

LAW AND DEVELOPMENT CONSULTING PROGRAM

Overview

Successful economic development requires effective laws, legal frameworks, and institutional arrangements (LFIs) that support the design and implementation of economic development policies. Every country and territory that has achieved substantial economic development since World War II—including South Korea, Taiwan, Singapore, Hong Kong, and, more recently, China—has adopted effective LFIs that have enabled the successful implementation of development policies.

The Law and Development Consulting Program (LDCP) offers comprehensive diagnostic reviews of LFIs to assess their effectiveness in promoting economic development.

Based on this assessment, LDCP provides specific recommendations for regulatory adjustment and reform that are feasible within the economic, social, political, and cultural conditions of the client jurisdiction. LDCP also offers consulting and representation services in international trade disputes and related matters.

The Law and Development Institute (LDI) an incorporated international network dedicated to advancing law and development research and projects, has a successful track record of providing LDCP in multiple countries. For example, the LDI has advised on the establishment of special economic zones in a developing country and on the coordination of LFIs between countries pursuing economic cooperation.

LDCP

LDCP offers a diagnostic review of a country's and/or region's LFIs relevant to specific development projects and provides recommendations for targeted regulatory adjustments and reforms.

Alternatively, LDCP may undertake a comprehensive review of a country's LFIs across several key areas in order to support broader economic development objectives. These areas include:

- Industrial promotion
- Business transactions (contract formation and enforcement)
- Administrative and constitutional law
- Corporate governance / Competition law / Banking and financing
- Labor law
- Environmental law
- Corruption issues and criminalization of economic offenses
- International rules applicable to trade and investment

LDCP (cont.)

Various entities, including national and regional governments, international organizations, non-governmental organizations, and foundations seeking to develop effective LFIs to promote economic development, may benefit from LDCP. The LDI, currently headed by Professor Y.S. Lee and supported by leading scholars and experts from around the world, serves as the manager of LDCP. Current LDI members include the distinguished scholars and experts listed below. Additional experts may be engaged as necessary to meet the specific needs of particular projects.

- David Kennedy (advisory role), Professor of Law and Director of the Institute for Global Law and Policy, Harvard Law School
- Susan Rose-Ackerman (advisory role), Henry R. Luce Professor of Jurisprudence, Law School and Department of Political Science, Yale University
- Gary Horlick, former U.S. Deputy Secretary of Commerce
- Colin Crawford, Dean and Professor of Law, University of Louisville School of Law
- Mariana Prado, Associate Professor of Law, University of Toronto School of Law
- Frank Stephen, Emeritus Professor, University of Manchester School of Law
- Raj Bhala, Rice Distinguished Professor, University of Kansas School of Law
- Moshe Hirsch, Professor of Law, Hebrew University of Jerusalem Faculty of Law
- David Gantz, Samuel M. Feghtly Professor of Law, University of Arizona School of Law
- Maureen Irish, Professor of Law, University of Windsor School of Law
- Junji Nakagawa, Professor of Law, University of Tokyo Institute of Social Science
- Y.S. Lee, Director, Law and Development Institute
- Mitsuo Matsushita, Professor Emeritus, University of Tokyo Faculty of Law and former Member of the World Trade Organization Appellate Body
- Salim Farrar, Associate Professor of Law, University of Sydney Faculty of Law
- Andrew Mitchell, Professor of Law, University of Melbourne School of Law
- Won-Mog Choi, Professor of Law, Ewha Womans University School of Law
- Jiangyu Wang, Associate Professor of Law, National University of Singapore
- Tomer Broude, Associate Professor of Law, Hebrew University of Jerusalem
- Colin Picker, Dean and Professor of Law, University of Wollongong School of Law
- H.S. Mun, former faculty member, Chiba University School of Medicine
- Daein Kim, Professor of Law, Ewha Womans University School of Law
- Jaemin Lee, Professor of Law, Seoul National University School of Law
- Michael McKenzie, Principal Legal Officer, AusAID
- Bashar H. Malkawi, Professor of Law, University of Sharjah College of Law, UAE

LDCP (cont.)

LDCP is implemented in three stages.

Stage One: Identification of the LFIs relevant to a specific development project or broader economic development objective.

Stage Two: A comprehensive diagnostic review of the identified LFIs, taking into account the relevant socio-economic conditions on the ground, and an assessment of their impact on the development project or economic development objective under consideration.

Stage Three: Based on the findings of the first two stages, formulation of recommendations for targeted regulatory adjustments and broader legal and institutional reforms.

Duration and Cost

The duration of LDCP varies from several months to multiple years, depending on the scope and complexity of the required analysis. Typically, LDCP conducted for specific development projects requires a shorter period than LDCP undertaken to support broader economic development objectives, as the latter entails a comprehensive review of LFIs across multiple areas affecting economic development.

The cost of conducting LDCP is determined based on the amount of time required for the research and analysis, as well as the number and expertise of the specialists involved. An estimated budget will be provided prior to the commencement of the project. External funding, including donations and financial assistance from third parties, may be accepted to cover all or part of the project costs.

Deliverables

The deliverables under the LDCP will consist of written reports. Upon completion of each of the three project stages described above, LDI will submit a separate report to the client.

The client will retain proprietary rights to all reports prepared under the LDCP. LDI will maintain the confidentiality of the reports and all related information. LDI will not release, publish, or cite any portion of the reports or related materials without the client's prior written consent.

For further information, please contact LDI Director Y.S. Lee at info@lawanddevelopment.net