

PREFACE

The evolution of the market-oriented economy and the increase in cross-border transactions have brought an urgent need for research and comparisons of judicial systems and the role of law in the development of Asian countries. The Institute of Developing Economies, Japan External Trade Organization (IDE-JETRO) has conducted a three-year project titled “Economic Cooperation and Legal Systems.”

In the first year (FY 2000), we established two domestic research committees: Committee on “Law and Development in Economic and Social Development” and Committee on “Judicial Systems in Asia.” The former has focused on the role of law in social and economic development and sought to establish a legal theoretical framework therefore. Studies conducted by member researchers have focused on the relationship between the law and marketization, development assistance, trade and investment liberalization, the environment, labor, and consumer issues. The latter committee has conducted research on judicial systems and the ongoing reform process of these systems in Asian countries, with the aim of further analyzing their dispute resolution processes.

In the second year (FY 2001), we established two research committees: the Committee on “Law and Political Development in Asia” and the Committee on “Dispute Resolution Process in Asia”. The former committee focused on legal and institutional reforms following democratic movements in several Asian countries. The democratic movements in the 1980’s resulted in the reforms of political and administrative system to ensure the transparency and accountability of the political and administrative process, human rights protection, and the participation of people to those processes. The latter committee conducted a comparative study on availability of the court system and out-of-court systems (namely Alternative Dispute Resolutions), with the purpose of determining underlying problems in the courts. As social and economic conditions drastically change, Asian countries face challenges to establish systems for fairly and effectively resolving the variety of disputes that arise increasingly in our societies.

This year (FY 2002), based on the achievements of the previous years, we carefully reorganized our findings and held a workshop entitled “Law, Development and Socio-Economic Change in Asia” with our joint research counterparts to develop our final outcome of the project. Also, we extended the scope of our joint research and

added some new countries and topics. This publication, titled *IDE Asian Law Series*, is the outcome of latter research conducted by the respective counterparts (Please see the list of publications attached at the end of this volume). The final outcome of the project will be published separately in another series.

We believe that this work is unprecedented in its scope, and we hope that this publication will make a contribution as research material and for the further understanding of the legal issues we share.

March 2003

Institute of Developing Economies