



ENHANCING THE CONTRIBUTION OF INTERNATIONAL LAW TO THE STRENGTHENING OF THE RULE OF LAW IN THE LAO PDR

Project Document
2005 – 2008

The Government of the Lao PDR places high priority on establishing the Rule of Law to support the socioeconomic transition. The Government of the Lao PDR, in its policy paper on Governance issues (presented to the Roundtable in March, 2003) emphatically states that it will strive: “to develop a coherent, credible and predictable legal framework established in a transparent and participatory manner”.

UNDP has been a strong partner of the Ministry of Foreign Affairs. Since 2001, in order to contribute towards the above two objectives, The Ministry has been implementing a Project to strengthen the process of signing, ratifying, implementing and monitoring international legal instruments in the Lao PDR. While significant progress has been made in awareness-raising relating to ratification of international legal instruments, there continues to be much room for improvement in the national incorporation, implementation and enforcement and the monitoring of the implementation and enforcement of international law in the Lao PDR.

Accordingly, key objectives of this follow-up Project are:

- Increased participation in the international legal framework by the Government of the Lao PDR
- Improved incorporation of international law into the domestic legal system
- Enhanced implementation, enforcement, monitoring and reporting under international legal instruments obliging the Lao PDR
- Developed national capacities in international law and negotiation

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Abbreviations

ASEAN	Association of Southeast Asian Nations
CAC	International Convention Against Corruption
CAT	Convention Against Torture, and Other Cruel, Inhuman or Degrading Treatment of Punishment
CCF	Country Cooperation Framework
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CRC	Convention on the Rights of the Child
CTA	Chief Technical Advisor
DSA	Daily Subsistence Allowance
DTL	Department of Treaties and Law, Ministry of Foreign Affairs
GoL	the Government of Lao PDR
ICCPR	International Covenant on Civil and Political Rights
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
ILO	International Labour Organization
IMC	Inter-Ministerial Committee on the Preparations for Ratification of the International Covenants on Human Rights
LWU	Lao Women's Union
MEA	Multilateral Environmental Agreements
MFA	Ministry of Foreign Affairs
MWC	International Convention on the Protection of the Rights of All Migrant Workers and Their Families
MYFF	Multi-year Funding Framework
NA	National Assembly
NCAW	National Committee for Advancement of Women
NEX	National Execution (project implementation modality)
NOSPA	National Organisation for Studies in Politics and Administration
NPD	National Project Director
PA	Legal Sector Preparatory Assistance Project
PAB	Project Advisory Board
PMO	Prime Minister's Office
PWG	Project Working Group
RBA	Rights Based Approach
TOR	Terms of Reference
UNDAF	United Nations Development Assistance Framework
UNDP	United Nations Development Programme
WIPO	World Intellectual Property Organization

ENHANCING THE CONTRIBUTION OF INTERNATIONAL LAW TO THE STRENGTHENING OF THE RULE OF LAW IN THE LAO PDR

Section I

Part I: SITUATIONAL ANALYSIS

The Lao PDR is a least-developed landlocked country and indeed is one of the poorest in the world (ranked 135th out of 177 countries in terms of human development in 2004). It is the second poorest country in South-East Asia (after Timor Leste). The Lao PDR is also a post-war country with a crippling legacy of unexploded ordnance. As a transition country, from a centralized bureaucracy to a market system economy, Laos is in the midst of a number of international negotiations which will prove vital to the future of the country and its people in their struggles to reduce poverty and make significant strides towards sustainable human development, achieving the Millennium Development Goals and extricating the country from the group of least developed countries by 2020.

After 1989 and in particular with the creation of the first constitution in 1991, Lao PDR began in earnest the process of developing a new legal framework to support the transition to a market economy. To date, its National Assembly has enacted more than 50 laws in addition to the complex network of legislative and regulatory instruments issued by the President, the Prime Minister, and the Ministries. Important legislation passed recently include constitutional amendments, amendments to the Criminal Procedure Law, Law on the Protection and Development of Women and amendments to the Law on the National Assembly, the Law on the Supreme People's Court, etc.

In order to provide a stable environment for economic development of the country, the Government of the Lao PDR places high priority on establishing the Rule of Law to support the socioeconomic transition. Significantly, although all laws written before 1975 were abolished after the establishment of the Lao PDR, the new Republic continued to comply with the international obligations of its predecessors.

The Government of the Lao PDR pursues a foreign policy based on peace, independence, friendship and mutual cooperation, the expansion of relations and cooperation with all countries based on the principles of peaceful co-existence, respect for independence, sovereignty, territorial integrity, non-interference in domestic affairs, equality and mutual benefit (in accordance with Article 12 of the Constitution of the Lao PDR). Based upon this policy, the GoL attaches importance to international efforts to strengthen the international rule of law and to facilitate the establishment of the Rule of Law in the country. Most significant in this regard is the fact that the Lao PDR has ratified three core human rights conventions: the Convention of the Elimination of All Forms of

Discrimination Against Women (CEDAW), the Convention on the Rights of the Child (CRC) and the International Convention on the Elimination of All Forms of Discrimination (ICERD), and has signed the two International Human Rights Covenants; namely, the Covenant on Civil and Political Rights (ICCPR) and the Covenant on Economic, Social and Cultural Rights, (ICESCR) in 2000. The Lao PDR has also ratified/acceded to other bodies of international law, including international conventions in the fields of combating transnational organized crime and terrorism; tobacco control; drug control; and sustainable use of natural resources and the environment. In addition, the Lao PDR has also signed the UN Convention against Corruption as well as many ASEAN, other regional and bilateral instruments.

At the present time, the Lao PDR is making preparations for ratification of the International Covenants on Human Rights. To this end, it has established an Inter-Ministerial Committee on the Preparations for Ratification and Implementation of the two Covenants (IMC), which seeks to establish a high-level coordinating mechanism that will guide the country through the process of ratification, implementation and realization of the rights enshrined in the Covenants. Additionally, Lao PDR is in the process of studying the possibility to ratify the UN Anti-Corruption Convention and of some other international instruments, namely, two core international human rights instruments dealing with the elimination of torture (CAT) and the rights of migrant workers (MWC), two ILO conventions (No. 138 and 182), WIPO Conventions, five anti-terrorism conventions, transit transport Conventions, two optional Protocols to the Convention on the Rights of the Child and the Rome Statute of the International Criminal Court, with a view to participation in the future.

The Government of the Lao PDR places high priority on establishing the Rule of Law to support the socioeconomic transition. In its policy paper on Governance Issues (presented to the Roundtable in March, 2003), the Government emphatically states that it will strive: “to develop a coherent, credible and predictable legal framework established in a transparent and participatory manner”. In the same vein, the Country Cooperation Framework of UNDP identifies “Support for the Rule of Law” to be a key starting point for good governance for poverty reduction, while the UNDAF calls to “Promote Human Rights for All”.

The *sine qua non* of a rule of law State is an independent, impartial, effective, accessible, non-discriminatory legal system which assures and delivers justice for all who are governed by such system. A rule of law State respects, protects, promotes and fulfills internationally recognized human rights.

Based upon the above factors and analysis contained in several relevant documents¹ it is clear that today, there is an urgent need in the Lao PDR for:

¹ This Project Document draws upon, but does not repeat the situational analysis and assessment contained in the original Project Document (Lao/00/006) *Strengthening the Process of Signing, Ratifying, Implementing and Monitoring International Legal Instruments in the Lao PDR (2000)*; the evaluation

1. *Improved procedures for timely ratification of further international law, in a manner that is proactive and firmly based on national priorities*
2. *Accelerated capacity development for national incorporation that will support incorporation and application of international legal obligations*
3. *Strengthened capacities for implementation and enforcement of international law in the Lao PDR at national, provincial and local levels*
4. *Developed and enhanced mechanisms and capacities in the Lao PDR (within the Government and the public at large) for monitoring implementation and enforcement of international law and progressive realization of international legal standards in the Lao PDR.*

Part II: STRATEGY

In order to contribute to establishing the rule of law and developing a coherent, credible and predictable legal framework, the Ministry of Foreign Affairs adopted in 2001, and has been implementing since then, a project to strengthen the process of signing, ratifying, implementing and monitoring international legal instruments in the Lao PDR. This predecessor project (scheduled to end in April 2005) emphasized more active participation of Lao PDR in the international community. Accordingly, the activities focused on advocacy for ratification, translating international legal materials into Lao for easy access and to increase intelligibility. Workshops and training programmes for government officials were held to increase general understanding of international law, in particular the international legal obligations of the Lao PDR arising from its participation in international agreements/treaties, and it sought to build the international law capacity of the staff of the Ministry of Foreign Affairs.

While significant progress has been made in awareness raising, ratification and reporting, albeit at a labored and sedate pace, incorporation, implementation and enforcement and monitoring thereof of the international law ratified by the Lao PDR, at national, provincial and local levels remains inadequate. This observation was the starting point for designing of a new project falling under service line “2.4 Justice and human rights” of UNDP, the corporate strategy of which includes advancing of pro-poor laws; application of the rights-based approach to programming; civic education and awareness raising campaigns related to human rights; and strengthening of human rights institutions.

report on that Project *Mid-Term Evaluation Report: June 2001 – January 2004 (2004)*; *Evaluation of the Rule of Law in Lao PDR, 1997 – 2003: Lessons and Challenges (2003)*; *Enhancing Justice through the Lao Bar Association (2004)*; and *UNDP Preparatory Assistance: Development of the Lao PDR Legal Sector Reform Programme*.

The formulation of the new phase of assistance was conducted in a participatory manner, involving a range of key stakeholders from the Ministry of Foreign Affairs as well as other legal sector and key Government institutions. These consultations assisted in the identification of the broad aims of the Project as well as the clear definition of focus areas for the new phase.

The Government of Finland and the Delegation of the European Commission expressed early interest in co-funding the new phase and, subsequently, their representatives participated in the formulation mission and provided valuable input in this project document. Their funding for this project is well aligned with their focus on good governance and continuing cooperation with UNDP.

The following key principles will govern the implementation of the Project:

1. Clarification of Overall Project Goals

The overarching goals of the Project are to address the immediate needs identified and thereby to contribute to the enhanced application of international law in the Lao PDR as a means to:

- Strengthening the rule of law;
- Assisting in the process of poverty reduction through rights-based and sustainable human development;
- Furthering development of friendly relations and cooperation with neighboring States; and
- Enhancing participation by the Lao PDR as a full-fledged member of the international and regional communities by supporting multilateral diplomacy as well as bilateral relations.

2. Definition of Project Focus

After the evaluation of the initial phase of the Project in 2004, attention has shifted to implementation and to increasing the understanding of what needs to be done to harmonize national law with international law. The Project has also moved from a general focus on international law to a specific focus on particular bodies of international law, including international human rights instruments.

The Project will focus on:

- a) ***substantive international law***;
- b) ***advocacy for ratification and incorporation*** of such international law;
- c) ***enhancing implementation, enforcement*** and ***monitoring*** of such international law; and
- d) ***related capacity-development***.

a) *International law*

The Project's focus on international law includes:

- The following high priority bodies of law :
 - I. international human rights law;
 - II. international labor law;

- III. international law of friendly cooperation between States (with a particular emphasis on the law relating to transit transport and to international boundaries);
- IV. international environmental law, especially water law; and
- V. private international law
- Other bodies of international law that may be recognized as being of importance to the Lao PDR, e.g. treaties on arms disarmament and security. (In working with the various Ministries and government institutions, the project will promote national adoption and implementation of other bodies of international law as relevant to the mandate of such Ministry or institution.)
- Regional and bilateral international law.
- Both “hard law”² as well as “soft law”³ in modern international law

b) Advocacy for ratification and incorporation through the activities of various ministries and organizations of the Lao PDR

In the present Project, advocacy for ratification was primarily undertaken by the Ministry of Foreign Affairs. In the next phase, the Project will encourage and support advocacy for ratification by the various Ministries and legal sector organizations of such bodies (or specific instruments) of international law as are of relevance to their respective mandates. Project activities in support of advocacy for ratification will include support for research and studies of specific laws/bodies of international law; preparation of proposals for ratification; and awareness-raising to promote ratification and incorporation. (Again, it should be clarified that the Project is not a funding agency and will not itself be funding projects and activities of advocacy for ratification. It will advise, facilitate and support them in such activities as detailed in Annex 2 dealing with pilot activities of the Project.)

c) Enhancing implementation and enforcement

The Project adopts multiple approaches to implementation and enforcement including:

- Education and awareness raising to encourage implementation and enforcement through self-compliance with international norms.

² Also called 'Paper Law'. International legal principles based on laws, jurisprudence or treaties with a high degree of legal security. An instrument that is binding -legal action may be taken if there is non-compliance. Thus treaties and other legal agreements (Conventions, Covenants, Pacts, Accords etc.), which are binding upon the parties to them are described as "hard law".

³ International agreements on principles with little official legal security. A political or moral obligation that not legally binding. Often these agreements are laid down in declarations, charters, and so forth that reflect ethical conceptions that have not yet found their way into law. The development of soft law has been strongly stimulated by a number of global conferences and summits, like the Conference on Environment and Development in Rio de Janeiro, the Social Summit in Copenhagen, the Women's Conference in Beijing and the Conference on Demography in Cairo. Therefore, UN General Assembly Resolutions and Declarations, general comments and decisions of treaty bodies (Human Rights Committee, Committee on the Elimination of Racial Discrimination) and recommendations of international organizations.

- Capacity development to undertake more effectively tasks needed for implementation or progressive realization of international obligations through for example, development programmes in the health, education, or housing sectors.
- Law enforcement (in the literal sense of the term) and training programmes to ensure that all those involved with the enforcement of laws and the sanctioning of law-breakers comply fully with all applicable international standards relating to the enforcement of laws.

In light of the prevailing policy of the government of the Lao PDR on decentralization, the Project will seek to enhance implementation and enforcement of international law (and national law made pursuant to such international law) at all levels: national; provincial; district and village. However, due to practical limitations, project activities will only be carried out on a national and provincial level with the aim that provincial officials will take the necessary measures at the district and village level.

d) *Capacity-development for national implementation of international law*

The Project will promote and support capacity-development for the more effective implementation and enforcement of international law in the Lao PDR. This will involve developing capacities for: *national incorporation* (e.g. drafting laws and implementing decrees); *national application* (e.g. by Courts and administrative authorities); *national implementation and enforcement* (through the multiple approaches set out above); *national monitoring* of implementation and of enforcement (both by government and by the public at large); and *national reporting* (to treaty-bodies, to the international community and to the authorities and public in the Lao PDR).

3. Categorization of Project Activities

All project activities reflect the fact that the Project is located in the Department of Treaties and Law (DTL) of the Ministry of Foreign Affairs, and therefore are guided by the mandate of the Ministry. The Ministry is not directly involved in implementation of law and DTL's responsibilities primarily relate to the stages from studying a treaty for ratification to national incorporation. However, a treaty and national laws made pursuant thereto are rendered meaningless unless such laws are implemented and enforced. Hence it is fully within the mandate of DTL to undertake activities such as studies, preparation of resource materials, handbooks and manuals and capacity building for speedier and more effective national incorporation; more effective implementation; and more accurate monitoring thereof, in respect of international law that Lao PDR has adhered to. However, DTL's and the Project's activities refrain from entering into the domain of implementation itself.

Activities will be of three categories: ***pilot***, ***periodic*** and ***core***. The rationale for this categorization is to clarify the level of involvement of the Project, DTL and

Ministry of Foreign Affairs on the one hand and the responsible institution concerned on the other is set out in Annex 2 to the Project Document.

4. *Enlargement and consolidation of the constituency in the Lao PDR for increased and proactive participation in international legal regimes*

Towards this end, the project will include activities for:

- Raising awareness (within the Government and the public at large) about the importance of international law as a strategy and means to furthering Lao priorities and objectives; and
- Demonstrating the relevance of international law to the mandates of several line ministries and organs of government in the Lao PDR.

In particular, the Project will seek to build a community of support for international law among international lawyers, other lawyers and non-lawyers through the process of preparing for and holding an annual National Forum on International law. The project will also seek to develop expertise in international law among the legal community through strengthening research and teaching of international law at the relevant training institutions.

5. *Integrated and targeted building of relevant national capacities for the monitoring of implementation of international law and of the progressive realization of human rights*

This principle is implemented by focusing attention to the Government's and Mass Organizations' responsibilities in relation to

- Promoting the use of more effective law enforcement mechanisms
- Awareness raising to encourage greater self-compliance
- Capacity development for more effective implementation
- Capacity development for more effective monitoring of implementation (through national law enacted in pursuance of international obligations), enforcement and progressive realization of international obligations (through programmes of sustainable human development)
- Promoting gender equality through ensuring balance in all training activities.

6. *Promotion of broad participation as a means to strengthen the implementation and monitoring the implementation of international legal standards in the Lao PDR*

In the Lao PDR, as the National Human Development Report states, "enhancing participation normally leads to increasing demands by local populations for ways and means to express themselves, exchange ideas and opinions and, more significantly, to take on responsibilities in managing the future" (page 125).

In light of this, the mass organizations and professional associations are vital to the exercise of the human rights, in particular the right of participation. The mass organizations are a vehicle for participation and are entrusted functions of dissemination of related laws and of monitoring the implementation of such laws.

Professional associations of, among others, lawyers are the very foundation of a robust civil society. The policy paper of the Government of the Lao PDR on “Public Service Reform, People’s Participation, Rule of Law and Sound Fiscal Management” clearly states:

“We recognize that a vibrant and independent, yet well-regulated and professionalized Bar will be able to provide more effective legal services to our people” (page 44).

Such a professionalized Bar has important roles to play both in the establishment of the Rule of Law in support of the socioeconomic transition; and in the development of the legal framework set out in the policy paper on Governance Issues referred to above.

7. *The improvement and strengthening of cooperation with Government, national organizations and institutions as well as international development partners and regional and multilateral bodies*

A special emphasis will be placed on cooperation with the other legal sector institutions and the development of cooperative and complementary activities.

Several national, regional and global institutions facilitate training and enhancement of skills and provide access to expertise in relevant fields of law and development. The new phase of the project will focus on strengthening linkages and partnerships with such entities as the UN Specialized Agencies and Projects within the UN Country Team, Regional Bodies such as ASEAN (of which the Lao PDR currently holds the chair) and the Mekong River Commission and international agencies of the UN System in New York and Geneva.

Further, in order to improve coordination and linkages with other government institutions, a key focus will be to ensure that systematic linkages are built with other relevant projects of UNDP and other development partners in the Lao PDR.

A series of consultations, chaired by the senior leadership of the Ministry of Foreign Affairs, has made apparent the political will and government support for the strengthening of application of International Law to meet the needs of the Lao PDR. Such continued ownership will be crucial for achievement and sustainability of project outcomes.

Part III: MANAGEMENT ARRANGEMENTS

Project location and management

Like its predecessor, the Project will be located in the Ministry of Foreign Affairs’ Department of Treaties and Law (DTL) and report to the Vice-Minister supervising the Project. In order to formalize these reporting structures and make them effective, the Vice Minister will be the chair of the Project Advisory Board. This will ensure that the Project will have the support of the Ministry at the highest levels, as and when needed. The Project will be managed and implemented by the Department of Treaties and Law of the Ministry of Foreign

Affairs (DTL) under the National Execution (NEX) modality. The Project will be under the overall supervision of the leadership of the Ministry of Foreign Affairs. The Project will have a National Project Director (NPD), a Deputy National Project Director (DNPD), and a National Project Manager, who are appointed by the government.

The Project will have a high-level Project Advisory Board (PAB), which will meet at least annually in conjunction with Tri-Partite Review Meetings and no more than twice a year with diverse composition from various Ministries and other organs of Government (based on the list of priority treaties and respective lead agencies to be identified), legal sector institutions (i.e. the Ministry of Justice, the Supreme Court, the Office of the Supreme People's Prosecutor), the National Assembly, UNDP, project donors, and mass organizations (especially the Lao Women's Union) to address the policy needs of the Project.

The Project will have its own Project Working Group (PWG), which will meet quarterly to address the coordination and implementation needs of the Project. In addition to the relevant national institutions, the PWG will also work closely with the UNDP projects related to legal sector development, especially to give input on international minimum standards to the vision component of the Legal Sector Preparatory Assistance Project, strengthening of the National Assembly and the Lao Bar Association, and Project 00039693 on ratification and implementation of Multilateral Environmental Agreements (MEAs). The Project Working Group (PWG) will be led by the National Project Director (NPD) and the composition will be decided by the PAB.

The PWG will prepare work plans for the first year during the first month of its operation, which would be then updated on a rolling basis. These plans will be forwarded to the Project Advisory Board. The PWG will report on a quarterly basis to the PAB and UNDP based upon performance targets to be agreed within the work plan. The PWG will coordinate closely with the key actors in the legal sector in the development, implementation, monitoring and evaluation of project activities.

As the executing Agency, the Ministry of Foreign Affairs will be responsible for several government inputs. These include the provision of office space and administrative support for implementation of the project. The Ministry of Foreign Affairs will also ensure that departmental resources and relevant personnel are assigned, as needed, to facilitate the participatory implementation of the Project. The PWG will facilitate coordination of departmental work plans with those of the Project in such a way that they are mutually reinforcing and complementary.

In discussing and approving training plans relating to the Ministry of Foreign Affairs, the Ministry will also ensure participation of representatives from the respective Departments and Divisions thereof and ensure that such representatives are free to attend the training initiatives, and that the training priorities are in conformity with the priorities of the respective Departments and Divisions.

Project staffing

It is essential that a project of this scale and scope be adequately staffed with a full-time Project Manager, an Assistant Project Manager, a Chief Technical Advisor assisted by consultants, national interns, and part-time or full-time national staff, as required.

The Project staff will be recruited in a timely manner to ensure that it can start functioning as *a team from the date of commencement of the project*. Within one month of the commencement of the Project, the team will be brought together for an intensive week-long induction/orientation/strategy-planning workshop to ensure the smooth and effective implementation of the Project, with a clear understanding of each staff member's respective roles, responsibilities and inter-relationships. The "Appreciative Inquiry approach", pioneered by UNICEF (and adapted successfully by UNDP in its work on HIV/AIDS) will be used in facilitating the Workshop.

The role of national staff is crucial for the sustainability of the Project. National staff should increasingly take over the roles played by international staff and consultants. The Project should consciously work towards this objective.

Annex 1 sets out the management and staffing structure of the Project.

Part IV: MONITORING AND EVALUATION

Monitoring will be undertaken according to NEX guidelines. The Project is subject to a Tripartite Review (TPR) every year, linked to quarterly progress reports based upon quarterly work plans. The TPR will include the government, UNDP and the implementing partner, as well as key stakeholders, and the project funders. For the annual review, the NPD will prepare and circulate to the participating parties, at least one week in advance, the annual project and financial report as well as the updated work plan for the following year. Key indicators of progress will need to be developed at the outset. The TPR report detailing the conclusions and decisions of the meeting as well as the finalized matrices and work plan will be completed and circulated to those involved in the TPR within two weeks of the completion of the TPR.

The Project will be subject to one mid-term evaluation, which will recommend any modifications to the Project as well as development of further support in the area. There will also be one final evaluation to assess overall project performance, project outputs compared against initial targets, project impacts achieved and likely to be achieved, project relevance to the national context and project management efficiency. This evaluation should primarily focus on assessing the long-term results or impacts and sustainability of the project following its completion and draw lessons for further programming and policymaking.

UNDP will conduct a financial audit of the Project every year. The audit will also look into the compliance of the Project or sub-contract agreements as well as fulfillment of performance plans.

A key focus will be on ensuring adequate visibility for the Project and its accomplishments, as a way of ensuring improved awareness, facilitating partnerships and joint activities, and highlighting the role of the various partner agencies in the Project. The Exit Strategy will be to leave capacity for continuation of training programmes through the various training of trainer initiatives carried out during the Project.

Part V: LEGAL CONTEXT

This Project document shall be the instrument referred to in Article 1 of the Standard Basic Assistance Agreement between the Lao People's Democratic Republic and the United Nations Development Programme, signed by the parties on 10 October 1988. The host country implementing agency shall, for the purpose of the Standard Basic Assistance Agreement refer to the government cooperating agency described in that agreement.

The following types of revision may be made to this Project document, only with the signature of the UNDP Resident Representative, 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 of any of the annexes of the Project document.
- b) Revisions which do not involve significant changes in the immediate objectives, outputs or activities of a project, but are caused by the rearrangement of inputs already agreed to or caused by cost increases due to inflation, and
- c) Mandatory annual revisions, which rephrase the delivery of agreed Project inputs, or increase expert or other costs due to inflation, or take into account expenditure flexibility.

Section II

PROJECT RESULTS AND RESOURCES FRAMEWORK

Intended Outcome as stated in the Country Results Framework: Enhanced capacities of key institutions to apply the international legal framework			
Outcome indicator as stated in the Country Programme Results and Resources Framework			
<ul style="list-style-type: none"> • Strengthening national ownership of multilateral treaty commitments • Incorporating treaty provisions into the national legislative and planning processes, and assisting in their implementation • Promoting human rights for all (including ratification of the ICCPR and ICESCR) 			
Applicable MYFF Service Line: 2.4 Justice and Human Rights			
<p>Partnership Strategy: The project will be implemented by the Department of Treaties and Law of the Ministry of Foreign Affairs. One of the strategic principles of the project is to emphasize the cooperation with legal sector institutions i.e. the Ministry of Justice, the People’s Supreme Court, the Office of the Supreme People’s Prosecutor and the National Assembly. Furthermore, a significant part of the project consists of pilot activities that are jointly designed and implemented with relevant line ministries and organizations to catalyze a broader ownership and constituency for participation in the international legal framework.</p> <p>The project will be jointly funded by the Government of Finland, the European Union and UNDP.</p>			
Project title and ID: ENHANCING THE CONTRIBUTION OF INTERNATIONAL LAW TO THE STRENGTHENING OF THE RULE OF LAW IN THE LAO PDR			
OUTCOME 1: INCREASED PARTICIPATION IN INTERNATIONAL LEGAL FRAMEWORK BY THE GOVERNMENT OF LAO PDR			
Intended Outputs	Output Targets for (years)	Indicative Activities	Inputs
1.1 Five (5) selected GoL Ministries/Agencies assisted to develop skills for advocacy for ratification of treaties.	<ul style="list-style-type: none"> • Treaties identified through a consultative process to be proposed to the International Law Forum <ul style="list-style-type: none"> - discussion with Ministry #1 (2005) - discussion with Ministries #2 & 	1.1.1 Conduct consultation with key Ministries and GoL agencies to identify priority areas of treaty based law or individual treaties for consideration.	Cost of 5 consultation exercises, Documentation

	<ul style="list-style-type: none"> #3 (2006) - discussion with Ministries #4 & #5 (2007) • Approval from each Ministry obtained (#1 in 2005, #2 & #3 in 2006, #4 & #5 in 2007) 		
	<ul style="list-style-type: none"> • Priority treaties translated (#1 in 2005, #2 & #3 in 2006, #4 & #5 in 2007) 	1.1.2 Undertake translation of treaties identified	Cost of Translation
	<ul style="list-style-type: none"> • Analysis prepared and made available to support study and preparation of proposals for ratification (#1 in 2005, #2 & #3 in 2006, #4 & #5 in 2007) 	1.1.3 Prepare written analyses of bodies of law and/or treaties in Lao language explaining scope, content and implications of ratification including legislation and administrative measures.	CTA, Cost of printing
	<ul style="list-style-type: none"> • Workshops held to raise awareness on basic features and content of selected treaties (#1 in 2005, #2 & #3 in 2006, #4 & #5 in 2007) 	1.1.4 Conduct 5 workshops with concerned Ministries and identified national stakeholders to raise awareness of the content of each body of law or treaty.	Workshop costs, CTA, International specialist per workshop (x 3 days)
	<ul style="list-style-type: none"> • Follow up meetings conducted (#1 & #2 in 2005, #3 & #4 in 2006, #5 in 2007) 	1.1.5 Follow up activity with each government institution in order that well-documented proposals for ratification are submitted to the PMO.	Documentation costs, Cost of further consultation
1.2 Inter-Ministerial Committee on preparations for ratification of the two international human rights Covenants supported to submit proposal to the Government and the National Assembly for ratification of the ICCPR and ICESCR	<ul style="list-style-type: none"> • Proposal for ratification of the 2 Covenants prepared and submitted to the National Assembly (2005) 	1.2.1 Support meetings of the IMC on preparation for ratification of the 2 Covenants	Cost of regular meetings of IMC
	<ul style="list-style-type: none"> • 2 workshops conducted on Chinese and Vietnamese experience (2005) 	1.2.2 Two (2) workshops on experience of neighbouring countries in the implementation of the ICCPR and ICESCR	Cost of 2 Workshops on specific aspects of 2 Covenants CTA Guest lecturers from China and Vietnam (airfare and DSA 2 x 4

			days each)
	<ul style="list-style-type: none"> Formal implementation proposals drafted and submitted jointly by MFA and partner agencies (3 in 2006 and 3 in 2007) 	1.2.3 Six (6) Workshops on specific groupings of rights in ICCPR/ICESCR conducted in partnership with key implementing agencies for each group of rights to produce proposals for implementation of the two Covenants.	CTA, Cost of 6 Workshops
	<ul style="list-style-type: none"> 2 Workshops on CHR and CESCR conducted (2006 and 2007) 	1.2. Two (2) Workshops on the work of the Human Rights Committee and the Committee on Economic Social and Cultural Rights including country reports	CTA Cost of 2 workshops
1.3 Recommend International Instruments relating to Private International Law for consideration and participation by the Government	<ul style="list-style-type: none"> Workshop conducted (2006) Working groups identified (2006) 	1.3.1 Conduct workshop for MoJ, Judiciary and other concerned legal sector institutions on private international law and related international instruments	International expert on Private International Law to facilitate workshop Travel and DSA 5 days. CTA Workshop costs
	<ul style="list-style-type: none"> Priority list of international instruments identified and translated (2006) 	1.3.2 Prepare priority list of international instruments related to private international law for consideration, with explanatory notes in Lao language, relating to scope, content and advantage(s) of participation in these instruments to the Lao PDR	CTA Translation costs
	<ul style="list-style-type: none"> Proposal submitted to the Prime Minister's Office by MFA to recommend participation to relevant private international law instruments by the Lao PDR (2007) 	1.3.3 Conduct dissemination workshop with working group for key stakeholders. (Outcome of the workshop will be a decision to recommend participation by the Lao PDR and impacts on the legal system)	CTA Workshop costs
		1.3.4 Follow up with working group to identify key implementing agencies and next steps for implementation	Costs of 3 consultations with working groups CTA
1.4 Consensus recommendations regarding ratification priorities are adopted, annual volume of International Law Forum papers and documents is published	<ul style="list-style-type: none"> The International Law Forum is convened (2006) 	1.4.1 Conduct International Law Forum	CTA to Draft TOR Prepare budget, thematic focus, partner agencies, documentation, local participation, overseas

			resource persons Event cost 2 Resource persons travel and DSA 2 x 5 days Translation costs
	<ul style="list-style-type: none"> Volume of Forum papers and documents is Published (2006) 	1.4.2 Collate, edit, publish and disseminate Forum recommendations and outcome.	CTA Printing and publication cost Dissemination cost
1.5. Capacity developed for more effective participation in international law and human rights fora	<ul style="list-style-type: none"> Priority list and guidelines for participation adopted and approved by MFA (2005) International fora identified and regular participation in key events supported with adherence to the guidelines (2005 – 2008) 	1.5.1 Support participation in key events (See illustrative list of Events and Fora in Annex 3)	CTA, UNDP PO Travel cost DSA
	<ul style="list-style-type: none"> Debriefings conducted and specific follow up recommendations submitted to MFA and UNDP (2005 – 2008) 	1.5.2 Conduct post participation assessment and dissemination of knowledge gained and make recommendation for the government for follow up and application.	Event cost (per mission overseas)
1.6 Official Notification of New Treaties participated in by the Lao PDR made in a timely manner	<ul style="list-style-type: none"> Preliminary discussion with MoJ and approval obtained (2005) 	1.6.1 Prepare text for publication in English and Lao	CTA Coordination by UNDP and Legal Sector PA Project Cost of preparation
	<ul style="list-style-type: none"> Supplementary to the Lao PDR's Official Gazette on new multilateral, regional and bilateral Agreements of the Lao PDR published twice a year (2006, 2007 and 2008) 	1.6.2 Issue biannual Supplementary to Gazette	Editing and publishing costs

OUTCOME 2: IMPROVED INCORPORATION OF INTERNATIONAL LAW INTO THE DOMESTIC LEGAL SYSTEM

Intended Outputs	Output Targets for (years)	Indicative Activities	Inputs
2.1 Finalization of activity undertaken in Phase I relating to harmonization of domestic laws facilitated (inconsistencies between 9 Lao Laws and 4 International Conventions)	<ul style="list-style-type: none"> Draft prepared and proposal to PMO submitted (2005) 	2.1.1 Conduct drafting exercise to draft legislation (excepting that concerning the harmonization of Lao laws with the ICCPR)	International consultant Air travel and DSA x 5 days
		2.1.2 Draft proposal including legislative amendments and submit to the Prime Minister's Office	CTA
2.2 Capacity of MFA (Department of Treaties and Law) and MoJ (Law department and Law Research Institute) to prepare incorporating legislation and Capacity of the National Assembly to ratify treaties and enact incorporating legislation strengthened.	<ul style="list-style-type: none"> 2 Preliminary Workshops held (2006) 	2.2.1 Introductory workshop for the MFA, MoJ and NA to promote harmonization and enactment of incorporating legislation.	Cost of 3 workshops International Specialist Travel tickets and DSA x 20 working days
		2.2.2 Workshop on Techniques for drafting incorporating legislation	Workshop cost Resource person costed with 2.2.1
	<ul style="list-style-type: none"> Workshop on legislative experience of other countries conducted (2006) OR Study visit conducted (2006) 	2.2.3 Workshop on legislative experience of 2 other major jurisdictions in enacting incorporating legislation	Workshop costs Resource person costed with 2.2.1
		Alternative 2.2.3 Study Visit by NA, MFA and MOJ representatives to two selected country(ies) with good experience in enacting incorporating legislation.	TOR by specialist Travel tickets and DSA
	<ul style="list-style-type: none"> Drafting guidelines for future legislative incorporation of international law prepared in a consultative manner (2007) 	2.2.4 Consultation among the NA, MFA, MOJ representatives for drafting guidelines to be proposed for consideration by the Government.	TOR by specialist Cost of meeting

	<ul style="list-style-type: none"> Government approval obtained and guidelines disseminated (2008) 	2.2.5 When the Guidelines are adopted by the Government, the officers who drafted the guidelines hold consultations for preparing for workshop for other ministries/agencies/ organizations in 2.5 below	Cost of preparatory consultation and workshop for dissemination
2.3 Activities relating to draft Ordinance on Treaty Making and the clarification of the status of international law finalized for consideration by GoL	<ul style="list-style-type: none"> Proposal for amending the Ordinance submitted for PMO's approval (2005) 	2.3.1 Based on the outcome of the workshop on the subject matter conducted in Phase one of the Project, prepare proposal to PMO.	MFA
2.4 Capacity of the Ministry of Justice to develop private international law, the judiciary to apply its principles and the OSPP to monitor its application strengthened	<ul style="list-style-type: none"> Judges of Vientiane Court, Appellate Court and Supreme Court capable of applying principles of private international law (2007) Officials of the MOJ and OSPP introduced to private international law, its development and monitoring (2007) 	2.4.1 Workshop for the judiciary (MoJ and OSPP as observers) on techniques to apply principles of private international law in the Lao PDR as a follow up to the workshop conducted in 2004 under Phase I of the Project	International consultant (5 days) CTA
		2.4.2 Study tour for Judges/MoJ/OSPP to a selected ASEAN country to review arrangements for application of private international law	Consultant costed under 2.5.1 to draft TOR Cost of airfare/DSA CTA (pre-departure briefing and post return de-briefing)
	<ul style="list-style-type: none"> Guidelines for the application and monitoring of private international law drafted (2007) 	2.4.3 Pilot workshop with the Judges/MoJ/OSPP on developing guidelines for the application and monitoring of private international law principles in the Lao PDR supported by study tour participants	CTA

<p>2.5 Capacities of concerned Ministries and institutions and their staff to harmonize and incorporate IL are strengthened in the five focus areas of international law, Regional and bilateral instruments and “soft law” (legislative incorporation)</p>	<ul style="list-style-type: none"> Workshops developed and conducted in priority areas of <ol style="list-style-type: none"> ILO conventions and recommendations, Environmental conventions, Mekong Agreement and the Procedures adopted thereunder, Transit Transport Agreements, Border Cooperation Agreements All bilateral agreements signed with neighbouring countries. ASEAN Agreements relating to the 5 bodies of international law. (2006, 2007 and 2008) 	<p>2.5.1 Recruit team of national consultants to support and build capacity for a review of all multilateral treaties creating obligations for the Lao PDR and identify implementing agencies concerned with such treaties with a focus on identified areas of focus.</p>	<p>CTA Local consultants x 2 x 45 days each</p>
		<p>2.5.2 Prepare analytical report of :</p> <ul style="list-style-type: none"> treaties and implementing laws where such laws insufficiently incorporate international obligations of the Lao PDR. treaties which are not incorporated into domestic law and require legislative incorporation 	<p>Consultants costed under 2.5.1.</p>
		<p>2.5.3 Workshops to prepare proposals for harmonization of laws and new incorporating legislation in the selected areas</p>	<p>Consultants costed under 2.5.1 CTA Cost of 7 workshops</p>
		<p>2.5.4. Concerned core institutions draft proposals</p>	<p>Documentation costs</p>
		<p>2.5.5 Seven (7) follow up meetings for dissemination and discussion of proposals</p>	<p>Cost of meetings</p>
	<ul style="list-style-type: none"> Lao PDR’s obligations under international law, in 7 focus areas, proposed for national incorporation (2008) 	<p>2.5.6 Seven (7) sets of proposals submitted to GoL for approval.</p>	<p>Cost of printing</p>

OUTCOME 3: ENHANCED IMPLEMENTATION, ENFORCEMENT, MONITORING AND REPORTING UNDER INTERNATIONAL LEGAL INSTRUMENTS OBLIGING THE LAO PDR

Intended Outputs	Output Targets for (years)	Indicative Activities	Inputs
3.1 Lao Government assisted to collect, compile and collate data and information relating to the realization of human rights in the Lao PDR including implementation of international human rights instruments obliging the Lao PDR.	<ul style="list-style-type: none"> A focal point identified in the MFA to gather and receive data and information (2006) Initial consultation conducted (2006) 	3.1.1 Conduct consultation with MFA, bilateral working groups and other concerned institutions regarding the utility, content, institutional arrangements, target and scope of activity.	Recruit national consultant CTA Meeting costs
	<ul style="list-style-type: none"> Workshop on indicators conducted (2006) 	3.1.2 Workshop for developing indicators for monitoring progressive realization of Economic, Social and Cultural Rights with the Statistics Centre of the CPI	Workshop costs
	<ul style="list-style-type: none"> Training on field research conducted and information gathered (2006) 	3.1.3 Conduct training workshop for those responsible for gathering, collating and presenting information	Workshop costs CTA International expert – travel and DSA x 5 days
		3.1.4 Support field research	Purchase of laptop computer DSA and travel expenses.
		3.1.5 Conduct public consultation sessions (3)	Event cost DSA and travel
	<ul style="list-style-type: none"> First Compilation translated, published, disseminated (2007) 	3.1.6 Translate compilation into English	Translation costs
		3.1.7 Disseminate to Central and Provincial government officials	Printing costs
	<ul style="list-style-type: none"> Follow up conducted and learnings documented (2007) 	3.1.8 Follow up session with focal point personnel to identify lessons learned and challenges faced and to plan for future activity.	Event cost. CTA
3.2 Capacity of Provincial authorities for enforcement, implementation, and monitoring of	<ul style="list-style-type: none"> 2 workshops conducted per year (6 workshops 2005 to 2007) in selected Provinces 	3.2.1 Review of the follow up activities to the two Workshops for selected provincial authorities on implementation and	CTA Documentation costs

implementation of international law is strengthened		enforcement of the Human Rights Covenants (organized in Oct/Nov 2004 under Phase I) and of continuing needs regarding enforcement, implementation and monitoring of implementation of international law (especially in the five areas of focus of the Project).	
		3.2.2 Plan and prepare for 2 workshops per year for 6 Provinces on selected themes and topics of international law.	CTA, cost of 6 workshops
		3.2.3 Conduct annual review of provincial workshops their impact and effectiveness.	CTA
3.3 Awareness raising of international law and its contribution to development of the rule of law, human development and poverty reduction	<ul style="list-style-type: none"> Workshop on the contribution of international law to the rule of law conducted (2005) 	3.3.1 Workshop for key Government institutions on international law and its contribution to the rule of law, poverty alleviation and development.	Costed with workshop on RBA Activity 3.10
	<ul style="list-style-type: none"> Feasibility study of MFA website conducted (2005) Detailed costed proposal prepared (2005) MFA approval for website plans obtained (2006) Arrangements for website maintenance agreed upon (2006) 	3.3.2 Conduct feasibility study in consultation with MFA as to the potential, cost effectiveness and viability of website for the Project/MFA	Nationally contracted consultant – Fee (10 days) to prepare a detailed costing of website related expenditure (including infrastructure, training and maintenance) for consideration by MFA and Project
	<ul style="list-style-type: none"> Website developed (2006) 	3.3.3 Contract web site development	Service contract
		3.3.4 Launch website	Event cost
	<ul style="list-style-type: none"> Training conducted (2006) 	3.3.5 Train MFA personnel for maintenance or contract website maintenance with outside organization.	Training costs
		3.3.6 Relevant documentation compiled, translated and printed	CTA Translation costs Printing costs
		3.3.7 CD-ROM created and distributed	Cost of CD ROMs
	<ul style="list-style-type: none"> Documents and CD-ROMs distributed to central, provincial and local authorities (2006 and 2007) 	3.3.8 Materials distributed	Distribution costs

3.4 Curriculum of NOSPA relating to international law upgraded and teaching skills strengthened	<ul style="list-style-type: none"> Revised NOSPA's curriculum (2006) 	3.4.1 Conduct consultative workshop with NOSPA and related institutions to identify revision of international law related elements in its curriculum	Workshop costs Translation costs CTA (Funding to be requested from French Project with NOSPA)
		3.4.2 Edit and publish recommendations of workshop; disseminate to all related agencies	Translation, printing and publication costs CTA (Funding to be requested from French Project with NOSPA)
	<ul style="list-style-type: none"> Upgraded the capacity of NOSPA's faculty in international law through a training-of-trainers workshop (2006) 	3.4.3 When new curriculum component is finalized and prior to its application, conduct residential training of trainers workshop for instructors and teachers.	Workshop costs Travel and DSA 5 days CTA (Funding to be requested from French Project with NOSPA)
3.5 Curriculum of Police Academy relating to enforcement and implementation of international law upgraded and teaching skills strengthened	<ul style="list-style-type: none"> Revised Police Academy's curriculum regarding the teaching of international law (2006) 	3.5.1 Conduct consultative workshop with Police Academy and related institutions to identify relevant aspects of international law and their inclusion	Workshop costs Translation costs CTA
		3.5.2 Edit and publish recommendations of workshop; disseminate to all related agencies	Translation, printing and publication costs CTA
	<ul style="list-style-type: none"> Upgraded the capacity of the Police Academy's faculty in international law through a training-of-trainers workshop (2006) 	3.5.3 When curriculum component is finalized and prior to its application, conduct residential training of trainers workshop for instructors and teachers.	Workshop costs Travel and DSA 5 days CTA
3.6 Public awareness created on the right to an effective remedy and the recognition by the Lao Bar Association of the importance of monitoring implementation of international law	<ul style="list-style-type: none"> Workshop on the role of the Lao Bar Association held (2006) 	3.6.1 Workshop for the LBA to launching public awareness raising initiatives regarding the right to an effective remedy and the methods of monitoring implementation of international law.	Workshop costs. CTA Lao Bar Association Project of UNDP
3.7.Lao Womens' Union and	<ul style="list-style-type: none"> Workshop on concluding 	3.7.1 Workshop designed and conducted	Workshop costs

National Committee for Advancement of Women assisted to build capacity to follow up and develop programme for monitoring implementation of CEDAW and CRC	observations of CEDAW held (2006)	with the LWU, NCAW on Treaty Body concluding observations on CEDAW and next steps for monitoring of implementation of international human rights instruments	International Consultant DSA x 3 days, Airfare
	<ul style="list-style-type: none"> Workshop on concluding observations of CRC held (2007) 	3.7.2 Workshop designed and conducted with the LWU, NCMC on Treaty Body concluding observations on CRC and next steps for monitoring of implementation of international human rights instruments	Workshop costs International Consultant DSA x 3 days, Airfare
3.8 Capacity of OSPP and the Ministry of Public Security for enforcement, implementation and monitoring of implementation of international law is strengthened	<ul style="list-style-type: none"> Review on the follow up activities to the WS for the OSPP and Ministry of Public Security (organized in Oct/Nov 2004 under Phase I) and of continuing needs regarding enforcement, implementation and monitoring of implementation of international law. undertaken and discussed (2005) 	3.8.1 Review and report past activities on law enforcement coordination	CTA (report)
	<ul style="list-style-type: none"> Workshops conducted (2005) (2006) 	3.8.2 Additional follow-up activities (workshops) to 3.8.1. to be developed	CTA Cost of follow up workshops Cost of publishing materials
3.9. Capacity of judiciary to apply and enforce international law strengthened	<ul style="list-style-type: none"> International law module developed with and incorporated in the curriculum of the Judicial Training Centre (2007) 	3.9.1 International consultant (expert in training of judges) to conduct consultation with UNDP Project at Supreme Court and JTC on incorporation of an international law module into JTC curriculum	International Consultant (Airfare and DSA x 15 days) Meeting event cost
		3.9.2 Develop module on enforcement of international law in the judicial decision making process.	Consultant
	<ul style="list-style-type: none"> Training of trainers workshop conducted (2007) 	3.9.3 Conduct 1-day workshop for trainers at the JTC on teaching the module.	Consultant CTA
3.10 Capacity for applying a rights-based approach to development programming in	<ul style="list-style-type: none"> Pilot workshop for government officials on rights based approach conducted (2005) 	3.10.1 Pilot workshop on <i>The UN Common Understanding On HR Based Development Programming</i> and its	CTA Workshop cost

concerned Ministries, Government institutions and the administrations of selected Provinces is strengthened		implication for the Lao PDR (MFA, Committee on Planning and Investment, Ministry of Finance, NA and PMO) as facilitating poverty alleviation and human development	
	<ul style="list-style-type: none"> Workshops for Central government, Provincial administration, and review conducted in conjunction with preparation of annual National Socio- Economic Development Plan (2006) (2007) (2008) 	3.10.2 Follow up workshops (3) for concerned Ministries and other relevant Government institutions with specific Ministries for capacity building for Rights-based development programming	Workshop costs (3 workshops) International consultant (Air travel and DSA 15 days) CTA
		3.10.3 Pilot workshop with the administrations of selected Provinces (from Provinces in which the MFA is working with the External Relations Unit of the Province)	Travel and DSA for resource and project CTA
		3.10.4 Review session with selected target group after adoption of socio-economic plan to assess approaches adopted and future action	Meeting costs CTA
3.11 Capacity of Government for enforcement, implementation, and monitoring of implementation of international law is strengthened	<ul style="list-style-type: none"> Review of international law implementation and monitoring needs conducted (2006) 	3.11.1 Review of continuing needs regarding enforcement, implementation, and monitoring of implementation of international law (especially in the five areas of focus of the Project).	CTA Documentation costs National resource person x 10 days
	<ul style="list-style-type: none"> 1 workshop on international law conducted per year (3 workshops 2006 to 2008). 	3.11.2 Plan, prepare for and conduct workshops on selected themes and topics of international law.	CTA
	<ul style="list-style-type: none"> Annual review conducted (2006) (2007) (2008) 	3.11.3 Conduct annual review of their impact and effectiveness.	CTA
3.12 Strengthened capacity of MFA (Department of Treaties and Law, Department of International Organisations) to monitor the implementation and enforcement of international law in the Lao PDR and on the implementation of	<ul style="list-style-type: none"> Workshop on implementation of international obligations conducted (2005) 	3.12.1 Workshop for MFA on monitoring national implementation of international obligations. Focus on comparative experience of selected countries	Workshop costs

international obligations by other State parties of treaties Lao PDR is party.			
3.13 Capacity of National Assembly to oversight the implementation and enforcement of international law by the Government and the Judiciary.	<ul style="list-style-type: none"> Oversight of international law implementation integrated into National Assembly project's component on oversight function (2005) 	3.13.1 Coordinate with National Assembly project to include oversight of implementation of international law into programme of capacity building relating to oversight function of NA	CTA NA Project team
3.14 Government assisted in consideration of concluding observations of the ICERD Committee on Lao PDR's Report under ICERD.	<ul style="list-style-type: none"> Debriefing by Lao delegation to CERD in Geneva conducted (2005) 	3.14.1 Debriefing by Lao delegation to CERD in Geneva (Feb 2005)	CTA meeting cost
	<ul style="list-style-type: none"> Workshop on concluding observations held (2006) 	3.14.2 Workshop on concluding observations of CERD and for identification of follow up activities	CTA National Resource Person Workshop costs
	<ul style="list-style-type: none"> Workshop on next ICERD report held (2006) 	3.14.3 Preparation workshop for writing of next Lao periodic report due in 2006/7	CTA National resource person Workshop costs
OUTCOME 4: DEVELOPED NATIONAL CAPACITIES IN INTERNATIONAL LAW AND NEGOTIATION			
Intended Outputs	Output Targets for (years)	Indicative Activities	Inputs
4.1 Professional skills of staff of MFA's Department of Treaties and Law and other concerned Departments strengthened	<ul style="list-style-type: none"> Specialized seminars held (2006, 2007 and 2008) 	4.1.1 Annual seminar on "Use of international law in current international interactions" for MFA officers designed and conducted. (3 seminars).	CTA International Specialist (air ticket & DSA 3 x 4 days) Seminar costs x 3
		4.1.2 Annual workshop on bilateral treaty negotiation skills for MFA officers designed and conducted.	CTA International Specialist (air ticket & DSA 3 x 5 days) Workshop costs x 3
		4.1.3. Workshop on the diplomatic and judicial means of peaceful settlement of international disputes, including the work of the permanent court of Arbitration, the	International Specialist (air ticket & DSA 3 x 5 days) Workshop costs

		International Court of Justice.	
	<ul style="list-style-type: none"> Study visit on arbitration to Thailand and debriefing conducted (2006) 	4.1.4 Study mission by staff of Treaties Division, DTL to Thailand on Arbitration.	Travel tickets and DSA
		4.1.5 Briefing to DTL-MFA by returning participants of study mission	Cost of meeting
	<ul style="list-style-type: none"> Report to MFA on Geneva mission submitted 	4.1.6 Study visit to Geneva to study the needs and conditions of the establishment of a Lao PDR's Permanent Mission to UN in Geneva.	To be costed with 1.5.3
4.2 Develop library into an information, resource and research centre for international law and human rights	<ul style="list-style-type: none"> Procurement plan prepared (2005) 	4.2.1 Based on the recommendations of the documentation specialist (from the Phase I project) and on emerging needs of DTL and the MFA, annual plan (covering 2005 – 2008) for procurement of materials prepared.	CTA
	<ul style="list-style-type: none"> Reading and research materials purchased (2005 - 2008) 	4.2.2 Books and other publications purchased.	Cost of publications.
	<ul style="list-style-type: none"> Feasibility Study done and (2005) 	4.2.3 Feasibility of developing separate facilities for library and treaty archive studied and recommendation made in consultation with MFA.	
		4.2.4 When additional space is available develop design for separate facilities and support relocation.	National consultant (10 days)
	<ul style="list-style-type: none"> Text book on international law translated (2006) 	4.2.5 Translation of a appropriate text book on international law	Translation, preparation for publishing and printing costs
	<ul style="list-style-type: none"> Translations of treaties planned and approved (2005) Translations of treaties (2005 - 2008) 	4.2.6 Continuous translation of treaties obliging Lao PDR which have not already been translated during Project phased I according the prioritized list for translation.	CTA Translation costs
	<ul style="list-style-type: none"> Updated compilation of translations (2007) and published on website (2007) 	4.2.7 Publications of the translated treaties on website and making CDROM	Cost of publishing on website and CDROM
4.3 Institutional capacity and expertise in international law developed by provision of	<ul style="list-style-type: none"> Terms and conditions agreed on (TOR) and candidates identified (2006) 	4.3.1 Develop TOR for 3 Masters Degree or higher level of study including applicable terms and conditions to ensure	CTA

opportunity for postgraduate study and short-term training.		that institutions will benefit from participants' service for a fixed number of years.	
		4.3.2 Selection of candidates and application facilitated.	CTA
	<ul style="list-style-type: none"> Participants undertake courses of study (2006 and 2007) 	4.3.3 Selected 3 applicants supported to follow postgraduate degree programmes in: Human rights law International Border Law Public & Private International Law	CTA Cost of 3 postgraduate programmes Travel and stipend
	<ul style="list-style-type: none"> Department strengthened by participation of DTL officers in selected short courses overseas. (2005, 2006 and 2007) 	4.3.4 Support participation in key short programmes on topics of international law and human rights	CTA Travel and stipend.
4.4 Basic resource developed for practitioners, students and teachers of international law	<ul style="list-style-type: none"> Lexicon of international law terminology published (2006) 	4.4.1 Develop, edit, design layout and publish lexicon of international law related terms in English and Lao	National Consultant (20 days) Publication costs.
4.5 Strengthen English Language skills of DTL Staff to assist in the performance of official duties	<ul style="list-style-type: none"> Discussion with English Language Training Programme (UNDP) for the Legal Sector (2005) English Language skills of DTL staff developed (2005 - 2008) 	4.5.1 Support continued participation in the English language Training Project to be developed for the legal sector.	Costs covered by the separate English Language Training Project
		4.5.2 Support DTL staff to take international English proficiency certification examinations	Course and exam. fees (5 per year)



SIGNATURE PAGE



GOVERNMENT OF LAO PEOPLE'S DEMOCRATIC REPUBLIC
UNITED NATIONS DEVELOPMENT PROGRAMME LAO PDR

UNDAF Outcome(s)/Indicator(s): Enhanced capacities of key institutions to apply the international legal framework

Expected Outcome(s)/Indicators(s): MYFF: Goal2: Fostering Democratic Governance;
Service line: 2.4 Justice and Human Rights

Expected Output(s)/Indicator(s):

- Strengthening national ownership of multilateral treaty commitments
- Incorporating treaty provisions into the national legislative and planning processes, and assisting in their implementation
- Promoting human rights for all (including ratification of ICCPR and ICESCR)

Implementing Partner: The Ministry of Foreign Affairs

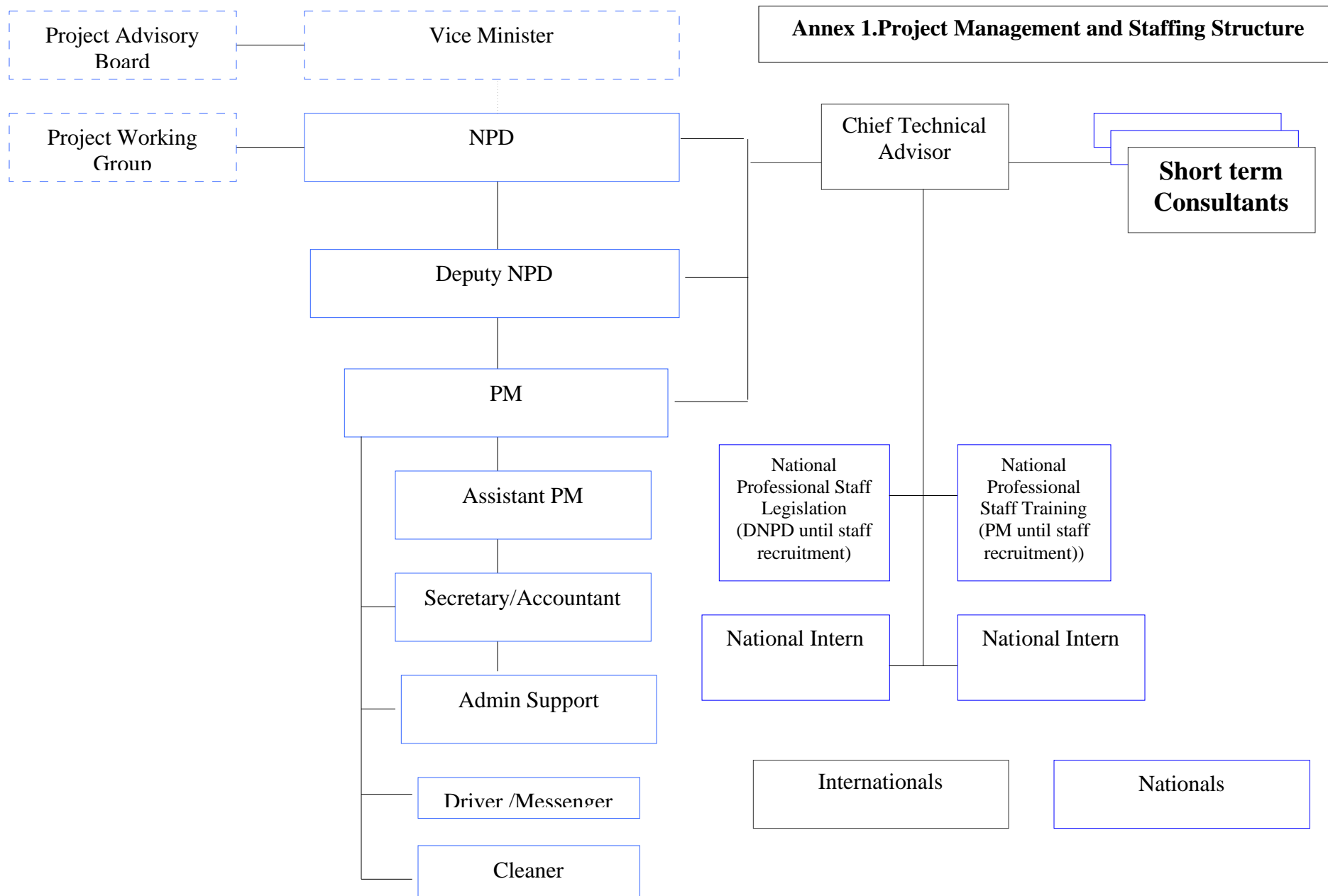
Other Partners:

Programme Period:	2005-2008
Programme Component:	MYFF Goal 2: Fostering Democratic Governance
Project Title:	Enhancing the Contribution of International Law to the Strengthening of the Rule Of Law in the Lao PDR
Project Short Title:	The International Law Project (Phase II)
Project Code:	00045032
Project Duration:	36 months

Total Budget:	\$1,256,000
Allocated Resources:	
• Government	
• Regular (TRAC Funds)	\$216,000
• Other (including in-kind contributions)	
o Donor Finland	\$650,000
o Donor EU	\$390,000
Unfunded Budget:	

Agreed by:	Signature	Date	Name/Title
The Ministry of Foreign Affairs	_____	11 May, 2005	H.E. Phongsavath Boupha Vice Minister of Foreign Affairs
UNDP	_____	11 May, 2005	Mr. Finn Reske-Nielsen Resident Representative

ANNEXES



Annex 2. Project Activities

The activities set out below result from an extensive process of consultations with National Stakeholders and therefore are needs-responsive and demand-driven. The approach to Project activities, with illustrative examples, were presented to two consultative meetings with legal sector protagonists and with line Ministries and concerned government agencies and institutions respectively. The feedback from such consultative meetings is set out below:

- The Consultative meetings strongly endorsed the Project's focus on post-ratification activities relating to implementation and monitoring of implementation, in addition to continuing advocacy for ratification. By doing this the Project rightly pays attention to the existing obligations of the Lao PDR, under international law.
- For effective implementation, the provincial authorities need to be made more aware of what international law is; why it is important to the Lao PDR and what roles and responsibilities they have regarding the effective implementation of international law and of national law made pursuant to ratification of a treaty.
- For provincial officials, both general manuals as well as specialized handbooks with practical details are needed.
- After ratification, laws need to be enacted and such laws must be realistic and take account of the social and economic conditions prevailing in the country.
- However just enacting a single law is not enough. Such law must be part of a "complete legal system".
- People in Laos generally lack legal awareness and this is especially true regarding international law. Hence it is important to translate international law into Lao language.
- It is important to raise public awareness about international law and it is vital that government officials have a proper understanding first before disseminating information to the public.
- Human rights issues are sensitive and there is a reluctance to talk about them. But this reluctance can be overcome with a better understanding of human rights.
- For the success of the Project, co-ordination is very important and it is suggested that each Ministry/ organizations and the Project designate a focal point for the Project.

Activities will be of three categories: *pilot*; *periodic*; and *core*.

Pilot activities

These activities will be in partnership with a specific Ministry or organ of government and other organizations. Such activities are intended to be catalytic; encouraging the partner to assume primary responsibility for follow-up.

All pilot activities, whether with Ministries and agencies of government, mass organizations or professional associations will be budgeted and all funds will be administered by the Project. The Project, it must be stressed, is not a conduit for merely channeling funds to such other entities. It is not a purely funding agency. Rather, it is intended that the Project “tailor” activities based upon the needs of and opportunities available to such entities ensuring that such activities further the Project’s three objectives set out above and provided such activities are within the focus of the Project as also set out above. All pilot activities will be undertaken in partnership with the Project and will only be undertaken on the understanding that follow-up to such activities will be the responsibility of the partnering entity and that the partnering entity does have the resources, authority and will to undertake such follow-up activities.

The Project will apply the following criteria in determining and prioritizing which proposed pilot activities it will undertake:

- Strategic relevance to the objectives of the Project and in particular the objective of poverty reduction
- Responsiveness to needs of the Ministry or other partner organization
- Contribution to capacity-building for more effective national incorporation and implementation, or to capacity for monitoring implementation, of international law that the Lao PDR has already adhered to
- Contribution to capacity building for meeting reporting requirements under international law that the Lao PDR has already adhered to.
- Contribution to advocacy for ratification of international that the Lao PDR has not already adhered to
- Contribution to more effective participation by the Lao PDR in international or regional organizations, fora or events
- Feasibility, in terms of competing demands made by the core and periodic activities of the Project on the Project’s resources and time.

An example of what these activities might entail, was provided by a Government Ministry which had cooperated with the Project in its initial phase in its discussions with the mission team. Generally, the work of the Project with a Ministry, or another government organ or agency, mass organization, or professional association would comprise one or more of the following types of activities:

- A pilot workshop for the Ministry officials and staff on key international law treaties (and the institutions related to such treaties) relevant to the mandate and work of the Ministry.
Thus, for example, for the Ministry of Labour and Social Welfare a Pilot workshop on the ILO and how it functions; and on key ILO Conventions important to Laos.
- Support to that Ministry in studying and preparing a proposal for ratification of a treaty important to the mandate of such Ministry.

Thus, for example, for the Ministry of Labour and Social Welfare preparation in Lao language of briefing notes on specific ILO Conventions to be studied for suggested ratification and, where there is interest by the Ministry to advocate for ratification, support for translation of the treaty

- Support to a Ministry to advocate for ratification of a specific treaty of importance to the mandate of such Ministry.

Thus, for example, in the case of the Ministry of Labour and Social Welfare, the ILO Conventions on particular topics.

- A pilot workshop on implementation of such a treaty (and laws related to the treaty) for the staff of the Ministry and other concerned ministries/organizations and for local officials involved in the work of the Ministry related to such treaty.
- Support in drafting legislation to incorporate ratified treaties of relevance to the Ministry.
- Support to the Ministry for meeting its obligations of reporting under such treaty, where applicable.
- Facilitation in the preparation for and follow up to participation by the Ministry in the main international events related to the legal work of the Ministry .

All pilot activities, whether with Ministries and agencies of government, mass organizations or professional associations will be budgeted and all funds will be administered by the Project.

Periodic activities

Periodic activities comprise activities which merit priority in and of themselves, intrinsically. In addition, by making such activities periodic, a process is created and such process lends itself to capacity and institutional-building.

Three periodic activities are envisaged in the next phase of the Project:

- An Annual International Law Forum which is intended to enlarge and strengthen the international law community and to help prioritize specific international laws for ratification/accession in the Lao PDR. The Forum could be organized under the joint sponsorship of the Supreme Court, the Ministry of Justice and the Ministry of Foreign Affairs. The Forum participants would be international lawyers, other legal specialists and non-lawyers from the various Ministries and government agencies and institutions. The Forum would have four segments. The first segment would review significant developments in international law, of particular relevance to the Lao PDR, that have taken place during the past year. The second segment would consist of panels on international law themes (such as inter-linkages and impacts of specific bodies of international law on other bodies of international law; the

significance of the concepts of “hard law and soft law” in international law to the Lao PDR; harmonizing regional law with international law; accelerating the pace of development of private international law in the Lao PDR) of particular importance to the Lao PDR at present. The third segment would provide an opportunity to the participating agencies, institutions and Ministries to present their priorities for ratification of international law; and the final segment would involve discussion of such priorities and adoption by consensus of Resolutions adopting priorities for ratification. The Resolutions of the Forum would be presented to Government, at the highest level, thereafter.

- A biennial Compilation on Human Rights information in the Lao PDR intended to provide data by governmental entities on progress in the promotion and protection of human rights. Such information will be useful for national planning and for programming purposes as well. It will also be useful to both Government and its development partners in the policy dialogues on human rights. The process of producing such a publication will also help enlarge and strengthen the concerned institutions in the Lao PDR. The task of producing such a Report could be entrusted to the Human Rights Unit (that is being proposed to be set up within the Department of Treaties and Law of the Ministry of Foreign Affairs) under the guidance of an Editorial Board chaired by the Chair of the informal bilateral working groups on human rights.
- Support for the two informal Lao bilateral working groups on human rights to:
 - (a) undertake capacity development activities for monitoring implementation of human rights obligations as well as for monitoring progressive realization of human rights
 - (b) act as focal point for receiving and collecting information on human rights practices in the Lao PDR for the Compilation on Human Rights.
 - (c) Study specific human rights issues and follow up with relevant government (national and provincial) institutions – such activities to be included in the subsequent compilation.

Core activities

These activities represent a continuation of such of the main activities of the predecessor project as are relevant to the objectives of this 2nd Phase Project, as well as new activities to be undertaken by the Project staff in furtherance of the objectives and strategy of the Project.

These core activities would include:

- work related to advocacy for ratification of treaties in the priority bodies of law which are the focus of the Project.
- translation; development and dissemination of resource materials for advocacy for ratification or for capacity-building or awareness-raising;

- capacity development for national incorporation, implementation and monitoring;
- capacity development for applying a human rights-based approach to development by Lao Ministries and agencies with a view to supporting poverty reduction initiatives.
- dissemination of Country Reports to Treaty Bodies and of the Concluding Observations of the Treaty Bodies on such Reports for national consideration
- work related to accelerating the development of private international law in the Lao PDR
- study visits linked to participation in short-term training programmes or to participation in international events or fora.

All study visits should comply with Guidelines set out in Annex 3 to this Document relating to transparent and well-justified selection mechanism, procedures and explicit rationale for participation; pre-departure preparations; post-return debriefing and application.

Annex 3. Guidelines on Study Tours/Missions

The Guidelines as set out in the NEX Manual are augmented by the following:

All study tours/missions under the Project should be linked either to participation in short-term training programmes or to participation in international events or fora.

All visits should comply with Guidelines set out below relating to transparent and well-justified selection mechanism, procedures and explicit rationale for participation; pre-departure preparations; post-return debriefing and application.

1. All study tours/missions should be mentioned in the quarterly workplan. The formal request and finalized TOR should be submitted to UNDP at least two weeks before the planned start date, or three weeks, in cases where the study tour/mission has not been mentioned in the approved workplan. Especially the successful processing of advance DSA payments require the timely submission of TORs.
2. The TORs should be developed in consultation with UNDP at an early stage, and no commitments regarding the study tour should be made prior to obtaining formal approval of both the NPD and UNDP.
3. TORs should include a sketch programme of meetings/activities planned as part of the study tour/mission and as follow-up to the study tour/mission, with a concrete description of how the study tour is expected to positively contribute to each participants' future work and fulfillment of duties. It is recommended that this is done in close consultation with the nominated study tour participants.
4. The value of a study tour is highly dependent on it being one link in a chain of activities and not a singular isolated event. It must be emphasized that study tours are not primarily opportunities for individual learning but a method for importing knowledge. Thus, the possibilities for the participants to disseminate their newly acquired knowledge is one of the most important criteria for nomination to participate in a study tour.
5. Learning is the most common aspect of a study tour/mission, but conveying information about Lao needs, concerns and priorities to those visited; and strengthening the contribution that Lao officials in the country visited can make to the objectives of the project, are also important considerations. These are the opportunities that can be tapped into if the participants adopt a proactive approach to planning their study tour and perform sufficient preparatory activities.
6. Reports from study tours/missions should be submitted without any unnecessary delays and at the latest, within three weeks after returning from a study

tour. The DSA balances will be processed upon receipt of the finalized study tour report.

Some indicative activities are included below:

International Law Fora	Short Term Training
3 rd Committee of the UN General Assembly	Study session of the European Human Rights Institute, Strasbourg, France
6 th Committee of the UN General Assembly	Seminars/workshops of International Development Law Organization (Rome), held in Australia
UN Commission on HR, Geneva	Specialized Course in Diplomacy, Geneva
Sessions of the International Law Commission, Geneva	Course in Human Rights, HRI Canada
Sessions of the UN Commission on International Trade Law (codification of Private IL)	Asia Cup International Law Moot Court for Faculty Supervisor
Session of the UN Sub-Commission on the Promotion and Protection of HR	Forum Asia Regional HR Training Course, Thailand
Asia Pacific Forum of National HR Institutions	International Law Colloquium, Greece
Assembly of State Parties of the ICC	Hague Academy of IL, Netherlands 1 Public International Law 2 Private International Law 3 Hague External Programme
Afro-Asian Legal Consultative Committee Meetings	Eric Castrén Institute of International Law and Human Rights, University of Helsinki
Meetings of ASEAN Human Rights mechanism	Raoul Wallenberg Institute, Sweden

1. National Project Director

Background

The Government of the Lao PDR places high priority on establishing the Rule of Law to support the socioeconomic transition. The Government of the Lao PDR, in its policy paper on Governance Issues (presented to the Roundtable in March, 2003) emphatically states that it will strive: “to develop a coherent, credible and predictable legal framework established in a transparent and participatory manner”.

UNDP has been a strong partner of the Ministry of Foreign Affairs. Since 2001, in order to contribute towards the above two objectives, The Ministry has been implementing a Project to strengthen the process of signing, ratifying, implementing and monitoring international legal instruments in the Lao PDR. While significant progress has been made in awareness-raising, ratification, national incorporation and implementation of international law in the Lao PDR continues to have much room for improvement. Today, there is an urgent need in the Lao PDR for:

- *Improved procedures for timely ratification of further international law, in a manner that is proactive and firmly based on national priorities*
- *Accelerated capacity development for national incorporation, for national implementation and enforcement in a decentralized manner, and for national monitoring of implementation, enforcement and progressive realization of international legal standards in the Lao PDR*

Accordingly, key objectives of the next phase of the Project are:

- Increased participation in the international legal framework by the Government of the Lao PDR
- Improved incorporation of international law into the domestic legal system
- Enhanced implementation, enforcement, monitoring and reporting under international legal instruments obliging the Lao PDR
- Developed national capacities in international law and negotiation

Responsibilities

General:

- **Day-to-day management, coordination and supervision of implementation of project activities and ensure effective planning and management of the project to achieve stated outcomes and outputs in accordance with UNDP/ Government of the Lao PDR Guidelines for Nationally Executed Projects.**

Specific:

- **Be in charge of the Project Working Group (PWG), and all staff at the Project, and ensure the day to day smooth running of the Project**

- **Develop work plans for the Project staff, and conduct periodic performance appraisals;**
- **Prepare annual work plan and budget for the project in consultation with the Chief Technical Advisor;**
- **Supervise the Project Manager in the preparation of periodic progress reports and financial statements of project activities required by the MoFA/DTL and the UNDP;**
- **Be responsible for all reporting requirements with regard to, and the conduct of tripartite reviews, annual project reviews, annual audits, mid-term evaluation and final evaluation of project;**
- **Liaise with UNDP, MoFA/DTL, donors, and stakeholders in implementation of project activities;**
- **Develop terms of reference for consultants, coordinate all consultancies as stated until consultants' reports are received and accepted by the MoFA/DTL and UNDP;**
- **Take the lead role in consolidating consultants' recommendations in to the development and implementation of project activities;**
- **Plan and conduct study tours, workshops, seminars, and training programmes related to project implementation;**
- **Organize periodic progress review, evaluation, and other meetings; and,**
- **Be up to date on developments related to international law practice in other countries.**

Qualifications:

- **Basic degree in law, politics, development, or related field, with an advanced degree in a related field**
- **A minimum of ten years working experience in law, politics, and/or coordinating donor funded projects**
- **Strong analytical skills and proven ability to work independently**
- **Knowledge of, or exposure to the MoFA of Lao PDR, and other countries preferred**
- **Fluency in English and Lao, with good written and oral communications skills.**

Reporting Requirements:

The NPD will report to the Vice Minister of MoFA and to the Project Advisory Board and have close relations with the Chief Technical Advisor, the MoFA/DTL, and the UNDP.

2. Deputy National Project Director

Background

The Government of the Lao PDR places high priority on establishing the Rule of Law to support the socioeconomic transition. The Government of the Lao PDR, in its policy paper on Governance Issues (presented to the Roundtable in March, 2003) emphatically states that it will strive: “to develop a coherent, credible and predictable legal framework established in a transparent and participatory manner”.

UNDP has been a strong partner of the Ministry of Foreign Affairs. Since 2001, in order to contribute towards the above two objectives, The Ministry has been implementing a Project to strengthen the process of signing, ratifying, implementing and monitoring international legal instruments in the Lao PDR. While significant progress has been made in awareness-raising, ratification, national incorporation and implementation of international law in the Lao PDR continues to have much room for improvement. Today, there is an urgent need in the Lao PDR for:

- *Improved procedures for timely ratification of further international law, in a manner that is proactive and firmly based on national priorities*
- *Accelerated capacity development for national incorporation, for national implementation and enforcement in a decentralized manner, and for national monitoring of implementation, enforcement and progressive realization of international legal standards in the Lao PDR*

Accordingly, key objectives of the next phase of the Project are:

- Increased participation in the international legal framework by the Government of the Lao PDR
- Improved incorporation of international law into the domestic legal system
- Enhanced implementation, enforcement, monitoring and reporting under international legal instruments obliging the Lao PDR
- Developed national capacities in international law and negotiation

Responsibilities

General:

- **Assist the NPD in the day-to-day management, coordination and supervision of implementation of project activities and in ensuring effective planning and management of the project to achieve stated outcomes and outputs in accordance with UNDP/ Government of Lao Guidelines for Nationally Executed Projects.**

Specific:

- **Be in charge, in the absence of the NPD of the Project Working Group (PWG),;**

- Assist the NPD in developing work plans for Project staff, and conduct periodic performance appraisals;
- Assist the NPD in the preparation of annual work plan and budget for the project in consultation with the Chief Technical Advisor and the NPD;
- Assist the NPD in supervising the Project Manager in the preparation of periodic progress reports and financial statements of project activities required by the MoFA/DTL and the UNDP;
- Assist the NPD regarding all reporting requirements with regard to, and the conduct of tripartite reviews, annual project reviews, annual audits, mid-term evaluation and final evaluation of project;
- Liaise with UNDP, MoFA/DTL, donors, and stakeholders in implementation of project activities;
- Assist the NPD in developing terms of reference for consultants, coordinate all consultancies until consultants' reports are received and accepted by the MoFA/DTL and UNDP;
- Assist the NPD in consolidating consultants' recommendations into the development and implementation of project activities;
- Assist the NPD in planning and conducting study tours, workshops, seminars, and training programmes related to project implementation;
- Assist the NPD in organizing periodic progress review, evaluation, and other meetings; and,
- Be up to date on developments related to international law practice in other countries.

Qualifications:

- Basic degree in law, politics, development, or related field, with an advanced degree in a related field
- A minimum of seven years working experience in law, politics, and/or coordinating donor funded projects
- Strong analytical skills and proven ability to work independently
- Knowledge of, or exposure to the MoFA of Lao PDR, and other countries preferred
- Fluency in English and Lao, with good written and oral communications skills.

Reporting Requirements:

The DNPD will report to the NPD and have close relations with the Chief Technical Advisor, the MoFA/DTL, and the UNDP.

3. National Project Manager

Background

The Government of the Lao PDR places high priority on establishing the Rule of Law to support the socioeconomic transition. The Government of the Lao PDR, in its policy paper on Governance Issues (presented to the Roundtable in March, 2003) emphatically states that it will strive: “to develop a coherent, credible and predictable legal framework established in a transparent and participatory manner”.

UNDP has been a strong partner of the Ministry of Foreign Affairs. Since 2001, in order to contribute towards the above two objectives, The Ministry has been implementing a Project to strengthen the process of signing, ratifying, implementing and monitoring international legal instruments in the Lao PDR. While significant progress has been made in awareness-raising, ratification, national incorporation and implementation of international law in the Lao PDR continues to have much room for improvement. Today, there is an urgent need in the Lao PDR for:

- *Improved procedures for timely ratification of further international law, in a manner that is proactive and firmly based on national priorities*
- *Accelerated capacity development for national incorporation, for national implementation and enforcement in a decentralized manner, and for national monitoring of implementation, enforcement and progressive realization of international legal standards in the Lao PDR*

Accordingly, key objectives of the next phase of the Project are:

- Increased participation in the international legal framework by the Government of the Lao PDR
- Improved incorporation of international law into the domestic legal system
- Enhanced implementation, enforcement, monitoring and reporting under international legal instruments obliging the Lao PDR
- Developed national capacities in international law and negotiation

Responsibilities

General:

- **Assist the NPD in day-to-day management, coordination and supervision of implementation of project activities and ensure effective planning and management of the project in accordance with UNDP Guidelines for Nationally Executed Projects.**

Specific:

- **Prepare annual work plan and budget for the project for submission to the DNP and NPD;**
- **Prepare periodic progress reports and financial statements of project activities required by the MoFA/DTL and the UNDP;**

- Liaise with UNDP, MoFA/DTL, donors, and stakeholders in implementation of project activities;
- Together with the NPD, develop terms of reference for consultants, coordinate all consultancies until consultants' reports are received and accepted by the MoFA/DTL and the UNDP;
- Assist the NPD in consolidating consultants' recommendations into the development of a work plans and activities;
- Assist the NPD to plan and conduct study tours, workshops, seminars, and training programmes related to project implementation; and,
- Assist the NPD to organize periodic progress review, evaluation, and other meetings.

Qualifications and Experience:

- Basic degree in law, politics, development, social sciences
- Qualifications or experience in accounting an advantage
- A minimum of five years working experience in law, politics, and/or coordinating donor funded projects
- Strong analytical skills and proven ability to work independently
- Knowledge of, or exposure to the Ministry of Foreign Affairs system of Lao PDR, and other countries preferred
- Fluency in English and Lao, with good written and oral communications skills.

Reporting Requirements:

The National Project Manager will report to the Deputy National Project Director and the National Project Director and work closely with the MoFA/DTL and the UNDP.

4. Assistant National Project Manager

Background

The Government of the Lao PDR places high priority on establishing the Rule of Law to support the socioeconomic transition. The Government of the Lao PDR, in its policy paper on Governance Issues (presented to the Roundtable in March, 2003) emphatically states that it will strive: “to develop a coherent, credible and predictable legal framework established in a transparent and participatory manner”.

UNDP has been a strong partner of the Ministry of Foreign Affairs. Since 2001, in order to contribute towards the above two objectives, The Ministry has been implementing a Project to strengthen the process of signing, ratifying, implementing and monitoring international legal instruments in the Lao PDR. While significant progress has been made in awareness-raising, ratification, national incorporation and implementation of international law in the Lao PDR continues to have much room for improvement. Today, there is an urgent need in the Lao PDR for:

- *Improved procedures for timely ratification of further international law, in a manner that is proactive and firmly based on national priorities*
- *Accelerated capacity development for national incorporation, for national implementation and enforcement in a decentralized manner, and for national monitoring of implementation, enforcement and progressive realization of international legal standards in the Lao PDR*

Accordingly, key objectives of the next phase of the Project are:

- Increased participation in the international legal framework by the Government of the Lao PDR
- Improved incorporation of international law into the domestic legal system
- Enhanced implementation, enforcement, monitoring and reporting under international legal instruments obliging the Lao PDR
- Developed national capacities in international law and negotiation

Responsibilities

General:

- **Assist the NPD and the NPM in day to day management, coordination and supervision of implementation of project activities and ensure effective planning and management of the project in accordance with UNDP Guidelines for Nationally Executed Projects.**

Specific:

- **Assist in preparing annual work plan and budget for the project in consultation with the National Project Manager and National Project Director;**

- **Assist in preparing periodic progress reports and financial statements of project activities required by the MoFA/DTL and the UNDP;**
- **Liaise with UNDP, MoFA/DTL, donors, and stakeholders in implementation of project activities;**
- **Together with the NPD and the NPM, develop draft terms of reference for consultants, and assist in coordinating all consultancies until consultants' reports are received and accepted by the MoFA/DTL and the UNDP;**
- **Assist the NPD and the NPM in consolidating consultants' recommendations into the development of a work plans and activities;**
- **Assist the NPD and the NPM to plan and conduct study tours, workshops, seminars, and training programmes related to project implementation; and,**
- **Assist the NPD and the NPM to organize periodic progress review, evaluation, and other meetings.**

Qualifications and Experience:

- **Basic degree in law, politics, development, social sciences**
- **Qualifications or experience in accounting an advantage**
- **A minimum of five years working experience in law, politics, and/or coordinating donor funded projects**
- **Strong analytical skills and proven ability to work independently**
- **Knowledge of, or exposure to Ministry of Foreign Affairs system of Lao PDR, and other countries preferred**
- **Fluency in English and Lao, with good written and oral communications skills.**

Reporting Requirements:

The Assistant National Project Manager will report to the National Project Director through the National Project Manager and work closely with the MoFA/DTL and the UNDP.

5. Chief Technical Advisor

Background

The Government of the Lao PDR places high priority on establishing the Rule of Law to support the socioeconomic transition. The Government of the Lao PDR, in its policy paper on Governance Issues (presented to the Roundtable in March, 2003) emphatically states that it will strive: “to develop a coherent, credible and predictable legal framework established in a transparent and participatory manner”.

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Accordingly, key objectives of the next phase of the Project are:

- Increased participation in the international legal framework by the Government of the Lao PDR
- Improved incorporation of international law into the domestic legal system
- Enhanced implementation, enforcement, monitoring and reporting under international legal instruments obliging the Lao PDR
- Developed national capacities in international law and negotiation

Responsibilities

General:

- **Advise the National Project Director, project management team, and the Project Advisory Board on the achievement of project outcomes and outputs in an effective and sustainable manner and provide expertise and practical guidance as required, on public and private international law.**

Specific:

- **Advise the NPD and the PWG on development of annual work plans and budgets for the project;**
- **Provide the Project with comparative and practical public and private international law expertise on a day-to-day basis as required.**

- Assume responsibility and leadership for all Project activities in the field of private international law.
- Provide technical inputs to the NPD and the NPM in the preparation of periodic progress reports and financial statements of project activities required by the MoFA/DTL and the UNDP;
- Advise the NPD in the preparation for conduct of tripartite reviews, annual project reviews, annual audits, mid-term evaluation and final evaluation of the project;
- Advise stakeholders including UNDP, MofA/DTL, donors, and stakeholders in planning and implementation of project activities;
- Advise the NPD in developing terms of reference and selection criteria for consultants, and coordinate all consultancies until consultants' reports are received and accepted by the MoFA/DTL and UNDP;
- Advise the NPD in consolidating consultants' recommendations into the development and implementation of project activities;
- Advise the NPD to plan and conduct study tours, workshops, seminars, and training programmes related to project implementation;
- Attend all progress review, evaluation, and other meetings organized by the PWG;
- Evaluate all training and awareness programmes carried out by various agencies under the project;
- Have regular formal and informal interaction with the high legal sector officials, PAD Members, and any other key stakeholders; and,
- Advise on developments related to public and private international law practice in other countries.

Qualifications:

- Advanced degree in public international law and private international law.
- A minimum of ten years working experience in the field of international law and/or coordinating donor funded projects
- Strong analytical skills and proven ability to work independently
- Knowledge of, or exposure to international law in developing countries;
- Fluency in English, with excellent written and oral communications skills; knowledge of French and/or Lao an advantage.

Reporting Requirements:

The CTA will report to the Project Management Team and the Project Advisory Board and have close relations with the NPD, other staff of the Project and the UNDP.

6. Project Advisory Board

Background

The Government of the Lao PDR places high priority on establishing the Rule of Law to support the socioeconomic transition. The Government of the Lao PDR, in its policy paper on Governance Issues (presented to the Roundtable in March, 2003) emphatically states that it will strive: “to develop a coherent, credible and predictable legal framework established in a transparent and participatory manner”.

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- Improved incorporation of international law into the domestic legal system
- Enhanced implementation, enforcement, monitoring and reporting under international legal instruments obliging the Lao PDR
- Developed national capacities in international law and negotiation

Responsibilities

General:

- **The Project Advisory Board (PAB) should ensure that all parties represented in the MoFA/DTL and its Project partners participate in project activities and benefit from the outputs of the project. PAB must provide policy and strategic advice; and assist in providing access and needed approvals.**

Specific:

- Obtain speedy approval and decisions as necessary, on policy and implementation issues;

- Frame delegation of powers spanning administrative, financial and disciplinary powers, and approve the same for the Project staff to implement;
- Approve yearly work plans for project implementation;
- Ensure that stipulated administrative support is received by the project;
- Ensure that staff identified for participating in project activities receive timely release from duties;
- Facilitate cooperation and support of partner organizations in the Government;
- Provide operational support to visiting missions to the project;
- Secure speedy approval of recommendations coming out of consultancy missions under the project;
- Participate in the tripartite reviews of the project and support annual audits;

Reporting Requirements:

The PAB will report to the MoFA.

7. Project Working Group

Background

The Government of the Lao PDR places high priority on establishing the Rule of Law to support the socioeconomic transition. The Government of the Lao PDR, in its policy paper on Governance Issues (presented to the Roundtable in March, 2003) emphatically states that it will strive: “to develop a coherent, credible and predictable legal framework established in a transparent and participatory manner”.

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Accordingly, key objectives of the next phase of the Project are:

- Increased participation in the international legal framework by the Government of the Lao PDR
- Improved incorporation of international law into the domestic legal system
- Enhanced implementation, enforcement, monitoring and reporting under international legal instruments obliging the Lao PDR
- Developed national capacities in international law and negotiation

Responsibilities

General:

- **Provide expert and practical input to the Project, as requested, to enable the Project leadership to make informed policy decisions affecting the future of the Project.**
-

Specific:

- **Situation Analysis and identification of critical issues;**
- **Suggest short term and long term strategies for addressing important issues;**
- **Advise on policy development options and legislative measures;**

- **Serve as resource persons on public consultations and training activities as appropriate;**
- **Prepare analytical documents;**
- **Assist in evaluations as appropriate.**

Reporting Requirements

The PWG will report to the PAB.

Annex 5. Synoptic overview of Project outcomes

