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THE POLICIES AND DIRECTIVES OF THE COMMUNIST PARTY OF VIETNAM ON THE RENOVATION OF LAND POLICIES AND LEGISLATION FROM 2011 TO 2024

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ABSTRACT
During the period 2011 to 2024, the Communist Party of Vietnam issued and directed the implementation of many important policies aimed at reforming land policy and legislation to meet the requirements of developing a socialist-oriented market economy and international integration. Starting with Resolution No. 19-NQ/TW (2012), which focused on improving the institution of all-people ownership of land and continuing with Resolution No. 18-NQ/TW (2022), which introduced breakthroughs in land valuation, land recovery, compensation, resettlement and digital transformation in land management, the Party has demonstrated its determination to comprehensively innovate this sector. The Party's directives and documents have been institutionalized through the 2013 Land Law and the 2024 Land Law, contributing to strengthening the effectiveness and efficiency of state management, rationally exploiting land resources, ensuring social equity and promoting sustainable development.

Keywords:
Land policy reform; land law; Communist Party of Vietnam; land management and use.

1. INTRODUCTION

Land is an invaluable national resource, a special means of production, an essential component of the living environment and the foundation for population distribution, economic and socio-cultural infrastructure, as well as national defense and security (Nguyen Van Tri, 2018). In the process of industrialization, modernization and international integration, land is not only a fundamental material resource but also an important source of capital for economic development, investment attraction, infrastructure construction and social welfare. Therefore, the effective management and use of land resources have always been closely directed and prioritized by the Party and the State, considered one of the core issues in the country's development process.

Entering the period from 2011 to 2024, Vietnam faced new demands for innovating its growth model, restructuring the economy and perfecting the socialist-oriented market economy institution. In this context, land policy and legislation, as fundamental pillars of the ownership and resource allocation system, revealed several limitations and shortcomings: inefficient and wasteful land use, corruption, speculation and an unsuitable mechanism for land valuation, compensation and resettlement; difficulties in land access for citizens and businesses; and unharmonious relationships between the State, the people and investors in land management and use. These limitations not only affected the efficiency of land resource utilization but also influenced public trust, social order and the national goal of sustainable development.

In response, the Communist Party of Vietnam introduced several major guidelines and resolutions to reform land policy and legislation, identifying it as both an urgent and long-term strategic requirement. Notably, Resolution No. 19-NQ/TW (2012) of the 11th Central Committee on continuing to renew land policy and legislation during the comprehensive reform period and particularly, Resolution No. 18-NQ/TW (2022) of the 13th Central Committee on continuing to innovate and perfect institutions and policies, enhancing the effectiveness and efficiency of land management and use to drive Vietnam's development into a high-income nation. These two resolutions demonstrate the Party's consistent evolution in its leadership thinking on land issues, affirming a long-term vision for the rational and effective use of national land resources.

The implementation of these Party resolutions has been concretized through two major laws: the 2013 Land Law and the amended 2024 Land Law. These mark significant milestones in land management reform, promoting transparency, equality and sustainability. In particular, the 2024 Land Law comprehensively institutionalizes the Party's new directions, such as abolishing the land price framework, establishing a market-based valuation mechanism under state management, promoting digital transformation in land administration and ensuring the harmonization of interests among the State, the people and businesses. Given this context, studying the Party's

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policies and directives on land policy and legislative reform from 2011 to 2024 is both necessary and meaningful. This research helps clarify the development of the Party's theoretical thinking and practical leadership in the field of land, identify fundamental innovations in the institutional and policy framework as well as land management approaches in Vietnam. Moreover, the findings serve as an important scientific basis for continuing to improve the land law system in the future, ensuring alignment with socio-economic development and international integration goals and moving toward the national objectives of prosperity, strength, democracy, equity and civilization.

2. THEORETICAL AND PRACTICAL BASIS OF THE ISSUE

2.1. Theoretical basis for the Party's leadership role in land policy and legislation

According to the viewpoints of Marxism–Leninism and Ho Chi Minh's thought, land is a special means of production owned by the entire people and uniformly managed by the State. In the context of Vietnam's construction and development of a socialist-oriented market economy, the management, use and allocation of land are not only economic issues but also political and social matters of strategic significance. The Communist Party of Vietnam, as the leading force of the State and society, has always identified land as a crucial area that must be managed through a unified system of guidelines, policies and laws, ensuring harmony among the interests of the State, collectives and individuals.

The Party's theoretical framework on land has been consistently developed through successive National Congresses, reflecting the creative application of Marxism–Leninism to Vietnam's realities. Accordingly, the Party affirms that the all-people ownership of land is a fundamental principle, while recognizing land-use rights as a special type of commodity within the market mechanism. The relationship between the State, land users and the market is regulated by law to ensure fairness, efficiency and stability.

Based on this theoretical foundation, the Party has set forth the requirement to reform land policy and legislation toward improving the institutional framework, strengthening the effectiveness of state management and efficiently exploiting land resources for socio-economic development. This is an essential component in the process of renewing the economic institution and building a socialist rule-of-law State of the people, by the people and for the people.

2.2. Practical basis for the reform of land policy and legislation in the period 2011 to 2024

The practical development of Vietnam's economy and society over the past decade has raised many new demands for land management and use.

First, the rapid process of industrialization and urbanization has significantly changed the structure of land use, creating great pressure on planning, land recovery, compensation and resettlement. Many localities have struggled to balance the interests of the State, enterprises and citizens, leading to complaints, disputes and social instability.

Second, the land valuation mechanism and financial management of land have shown many inadequacies. The application of the State-issued land price framework has not reflected actual market values, resulting in negative practices, budget losses and development constraints.

Third, the land-use rights market has not developed comprehensively and transparently and it has not yet become an effective channel for mobilizing capital for the economy. The land information and data system remains fragmented and outdated, causing difficulties in management, planning and supervision.

Fourth, although the 2013 Land Law marked significant progress before 2024, the legal system still could not fully keep pace with reality. Many regulations overlapped or conflicted with other laws such as the Law on Investment, the Law on Construction, the Law on Planning and the Law on Environmental Protection. This situation required synchronized adjustments in both leadership thinking and legal instruments.

Fifth, in the context of national digital transformation and international integration, land management needs to be modernized through the application of digital technology, the establishment of a unified and transparent database and interconnection with other sectors such as finance, planning, population and taxation.

From this reality, the Communist Party of Vietnam has determined that comprehensive reform of land policy and legislation is necessary to overcome long-standing shortcomings, create a transparent legal framework and unlock the immense potential of land resources for sustainable development. The Party's resolutions during the period 2011 to 2024 clearly demonstrate a strategic vision, strong political determination and the evolution of theoretical thinking in the new context.

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3. THE PROCESS AND CONTENT OF THE COMMUNIST PARTY OF VIETNAM'S POLICIES AND DIRECTIVES ON THE RENOVATION OF LAND POLICIES AND LEGISLATION FROM 2011 TO 2024

3.1. Period 2011–2013: Laying the Foundation for the Renovation of Land Policies and Legislation

The 11th National Congress of the Communist Party of Vietnam in 2011 emphasized the continuation of improving the socialist-oriented market economy institutions, ensuring equal access to land resources and promoting the efficient, economical and sustainable use of land. This orientation was a crucial guideline that laid the foundation for the renovation of land policies and legislation in the new period. Based on this, the 11th Central Committee of the Party issued Resolution No. 19-NQ/TW on October 31, 2012, on continuing to innovate land policies and laws during the period of comprehensive renewal. This resolution was regarded as a foundational document, marking a new development in the Party's approach to land management.

Resolution No. 19 clearly articulated five guiding principles and eight groups of key solutions, highlighting several important points. Firstly, land is collectively owned by the people, with the State representing the owner and exercising unified management. Secondly, the mechanisms for land use were to be improved in line with market principles while ensuring the harmonization of interests among different stakeholders. Thirdly, land financial mechanisms were to be reformed, linking land valuation to market prices under State supervision. Fourthly, transparency and public accountability were to be strengthened, alongside efforts to prevent corruption and waste in the land sector. Finally, the resolution emphasized enhancing the capacity of State management in land use planning, land recovery, compensation and resettlement.

Following this resolution, the Party directed the National Assembly and the Government to promptly review, amend and perfect the land legislation. As a result, the 2013 Land Law was promulgated, comprehensively institutionalizing the Party's guiding principles. The 2013 Land Law introduced significant breakthroughs, including stricter regulations on the rights and obligations of land users, mechanisms for land-use rights auctions, procedures for land recovery for socio-economic development purposes and processes for preparing and adjusting land-use planning and plans. This marked an important milestone, initiating a period of comprehensive reform of land policies in Vietnam.

3.2. Period 2014–2020: Strengthening Implementation and Improving Land Management Institutions

After the 2013 Land Law came into effect, the Party continued to direct reviews of practical implementation, identifying shortcomings to promptly adjust policies and ensure alignment with the socio-economic development requirements of the new period. Key Party documents, including the 12th National Congress in 2016 and various Central Committee resolutions, emphasized the management of land resources. The Political Report of the 12th Congress stressed the importance of "strict management, reasonable, economical and efficient use of land resources; overcoming waste, loss and negative practices in land use."

During this period, the Party directed the development of multiple mechanisms and policies, including strengthening inspection and supervision, as well as handling violations in land management and use through programs led by the Central Steering Committee on Anti-Corruption and Negative Practices. The Party also guided the review and adjustment of land-use planning to ensure consistency with socio-economic, urban and rural development plans, promoted the conversion of agricultural land to higher-value uses and enhanced decentralization in land management while reinforcing oversight from the central level. Furthermore, the Party conducted a five-year review of the implementation of Resolution No. 19-NQ/TW (2012) and a ten-year review of the 2013 Land Law, identifying several persistent issues: inappropriate land valuation mechanisms, land price frameworks lower than market value, continued speculation, disputes and complaints over land, uncoordinated planning and lax land management in several localities. These challenges formed the practical basis for the Party to issue new resolutions aimed at comprehensive renovation of the land management system in the following period.

3.3. Period 2021–2024: Fundamental and Comprehensive Renovation under Resolution No. 18-NQ/TW (2022)

As the country entered a new development phase, the 13th National Congress of the Party in 2021 identified one of three strategic breakthroughs as the completion of institutions for a socialist-oriented market economy, with the renovation of land policies and legislation as a key task. Based on a ten-year review of Resolution No. 19-NQ/TW (2012), the 13th Central Committee issued Resolution No. 18-NQ/TW on June 16, 2022, to continue

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innovating and improving institutions and policies, enhancing the efficiency and effectiveness of land management and use and creating momentum for Vietnam to become a high-income developing country.
Resolution No. 18 established several breakthrough guiding principles, including completing land institutions and policies suitable for a socialist-oriented market economy while ensuring harmonized interests among the State, citizens and businesses; eliminating price frameworks and stipulating land valuation according to market principles under State management; innovating mechanisms for land recovery, compensation, support and resettlement to ensure better living conditions and livelihoods for people; developing a healthy land-use rights market, encouraging transparent and convenient transfer, lease, mortgage and contribution of land-use rights; promoting digital transformation and establishing a unified, interconnected national land database; strengthening decentralization combined with accountability in land management; and strictly controlling power to prevent corruption, vested interests and negative practices in the land sector.
Following the directives of Resolution No. 18-NQ/TW, the Party directed the National Assembly, the Government and relevant agencies to promptly institutionalize these principles through legislation. A notable outcome was the 2024 amended Land Law, which clearly reflected the Party's guiding principles and fundamentally addressed the limitations of the 2013 Land Law. The new law provides clearer and more transparent regulations regarding land users' rights, financial mechanisms, planning, land recovery, compensation, valuation, auctions and digital management of land. It can be affirmed that the period 2021–2024 represents the most comprehensive and profound phase of innovation in the Party's land policy thinking and directives since the 1986 Renovation. These orientations not only address long-standing issues but also establish a solid legal foundation for efficiently utilizing land resources to serve the country's rapid and sustainable development goals.

4. RESULTS, SIGNIFICANCE and DIRECTIONS FOR CONTINUING THE RENOVATION OF LAND POLICIES AND LEGISLATION IN THE FUTURE

4.1. Achieved Results

After more than a decade of implementing the Party's directives on renovating land policies and legislation, significant achievements have been made in land management and use in Vietnam. Firstly, the legal framework for land has been gradually improved, creating a more unified and coherent system that aligns with socio-economic development requirements and international integration. The 2013 Land Law, along with numerous guiding documents, helped address shortcomings related to land-use rights, land recovery, compensation, land pricing and the development of a transparent and open land-use rights market. Secondly, the enactment of the 2024 Land Law under the spirit of Resolution No. 18-NQ/TW (2022) marked a breakthrough in institutionalizing the Party's directives. This law clearly defines the rights of land users, enhances transparency in management, expands access to land for enterprises, households and individuals and promotes digital transformation along with the establishment of a unified national land database. Thirdly, awareness at all levels of government and society regarding the role and value of land has significantly increased. Land is now recognized not only as a special means of production but also as a crucial resource for socio-economic development, ensuring national security, defense and political stability. Land-use planning and management have become more systematic and closely linked to the sustainable development strategies of both the nation and localities.

4.2. Significance of the Renovation Process

These achievements hold profound theoretical and practical significance. Theoretically, the process of renovating land policies and legislation during 2011–2024 confirmed the Party's correct and innovative approach in building and completing institutions for a socialist-oriented market economy. The Party consistently upheld that land is collectively owned by the people, with the State representing the owner and exercising unified management, while ensuring the legal rights and interests of land users. Practically, the new land policies have contributed to promoting economic development, social stability, improving the investment environment and facilitating structural economic shifts, particularly in agriculture, industry and urbanization. Transparency in management and land valuation has helped reduce corruption, negative practices and complaints, thereby strengthening public trust in the Party and the State.

4.3. Directions for Continuing Renovation in the Future

As the country enters a new stage of development with requirements for industrialization, modernization and comprehensive digital transformation, continuing to renovate land policies and legislation is an objective necessity. In the coming period, attention should be focused on several key directions. Firstly, the

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institutionalization of collective land ownership should be further improved by clearly defining the rights and responsibilities of the State as the representative owner, as well as the rights of land users, ensuring a balance of interests among the State, citizens and businesses. Secondly, the effectiveness of land-use planning should be enhanced, aligned with sustainable development strategies, green transformation and climate adaptation, ensuring consistency between land-use plans and national spatial planning. Thirdly, the land-use rights market should be transparent, competitive and conducive to civil, commercial and investment transactions. Fourthly, digital transformation in land management should be accelerated, including the development of a national land database and the application of GIS, blockchain and artificial intelligence to increase efficiency and minimize risks and information errors. Additionally, inspection, supervision and enforcement of land laws should be strengthened, with strict handling of violations to ensure transparency, prevent vested interests and uphold fairness. Finally, the awareness and capacity of personnel involved in land management should be enhanced and the supervisory role of citizens, the Vietnam Fatherland Front and socio-political organizations in land management and use should be fully promoted.

5. CONCLUSION AND RECOMMENDATIONS

5.1. Conclusion

From 2011 to 2024, the Communist Party of Vietnam clearly demonstrated comprehensive, close and strategic leadership in renovating land policies and legislation. Through important resolutions, directives and documents, particularly Resolution No. 19-NQ/TW (2012) and Resolution No. 18-NQ/TW (2022), the Party established clear orientations for improving institutions governing land management and use in line with the requirements of a socialist-oriented market economy.

These directives were promptly institutionalized in the legal framework, notably through the 2013 Land Law and the 2024 Land Law. They helped address management shortcomings and created a unified, transparent legal framework for the efficient and rational exploitation and use of land resources. As a result, state management of land has achieved significant progress. The land-use rights market has gradually formed and developed; compensation, support and resettlement mechanisms have become fairer and more reasonable and public trust in the Party's and State's policies has been reinforced. It can be affirmed that the renovation of land policies and legislation during 2011 to 2024 provides a vivid illustration of the Party's creative leadership and direction in implementing socio-economic development strategies, ensuring national security and defense and promoting sustainable development goals for the country.

5.2. Recommendations

To continue promoting achieved results and addressing remaining limitations, several recommendations should be implemented in the coming period. Firstly, improve the institutional framework regarding land ownership and use rights by clarifying the relationship between the State as representative of collective ownership and land users, ensuring transparency, fairness and practicality consistent with market economy realities. Secondly, accelerate the digitalization of land management by investing in the development of a national land database integrated with planning, construction, natural resources and environmental information systems, while applying digital technologies to minimize errors and negative practices and to shorten administrative processing times. Thirdly, strengthen inspection, supervision and enforcement of land laws through close coordination among management agencies, inspection bodies and local authorities while promoting the supervisory role of the Vietnam Fatherland Front, socio-political organizations and the public in law implementation.

Fourthly, develop a transparent and efficient land-use rights market by improving land valuation mechanisms based on market principles, ensuring balanced interests among the State, citizens and businesses and encouraging public transactions through regulated real estate exchanges. Fifthly, enhance the training and professional development of land management personnel by building a team with high expertise, strong ethics, legal knowledge and innovative thinking to meet the requirements of land management in the digital era. Finally, continue research, practical evaluation and policy improvement by establishing mechanisms for periodic review and assessment of the 2024 Land Law's provisions, promptly adjusting and supplementing policies that are not yet aligned with the country's developmental reality.

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