GOVERNMENT OF THE SOCIALIST REPUBLIC OF VIET NAM

UNITED NATIONS DEVELOPMENT PROGRAMME

“STRENGTHENING THE CAPACITY OF
THE VIET NAM LAWYERS ASSOCIATION (VLA)”

Brief description

The specific objective of the project is to strengthen the capacity of the Viet Nam Lawyers Association to play an active role in the ongoing legal and judicial reform process in Viet Nam. The project will be implemented over a three year period and will provide support for the following three components: (1) institutional capacity building; (2) participating in legal and judicial reform; and (3) legal aid and the dissemination of legal information. Under the first component, the project will support activities aiming at strengthening the organizational, structural, management and administrative capacity of the VLA, and to engage the membership more actively in the VLA’s work. The participation in legal and judicial reform activities are designed to improve the knowledge, skills and professional capacity of VLA members, and enhance their ability to contribute to law-making, legal-judicial reform and policy development. Finally, the VLA’s existing legal aid centers will be strengthened and both university legal aid clinics and mobile legal aid clinics will be established in order to improve access to justice for the poor and disadvantaged in general and ethnic minorities in particular.
SIGNATURE PAGE

Country: Viet Nam

UNDAF Outcome(s)/Indicator(s): A system of governance based on the key principles of accountability, transparency, participation and equity, and consistent with the rule of law and democracy.

Expected Outcome(s)/Indicator(s): Enhanced capacities and mechanisms for local associations/organizations and other non-state actors to actively involve, oversee and contribute to the reform process.

Comprehensive strategies formulated and implemented to support the reform of legal and judicial systems.

National Implementing Partner: Viet Nam Lawyers Association

Other Partners: Provincial Lawyers Associations, Ha Noi Law University, Ho Chi Minh City Law University

Programme Period: 2006-2010
Programme Component: Fostering Democratic Governance
Project Title: Strengthening Capacity for VLA
Project ID: 00042690
Project Duration: 3 years
Management Arrangement: NEX

Budget
General Management Support Fee US$ 4,012
Total budget: US$602,212
Allocated resources:
- Government
- Regular TRAC US$517,962
- Other:
  - Donor DFID US$84,250
  - Donor
  - Donor
- In kind contributions US$16,000
Unfunded budget: ____________

On behalf of the Government: Pham Quoc Anh, VLA President Date: 29 September 2006

On behalf of UNDP: John Hendra, Resident Representative Date: 29 September 2006
PART I - SITUATION ANALYSIS

During nearly 20 years of Doi Moi, the Government of Viet Nam (GOV) has made continuous efforts to develop a legal framework to facilitate economic reforms, international integration and establish a rule of law-based socialist State. Much of the progress made is related to the promulgation of new laws and ordinances, including the adoption of a new Constitution in 1992. Recently adopted laws and regulations are increasingly attempting to be consistent with international rules and standards, particularly those concerned with the development of the economy in a manner that will sustain the high economic growth rates.

In 2000, recognizing the need for a more comprehensive and systemic approach to legal and judicial reform, with the support of the UNDP and other donors, the GOV carried out a legal needs assessment (LNA), the results of which were presented in the 2002 “Report on the Comprehensive Legal Needs Assessment”. On the basis of this report, the GOV (with the continued support of the donor community) took on the task of drafting a Legal System Development Strategy (LSDS) to support the implementation of the proposed reforms, as well as a complementary strategy for reform of the judiciary, the procuracy and the court system called the Judicial Reform Strategy to 2020 (JRS). The Politburo approved the LSDS on May 24, 2005 and the JRS on June 2, 2005.

The LSDS specifies, among other things, the directions for the rule of law development, protection of human rights, promotion of democracy and freedom of citizens and access to justice, as well as for strengthening the participation of non-state actors and the public in the legal drafting process. The JRS sets out a strategy for reforming Viet Nam’s judicial system with a focus on renovating the court system and the procuracy and with the overall objective of enhancing the independence, professional capacity and ethical standards of judges and other judicial officials. The role of defense lawyers and other lawyers who represent the clients before judicial institutions has also been highlighted as a focus of the on-going judicial reform agenda.

In line with the LSDS and the JRS, the 2004 UN Common Country Assessment for Viet Nam (CCA) indicates that there is a need to improve awareness of and access to justice, as well as to support laws, polices and governance structures that support and promote a rights-based development process. In particular, the CCA highlights that key supporting institutions such as the legal aid centers and grassroots mediation groups are under-utilized, especially by low-income groups and people living in rural and remote areas, and that much more attention must be given to improving the legal aid system and other mechanisms to widen access to justice.

The Viet Nam Lawyers Association (VLA) is a “professional association” under the Viet Nam Union of Science and Technology Associations (VUSTA). It has 32,000 members, including judges, lawyers, prosecutors, government lawyers, notaries, law professors and law students. The operations of the VLA are guided by an Executive Board and a Standing Board, and managed by the Head Office in Ha Noi and by sub-national lawyers associations at the provincial, district and commune level. Being the largest legal organisation of the country, the VLA has been working closely with the Party and various government and judicial institutions in the drafting of new laws, training of lawyers, dissemination of legal information, the provision of legal aid, etc. (see Annex 1). In addition, the President of the VLA is a member of the National Judicial Reform Strategy Steering Committee.

The broad mandate, extensive membership base, and direct access to decision-making on judicial and legal reform issues gives the VLA a potentially very significant role in the country’s efforts to promote the rule of law and access to justice for all. In fact, recently, the VLA has been mandated to expand its participation in Viet Nam’s legal and judicial process through a number of directives, resolutions and letters of support from the GOV and the Communist Party. At the same time, it is
clear that in order for the VLA to effectively respond to the challenges posed by its expanding role and mandates, the institutional, organisational and human capacities of the association have to be significantly strengthened, in particular with a view to:

- Review and provide critical comments on new pieces of legislation, specifically those of importance to evolving reform process in Viet Nam;
- Act as a platform for legal professionals to actively participate and contribute to the legal and judicial reform agenda;
- Increase the substantive capacity and professional skills of Vietnamese legal professionals, and;
- Promote public access to legal information and legal aid services.

The international donor community is providing extensive support to Viet Nam’s legal and judicial reform efforts. Given the character of such reforms to date, much of this assistance has been directed to the GOV, especially the Ministry of Justice (MoJ), and key institutions such as the National Assembly, Supreme People’s Court and the Supreme People’s Procuracy. This has also been the case of UNDP, which together with other donors have been actively supporting the above-mentioned legal needs assessment, the drafting of the LSDS, and the setting up of a flexible and demand-driven pool-funding mechanism for legal and judicial reforms (the Legal System Development Facility - LSDF).

While no donor-assisted project of the same proportion as outlined in this project document is directly targeting the VLA, the Swedish International Development Cooperation Agency (Sida) is assisting the MoJ to conduct research and studies related to the potential mandate and role of a future National Bar Association (NBA), foreseen in the new Law on Lawyers that has been passed by the National Assembly. Even though the exact role and mandate of the NBA remain to be determined, it is expected that the NBA will be responsible for setting professional standards and disciplining the profession and may have a role in providing training programmes. At the same time, it should be recognized that it might take several years before the NBA will be able to perform this function. Sida is also the largest donor to MoJ’s National Legal Aid Agency, in consultation with which a comprehensive programme for strengthening the national legal aid system is being formulated. Other noteworthy donor supported initiatives include projects funded by the Japanese International Cooperation Agency (JICA) and Canadian International Development Agency (CIDA) on strengthening the capacity of the MoJ and the Supreme People’s Court to develop judicial training programmes. A number of donors are also supporting the legislative process through the National Assembly.
PART II. STRATEGY

The underlying assumption on which this project is based is that, as the only national legal organization in existence at present, the VLA has a unique opportunity to mobilize resources and contributions from the whole legal profession community to the ongoing legal and judicial reform agenda, and strengthen the capacity of legal professionals for the delivery of legal information, education and legal aid services.

At a more general level, UNDP recognizes a potential role for the VLA in promoting increased people’s participation in the policy and law making process in Viet Nam, and, in playing an important counterweight to the government in the legal and judicial reform area.

Project Objective and Approach

The project seeks to contribute to Country Programme Output 4.3 “Comprehensive strategies formulated and implemented to support the reform of legal and judicial systems”, and Output 4.6 “Enhanced capacity and mechanisms for local associations/organisations and other non-state actors to actively involve, oversee and contribute to the reform process”, in UNDP’s draft Country Programme Document (2006-10).

The specific objective of the project is to strengthen the capacity of the VLA to play an active role in the ongoing legal and judicial reform process in Viet Nam. A particular focus will be on VLA’s capacity to engage in law-reform and law making, enhance the knowledge and professional skills of its members, and increase access to justice through legal aid and the dissemination of legal information.

The main target groups and beneficiaries of the project will be key departments in the VLA Head Office, Provincial Lawyers Associations, Ha Noi Law University and the Ho Chi Minh City Law University.

An important precondition for the success of the project is that the ownership of activities is clearly vested with VLA and that the support provided by UNDP is of supplementary character, bringing added value in the sense that it enables VLA to do things it would not be able to do with already existing capacities and resources. The issue of coordination and communication with stakeholders, including internationally funded projects that have similar goals and objectives, is also of critical importance to the success of the project. In particular, potential synergies should be explored with the emerging Sida supported project on the development of the NBA, the MoJ’s National Legal Aid Agency and various agencies offering training programmes for lawyers, judges and prosecutors. Close coordination with the UNDP-funded project on support to the implementation of the LSDS should also be ensured.

A strategy for promoting the active participation of women in project activities, as well as in the VLA in general, will be developed as part of the institutional capacity building component of the project. In line with the UN Development Assistance Framework (UNDAF) 2006-10, it is also anticipated that the project will pay particular attention to the need for promoting gender-sensitive legislation as a cross-cutting issue under the law reform and training component.

It is expected that, in the long term, the strengthened institutional capacity of the VLA will work to enhance the association’s profile, legitimacy and credibility, among its members as well as the general public. In turn, this will potentially make it easier for the VLA to mobilise membership contributions as well as additional support from the international donor community.
Overview of the Project

The project will be implemented over a three-year period and include three major components focusing on:

- Institutional capacity building
- Participation in legal and judicial reform processes
- Legal aid and dissemination of legal information

The first three months of the project will be devoted to preparatory activities for project implementation, including the identification/recruitment of project staff, training on UNDP project management/NEX guidelines, and preparation of Terms of References for the key activities planned for the first year of the project.

Further details on the contents of the three main components of the project are provided below:

1. Institutional Capacity Building: Activities will be undertaken to strengthen the organizational, structural, management and administrative capacity of the VLA and to engage the membership more actively in the VLA work. A capacity needs assessment will be conducted to identify the existing and potential resources, the limitations, information and skills required to strengthen the capacity of the VLA and meet its members needs. The VLA will then engage in a strategic planning process to develop a clear and focused roadmap for the future development of the VLA. The strategic plan will include an assessment of the resources (financial, physical and human) required to support the desired activities of the VLA and how such activities can be sustained in the long-term.

   At the same time, individual capacities and understanding of core VLA personnel related to the operation of a professional legal association will be enhanced through new knowledge and experiences acquired from a study tour to and placements in lawyers associations in other countries. The scope for a twinning arrangement with one such lawyers’ association will also be explored. The knowledge and information gained through this process will then be employed by the VLA to reform its management structures and mechanisms for communicating with and engaging its members.

   In the latter part of the first year, the development of a VLA website will begin in order to enhance communication and the flow of information to VLA members across Viet Nam. However, recognizing that many VLA members do not have internet access, a membership database will also be developed to facilitate direct communication with members at the central, provincial, district and commune levels.

   The key activities under this component (capacity needs assessment, study tour, placement, twining arrangement and strategic planning) will commence at the beginning of the project, with the majority of the activities completed in the first two years. The institutional capacity building component will facilitate as well as draw on the implementation of the other two project components and build a foundation for possible future, more wide-ranging cooperation with UNDP and other donor agencies.

2. Participation in Legal and Judicial Reform Processes: Using experience gained through the study tour, placement and possible twining arrangement, the VLA will organise activities to strengthen the knowledge and professional skills of VLA members to contribute to the law-making process and the overall policy dialogue with the GOV. In the first year of the project, VLA
members will receive training on legislative drafting, law reform and policy submissions, and support for studies and research on international legal models will be provided.

Towards the end of the first year and during the second year, a range of activities will be conducted to enhance VLA capacity to take part in the process of selecting judges and procurators. These include studies and research on international legal models on how to provide inputs for law drafting and policy submissions, developing a manual on how to best utilize the inputs from the community of lawyers for law drafting and policy submissions, conducting researches/studies on international practices on Ethical and Professional Standards for the legal professions, drafting an Code of Conducts for VLA members and consultation workshops.

The activities under this component will work to engage more VLA members at the provincial and district level in the work of VLA at the central level.

3. Legal Aid and Dissemination of Legal Information: The third component of the project seeks to strengthen existing legal aid centers under the VLA as well as the establishment of new student legal aid clinics and mobile legal aid clinics. At the beginning of the project, various capacity development activities will be undertaken for the two existing VLA legal aid centers in order to develop a strong model upon which the establishment of future VLA legal aid centers can be based. In addition, the experience of the existing centers will be used as a foundation for the establishment of mobile legal aid clinics that can provide legal aid services and disseminate legal information to the poor and disadvantaged in rural areas.

In addition, legal aid clinics will be established at Hanoi Law University and Ho Chi Minh City Law University in order to support the training of law students, their engagement in the work of the VLA and, in the longer term, further expand access to justice for the poor and disadvantaged. It is expected that the piloting of legal aid clinics in these two universities will provide valuable lessons learned for possible replication in other law universities/faculties or localities.

Practical experience gained through the operation of legal aid centers and clinics can provide valuable insights on needs and demands of the poor and disadvantaged in terms of legal and judicial reform, and thus help VLA to enhance the focus on such issues in the policy dialogue with the GOV.
PART III. MANAGEMENT ARRANGEMENTS

IIIa. Counterpart Capacity Assessment
It should be noted that, historically, the capacity of the VLA has been weak. In fact, in 1998, UNDP and the VLA formulated a project to strengthen the capacity of the VLA in terms of overall management, law research, legal assistance and training, but the initiative was eventually rejected, mainly due to uncertainties related to VLA project management capacity. While indications are that the VLA has indeed become stronger in recent years, and that the new, very committed leadership is set to enhancing the role and capacity of the association even further in the future, the human and financial resources of the VLA remain limited and the challenges in terms of institutional development are significant.

The proposal submitted by the VLA to UNDP, on which this project document is based, describes the need to overcome many of these weaknesses as well as to build on the expanded mandate given to the VLA. In addition, it is expected that the preparatory activities outlined above will contribute to strengthening the project management and coordination skills of concerned VLA staff, and that future training needs will be identified and addressed on a continuous basis throughout the implementation of the project.

In this context it should also be noted that, to gain a more thorough understanding of the capacity development needs of the VLA, one of the first activities under the project will be to conduct a capacity needs assessment. The capacity needs assessment will include a detailed examination of the management, administration, structure, operation and financial status of the VLA. The capacity needs assessment can be used as a basis for the further strengthening of project management structures and for dealing with the issue of financial sustainability. Although it is not likely that financial self-reliance can be achieved within the term of the project, the strategic plan produced by the VLA should outline a detailed plan and appropriate timelines to achieve that goal.

IIIb. Management Arrangements
The project will be implemented by way of National Execution (NEX), as prescribed by UNDP Provisional Guidelines on Project Management (October 2005). VLA will be the National Implementing Partner (NIP) of the project.

As part of its contribution, VLA will allocate office facilities and designate a part-time National Project Director who, on behalf of the VLA, will be accountable to the GOV and UNDP for the:

- Proper use of all resources assigned to the project;
- Substantive quality of outputs achieved;
- Timely implementation of agreed activities;
- Efficient use of inputs, including of international expertise, and;
- Proper coordination of project stakeholders, in particular national parties.

The project will also support the recruitment of the following staff:

- Project Manager (part-time)
- Legal Specialist (part-time)
- Administrative Assistant/Interpreter (full-time)
- Project Accountant (part-time)
- Senior Technical Advisor (part-time)

The specific tasks and responsibilities of the above staff are outlined in the draft job descriptions attached as Annex 2.
The allocation and expenditure of resources will be made in accordance with the Annual Work Plan (See Section II below). UNDP will provide funds to VLA in an appropriate way based on financial management capacity of the VLA.

VLA and UNDP have joint intellectual property rights for the outputs and products produced by the project. When publishing papers and other material resulting from the project, the logos of the two organisations must be included and attribution made to the project and the two organisations.

After completion of the project an external audit will be conducted according to the annual audit schedule of UNDP.

IIIc. Public Information and Advocacy
The project will engage in the following activities aimed at promoting enhanced communication with and between national, local and other stakeholders:

- The publication and dissemination of regular project bulletins to VLA branches and units at the provincial, district and commune levels throughout the country (to be prepared by the project);
- Regular articles in the VLA's national newspaper, Life and Law, currently published four times per week (prepared by project);
- Notices posted on the VLA website (once it is established);
- A stakeholder workshop to obtain input to the strategic planning process (to be financed by the project as indicated in the budget below);
- Information sharing about the project at the workshops organized within the project (VLA members attending these workshops will be representatives of various stakeholder organisations);
- Meetings to coordinate activities with other government agencies engaged in similar programmes (i.e. the National Judicial Academy, the National Legal Aid Agency, etc.) at no extra cost to the project;
- Regular information sharing with other like-minded programmes/projects at no extra cost to the project;
- Participation in donor coordination meetings at no extra cost to the project;
- Participation in national and local forums (conferences, workshops, etc.) and using other communication tools (newspaper articles, papers, etc.) for disseminating information related to project activities and results, at no additional cost to the project.

IIIId. Country Office Support to Project Implementation
The VLA may request support from the UNDP Country Office for implementation of project activities, particularly in the early stages of the project. If such support is required, the VLA should submit to the UNDP Country Office a standard request for support services, together with specific terms of reference, specifications and/or instructions.
PART IV. MONITORING, EVALUATION AND REPORTING

IVa. Monitoring
The project will be subject to the monitoring and evaluation practices outlined in the UNDP Provisional Guidelines on Project Management and legal provisions of the State of Vietnam on management and use of ODA.

The following are the main monitoring instruments:

- Quarterly Project Progress Report
- Annual Project Progress Report
- Annual Project Review
- Project Visits or Field Visits
- Financial Reports

Performance indicators for each output and the relevant outcomes are set out in the Results and Resources Framework below.

IVb. Evaluation

Evaluation is a selective exercise that attempts to systematically and objectively assess progress towards the achievements of an outcome.

Given that the project marks the first direct cooperation between the VLA and UNDP, and that the context for assistance in the area of legal and judicial reform is likely to change in the next few years, a mid-term evaluation will be undertaken of the project after about 18 months of implementation. Apart from assessing the results of the project to that date, the evaluation will seek to analyse the changes, if any, in the overall context of the support, the implications of such on the project, and make recommendations for adjustments in project design and implementation arrangements accordingly.

IVc. Risk Assessment

<table>
<thead>
<tr>
<th>Risk</th>
<th>Level of Risk</th>
<th>Mitigating Strategy</th>
</tr>
</thead>
<tbody>
<tr>
<td>The VLA is not able to effectively manage and execute the project.</td>
<td>Medium</td>
<td>Due to the limited capacity of the VLA with respect to project management, the first three months of the project will be devoted to project management/training, the drafting of ToRs, and other preparatory activities for project implementation. The first substantive activity of the project will be a capacity needs assessment, which will indicate further needs in these areas.</td>
</tr>
<tr>
<td>The VLA’s membership does not want to engage in VLA activities.</td>
<td>Low</td>
<td>Given the ongoing reforms of Viet Nam’s legal and judicial system and the limited opportunities for training and public consultation, it is expected that many members will want to engage if the opportunity is presented. Effective</td>
</tr>
<tr>
<td>The GOV is not receptive to the law-making and law reform proposals from the VLA.</td>
<td>Medium</td>
<td>It remains unclear to what extent the GOV will be willing to consider independent recommendations on law-making and law reform that differ from the GOV position. It will be important to ensure that proper research is conducted and rationales for positions taken are presented based on international experience.</td>
</tr>
</tbody>
</table>
PART V. LEGAL CONTEXT

This project document shall be the instrument referred to as such in Article I of the Standard Basic Assistance Agreement between the Socialist Republic of Viet Nam and the United Nations Development Programme signed by the parties on 21 March 1978. VLA shall, for the purpose of the Standard Basic Assistance Agreement, refer to the Government Cooperating Agency described in that Agreement.

Project Revisions

The following types of revision of this project document may be made with the signature of the UNDP Resident Representative only, provided s/he is assured that the other signatories of the project document have no objections to the proposed changes:

(a) Revisions in, or addition to, any of the Annexes of the project document;
(b) Revisions that do not involve significant changes in the outputs or activities of the project, but are caused by rearrangements of inputs already agreed to, or by cost increases due to inflation;
(c) Mandatory annual revisions that rephase delivery of agreed project inputs, or reflect increased expert or other costs due to inflation, or take into account agency expenditure flexibility.

National Professional Project Personnel

VLA agrees to the recruitment of nationally recruited project professional personnel (NPPP) required for the implementation of this project, in accordance with UNDP policies and procedures established within the United Nations system for this purpose. These services constitute an addition to the regular personnel resources to be provided by the VLA and will be available for the duration of UNDP participation in the Project. The remuneration of NPPP will be determined on a case-by-case basis in accordance with the policies and procedures of UNDP; it should exceed neither the prevailing compensation for comparable functions in the host country nor remuneration levels applicable within the United Nations system.
SECTION II
PROJECT RESULTS AND RESOURCES FRAMEWORK

Intended Outcome as stated in the Country Results Framework:
A system of governance based on the key principles of accountability, transparency, participation and equity, and consistent with the rule of law and democracy.

Outcome indicator as stated in the Country Programme Results and Resources Framework, including baseline and target:
Enhanced capacities and mechanisms for local associations/organizations and other non-state actors to actively involve, oversee and contribute to the reform process. Comprehensive strategies formulated and implemented to support the reform of legal and judicial systems.

Applicable MYFF Service Line:
2.1 Policy support for democratic governance.
2.4 Justice and human rights.

Partnership Strategy:
This Project will provide a forum and tools for VLA to strengthen partnership amongst the members of the legal professions in providing inputs to the on-going legal and judicial reform process.

Project title and ID: Strengthening the Capacity of the Viet Nam Lawyers Association (VLA)

A. Institutional Capacity Building Component

<table>
<thead>
<tr>
<th>Intended Outputs</th>
<th>Output Targets for (years)</th>
<th>Indicative Activities</th>
<th>Inputs</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Long-term strategic vision for the VLA development of VLA in the context of on-going legal and judicial reform agenda identified.</td>
<td>1.1 The VLA’s capacity (organizational, structural, financial, personnel, administrative and management) needs and the needs of the VLA’s membership are identified (Year 1)</td>
<td>1.1.1 Interviews 1.1.2 Surveys 1.1.3 Consultation workshops held with members of central and selected provincial, district and commune level VLA branches. 1.1.4 Report Drafting 1.1.5 Approval of the Report</td>
<td>• International Consultant • National Consultants • VLA Executive Committee members • Other stakeholders</td>
</tr>
</tbody>
</table>

Key Indicators:
- VLA Needs Assessment Report approved by the VLA leadership

The total value of inputs for Output 1.1 is US $41,000.
Key Indicators:
- A long-term strategic plan for the development of VLA with strategic goals and action plans designed and approved.

1.2 The strategic plan formulated (Year 1 and 2)

1.2.1 Strategic planning workshop facilitated by international strategic planning expert.
1.2.2 Two-week study tour of core VLA personnel (five to six people) to one or two countries to learn on structure, mandate and roles of an lawyers association in legal and judicial areas.
1.2.3 Two-week placements in lawyers associations for one member of VLA management team.
1.2.4 Drafting of VLA strategic plan and action plans.
1.2.5 Strategic planning workshops/meetings to review draft strategic plan and action plans.
1.2.6 Consultation workshops held with stakeholders to obtain input on strategic plan.
1.2.7 VLA finalizes strategic plan and action plans.
1.2.8 Approval of strategic plan and action plans by VLA’s Executive Board.

- International Strategic Planning Expert
- National consultants
- STA
- International Coordinators (2) (Lawyers Associations or Bar Associations in two developed countries in same region, i.e. North America or Europe.)

The total value of these inputs is US $110,000.

Key Indicators:
- Core VLA members trained on management and professional skills to implement the approved strategic plan and its actions
- VLA website designed and operational to share information and communicate with its members at both national and local levels.
- The membership database constructed and actively being used in day-to-day operations of VLA

1.3 Preparing initial conditions for the VLA to implement the Strategic Plan and its Action Plans (Year 2 and 3)

1.3.1 Developing and sharing operational manuals to provincial, district and commune level VLAs to provide guidance on how to manage the implementation of the Strategic Plan and its action plan.
1.3.2 Basic members contact list/database constructed to assist VLA to maintain contact with membership
1.3.3 Developing VLA website to improve communications between central and provincial VLA branches
1.3.4 Developing a Membership communications strategy to inform and engage VLA members
1.3.5 Conducting a series of trainings for VLA staff regarding operation and maintenance of database
1.3.6 Procurement of equipments and facilities

- National consultants
- Office Equipment, etc.
- VLA members

The total value of these inputs is US $35,000.

---

3 The VLA personnel chosen for the placements will be required to agree to repay the cost of the placement to the Project if the individual leaves the VLA within 2 years of completing the placement.
B. Participation in Legal and Judicial Reform Processes Component

<table>
<thead>
<tr>
<th>Intended Outputs</th>
<th>Output Targets for (years)</th>
<th>Indicative Activities</th>
<th>Inputs</th>
</tr>
</thead>
</table>
| 2. VLA capacity to provide input to legal and judicial reform agendas strengthened. | 2.1 VLA capacity to provide inputs on legislative drafting improved (Year 1 and 2)       | 2.1.1 Conducting professional skills training workshops on how the VLA can best contribute to legislative drafting and policy submissions, designed and delivered to VLA members.  
2.1.2 Conducting additional studies and research on international legal models on how to provide inputs for law drafting and policy submissions.  
2.1.3 Consultation workshops (3 regional, 2 city workshops)  
2.1.4 International workshops on select legal and judicial issues to provide VLA comparative aspects for the policy submissions  
2.1.5 Developing a manual on how to best utilize the inputs from the community of lawyers in providing comments to draft laws and policy submissions  
2.1.6 Conducting a pilot exercise on provision of VLA inputs/comments for draft bill(s), including international workshops related to a new draft bills  
2.1.7 Development of manuals/guidelines for branch VLAs related to professional appointments, law-making, law reform and policy. | • International consultants (2)  
• National consultants  
The total value of these inputs is US $135,000.                                                                 |                                                                                                                                                         |
| Key Indicators:                                                                  |                                                                                          |                                                                                                                                                         |                                                                                                |
| - Number of VLA members participating in the training workshops                   |                                                                                          |                                                                                                                                                         |                                                                                                |
| - Number of VLA inputs/comments on specific bills of laws submitted.              |                                                                                          |                                                                                                                                                         |                                                                                                |
| - Manuals/guidelines related to law-making, law reform and policy developed and distributed to VLA branches |                                                                                          |                                                                                                                                                         |                                                                                                |
| 2.2 VLA capacity to provide inputs on judicial selections and development of professional ethnic standards improved (Year 2) | 2.2.1 Conducting a comparative study on how a lawyers association should provide inputs to the selection of judges and prosecutors  
2.2.2 Designing a guideline on evaluations of candidates for judgeship and prosecutorship  
2.2.3 Conducting researches/studies on international practices on Ethical and Professional Standards for the legal professions  
2.2.4 Drafting a Code of Conduct for VLA members  
2.2.5 Consultation workshops  
2.2.6 Training workshops on the manuals/guidelines | • International consultants (2)  
• National consultants (5)  
The total value of inputs for Output 2.2 is US $40,000.                                                                 |                                                                                                                                                         |

Key Indicators:  
- A guideline on how to evaluate judicial candidates made available;  
- A Uniform Code of Conduct for VLA members made available

---

4. The VLA may also want to develop a checklist for evaluating new legislation. Other research may relate to input on specific pieces of legislation or broader policy development initiatives.
## C. Legal Aid and Dissemination of Legal Information Component

| Intended Outputs                                                                 | Output Targets for (years)                                                                 | Indicative Activities                                                                 | Inputs                                                                                   | 3.1.2 Legal aid clinics established at Hanoi Law University and Ho Chi Minh City Law University to provide legal services to the poor and disadvantaged and practical legal training for law students. (Year 1 and 2) | 3.2.1 Conducting studies and research to identify appropriate university legal aid clinic models. 3.2.2 Agreements between universities and VLA to establish legal aid clinics at universities. 3.2.3 Establishment of clinics according to the law and training provided to staff and students. 3.2.4 Financial support for operation of university clinics. 3.2.5 Mobile legal aid clinic targeted at ethnic minorities established and operating during school holidays. 3.2.6 Linkages established with student clinics in other countries. | 3.1.2 Financial support for operation of existing VLA centers. 3.1.3 Drafting Manuals related to operation of clinics by center staff. 3.1.4 Establishing mobile legal aid clinics at existing centers to deliver legal aid services and disseminate legal information in rural areas. 3.1.5 Drawing lessons learnt from the performance of these centers for future replications in other localities | The total value of inputs for Output 3.1 is US $19,000. | The VLA has indicated that Hanoi Law University is willing to establish a student legal clinic that will only offer free legal advice and services to the public. Agreements with both Hanoi Law University and HCMC Law University must both indicate that all advice and services provided by the student clinics will be free of charge. | 3.1.3 Drafting Manuals related to operation of clinics by center staff. | 3.1.4 Establishing mobile legal aid clinics at existing centers to deliver legal aid services and disseminate legal information in rural areas. 3.1.5 Drawing lessons learnt from the performance of these centers for future replications in other localities | The total value of inputs for Output 3.2 is US $32,000. | The VLA has indicated that Hanoi Law University is willing to establish a student legal clinic that will only offer free legal advice and services to the public. Agreements with both Hanoi Law University and HCMC Law University must both indicate that all advice and services provided by the student clinics will be free of charge. |
### SECTION III
#### ANNUAL WORKPLAN AND BUDGET SUMMARY (USD)

Award ID: 00042690  
Award Title: Capacity Building for Viet Nam Lawyers Association  
Project ID: 00049456

<table>
<thead>
<tr>
<th>Exp. Outputs</th>
<th>Indicative Activities</th>
<th>Timeframe for 1st year</th>
<th>Resp Party</th>
<th>Planned Budget</th>
<th>2006</th>
<th>Year 2 and 3</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Output 1:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Long-term strategic vision for the development of VLA in the context of ongoing legal and judicial reform agenda identified</td>
<td>1.1 Capacity needs assessment</td>
<td>VLA</td>
<td>UNDP</td>
<td>International Consultant (12 days x $750)</td>
<td>Contractual Service</td>
<td>Miscellaneous Expenses (travel, workshops, printing, etc.,)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1.1.1 Interviews</td>
<td>VLA</td>
<td>UNDP</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1.1.2 Surveys</td>
<td>VLA</td>
<td>UNDP</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1.1.3 Consultation workshops held with members of central and selected provincial, district and commune level VLA branches.</td>
<td>VLA</td>
<td>UNDP</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1.1.4 Report Drafting</td>
<td>VLA</td>
<td>UNDP</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Subtotal</strong></td>
<td>VLA</td>
<td>UNDP</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1.2 Strategic Planning</td>
<td>VLA</td>
<td>UNDP</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1.2.1 Study Tour and Placement</td>
<td>VLA</td>
<td>UNDP</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1.2.2 International Workshops</td>
<td>VLA</td>
<td>UNDP</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1.2.3 Consultation Workshops</td>
<td>VLA</td>
<td>UNDP</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1.2.4 Drafting Strategic Plan and Action Plans</td>
<td>VLA</td>
<td>UNDP</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Subtotal</strong></td>
<td>VLA</td>
<td>UNDP</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1.3 Preparing initial conditions for the VLA to implement the Strategic Plan and its Action Plans- (Year 2 and 3)</td>
<td>VLA</td>
<td>UNDP</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Sub-total</strong></td>
<td>VLA</td>
<td>UNDP</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**COMPONENT A SUBTOTAL:**

Output 2:  
VLA capacity to provide input to legal and judicial reforms agendas

<table>
<thead>
<tr>
<th>Exp. Outputs</th>
<th>Indicative Activities</th>
<th>Timeframe for 1st year</th>
<th>Resp Party</th>
<th>Planned Budget</th>
<th>2006</th>
<th>Year 2 and 3</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2.1 VLA capacity to provide inputs to legislative drafting improved (Year 1 and 2)</td>
<td>VLA</td>
<td>UNDP</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>2.1.1 Professional skills training workshops on how the VLA can best contribute to legislative drafting and policy submissions</td>
<td>VLA</td>
<td>UNDP</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>x</td>
<td>VLA</td>
<td>UNDP</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>International consultant</strong></td>
<td>VLA</td>
<td>UNDP</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<p>|              | National consultant   | VLA | UNDP |                |      |             |       |</p>
<table>
<thead>
<tr>
<th><strong>strengthened</strong></th>
<th>designed and delivered to VLA members.</th>
<th></th>
<th></th>
<th>Miscellaneous Expenses</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.1.2 Comparative study/research</td>
<td></td>
<td></td>
<td></td>
<td>International Consultant</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>National Consultant</td>
</tr>
<tr>
<td>2.1.3 Development of a manual/guideline on how to provide inputs/comments on draft bills</td>
<td></td>
<td></td>
<td></td>
<td>Consultants</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Miscellaneous Expenses</td>
</tr>
<tr>
<td>2.1.4 Consultation workshops (3 regional, 2 city workshops)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.1.5 International workshops on select legal and judicial issues to provide VLA comparative aspects for the policy submissions</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.1.6 Developing a manual on how to best utilize the inputs from the community of lawyers in providing comments to draft laws and policy submissions</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.1.7 Conducting a pilot exercise on provision of VLA inputs/comments for draft bill(s)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.1.8 Development of manuals/guidelines for branch VLAs related to professional appointments, law-making, law reform and policy.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Subtotal**

| **2.2 VLA capacity to provide inputs on judicial selections and development of professional ethnic standards** improved – (Year 2) |  |  |  |
| 2.2.1 Conducting comparative studies on how a lawyers association should provide inputs for selection of judges and | x |  |  |  |
2.2.2 Designing a guideline on evaluations of candidates for judgeship and prosecutorship, including for the re-appointment.

2.2.3 Conducting researches/studies on international practices on Ethical and Professional Standards for the legal professions

2.2.4 Drafting an uniform Code of Conduct for VLA members

2.2.5 Consultation workshops

2.2.6 Training workshops on the manuals/guidelines

<table>
<thead>
<tr>
<th>Subtotal</th>
</tr>
</thead>
</table>

**COMPONENT B SUBTOTAL:**

**Output 3:**

**VLA role in enhancing access to justice increased through strengthening its existing legal aid clinics**

<table>
<thead>
<tr>
<th>3.1 Two existing VLA legal aids centers strengthened</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.1.1 Training for staff of legal aid centers developed and delivered.</td>
</tr>
<tr>
<td>3.1.2 Financial support for operation of existing VLA centers.</td>
</tr>
<tr>
<td>3.1.3 Mobile legal aid clinics established and operational at existing centers to deliver legal aid services and disseminate legal information in rural areas.</td>
</tr>
<tr>
<td>3.1.4 Drafting manuals related to operation of clinics by center staff.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>X</th>
</tr>
</thead>
<tbody>
<tr>
<td>National consultants</td>
</tr>
<tr>
<td>Miscellaneous Expenses</td>
</tr>
<tr>
<td>Miscellaneous and supply</td>
</tr>
<tr>
<td>X</td>
</tr>
<tr>
<td>X</td>
</tr>
<tr>
<td>X</td>
</tr>
</tbody>
</table>

19
### Component C Subtotal:

<table>
<thead>
<tr>
<th>Project Support and Management</th>
<th>Personnel</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Senior Technical Advisor (3 x 30 days/year x $500/day)</td>
</tr>
<tr>
<td></td>
<td>Project Manager (part-time)</td>
</tr>
<tr>
<td></td>
<td>Legal Specialist (part-time)</td>
</tr>
<tr>
<td></td>
<td>Administrative Staff cum Interpreter (Full-time)</td>
</tr>
</tbody>
</table>

3.1.5 Drawing lessons learnt from the performance of these centers for future replication in other localities.

3.2 Student legal aid clinics established at Hanoi Law University and Ho Chi Minh City Law University to provide legal services to the poor and disadvantaged and practical legal training for law students. (Year 1 and 2)

3.2.1 Studies and research to identify appropriate model

3.2.2 Establishing centers

3.2.3 Trainings for clinics staffs/students

3.2.4 Financial support for operation of clinics, including allowance for clinics staff

3.2.5 Mobile legal aid clinic targeted at ethnic minorities, poor and disadvantaged during holidays

Subtotal Output 3.2
<table>
<thead>
<tr>
<th>Project Office Equipment</th>
<th></th>
<th>x</th>
<th></th>
<th>Accountant (part-time)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capacity Assessment</td>
<td></td>
<td>x</td>
<td></td>
<td></td>
</tr>
<tr>
<td>NEX Project Management Training</td>
<td></td>
<td>x</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mid-term evaluation mission</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NEX audit</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Project travel</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>UNDP monitoring travel</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Miscellaneous operational costs</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**PROJECT MANAGEMENT SUBTOTAL:**

<table>
<thead>
<tr>
<th>PROJECT TOTAL</th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>General Management Support Fee (GMS)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>PROJECT TOTAL + GMS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**VLA CONTRIBUTION**

The Government will provide a part-time National Project Director (NPD) and a number of support staff, office premises and facilities, and running expenses. The value of the contributions of the Government are summarised in the following table.

<table>
<thead>
<tr>
<th>Description</th>
<th>Months</th>
<th>Cost/month (US$)</th>
<th>Total (USD)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Project's human resource</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Part-time NPD</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Administrative costs and office furniture</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Office space</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Electricity, water and other utilities</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Others</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**PROPOSED LIST OF EQUIPMENT FOR PMU**

<table>
<thead>
<tr>
<th>Ordinal number</th>
<th>Equipment</th>
<th>Quantity</th>
<th>Unit price (VN$)</th>
<th>Total (VN$)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td><strong>Air conditioner</strong></td>
<td>01</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Photocopier</td>
<td>01</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Computer</td>
<td>02</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Laptop</td>
<td>01</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Printer</td>
<td>01</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Fax machine</td>
<td>01</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Calculator</td>
<td>02</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Desk and chair</td>
<td>03</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Bookshelf</td>
<td>01</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>File cabinet</td>
<td>01</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Telephone</td>
<td>02</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>Setting ADSL</td>
<td>01</td>
<td></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Telephone Installment</td>
<td>02</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total amount</strong></td>
<td>**</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
ANNEX 1

Job Description
Project Director

(Part-time)

Duration of Services: 36 months

Location: Hanoi

Background
Over the past 20 years, Viet Nam has made tremendous efforts in developing a legal framework to facilitate economic reforms, international integration and to establish a rule of law state. Most importantly, the 1992 Constitution, with amendments from 2002, provides for fundamental rights of citizens and the establishment of the institutions necessary for the protection of such rights. Concurrently, the capacity of key legal and judicial institutions, such as the National Assembly, the Court, the Procuracy, the Ministry of Justice, etc., have been strengthened, and many of the basic components of a modern legal system have today been put into place.

The finalization of the LSDS and the JRS also demonstrate the strong commitment of the GOV to expand and broaden the legal/judicial reform agenda, by tackling the pressing need to enhance legal awareness and access to justice and ensure the adequate implementation and enforcement of laws. UNDP is a lead donor supporting the legal reform agenda, and will continue to attach high importance to this area of reform in the next programming cycle (2006-10).

The development of a rule of law state requires not only strong commitment and effort by the GOV and the formal legal/judicial institutions of the country, but also the mobilization of society more broadly, including non-governmental organizations and the community of legal/judicial professionals of which the VLA is the largest representative association with approximately 31,000 jurists as its members.

This project named “Strengthening the Capacity of the Vietnam Lawyer Association” is funded by UNDP to support strengthening capacity of the VLA in the engagement in the ongoing legal and judicial reform process in Viet Nam. The project will be implemented over a three year period and will provide support for the following three components: (1) institutional capacity building for the VLA; (2) enhancement of the VLA participation in legal and judicial reform, and; (3) support the VLA contribution in the legal aid services and dissemination of legal information.

The Project Director will have the overall responsibility for supervising the project management team and ensuring that the objective, outputs and outcomes of the Project are achieved through efficient and effective use of Project resources. The Project Director will also be responsible for coordination and cooperation with UNDP and other relevant organizations.
Specific tasks and responsibilities include:

1. Ensures that the expected results of the project are of satisfactory substantive quality and that they contribute to the achievement of the intended outcome identified in the CPD/RRF. This will be discharged through the (i) approval of project work plans, TORs, reports, (ii) follow-up on the implementation of recommendations made by regular project reviews and external evaluations, and (iii) conduct of internal reviews and evaluations as/if needed.

2. Ensures that project resources, national as well as international, are effectively utilized for their intended purposes through the (i) verification of project budgets and payments, (ii) approval of budget revisions within the agency flexibility limit, (iii) follow-up on the implementation of recommendations made by external audits and (iv) conduct of internal audits as/if needed.

3. Ensures that counterpart funds are made available by the VLA in sufficient quantities and in a timely manner to support project implementation.

4. Ensures that project parties, particularly national parties, including the VLA and other relevant stakeholders, fully participate in project implementation, effectively collaborate in project activities and duly benefit from project results.

5. Ensures that the results achieved and lessons learned by the project are properly documented, proactively disseminated to and duly shared with all project parties, particularly national parties.

6. Selects, arranges for the appointment of and supervises the STA, Project Manager and other national project staff, in consultation with UNDP, to make sure that the PM and other national project staff are empowered to effectively perform their day-to-day project duties.

7. Selects, arranges for the appointment of and supervises the Senior Technical Advisor, in consultation with UNDP, to make sure that the STA and other international project personnel contribute expert inputs of highest quality to the expected outputs of the project.

8. Represents the VLA at major project reviews, evaluations, audits and other important events.

Qualifications:

- Senior VLA official at central level.
- A graduate university degree in law or related disciplines.
- Knowledge and experience with management of official development assistance (ODA) projects.
- Experience with nationally executed UNDP projects (NEX projects) preferred.
- Extensive work experience and established relationships with the State Agencies involved in the legal reform and judicial reform processes.
Job Description
Project Manager
(Part-time)

Duration of Services: 36 months

Contract: One-year contract with possible extension, based on performance

Location: Hanoi

Background
Over the past 20 years, Viet Nam has made tremendous efforts in developing a legal framework to facilitate economic reforms, international integration and to establish a rule of law state. Most importantly, the 1992 Constitution, with amendments from 2002, provides for fundamental rights of citizens and the establishment of the institutions necessary for the protection of such rights. Concurrently, the capacity of key legal and judicial institutions, such as the National Assembly, the Court, the Procuracy, the Ministry of Justice, etc., have been strengthened, and many of the basic components of a modern legal system have today been put into place.

The finalization of the LSDS and the JRS also demonstrate the strong commitment of the GOV to expand and broaden the legal/judicial reform agenda, by tackling the pressing need to enhance legal awareness and access to justice and ensure the adequate implementation and enforcement of laws. UNDP is a lead donor supporting the legal reform agenda, and will continue to attach high importance to this area of reform in the next programming cycle (2006-10).

The development of a rule of law state requires not only strong commitment and effort by the GOV and the formal legal/judicial institutions of the country, but also the mobilization of society more broadly, including non-governmental organizations and the community of legal/judicial professionals of which the VLA is the largest representative association with approximately 31,000 jurists as its members.

This project named “Strengthening the Capacity of the Vietnam Lawyer Association” is funded by UNDP to support strengthening capacity of the VLA in the engagement in the ongoing legal and judicial reform process in Viet Nam. The project will be implemented over a three year period and will provide support for the following three components: (1) institutional capacity building for the VLA; (2) enhancement of the VLA participation in legal and judicial reform, and; (3) support the VLA contribution in the legal aid services and dissemination of legal information.

Under the supervision of the Project Director, the Project Manager will assume the operational responsibility for the day-to-day implementation of the Project in accordance with UNDP and government policies and regulations.

Specific tasks and responsibilities include:
1. Prepares and updates quarterly and annual project work plans, and submits these to the NPD and UNDP CO for clearance.
2. Ensures that all agreements with Responsible Parties are prepared, negotiated and agreed upon.
3. Drafts TORs for key inputs (i.e. personnel, sub-contracts, training, procurement) under the responsibility of the VLA as in the capacity of the National Implementing Agency (NIP), submits these to the NPD and UNDP CO for clearance, and administers the mobilization of such inputs.

4. With respect to external project implementing agencies:
   (a) ensures that these agencies mobilize and deliver the inputs in accordance with their letters of agreement or contracts, and
   (b) provides overall supervision and/or coordination of their work to ensure the production, quality and timeliness of the expected outputs.

5. Assumes direct responsibility for managing the project budget as Committing Officer, by ensuring that:
   (a) project funds are made available when needed, and are disbursed properly,
   (b) expenditures are in accordance with the project document and/or existing project work plan,
   (c) accounting records and supporting documents are kept,
   (d) financial operations are transparent and financial procedures/regulations for NEX projects are properly applied; and
   (e) s/he is ready to stand up to audits at any time.

6. Assumes direct responsibility for managing the physical resources (e.g. vehicles, office equipment, furniture, stationary...) provided to the project by UNDP.

7. Supervises the project staff and local or international experts/consultants working for the project.

8. Drafts project progress reports of various types (e.g. quarterly report, annual report, and the Final Project Report) as scheduled, and organizes review meetings and evaluation missions in coordination with UNDP.

9. Reports regularly to and keeps the NPD up-to-date on project progress, implementing issues, emerging risks/problems as well as suggests to him/her necessary remedial actions.

**Qualifications:**

- Post-graduate degree in law.
- Minimum of 10 years of experience working for/with one or more Vietnamese legal institutions.
- Minimum of 5 years project management experience
- Experience in organizing training programs and or capacity development is an asset.
- Familiarity with social-political organization’s activities and the procedures relating to the organization and activities of the judicial and legal institutions of the Government.
- Ability to work with a broad range of individuals with diverse backgrounds and experience with good inter-personal and team building skills.
- Familiarity with the activities and procedures of UNDP and experience working with UNDP and other donors will be an advantage.
- Very good spoken, report writing and presentation skills in the English language
- Administrative skills and practical computer and software skills, such as: DOS, Windows, Microsoft Word, and Vietnamese popular software
Job Description
Legal Specialist
(Part-time)

Duration of Services: 36 months
Contract: One-year contract with possible extension, based on performance
Location: Hanoi

Background

Over the past 20 years, Viet Nam has made tremendous efforts in developing a legal framework to facilitate economic reforms, international integration and to establish a rule of law state. Most importantly, the 1992 Constitution, with amendments from 2002, provides for fundamental rights of citizens and the establishment of the institutions necessary for the protection of such rights. Concurrently, the capacity of key legal and judicial institutions, such as the National Assembly, the Court, the Procuracy, the Ministry of Justice, etc., have been strengthened, and many of the basic components of a modern legal system have today been put into place.

The finalization of the LSDS and the JRS also demonstrate the strong commitment of the GOV to expand and broaden the legal/judicial reform agenda, by tackling the pressing need to enhance legal awareness and access to justice and ensure the adequate implementation and enforcement of laws. UNDP is a lead donor supporting the legal reform agenda, and will continue to attach high importance to this area of reform in the next programming cycle (2006-10).

The development of a rule of law state requires not only strong commitment and effort by the GOV and the formal legal/judicial institutions of the country, but also the mobilization of society more broadly, including non-governmental organizations and the community of legal/judicial professionals of which the VLA is the largest representative association with approximately 31,000 jurists as its members.

This project named “Strengthening the Capacity of the Vietnam Lawyer Association” is funded by UNDP to support strengthening capacity of the VLA in the engagement in the ongoing legal and judicial reform process in Viet Nam. The project will be implemented over a three year period and will provide support for the following three components: (1) institutional capacity building for the VLA; (2) enhancement of the VLA participation in legal and judicial reform, and; (3) support the VLA contribution in the legal aid services and dissemination of legal information.

Under the direction and supervision of the Project Manager, the Legal Specialist will support the Project Director and the Project Manager in implementing and coordinating the Project activities and achieving the Project objective and results.

Specific tasks and responsibilities include:

1. Assist the Project Manager in preparing the detailed work plan and coordinating and managing the implementation of Project activities.
2. Provide support to the Project Manager in coordinating diverse activities to maximize the use of Project resources. Maintaining close contact and ensuring collaboration with relevant Ministries and/or Departments while implementing the Project activities to ensure that the Project Work Plan is carried out effectively.

3. Provide support to the Project Manager in investigating the possibility of collaborating or carrying out joint activities with other Projects in the legal field to maximize the impact of Project activities as well as ensuring cooperation with other internal and external counterparts.

4. Assist the Project Manager to coordinate the activities of implementing agencies, internal and external experts in implementing the Project activities.

5. Responsible for reviewing and making recommendations to the Project Manager on the subject of reports and reference materials for training activities (workshops, seminars, training courses, study tours), to ensure that the relevant priorities of the Project are reflected in such materials.

6. Collect and collate relevant data and prepare draft periodic progress reports under the supervision of the Project Manager.

7. Implement other duties to be requested by the Project Director and the Project Manager.

3. Qualifications:

- University or post-graduate degree in law.
- Minimum of 5 years of experience working for/with one or more Vietnamese legal institutions.
- Experience organizing training programs.
- Familiarity with social-political organization’s activities and the procedures relating to the organization and activities of the judicial and legal institutions of the Government.
- Ability to work with a broad range of individuals with diverse backgrounds and experience.
- Familiarity with the activities and procedures of UNDP and experience working with UNDP and other donors will be an advantage.
- Good speaking and writing English
- Administrative skills and practical computer and software skills, such as: DOS, Windows, Microsoft Word, and Vietnamese popular software
Duration of Services: 36 months

Contract: One-year contract with possible extension, based on performance.

1. Background

Over the past 20 years, Viet Nam has made tremendous efforts in developing a legal framework to facilitate economic reforms, international integration and to establish a rule of law state. Most importantly, the 1992 Constitution, with amendments from 2002, provides for fundamental rights of citizens and the establishment of the institutions necessary for the protection of such rights. Concurrently, the capacity of key legal and judicial institutions, such as the National Assembly, the Court, the Procuracy, the Ministry of Justice, etc., have been strengthened, and many of the basic components of a modern legal system have today been put into place.

The finalization of the LSDS and the JRS also demonstrate the strong commitment of the GOV to expand and broaden the legal/judicial reform agenda, by tackling the pressing need to enhance legal awareness and access to justice and ensure the adequate implementation and enforcement of laws. UNDP is a lead donor supporting the legal reform agenda, and will continue to attach high importance to this area of reform in the next programming cycle (2006-10).

The development of a rule of law state requires not only strong commitment and effort by the GOV and the formal legal/judicial institutions of the country, but also the mobilization of society more broadly, including non-governmental organizations and the community of legal/judicial professionals of which the VLA is the largest representative association with approximately 32,000 jurists as its members.

This project named “Strengthening the Capacity of the Vietnam Lawyer Association” is funded by UNDP to support strengthening capacity of the VLA in the engagement in the ongoing legal and judicial reform process in Viet Nam. The project will be implemented over a three year period and will provide support for the following three components: (1) institutional capacity building; (2) participation in legal and judicial reform; and (3) legal aid and dissemination of legal information.

The Project Administrative Assistant cum Interpreter will work under the direct supervision of the Project Manager and will be responsible for the day-to-day administration of project activities and for the facilitation of the exchange of information between Vietnamese experts and international experts in order to properly implement the Project.

2. Specific tasks and responsibilities include:

1. Provide administrative support and logistical support to the project management team;
2. Assist the Project Manager in preparing agreements with designated cooperating agencies and sub-contractors, and in monitoring implementation of these agreements;
3. Assist the Project Manager in administering the use of project inputs;
4. Assist the Project Manager in managing the Project’s physical resources (furniture, office supplies, equipment, etc);

5. Assist the Project in collecting data and information and in organizing and drafting project management reports including quarterly, annual, and terminal reports, and organizing tripartite reviews and evaluation missions, in collaboration with the VLA and UNDP;

6. Report to, and regularly update, the Project Manager on progress, problems and constraints of Project implementation;

7. Provide translation/interpretation services to senior Project personnel and international consultants as needed. This may include:
   - Meetings to coordinate project activities with foreign participation;
   - Translation of documents, correspondence and administrative and operational materials.

3. Qualifications:
   - University graduate with excellent English language skills (written and oral). Preferably with a bachelor degree in law or related fields economics, public administration or a management-related discipline;
   - At least five years of relevant work experience with two years of practical experience in project administration in an English speaking environment;
   - Good translation and interpretation skills;
   - Good interpersonal and team building skills;
   - Demonstrated capacity to take initiatives and achieve results;
   - Excellent organizational and office management skills;
   - Must possess excellent computer skills and familiarity with relevant word processing, spreadsheet and project management programs;
   - Familiarity with UNDP financed projects and accounting procedures;
   - Full time availability for project duties.
Job Description

Project Accountant

(Part-time)

Duration of Services: 36 months

Contract: One-year contract with possible extension, based on performance.

Background

Over the past 20 years, Viet Nam has made tremendous efforts in developing a legal framework to facilitate economic reforms, international integration and to establish a rule of law state. Most importantly, the 1992 Constitution, with amendments from 2002, provides for fundamental rights of citizens and the establishment of the institutions necessary for the protection of such rights. Concurrently, the capacity of key legal and judicial institutions, such as the National Assembly, the Court, the Procuracy, the Ministry of Justice, etc., have been strengthened, and many of the basic components of a modern legal system have today been put into place.

The finalization of the LSDS and the JRS also demonstrate the strong commitment of the GOV to expand and broaden the legal/judicial reform agenda, by tackling the pressing need to enhance legal awareness and access to justice and ensure the adequate implementation and enforcement of laws. UNDP is a lead donor supporting the legal reform agenda, and will continue to attach high importance to this area of reform in the next programming cycle (2006-10).

The development of a rule of law state requires not only strong commitment and effort by the GOV and the formal legal/judicial institutions of the country, but also the mobilization of society more broadly, including non-governmental organizations and the community of legal/judicial professionals of which the VLA is the largest representative association with approximately 32,000 jurists as its members.

This project named “Strengthening the Capacity of the Vietnam Lawyer Association” is funded by UNDP to support strengthening capacity of the VLA in the engagement in the ongoing legal and judicial reform process in Viet Nam. The project will be implemented over a three year period and will provide support for the following three components: (1) institutional capacity building; (2) participation in legal and judicial reform; and (3) legal aid and dissemination of legal information.

The Project Accountant will be responsible for managing project funds, and ensuring proper accounting systems and records are established and maintained throughout the life of the Project. In discharging these responsibilities, the Project Accountant is encouraged to work closely and consult with the concerned UNDP staff, especially the Finance Section and of the Service Centre.

Specific tasks and responsibilities include:

1. Responsible for supporting the Project Manager in the administration of project funds. This may include establishing and maintaining a project bank account; preparing
quarterly financial reports and quarterly advance requests and administration of advanced funds in line with UNDP rules and regulations.

2. Preparing reports on project expenditures for Project Manager’s review including Government Disbursement Report (GDR) (both in hard copy and electronically in line with UNDP procedures); the quarterly Reconciliation of Outstanding Advance /status of funds (ROA).

3. Maintaining Project financial records in accordance with UNDP regulations, including a Cash Receipt and Disbursement Journal, Government Disbursement Ledger, UNDP Cash Advance Ledger, and UNDP Direct Payment Ledger (if any).

4. With necessary technical inputs and guidance from the Project Manager, prepare and update proposed Project budget revisions for review by the Project Manager before submission to UNDP.

5. Assist the Project Manager in meeting requirements for internal and external Project audits.

6. Assist the Project Manager in all activities relating to project procurement and subcontracting procedures to ensure the procurement is made in an efficient, open, transparent and competitive manner in accordance with UNDP policies. This includes, but is not limited to, preparation of request for quotations, request for proposals, purchase orders, receiving and inspection reports, and documents required by UNDP Local Contract Committee;

7. Administering project equipment and other facilities including maintaining a Non-expandable Property Ledger as per UNDP guidelines.

8. The Project Accountant will perform other duties as may be required by the Project Manager for the successful conclusion of the Project.

Qualifications:

- University degree and Vietnamese accounting qualifications;
- Experience in project accounting and budget administration with minimum of three-years of practical work experience;
- Experience and/or familiarity with UNDP financial rules and regulation and project financial management practice is an asset;
- Computer literacy, and in particular, knowledge of Microsoft Office software;
- English language skills (for preparation of financial reports);
- Full time availability for project duties;
Job Description
Senior Technical Advisor

**Duration of Services:** 90 days to be spread over three years

**Location:** Hanoi and provinces, if needed

**Background**
Over the past 20 years, Viet Nam has made tremendous efforts in developing a legal framework to facilitate economic reforms, international integration and to establish a rule of law state. Most importantly, the 1992 Constitution, with amendments from 2002, provides for fundamental rights of citizens and the establishment of the institutions necessary for the protection of such rights. Concurrently, the capacity of key legal and judicial institutions, such as the National Assembly, the Court, the Procuracy, the Ministry of Justice, etc., have been strengthened, and many of the basic components of a modern legal system have today been put into place.

The finalization of the Legal System Development Strategy and the Judicial Reform Strategy also demonstrate the strong commitment of the GOV to expand and broaden the legal/judicial reform agenda, by tackling the pressing need to enhance legal awareness and access to justice and ensure the adequate implementation and enforcement of laws. UNDP is a lead donor supporting the legal reform agenda, and will continue to attach high importance to this area of reform in the next programming cycle (2006-10).

The development of a rule of law state requires not only strong commitment and effort by the Government of Viet Nam and the formal legal/judicial institutions of the country, but also the mobilization of society more broadly, including non-governmental organizations and the community of legal/judicial professionals of which the Viet Nam Lawyers Association (VLA) is the largest representative association with approximately 32,000 jurists as its members.

This project named “**Strengthening the Capacity of the Vietnam Lawyer Association**” is funded by UNDP to support strengthening capacity of the VLA in the engagement in the ongoing legal and judicial reform process in Viet Nam. The project will be implemented over a three year period and will provide support for the following three components: (1) institutional capacity building; (2) participation in legal and judicial reform; and (3) legal aid and dissemination of legal information.

The Senior Technical Advisor will provide technical advice and support related to the effective management and execution of the Project.

**Reporting arrangements**

The Senior Technical Advisor (STA) will implement his/her main functions and undertake specific duties under the direct supervision of the National Project Director and in close collaboration with the National Project Manager.

3. **Main functions**
The STA will proactively engage and provide technical advice in the following key areas:

- Project planning
- Project management and implementation
- Project quality assurance
- Project coordination
- Project monitoring and evaluation
- Policy dialogue and advocacy
- Knowledge building and sharing

4. Specific duties

**Project planning:** Provide technical advice to the project in identifying priorities and capacity development needs to be addressed in quarterly and annual work plans, and facilitate a timely and participatory work planning process.

**Project management and implementation:** Provide technical advice to the project in the design, organisation and implementation of agreed activities, including by preparing and/or reviewing ToRs for specific activities and assisting in the identification of short-term experts on specific subject areas.

**Project quality assurance:** Provide technical advice to the project to ensure the overall relevance, performance and sustainability of the project, the effective realisation and quality of outputs, and adherence to applicable UNDP standards, rules and regulations.

**Project coordination:** Provide technical advice to the project to strengthen partnerships and coordination between the project and other legal and judicial institutions, donors, and other stakeholders, including by facilitating communication and exchange of lessons learned and good practices.

**Project monitoring and evaluation:** Provide technical advice to the project in developing baselines and indicators for project monitoring and evaluation, as well as in preparing project reports focused on capturing results, lessons learned and good practices for possible wider application.

**Policy dialogue and advocacy:** Serve as an advocate for UN core values and UNDP’s policies on democratic governance in the dialogue with the Viet Nam legal community, including the VLA and other legal professions, and facilitate the practical implementation of this dialogue through the project activities; Provide substantive inputs to the preparation of the VLA and UNDP policy notes, statements, etc., for important events (e.g. donor forums, international conferences, etc.).

**Knowledge building and sharing:** Support the project in the identification of knowledge gaps among project staff, target groups and beneficiaries and suggest measures to address such gaps; Actively support the sharing of project results and products, lessons learned and good practices with other projects, government agencies, donors, etc.; Participate in UNDP global knowledge networks.
The STA is also required to prepare an inception report as well as an end-of-assignment report, describing and analyzing key lessons learned and good practices, as well as identifying major substantive issues that have merged and that would require further consideration by UNDP.

The concrete inputs of the STA and timings for such inputs will be determined and agreed upon as part of the project annual work planning process.

**Competencies:**

**Corporate Competencies:**

- Demonstrates commitment to UNDP’s mission, vision and values.
- Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability.

**Functional Competencies:**

**Project Management**

- Has strong managerial competency with experience in results based management and results oriented approach to project implementation.

**Communications and Networking**

- Has excellent oral communication skills and conflict resolution competency to manage inter-group dynamics and mediate conflicting interests of varied actors.
- Has excellent written communication skills, with analytic capacity and ability to synthesize project outputs and relevant findings for the preparation of quality project reports.
- Has demonstrated knowledge and experience in working on improving access to justice and pro-poor justice sector reform and existing networks of experts and policy makers.
- Maturity and confidence in dealing with senior and high ranking members of national and international institutions, government and non-government

**Knowledge Management and Learning**

- Shares knowledge and experience
- Actively mentoring PMU staff under her/his supervision

**Leadership and Self-Management**

- Focuses on result for the client and responds positively to feedback
- Consistently approaches work with energy and a positive, constructive attitude
- Remains calm, in control and good humored even under pressure
- Competent in leading team and creating team spirit, stimulating team members to produce quality outputs in a timely and transparent fashion

**Qualifications:**

- Post-graduate degree in law;
- A minimum of 10 years working experience in the legal and judicial areas and/or governance programme and projects;
• Knowledge and experience from working with countries in transition. Previous work experience in Viet Nam is an asset;
• Excellent project management skills and knowledge of donor policies and funding modalities. Knowledge of UNDP programming practices is an asset;
• Proven familiarity with gender analysis and concepts;
• Excellent spoken, report writing and presentation skills in the English language. Knowledge of Vietnamese is an asset.
• Strong inter-personal skills; Results driven, ability to work under pressure and to meet strict deadlines; Ability to deal with politically sensitive and complex issues; Strong communication, networking and team-building skills.