



Law and Development Consulting Service (LDCS)

1. Introduction

Successful economic development requires effective laws, legal frameworks, and institutional arrangements (LFIs) that promote the implementation of economic development policies. Every country and territory that has achieved economic development successfully since World War II, such as South Korea, Taiwan, Singapore, Hong Kong, and more recently, China, have adopted efficient LFIs which enable them to promote development policies successfully.

Law and Development Consulting Service (LDCS) offers comprehensive diagnostic review of the LFIs with respect to their effectiveness for economic development and specific recommendation for regulatory adjustment and reform which will be feasible under the economic, social, political, and cultural conditions (“socio-economic conditions”) on the ground. LDCS also offers consultation and representation for international trade dispute cases.

The Law and Development Institute (LDI, www.lawanddevelopment.net), an incorporated international network promoting law and development studies and projects, have a successful track record of offering LDCS in multiple countries; the LDI has advised on the establishment of special economic zones for a developing country and on the coordination of LFIs between two countries planning on economic cooperation (the identities of the countries are not disclosed for confidentiality requirement).

2. LDCS

LDCS offers a diagnostic review of the country’s and/or region’s LFIs relevant to specific development projects and make recommendations for specific regulatory adjustments.

Alternatively, LDCS may also offer a comprehensive review of the country’s LFIs in several key areas to meet an overall economic development objective. The 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

The beneficiary of LDCS may include national and regional governments, international organizations, NGOs, and foundations with an interest to develop effective LFIs to achieve economic development. The LDI, currently headed by Professor Y.S. Lee and assisted by over thirty leading scholars and experts from around the world, will be the service manager. The current members of the LDI include the following leading scholars and experts, and additional experts may also be retained as necessary.

- David Kennedy, Professor of Law and Director of the Institute for Global Law and Policy, Harvard Law School
- Susan Rose-Ackerman, 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, Tulane University School of Law
- Mariana Prado, University of Toronto School of Law
- Frank Stephen, 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. Fegly 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, Senior Lecturer, University of Sydney Faculty of Law
- Andrew Mitchell, Associate Professor, University of Melbourne School of Law
- Won-Mog Choi, Associate Professor, Ewha Womans University School of Law
- Jiangyu Wang, Associate Professor, National University of Singapore
- Tomer Broude, Senior Lecturer, Hebrew University of Jerusalem
- Colin Picker, Associate Professor, University of New South Wales School of Law
- H.S. Mun, former faculty member, Chiba University School of Medicine
- Michael McKenzie, Principal Legal Officer, AusAID

LDCS is offered in the following three stages.

The first stage identifies specific LFIs relevant to a development project or an overall development objective.

The second stage undertakes a detailed diagnostic review of the identified LFIs, including relevant socio-economic conditions on the ground, and assesses the impact of them on the relevant development project or the overall economic development objective.

The third stage, based on the studies in the first two stages, makes recommendation for specific regulatory adjustment and/or broader regulatory and institutional reform.

3. Duration and Cost

The duration of LDCS varies, from several months up to multiple years, depending upon the extent of the required analysis. Typically, LDCS on specific development projects will require a shorter period of time than LDCS on an overall economic objective, as the latter requires a comprehensive analysis of LFIs in a number of key areas affecting economic development.

The cost of conducting LDCS will be assessed based on the amount of time that the researchers will have to spend on the project and the number of experts required. An estimate of the cost will be advised prior to the initiation of the project. External donations and financial assistance to meet the cost in full or in part will be accepted.

4. Outcome

The outcome of an LDCS will be in the form of reports. At the expiry of each of the cited three project stages, a separate report will be provided. The client will acquire proprietary interest in the reports, and confidentiality will be guaranteed. Permission will be sought before releasing or citing any part of the reports for the LDI publications.

Inquiries should be directed to LDI Director Y.S. Lee (yslee@lawanddevelopment.net)