

Country Paper: Water Allocation and Water Right situation of Lao PDR

Prepared: Mr. Kingkham MANIVONG

Country Overview

- First the Name of National Assembly is The People's Supreme Assembly and in 15th August 1991 renamed the National Assembly
- The Constitution provides a legal framework for:
 - The political regime
 - The socio-economic system
 - The fundamental rights and obligations of Lao citizens
 - The government, local administration and the judicial system

Law and Decree

- The Water and Water Resource Law was passed by the National Assembly in November 1996 and became effective in March 1997.
- The Water and Water Resource Law consists 10 chapters and its framework identifies the range of issues which need to be addressed:

Chapter II: Surveying, Listing, and Determination of Water Source types and Reservoirs.

- The Article 11 Water source and Catchments Allocation
- Article 12 Determination of water and water Resources Allocation

Chapter III: Water and Water Resource Use

- Article 14 Right to Use Water and Water Resources

**The Decree to implement the Law on
Water and Water Resources No. 204
promulgated by the Prime Minister's
Office on 9/10/2001**

- **The Degree Implement on Water and
Water Resource Law consists 10 chapters
and its framework identifies the range of
issues which need to be addressed:**

Chapter II: Survey, Inventory and Classification of Water Sources and River Basins

- **Article 9: Water Sources and River Basin Allocation**

Chapter III: The Use of Water and Water Resources

- Article 12: The Licensing of Water Use and
Water Resources Development Activities

Criticize: status water allocation and right in Laos.

■ Water Allocation and Conflict Resolution

- There is as yet no process for resolving water use conflicts

■ Property Rights and Tenure

- The water rights are granted to these for a specified number of years on a case by case basis

■ The problems and issues on water allocations

- The current institutional problem in the water sector mainly relates to lack of co-ordination between agencies within the sector and with those of other sectors

Prioritizing Water Allocation and Water Right in Lao PDR

- The Water and Water Resources Law of 1996, sets out a legal framework for development in the Water Sector but many issues in the Law, particularly the roles and responsibilities of various agencies for specific activities such as water allocation and the process for licensing water users, So need to be developed.
- The development of further legislation or decrees for sub-sect oral activities

Conclusion

- There is as yet no process for resolving water use conflicts
- . There has been no work yet undertaken to define the environmentally sustainable limits to either water allocation or use, or to licensed wastewater discharge.
- Lack of co-ordination between agencies within the sector and with those of other sectors
- There is no RBO