

INVESTMENT SUPPORT PROGRAMME FOR THE LDCs

PROVIDING LEGAL AND PROFESSIONAL ASSISTANCE TO MAKE
FOREIGN INVESTMENT WORK BETTER FOR SUSTAINABLE



The 47 least developed countries (LDCs) are the world's poorest countries and typically they, and much of their private sector, do not have the human and financial resources to participate effectively in investment-related negotiations and secure the most favourable results for their economies and people.

Foreign direct investment (FDI) may generate income, jobs and technological upgrading and contribute to the sustainable development of LDCs. But, unbalanced investment projects, contracts and agreements may lead to serious implementation problems and disputes that often end up in international arbitration, disrupting the relationship between the investment partners. This entails considerable costs for the parties involved, be they governments, domestic firms or foreign investors. Well-negotiated and fair investment projects, contracts and agreements are in the long-term interest of all partners.

ABOUT THE PROGRAMME

The Investment Support Programme for the LDCs (ISP/LDCs) aims to provide on-demand legal and professional assistance to governments of the LDCs and under-resourced LDC firms to help them in investment-related negotiations and dispute settlement. The Programme's objective is to establish an international scheme for legal aid and expert assistance.

More specifically, the Programme will provide negotiation and dispute-settlement advisory and representation services to requesting LDC governments and eligible private sector entities through arranging for multi-disciplinary teams to assist them in preparing for, and conducting, negotiations and participating in arbitral proceedings or alternative dispute resolution methods. The Programme will also arrange complementary training and capacity building activities on demand.

The ISP/LDCs will harness the services of lawyers and other experts (e.g. in tax management, tendering and procurement, accounting and financial analysis, environmental management)

who are ready to provide support to the LDCs on a "pro-bono" or reduced-fee basis, including in the context of corporate social responsibility initiatives of the organizations to which they are affiliated, thus catalyzing the readiness of professionals worldwide to contribute their expertise to the sustainable development of the poorest members of the international community.

This Programme, designed thanks to a grant from the Government of Italy, responds to the need to help LDCs increase FDI, identified as a priority in the United Nations Programme of Action for the LDCs for the Decade 2011-2020 and in the 2015 Addis Ababa Action Agenda. The instrumental role of FDI for the realization of the Sustainable Development Goals, and the need to encourage it, is specifically recognized in goal 10/target 10.b.

IMPLEMENTING PARTNERS

The Programme will be managed by the International Development Law Organization (IDLO), in light of its treaty based mandate and experience in the areas covered by the Programme, and count on the collaboration of the UN Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States. The Programme will have a light institutional structure and small staff. IDLO will establish a roster of individual experts as well as partnerships with law firms, professional associations, consulting firms, universities, research centers and non-governmental organizations willing to collaborate with the Programme. IDLO will promote complementarity with existing initiatives that provide assistance to the LDCs in areas covered by the Programme so as to avoid any duplication of efforts.

The LDCs are: Afghanistan, Angola, Bangladesh, Benin, Bhutan, Burkina Faso, Burundi, Cambodia, Central African Republic, Chad, Comoros, Dem. Rep of the Congo, Djibouti, Eritrea, Ethiopia, Gambia, Guinea, Guinea-Bissau, Haiti, Kiribati, Lao People's Dem. Republic, Lesotho, Liberia, Madagascar, Malawi, Mali, Mauritania, Mozambique, Myanmar, Nepal, Niger, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Solomon Islands, Somalia, South Sudan, Sudan, Timor-Leste, Togo, Tuvalu, Uganda, United Rep. of Tanzania, Vanuatu, Yemen and Zambia.