etc. Also this is related to a lack of up-to date land use planning and law enforcement.
- Concessions and contract farming areas are often replacing healthy secondary or even primary forest and are not always - as stipulated by the law - situated where degraded land is found.
- Proper feasibility studies are hardly ever being conducted, not mentioning Social-Environmental Impact Assessments. This leads to such cases, that rubber is planted on too steep slopes, on a too high altitude level, nearby watersheds, etc.
- It became obvious that the use of chemicals, pesticides and herbicides is not monitored and controlled.
- One of the most serious issues is, that approval processes rarely comply with the law. Especially district levels often approve areas larger than their mandate actually would allow them.
- After a project is approved proper monitoring hardly never takes place. Relevant government agencies are often totally unaware about the implementation-progress of the project.
- A lack of coordination between the different line agencies, but also between the different administration levels (mainly between district and province) has been observed. It seems that in addition there is a high level of reluctance in sharing information between the administration levels.

Acknowledgment

The Team would like to express it thanks to the provincial governor who initiated the data collection within Luang Namtha.

Especially helpful was the staff of the PLMA, who facilitated the work during the whole period. The team also thanks the different line agencies for sharing and providing information.

We also would like to express our thanks to all five district LMA staff, joining the team to the field and helped to collect the data. Also we would like to thank all the village authorities who cooperated with us, showed us the way to the project-areas and shared valuable information.

We also would like to thank the Land Management and Registration Project (GTZ) for the financial and technical support. Last but not least thanks to IP-consult, which provided the team with 4 motorbikes during the period of data collection in the field.

1. Introduction

1.1 General Situation

After a successful pilot-phase of the Concession/Lease Inventory project within Vientiane Province and an increased interest shown from many agencies in collected data and its underlying implications, the project was temporarily suspended.

Notifications from the Governmental Secretary, No. 333, 26 February, 2009 and No. 366, 04 March, 2009, requested NLMA to continue and boost up data collection on concession projects and areas nationwide.

Therefore during March and April 2009 six teams within NLMA were formed, consisting of representative from the Department of Land Use Planning, Department of Land, Department of Land Policy and Inspection and the Research Centre. Those teams were supposed to visit all 18 provinces and to collect data relevant to concession projects and to undertake "impact assessments" of major projects.

The underlying idea was to fasten the whole data collection process, but the time frame of 6 weeks was simply too short for a comprehensive data collection of all concession/lease projects within the whole country.

Data collected was not complete and mainly summarized data and tables from provincial land management offices were collected. Impact assessments were based on observations during short field trips only, without scientific methodologies applied. Only a small percentage of all existing concession areas had been visited and 2-3 case studies were done by each team. Most reports are still pending.

In May 2009 the former team of the Vientiane Pilot was advised again to follow up with once proven methodology (to go to all concession/lease projects) and extend its activities within other provinces, but build up a second team in order to fasten the process and cover whole Lao PDR by mid of 2011.

Impact assessment was agreed should be done by a proper inspection team, under the Department of Land Policy and Inspection in close cooperation with other line ministries/departments. Inspection trainings were already conducted in September 2009 and new established teams shall coordinate closely with the research team and use data from the concession/lease inventory to select projects where inspection may be required urgently.

In May 2009 it was decided that data collection shall be conducted next in Luang Namtha Province, because the Provincial Governor already requested in February 2009 the Head of the Land Management and Registration project to assist PLMA to collect data on how many concessions and contract farming projects and hectares were already given away, after realizing that current data situation is weak and the speed giving out state land for concessions and contract farming had increased considerably over the last years.

1.2 Goals and Objectives

1.2.1 Overall Goal

- Establishing a comprehensive database, including all concession and lease projects nationwide by mid of 2011
- Mapping all concession and lease projects
- Collecting all available documents related to concession and lease projects
- All relevant information should be managed within LNRRIC and distributed to line agencies, PLMAs and DLMAs.
- Data collection and monitoring will be followed up by DLMA

1.2.2 Objectives

- To collect available information from different line agencies and project-offices about state land lease and concession projects granted to domestic and foreign investors within Luang Namtha Province. Relevant data comprises: number of projects, location, boundaries, maps, legal documents (e.g. contracts, agreements, investment licenses, MOUs, etc.) and other additional available documents
- To collect spatial data on state land lease and concession resulting in the preparation of A4 and A0 maps, showing the location and boundaries of the projects within all districts of Luang Namtha Province
- To compare collected data with existing data
- To enter revised and verified data into a national database management system, which will also be installed at PLMA and if possible at DLMA offices
- To check the status of the projects and compare the actual status with future planning according to existing legal documents
- To look at selected social and environmental issues and reflect the implementation of projects within the light of

1. NSEDP

2. Food security strategy

3. Forest strategy

4. Other relevant policies and guideline concerning land-issues

Based on this, first recommendations should be given to the Land Inspection

Teams, which projects should be prioritized in conducting inspections first.

- To strengthen the capacity of the PLMA and DLPM in data collection and management concerning the lease and concession of state land in the future
- To build up the LNRRIC as the hub of all data concerning concession and lease project
- To provide other agencies quickly with well prepared data

1.3 Duration of Data Collection in Luang Namtha

Data collection in Luang Namtha Province started on 8 June 2009 and was completed by 22 July 2009, totaling 45 days including the technical training course for PLMA-, DLMA- and DPI-staff. The data analysis started parallel to the data collection and was finalized on 25 September 2009.

1.4 Methodology

1.4.1 Data Collection

1. Preparing all existing data within NLMA and summarizing relevant information.
2. Comparing NLMA information with collected data (mainly summary-tables) from various sectors at the provincial level, including PLMA, Department of Planning and Investment, PAFO, Department of Energy and Mining, Department of Industry and Trade and the Department of Tourism.
3. Collecting data from companies and investors, Office of Planning and Investment and DAFO. Documents of interests were all legal documents, e.g. Investment-approvals, Investment-contracts and MOUs, but also feasibility studies, land use authorization decisions, available maps, progress reports on the implementation, etc.
4. In collaboration with DLMA concession/lease areas were visited and spatial information collected with the help of handheld GPS. In the field standard forms and basic "potential impact-assessment" forms were filled out.

1.4.2 Date Entry and Equipment

Means of transportation to the field locations were mainly off-road motorbikes provided by RDMA (IP)GTZ Luang Namtha. Each team was equipped with handheld GPS and with a digital camera recording actual situations in the field. One PC was left at the PLMA, which will be responsible for following up with the data collection and entry in the future, as well as feeding back information to NLMA related to the status change of already existing or the implementation of new concession/lease projects to NLMA. PLMA staff was trained in:

- a) The use of the database program (entering, reporting)
- b) The use of hand-held GPS for surveying lease and concession areas
- c) The use of ArcGIS program for mapping.

1.5 Implementing Team

Advisory Team:

1. Mr. Chanthaviphone Inthavong, Acting Director of LNRRIC
2. Dr. Palikone Thalongsengchanh, Head of Research Division, LNRRIC

Data Collection and Analysis Team from NLMA.

1. Mr. Vong Nanthavong, Technical staff, LNRRIC
2. Mr. Soukanh Latsavong, Technical staff, LNRRIC
3. Ms. Lammone Thiangthammavong, Technical staff, LNRRIC
4. Ms. Chanthachone Khiamsombath, Technical staff, LNRRIC

Data Collection Team at Local Level:

1. At Provincial Level:

- Mr. Ko Boualaphanh, Technical staff, PLMA
- Mr. Chanthavixay Simmavongsa, Technical staff, PLMA
- Ms. Kamkeo Ladouangsy, Technical staff, PLMA
- Ms. Thidavanh Sotthixay, Technical staff, PLMA

2. At District Level:

- Staff of District Land Management Authority (1-2 staff per district)

GTZ Advisers:

1. Mr. Oliver Schoenweger, Land Policy Adviser, LMRP
2. Mr. Ricardo Arevena, GIS Expert, LMRP

2. Outcome

2.1 Number of Projects

A total number of 202 projects were identified in Luang Namtha Province:

- State land concession project: 43 projects (21%)
- State land lease project: 82 projects (41%)
- Promotion Project under contract farming (1+4): 22 projects (11%)
- Promotion Project under contract farming (2+3): 34 projects (17%) and
- Projects on leased private land: 21 projects (10%)

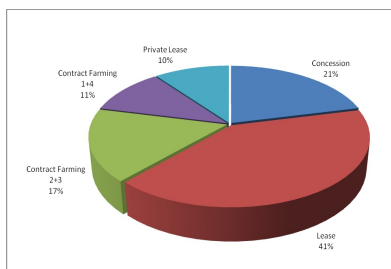


Figure 1: Percentage of projects by land use

Only 147 of the 202 projects are of further interest, because this report focuses on concession/lease projects on state land. 1+4 contract farming was also included, because this specific investment approach, does not differ much from a concession.

2.2 Contract Farming

2.2.1 2+3 Contract Farming

In the investment for industrial tree plantations (mainly rubber), the Government promotes the 2+3 contract farming. This modality means that villagers (land owners or villagers having used the respective land beforehand) provide an investor with land (village land and sometimes private land) and labor. The investor is responsible for the capital, technical input and the market. The benefit will be shared based on the production output. Profit is normally shared with 60-65% for the villagers and 35-40% for the investors. The ratio depends on the initial agreement. The plots used for such contract farming are often small parcels and widespread. Some plots are not much bigger than one hectare. Because an investor would have to deal with many farmers (and many pieces of land) most prefer the 1+4 modality. In the 2+3 modality participation is "normally" on a volunteer basis, in a 1+4 modality the decision which village will participate is mainly done by district authorities. The district authorities will have to cooperate with village authorities in a second step to find suitable land.

Only around 30% of the whole area which was approved so far under a 2+3 modality was actually implemented until now.

2.2.2 1+4 Contract Farming

This modality is also called the "concession like contract farming". Villagers are providing investors with land (village land), which was often already given out and promised (in terms of size) in a deal beforehand between district authorities and investors. Often the village head is responsible to find the amount of land required. The land plots are normally much bigger than those provided to investors within 2+3 modality. The whole area will be planted by the company, and after an agreed amount of years the responsibility of handling a certain proportion of the planted land will be given back to the villagers. From this moment on villagers will have to take care of this area. The larger rest of the land will be further developed by the company, using also its own labor force. Such contracts may last up to 20 years. The benefit for the villagers derives actually only from the profit they will archive from the production on their own village land. They will also be responsible to sell the product.

Most of such contract farming is done on communal village land, former production forest, fallow forest after shifting cultivation and sometimes even agricultural land. Land areas can be big as 500 ha, but at least 50 - 100 ha in most of the cases. Contracts are often not clear about the benefit sharing. Until now all companies involved in 1+4 contract farming are still responsible for the whole planted area. With beginning of next year some first plantations will go back into the responsibility for the first time to villagers. Then it will be seen how the handling of those plantations will be managed and by whom.

2.3 Status of Projects

Out of the total 147 projects which use state land for concession, lease or 1+4 contract farming:

- 103 projects are implemented and active
- 2 projects so far have not shown any activity
- 1 project was stopped temporarily
- 18 projects were approved but have never started (e.g. running out of fund, land not suitable)
- 19 projects already were completed according to the contract, were cancelled or stopped before ending the contract period
- 3 mining projects are in the status of early exploration
- 1 project is under current approval process

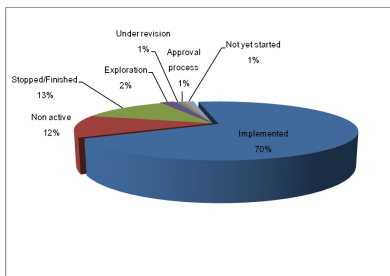


Figure 2: Percentage of number of lease/concession/promotion under contract farming

The number of projects does not reflect the number of companies, but the number of different land areas under concession/lease, because some companies have more than one plot. If one company has more than one plot, but in the contract the whole area was given out as one single big plot, then counting was done according to the contract.

For example Yunnan Rubber Plantation Company Ltd. was granted investment licenses to run business in 2 districts under 3 forms of contracts, namely lease, concession, and promotion under 1+4 contract farming. Across the province there are 79 companies or business units which are currently operating.

All 106 projects which are actually operating at present in Luang Namtha province are listed within the Annex.

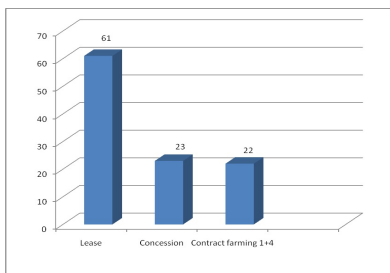


Figure 3: Investment forms

Lease contracts are the most common ways of investment in Luang Namtha Province. Those include mainly land for construction, industry and service and the size of land is rather small, between 5-25 ha. Most of the lease-projects existed within Namtha district.

The "promotion" of projects under the form of 1+4 and 2+3 contract farming is mostly done by investing in the agricultural sector, especially the rubber plantation.

Most concessions are within the agricultural (rubber plantation), mining, and service sectors. The largest land concessions for rubber plantation are implemented between chinese investors cooperating with the provincial and district military headquarter (Army), or the provincial and district security headquarter (Police).

2.4 By Districts

Most projects were identified in Namtha district:

- Namtha District: 52 projects (48%),
- Sing District: 35 projects (33%),
- Viengphoukha District: 11 projects (10%),
- Long District: 7 projects (7%) and
- Nalae District: 1 project (1%).

2.5 By Investment Form

Investment was conducted as followed:

- Domestic: 58 projects (55%);
- Foreign investment : 45 projects (42%); (44 projects by Chinese investors)
- Joint ventures: 3 projects (3%).
- (See Annex 1, Table 4 and Annex 2, Graph 2)

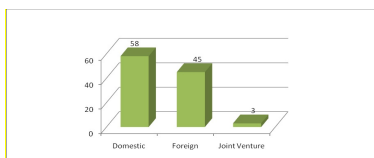


Figure 4: Number of projects by Investment Form

2.6 By Sector

Investment on state land involves mainly 7 sectors in Luang Namtha Province: Agriculture, industry, mining, construction, service, communication and trade. Investment in the agricultural sector is highest with a total amount of 42 projects (40%) followed by construction with 17 projects (16%) and the service sector with 16 projects (15%).

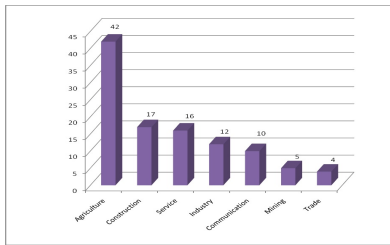


Figure 5: Number of projects by sector

In the agricultural sector, the vast majority of projects are rubber plantations:

- Rubber: 35 projects (84%),
- Sugar cane: 6 projects (14%)
- Banana 1 project (2%)

Most of the rubber plantations in Luang Namtha Province are in the form of 1+4 contract farming (22 projects (63%)), 10 concession projects (29%) and 3 lease projects (9%). Only 6 of the 35 rubber plantations are domestic investments, the rest foreign.

There are only 5 projects in the mining sector, including one concession for copper exploitation, one for antimonite and one for coal mining. Two projects are involved in cliff rock exploitation. There are 8 projects in the industrial sector. Those projects are mainly small-scale processing factories, such as a steel processing plant, one pharmaceutical company, one tobacco processing factory, a rubber processing factory and one wood processing factory.

2.7 Approvals per Year

The authorization of state land lease/concession in Luang Namtha province started in 1999. Most projects were granted in the year of 2008 until now, but in only six months of 2009 already 10 projects have been approved. The team was not able to find out the year of approval from 40 projects, as no authorization documents from these projects were available. During a first time data collection conducted during 2007 the number of state land lease and concession projects have been increased by 28 projects.

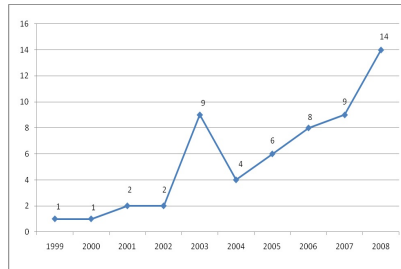


Figure 6: Number of projects approved by year

2.8 Level of Approval

Approval of concession/lease/1+4 contract farming projects in Luang Namtha Province happened at 4 different levels: Central level, provincial level, district level and village level.

42 projects (40%) were approved at the provincial level, 21 projects (20%) at district level, 4 projects at central level (4%) and one project at village level (1%). From 36 projects (34%) the level of approval is unknown, and most of them are state land lease in construction sector, since the team has not yet obtain the approval documents. Two projects (2%) were not approved at all.

Most of the projects being approved at the central level are larger land concession projects in the mining sector, and one rubber project namely the Joint Venture Rubber plantation Luifong Company Ltd. together with the provincial military Headquarter of Long district (10,000 ha).

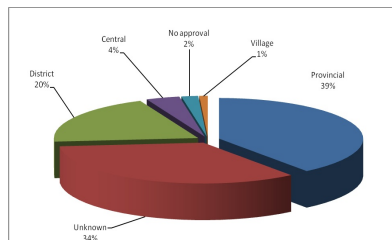


Figure 7: Percentage of projects by level of approval

2.9 Land Area

Luang Namtha has a surface area of 932,500 ha. A total area of 25,366 ha was given out for concession, lease and contract farming. Concession area covers 19,291 ha (76%), lease area covers only 126 ha (1%) and 1+4 contract farming for rubber plantation covers 5,949 ha (23%). 2+3 contract farming which has been approved covers 31,590 hectares.

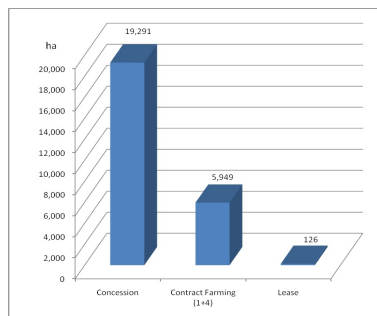


Figure 8: Area size by investment form

2.9.1 By District

Most land was given out in Long district:

- Long District: 16,772 ha (66%)
- Sing District: 4,213 ha (71%)
- Namtha District: 2,417 ha (10%)
- Viengphoukha District: 1,634 ha (6%)
- Nalae District: 329 ha (1%).

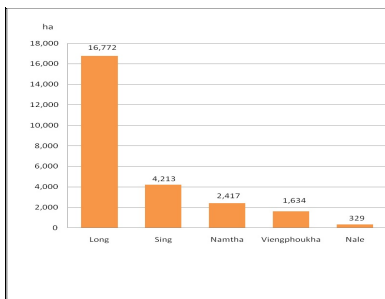


Figure 9: Projects by district

2.9.2 By Sector

Most state land is used by the agricultural sector with 18,140 ha (72 %). Only 5,052 ha (22%) are used by the mining sector and 1,659 ha (7%) by the service sector.

Almost the entire area approved within the agricultural sector is used and put aside for rubber (18,110 ha, 99.8%). The rest is given to a banana planting project and a sugar cane concession. Until 2009, the actual area where rubber is already planted can be estimated to be 15,513 ha⁴. This number does not include small scale private rubber plantation under those under a 2+3 contract farming scheme. Area with rubber plantations under 2+3 contract farming has reached 7,491 ha and small scale investment by private sector may reach 7,000 ha⁴. If all types of investments are included a total area of more than 30,000 ha can be expected to be covered with rubber trees in Luang Namtha.

Even if the planned area of 20,000 ha put aside for rubber has been reached already, rubber planting is still going on, because agreements were signed in the past, but implementation happens only gradually. Also small scale private investors continue to plant rubber widely.

As announced by Mr. Bounma Phandavong, Deputy Director of the Cabinet of the Provincial Administrative Office⁵, Luang Namtha Province will stop planting rubber, until the government carries out a socio-economic impact assessment of rubber plantation.

Rubber plantations are most prominent within Long district (mainly because of one big investment between Lao-China Luifong Rubber Company Ltd. and the provincial army), which cover the largest area of 14,376 ha (48%). In Sing district rubber counts up to 7,546 ha (25%) and in Luang Namtha district up to 2,989 ha (10%) respectively.

In the mining sector the area for copper mining covers 4,250 ha (77.25%), for coal mining 800 ha (14.54%) and for antimonite extraction 450 ha (8.18%) (see Annex 2, Graph 4).

From the total area being approved for investment on state land 98% of lease and concession area has been implemented, but only 61% of the area under 1+4 contract farming so far.

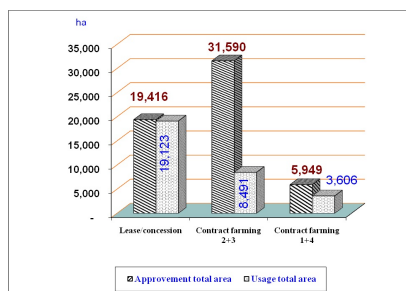


Figure 10: Area approved and area used in different investment forms

2.10 Types of Documents received

13 different types of documents were collected. 3 types of contracts were obtained from 48 projects, fee payment declarations were obtained from 45 projects, investment license from 43 projects, land survey certificates and topographic map from 27 projects, and agreements from 20 projects, respectively:

- Investment Contract (between investor and normally DPI/PAFO, including information on fee amount, year, duration, alignment to law, regulation, from two sides, conflict resolution,)
- Lease/Concession Fee Payment receipt (received from DPI, but receipt are issued by DoF)
- Investment Approval Certificate (DPI, Investment Promotion Committee with Vice-Governor as Chairman, in Luang Namtha normally Governor, includes information on location, kind of activity, place of office, investment pattern, etc.)
- Map, GIS (mainly from DAFO and some from PLMA)
- Feasibility study (investors conducted such studies, including investment budget, time frame, environmental management; the studies were not detailed and in fact never written by investors but by some officials)
- Agreement (signed by Provincial Governor; gives details on fees, size and period; in Luang Namtha mainly available from smaller lease projects but not from larger concession or 1+4 contract farming investments within the agricultural sector)
- Business Registration Certificate (from DPI, issued at the same time as an investment approval certificate, but gives mainly details about the investor, e.g. contact address, age, duration of business, etc.)
- Fee Registration Certificate (from DPI, signed by DoF, gives details about payment procedure, bank details, money, but does not state the fee amount)
- Development Approval Certificate (mainly used within the agricultural sector, signed and issued by PAFO, signed normally before the implementation of any activity, but after the contract has been signed)
- Sketch map (mainly done by PLMA or in the past by Department of Finance (DoF))
- Survey report (from PAFO for agricultural investment and from PLMA (and in the past Department of Finance) other investment; includes situation of the land, size, boundaries, type and characteristics of land, suitability, slope; the report has no standardized format, is often only handwritten and not detailed; it often does not reflect the real situation).
- Exploration Approval Certificate (only for mining)
- Exploitation Approval Certificate (only for mining)

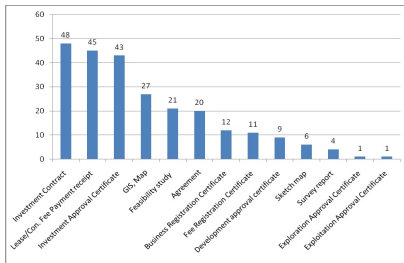


Figure 11: Documents relevant to the project for lease/concession/promotion under 1+4 contract farming (A)

In Luang Namtha only investment contracts were available and not like in Vientiane Province where also concession contracts between PLMA and the investors exists.

Fee payment declarations are used for the construction, service and industry sector, but not much within the agricultural sector. In the agricultural sector, such document was only available for operating a banana plantation and a "rubber experimental garden". Normal rubber plantations are exempted from fees until the tapping starts and such fees are not calculated by hectare size but by amount of rubber trees.

However, from the total 106 projects, the research team was able to receive any approval documents from only from 68 projects, while from 38 projects no type of document at all was received. Most of the projects obtaining approval documents are those who lease state land in small area for construction and communication sectors.

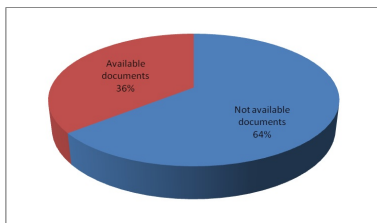


Figure 12: Percentage of projects from which documents were available

The team received only a small amount of documents, because relevant authorities were simply not able to provide such. It seems that in no agency a person has been specifically assigned to be responsible for the management of documents. Data management and filing system can be considered as very poor. Documents (hard copy) were stored without proper filing and it was reported that some documents got even lost, especially of those projects already approved many years ago. Documents relevant to the approval-process of lease/concession in Luang Namtha province are slightly different compared to those in Vientiane province as follows:

Luang Namtha Province	Vientiane Province
1. Feasibility Study is attached to a standard form from DPI called Investment Application Form	1. Feasibility Study
2. Provincial Governor's Decision on project approval, which is different because just approving to run the business but does not talk about nr. of ha, area, etc.	2. Provincial Governor's Decision on granting lease/concession (including detail about land, location, size, this document one section also stipulated PLMA should go ahead with doing the contract with the investor etc.)
3. Investment License issued by the Provincial Committee for Investment Management and Promotion	3. Investment License issued by the Provincial Investment Management Committee
4. Investment Contract signed between the Department of Planning and Investment and DAFO and the investor	4. Contract on state land lease/concession signed between investor and NLMA
5. Project Implementation	5. Project Implementation

Figure 13: Differences of lease/concession approval process in Luang Namtha and Vientiane Provinces

In Luang Namtha province, applications for domestic or foreign investment are often attached to the Feasibility Study. The application forms are available at the Office of the Provincial Committee for Investment Management and Promotion while the documentation must be prepared following the list provided above. This procedure is different from the one within Vientiane province, where Feasibility Studies are prepared by the investor.

The Decision issued in Luang Namtha Province by Provincial or District Governor in order to approve the investment project was specifically for the project for lease and concession of state land only. In most of the agricultural promotion projects there were no decisions to approve such investment, but investors simply obtain the investment license before signing the investment contract with the Department of Planning and Investment and DAFO directly. In Vientiane province, such decision, which is called the "Decision for approval of state land lease/concession" is issued by the Provincial or District Governor. It specifies the land area, forms of land use (lease/concession), location, and duration. The Land Management Authority is assigned to conclude the contract for state land lease/concession with the investors.

In Luang Namtha province, the investment license will be extended every 5 years while in Vientiane province the investment license will be valid during the period of 25-30 years.

One of the main issues which can be observed is that the PLMA in Luang Namtha is almost not involved at all during the whole procedure of granting concession/lease/contract farming to an investor.

2.11 Site Survey

The team did not visit project-sites within the construction and communication sectors (e.g. offices, telephone transmitting pole) under 1 hectare. The main target were projects within the agricultural sector with an area of 3 hectares and more.

Most of the project sites have been visited by the team and at least one GIS point has been recorded. Only 4 projects could not be visited by the team, because the sites were not accessible by road, due to erosion and bad road-conditions during the rainy season. However, the team was able to obtain information and maps from those projects.

3. Case Study

3.1 Calculation of Area for Rubber Plantation Project

Required areas for rubber plantations in Luang Namtha province are calculated based on the number of rubber saplings or trees to be planted. This is in pursuant to the Regulation of the Provincial Governor No. 07/Gov., dated 06 December 2006 on the management of rubber plantation projects. In this regulation it is assumed that on one hectare 450 trees should be planted. The investor has to state the amount of trees he/she is wants to plant in order to get the corresponding amount of area for concession or contract farming. The 450 trees/ha is also the basis for collecting concession fees. Six Yuan are collected per tree per year. In practice, during the initial phase of a rubber plantation establishment the company does agree on the actual size of the concession with DPI, but boundaries at this stage are not yet fixed, because no proper measuring is done. What is mainly used are geographical points like hills and rivers as boundaries.

It is obvious that many companies plant more than 450 trees/ha if the land character allows to do so.

So far the provincial authority has not been able to assess the actual number of rubber trees and planting area. Nevertheless, this method of calculation can be observed as area consuming. With regard to the landscape of Northern provinces (as well as in Luang Namtha) they are mostly formed by high and quite steep

mountains. Some areas along the stream, cliff and steep land are classified as unsuitable land for agriculture. Although they are attractive to investors they were not included in the lease/concession area.

The most important thing is to formulate a new policy concerning the rubber planting and the obligation to the state. In such policy, the province will allocate land to poor families who are lacking land for rice production, in the rate of 1 ha/family, in which the government will provide the saplings but the farmers must pay for the state obligation of 1 Yuan/tree/year starting from the date the tree give the yield onward. Besides the land area of 1 ha, each family can additionally plant rubber but not to exceed 5 ha, but has to pay the state obligation of 3 Yuan/tree/year. Any company, individual, juridical entity or organization who wishes to plant rubber on an area larger than 7 ha must pay the state an obligation of 6 Yuan/tree/year, starting from the date the tree can provide the yield onwards. Furthermore, once the rubber tree is too old to provide the sap, it can be cut for export. In this case the operator has to pay the state an obligation of 30 Yuan/tree, except when the tree is used for processing within the country. This amount of obligation includes land tax, import-export tax and income tax.

Nonetheless, so far such policy has not yet been implemented in concrete form.

3.2 Policy towards Rubber Plantation Project

The Provincial Governor of Luang Namtha has issued two specific regulations since 2003, dealing with the issue of rubber plantation and the provincial development plan:

- Regulation on the form and procedures of investment into rubber plantation No. 34/Gov, dated 19 December 2003, and the
- Regulation No. 0734/Gov, dated 06 December 2006 on the promotion and regulation for the management of rubber plantation project.

The Regulation No. 34/Gov, specifies goals for rubber plantation and aims to cover an area of 10-15 thousand ha throughout the province until 2010 under following two forms of rubber plantation:

Domestic Investment: This form of investment consists of 3 types such as direct investment by local people, loan from the government to the people through the bank and in the form of concession and promotion.

Foreign Investment: This form of investment consists of 2 methods: direct concession by investor and promoting local people to do.

The Regulation No. 07/Gov, sets a goal until year 2010 and aims to have an area of 20,000 ha with rubber planted. It also gives instruction to set up technical standards and includes the plan to build a quality rubber seedling centre as well as a centre for technical training courses and a rubber processing plant.

The same regulation also stipulates a poverty reduction policy. Provincial authorities will allocate land (1ha/family) to poor families and families facing rice shortage for planting rubber. The state will provide seedlings and training (PAFO), but the household would have to pay 1 Yuan/tree/year starting from the year rubber is tapped. If households plan to plant more rubber and they have land for it, they can plant another 5 hectares, but the fee will be higher and 3 Yuan/tree/year and seedlings have to be bought by themselves.

Any individual or other juridical entity planting rubber on an area bigger than 6 hectares must pay 6 Yuan/tree/year starting after the rubber will be tapped.

When a rubber tree will be logged, because it reaches the end of its productive cycle and it will be exported a fee of 30 Yuan/tree has to be paid. This includes only trees for export. If the log will be processed within Lao PDR no fee will be collected.

These rate of fee including the land tax, import tax and income fee. However, up to now this regulation not be practiced in concretely. Land for rubber, doesn't matter which kind of investment is tax exempted.

When a rubber tree will be logged, because it reaches the end of its productive cycle and it will be exported a fee of 30 Yuan/tree has to be paid. This includes only trees for export. If the log will be processed within Lao PDR no fee will be collected.

3.3 Granting of Rubber Plantation Project in the National Conservation Area Nam-Ha

The Company "Chinese Yunnan Rubber Investment Co. Ltd." has been granted permission (by District Governor) to plant rubber in the form of 2+3 contract farming in Ban NMamsa and Ban Phouvaanh, Luang Namtha province on an area of 550 ha. Actually the land identified is within the Nam Ha National Protected Forest.

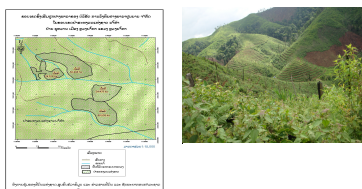
Due to the lack of access to roads the two villages are facing difficulties in transporting their crops to the markets. The village authorities submitted a request to the district authority - through DAFO - requesting the District Governor to give permission to investors to establish a rubber plantation on village land, but under the condition that the company would have to build a road.

The approval came from the District Governor allowing above mentioned company "to promote" a rubber plantation under a 2+3 contract farming scheme, as it was proposed by the heads of villages. The benefit shall be shared by 65% for the villagers and 35 % for the investor. The area has been surveyed by a technical team from DAFO. The project was implemented, but at the end in a 1+4 modality on only 250 ha.

After one year DPI and PAFO inspected the project area and discovered that such approval should have never been granted, because the area is based within the national protected forest. Besides this an area of over 3 ha can not be approved by a District Governor but the approval must come from the provincial level.

Thereafter the Provincial Governor issued a decision in which he cancelled the District Governor's former decision and ordered the company to move out from the protected area and to stop the construction of road and bridge which was already underway.

After that the provincial authority reported the issue to the Government Secretary Commission under the Prime Minister Office. The Government secretariat commission issued a Notification to the provincial administrative authority of Luang agreeing with the Provincial Governor's decision and to give a first warning and impose a fine to the investor (information on fine is not available).



Picture 1: Rubber plantation on inappropriate area

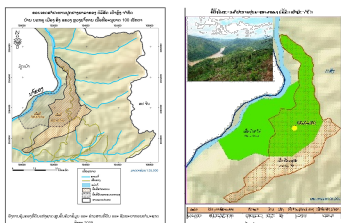
Picture 2: Plantations planned along streams

3.4 Investor's implementation is not in Line with the Contract/Survey Report

The Chinese Paolong Rubber Plantation Company Ltd, in joint venture with the Provincial Army was granted a land concession (by Prov. Governor) of 100 ha in Sob-la area of Sing district, located along the joint boundary of Laos, China, and Myanmar.

The concession area should locate 2 km away from the Laos-Myanmar border and Laos-China, and the area along the Mekong River in a distance of 500-1,000 m was banned from land clear.

However land was cleared all the way down to the riverside along the Mekong river bank. A total area of 600 ha had been cleared, much more than agreed and on land outside of the zoning area (see pictures below).

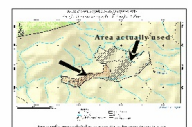


Picture 365: Concession area for rubber plantation of Paolong Rubber Plantation Company Ltd. in Sing district

Another similar case is the Laos-China Luifong Company Ltd. in Joint venture with the Provincial Army. An area of 10,000 ha in Xiengkok, Long District was granted for concession by the Prov. Governor and finally by MAF and MPI. The office of the company reported to the team that only 2,000 ha were used, MPI (according to the Vientiane Times) talks about 3,000 ha and according to the field staff of the company based in Mueang Long even 10,000 ha. The Army reported to the team only 1,000 ha. It is still not sure how much has been really planted.

Another project using more land than originally approved by the state is Jjasouang Rubber Promotion Co. Ltd. which has been granted land concession of 20 ha to build an experimental garden for rubber plantation promotion in Ban Phoutin, Nalae district in 2008. In fact the company cleared 329 ha of land and the Provincial Governor issued an order to stop the activities and ban the company from the area in 2009. However, up to now the company still carries out rubber plantation activities.

Approved area



Picture 4: Concession area (approved and actually used) for rubber plantation of Rubber Plantation Promotion Company

3.5 Field survey report does not reflect reality

The Government considers the survey, feasibility study, and the assessment of socio-economic and environmental impact as one of a priority task before granting state land to investors for lease/concession. (Forest Law 2007, Art. 74)

In Luang Namtha province many projects did follow such procedures (mainly survey report, but no proper S&E Impact Assessment, mainly done PAFO together with DAFO, PLMA, DPI, relevant line agency, signed by PAFO together with participant list), but some of the reports did simply not reflect the actual situation, such as the case of Xeunhua Commerce Company Ltd. which was granted concession to promote rubber plantation in Ban Lomeu, Sing district in the area of 300 ha. In the report of site survey available at the DAFO stated that such land area is an fallow forest (after shifting cultivation) with the fallow period between 2-7 years, where there was no trees with economic value existed and there would be no environmental impact as it is not a water source area.

However, after the site inspection done by the working team from the NLMA in collaboration with technical staff of PLMA, it was discovered that such area are not the type of fallow forest as was reported by DAFO, in fact it is the large healthy primary forest (see the picture below) and according to the information obtained from Naiban, villagers have not done upland cultivation in such area for over 10 years.



Picture 5: Slashed and burned old growth forest area



Rubber tree

Picture 6: Rubber planting on burned site

3.6 Approving Process for the Rubber Plantation Promotion Project at District Level

It appears that there is not standardized way for the approval process of concession/lease projects. This may be because of the lack clear and specific regulations and several laws and decrees dealing with such issues, but not in a complete way.

In Luang Namtha Province the approval authority of state land concession as well as the promotion under the form 1+4 and 2+3 contract farming has not been clearly divided between provincial and district level. There is a lack of participation and transparency between concerned sectors and between the different administration levels.

It is fact that some projects, exceeding the area of what a district is allowed to approve, got all documents approved by the districts such as: Investment license, agreement, contract and others which contained the area exceeding the area specified in the laws and regulations. There were 6 cases occurring in Sing district where projects in agricultural sector were approved at the district level without the acknowledgment of the provincial authority.

For example, one rubber plantation project owned by the Chinese Investor Mr. Vangxouangsing in Ban Phabath-Noi, Sing District was approved by the district. The area approved was 200 ha, but actually only 100 ha were mentioned in the contract.

The process of granting this concession happened as follows:

1. Feasibility study prepared by Naiban of the village where the land is located. In fact other people prepared for him, he just signed
2. Decision from the District Governor on the acknowledgment of the investment project
3. Foreign investment license issued by the Office of Planning and Cooperation (district level)
4. Contract signed between investor and Naiban and witnessed by the Office of Planning and Cooperation (district level)

It can be observed that often the process of how concessions are granted to domestic and foreign investors do not correspond with the laws and regulations. The most common mismatch is that land areas being approved by district levels often exceed the ceiling specified in the law. In addition, the Law on Foreign Investment Promotion (2004) does not allow the approval of investment at district level.

Management of land and natural resources or as investment in uniform manner is difficulty and complicate if the district level is following its own rules. Another problem in proper management of natural resources and land is coming up when the district itself does not follow the regulations.

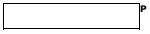
This practice has led to severe problems within whole Laos and is one of the reasons why land not suitable for concessions has been given out to investors. Law education and enforcement may be one part of the solution.

3.7 Setting boundary of concession area

Setting boundary of concession area, especially to determine the boundary before calculating the surface is considered as an important issue in order to guarantee the interest of the state and the investors, as well as to be applied for the management, monitoring and collection of concession fee in the future. In the past, there were some cases where the boundary setting for investors/companies were not done in corresponding to the actual situation. For example in the case of Rubber Plantation Company Ltd. who conceded 214 ha of land in Ban Sobtoud, Luangnamtha district. After that a topography team (in the map) set the area in the topographic map and after the calculation the result was 320 ha. However, in fact when the study team re-calculated through ArcGIS 9.2 software, it was found that the actual area was 3,411 ha which are 10 folds exceed the figure stated in the map under the contract, but fortunately such company or investor did not clear land in based on such map and land being actually used is only 345 ha. In this case if the company relied on the figures indicated in the map, it is certainly that the state will lost huge interest. This situation can be considered as serious technical mistakes.



Area being actually used



Picture 7: Area being approved under the contract

Wrongly calculated area

Picture 8: Example of wrongly calculated area

3.8 Implementation of Promotion Project under 2+3 Contract Farming

Regarding industrial tree plantation as market purpose throughout the country, the government's policy is to implement in the form of promotion project under 2+3 contract farming, which means the community's participation is necessary. In LNT there are totally 14 projects or contracts, the total area being granted are 31,590 ha while there are only 8,941 ha or 27% have been used so far. Due to such data, it can be observed that such form of project implementation has not widely applied as it should be, while some projects which were approved for such form of investment but in practical they applied the form 1+4 instead. Most of the investors are not satisfied with the 2+3 contract farming as they need more freedom while the local people or the land owner are in need of money to support their daily lives thus they cannot wait for 7-8 years till the tree can provide the sap without any income in between. Therefore, they turn to apply the form 1+4 instead in which they will be paid for daily labor fee from the starting day of the project. After that 1-2 years of planting the benefits will be shared between the investor and the people then both sides will be independent in taking care of the plants individually.

4. Situation of State Land Lease and Concession by District

In general, the implementation of state land lease and concession within 5 districts of Luang Namtha province have similar character which most projects is of them are lease/concession for rubber plantation in the form of promotion under 1+4 and 2+3, but it might be slightly different in the actual implementation.

4.1 Namtha District

The Namtha district is the municipal district of the province and the most "urbanized" one. Most of the concession/lease projects are therefore in the field of construction, service and industry with only small land areas granted (1-5 ha). All those 52 small projects (in terms of land) together only cover an area of 2,417 ha but count 49% of the total number of projects within the whole province.

Within the agricultural sector we mainly find rubber plantations, but only the Yunnan Rubber Plantation Co. Ltd. can be considered as a large plantation project. Yunnan Rubber Plantation Co. Ltd. was granted to establish an "experimental garden" to promote rubber plantation under 1+4 contract farming modality, concession for demonstration garden (345 ha) and area for a processing factory.

At present, the construction of a rubber processing plant has been started.

The total area for planting rubber granted was 826 ha, but only 697 ha are being actually used. The area being used cannot meet with the granted area as it includes some areas which lie under the Nam Ha National Protected Zone where the provincial authority announced a ban for land clearing in such area.

4.2 Sing District

Within Sing there are 35 projects (33%), with the total area of 4,213 ha (17%). Sing borders with China and Myanmar. This may be a reason why Sing has most investment in the agricultural sector. Most of those project areas are located along the borders.

Out of state land lease/concession and contract farming. In addition, the concerning issues some confusion has arisen in term of technician, where is border of Laos and China in such areas when the some villagers people living along the border try to persuade their relatives in China to invest in rubber plantations in these areas without asking permission from provincial and district administrative authorities, this is because of the people in these area have giving the reason that local villagers cannot afford large amounts of capital to invest in rubber plantations. Such problems have caused difficulties to provincial and district authorities in the management of land and natural resources. That means Chinese would come over the border and invest on the land of their relatives. This often leads that actually foreigners invest in land, but in future land conflict, dividing profit, no contract...

The approving processes were almost never done in collaboration with the provincial administrative authority and in non-transparent ways. Some rubber plantations were granted by district authorities to foreign investors, but provincial authorities have not been informed.

The data collection team from the central and provincial level did not receive such information from the district level, but the team was informed by villagers and heads of villages. In fact the district land management office had gathered concerned documents from Naibans during land tax collection activities in the past year.

4.3 Long District

In Long there are only 7 projects, however, the area being granted to such projects are higher in comparison to the other districts, covering an whole area of 16,772 ha or 66% of the total concession area. Already the area of the Joint Venture concession project between Lao-China Luifong Rubber Company Ltd., and the provincial army, covers an area of 10,000 ha along the Mekong river opposite of Myanmar.

4.4 Viengphoukha District

There are 11 projects in Viengphoukha district, with the total area of 1,634 ha. Besides a coal mining project with a conceded area of 800 ha, only Xeunhua Trading Company Ltd. is investing in the agricultural sector and conceding larger areas of land. This company was authorized to "promote" a rubber plantation under both modalities of contract farming (1+4 and 2+3) on an area of 3,000 ha.

However, the approval of the land for the rubber plantation was done without any land zoning in advance. Therefore some areas are within the area of Nam Ha National Protected Area. The area belongs to the villages Ban Namnoi and Ban NamPamanh, and covers 450 ha of the Nam Ha National Protected Area.

4.5 Nalae District

In Nalae there is only one foreign company, namely the Jiasuang Agricultural Promotion Company Ltd. from China, promoting rubber plantation among the villagers under the 2+3 contract farming in an area of 2,000 ha and 20 ha were conceded for establishing a demonstration garden. Unluckily the company cleared much more than 20 ha approved, it cleared 329 ha instead.

Therefore the Provincial Governor ordered the company to stop land clearing and to remove from the concession area. At present the provincial and district administrative authorities join hands to find the resolution and to impose measures towards such action. However up to now the company still continues running the rubber plantation and has not yet moved out from the area as being ordered by the provincial Governor.

5. Observations

From preliminary assessment during the field data collection and through the review of documentation, such as investment contract, feasibility study, area survey report and other documents relevant to the lease and concession, some technical issue can be observed as follows:

5.1 Revenue for the Government

Fee rates especially for rubber plantations are set and specified within the Regulation No. 07/Gov, dated 06 December 2006.

The concession fee is calculated based on the number of rubber trees on one hectare. It is assumed that on one ha 450 rubber trees will be planted and for each rubber tree a fee of 6 Yuan per year will be collected. Within the area of 1 ha the Government (based on law, still not clear who will collect, NLMA or MoF) will get 2,700 Yuan or \$397/year (exchange rate: 1 Yuan=1,250 kips). Fees will be collected from the first year rubber is tapped until the end of the productive life of the tree. This is a much higher rate, then was observed within Vientiane Province were an average of 6USD of a rubber plantation is collected per hectare/year.

If a rubber tree will be cut after it does not produce any rubber anymore (after around 20 years) and the log will be exported, the investor has to pay "export tax" of 30 Yuan/tree.

Incase, in the regulation they even calculate that in last year there may be a total revenue of 13,500 Yuan or \$ 1,985 in the case if all logs of one ha would be exported.

No extra tax and custom will be applied.

However, under the contract is not clear on whom the investor will pay the fee for and who will take care of regeneration of such land after the rubber being log. Which governmental body will collect the fee is not clear, and if no land tax is collected for such land...

Another economic impact:

Less tourism revenue

If more rubber where food produce...will have to import, meaning bad trade balance...already negative now, because more imp than exp.

Eventually affect watersupply for hydropower dams

Natural resources like timber no revenue because illegal logging from concession

Such problems have had serious impacts on the governments' socio-economic development plan which considers food production, hydropower generation (to become the batteries for ASEAN countries) and natural tourism as main priority of development. In the meantime, some projects also make chance to exploit the natural resources, especially timber, after obtaining concession license from the Government authority but without any sign of development as mentioned in the Feasibility Study. For example Jingsang Chizuan Chemical Industry Co. Ltd. concess 1,200 ha of land to grow lemongrass to supply to herbal medicine processing factory but in practice such company did not follow the contract signed with the government at all. After the request for concession being approved only timbers were cut from the area. The business was then stopped without planting any herbal plants. This can be indicated of the lack of economic study, the outcome and consequence, as well as a careful study on the investor or the company's background, thus it can be said that the state land lease/concession has not yet effectively contributed to the socio-economic development.

In contract not say about renew area after finish the end of project, meaning after rubber no productive, doesn't mention who will responsible for reforestation...who will pay...also state?



Pictures 9: Concession area of Laos-China Luifong Co. Ltd. in Long district



Picture 10: Concession area of Paohongyang Co. Ltd. in Sing District



Picture 11: Concession area of Xeunhoua Trading Co. Ltd. in Sing district



Picture 12: Concession area of Paohong Rubber Company Ltd. in Sing district

5.2 Social Aspect

It appears that concession projects had positive impacts on the creation of employment opportunities to the people in the province. Many people receive additional income working on concession areas, with an average wage between 25,000 and 50,000 Kip per day.

One labor will have an average monthly income between 750,000 and 1,500,000 Kip/month. The wage depends on the type of work.

In many places land lease/concession had contributed to some kind of infrastructure development such as building road and bridge accessing to the production site of the people.

In the agricultural sector, especially in rubber cultivation, local people participate in the form of promotion under 2+3 and 1+4 contract farming in which they will get a certain share, based on the agreement made. The local people will gain an average benefit between 30-70% of the product, and is totally different from the situation in southern and central parts where the lease/concession is fully invested by the investor. The benefit will mainly derive of how beneficiary the deal was agreed on and also on the market prizes. So far only view are already tapping rubber and selling it. If only a raw product will be sold (within 1+4) a really low price may be got, if some processing happens more income for villagers may be achieved. It is not defined in the contract which product they sell but for the raw product the least revenues can be earned.

One main concern remains, the 1+4 contract farming after contract expired the land will be long to whom to government or back to villagers which concerned by villagers. that many villagers sign contracts (if there are any) they don't understand and it is not clear if after 20 years of production the villagers will get the land back, or government...

Nonetheless, in some villages people criticize companies, because investors do not provide promised facilities as agreed beforehand (often agreed only verbally but not in contract). For example, Xeunhua Trading Co. Ltd. planted a 40 ha big "rubber demonstration garden" in Ban Mai, Viengphoukha district and did so far not compensate the villagers for the land, while other villages surrounding have been compensated with rubber tree of 300 seedlings/family which they would have to plant outside of the conceded area.

In addition, society will face a serious health risk in the future as chemical substances, especially weed killers, have been used widely in the production process. On the other hand such chemical substances have not been applied in accordance with the technical rules, while concerned sectors at provincial and district level are still lacking controlling measures.

5.3 Adequate Land Allocation

The land used by many projects does not correspond with existing land use plans, meaning that land is used, which actually is zoned as e.g. Village protection forest or Conservation Forest.

This derives from:

- a general lack of appropriate and detailed land use planning, land zoning and classification (often too old).
- missing environmental impact assessments which are conducted before approving a concession area.

This leads to many problems, e.g. having land concessions within the national conservation forest or within watershed protection areas. In some districts, land was cleared but is actually not suitable for planned activities, because the soil is unsuitable, altitude too high, the slope to steep.

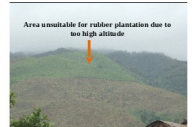
The Yunnan Rubber Plantation Co. Ltd. has a rubber plantation in Ban Houaimor, Long district had cleared an area of 50-60 ha, but had to realize (or perhaps even knew beforehand) that the area is not suitable for rubber plantation because of a too high altitude. Now the hills are cleared and massive soil erosion is unavoidable, unless the company would undertake reforestation, which most probably will not happen.

Areas suitable for rubber plantation should not be over an altitude more than 700 m see level. The team has discovered rubber plantations on altitudes over 800 up to 1,000 m.

This puts not only a risk to the environment but also to the productive of rubber or rubber tree gives a low quality of product (latex) because not enough water. investment capital if the plantation will not provide the profit (because of lower quality or not enough water) required.



Picture 13: Area of rubber plantation promotion of Mr. Pervangming in B. Bouaknyaxai-kae



Picture 14: Area of rubber plantation promotion of Yunnan Rubber Company Ltd. in B. Houai-moe, Long district

5.4 Environmental Aspect

In order to safeguard the natural environment in the context of state land lease and concession, especially in rubber plantation activities, the province has issued measures to absolutely disallow land clearing in areas located along natural streams within the distance of 50 m, and areas along large rivers such as the Mekong river. (only mentioned in contract what allow and what not).

In practice there are many projects not complying with such environmental rules agreed within the (only set up in contract). The team found plantations within conservation forests, protection forest, and healthy secondary forest. Besides this, chemical substances are used without any monitoring. Especially weed killers are used, putting the person who applies such toxic chemicals at risk, but also villagers nearby using water from streams contaminated by runoff.

As the major part of Luang Namtha province are high and steep landscape, it is possible that the chemical substance can be washed and flew down to the river leading to water pollution and a high level of erosion.

There is an obvious lack of:

- a) education about environmental issues
- b) monitoring and controlling of selling and application
- c) enforcement and penalties...



Picture 15: Rubber plantation area of a company in the Namha National Protected Area

Picture 16: The use of weedkiller by a company in Sing district



Picture 17: Area of rubber plantation of Lao-China Luifong Company Ltd. in Long district

Picture 18: Area of rubber plantation of Yunnan Rubber Company Ltd. in Luangnamtha district

5.5. Approval Process

The province has done well in issuing specific guidelines and regulations for the management of concessions and contract farming mainly for rubber plantations.

However, there are still various problematic issues which have to be addressed in the near future:

- lack of review the existing law and regulation that relevant; this can obvious by the case in Luangnamtha and Viengphoukha district where they granted the land for rubber plantation inside the protected area. That means not corresponded the article 75 and 76 of Forestry law 2007 which The law stipulates that "industrial tree plantation must be carried out in the degraded forest and defoliate land. " As we have seen above, none of the rubber plantations were approved (because of ignorance?) even within protection areas and NBC

Such practices are considered as lack of correspondence to the Law on Forestry 2007), Article 75 and 76.

- Some companies started with the implementation even before requesting for authorization and submitting application to the relevant Gov. body. PT Rubber Group Ltd., for example is operating a rubber plantation in Ban Houai La, Sing district, and Soulinphone Integrated Farm requested to concede land for raising lamb and cow in Xiengkhaeng area of Sing district. Such companies started the project implementation even the requests have not been approved yet.
- As already mentioned land was given away for concessions and contract farming not in compliance with the

law/regulations because an inappropriate level of authority did the approval. Actually, only 5 projects within the agricultural sector had the approval received by the appropriate administrative authority. So far the limit for the district level to authorize land for concession was up to 3 ha, for province level up to 100 ha and 10,000 ha at the central level or the government.

In some cases the village authority takes their advantage for approving the land within village to Even village authorities did approve land within their village jurisdiction to foreign investor for rubber plantation in the form of exchanging benefits with the company/investor, for example the Naiban of Ban Xiengkhaeng, Sing district, approved a land concession for a Chinese investor, Ms. La, to establish a rubber plantation on an area of 50 ha. There were another two similar cases (but no documents were available) in Ban Nam Aeng and Ban Nansing, Viengkhoukha district.

- * Coordination between concerned sectors, but also between superiors and subordinates are not effective, as shown by the case that provincial administrative authorities had the order to cancel several projects which were approved at the district level. Responsibilities and tasks are not clearly understood and shared among concerned sectors. It is also apparent that the sharing of data and information between sectors but also within same agencies does not function as well as it should.

5.6 Government Strategies

As mentioned earlier in paragraph 5.1 and 5.5 above, some problems which can be seen as the cause of direct and indirect threat impact to the national socio-economic development plan. The main focus lies on foodstuff production, hydropower electricity, natural tourism and the government's plan to increase the area of forest cover to 70% of the total country area by 2020, which is not consistent with the amended Forestry Law (2007), Article 74, 75, and 76.

Besides that, another point is after the Government Secretariat Committee issued the Notification No. 7434/Gov. Sec., dated 08 May 2007 and after the Prime Minister adopted the Resolution of the 1st Nationwide Land Conference No. 06/PM, dated 30 May 2007 by issuing an order to suspend the approval of land concession for tree plantations with an area more than 100 ha to domestic and foreign investor throughout the country, in order to re-carry out survey and inspection. However, in practice approvals still continue and there are 11 projects* which were granted lease/concession for this kind of activities. In this regards, it reveals the lack of effectiveness in implementing the resolution, order, laws and regulation.

In addition, there are some cases in which the implementations are not in line with Article 59 of the Land Law (2003) which clearly specifies the land use rights of state organizations, political organizations, Lao Front for National Construction, mass organizations, and economic organizations. In practice, there are incidents in which some state organizations use land as a share in joint venture with foreign investor for rubber plantation business.

Some activities are contrary to some of the parties' policies and strategies:

Food Security: give example why

Forest Strategy 2020:

Moratorium on Concession over 100 ha in May 2007:

Agreement in November 2008, no more rubber in Luang Namtha:

Biodiversity

Sustainable Eco-tourism

Government expecting plan to increase the forest coverage to 70% to year 2020, such activities are not corresponding with Article 74, 75, and 76 of the Forestry Law (2007). In addition, the Government Secretariat Committee issued a Notification No. 743, dated 08 May 2007, and the Prime Minister approved the Resolution of the 1st Nationwide Land Conference No. 06/PM, dated 03 May 2007, ordering the cancellation of land concession approval in areas from 100 ha and over to foreign and domestic investors for industrial tree plantations throughout the country, in order to redo the survey and inspection. However, in fact the approvals are still taking place as can be seen by land lease/concessions which have been granted to 11 projects*. This indicates that the Resolutions, Orders, Laws and Regulations have not been effectively implemented.

In some case, granting the land to investor is not complying with article 59 of land law 2003. Such article stipulated clearly on the right of state organizations, political organizations, national construction authorities, union organization and economic organizations not have the right to bring the land under their management for sharing. But there are some (provincial army) shared their land with foreign investor for rubber plantation. Based in Land Law, art 59 state organizations don't have the right to share the land between...actually JV between army and private company...

6. Faced problems during the data collection

The team encountered several problems which made it difficult to obtain complete information on all concession/lease/1+4 contract farming projects.

6.1 Weak Data Situation

- Data for each projects received from sectors at the provincial and district level were hardly ever complete, especially documents related to the investment approval. From some projects only one type of document such as investment license, agreement or contract was available, while from some projects no documents at all were available, or shared.
- Information about the actual status and progress of projects (e.g. land clearance, planting, processing and production) are almost never available. Apparently the different sectors do not collect such information, but also investors/companies have not fail to providesend their progress reports to concerned state agencies. The problem may be that such progress reports are not required by law and the authorities do not have the capacity to do so.
- At the same time, the capacity of concerned sectors at the provincial and district level are still limited in order to assess and re-inspect the implementation of such companies/projects.

6.2 Data Collection Period

- The team was not as mentioned above not able to visit all projects, because of the bad road conditions during the beginning of the rainy season.
- Some The cooperation between some sectors not want to cooperate with the team and the team was not easy. It seems that information was not wanted to be shared with the team, which gave the impression that:
 1. The agencies did not understand the role of the Land Management Authority and the objective of such activities.
 2. The agencies did not want to share information, because they did not have, but were supposed to have it or did not want to share because they wanted to hide some facts, because of which reason ever
- The data collection at companies/investors was a difficult task, because most investors were not present at the concession site and the team often only met representatives or workers, who often did not know much information in detail.

7. Recommendations

Through the technical observation, the study on project's document system, and the actual implementation of each project operated in Luang Namtha province, in order to improve and solve issues which are still inconsistent, the following suggestions are proposed by the team:

1. Do proper inspection based on the case studies within this report. Inspection has to happen by well trained inspectors from NLMA in collaboration with relevant sectors.
2. After inspection a proper monitoring system should be set up in cooperation with all relevant sectors.
3. Ensure that feasibility studies and S&E impacts assessments are conducted before land is approved for concession/lease/contract farming.
4. Do not approve land where no proper land use planning and zoning was undertaken.
5. The coordination level between the different sectors has to be improved; more effort in a good cooperation has to be done by all. A committee may be established, including members of each sector, responsible for the smooth exchange of information and coordinating cooperation.
6. The coordination and cooperation between the different administration levels (village, district and province) has to improve as well.
7. More emphasis has to be concentrated on dissemination of relevant laws, decrees and regulations. This should be prepared in a way that it is easy understandable.

8. Standard contracts for concessions and 1+4 contract farming may help that villagers do benefit as most as possible in such deals.
9. Environmental issues have to be taken more seriously and more attention has to be paid on the monitoring. Measures for environmental protection have to be set by each project, especially to control the use of chemical substance in the production process. In addition, in the approval process such sectors should play an important role in impact assessment to certify that project no impact on the environmental impact to such projects.
10. In order to do the survey or to identify the area to be granted to investors for lease/concession, modern tools such as GPS are required to ensure the accuracy of area calculation and the use of such plans for monitoring and for future management of such projects.
11. Boost the role of the land management authority at each level by disseminating its role and functions to the public society in order to increase its performances in accordance with the role/responsibilities and scope of rights.
12. When it is required to conduct site survey of any state land lease/concession, as well as the promotion under 1+4 and 2+3 contract farming which have been approved and implemented in the past, it is proposed that the PLMA and DLMA should directly carry out this task in collaboration with concerned sectors, since this is a task which would require time and budget.
13. Training and providing budget to responsible staff within each sector and ...to follow up which those activities.

• There is the need to redo the monitoring and inspection through the establishment of ad-hoc committee which comprises of concerned sectors at all levels, due to the failure of most of investors/companies to follow the contract signed with the government in practical implementation of the project. Another observation is that the approval process for lease/concession, including the promotion under 1+4 and 2+3, has not yet done in correspond with the policy/guideline and law/regulations as it should be.

• Before approving land lease/concession to the investors, the site survey and feasibility study must be undertaken, as well as the assessment of socio-economic, society, and environment, especially the industrial tree plantation as in the past such issues have not yet been implemented in full attempt.

• At the same time, land zoning and classification are necessary before granting land lease/concession to the investors, especially the industrial tree plantation project (rubber), since the approval done in the past were messy which led to concession being granted to the area of national protected forest, protection forest, jungle and others.

• Improve the coordination system between concerned sectors and administrative authorities at higher and lower level, to boost their participation in the process of approving land lease/concession to the investors, as there was lack of effectiveness in the past.

• Put emphasis in public dissemination of the party policy and guideline and the laws and regulations in the field of land and natural resources to the society, especially to the government technical staff, people, domestic and foreign investors, and people in all strata, in order to help them understand and perceive the party's guiding policy in each period.

- Set standardize contract form for lease, concession and promotion under 1+4, in order to guarantee the government interest.
- Sectors in charge of environment at the central and local level must put emphasis in carrying out monitoring and applying measures toward the environment protection for each project, especially the control in the use of chemical substance in the production process, and must play important role in conducting impact assessment and to certify the environmental impact for such projects.
- The use of modern equipments/tools are necessary for the survey or determining area to be granted to investors for lease/concession, such as the use of (Global Positional System), in order to ensure the accuracy of area calculation, and to use such map for future project monitoring and management.
- Strengthen the role of land management authority at all levels through the dissemination of their roles and functions to the public.
- Before conducting the site survey of state land lease/concession projects as well as the promotion under 1+4 and 2+3 which were approved and implemented in the past, it is necessary to request the provincial and district land management authorities to carry out directly in coordination with concerned sectors, since such tasks need times and budgets.

8. Dissemination of Findings and future plan

After completing field data collection, the study team has organized a conference to report the findings to the leading committee of the NLMA and administrative authority of Luang Namtha province, with the attendance of the Provincial Governor and line sectors.

The report is distributed to concerned line sectors from the central to local levels, and to be further reported to the Government for acknowledgement.

In addition, after being carried out in the Vientiane Capital City such duties will be expanded to other provinces throughout the country.

Annexes

-Annex 1:

Table 1: Total Number of Project in Each District Breakdown by Type of Land Use

Type of Land Use	Number of Project in District					
	LNT	Sing	Long	Viengphoukha	Nalae	Total
Concession Project	22	11	3	5	2	43
Lease Project	55	17	2	8	0	82
Promotion Under (2+3)	11	8	7	6	2	34
Promotion Under (1+4)	3	11	3	5	0	22
Project Lease/use private land	15	3	2	1	0	21
Total	106	50	17	25	4	202

Table 2: Number of Project Lease and Concede State Land in Each District, Breakdown by Project Status

Project Status	Number of Project					
	LNT	Sing	Long	Viengphoukha	Nalae	Total
Currently operated projects	50	34	7	11	1	103
Non-operation projects	13	0	0	5	0	18
Project in which the operation was completed /cancelled/stopped	13	4	0	2	0	19
Project being under the survey/exploration	1	0	1	0	1	3
Project requesting for approval	0	1	0	0	0	1
Project carrying out business improvement	0	1	0	0	0	1
Project in which operation has not yet started	2	0	0	0	0	2
Total:	79	40	8	18	2	147

Table 3: Number of State Land Lease/concession Project and Promotion Project under 1+4 Being Implemented in Each District

Type of Land Use	Number of Project in District					
	LNT	Sing	Long	Viengphoukha	Nalae	Total
Concession	9	9	2	2	1	23
Lease	40	15	2	4	0	61
Promotion 1+4	3	11	3	5	0	22
Total:	52	35	7	11	1	106

Table 4: Number of State Land Lease and Concession Project in Each District, Breakdown by Type of Investment

Type of Investment	Number of Project					
	LNT	Sing	Long	Viengphoukha	Nalae	Total
Domestic Investment	33	18	2	5	0	58
Foreign Investment	16	17	5	6	1	45
Joint Venture	3	0	0	0	0	3
Total	52	35	7	11	1	106

Table 5: Number of State Land Lease and Concession Project in Each District, Breakdown by Sector

Sector	Number of Project					
	LNT	Sing	Long	Viengphoukha	Nalae	Total
Agriculture	6	24	4	7	1	42
Industry	10	0	1	1	0	12
Mining	2	1	1	1	0	5
Service	10	5	1	0	0	16
Trade	3	1	0	0	0	4
Communication	7	1	0	2	0	10
Construction	14	3	0	0	0	17
Total:	52	35	7	11	1	106

Table 6: Number of State Land Lease and Concession Project in Agricultural Sector in Each District

Type of Activities	Number of Project					
	LNT	Sing	Long	Viengphoukha	Nalae	Total
Rubber	6	17	4	7	1	35
Banana	0	6	0	0	0	6
Sugar Cane	0	1	0	0	0	1
Total:	6	14	4	7	1	42

Table 7: Number of State Land Lease and Concession Project in Each District, Breakdown by Level of Approval

Approval Authority	Number of Project					
	LNT	Sing	Long	Viengphoukha	Nalae	Total
Minister (central level)	0	1	2	1	0	4
Provincial Governor	21	10	5	5	1	42
District Governor	3	17	0	1	0	21
Village level	0	1	0	0	0	1
Not being approved	0	0	0	2	0	2
Approval Authority is unknown	28	6	0	2	0	36
Total:	52	35	7	11	1	106

Table 8: Area of State Land Lease and Concession in Each District, Breakdown by the Form of Land Use-

Form of Land Use	Area (in ha)					
	LNT	Sing	Long	Viengphoukha	Nalae	Total
Concession	2,011.68	1,869.83	14,250	830	329	19,290.51

Lease	67.68	39.3	2.01	16.98	0	125.97
Promotion under 1+4	338.00	2,304.00	2,520.00	787.00	0	5,949.00
Total:	2,417.36	4,213.13	16,772.01	1,633.98	329	25,365.48

Table 9: Area of State Land Lease and Concession Project in Each District, Breakdown by Sector

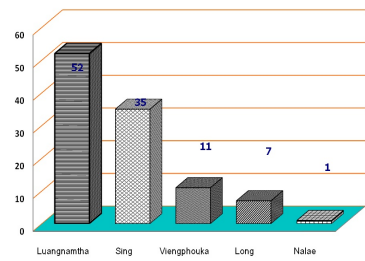
Sector	Area (in ha)					
	LNT	Sing	Long	Viengphoukha	Nalae	Total
Agriculture	707.7	3,751.69	12,520	832	329	18,140.39
Industry	45.9	0	0.61	1.23	0	47.74
Mining	1.8	450	4,250	800	0	5,501.80
Service	1,652.08	5.79	1.4	0	0	1,659.27
Trade	2.56	1.22	0	0	0	3.78
Communication	2.35	1	0	0.75	0	4.1
Construction	4.97	3.43	0	0	0	8.4
Total:	2,417.36	4,213.13	16,772.01	1,633.98	329.00	25,365.48

Table 10: Area of State Land Lease/concession and Promotion under 1+4 and 2+3 which have been used

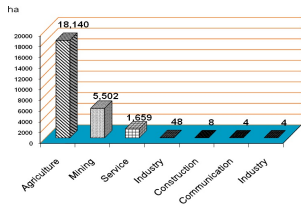
Form of Land Use	Area (in ha)					
	LNT	Sing	Long	Viengphoukha	Nalae	Total (ha)
Concession	2,011.20	1,616.00	14,250.00	830.00	329	19,036.20
Lease	38.00	34.00	2.00	13.00	0	87.00
Promotion 2+3	1,281.00	1,869.96	2,880	460	2,000	8,490.96
Promotion 1+4	338.00	1,509.00	996.00	763.00	0	3,606.00
Total:	3,668.20	5,028.96	18,128.00	2,066.00	2329	31,220.16

Table 11: Summary of Documentation Relevant to State Land Lease and Concession

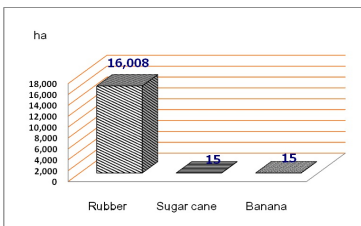
Sector	Type of Document													Total
	Investment License	Decision	Contract	Business Registration	Business Operation License	Land Map	Land Sket Map	Memo on Site Survey	Declaration of lease/concession fee paid	Exploitation License	Tax Registration sheet	Feasibility Study	Exploration License	
Agriculture	20	9	29	7	7	23	CE	4	8	CE	5	14	CE	126
Industry	11	4	8	1	2	CE	3	CE	1	CE	3	5	CE	38
Mining	3	4	2	2	CE	4	CE	CE	2	1	1	CE	1	20
Service	6	3	4	2	CE	CE	2	CE	7	CE	2	2	CE	28
Trade	3	CE	2	CE	CE	CE	1	CE	CE	CE	CE	CE	CE	6
Communication	CE	CE	1	CE	CE	CE	CE	CE	10	CE	CE	CE	CE	11
Construction	CE	CE	2	CE	CE	CE	CE	CE	17	CE	CE	CE	CE	19
Total:	43	20	48	12	9	27	6	4	45	1	11	21	1	248



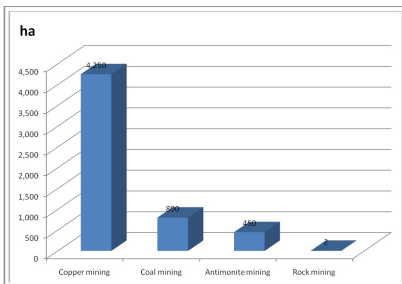
Graph 1: Number of Lease/concession/promotion 1+4 projects in Each District



Graph 2: Area (ha) of Lease/concession/promotion 1+4, breakdown by Sector



Graph 3: Area (ha) of Lease/concession/promotion under 1+4, breakdown by Type of activities in Agricultural Sector

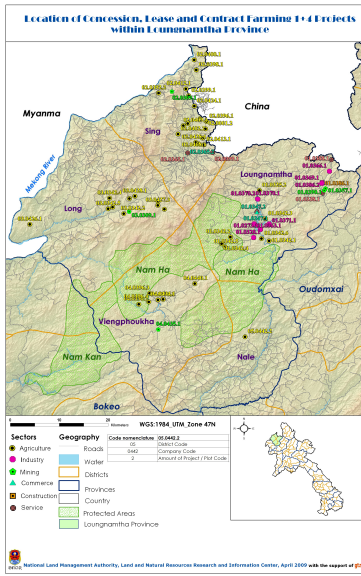


Graph 4: Area (ha) of Concession Project, Breakdown by Type of Activities in Mining Sector

Location of Concession, Lease and Contract Farming 1+4 Projects within Luangnamtha Province													
Code	Project/Company	Activity	Village	District	Sectors	Land use pattern	Code	Project/Company	Activity	Village	District	Sectors	Land use pattern
02.00011	Lixing Rubber/Obama Trading Company Limited with venture with District Police	Rubber Plantation	B.Laemou	Sing	Agriculture	Concession	01.03424	Tunnan Rubber Investment Company Limited	Rubber Plantation Promotion	B.Phouvane	Luangnamtha	Agriculture	CF
02.03941	Heay Hichangbana Company Joint venture with Provincial Army	Rubber Plantation	B.Mom	Sing	Agriculture	Concession	01.03425	Tunnan Rubber Investment Company Limited	Rubber Plantation Promotion	B.Phouvane	Luangnamtha	Agriculture	CF
02.03611	Musijester Development & Service Company Limited	Bus Station	B.Xengle	Sing	Service	Concession	01.03421	Tunnan Rubber Investment Company Limited	Rubber Plantation Promotion	B.Septout	Luangnamtha	Agriculture	CF
02.03612	Musijester Development & Service Company Limited	Market	B.Xengle	Sing	Commerce	Concession	01.03571	Mo.Chanoak	Soak Grinding	B.Tintak	Luangnamtha	Mining	Lease
02.03011	La-China Ferrest Mineral Development Company Limited	Agglomeration	B.Javang	Sing	Mining	Concession	01.03423	Tunnan Rubber Investment Company Limited	Rubber Nursery Garden	B.Namthoung	Luangnamtha	Agriculture	Lease
02.03942	Mo-Jay (Jankou) Joint venture with District Army	Rubber Plantation	B.Souak khou	Sing	Agriculture	Concession	01.03901	Houantjankou Company	Soak Grinding	B.Tintak	Luangnamtha	Mining	Lease
02.00991	Joint venture in Trading Development Joint-venture Company, Mo Thong-Tsawang	Goods Warehouse	B.Oudomain	Sing	Service	Concession	01.03381	Hongping-Lao Company Limited	Goods Warehouse	B.Tintak	Luangnamtha	Service	Lease
02.04011	Paoding Rubber Plantation Joint venture with Provincial Army	Rubber Plantation	At/Sogla	Sing	Agriculture	Concession	01.03731	La-China Ferrest Mineral Development Company Limited	Semi-Processed Sugar Factory	B.Mai	Luangnamtha	Industry	Lease
02.03912	Heay Rubber Company Limited	Rubber Plantation	B.Xay	Sing	Agriculture	Concession	01.03631	Jinang Medical Factory	Medical Factory	B.Louang	Luangnamtha	Industry	Lease
02.00012	Lixing Rubber/Obama Trading Company Limited	Rubber Plantation Promotion	B.Huaylongkao	Sing	Agriculture	CF	01.03711	Luangnamtha Housing Hotel	Hotel	B.Mangkham	Luangnamtha	Service	Lease
02.04211	Mo. Wangsewangiang	Rubber Plantation Promotion	B.Phabathnai	Sing	Agriculture	CF	01.03032	Thangke Economic Development Company Limited	Market	B.Mangkham	Luangnamtha	Commerce	Lease
02.04212	Mo. Wangsewangiang	Rubber Plantation Promotion	B.Phabathnai	Sing	Agriculture	CF	01.03031	Thangke Economic Development Company Limited	Market	B.Mangkham	Luangnamtha	Commerce	Lease
02.04012	Mo. Hengthakou	Rubber Plantation Promotion	B.Phabathnai	Sing	Agriculture	CF	01.03701	Hobheudsaecha Wood Processing Factory	Wood Processing Factory	B.Hongthay	Luangnamtha	Industry	Lease
02.04013	Mo. Pessoun	Rubber Plantation Promotion	B.Sai Ete	Sing	Agriculture	CF	01.03702	Hobheudsaecha Wood Processing Factory	Wood Processing Factory	B.Hongthay	Luangnamtha	Industry	Lease
02.04111	Mo. Herringhou	Rubber Plantation Promotion	B.Phabathnai	Sing	Agriculture	CF	01.03281	Cooyang Mineral Company Limited	Steel Factory	B.Donmoun	Luangnamtha	Industry	Lease
02.04241	Mo. Laxai	Rubber Plantation Promotion	B.Phabath	Sing	Agriculture	CF	01.03661	Borlen Salt Factory	Salt Factory	B.Borlen	Luangnamtha	Industry	Lease
02.04112	Mo. Panwangiang	Rubber Plantation Promotion	B.Souakxekhao	Sing	Agriculture	CF	01.03691	Sainamtha Tobacco Factory	Tobacco Factory	B.Borjied	Luangnamtha	Industry	Lease
02.03911	PT Rubber Group Company Limited	Rubber Plantation Promotion	B.Souakxekmai	Sing	Agriculture	CF	01.03711	Sing-Lao Rubber Company Limited	Rubber Processing Factory	B.Souamphiang	Luangnamtha	Industry	Lease
02.04012	Wangsewangiang Agriculture Promotion Joint-venture with Provincial Army	Rubber Plantation Promotion	B.Huayla	Sing	Agriculture	CF	01.03861	Thienlong Tobacco Factory	Office Site	B.Borjied	Luangnamtha	Construction	Lease
04.0411	Vangphouka Lignite Exploitation	Lignite Exploitation	B.Namngum	Vanghouas	Mining	CF	01.03892	Thienlong Tobacco Factory	Tobacco Factory	B.Borjied	Luangnamtha	Industry	Lease
04.04341	Mo. Wengsa Development	Rubber Plantation	B.Thiao	Vanghouas	Agriculture	CF	03.03011	La-China Ferrest Mineral Development Company Limited	Copper Exploitation	B.Huaymorak	Long	Mining	Concession
04.04011	Mo. Inter	Rubber Plantation Promotion	B.Namsang	Vanghouas	Agriculture	CF	03.04281	La-China Luifeng Rubber Company Limited	Rubber Plantation	Xiangkok region	Long	Agriculture	Concession
04.03941	Heuchou Trading Rubber Company Limited	Rubber Plantation Promotion	B.Mai	Vanghouas	Agriculture	CF	03.04272	Fujian Rubber Company Limited	Rubber Plantation Promotion	B.Hemma	Long	Agriculture	CF
04.03942	Heuchou Trading Rubber Company Limited	Rubber Plantation Promotion	B.Namkaptak	Vanghouas	Agriculture	CF	03.04271	Fujian Rubber Company Limited	Rubber Plantation Promotion	B.Sopimai	Long	Agriculture	CF
04.03943	Heuchou Trading Rubber Company Limited	Rubber Plantation Promotion	B.Namnoik	Vanghouas	Agriculture	CF	03.04273	Fujian Rubber Company Limited	Rubber Plantation Promotion	B.Sopma	Long	Agriculture	CF
04.03944	Heuchou Trading Rubber Company Limited	Rubber Plantation Promotion	B.Phadang	Vanghouas	Agriculture	Lease	03.04281	Huaylai Rubber Company Limited	Rubber Plantation Promotion	B.Xathoum	Long	Agriculture	CF
05.04421	Jinhuang Rubber Plantation Promotion Company Limited	Rubber Demonstration Garden	B.Phouin	Nala	Agriculture	Concession	03.04211	Tunnan Rubber Investment Company Limited	Rubber Plantation Promotion	B.Huaymor	Long	Agriculture	CF
01.03811	Borlen Golden Service Area	Casino & Hotel	B.Borlen	Luangnamtha	Service	Concession	03.0423	Tunnan Rubber Investment Company Limited	Rubber Plantation Promotion	B.Jakhaming	Long	Agriculture	CF
01.03426	Tunnan Rubber Investment Company Limited	Rubber Plantation	B.Septout	Luangnamtha	Agriculture	Concession	03.0425	Tunnan Rubber Investment Company Limited	Rubber Plantation Promotion	B.Phatea	Long	Agriculture	CF
01.03212	Mo. Khampheity	Rubber Plantation	B.Phothar	Luangnamtha	Agriculture	Concession	03.0424	Tunnan Rubber Investment Company Limited	Rubber Plantation Promotion	B.Phorchan	Long	Agriculture	CF
01.03427	Tunnan Rubber Investment Company Limited	Rubber Plantation	B.Nama	Luangnamtha	Agriculture	CF	03.03422	Tunnan Rubber Investment Company Limited	Rubber Plantation Promotion	B.Srulai	Long	Agriculture	CF
02.03941	Heuchou Trading Rubber Company Limited	Rubber Plantation Promotion	B.Laemou	Sing	Agriculture	CF							

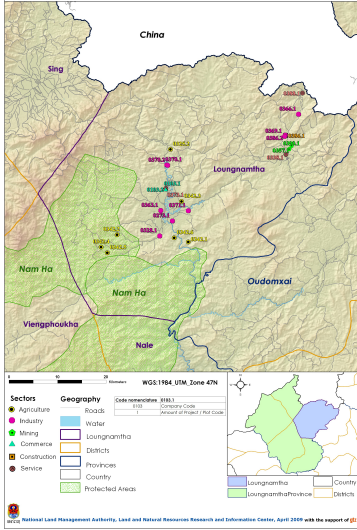
Location of Concession, Lease and Contract Farming 1+4 Projects within Luangnamtha Province

Annex 3: Maps of Project Sites in LNT Province



Location of Concession, Lease and Contract Farming 1+4 Projects within Luangnamtha District, Luangnamtha Province						
Code	Project/Company	Activity	Village	Sector	Land Use Pattern	Area in Ha
0388.1	Borten Service Area	Casino & Hotel	B.Borten	Service	Concession	1,640
0342.6	Yunnan Rubber Investment Company Limited	Rubber Plantation	B.Soptout	Agriculture	Concession	214
0325.2	Mr. Khamphethy	Rubber Plantation	B.Phinhor	Agriculture	Concession	20
0342.2	Yunnan Rubber Investment Company Limited	Rubber Plantation Promotion	B.Namxa	Agriculture	Contract Farming 1+4	113
0342.4	Yunnan Rubber Investment Company Limited	Rubber Plantation Promotion	B.Phouvan	Agriculture	Contract Farming 1+4	135
0342.5	Yunnan Rubber Investment Company Limited	Rubber Plantation Promotion	B.Phouvan	Agriculture	Contract Farming 1+4	135
0342.1	Yunnan Rubber Investment Company Limited	Rubber Plantation Promotion	B.Soptout	Agriculture	Contract Farming 1+4	345
0357.1	Ms. Chansouk	Rock Grinding	B.Tintok	Mining	Lease	1.1
0342.3	Yunnan Rubber Investment Company Limited	Rubber Nursery Garden	B.Namthoung	Agriculture	Lease	4.7
0390.1	Houamjalkankao Company	Rock Grinding	B.Tintok	Mining	Lease	0.7
0388.1	Honglong-Lao Company Limited	Goods Warehouse	B.Tintok	Service	Lease	3
0273.1	Lao-Yunnan Lileng Power Biological Product Company Limited	Semi-processed Sugar Factory	B.Mai	Industry	Lease	1.3
0363.1	Jinxieing Medical Factory	Medical Factory	B.Louang	Industry	Lease	1.34
0373.1	Luangnamtha Houangjing Hotel	Hotel	B.Viengkham	Service	Lease	0.7
0347.2	Triangle Economic Development Company Limited	Agriculture Market	B.Viengkham	Commerce	Lease	0.6
0347.1	Triangle Economic Development Company Limited	Industry Market	B.Viengkham	Commerce	Lease	1.36
0370.1	Hokpheudsapha Wood Processing Factory	Wood processing Factory	B.Hongleuy	Industry	Lease	5
0370.2	Hokpheudsapha Wood Processing Factory	Wood processing Factory	B.Hongleuy	Industry	Lease	4.67
0328.1	Kounyang Morakot Company Limited	Steel Factory	B.Donmoun	Industry	Lease	0.64
0366.1	Borten Salt Factory	Salt Factory	B.Borten	Industry	Lease	0.52
0369.1	Sainamtha Tobacco Factory	Tobacco Factory	B.Borpie d	Industry	Lease	0.60
0371.1	Sino-Lao Rubber Company Limited	Rubber Processing Factory	B.Bouamphieng	Industry	Lease	2.20
0386.1	Thienlong Tobacco Factory	Office Site	B.Borpie d	Construction	Lease	1.30
0386.2	Thienlong Tobacco Factory	Tobacco Factory	B.Borpie d	Industry	Lease	5

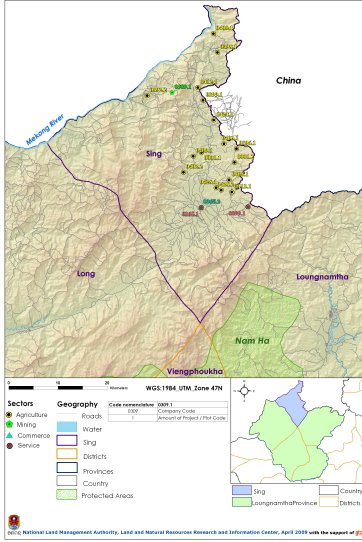
Location of Cession, Lease and Contract Farming 104 Projects within Loungnamtha district, Loungnamtha Province



Location of Concession, Lease and Contract Farming 1+4 Projects within Sing District, Luangnamtha Province

Code	Project/Company	Activity	Village	Sector	Land Use Pattern
0001.1	Lising Xishuangbana Trading Company Limited joint venture with District Police	Rubber Plantation	B.Lormeu	Agriculture	Concession
0403.1	Henry Xishuangbana Company joint venture with Provincial Army	Rubber Plantation	B.Mom	Agriculture	Concession
0365.1	Xeunjeuter Development & Service Company Limited	Bus Station	B.Xiengle	Service	Concession
0365.2	Xeunjeuter Development & Service Company Limited	Market	B.Xiengle	Commerce	Concession
0309.1	Lao-China Fareast Mineral Development Company Limited	Angtimon Exploitation	B.Javang	Mining	Concession
0398.1	MrJew jienhua joint venture with District Army	Rubber Plantation	B.Bouakkhou	Agriculture	Concession
0099.1	Joint venture in Trading Development Import-Export Company, Mr. Tongli Yaxeng	Goods Warehouse	B.Oudomsin	Service	Concession
0400.1	Paolong Rubber Company joint venture with Provincial Army	Rubber plantation	Sopla region	Agriculture	Concession
0392.2	Xeunli Rubber Company Limited	Rubber plantation	B.Xay	Agriculture	Concession
0001.2	Lising Xishuangbana Trading Company Limited	Rubber Plantation Promotion	B.Huaylongkao	Agriculture	Contract Farming 1+4
0428.1	Mr. Wangxouangxing	Rubber Plantation Promotion	B.Phabathnoi	Agriculture	Contract Farming 1+4
0428.2	Mr. Wangxouangxing	Rubber Plantation Promotion	B.Phabathnoi	Agriculture	Contract Farming 1+4
0408.1	Ms. Xengkhansou	Rubber Plantation Promotion	B.Phabathyai	Agriculture	Contract Farming 1+4
0409.1	Mr. Peoxeun	Rubber Plantation Promotion	B.Sen Ene	Agriculture	Contract Farming 1+4
0413.1	Mr. Heminghua	Rubber Plantation Promotion	B.Phabathyai	Agriculture	Contract Farming 1+4
0424.1	Mr. Laoxi	Rubber Plantation Promotion	B.Phabath	Agriculture	Contract Farming 1+4
0412.1	Mr. Perwangming	Rubber Plantation Promotion	B.Bouakyaxaikao	Agriculture	Contract Farming 1+4
0399.1	PT Rubber Group Company Limited	Rubber Plantation Promotion	B.Bouakyaxaimai	Agriculture	Contract Farming 1+4
0402.2	Xouanexing Agriculture Production Promotion Import-Export Company Limited	Rubber Plantation Promotion	B.Huayla	Agriculture	Contract Farming 1+4
0396.1	Xeunhua Trading Rubber Company Limited	Rubber Plantation Promotion	B.Lormeu	Agriculture	Contract Farming 1+4

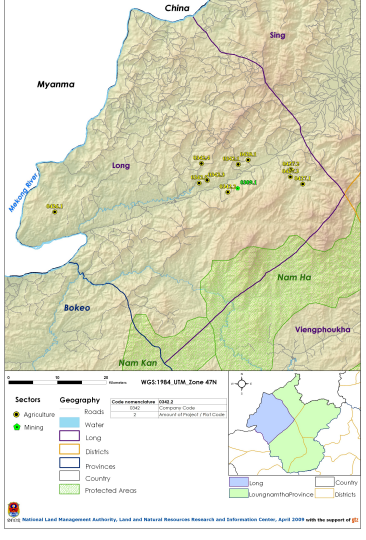
Location of Concession, Lease and Contract Farming (CLCF) Projects within Sine district, Loungnamtha Province



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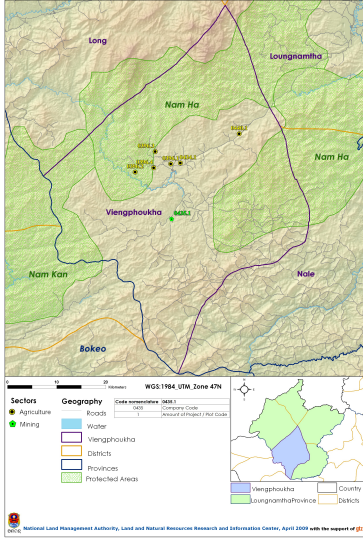
Location of Concession, Lease and Contract Farming 1+4 Projects within Long District, Luangnamtha Province						
Code	Project/Company	Activity	Village	Sector	Land Use Pattern	Area in Ha
0309.1	Lao-China Fareast Mineral Development Company Limited	Copper Exploitation	B.Huaymor&B.Sivilai	Minig	Concession	4,250
0426.1	Lao-China Luifong Rubber Company Limited	Rubber Plantation	Xiengkok region	Agriculture	Concession	10,000
0427.2	Fujiane Rubber Company Limited	Rubber Plantation Promotion	B.Namma	Agriculture	Contract Farming 1+4	550
0427.1	Fujiane Rubber Company Limited	Rubber Plantation Promotion	B.Sopimai	Agriculture	Contract Farming 1+4	350
0427.3	Fujiane Rubber Company Limited	Rubber Plantation Promotion	B.Sopma	Agriculture	Contract Farming 1+4	300
0428.1	Xouanyi Rubber Company Limited	Rubber Plantation Promotion	B.Khokhin	Agriculture	Contract Farming 1+4	222
0342.1	Yunnan Rubber Investment Company Limited	Rubber Plantation Promotion	B.Huaymor	Agriculture	Contract Farming 1+4	219
0342.3	Yunnan Rubber Investment Company Limited	Rubber Plantation Promotion	B.Jakhamping	Agriculture	Contract Farming 1+4	100
0342.5	Yunnan Rubber Investment Company Limited	Rubber Plantation Promotion	B.Phatea	Agriculture	Contract Farming 1+4	237
0342.4	Yunnan Rubber Investment Company Limited	Rubber Plantation Promotion	B.Phorchan	Agriculture	Contract Farming 1+4	334
0342.2	Yunnan Rubber Investment Company Limited	Rubber Plantation Promotion	B.Sivilai	Agriculture	Contract Farming 1+4	286

Location of Concession, Lease and Contract Farming 104 Tracts within Long district, Luemamtha Province



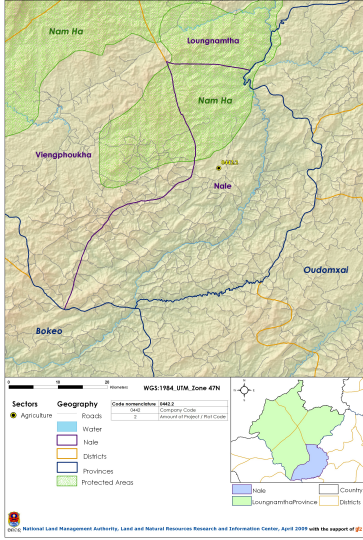
Location of Concession, Lease and Contract Farming 1+4 Projects within Viengphoukha District, Luangnamtha Province						
Code	Project/Company	Activity	Village	Sector	Land Use Pattern	Area in Ha
435.1	Viengphoukha Lignite Exploitation Company Limited	Lignite Exploitation	B.Namngeun	Mining	Concession	800
434.1	Mr. Yangyia Saneyakoun	Rubber Plantation	B.Thiao	Agriculture	Concession	30
440.1	Mr. Inter	Rubber Plantation Promotion	B.namsing	Agriculture	Contract Farming 1+4	37
396.4	Xaunhua Trading Rubber Company Limited	Rubber Plantation Promotion	B.Mai	Agriculture	Contract Farming 1+4	64
396.3	Xaunhua Trading Rubber Company Limited	Rubber Plantation Promotion	B.Namkaptai&B.Phadeng	Agriculture	Contract Farming 1+4	193
396.2	Xaunhua Trading Rubber Company Limited	Rubber Plantation Promotion	B.Namnoi&B.Nampaman	Agriculture	Contract Farming 1+4	450
396.1	Xaunhua Trading Rubber Company Limited	Rubber Nursery Garden	B.Phadeng	Agriculture	Lease	15

Location of Concession, Lease and Contract Farming 1-4 Projects within Viengkhoukha district, Loungnamtha Province



Location of Concession, Lease and Contract Farming 1+4 Projects within Nale District, Luangnamtha Province					
<i>Project/Company</i>	<i>Activity</i>	<i>Village</i>	<i>Sector</i>	<i>Land Use Pattern</i>	<i>Area in Ha</i>
Jaxouang Rubber Plantation Promotion Company Limited	Rubber Demonstration Garden	B.Phoutin	Agriculture	Concession	329

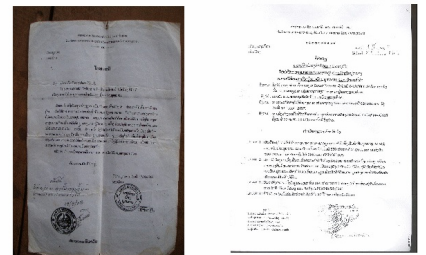
Location of Concession, Lease and Contract Farming 1-41 Projects within Sala District, Luangnamtha Province



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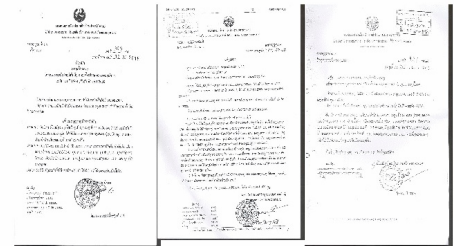
Annex 4: Some Examples of Project Documents

Documents Relevant to the process of granting permission to Yunnan Rubber Plantation Co.

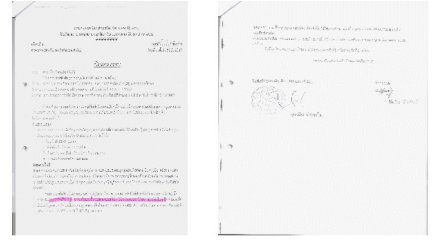


Ltd. to Promote Rubber Plantation in Ban Phouvanh, Luang Namtha Province

Report on Site Survey of Seunva Trade Co. Ltd for Promoting Rubber Plantation in Ban Lormeu, Sing District



Example of Projects being Approved by District Authority to Promote Rubber Plantation



Annex 5: Number of Lease, Concession and Promotion (1+4) Projects Currently Operated in Luangnamtha Province

No.	Company	Project	District	Village	Country	Activities	Sectors	Form of Land Use	Area	Lease/concession Period
1	Luangnamtha Cable TV Company Ltd. Ms. Yang Zhixiu	Cable TV Service	Namtha	Saysomboun	China	Cable TV Service Provider	Service		0.6	5
2	Kuinhang Molakot Lao Co. Ltd. Mr. Jangjiakao	Magnetic and steel product processing plant	Namtha	Donmoun	China	Magnetic and steel product processing	Industry	Lease	0.6	5
3	Honglong Co. Ltd. Mr. Mao Sae Hsa	Warehouse	Namtha	Nateui	China	Warehouse	Service	Lease	3	10
4	Laos-China International Cooperation Elephant Training company Mr. Tongly Yaseng	Elephant show service	Namtha	Borpiad	Laos-China	Elephant show service	Service	Lease	1.17	30
5	Yunnan Rubber Investment Company Ltd. Mr. Liu Terthian	Rubber nursery garden	Namtha	Namtha	China	Rubber Nursery garden	Agriculture	Lease	4.7	5
6	Yunnan Rubber Investment Company Ltd. Mr. Liu Terthian	Rubber plantation	Namtha	Sobtoud	China	Rubber plantation	Agriculture	Concession	345	30
7	Yunnan Rubber Investment Company Ltd. Mr. Liu Terthian	Rubber plantation promotion	Namtha	Sobtoud	China	Rubber plantation	Agriculture	Promotion 1+4	90	30
8	Yunnan Rubber Investment Company Ltd. Mr. Liu Terthian	Rubber plantation promotion	Namtha	Phouvanh	China	Rubber plantation	Agriculture	Promotion 1+4	135	
9	Yunnan Rubber Investment Company Ltd. Mr. Liu Terthian	Rubber plantation promotion	Namtha	Namsaa	China	Rubber plantation	Agriculture	Promotion 1+4	113	
10	Yunnan Rubber Investment Company Ltd. Mr. Liu Terthian	Rubber plantation promotion	Long	Houaimoo, Phatae, Sivilai, Thachanh	China	Rubber plantation	Agriculture	Promotion 1+4	1000	35
11	Yunnan Rubber Investment Company Ltd. Mr. Liu Terthian	Rubber processing factory	Namtha	Donmoun	China	Rubber processing	Industry	Lease	5.9	5
12	Ms. Chansouk	Rock blaster	Namtha	Tintok	Laos	Rock blaster	Industry	Lease	1.1	1
13	Jinzieng Company Ltd. Mr. Veullong	Pharmaceutical factory	Namtha	Luang	China	Medicine production	Industry	Lease	1.34	15
14	6 May Sawmill, Mr. Kowit Damlong	Wood processing and other finished wooden product	Namtha	Hongleuai	Laos-China	Wood processing and other finished wooden product	Industry	Lease	4.67	15
15	Sino Laos Rubber Co. Ltd. Mr. Houang Singnong	Rubber processing factory	Namtha	Bouamphiang	China	Rubber plantation and processing	Industry	Lease	25	50
16	Lao Telecommunication State Enterprise (GSM)	Establishment & Construction of Lao Telecom Office	Namtha	Oudomsinh	Laos	Lao Telecom office	Construction	Lease	0.24	
17	Lao Telecommunication State Enterprise (GSM)	Microwave installation	Namtha	Donmoun	Laos	Microwave installation	Communication	Lease	1	
18	Lao Telecommunication State Enterprise (GSM)	Microwave installation	Namtha	Houaikhom	Laos	Microwave installation	Communication	Lease	0.24	
19	Lao Telecommunication State Enterprise (GSM)	Microwave installation	Namtha	Bortan	Laos	Microwave installation	Communication	Lease	0.24	
20	Lao Telecommunication State Enterprise (GSM)	Lao Telecom Office	Sing	Xiengkeg	Laos	Lao Telecom Office	Construction	Lease	0.15	1
21	Lao Telecommunication State Enterprise (GSM)	Microwave installation	Viangphoukha	Namsing	Laos	Microwave installation	Communication	Lease	0.39	
22	Lao Telecommunication State Enterprise (GSM)	Microwave installation	Sing	Panghai	Laos	Microwave installation	Communication	Lease	0.67	1
23	Lao Telecommunication State Enterprise (GSM)	Microwave installation	Namtha	Nateui	Laos	Microwave installation	Communication	Lease	0.28	
24	Bortan-Daenkham Company Ltd. Mr. Vong Maitsaen	Luangnamtha Houanjing Hotel	Namtha	Viangkham	China	Hotel, restaurant service	Trade	Lease	0.67	30
25	Lao Telecom State Enterprise (ETL)	Lao Telecom	Namtha	Donlae	Laos	Microwave installation	Communication	Lease	0.2	
26	Lao Telecom State Enterprise (ETL)	Lao Telecom	Namtha	Nateui	Laos	Microwave installation	Communication	Lease	0.19	
27	Lao Telecom State Enterprise (ETL)	Microwave installation	Viangphoukha	Mai	Laos	Microwave installation	Communication	Lease	0.36	
28	Lao Telecom State Enterprise (ETL)	Office	Sing	Panghai	Laos	Office	Construction	Lease	0.25	
29	Lao Telecom State Enterprise (ETL)	Lao Telecom	Namtha	Bortan	Laos	Microwave installation	Communication	Lease	0.2	
30	Water supply (reservoir)	Water supply service	Namtha	Viangthong	Laos	Water supply reservoir	Construction	Lease	0.57	
31	Water supply (reservoir)	Water supply service	Namtha	Thongchai	Laos	Water supply reservoir	Construction	Lease	0.14	
32	Water supply (reservoir)	Water supply service	Namtha	Viangneua	Laos	Water supply reservoir	Construction	Lease	0.16	
33	Water supply (reservoir)	Water supply service	Namtha	Saysomboun	Laos	Employee's housing area	Construction	Lease	0.49	
34	Water supply (reservoir)	Water supply service	Namtha	Saysomboun	Laos	Office	Construction	Lease	0.66	
35	Import-export Trade Enterprise	Office of Import-export State Enterprise	Namtha	Phonxay	Laos	Office premise	Construction	Lease	0.24	
36	Import-export Trade Enterprise	Rice storage	Namtha	Houakhoua	Laos	Rice storage	Construction	Lease	0.31	
37	Lao Post State Enterprise	Lao Post Office	Sing	Xiengjai	Laos	Office	Construction	Lease	0.32	1

38	Lao Post State Enterprise	Lao Post Office	Namtha	Phonxay	Laos	Office	Construction	Lease	0.43	
39	Lao Petroleum (Houakhoua)	Gas service	Namtha	Viengthong	Laos	Gas station	Service	Lease	0.84	
40	Lao Petroleum (Houakhoua)	Gas service	Namtha	Viengthong	Laos	Gas station	Service	Lease	0.33	
41	Indoor Stadium	Sport office	Namtha	Nahom	Laos	Indoor stadium	Service	Lease	0.33	
42	Nateui Gas Station	Gas service	Namtha	Nateui	Laos	Gas station	Service	Lease	0.11	
43	Lao Development Bank	Office of Lao Development Bank	Namtha	Nongbouavieing	Laos	Office	Construction	Lease	0.45	
44	Agricultural Promotion Bank	Office of Agricultural Promotion Bank	Namtha	Viengthong	Laos	Office	Construction	Lease	0.72	
45	BECL	Office of BECL	Namtha	Phonxay	Laos	Office	Construction	Lease	0.1	
46	Electricity du Laos	Office of Electricite du Laos	Namtha	Viengthong	Laos	Office	Construction	Lease	0.27	
47	Electricity du Laos	Other electricity station	Namtha	Municipality area	Laos	Other electricity station	Service	Lease	5.03	
48	Electricity du Laos	Office of Road/Bridge construction State Enterprise	Namtha	Houakhoua	Laos	Office of Road/Bridge construction State Enterprise	Construction	Lease	0.19	
49	Thianhong Lao Tobacco Co. Ltd., Mr. Jisiphou	Tobacco processing and finished product factory	Namtha	Borpiad	China	Tobacco processing	Industry	Lease	1.3	30
50	Houamjai Kankao Co. Ltd., Mr. Yen and Ms. Chanhsouk	Rock blaster in Ban Tintok	Namtha	Tintok, Tinsan	Laos	Rock baster	Industry	Lease	0.7	5
51	Lifeng Biological Development Company Ltd.	Semi finished sugar processing factory	Namtha	Mai	China	Sugar processing	Industry	Lease	3.78	5
52	Mr. Khamphet Ly	Rubber nursery, rubber plantation and annual crop plantation	Namtha	Phinhor	Laos	Rubber nursery and plantation	Agriculture	Concession	20	2
53	Thajjeng Rubber Company Ltd., Mr. Hiphinjiang	Building rubber processing factory	Namtha	Namdeing	China	Building rubber processing factory	Industry	Concession	3	5
54	Integrated Triangle Economic Cooperation Co. Ltd.	Provincial farming market	Namtha	Viengkham	Laos	Provincial farming market	trade	Concession	0.6	30
55	Integrated Triangle Economic Cooperation Co. Ltd.	Provincial industrial market	Namtha	Viengkham	Laos	Provincial industrial market	trade	Concession	1.36	30
56	Borteen Salt Factory, Mr. Somchai	Borteen Salt factory	Namtha	Borteen	Laos	Borteen salt factory	Industry	Concession	0.52	
57	Sainamtha Tobacco Company Ltd., Mr. Jusiankui	Tobacco processing and finished product	Namtha	Borplead	China	Tobacco processing and finished product	Industry	Concession	0.6	5
58	Borteen-Denkham Trading Zone	Borteen-Denkham Trading Service Center	Namtha	Borteen	Laos - China	Construction of Hotel, Casino and trading service	Service	Concession	1,640	
59	Lising Sipsongphama Trading and Rubber Plantation Company Ltd.	Rubber plantation in joint-venture with provincial military headquarter	Sing	Lormeu	China	Rubber plantation	Agriculture	Concession	231	30
60	Lising Sipsongphama Trading and Rubber Plantation Company Ltd.	Rubber plantation promotion	Sing	Houailongkao	China	Rubber plantation	Agriculture	Promotion 1+4	300	30
61	Xeumva Trading & Rubber Plantation Co. Ltd.	Rubber plantation promotion	Sing	Lormeu	China	Rubber plantation	Agriculture	Promotion 1+4	300	30
62	Xeumva Trading & Rubber Plantation Co. Ltd.	Rubber plantation promotion	Viengphoukha	Nammoi, Nampamanh	China	Rubber plantation	Agriculture	Promotion 1+4	450	35
63	Xeumva Trading & Rubber Plantation Co. Ltd.	Rubber plantation promotion	Viengphoukha	Mai	China	Rubber plantation	Agriculture	Promotion 1+4	64	35
64	Xeumva Trading & Rubber Plantation Co. Ltd.	Rubber plantation promotion	Viengphoukha	Phadeng, Kobai	China	Rubber plantation	Agriculture	Promotion 1+4	196	35
65	Xeumva Trading & Rubber Plantation Co. Ltd.	Rubber plantation promotion	Viengphoukha	Phadeng	China	Building rubber nursery garden	Agriculture	Lease	15	5
66	PT Rubber Plantation Group, Mr. Phouphong Vongkaihone	Rubber plantation promotion	Sing	Bouakku, Pamuk, Houai-nha-mai	Laos	Rubber plantation	Agriculture	Promotion 1+4	250	30
67	Xuansing Agricultural Promotion and Import-Export Co. Ltd.	Rubber plantation promotion	Sing	Houai La	China	Rubber plantation	Agriculture	Promotion 1+4	140	45
68	Ms. Xengphanxue, Mr. Sikiaofong	Rubber plantation promotion	Sing	Phabath-nhai	China	Rubber plantation	Agriculture	Promotion 1+4	333	40
69	Mr. Maeoxun	Rubber plantation promotion	Sing	Saen-Aeb	China	Rubber plantation	Agriculture	Promotion 1+4	317	30
70	Ms. La	Rubber plantation promotion	Sing	Xiengkheng	China	Rubber plantation	Agriculture	Promotion 1+4	50	
71	Mr. Peuvangmee	Rubber plantation promotion	Sing	Bouaknyaxai Kao	China	Rubber plantation	Agriculture	Promotion 1+4	60	40
72	Mr. Laoxi	Rubber plantation promotion	Sing	Phabath	Laos	Rubber plantation	Agriculture	Promotion 1+4	20	
73	Rubber Company of China	Rubber plantation promotion	Sing	Phabath-noi, Kuli	China	Rubber plantation	Agriculture	Promotion 1+4	200	40
74	Mr. Heuminghoua	Rubber plantation promotion	Sing	Phabath-nyai	China	Rubber plantation	Agriculture	Promotion 1+4	334	40
75	Mr. Maipeng	Rubber nursery garden	Sing	Thong-nyon	Laos	Rubber sapling nursery	Agriculture	Lease	3.14	1
76	Ms. Khankao	Banana plantation business	Sing	Bouak khu	Laos	Banana tree plantation	Agriculture	Lease	14.68	1
77	Mr. Houe	Sugar Cane plantation	Sing	Thong-nyon	Laos	Sugar cane	Agriculture	Lease	4.03	1
78	Villager's Joint Sugarcane plantation in Thong-nyon area	Sugar Cane plantation	Sing	Thong-nyon	Laos	Sugar cane	Agriculture	Lease	1.95	1
79	Mr. Yin Aeen	Agricultural crop plantation	Sing	Thong-nyon	Laos	Sugar cane	Agriculture	Lease	0.82	
80	Mr. Chanthong	Sugar Cane plantation	Sing	Thong-nyon	Laos	Sugar cane	Agriculture	Lease	2.68	1
81	Mr. Houai-yi	Sugar Cane plantation	Sing	Thong-nyon	Laos	Sugar cane	Agriculture	Lease	3.87	1
82	Mr. Heseuk	Sugar Cane plantation	Sing	Thong-nyon	Laos	Sugar cane	Agriculture	Lease	1.19	1
83	Phouthad Guest House	Building and providing service in district municipality	Sing	Tinthat	Laos	Building Guest house and service	Agriculture	Lease	0.49	
84	Meuang Phoung Sargar Factory, Mr. Voussou Loy, Mr. Nouan	Installing weighing machine for sugarcane	Sing	Xiengjai	China	Sugarcane weighing service	Service	Lease	0.71	
85	Mr. Sengsue	Building restaurant	Sing	Singchaleun	China	Restaurant	Service	Lease	0.31	1
86	Laos-china Oriental Mineral Development, Mr. Ju Jianmin	Prospection, exploration, exploitation and processing of copper mineral	Long	Houaimor	China	Prospection, exploration, exploitation and processing of copper mineral	Mining	Concession	4,250	25
87	Laos-china Oriental Mineral Development, Mr. Ju Jianmin	Prospection, exploration of antimony mineral	Sing	Javang	China	Prospection, exploration of antimony mineral	Mining	Concession	450	5
88	Seurjuteur Co. Ltd. Mr. Khamlek	Domestic passenger car station	Sing	Xienglae	Laos	Integrated passenger car service	Service	Concession	1.01	30
89	Seurjuteur Co. Ltd. Mr. Khamlek	Farming and industrial market	Namtha	Viengneua	Laos	Farming and industrial market	Trade	Concession	0.2	30

90	Seunjeuter Co. Ltd. Mr. Khamiek	Building farming and industrial market	Sing	Xianglae	Laos	Building and renting service of Meuang Sing market	trade	Concession	1.22	30
91	Xeunli Rubber Co. Ltd. Mr. Yeunkoua	Rubber plantation and nursery	Sing	Nakham	China	Rubber nursery and planting experimental garden	Agriculture	Concession	100	30
92	Mr. Juijianhoua in cooperation with Meuang Sing Military Headquarter	Rubber plantation	Sing	Bouakhu	China	Rubber plantation	Agriculture	Concession	350	30
93	Paolong Co. Ltd. in cooperation with provincial military headquarter	Rubber plantation	Sing	Sob-ha	China	Rubber plantation	Agriculture	Concession	600	5
94	Laos-china Herly Sipsongphanna Rubber Development, in cooperation with provincial military headquarter	Rubber plantation	Sing	Mom	China	Rubber plantation	Agriculture	Concession	133.3	50
95	Soulinphone Intergrated Co. Ltd. Mr. Soulinphone	Lamb and milk-cow raising farm	Sing	Xiangkheng	Laos	Raising lamb and milk-cow	Agriculture	Concession	115	2
96	Import-export Tradin joint-venture Co. Ltd. Mr. Tongly yiaseng	Meuang Sing Warehouse	Sing	Oudomsinh	Laos	Warehouse	Service	Concession	2	30
97	Fujian Rubber Company Ltd. Mr. Beryongnang	Rubber plantation promotion	Long	Sob-ee-mai, Sob-ma, Nam-ma	China	Rubber plantation	Agriculture	Promotion 1+4	1,200	40
98	Xouany rubber company Ltd. Mr. Jang Yonghouang	Rubber plantation promotion	Long	Khok-hin	China	Rubber plantation	Agriculture	Promotion 1+4	320	5
99	Mr. Mai Phommaly	Xiangkok Resort	Long	Xiangkok	Laos	Resort	Service	Lease	1.4	
100	Mr. Khamphay Sayphachanh	Wood processing factory	Long	Xiangkok-mai	Laos	Finis h-product wood processing	Industry	Lease	0.61	
101	Yunnan Power Biological Product Co. Ltd. Mr. Yangya	Rubber plantation	Viangphoukha	Thiao	Laos	Rubber plantation	Agriculture	Concession	30	30
102	Viangphoukha Coal Mining Company Ltd. Mr. Nopphorn Payothchaleurnphonh	Coal mining and export	Viangphoukha	Nam-ngeun	Thailand	Coal exploration and mining	Mining	Concession	800	20
103	Mr. Minh Sivilay	Improvement of Namfa sawmill	Viangphoukha	Namfa	Laos	Producing and selling wooden finished product	Industry	Lease	1.23	5
104	Mr. Inter. Mr. Yoya Serayakoun	Rubber plantation promotion	Viangphoukha	Namsing	Laos	Rubber plantation	Agriculture	Promotion 1+4	37	
105	Mrs. Khamheng	Rubber plantation promotion	Viangphoukha	Nam-Aeng	Laos	Rubber plantation	Agriculture	Promotion 1+4	40	
106	Jasouang Rubber Plantation Promotion Company Ltd. Mr. Lisingko	Rubber plantation promotion	Nalae	Phou-tin	China	Establishing rubber experimental and nursery garden	Agriculture	Concession	329	5

1 Msr. Khamheng who owns a rubber plantation in Nam-Aeng Village, Viangphoukha district, and Mr. Inter who owns a rubber plantation in Ban Namsing, Viangphoukha district.

2 Such area is the overall area which has not yet been divided in % between the investors and the people.

3 This is only the estimated data since the team has not yet done practical measurement and such data are not yet available at the concerned sectors.

4 The data obtained from the initial assessment of the District Land Management Authority during land tax collection for fiscal year 2008-09.

5 Vientiane Times Newspaper, 11 November 2008

1 Industrial sector in Luang Namtha province consist of magnet production plant, pharmaceutical factory, rubber processing factory, salt factory, tobacco factory, wood processing factory, and others.

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2 7 Refers to the projects being approved land lease/concession for industrial tree plantation with the area over 100 hectares