Laos Legislative Drafting Programme

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Boston University
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Ms. Minamon Benacorsi-Nordtveit
Building a National Legal Framework Project Lao 95/002
Ministry of Justice
c/o David Eixenberg
UNDP/Vientiane
FAX: 856-21-214-819

Dear Minamone:

Thank you for your FAX of Sept 19. We do realize that it is hard to get materials relating to the laws. Our suggestion is that we use the laws as case studies for teaching them how to draft and assess bills, and to teach others how to do the research necessary to justify bills.

Our assumption is that, on their return, they will not themselves be expected to draft bills in such specialized fields. Instead, their task will be to help drafters and experts from other ministries learn to use the facts at their disposal, as well as evidence relating to foreign law and experience, to draft bills accompanied by research reports that will enable, first, Ministry of Justice personnel, and, second, Cabinet members and MPs to assess their bills in light of Lao PDR’s unique circumstances. As the work plan suggested, we will start with the first four bills, and then repeat the exercise with the second four. That, we think, is do-able; and they have been working hard at their task. Incidentally, Paul Samrane is working with them, and has been very helpful; he would be a great teacher!

Nevertheless, to make the case studies real, and to enable the four to learn as much as possible from them, it would be very helpful if we could get as soon as possible:

1) English versions of the drafts, especially of the check and transportation law. At least an English version of the existing check decree should be available since the World Bank had to accept it, and Thanou was working on a research report. Even if it remains unfinished, it would help our colleagues to have copies of his notes or whatever he has done. As for the transport bill, doesn’t the Ministry have at least a draft in English, since we understand the Lao draft was originally written by a Swiss consultant? Having the English versions would help professors assigned to work with the responsible Lao colleague to assess relevant foreign law and experience.
2) Any documents, in the hands of the World Bank, IMF, or the relevant ministry, relating to all 8 problem areas, whether in Lao or English (though for our professors to work with our Lao Colleagues, English copies would be more helpful; getting things translated is difficult and time consuming). We would appreciate it if you could send whatever you can find by express.

Thanks a lot for whatever you can do. Meanwhile, we hope things go well with you. Please give our best to all our friends.

Sincerely,

Ann and Bob