

ANNEX I

DESCRIPTION OF THE ACTION

This annex consists of this front sheet + 72 pages





ADDENDUM No. 1 to CO-DELEGATION AGREEMENT ACA/2015/372-239)**ANNEX I: DESCRIPTION OF THE ACTION (DoA)****CONTENTS**

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1. Summary of the Action

Title of the action:	EU Justice and Legal Empowerment Programme in Vietnam (EU JULE), PAGO DA mechanism
Location(s) of the action:	Viet Nam (national level), with specific focus on select provinces to be identified in programme roll out, based on assessments and consultations with national counterparts. Further details in section 3.2.
Total duration of the action:	37 months from 1 November 2017 to 30 November 2020
Objectives of the action	<p>Overall objective:</p> <p>To strengthen the rule of law through a more reliable, trusted and better accessed justice system.</p> <p>Specific objectives:</p> <p>To increase access to justice for vulnerable groups and in particular for women, children¹, ethnic minorities, and poor people</p>
Target groups and beneficiaries	<p>Main targets of the Action include:</p> <p>Ministry of Justice, Supreme People’s Court, Supreme People’s Procuracy, Ministry of Public Security and Ministry of Labour, Invalids and Social Affairs; National Assembly’s Law Committee, Judiciary Committee and Social Affairs Committee; Vietnam Lawyers’ Association, Vietnam Bar Federation.</p> <p>Other targets include provincial departments of justice; the provincial courts and provincial procuracies; other committees and agencies of the National Assembly; law universities and research institutions relating to law and justice, civil society organisations, and the media.</p> <p>Main beneficiaries of the intervention are:</p> <p>Citizens, including members of vulnerable groups, in particular for women, children, ethnic minorities, and poor people.</p>

¹ Throughout this DoA the term “children” or “child” refers to all persons under the age of 18 years, in line with the *Convention of the Rights of the Child*. In Vietnamese parlance this includes ‘children’ and ‘juveniles’.

Expected results	<p>Result 1: Increased public awareness and understanding of rights and how to invoke those rights.</p> <p>Result 2: Increased access to legal advice, assistance and representation in both civil and criminal matters.</p> <p>Result 3: Improved enabling legislative and regulatory framework for legal empowerment and access to justice.</p> <p>Result 4: Enhanced integrity and transparency in the justice sector.</p>
Main activities (*)	<p><u>Activities related to Result 1:</u></p> <p>Act. 1.1 Development and implementation of a comprehensive and professional legal empowerment behaviour change strategy.</p> <p>Act. 1.2 Capacity needs assessment of the state communicators (the 'bao cao vien') based on the legal empowerment strategy.</p> <p>Act. 1.3 Capacity development of the state communicators based on the findings of the needs assessment.</p> <p>Act. 1.4 Civil society interventions targeting vulnerable groups with particular awareness raising needs including women, children, ethnic minorities and poor people (<i>Out of the scope of PAGO DA mechanism; to be implemented and reported by Justice Initiative Facilitation Fund (JIFF)</i>)</p> <p>Act. 1.5 Support interventions to raise public awareness on protection of rights and access to justice for vulnerable groups, and in particular for women, children, ethnic minorities, and poor people.</p> <p><u>Activities related to Result 2:</u></p> <p>Act. 2.1 Capacity needs assessment of legal aid providers working in the justice system.</p> <p>Act. 2.2 Capacity development of legal aid providers based on the needs assessment and in accordance with the UN Principles and Guidelines on Access to Legal Aid.</p> <p>Act. 2.3 Targeted support for the implementation of the Legal Aid Reform Project of the Ministry of Justice 2015 - 2020.</p> <p>Act. 2.4 Targeted support for dispute resolution mechanisms in accordance with the Law on Grass Roots Mediation (2013) and based on priorities identified through</p>

	<p>rigorous research.</p> <p>Act. 2.5 Legal advice and information sessions in prisons and pre-trial detention facilities.</p> <p>Act. 2.6 Support for the implementation of the anticipated Family and Juvenile Court Act, with emphasis on developing a more child friendly justice system, improving diversion, restorative justice and reintegration schemes for juvenile offenders in accordance with applicable UN standard minimum rules and guidelines.</p> <p>Act. 2.7 Support for the protection and assistance to survivors of gender-based violence and child victims of abuse.</p> <p>Act. 2.8 Civil society initiatives to provide legal advice, assistance and representation for vulnerable groups and, in particular, for women, children, ethnic minorities and poor people. <i>(Out of the scope of PAGO DA mechanism; to be implemented and reported by JIFF)</i></p> <p>Act. 2.9 Needs based training for law enforcement and criminal justice officials as well as staff of other relevant agencies to meet the needs of survivors of gender-based violence and child victims of abuse.</p> <p><u>Activities related to Result 3:</u></p> <p>Act. 3.1 Targeted support for the revision of a limited number of laws and regulations that are proven to constitute substantial impediments to enhancing access to justice and/or to laws and regulations aiming at the protection of rights, in line Chapter 2 of the 2013 Constitution.</p> <p>Act. 3.2 Expand the evidence base for results oriented justice sector policy making at national and sub-national levels (with breakdown data by gender and for vulnerable groups), including a baseline survey of the criminal justice system in selected provinces.</p> <p>Act. 3.3 Support for civil society organisations to constructively engage with policy makers on issues pertaining to legal empowerment and access to justice based on demand driven research. <i>(Out of the scope of PAGO DA mechanism; to be implemented and reported by JIFF)</i></p> <p>Act. 3.4 Maintaining the constructive policy dialogue between the EU, Viet Nam and the UN on justice sector reform.</p>
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	<u>Activities related to Result 4:</u>
	Act. 4.1 Support for the development and implementation of codes of conduct and ethical standards for professionals in the justice sector.
	Act. 4.2 Support the media and civil society organisations to research and report on corruption and malpractice in the justice sector. <i>(Out of the scope of PAGO DA mechanism; to be implemented and reported by JIFF)</i>
	Act. 4.3 Assistance for the publication of judgments and the accumulation of legal precedent.
	Act. 4.4 Support to civil society actors to develop and implement projects to enhance integrity and transparency in the justice sector. <i>(Out of the scope of PAGO DA mechanism; to be implemented and reported by JIFF)</i>
	Act. 4.5 Rolling out of a justice index at provincial and national level to measure performance in the justice sector (with breakdown data by gender and vulnerable groups)

(*) Numbering of these activities is the same as in the EU JULE Log frame.

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2. GENERAL INFORMATION

2.1 COUNTRY CONTEXT

Since the commitment to building a socialist rule-of-law state stipulated in the Constitution of 1992, Viet Nam has made significant efforts to develop a robust legal framework and to strengthen legal and judicial institutions. The Constitution, as recently amended in 2013, provides for fundamental rights and obligations of citizens and the institutions necessary for people to seek protection of their rights. The capacity of key institutions, such as the National Assembly (NA), the Supreme People's Court (SPC), the Supreme People's Procuracy (SPP), the Ministry of Justice (MOJ) and other legal institutions at central and local level has also been strengthened.

While significant progress has been made in law development and institutional building, a number of development challenges remain to be addressed: lack of a consistent and predictable legal system and its limited effectiveness and efficiency;² weak implementation of laws, as constitutional rights are strong in textual terms but often go unimplemented; lack of sufficient mechanisms for citizens' participation in law development and implementation oversight;³ and last but not least, disparities in access to justice persist across several demographic dimensions, such as ethnicity, gender, age, disability, poverty, education and health status.⁴ Moreover, women from ethnic minorities or women with disabilities from ethnic minorities, and children (being wholly dependent on adults) are at particular disadvantage.

Despite the overall progress in Viet Nam's society, social and economic achievements have to be sustained through deepening democracy and building a substantive "rule of law" state, not a rule by law and regulations state. Hence, the need to promote legal empowerment and ensure justice to all, and vulnerable groups in particular, remains strong and is an utmost national priority especially when Viet Nam is experiencing rapid changes as a newly emerged middle-income-country. Efforts are being made to strengthen the rule of law through increased effectiveness and responsiveness of justice institutions, for example the establishment of family and juvenile courts and the transformation of the legal aid system aligned with the Legal Aid Reform Project.⁵ However, more work is needed to improve these institutions' reliability, accountability and accessibility so they can address the widening inequalities and injustices that particularly affect women, children, and vulnerable groups including ethnic minorities, people with disabilities, survivors of gender-based violence and human trafficking and internal migrants. This is not the task of a single institution, but requires closely coordinate joint efforts and partnership among political, legislative, executive, and judicial institutions, and civil society organizations, at national and local levels.

Progressive changes to domestic legislation indicate a growing willingness to embrace the principles of good governance, promote gender equality, address all forms of discrimination and violence in public and private arenas, and respect and protect human rights. Demonstrable efforts are needed to ensure that the

² Conclusion No.01-KL/TW 4 April 2016 of the Politburo on continuance of Resolution 48 (Resolution No.48-NQ/TW of 24 May 2005 on the Strategy for the development and improvement of the Viet Nam Legal System to 2010 and Direction for the Period up to 2020).

³ Ibid.

⁴ VLA & UNDP, 2015 Justice Index: Towards a Justice System for the People, 2016, pg. 55.

⁵ Decision no. 749/QĐ-TTg dated 1 June 2015 on approval of the Legal Aid Reform Project for the period 2015-2025.

justice sector consistently upholds the rule of law at all levels and abides by international standards of due process and transparency. Stronger mechanisms for transparency and integrity in the judiciary are needed to support the country's development and ensure the protection of human rights, especially as a neutral and effective arbiter to ensure that other branches of government adhere to Viet Nam's Constitution, laws and international legal commitments.

This Action will build on key legal and constitutional reforms, such as the 2013 Constitution, the 2014 Law on Organization of the People's Courts and the 2015 Legal Aid Reform Project, to support :

- 1) the development of an evidence-base system for strategy development and planning for the legal sector, and in particular the development of effective strategies for state actors to promote legal empowerment among local communities (and especially vulnerable groups) and to build the capacities of officials to implement those strategies and thereby increase public awareness and understanding of rights and measures to claim those rights. To this end, supporting the development and implementation of a new vision and strategy for professional legal empowerment behaviour change of justice institutions and actors,
- 2) strengthening mechanisms to increase access to legal advice and representation in both civil and criminal matters in particular through strengthening the capacity of the rights holders through legal aid, grass-root mediation and other alternative dispute resolution mechanisms,
- 3) generating data to inform the legislative process for the revision of a limited number of laws and regulations, and to strengthen the enabling legislative and regulatory framework for legal empowerment and access to justice.
- 4) Viet Nam's recent development gains which create opportunities for moving beyond traditional means of ensuring people's input and involvement in policy dialogues and decision-making at all levels. People's active participation in policy making and monitoring performance of justice institutions is still weak. There is a need to create a safe and enabling environment for citizens and their organizations to optimally engage in public policy dialogue and debates on the need for enhanced integrity and transparency in the justice sector. Creative initiatives from national and provincial agencies, organizations, and citizens, should be supported to address these important needs and to allow legal and justice institutions to capitalize on new forms of citizen participation.

The United Nations in Viet Nam, UNDP, UNODC and UNICEF in particular, have engaged in support for legal and judicial reform in Viet Nam for nearly two decades, working with the Ministry of Justice, Supreme People's Court, Supreme People's Procuracy, and other legal and judicial institutions. This Description of Action (DOA) to be implemented by UNDP in coordination with UNICEF and UNODC is developed as a result of intensive discussions between MOJ, UNDP, UNICEF, UNODC and the EU.

2.2 OBJECTIVES OF THE ACTION

The overall objective of the Action is to strengthen the rule of law through a more reliable, trusted and better accessed justice system.

The specific objective is to increase access to justice for women, children and vulnerable groups including ethnic minorities and poor people. With this specific objective, the Action focuses on those population

groups which, according to dependable data, face the greatest obstacles in using the justice system to invoke their rights.

Based on empirical findings that point to a considerable underuse of the justice system by people in general, and by vulnerable groups in particular, the strategic and rights-based approach of the Action is to address the demand-side and the supply-side constraints in the justice sector by building, in a coherent and coordinated manner, the capacity of Government institutions at both the central and provincial level. This is undertaken in coordination with the building of capacity of civil society under the JIFF mechanism of the EU JULE programme.

On the demand-side, the Action will increase levels of public knowledge and awareness around the rights and legal remedies that exist and are available under the current laws and regulations in Viet Nam, and improve the availability of legal services such as legal advice, assistance and representation, in particular for those groups in society who are known to face exceptional difficulties in accessing justice (women, children, ethnic minorities and the poor). Such demand-side support is then combined with further strengthening of the supply-side of the justice system by the targeted support to reforms that prove necessary to overcome specific obstacles in the implementation of laws and regulations or for the revision of laws and regulations that are proven to constitute substantial impediments to enhancing access to justice.

In the implementation of the Action, UNDP, UNICEF and UNODC will also be guided by five critical cross-cutting themes, identified in the UN Common Country Assessment.

- **Human rights:** Under the Action the participating UN agencies will continue to integrate rights-based approaches to programming into all policy and technical support to help realize fundamental human rights of the people of Viet Nam. This will require emphasis on strengthening the capacities and human rights awareness of both duty bearers and rights holders and creating and maintaining a safe and enabling environment for civil society. It will also require enhancing access to justice with equity and adherence to the rule of law that abides by international standards of due process and transparency, and promoting more responsive and accountable institutions and a system of public oversight.
- **Gender equality:** Gender equality and empowerment of women and girls are essential to the achievement of the SDGs overall, as both a stand-alone objective and as part of a broader solution and cross-cutting approach to secure sustainable development in Viet Nam. To inform further improvements, an evidence-based analysis is needed, paying due attention to gender-differentiated needs and inadequate access to resources and opportunities experienced by women and girls, particularly those from marginalized groups.
- **Public participation:** Putting people at the center of development efforts is at the heart of the SDGs, necessitating to enhance public participation in policy and decision-making processes. Empowering Viet Nam's citizenry, in all its diversity, to be informed and have a say in decisions affecting them will not only strengthen policies and programmes but will accelerate overall development progress. Creating opportunities for such participation requires an enabling policy space for public engagement, with stronger implementation mechanisms at all levels, addressing the legal and institutional barriers to association and expression, and establishing mechanisms to support public advocacy and the participation of civil society organizations and think tanks.

- **Data for development:** Quality decision-making relies on access to reliable information and data is critical to achieving development with due accountability. Effective implementation of policies requires the ability to measure progress and to monitor and evaluate performance. Disaggregated data is needed in all sectors to ensure policies and programmes effectively reach the targeted groups, leaving no one behind.
- **Partnership and innovation:** continue to embrace and promote innovation and more diverse partnerships that help identify new ways, new technologies and innovative solutions to programme implementation and programme arrangement, financial management and monitoring, with the ultimate goal to reduce costs, improve the effectiveness of development assistance and remain adaptable, agile and responsive in a rapidly changing world.

2.3 IMPLEMENTATION STRATEGY AND MAIN AREAS OF WORK

To implement the Action, the main approach and methodologies include (i) technical assistance to and capacity development of state institutions, in particular for the strengthening of judicial integrity; and (ii) support the generation of independent information and evidence on the formal/informal judicial systems (sub-grants to research institutes and universities) through quantitative and qualitative surveys, research studies, analysis of statistical data, and for activities promoting civil society and parliamentary oversight of the judicial systems.

To reach the project objectives, the Action is designed as an integrated intervention comprising 4 main pillars as focus areas: (i) rights awareness and understanding of rights holders; (ii) accessible legal advice and representation; (iii) legal empowerment framework and mechanisms; and (iv) judicial institutions and actors with integrity and transparency. In each of the focus areas UNDP, UNICEF and UNODC will pay attention to issues listed below as key to addressing gaps and barriers to realizing legal empowerment, increasing access to justice and protecting rights across all sectors in the society:

- Enhancing the accountability of state actors in implementation;
- Strengthening national and provincial capacities to rigorously monitor and evaluate performance of judicial institutions and actors both at national and sub-national levels;
- Strengthening sectoral and inter-sectoral coordination mechanisms, platforms and practices for rights protection and administration of justice;
- Improving data systems and evidence-based processes, with a strong focus on integrity, transparency, equality and accessibility;
- Supporting the engagement and participation of citizens and civil society to engage in legislative process and monitoring law implementation and performance of judicial institutions;
- Increasing responsiveness and 'people-centeredness' in the justice sector.

The Action will be implemented by UNDP, UNICEF and UNODC, with UNDP playing the lead coordination role. This implementation modality is justified because of the unique, long-standing role UNDP played in support of the justice sector in Viet Nam (on both demand and supply side) and given the leverage it can provide to achieving the Action's objectives thanks to its strong presence, expertise and role in the judicial and legal reform dialogue with the Government.

The comparative advantage of UNDP in support for strengthening access to justice and protection of rights in Viet Nam is its impartiality, neutrality and reliability; the long-term mutual partnership that has been continuously developed since the early 1990s between UNDP, MOJ and other Vietnamese legal and judicial institutions, including UNDP's strategic support for the development and implementation of the Legal System Development Strategy and the Judicial Reform Strategy, and its support for capacity development of the Ministry of Justice, the Central Judicial Reform Steering Committee (CJRSC), and other state agencies in policy dialogue and partnership. UNDP has also demonstrated its ability to develop multilateral partnerships, attracting and coordinating financial resources among development partners for capacity development of people's elected bodies and policy advisory support to the Ho Chi Minh National Academy of Politics and the Party's Central Committee on Internal Affairs.

UNODC has a particular role to play in supporting states to implement the United Nations standards and norms in crime prevention and criminal justice. The standards and norms that guide the UNODC work are contained in a number of resolutions of the UN General Assembly, the UN Commission on Human Rights, ECOSOC, the UN Commission on Crime Prevention and Criminal Justice and decisions of the UN Congress on Crime Prevention and Criminal Justice. They expand upon the content of core human rights treaty obligations, including the treatment of women offenders and prisoners, the role of law enforcement officials, lawyers, prosecutors and the Judiciary. UNODC, upholding the United Nations standards and norms in crime prevention and criminal justice, has supported Viet Nam to ensure that its economic and social development is based on the rule of law and supported by a criminal justice system, in which police, prosecution, courts and corrections function and interact effectively and in full respect of human rights standards. UNODC has extensive experience in building and enhancing law enforcement capacity for criminal justice system in Viet Nam, including direct engagement with the law enforcement and justice agencies such as the Ministry of Justice (MOJ), the Ministry of Public Security (MPS), Supreme People's Procuracy (SPP) and Supreme People's Court (SPC), and in providing technical assistance for combating gender based violence and child sex tourism.

UNICEF's mission to protect the rights of all children is guided by the *Convention on the Rights of the Child*. In particular UNICEF works to ensure children are protected from all forms of neglect, abuse, violence and exploitation. Child protection involves the promotion and provision of care, protection, welfare and justice for children; and thus improving justice for children, including related laws, policies and procedures is a primary foundation for enhancing the protection of all children in society.⁶ In the area of justice for children, UNICEF works together with UN agencies and other government and civil society partners in ensuring that justice systems provide greater protection to children as victims, witnesses and offenders. This includes strengthening national justice systems, influencing public attitudes and integrating justice for children's issues within broader initiatives on rule of law and access to justice.

As a UN agency specialized in children's rights, and with over 40 years of experience working in Viet Nam, UNICEF has a strong familiarity with issues on the ground for Vietnam's children and women. UNICEF is the

⁶ The underlying needs and circumstances of children in trouble – whether they are offending or are in need of care and protection – are fundamentally similar. Children referred to the welfare or justice systems on different grounds have many needs, issues and problems in common; therefore responses can and should be governed by the same principles through the same processes. There is an increasing body of evidence on the impact of child maltreatment and its related consequences on a growing child and his/her subsequent actions, indicating the necessity for a continuum of welfare and justice service provision for children with the child's well-being and best interests at its core.

leading UN agency in the area of justice for children and under its current Child Protection Programme, it has been supporting the Government (MOJ, SPC, SPP, MPS, and MOLISA) to create a more child-friendly justice system that ensures children's access to justice through specialized courts, promotion of child-friendly investigation, prosecution and adjudication procedures, diversion and alternatives to detention, restorative justice approaches, and strengthening the capacity of judicial and law enforcement personnel for better protection of children in contact with the justice system. Whilst much has been achieved in recent years, the reforms have not yet achieved the level of coherence needed to create a comprehensive child-friendly justice system that ensures children's access to justice in Viet Nam.

Overall, the Action builds on the strategic partnership between the European Union and UN in the area of governance which includes cooperation in justice and the rule of law.

2.4 RELEVANCE OF THE ACTION

The Action will contribute to the implementation of the Strategy for the Development and Improvement of Viet Nam's Legal System to 2010 with a Vision to 2020 (LSDS, Resolution No.48/2005) and the Judicial Reform Strategy for the Period until 2020 (JRS, Resolution No.49/2005). Development of the Action has geared toward meeting the most urgent need as results of recent reviews of the implementation of these important Strategies to identify key priorities for law and judicial reforms in 2016-2020⁷. "[T]o shift the strategic direction from placing emphasis on development and improvement of the legal system to improving and organizing implementation of law"⁸ is one of the strategic priorities that the Action will support, focusing on improvement of mechanisms for rights protection, legal services including advice, assistance and representation.

To the national development objectives, the Action is aligned to the priorities set by the Government of Viet Nam in the Socio-Economic Development Plan 2016-2020. Based on the unique role of the UN in promoting and supporting the implementation of international normative standards and agreements, the UN agencies will use a rights-based approach to assist the Government to reduce disparities in access to justice and promote protection of rights specifically to the most vulnerable population, such as women, children, poor people, ethnic minorities, people with disabilities and internal migrants.

2.5 TARGET GROUPS AND BENEFICIARIES

In line with its objectives and specific activities, the Action has the following main targets:

- Ministry of Justice (MOJ)
- Supreme People's Court (SPC)
- Supreme People's Procuracy (SPP)
- Ministry of Public Security (MPS)
- Ministry of Labour, Invalids and Social Affairs (MOLISA)
- Vietnam Lawyers' Association (VLA)

⁷ Source: Conclusion 01-KL/TW 4 April 2016 of the Politburo about continuation of Resolution 48 implementation; and Conclusion 92-KL/TW 12 March 2014 of the Politburo about continuation of Resolution 49 implementation.

⁸ Decision 225/QĐ-TTg, 4 February 2016, approval of the Public Administrative Reform Action Plan for 2016-2020.

- Vietnam Bar Federation (VBF)
- National Assembly's Law Committee, Judiciary Committee and Social Affairs Committee

Other target groups include provincial departments of justice; the provincial courts and provincial procuracies; other committees and agencies of the National Assembly; law universities and research institutions relating to law and justice, non-governmental social organizations, and the media.

In particular, the following groups are beneficiary groups identified as vulnerable within the Action:

- The poor
- Women, in particular the survivors of gender based violence
- Children in contact and in conflict with the law
- Ethnic minorities.

2.6 PARTICULAR ADDED-VALUE ELEMENTS

The Action applies an inclusive and partnership-based approach throughout its activities, introducing legal empowerment principles and rights-based approach in support of justice sector reform and promotion of rule of law, thus contributing to further development of a just, equitable, inclusive and free of discrimination society.

The unification of United Nations organizations under the One UN Initiative has created the opportunity for coordinated UN action on legal and judicial reform, strengthening access to justice and protection of rights of different groups of people, including children, women and other vulnerable groups. The Action will benefit from the existing Joint Programming Group (JPG) on Governance and Rule of Law that has been established by the United Nations in Viet Nam to ensure coordinated and effective implementation of the One UN Plan results in the area of governance and rule of law. Experiences, good practices and lessons learnt in implementation of the Action can be shared and benefit the JPG members including other UN agencies, development partners, governmental agencies and civil society organizations.

On South-South and triangular cooperation, UNDP, UNODC and UNICEF knowledge networks of expertise at the global and regional level, and among all UN agencies operating in Viet Nam and their dynamic support to other multilateral organizations, such as ASEAN, offer a unique capacity to help Viet Nam take advantage of South-South and triangular cooperation. In implementation of this Action, such cooperation will help Viet Nam to share, adapt and create better development solutions to meet new challenges.

UNDP, UNODC and UNICEF's global linkages with partner institutes and governments on a wide range of topics offer opportunities for Viet Nam to learn from and share experiences with other countries. This includes enabling other countries in the global South to learn from Viet Nam's development successes, as well as supporting Viet Nam to strengthen international integration and to learn from other countries making (or having made) similar transitions.

3. DETAILS OF THE ACTION

The Action as set out in this section includes objectives, indicators of achievement in terms of main results and activities as well as collaboration across three UN agencies for effective implementation. These details

will be reflected in subsequent work plans and reports. Performance measures will be based on objectives that are specific, measurable, attainable, realistic and time-based. Gender equality is mainstreamed throughout the Action's outputs and there will be a continual process of assessing the impact on women and men of any planned action, in all areas and at all levels. Gender equality is integrated as a cross-cutting issue by the rationale, activities, indicators and budget associated with each output, and with each output promoting gender equality in a significant and consistent way.

3.1. EXPECTED RESULTS AND MAIN ACTIVITIES OF THE ACTION

The objectives of the programme are envisaged to be achieved through **four results**, each one of which is to be realized by implementing a set of activities as outlined below.

Result 1: Increased public awareness and understanding of rights and how to invoke those rights according to principles enshrined in Vietnamese law, mechanisms and procedures for how to use the law, and options for seeking legal advice, assistance and representation.

Promoting public rights awareness is an integral component for building a coherent rule of law system in Viet Nam. The Government of Viet Nam has allocated significant resources to improve legal dissemination and education to citizens over the last ten years. The impact of these programs, however, remains constrained because of under-trained professional and personnel human resources. They also lack familiarity with innovative methodologies to conduct needs assessments and public campaign awareness techniques. Similarly, members of vulnerable groups are often unaware of existing mechanisms for accessing legal information and their rights under existing laws. Compounding this problem, communication remains mostly a top down endeavour, with information flowing in one direction without sufficient channels for policy makers and government officials to hear the concerns and issues directly from their constituents. Behavioural change across the spectrum is needed.

In order to promote behavioural change and legal empowerment, UNDP, with targeted support by UNICEF and UNODC, will work with a variety of partners to enhance equal access to legal rights information for the poor and vulnerable. Through introducing contextualized tools, new methodologies and measures to identify demands of rights holders, in particular people in remote and rural areas and marginalized groups in urban areas, targeted support will be given to increase public awareness and understanding on legal rights, and legal mechanisms and procedures to claim those rights. Understanding that unequal access to legal information can impede people in accessing public services, employment opportunities, and public institutions, the program will prioritize support to increase rights consciousness, access to justice and rights protection, in particular for women, children, ethnic minorities and the poor.

Activity 1.1 Development and implementation of a comprehensive and professional legal empowerment behaviour change strategy

Efforts to legally empower women, children, ethnic minorities and the poor must both focus on the underlying incentive structures that encourage rights holders to access justice, while also increasing the capacity of the judiciary and state institutions to make the law work for these groups in practice. Legal empowerment occurs when people use the law, legal systems and dispute resolution mechanisms, both formal and informal, to improve and transform their social, political or economic situations, and to hold duty bearers to account.

UNDP will support the efforts of the Ministry of Justice in coordination with Vietnam Bar Federation, Vietnam Lawyers' Association, and higher legal education institutions to develop a coherent multi-year legal empowerment behaviour change strategy designed to strengthen the capacity of justice institutions and actors including judicial officers at different levels and members of political, professional and social organizations involved in legal aid, legal assistance, and grass-root reconciliation and mediation, while also supporting women, children, ethnic minorities and poor people to know their rights, exercise them or claim their rights. The Action will also support initiatives to promote legal empowerment in practice which can increase target groups' knowledge of legal and judicial measures to seek redress through the justice system, and how and who can assist them to start a formal or traditional justice process.

Deliverables under this activity include:

1.1.1 An empirical and diagnostic study with fieldwork carried out at select provincial and commune levels (targeting at a minimum fieldwork to be carried out in 4 provinces which represent the North, Central and South of Viet Nam) that identify the current legal behaviour of vulnerable groups, the barriers to legal information and service, and how current legal rights and service information is planned, communicated and delivered from the national to the sub-national level, with a focus on women, children, ethnic minorities and the poor people's legal understanding.

Findings and policy recommendations from the studies will be used to inform MOJ and other stakeholders (including VBF and VLA) for justice sector's interventions and evidence-based policy making. UNDP will support the MOJ and other parties to ensure the practicality and usefulness of utilizing results to the study and key research tools contained in the United Nations Communication for Development approach to strengthening dialogue between citizens and their government contextualized for use in Viet Nam.

1.1.2 Assisting the MOJ, Department for Legal Dissemination and Propaganda in coordination with the Department for Criminal and Administrative Laws and the Legal Research Institute, with the development of a comprehensive multi-year legal empowerment behaviour change strategy to increase the capacity of all types of judicial agencies and persons providing legal information, judicial service and enforcement to ensure they address the legal awareness needs of the vulnerable groups, including women, children, ethnic minorities and the poor on their Constitutional rights and how to invoke their rights, such as gender equality and non-discrimination. The Action will support implementation of the strategy, working with provincial departmental units as necessary, with focus on innovative ways and effective outreach methods to the most needed groups and communities, and avoiding conventional approaches that often do not reach out to certain groups on grounds of gender, language, ethnicity, disability, migration or socio-economic status.

Activity 1.2 Capacity needs assessment of legal communicators ('bao cao vien phap luat') and disseminators ('tuyen truyen vien phap luat') based on the legal empowerment strategy

UNDP will support the MOJ, Department for Legal Dissemination and Propaganda in coordination with Provincial Departments of Justice, to prepare for and implement a capacity needs assessment, conducted in select provinces, of all existing legal communicators and disseminators in place for the public education and dissemination of Vietnamese laws, including legal mechanisms and procedures relevant to women, children, ethnic minorities and the poor, and other vulnerable groups. The localized studies under Activity 1.1 will provide baseline data and other useful information for assessing legal communication and building

the capacity of legal communicators and disseminators. The methodology for the needs assessment will follow the legal empowerment behaviour change strategy that emphasizes a people-centered approach in unlocking the civic and economic potential of the Vietnamese people, thereby making the law accessible and relevant to rights holders. The overall assessment will include an analysis of the recognition and certification requirements that exist for legal communicators and disseminators at different administrative levels, with fieldwork conducted at select provinces that can be piloted for capacity development activities.

Deliverables under this activity include:

1.2.1 A diagnostic tool to conduct the capacity needs assessment of legal communicators and disseminators (*bao cao vien, tuyen truyen vien*) conducted by a consultancy organization in three selected provinces, with technical support by UNDP.

1.2.2 Public and expert consultations conducted to assess the utility of the diagnostic tool at the outset, and follow-up consultations to discuss the findings and recommendations of the assessment supported provided by UNDP and potential use of technical consultants.

Activity 1.3 Capacity development of legal communicators ('bao cao vien phap luat') and disseminators ('tuyen truyen vien phap luat') based on the findings and recommendations of the capacity needs assessment of legal communicators and disseminators

Results of the needs assessment in Activity 1.2 will inform MOJ in the development of a capacity building program to legal communicators and disseminators that is contextualized to both the national strategy, as well as to local conditions.

Deliverables under this activity include:

1.3.1 Capacity building program for legal communicators and disseminators developed including training materials tailored to the needs of legal communicators and disseminators. The Action will support a training the trainers (TOT) for communicators/disseminators program carried out by consultancy organizations, in coordination with MoJ, and with technical support from UNDP, at national and sub-national level to realize systemic change aimed at increasing public awareness and understanding of rights and principles enshrined in Viet Nam's Constitution and laws, and at reinforcing the synergy and convergence between legal empowerment and legal dissemination/education.

1.3.2 Public information and education materials developed, and translated, where appropriate, to local languages, with gender sensitive methods, and targeting vulnerable groups, including women and children

Activity 1.4 Civil society interventions targeting vulnerable groups with particular awareness raising needs including women, children, ethnic minorities and poor people This activity is out of the scope of PAGO DA mechanism; to be implemented and reported by the JIFF mechanism of EU JULE.

Activity 1.5 Support interventions to raise public awareness on protection of rights and access to justice for vulnerable groups, and in particular for women, children, ethnic minorities, and poor people

UNDP, UNODC and UNICEF, will support the MOJ and VLA on their public awareness interventions at sub-national level. Selection of target provinces for this activity will follow the criteria mentioned in Section 3.2 below on the 'Duration, Location And Indicative Plan For The Action Implementation' to conduct

community based legal needs assessments of target provinces to prepare for rights awareness interventions. Insights into behaviour about accessing justice services obtained under Activity 1.1 will complement community-based legal need assessments carried out at target provinces and communities.

Once the needs assessment findings and awareness campaign methodology are agreed upon, UNDP, UNICEF and UNODC will support MOJ, VLA and civil society organizations to develop their public information and education materials for dissemination to the target groups varied by each agency's areas of practice and priorities. UNICEF for example will focus to support rights awareness and legal protection for children by providing technical assistance to develop public information materials for children. UNODC will allocate more resources and expertise to work on rights awareness and legal protection of victims of gender-based violence and/or human trafficking. UNDP, UNODC, and UNICEF will coordinate a series of outreach activities to disseminate the materials on a variety of media. Not only supporting ongoing initiatives for increasing public awareness on protection of rights and access to justice, in collaboration with VLA and other professional and civil society organizations, under this activity, support will also be channelled to new partners at national and sub-national levels to explore innovative and effective ways to inform people about their rights and measures to protect their rights.

Deliverables under this activity include:

1.5.1 A community-based legal needs assessment tool that can be tailored for specific target groups especially for women, children, ethnic minorities and the poor (supported by UNDP)

1.5.2 A legal needs assessment report in target provinces, including recommendations on how to best implement a rights awareness campaign that effectively responds to identified legal knowledge deficits found at the community level (supported by UNDP)

1.5.3 A public legal literacy campaign, including IEC materials, based on the needs assessment, with gender and child sensitive, multi-lingual and rights based contents and input from local and national government offices, social organizations, gender experts and other relevant informants (supported by UNICEF and UNODC)

1.5.4 Support to ongoing and future efforts of the VLA and other legal professional and civil society organizations, such as Vietnam Association for the Protection of Children's Rights (VAPCR), local bar associations and civil society networks that provide assistance to victims of domestic/or gender based violence, to develop communication and legal rights awareness protocols that promote legal empowerment behavioural changes for their members/beneficiaries and citizens at large.

Activities supported by 3 UN agencies under 1.5.4 include:

- A community-based legal need assessment tool developed; Legal information and assistance services provided by VLA/Provincial VLAs to raise public awareness on protection of rights and access to justice for vulnerable groups (supported by UNDP)
- Public information and child-friendly education materials developed; VLA and VAPCR's interventions on rights awareness and protection of children (supported by UNICEF)
- A public literacy campaign with focus on gender, child sensitive, multilingual and rights awareness; VLA interventions on assistance to victims of domestic/or gender based violence (supported by UNODC).

Result 2: Increased access to legal advice, assistance and representation in both civil and criminal matters.

Though Viet Nam has made Constitutional and legal reforms that set forth citizen rights and avenues of legal redress, there are insufficient means and mechanisms to effectively implement these changes. As a result, women, children, ethnic minorities and poor people encounter a legal and judicial system that is largely inaccessible and without legal entitlements that are practical, enforceable and meaningful. All three UN agencies are involved in reform of the provision of legal aid in Viet Nam, and will coalesce to provide coherent support and ensure the legal aid system meets the rights and needs of vulnerable groups. Support will also be provided to strengthen community based dispute resolution mechanisms that enable vulnerable groups to access justice without resorting to the formal justice system in a manner that does not undermine Constitutional and human rights. Persons in custody, both pre-trial and post-conviction, have particularly urgent needs for legal assistance, and while significant obstacles remain that inhibit detainees from genuinely accessing counsel, recent encouraging dialogues between policy makers at high levels suggests that there is an opportunity to meaningfully increase legal representation and the observance of legal rights of people in detention.

Activity 2.1 Capacity needs assessment of legal aid providers (LAPs) working in the justice system

UNDP and UNODC will assist the MOJ, in coordination with VLA and VBF, to prepare for and implement a needs assessment of existing providers in place for the provision of legal aid to vulnerable groups, including women, children, ethnic minorities and the poor. The methodology for the capacity needs assessment will encompass both civil and criminal legal assistance, and will include an analysis of the licensing and certification requirements that may exist for legal aid providers and collaborators, mechanisms for oversight and quality assurance, as well as LAP understanding about rights-based approach and skills for gender responsiveness and child protection. The assessment tool will use existing LAP survey methodologies that have been successfully used internationally, contextualized for Viet Nam. Results of the capacity needs assessment will inform and recommend policy options to amending the Law on Legal Aid and shaping implementation guidance of the law and more broadly for targeted support to the implementation of the Legal Aid Reform Project for the period 2015-2025.⁹ Findings of the assessment will provide information on local conditions where opportunities exist to enhance or create sustainable institutions for legal aid service providers and extend their services.

Deliverables under this activity include:

2.1.1 A diagnostic tool, which will utilize, where appropriate, the existing UN criminal justice assessment tool kit and other UN reference materials to conduct the capacity needs assessment of legal aid providers (supported by UNDP)

2.1.2 LAP capacity needs assessment tool kit piloted in selected provinces (targeting 3 provinces to be selected which represent the North, Central and South of Viet Nam, rural and urban areas, low land and highland, and ethnic minorities) for rolling out in large scale by MOJ (supported by UNODC).

⁹ Decision no. 749/QĐ-TTg dated 1 June 2015 approval of the Reform Project for Legal Aid work.

Activity 2.2 Capacity development of legal aid providers based on the needs assessment and in accordance with the United Nations Principles and Guidelines on Access to Legal Aid.

UNDP and UNODC will assist the MOJ, in coordination with VLA and VBF, in building capacity of legal aid providers, informed by the results of the capacity needs assessment carried out under the Activity 2.1.

Deliverables under this activity include:

2.2.1 A rights-based and gender sensitive capacity building program for LAPs developed (supported by UNDP)

2.2.2 Resource and training materials tailored to the needs of LAPs that incorporate UN Principles and Guidelines on Access to Legal Aid, including, where appropriate, the training programme of the National Legal Aid Agency (NLAA). UNODC will support the NLAA and the Judicial Academy to develop and carry out rights-based and gender sensitive capacity building programs for legal aid service providers who offer support to survivors of gender based violence.

2.2.3 One training the trainers (TOT) program carried out at national level supported by UNDP. UNICEF will support one TOT for LAPs in the Southern region.

Activity 2.3 Targeted support for the implementation of the Legal Aid Reform Project for the period 2015-2020.

UNODC and UNICEF will support the NLAA to implement priority aspects of the Legal Aid Reform Project with a particular emphasis on ensuring the interests of women and children are represented. The priority aspect will be identified taking into account the finding of the capacity needs assessment of LAP under activity 2.1 and new provisions for the pending revised Law on Legal Aid as well as the individual mandates of the three UN Agencies involved. This will be achieved by ensuring inter-sectoral collaboration and coordination, improved case management tools, and sound data disaggregated by gender, age, ethnicity and disability. Monitoring and evaluation tools that help track the types of cases handled and quality and effectiveness of the services provided will be incorporated into the design of the activities to support the implementation of the Legal Aid Reform Project.

Deliverables under this activity include:

2.3.1 A set of monitoring and evaluation tools to provide meaningful information on LAP services, disaggregated by case type, status of recipient and other appropriate factors (supported by UNODC).

2.3.2 Guidelines to implement inter-sectoral child-friendly legal aid (civil and criminal) (supported by UNICEF).

2.3.3 Research on how technology can be used to increase the effectiveness of legal needs surveys, collection of relevant justice data, and delivery of legal aid, with UNICEF support to a study on regional examples of usage of technology to gather juvenile justice data and its potential application to Viet Nam.

Activity 2.4 Targeted support for dispute resolution mechanisms in accordance with the Law on Grass Roots Mediation (2013) and based on priorities identified through rigorous research.

UNDP, UNODC and UNICEF, will assist the MOJ, SPC, VLA, VBF, Women's Union and Youth Union to examine how existing mechanisms of dispute resolution operate in line with the 2013 Law on Grass-Roots Mediation. Empirical evidence on the consequences of utilizing each of these forms of dispute resolution, paired with the community needs assessment on areas of major communal conflict and dispute, will be essential sources of information for the development of this program's targeted support to increase justice at the grass-roots level in Viet Nam. The implementation strategy for support of grass-roots dispute resolution mechanisms will aim at reducing injustice in target communities in selected provinces through developing a participatory, child and gender sensitive process in dispute resolution, with adherence to and awareness of human and legal rights as an integral component of support. To promote a grounded approach to strengthening hybrid justice systems which can be more accessible to ethnic minorities and other vulnerable groups, in particular women and children, innovative mechanisms will be developed that encourage community based dispute resolution where appropriate. Support to reinforcing the interaction between the formal system and the customary system will be a program priority, and considerations on how grass-root mediation may contribute overall to improving court procedures will also be explored.

Deliverables under this activity include:

2.4.1 A participatory, rights-based, child and gender sensitive tool for assessing community-based dispute resolution developed (supported by UNDP)

2.4.2 Assessment of existing mechanisms of dispute resolution at grass-roots and communal levels. To be carried out by consultancy firm supervised by UN technical advisors on survey methodologies, scope of work and expected deliverables. Consultation will be held with experts from MOJ, SPC, VLA, VBF and WU, YU, other stakeholders, to discuss on the findings and recommendations of the assessment.

2.4.3 Enhancing the existing successful models of grass-roots mediation to increase accessibility, impartiality, gender and child sensitivity, transparency and participation in the dispute resolution process.

2.4.4 UNODC support Provincial People's Committees (PPCs), Women's Unions, and Farmers' Unions in Ben Tre province to develop and deliver gender training courses to mediation teams at local level.¹⁰

Activity 2.5 Legal advice and information sessions in prisons and pre-trial detention facilities

Pre-trial detention: Access to counsel for arrested persons is a foundational principle for improving the criminal justice system, offering some protection for defendants who are often not aware of their rights as stipulated in the new Law on Custody and Detention. UNODC will assist MPS, in coordination with MOJ, VLA and VBF to increase the rights awareness of pre-trial detainees and to increase early access to counsel following arrests and detentions. Training for security services to develop standards for advising arrestees on their right to counsel and their legal aid entitlements, among other rights, will be included by UNODC. UNODC will coordinate with MPS, MOJ, VLA and WU to address the specific needs of female and juveniles

¹⁰ At the community level in Viet Nam there are Mediation Committees that assist families where gender-based violence (GBV) or domestic violence occurs. These committees usually consist of members from local authorities and mass organizations such as the Women's Union and Farmers' Union. In general, they are not trained in counselling skills or legal knowledge or gender-sensitive approaches.

in pre-trial detention. UNDP will continue working with the VLA to increase the quality and scope of its services and distribution of Legal Consultation Centres.

Imprisonment: To improve compliance with international human rights standards, including the 2010 UN Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), UNODC will work with criminal justice institutions including MOJ and MPS¹¹ to raise the awareness and capacity of prison officials and others who supervise inmates. UNODC will also work with these institutions to develop training modules on international standards, including the Bangkok Rules with the training institutes for prison staff and prison inspectorate.

Deliverables under this activity include:

2.5.1 Training materials and curriculum developed on the application of the UN Standard Minimum Rules for the Treatment of Prisoners and the Bangkok Rules, as well as the United Nations Rules for the Protection of Juveniles Deprived of their Liberty for prison staff to be used by MPS as well as other organizations that carry out legal aid activities in pre-trial detentions and prisons, including NLAA, VLA and VBF (supported by UNODC).

2.5.2 A series of consultations with MPS, jail wardens, prison staff, SPP prison supervisors and other relevant stakeholders to obtain consensus on how to include the subject of informing and advising detainees of their legal rights, and to integrate the legal rights component into the training programs of prison officers. Targeted training sessions with investigators, prosecutors, and prison managers and staff on international standards to increase their awareness of the full scope of the rights of pre-trial detainees and imprisoned persons (supported by UNODC).

2.5.3 Support the direct outreach by Viet Nam Lawyers Association to detainees in jail and prisons on their rights, including suitable mechanisms for exercising and claiming their rights (supported by UNDP).

Activity 2.6 Support the operation of the Family and Juvenile Court, with emphasis on developing a more child friendly justice system, improving diversion, restorative justice and reintegration schemes for juvenile offenders in accordance with applicable UN standard minimum rules and guidelines.

UNICEF will support the MOJ, SPC, SPP and MOLISA to support the operation of the Family and Juvenile Court of Viet Nam. Recognizing that a specialised court is only one component of a child-friendly justice system, the activities will also include improving the diversion of children away from the formal justice system, strengthening restorative justice, and re-integration measures for children in conflict with the law.

Deliverables under this activity include:

2.6.1 Strengthened legal and regulatory framework for a comprehensive judicial system for children, including sub-laws and regulations for implementation of the *Law on Court Organization* in respect of the Family and Juvenile Court including

- Feasibility study on the most appropriate lead coordination agency for justice for children in Viet Nam;

¹¹ Institutions to be involved in this activity include the Ministry of Public Security, the General Department of Police for Enforcement of Criminal Sentences and Judicial Assistance, Supreme People's Court Department 4, National Legal Aid Agency, jail wardens, prison and pre-trial detention staff, and prison and pre-trial supervisors.

- Support to the Government to develop a proposal for the development of a dedicated Juvenile Justice Law.

2.6.2 Informed by pilot models of Family and Juvenile Court in select provinces, and an evaluation of their operations, develop a national Operational Plan for the Family and Juvenile Court, which includes monitoring and evaluation systems, procurement of and training on specialized equipment, development of a specialized case management system, and collection and utilization of data.

2.6.3 Development of precedents for Family and Juvenile Court Judges and People's Jurors; and mock trials of cases involving children and family matters.

2.6.4 Development, testing and integration of training on justice for children (including specialized skills for working with children) into pre-service training curricula of Police Academy and Procuracy Institute

2.6.5 Piloting and implementation, as a new model on justice for children, specialized children's lawyers that ensure effective participation of children

2.6.6 Development of policies, regulations, and programs on diversion, alternatives to deprivation of liberty, and reintegration programs for children in conflict with the law through the

- Piloting and evaluation of the 'community-based support for juveniles in conflict with the law' in select provinces;
- Development of a sub-law on diversion;

Activity 2.7 Support for the protection and assistance to survivors of gender based violence and child victims of abuse

UNICEF and UNODC will support the MOJ, MPS, SPP, MOLISA and Women's Union to contribute to the provision of protection and assistance to survivors of gender-based violence and child victims of abuse through the development and implementation of evidence-based responses to the needs and rights of women and children. Emphasis will be made to align practice and laws with international standards.

Deliverables under this activity include:

2.7.1 Assessment of the experience of women survivors of GBV, law enforcement practices and legal support to be carried out by consultancy firm supervised by UNODC technical advisors on survey methodologies, scope of work and expected deliverables. Three provinces will be targeted, one each from the North, Central and South of Viet Nam. Information generated and used in the design and implementation of interventions for women survivors of gender based violence (supported by UNODC)

2.7.2 Government plan to develop social work in the justice sector is mentioned as is a Law on Social Work, which builds on the experiences of children in the justice system study conducted by UNICEF (2007), with national standards and guidelines on social work professionals that specify their role in the justice sector. At the national level, specialist training for social workers on handling children in conflict with the law will be supported by UNICEF.

2.7.3 Support programs, policies and guidelines will be developed and implemented for child victims of abuse in contact with the justice system and women survivors of gender based violence.

Activities under 2.7.3 include:

- MOJ will lead an inter-sectoral delegation on an international study visit to learn about child victim support program(s) with a view to design a pilot intervention with a civil society organization to be identified based on UNICEF's competency assessment of the selected organization that will operate alongside the newly established Juvenile and Family Court. Members of the delegation and location of the visit will be decided in consultation with MOJ and key child-justice actors (Courts, Procuracy, MPS, MOLISA, Women's and Youth Unions, VLA and VAPCR) (supported by UNICEF).
- Development of training programs for prosecutors and judges on dealing with gender based violence and child sexual exploitation (supported by UNODC).

2.7.4 Support to the establishment and operation of Domestic Violence Rapid Response Teams at the grass-roots level to provide immediate protection to survivors of domestic violence and referrals to support services.¹²

2.7.5 Legal advice and legal assistance for survivors of gender based violence, in select provinces and at national level for the gender based violence areas not covered by State legal aid. (supported by UNODC).

2.7.6 Conduct a feasibility study, potentially drawing on external consultancy expertise, on establishing full-time specialist police divisions or units for handling child protection matters (victims of abuse) and children in conflict with the law, as well as, potentially, domestic violence (supported by UNICEF).

Activity 2.8 Civil society initiatives to provide legal advice, assistance and representation for vulnerable groups and, in particular, for women, children, ethnic minorities and poor people. This activity is out of the scope of PAGOda mechanism; to be implemented and reported by the JIFF mechanism of EU JULE.

Activity 2.9 Needs based training for law enforcement and criminal justice officials as well as staff of other relevant agencies to meet the needs of survivors of gender based violence and child victims of abuse.

Based on findings and best practices documented during the implementation of activities 2.6 and 2.7, UNODC and UNICEF will support the development of selected capacity building programs for law enforcement and criminal justice officials to meet the needs and rights of survivors of gender-based violence and child victims of abuse.

Deliverables under this activity will include:

2.9.1 Law enforcement and prosecutorial officers will be equipped with updated child-friendly investigative and prosecution skills through delivery of specialized training programs and materials (supported by UNICEF and UNODC)

2.9.2 Law enforcement and criminal justice officials as well as staff of other relevant agencies (including MPS, NLAA, Procuratorate University and Court Academy) are trained and better equipped to support the needs of women survivors of gender based violence (supported by UNODC).

¹² Since among various forms of GBV, domestic violence is a complex and serious gender based violence problem at grass-root level, interventions will focus on this form of GBV in select provinces, including Ben Tre where a Minimum Intervention Package for Survivors of Domestic Violence is being piloted and supported by UNODC.

Result 3: Improved enabling legislative and regulatory framework for legal empowerment and access to justice

As the key institution that reviews legislative documents and provides policy analysis to decision makers in all Ministries of the Government, the MOJ has responsibility for ensuring that laws and regulations meet international standards set forth in treaties and Conventions while also ensuring that Constitutional provisions included in the 2013 review are made effective through enabling legislation. UNDP, UNICEF and UNODC will continue to support the MOJ at the central level and the National Assembly's Law Committee, Judiciary Committee and Social Affairs Committee with efforts to align the legislative and regulatory framework to standards set out in the International Covenant on Civil and Political Rights (ICCPR), the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), the Convention on the Rights of the Child (CRC), the Convention on the Rights of Persons with Disabilities (CRPD) and other normative documents. To assist with the law making process, policy dialogues between the Government, civil society and the international community will be fostered through high level and operational level fora.

Activity 3.1 Targeted support for the revision of laws and regulations that are proven to constitute substantial impediments to enhancing access to justice.

UNDP, UNICEF and UNODC will continue providing support to legislative and research departments of the MOJ, NA, SPC, MPS and MOLISA on selected laws and regulations which align with the legislative agenda of the National Assembly XIV that affect access to justice, in particular for women, children, ethnic minorities, and poor people, such as the Law on Legal Aid, Law on Lawyers and the Child Law. UNDP, UNICEF and UNODC support will be provided to policy makers to include protections of human and civil rights, gender equality and non-discrimination, and will encourage the policy makers to consider the voices of people, as represented by diverse governmental and non-governmental interest groups.

Deliverables under this activity include:

3.1.1 Thematic policy papers and other research support to further align Viet Nam law with international normative standards as legislation and regulation is under consideration. Research topics will be identified in consultation with researchers and academics during the inception phase of the Action (supported by UNDP).

3.1.2 Coordination with MOJ and the National Assembly to provide policy advisory services on subjects of particular concern to lawmakers (supported by UNDP, UNICEF and UNODC).

Activity 3.2 Expand the evidence base for results oriented justice sector policy making at national and sub-national levels, including a baseline survey of the criminal justice system in selected provinces.

UNDP will support the MOJ to assess the status of legal implementation by the Government of priority legislation passed by the National Assembly that is strategic to enhancing access to justice. As Vietnam's legal framework further evolves, ensuring that national policies as expressed through legislative action are implemented at the grass-roots level remains a challenge. Reviewing how to increase alignment of law implementation with national policies will help build a stronger rule of law system while increasing access to justice in Viet Nam. UNDP and MOJ will apply evidence based methodologies to diagnose how laws are enforced and to support interventions to make the legal system more responsive to the needs and aspirations of the people. The results of these studies will be available to a wide spectrum of state and

non-state actors, including elected bodies at the national and sub-national levels, justice institutions, academia, civil society organizations and individuals. UNICEF will complement this work by supporting an expansion of the specialized evidence base on children in the justice system through the integration of child specific justice indicators and a costing exercise, both of which will enhance the ability of the MOJ and Government to develop evidence-based policy in respect of justice for children.

Deliverables under this activity include:

3.2.1 A series of empirical studies on law implementation, including in the following thematic areas: administrative and criminal environmental protection laws; non-discrimination laws and regulations; land and property; and access to justice (including but not limited to the Law on Legal Aid, Law on Lawyers and the Child Law). Other thematic areas can be discussed and specified in annual plans to be approved by the Programme Steering Committee (supported by UNDP).

3.2.2 A series of regional and provincial roundtable discussions to examine results of the empirical studies and their policy implications, and to trigger responsive action plans to unblock the obstacles and to improve the performance and accountability of government and justice institutions at the provincial level as well as to strengthen the MOJ capacity to monitor implementation of laws (supported by UNDP)

3.2.3 Support to research institutes, think-tanks and local NGOs (selected via competitive process) to maximize effective use of the empirical research data to promote greater participation in local policy making by vulnerable groups. Experiences and lessons learned from the support discussed and disseminated with recommendations to improve the legal and regulatory framework for legal empowerment and access to justice (supported by UNDP)

3.2.4 A baseline survey of the criminal justice system in selected provinces, with provinces to be identified as part of the research/survey process (supported by UNDP).

3.2.5 Support an inter-sectoral agreement to integrate national juvenile justice indicators (covering both victims, witnesses and offenders) into the relevant national policy framework (supported by UNICEF)

3.2.6 A study completed on costing of child justice services, that utilizes the methodology developed and findings from the MOLISA-UNICEF on child protection services for children (social welfare system) (supported by UNICEF).

Activity 3.3 Support for civil society organisations to constructively engage with policy makers on issues pertaining to legal empowerment and access to justice based on demand driven research. This is out of the scope of PAGO DA mechanism; to be implemented and reported by the JIFF mechanism of EU JULE.

Activity 3.4 Maintaining the constructive policy dialogue between the EU, Vietnam and the UN on justice sector reform.

UNDP, through the office of the UN Resident Coordinator, will continue the annual Legal Partnership Forums (LPFs) in association with the EU to maintain high level dialogues with the Government of Viet Nam. Meanwhile, UNDP, UNICEF and UNDOC, on a rotational basis and in partnership with the EU, will conduct quarterly legal policy dialogues at an operational level to strengthen the legal framework necessary for an improved justice system. Focal areas of policy dialogues and annual LPFs will be decided in partnership with the EU and the MOJ but will include discussions and research papers on how to implement policies that increase the integrity of the justice sector, heighten awareness of legal rights,

incorporate the concerns of civil society organizations, and improve access to justice services for vulnerable communities. National and international experts will provide supporting research for the fora and dialogues.

Deliverables under this activity include:

3.4.1 Annual Legal Partnership Forum as high level dialogues between the Government of Viet Nam, the UN and the EU with involvement of the international community and civil society (supported by UNDP).

3.4.2 Quarterly legal policy dialogues for the discussion and presentation of research papers on relevant topics of legal and judicial reform, and access to justice developed under the EU JULE and other development or academic programs on matters of justice sector reform and access to justice that engage representatives from different interest groups, including the Government, National Assembly, as well as civil society and other relevant stakeholders (supported by UNDP, UNICEF and UNODC).

Result 4: Enhanced integrity and transparency in the justice sector

Codes of professional conduct, coupled with self-policing and accountability mechanisms that allow institutions to govern and discipline their own members, using ethical or professional standards, are a necessary pre-condition for improving the rule of law and the integrity of the justice system. The development of codes of conduct and relevant oversight mechanisms, if implemented with the full support of the Government, will contribute to the strengthening of human rights protection systems in the country. This will also enhance the role of the Bar associations and other professional organizations whose members provide legal services to ensure that they act within a set of ethical parameters in their profession.

Implementing judicial precedent has long been a challenge for the Viet Nam justice system. The concept of precedence was included in Resolutions 48 and 49 (2005) on judicial and legal reform, and was recently expanded upon in 2012 in Decision 74 of the Supreme People's Court. To date, however, there is no sustained program to regularly publish decisions pursuant to a set of protocols that allow them to be used as controlling authority or guiding principle in subsequent cases, except the publication of selected judicial precedents—considered one of the achievements of the Justice Partnership Programme funded by the EU, Denmark and Sweden (2010-2015).

A legal system that relies on prior decisions of superior courts guiding judges and lawyers on legal issues does not currently exist in Viet Nam. The declaration in the 2013 Constitution that courts have “judicial powers” (*quyen tu phap*) suggests that policy makers also want to increase the controlling nature of judicial decisions and to create judicial precedent. However, creating a culture of jurisprudence requires policy and management changes within the judiciary and the Government as a whole, including significant resources to assemble, codify, and publish decisions. For the practice of citing judicial precedent to become ingrained into Viet Nam's jurisprudence, and for the interpretation of law to move deeper into the province of the judiciary, judges will need to draft decisions in a more uniform style that allows for subordinate courts, government officials, legal professionals, and the general public to reference decisions made by judges. Finally, there is a judicial integrity dimension to making judicial decisions available.

Activity 4.1 Support for the development and implementation of codes of conduct and ethical standards for professionals in the justice sector.

UNODC will support MPS and SPC to convene justice sector stakeholders to assess the status of the on-going work on codes of conduct for police and judges. National and international resource persons will conduct a qualitative assessment of existing codes, and then develop a resource guide drawing on international and UN standards for each sector to create either new or improved codes of conduct. Upon the completion of each resource guide, the stakeholders will attend workshops to obtain consensus on which model best suits the needs of their members, and draft codes of conduct will be produced. Upon consensus of the governing boards of the professions, and to the extent possible the membership of each profession, the codes will be formally adopted, followed by training workshops to introduce members to their tenets and to discuss the means by which the profession can self-police and discipline members who violate the codes. Results under this activity include:

4.1.1 A review of all existing relevant codes of conducts and legislation, with a clear set of guidelines to improve them based on international standards, or to create codes where no current draft exists (supported by UNODC).

4.1.2 Draft codes of conduct for law enforcement and judicial professionals that address, among other issues, gender discrimination and harassment, malpractice, corruption, with recommendations on applicable disciplinary mechanisms for violations, in line with guidelines established through collaboration with government and professional leaders. For the police code of conduct, consultation with MPS on the development of a professional code of conduct and supporting oversight services in line with the relevant international standards (supported by UNODC).

4.1.3 Training on professional codes of conduct and relevant legislation including by-laws that regulate performance in relation to integrity, professional conducts and disciplines of judicial and law enforcement staff and personnel (supported by UNODC).

Activity 4.2 Support the media and civil society organisations to research and report on corruption and malpractice in the justice sector. This Activity is out of the scope of PAGoDA mechanism; to be implemented and reported by JIFF mechanism of EU JULE.

Activity 4.3 Support for the publication of judgments and the accumulation of legal precedent.

UNDP will build upon momentum made to date by proponents of legal precedent in Viet Nam. Desk-review will be conducted in consultation with judges, legal experts, academics, and lawyers to review the status of on-going efforts to publish decisions and its impacts of legal precedents that are selected by a SPC's specialized committee. Based on the results and findings of the desk review, as well as consultation with the SPC, UNDP will map out the most effective ways and scale of further support.

Deliverables under this activity include:

4.3.1 Research and consultation with academics, high level government and judiciary officials to define the scope of policy decisions and implementation requirements needed for precedent to become embedded in Viet Nam's justice system (supported by UNDP).

4.3.2 Guidelines for judges and court personnel on how to draft opinions and decisions in a manner that allows for citation by subordinate courts and for lawyers in drafting legal arguments (supported by UNDP).

4.3.3 A series of training workshops for judges and court lawyers on the new guidelines, building capacity on their use, focused on drafting opinions that can be universally cited by other courts and legal professionals (supported by UNDP).

4.3.4 Assessment of the utilisation of precedents in practice to be carried by independent experts who are supervised and monitored by UNDP technical advisors on scope and methodology of the assessment and validation of the findings and recommendations (supported by UNDP).

Activity 4.4 Support to civil society actors to develop and implement projects to enhance integrity and transparency in the justice sector. This Activity is out of the scope of PAGO DA mechanism; to be implemented and reported by JIFF mechanism of EU JULE.

Activity 4.5 Rolling out of a justice index at provincial and national level to measure performance in the justice sector (with breakdown data by gender and vulnerable groups)

UNDP will support MOJ in the development of a participatory and empirical tool for survey and data collection that will be utilized for construction of an index to measure performance in the justice sector. Construction of the index is to meet with MOJ needs for monitoring performance of justice agencies at sub-national levels (provincial and community levels), ultimately attribute to increase integrity, transparency and accountability in the justice agencies and its personnel, and broadly to promote people's voice and participation in monitoring performance of state institutions.

Deliverables under this activity include:

4.5.1 Consultation on a conceptual framework for a justice index to be developed and rolled out in consultation with MOJ (supported by UNDP).

4.5.2 A participatory and empirical tool for survey and data collection developed and pre-tested before actual deployment (supported by UNDP).

4.5.3 Piloted methodology for construction of an index carried out in three provinces randomly selected aligned with sampling method set out for the index construction (supported by UNDP).

4.5.4 Rolling out of the index on a larger scale, in cooperation with MOJ including exploration of parallel and other sources of funding.

3.2 DURATION, LOCATION AND INDICATIVE PLAN FOR THE ACTION IMPLEMENTATION

The indicative operational implementation period of this Action, during which the activities described in section 3.1 Expected Results and Main Activities of the Action will be carried out, is 37 months starting from 1 November 2017 to 30 November 2020 inclusive.

The Action will be implemented in Viet Nam. It will focus on a limited number of provinces in order to increase impact in relation to its objectives. A selection of the provinces where the activities to be carried out will take place during the inception phase of the Action based on the following indicative criteria: (i)

World Bank poverty rates; (ii) Prevalence of ethnic minorities; (iii) Scoring according to the Public Administration Performance Index (PAPI); (iv) Provincial scoring according to the 2015 Vietnam Justice Index; (v) Specific rationale and relevance to target vulnerable groups, for example provinces with high incidence of juvenile offending/child victims of crime for child related interventions; (vi) Commitment and capacity of provincial and local counterparts; and (vii) Synergy and complementarity with other UN and EU-funded projects and programmes.

3.3 MULTI-YEAR INDICATIVE WORK PLAN FOR THE ACTION IMPLEMENTATION

The duration of the action will be 37 months.

Multi-year indicative work plan for the action implementation

Activity	Half-year 1 (Nov 2017 – Apr 2018)						Half-year 1 (May – Oct 2018)						Responsible Agency	Partners
	1	2	3	4	5	6	7	8	9	10	11	12		
Launch of the EU JULE PAGoDA component, including endorsement of 2017 AWP prepared by the MOJ/ICD and UNDP.													UNDP, UNICEF, UNODC	MOJ
EU JULE Steering Committee Meeting													UNDP	MOJ
Activity 1.1 Development and implementation of a comprehensive and professional legal empowerment behaviour change strategy														
1.1.1 Empirical & diagnostic study at provincial and commune levels													UNDP	MOJ, VLA, VBF
Activity 1.5 Support interventions to raise public awareness on rights protection and access to justice for vulnerable groups														
1.5.1 Development of a community-based legal needs assessment tool for target groups													UNDP	VLA
1.5.3 Support to public level literacy campaign with focus on gender, child sensitive, multi-lingual and rights awareness													UNODC	VAPCR, VLA, MOJ, MPS, NGOs
Activity 2.1 Capacity needs assessment of legal aid providers (LAPs)														

Activity	Half-year 1 (Nov 2017 – Apr 2018)								Half-year 1 (May – Oct 2018)				Responsible Agency	Partners	
	1	2	3	4	5	6	7	8	9	10	11	12			
2.1.1 Development of a diagnostic tool to conduct the capacity needs assessment of legal aid providers														UNDP	MOJ
2.1.2 Support implementation of the LAP capacity need assessment tool														UNODC	MOJ
Activity 2.2 Capacity development of legal aid providers															
2.2.1 Support development of a rights-based and gender sensitive capacity building program to legal aid providers														UNDP	MOJ, VLA, VBF
2.2.2 Development and delivery of rights-based and gender sensitive capacity building programs for legal aid service providers who provide support to survivors of gender based violence														UNODC	MOJ
Activity 2.3 Targeted support for the implementation of the Legal Aid Project															
2.3.1 Support development of a M&E tool for legal aid service provision disaggregated by case type and other factors														UNODC	MOJ
2.3.2 Support to implementation of a guideline to implement inter-sectoral child-friendly legal aid														UNICEF	MOJ, SPC, MOLISA

Activity	Half-year 1 (Nov 2017 – Apr 2018)						Half-year 1 (May – Oct 2018)						Responsible Agency	Partners	
	1	2	3	4	5	6	7	8	9	10	11	12			
Activity 2.4 Targeted support for dispute resolution mechanisms in accordance with the Law on Grass-roots Mediation															
2.4.1 Development of a participatory, rights-based, child and gender sensitive tool for assessment of community-based dispute resolution														UNDP	MOJ, SPC, VLA, VBF, WU, YU
2.4.2 Assessment of existing mechanisms of dispute resolution at grass-root and community levels														UNDP	MOJ, SPC, VLA, VBF, WU, YU
2.4.4 Target support to local mediators														UNODC	Women's Unions, and Farmers' Unions
Activity 2.5 Legal advice and information sessions in prisons and pre-trial detention facilities															
2.5.1 Development of training materials on application of UN Standard Minimum Rules for the Treatment of Prisoners, and UN Rules for the Protection of Juveniles Deprived of their Liberty for Prison Staff														UNODC	MPS, SPP, MOJ, VLA, WU

Activity	Half-year 1 (Nov 2017 – Apr 2018)								Half-year 1 (May – Oct 2018)				Responsible Agency	Partners		
	1	2	3	4	5	6	7	8	9	10	11	12				
2.5.2 Consultation, target training and awareness raising sessions with MPS and other state agencies on legal rights awareness program for prison officers														UNODC	MPS, SPP, MOJ	
2.5.3 Support direct outreach of VLA on legal advice and assistance to pre-trial detainees and prisoners														UNDP	VLA	
Activity 2.6 Support the implementation of the Family and Juvenile Court																
2.6.2 Implement pilot model of Family and Juvenile Court in select provinces, which includes development of specialized case management system, collection and utilization of data and monitoring and evaluation systems																
2.6.5 Piloting specialized children's lawyers for juveniles in conflict with the law' in select provinces															UNICEF	SPC
2.6.6 Support Government develop a sub-law on diversion															UNICEF	VLA
Activity 2.7 Support the protection and assistance to GBV survivors and child victims of abuse																
2.7.1 Assessment of law enforcement practices and legal support to women survivors of GBV															UNODC	MPS, MOJ, SPP, MOLISA, WU

Activity	Half-year 1 (Nov 2017 – Apr 2018)								Half-year 1 (May – Oct 2018)					Responsible Agency	Partners
	1	2	3	4	5	6	7	8	9	10	11	12			
	2.7.2 Feasibility Study on different models for the structure and organization of social workers in the justice system														
2.7.3 Support development and implementation of programs, policies and guidelines for child victims of abuse in contact with the justice system and women survivors of gender based violence. Development of training programs for prosecutors and judges on dealing with gender based violence and child sexual exploitation														UNODC	MPS, MOJ, SPP, MOLISA, WU
2.7.4 Support the establishment and operation of Domestic Violence Rapid Response Teams at the grass-root level														UNODC	MPS, MOJ, SPP, MOLISA, WU
2.7.5 Legal advice and legal assistance for survivors of gender based violence														UNODC	MOJ, VLA, VBA
2.7.6 Feasibility study on establishing full-time specialist police divisions or units for handling child protection matters (victims of abuse) and children in conflict with the law														UNICEF	SPC, MOLISA, MOJ



Activity	Half-year 1 (Nov 2017 – Apr 2018)								Half-year 1 (May – Oct 2018)				Responsible Agency	Partners	
	1	2	3	4	5	6	7	8	9	10	11	12			
2.9.1 Law enforcement and prosecutorial officers specialized training programs and materials developed and delivered on child-friendly investigative and prosecution skills														UNICEF, UNODC	MPS, SPP
2.9.2 Training for law enforcement and criminal justice officials as well as staff of other relevant agencies to support the needs of women survivors of gender based violence														UNODC	MPS, SPP, SPC
Activity 3.1 Target support for the revision of limited number of laws and regulations to enhance access to justice and/or to laws and regulations aiming at the protection of rights															
3.1.1 Thematic research and policy papers to ensure further alignment of Vietnamese laws with international norms and standards														UNDP	All target groups
3.1.2 Support the coordination with NA to provide policy advices on selected topics to strengthen the rule of law and access to justice														UNDP, UNICEF, UNODC	NA's Law Committee, Judiciary Committee, Social Affairs Committee

Activity	Half-year 1 (Nov 2017 – Apr 2018)										Half-year 1 (May – Oct 2018)					Responsible Agency	Partners
	1	2	3	4	5	6	7	8	9	10	11	12					
Activity 3.2 Expand the evidence base for result oriented justice sector policy making																	
3.2.1 Empirical studies on law implementation in selected thematic areas																	MOJ, Research institutes, Law Universities
3.2.5 Support an inter-sectoral agreement to integrate national juvenile justice indicators																	MOJ,
Activity 3.4 Maintaining the constructive policy dialogue between the EU, Viet Nam and the UN on justice sector reform																	
3.4.1 Annual Legal Partnership Forum																	MOJ
3.4.2 Two quarterly Policy Dialogues (on criminal justice and legal aid)																	UNDP, UNODC
Activity 4.1 Support the development and implementation of codes of conduct and ethical standards for professionals in the justice sector																	
4.1.1 Review of relevant existing codes of conducts and legislation, with a clear set of guidelines for further improvement																	UNODC MPS, SPC



UNODC
WORLD JUSTICE CENTER

Activity	Half-year 1 (Nov 2017 – Apr 2018)						Half-year 1 (May – Oct 2018)						Responsible Agency	Partners		
	1	2	3	4	5	6	7	8	9	10	11	12				
4.1.2 Draft codes of conducts for law enforcement and the judicial professional														UNODC	MPS, SPC	
4.1.3 Training on professional codes of conduct and relevant legislation that regulate performance of anti-corruption, judicial and law enforcement agencies														UNODC	MPS, SPC	
Activity 4.3 Support for the publication of judgments and the accumulation of legal precedent																
4.3.1 Research and consultation with academics, government and judiciary officials to define the scope of policy decisions and implementation requirements needed for precedent embedded in Viet Nam justice system														UNDP	SPC	
Activity 4.5 Development of a justice index to measure performance in the justice sector																
4.5.1 Consultation on a conceptual framework for a justice index to be rolled out by MOJ														UNDP	MOJ	

Year 2														
Activity	Half-year 2 (Nov 2018 – Apr 2019)						Half-year 2 (May – Oct 2019)						Responsible Agency	Partners
	1	2	3	4	5	6	7	8	9	10	11	12		
EU JULE Steering Committee Meeting													UNDP	MOJ
Mid-term evaluation (EU JULE program)													Independent evaluators	All target groups
Activity 1.1 Development and implementation of a comprehensive and professional legal empowerment behaviour change strategy														
1.1.2 Development and implementation of the legal empowerment behaviour change strategy													UNDP	MOJ
Activity 1.2 Capacity needs assessment of legal communicators														
1.2.1 Development of diagnostic tool for capacity needs assessment of legal communicators													UNDP	MOJ, VLA, VBF
1.2.2 Consultation on the utility of the diagnostic tool and discussion on results and recommendations of the assessment													UNDP	MOJ, VLA, VBF

Activity	Half-year 2 (Nov 2018 – Apr 2019)						Half-year 2 (May – Oct 2019)						Responsible Agency	Partners	
	1	2	3	4	5	6	7	8	9	10	11	12			
Activity 1.3 Capacity development of legal communicators															
1.3.1 Capacity building program for legal communicators including development of training materials and training the trainers (TOT)														UNDP	MOJ
Activity 1.5 Support interventions to raise public awareness on rights protection and access to justice for vulnerable groups															
1.5.1 Development of a community-based legal needs assessment tool for target groups (women, children, ethnic minorities, etc.)														UNDP	MOJ, VLA
1.5.2 Legal needs assessment in target provinces														UNDP	VLA
1.5.3 Support to public level literacy campaign with focus on gender, child sensitive, multi-lingual and rights awareness														UNODC, UNICEF	MOJ, MPS, NGOs
1.5.4 Support to VLA and other social organizations' interventions on rights awareness and protection at grass-root level														UNDP, UNICEF	VLA, VAPCR

Activity	Half-year 2 (Nov 2018 – Apr 2019)								Half-year 2 (May – Oct 2019)					Responsible Agency	Partners						
	1	2	3	4	5	6	7	8	9	10	11	12									
	Activity 2.1 Capacity needs assessment of legal aid providers (LAPs)																				
2.1.2 Support to implementation of the LAP capacity need assessment tool																UNODC	MOJ, VLA				
Activity 2.2 Capacity development of LAPs																					
2.2.1 Support to development of a rights-based and gender sensitive capacity building program to LAPs																	UNDP	MOJ, VLA, VBF			
2.2.2 Development of training materials incorporated UN principles and guidelines on access to legal aid, and focus on target groups of GBV survivors																					
2.2.3 Training of trainers for LAPs																		UNICEF	MOJ, VLA		
Activity 2.3 Target support for the implementation of the Legal Aid Project																					
2.3.1 Support to application of a M&E tool for legal aid service provision disaggregated by case type and other factors																			UNODC	MOJ	
2.3.2 Support to implementation of a guideline to implement inter-sectoral child-friendly legal aid																				UNICEF	MOJ, SPC, MOLISA
2.3.3 Research on usage of technology to increase legal aid's effectiveness and justice data collection																				UNODC, UNICEF	MOJ, SPC, MOLISA




Activity	Half-year 2 (Nov 2018 – Apr 2019)						Half-year 2 (May – Oct 2019)						Responsible Agency	Partners	
	1	2	3	4	5	6	7	8	9	10	11	12			
Activity 2.4 Targeted support for dispute resolution mechanisms in accordance with the Law on Grass-root Mediation															
2.4.1 Development of a participatory, rights-based, child and gender sensitive tool for assessment of community-based dispute resolution														UNDP	MOJ, VLA, VBF, WU, YU
2.4.3 Support to enhance the successful models of grass-root mediation in selected provinces														UNDP	MOJ, VLA, VBF, WU, YU
2.4.4 Development and delivery of gender sensitive training courses to mediation teams at local level														UNODC	MOJ, Farmers' Union, Women's Union
Activity 2.5 Legal advice and information sessions in prisons and pre-trial detention facilities															
2.5.1 Development of training materials and curriculum based on the application of the UN Standard Minimum Rules for the Treatment of Prisoners and the Bangkok Rules, as well as the United Nations Rules for the Protection of Juveniles Deprived of their Liberty for prison staff														UNODC	MPS, MOJ, SPP, VLA, VBF

Activity	Half-year 2 (Nov 2018 – Apr 2019)								Half-year 2 (May – Oct 2019)				Responsible Agency	Partners	
	1	2	3	4	5	6	7	8	9	10	11	12			
	2.5.2 Consultation/awareness raising/target training sessions with investigators, prosecutors and prison managers and staff														
2.5.3 Support direct outreach of VLA on legal advice and assistance to pre-trial detainees and prisoners														UNDP	VLA
Activity 2.6 Support the implementation of the Family and Juvenile Court															
2.6.1 Support the implementation of the Law on Court Organization in respect of the Family and Juvenile Court through the conduct of a feasibility study on lead coordination agency for juvenile justice														UNICEF	SPC, MOJ, MOLISA
2.6.2 Implement Pilot model of Family and Juvenile Court in select provinces, which includes development of specialized case management system, collection and utilization of data and monitoring and evaluation systems														UNICEF	SPC
2.6.3 Specialized development of precedents for Family and Juvenile Court Judges and People's Jurors.														UNICEF	SPC
2.6.4 Development, testing and integration of training on justice for children into pre-service training curricula of Police Academy and Procuracy Institute.														UNICEF	SPC, SPP, MOJ



Activity	Half-year 2 (Nov 2018 – Apr 2019)						Half-year 2 (May – Oct 2019)						Responsible Agency	Partners		
	1	2	3	4	5	6	7	8	9	10	11	12				
2.6.5 Piloting specialized children's lawyers in select provinces														UNICEF	VLA	
2.6.6 Piloting the 'community-based support for juveniles in conflict with the law' in select provinces														UNICEF	SPC	
Activity 2.7 Support the protection and assistance to GBV survivors and child victims of abuse																
2.7.1 Feasibility Study on different models for the structure and organization of social workers in the justice system														UNICEF	MOJ	
2.7.2 Specialist training for social workers on handling children in conflict with the law														UNICEF	MOLISA, MOJ	
2.7.3 Support programs, policies and guidelines for child victims of abuse in contact with the justice system and women survivors of gender based violence.														UNICEF, UNODC	SPC, SPP, MPS, MOLISA, WU, YU, VLA, VAPCR	
International study visit on child victim support program (UNICEF)																
Development of training programs for prosecutors and judges on dealing with gender based violence and child sexual exploitation (UNODC)																

Activity	Half-year 2 (Nov 2018 – Apr 2019)						Half-year 2 (May – Oct 2019)						Responsible Agency	Partners
	1	2	3	4	5	6	7	8	9	10	11	12		
	2.7.4 Support to Domestic Violence Rapid Response Teams at grass-root level and legal assistance to survivors of domestic violence.													
2.7.5 Legal assistance to survivors of gender based violence													UNODC	MOJ
2.7.6 Feasibility study on establishing full-time specialist police divisions or units for handling child protection matters (victims of abuse) and children in conflict with the law													UNICEF	SPC, MOLISA, MOJ
Activity 2.9 Needs based training for law enforcement and criminal justice officials and staff to meet the needs of GBV survivors and child victims of abuse														
2.9.1 Law enforcement and prosecutorial officers specialized training programs and materials developed and delivered on child-friendly investigative and prosecution skills													UNICEF, UNODC	MPS, SPP
2.9.2 Specialized trainings for law enforcement and criminal justice officers to support survivors of GBV													UNODC	MPS, SPP

Activity	Half-year 2 (Nov 2018 – Apr 2019)						Half-year 2 (May – Oct 2019)						Responsible Agency	Partners	
	1	2	3	4	5	6	7	8	9	10	11	12			
Activity 3.1 Targeted support for the revision of a limited number of laws and regulations to enhance access to justice															
3.1.1 Thematic researches and policy papers to ensure further alignment of Vietnam laws with international norms and standards														UNDP	MOJ, Research institutes, Law Universities
3.1.2 Support the coordination with NA to provide policy advices on selected topics to strengthen the rule of law and access to justice														UNDP, UNICEF, UNODC	NA's Committees
Activity 3.2 Expand the evidence base for result oriented justice sector policy making															
3.2.1 Empirical studies on law implementation in selected thematic areas														UNDP	MOJ, Research institutes, Law Universities
3.2.2. Regional and provincial roundtable discussions to examine results of the empirical studies and their policy implications														UNDP	MOJ
3.2.3 Support to research institutes, think-tanks and local NGOs to maximize effective uses of the empirical research data to promote greater participation in local policy making by vulnerable groups														UNDP	Research institutes, Law Universities, NGOs

Activity	Half-year 2 (Nov 2018 – Apr 2019)						Half-year 2 (May – Oct 2019)						Responsible Agency	Partners	
	1	2	3	4	5	6	7	8	9	10	11	12			
3.2.4 Support a baseline survey of the criminal justice system in selected provinces														UNDP	
3.2.6 A study on costing of child justice services, that utilizes the methodology developed and findings from the MOLISA-UNICEF study on costing of child protection services for children (social welfare system).														UNICEF	MOJ, MOLISA
Activity 3.4 Maintaining the constructive policy dialogue between the EU, Vietnam and the UN on justice sector reform															
3.4.1 Annual Legal Partnership Forum														UNDP	MOJ
3.4.2 Two quarterly Policy Dialogues (on law implementation and access to justice)														UNDP, UNODC	MOJ
Activity 4.1 Support for the development and implementation of codes of conduct and ethical standards for professionals in the justice sector															
4.1.1 Review of all existing codes of conducts and relevant legislations, with a clear set of guidelines to improve them based on international standards, or to create codes where no current draft exists														UNODC	MPS, SPC
4.1.2 Draft codes of conduct for law enforcement, judicial professionals														UNODC	MPS, SPC

Activity	Half-year 2 (Nov 2018 – Apr 2019)							Half-year 2 (May – Oct 2019)					Responsible Agency	Partners		
	1	2	3	4	5	6	7	8	9	10	11	12				
4.1.3 Training on professional codes of conduct and relevant legislations including by-laws that regulate performance of anti-corruption, judicial and law enforcement agencies														UNODC	MPS, SPC	
Activity 4.3 Support for the publication of judgments and the accumulation of legal precedent																
4.3.2 Guidelines for judges and court personnel on how to draft opinions and decisions														UNDP	SPC	
Activity 4.5 Development of a justice index to measure performance in the justice sector																
4.5.1 Consultation on a conceptual framework for a justice index to be rolled out by MOJ														UNDP	MOJ	
4.5.2 Development and pre-test of a participatory and empirical tool for survey and data collection														UNDP	MOJ	

Year 3														
Activity	Half-year 3 (Nov 2019 – Apr 2020)						Half-year 3 (May – Oct 2020)						Responsible Agency	Partners
	1	2	3	4	5	6	7	8	9	10	11	12		
EU JULE Steering Committee Meeting													UNDP	MOJ
Activity 1.1 Development and implementation of a comprehensive and professional legal empowerment behaviour change strategy														
1.1.2 Support to implementation of the legal empowerment behaviour change strategy													UNDP	MOJ, VLA, VBF
Activity 1.3 Capacity development of legal communicators														
1.3.1 Capacity building program for legal communicators including development of training materials and training the trainers													UNDP	MOJ, VLA, VBF
1.3.2 Development of education materials to local language, with gender sensitive methods, targeting vulnerable groups													UNDP	MOJ

Activity	Half-year 3 (Nov 2019 – Apr 2020)						Half-year 3 (May – Oct 2020)						Responsible Agency	Partners	
	1	2	3	4	5	6	7	8	9	10	11	12			
Activity 1.5 Support interventions to raise public awareness on rights protection and access to justice for vulnerable groups															
1.5.3 Support to public level literacy campaign with focus on gender, child sensitive, multi-lingual and rights awareness														UNODC	MPS, MOJ, VLA, NGOs
1.5.4 Support to VLA and other social organizations' interventions on rights awareness and protection at grass-root level														UNDP	VLA
Activity 2.2 Capacity development of LAPs															
2.2.2 Development of training materials incorporated UN principles and guidelines on access to legal aid, and focus on target groups of GBV survivors														UNODC	MPS, MOJ
2.2.3 Training of trainers for LAPs														UNDP,	MOJ, VLA
Activity 2.3 Targeted support for the implementation of the Strategy for Development of Legal Aid in Viet Nam															
2.3.1 Support to development of a M&E tool for legal aid services provision disaggregated by case type and other factors														UNODC	MOJ

Activity	Half-year 3 (Nov 2019 – Apr 2020)						Half-year 3 (May – Oct 2020)						Responsible Agency	Partners	
	1	2	3	4	5	6	7	8	9	10	11	12			
2.3.2 Guideline to implement inter-sectoral child-friendly legal aid															SPC, MOJ
2.3.3 Research on usage of technology to increase legal aid's effectiveness and justice data collection															MOJ, SPC, MOLISA
Activity 2.4 Targeted support for dispute resolution mechanisms in accordance with the Law on Grass-root Mediation															
2.4.4 Delivery of gender sensitive training courses for mediation teams at local level															MOJ
Activity 2.5 Legal advice and information sessions in prisons and pre-trial detention facilities															
2.5.1 Awareness raising/training on application of UN Standard Minimum Rules for the Treatment of Prisoners for Prison Staff															UNODC
2.5.3 Support the development of protocols for prison management and personnel on rights awareness and protection to incarcerated persons															MPS
2.5.4 Support direct outreach of VLA on legal advice and assistance to pre-trial detainees and prisoners															VLA, MPS
															UNDP, UNODC

Activity	Half-year 3 (Nov 2019 – Apr 2020)							Half-year 3 (May – Oct 2020)					Responsible Agency	Partners	
	1	2	3	4	5	6	7	8	9	10	11	12			
Activity 2.6 Support the implementation of the Family and Juvenile Court															
2.6.1 Strengthened legal and regulatory framework for a comprehensive judicial system for children through a proposal for the development of a dedicated Juvenile Justice Law															SPC, MOJ, MOLISA, WU, YU
2.6.2 Implement Pilot model of Family and Juvenile Court in select provinces, which includes development of specialized case management system, collection and utilization of data and monitoring and evaluation systems															UNICEF
2.6.3 Specialized development and delivery of mock trials of cases involving children and family matters.															UNICEF
2.6.4 Development, testing and integration of training on justice for children into pre-service training curricula of Police Academy and Procuracy Institute.															UNICEF
2.6.5 Piloting specialized children’s lawyers (piloted in select provinces)															UNICEF
2.6.6 Piloting the ‘community-based support for juveniles in conflict with the law’ in select provinces															UNICEF

Activity	Half-year 3 (Nov 2019 – Apr 2020)						Half-year 3 (May – Oct 2020)						Responsible Agency	Partners	
	1	2	3	4	5	6	7	8	9	10	11	12			
Activity 2.7 Support the protection and assistance to GBV survivors and child victims of abuse															
2.7.2 Support the Government to develop plan for a Law on Social Work, with national standards and guidelines on social work professionals that specify their role in the justice sector														UNICEF	MOLISA, MOJ
2.7.3 Development of training programs for prosecutors and judges on dealing with gender based violence and child sexual exploitation														UNODC	MOJ, MOLISA, MPS, SPP, SPC
2.7.4 Support to Domestic Violence Rapid Response Teams at grass-root level and legal assistance to survivors of domestic violence														UNODC	MPS, MOJ
2.7.5 Legal assistance to survivors of gender based violence														UNODC	MOJ, NGOs
Activity 2.9 Needs based training for law enforcement and criminal justice officials and staff to meet the needs of GBV survivors and child victims of abuse															
2.9.2 Specialized trainings for law enforcement and criminal justice officers to support survivors of GBV and child sexual exploitation														UNODC	MPS



Activity	Half-year 3 (Nov 2019 ~ Apr 2020)								Half-year 3 (May ~ Oct 2020)				Responsible Agency	Partners	
	1	2	3	4	5	6	7	8	9	10	11	12			
Activity 3.1 Target support for the revision of a limited number of laws and regulations to enhance access to justice															
3.1.1 Thematic researches and policy papers to ensure further alignment of Vietnam laws with international norms and standards															UNDP, UNICEF
3.1.2 Support the coordination with National Assembly to provide policy advices on selected topics to strengthen the rule of law and access to justice															UNDP, UNICEF, UNODC
Activity 3.2 Expand the evidence base for result oriented justice sector policy making															
3.2.1 Empirical studies on law implementation in selected thematic areas															UNDP
3.2.2. Regional and provincial roundtable discussions to examine results of the empirical studies and their policy implications															UNDP
3.2.3 Support to research institutes, think-tanks and local NGOs to maximize effective uses of the empirical research data to promote greater participation in local policy making by vulnerable groups															MOJ
															MOJ, Research institutes, Law Universities
															NA's Committees
															MOJ, Research institutes, Law Universities
															MOJ
															Research institutes, Law Universities, NGOs

Activity	Half-year 3 (Nov 2019 – Apr 2020)								Half-year 3 (May – Oct 2020)				Responsible Agency	Partners		
	1	2	3	4	5	6	7	8	9	10	11	12				
3.2.4 Support a baseline survey of the criminal justice system in selected provinces														UNDP	MOJ, MPS	
3.2.6 A study on costing of child justice services, that utilizes the methodology developed and findings from the MOLISA-UNICEF study on costing of child protection services for children (social welfare system).														UNICEF	MOJ, MOLISA	
Activity 3.4 Maintaining the constructive policy dialogue between the EU, Vietnam and the UN on justice sector reform																
3.4.1 Annual Legal Partnership Forum														UNDP	MOJ	
3.4.2 Two quarterly Policy Dialogues (one on criminal justice system and one on social work in the justice sector/child justice)														UNODC, UNICEF	MOJ, MOLISA, MPS	
Activity 4.1 Support for the development and implementation of codes of conduct and ethical standards for professionals in the justice sector																
4.1.2 Draft codes of conduct for law enforcement, judicial professionals														UNODC	MPS, SPC	
4.1.3 Training on professional codes of conduct and relevant legislations including by-laws that regulate performance of anti-corruption, judicial and law enforcement agencies														UNODC	MPS, SPC	

Activity	Half-year 3 (Nov 2019 – Apr 2020)							Half-year 3 (May – Oct 2020)					Responsible Agency	Partners			
	1	2	3	4	5	6	7	8	9	10	11	12					
	Activity 4.3 Support for the publication of judgments and the accumulation of legal precedent																
4.3.3 Training workshops for judges and court lawyers on the guidelines for drafting opinions																UNDP	SPC
4.3.4 Review and assessment of the utilisation of precedents in practice																UNDP	SPC
Activity 4.5 Development of a justice index to measure performance in the justice sector																	
4.5.2 Development and pre-test of a participatory and empirical tool for survey and data collection																	
4.5.3 Piloted the methodology for construction of an index carried out in three provinces randomly selected																UNDP	MOJ
																UNDP	

Year 4													Responsible Agency	Partners			
Half-year 4 (Nov 2020)																	
1																	
Activity																	
EU JULE Steering Committee Meeting																UNDP	MOJ
Final evaluation (EU JULE program)																Independent evaluators	All target groups

Year 4												
Activity	Half-year 4 (Nov 2020)							Responsible Agency	Partners			
	1											
Activity 1.5 Support interventions to raise public awareness on rights protection and access to justice for vulnerable groups												
1.5.3 Support to public level literacy campaign with focus on gender, child sensitive, multi-lingual and rights awareness								UNODC	MOJ, MPS, NGOs			
Activity 2.7 Support the protection and assistance to GBV survivors and child victims of abuse												
2.7.4 Support to Domestic Violence Rapid Response Teams at grass-root level and legal assistance to survivors of domestic violence								UNODC	MPS, MOJ, CPCs			
Activity 3.4 Maintaining the constructive policy dialogue between the EU, Vietnam and the UN on justice sector reform												
3.4.1 Annual Legal Partnership Forum								UNDP	MOJ			



3.4 RISKS AND MITIGATION MEASURES

A preliminary assessment shows that the Action should be considered of reasonably high feasibility, because

- The Action responds to the strategic priorities and programmatic requests of Government and non-governmental partners and beneficiaries;
- The MOJ, as the primary partner in implementation of the Action, has extensive and successful experience in coordination and management of justice sector supported projects and activities;
- The other implementing partners are highly motivated, and have experienced working effectively with UNDP, UNODC and UNICEF;
- The UN Agencies of UNDP, UNICEF and UNODC have an extensive history of working on rule of law and access to justice issues in Viet Nam.

The Action will deploy an active risk management and contingency planning strategy to ensure sound management and quality delivery of activities. Regular assumption and risk reviews will be undertaken and reported in the progress and reports.

Type of risks	Probability	Likely impact	Mitigation measures and contingency plan
Duplication and insufficient coordination between the Action and other justice, rule of law interventions	Low	Medium	The Action will utilize the existing Thematic Coordination Groups with participations of development partners, INGOs and NGOs to ensure regular coordination, information and knowledge sharing.
Local governments have insufficient capacities to coordinate in implementing the Action	Low	Medium	Intervention at provincial level is built on the existing partnership and piloted programs in the selected provinces. The Action will continue to contribute to capacity building of local institutions and agencies, including coordination capacity to implement the Action.
Administrative gridlock across state institutions interfere in project implementation	Low	Medium	Active consultation prior and during the implementation of the Action will ensure engagement and effective coordination across participating state institutions and agencies, in return will avoid administrative gridlocks and interferences.
Decrease of USD exchange rate against EUR / VND	Low	High	The Action will apply pro-active early warning and financial planning and management system, and contingency line has been duly incorporated into the budget.

3.5 SUSTAINABILITY

Sustainability of the Action's results will be sought through interaction with partners at all levels, by engaging all stakeholders as rights holders and duty bearers in the implementation of the Action, elevating the Action's experimental initiatives and successful approaches to a nation-wide scope and at the policy level.

Capacity development of state institutions for the strengthening of judicial integrity will contribute to the longer-term sustainability of efficient, effective, citizens-centred and responsive justice system. Encouraging innovative generation of independent information for implementation and monitoring performance of judicial institutions will enhance their integrity and accountability.

In general, the Action will have longer-term development effect, triggered by behavior change toward legal empowerment and rights protection, more trusted and responsive justice sector, and more informed and evidence-based judicial policy and decision making, which jointly form an entry point for sustaining peace, justice and strong justice institutions beyond the Action life-span.

4. MANAGEMENT ARRANGEMENT

Governance Arrangements

The Management arrangements will be guided by the Co-delegation Agreement DCI-ASIE/2015/372-239 (now ACA/2015/372-239) (the "Agreement") signed between the EU and UNDP, where UNODC and UNICEF are acting as co-delegatees, and the overall governance structure for the EU JULE programme (see figure below). This structure is indicative and will be discussed and agreed in the first meeting of the Steering Committee along with the specific terms of reference for each level.

Under this governance structure, the **Programme Steering Committee (PSC)** is established as the highest management level to decide programming directions of EU JULE, covering both this Action (the PAGODA mechanism) and the JIFF mechanism (which is outside the scope of this action). The PSC will review and endorse annual work plans for implementation of the Action. Discussions on day-to-day implementation and details of operational management will not be subject to discussions in the PSC. The PSC will meet at least once per year. Extraordinary meetings may be called by any of the co-chairs. The PSC is co-chaired by the Ministry of Justice and the European Union and Representative of UNDP at Country Representative (CR) level or appointee by the CR.

The MoJ will act as the main national coordinating agency in the implementation. As such, it will be responsible for ensuring sufficient national capacity and coordination with relevant national counterparts to contribute to and support the implementation of the Action. In addition, UNDP, UNODC and UNICEF will continue working with their key national partners in line with existing cooperation agreements and mechanisms in implementation of different activities of the Action, for example: UNICEF-MOJ Detailed Project Outline – Child-friendly justice system – under discussion with MOJ (2017-2021).

Direct communication and reporting to the European Union will be done via UNDP and in line with reporting requirements set out in the General Conditions, Annex II to the Co-delegation Agreement.

GOVERNANCE STRUCTURE
EU LEGAL AND JUDICIAL EMPOWERMENT PROGRAMME IN VIET NAM (EU JULE)

LEGAL PARTNERSHIP FORUM

*This is a high level policy dialogue on legal and judicial issues in Viet Nam
 (To be held once a year, in the late spring (Apr/May/June) or late autumn (Oct/Nov/Dec))*

MOJ – Appointee by the Minister: Co-chair
EU - Ambassador/ Head of the EU Delegation in Viet Nam: Co-chair
UNDP - Country Representative of UNDP in Viet Nam: Co-chair

EU JULE PROGRAMME STEERING COMMITTEE

*This is the highest management level of EU JULE with the power to decide policies, directions and ratify annual work plans for implementation of the Programme.
 All members have voting power. Decisions are to be made by consensus.
 (The PSC will meet at least once a year. Extraordinary meetings may be called by any of the co-chairs).*

MOJ - at least at Vice-Minister level: Co-chair
EU - Ambassador/ Head of the EU Delegation in Viet Nam: Co-chair
UNDP - Country Representative of UNDP in Viet Nam: Member (voting power for PAGOda mechanism)
JIFF Secretariat - Team leader: Member (voting power for JIFF mechanism)
 Representatives of SPC, SPP, MPS and other implementing agencies to be invited as participants

MOJ's SPECIALIZED PROJECT MANAGEMENT UNIT (PMU)

(Functioning costs to be borne by MoJ as part of GoV's contribution to EU JULE)

- To ensure achievement of expected outputs and effective budget management in accordance with regulations of the EU and Viet Nam's laws.
- To support the MoJ in management and coordination of the Programme in line with Viet Nam's laws.
- To coordinate with the ICD of MoJ the support to the PSC to recapitulate annual work plans and handle all issues arising with both mechanisms-PAGOda and JIFF- before submitting to the PSC for review and making decisions.
- To monitor operations within the Programme's framework.

PAGODA mechanism

The overall responsibility for the PAGOda management lies on UNDP.
 UNDP in partnership with UNICEF and UNODC will be responsible to engage the relevant staff to manage, implement and monitor activities within the PAGOda mechanism.

JIFF mechanism

JIFF Secretariat will be selected through a public, transparent call for proposals in accordance with EU rules and regulations. The EU will consult with MoJ the guidelines of this call for proposals where the eligibility conditions and selection and award procedures will be specified. One representative of MoJ may participate as observer in this process.

JIFF Grants Committee

A grants committee will be established by the JIFF Secretariat. The composition of the committee will be suggested as follows: 3 to 5 independent experts with profound expertise in legal/judicial issues, for instance: legal dissemination and education; access to justice and protection of rights; legal aid. MoJ will propose a member for the committee to the JIFF Secretariat. The grants committee will assess grant proposals and select actions to receive funding. The sub-granting award process will be the sole responsibility of the JIFF Secretariat. A list of selected sub-grantees will be shared with the PSC for information and non-objection for implementation.

Management of the Action (PAGODA)

The overall responsibility for the management of this Action lies with UNDP. UNICEF and UNODC will implement activities assigned to those agencies as per the logframe and budget, using funds entrusted by UNDP to those entities along with each agency's programme contribution. UNDP in partnership with UNICEF and UNODC will be responsible to engage the relevant staff to manage, implement and monitor activities within the Action.

UNDP, UNICEF and UNODC are the Responsible Agencies under the Multi-Year Indicative Work Plan 1 November 2017 to 30 November 2020 as in section 3.3. The Multi-Year Work Plan identifies the planned technical activities and planned budget at Outputs 1 to 4 and the direct support activities and planned budget at Output 5 aligned with Annex III – Budget for the Action.

UNDP will transfer funding to UNODC and UNICEF in line with the budget established for the implementation of relevant activities. Each Agency will provide co-funding as indicated in the Budget Plan (Annex III – Budget for the Action) of the Agreement, with the total amount of EUR 700,000 from three agencies, to support implementation of their program's components.

In 2014, UNDP updated its policies on cost-recovery and cost-distribution. A communication on this was issued to Member States Permanent Representatives to the UN in New York in December 2013. The aim of the new policy is to reflect in development project budgets the 'true costs' of achieving development results, in line with UNDP principles of full transparency. All anticipated programmatic and operational costs to support this Action are identified, estimated, and fully costed in the Multi-Year Budget Plan. This includes the costs for activities that relate to technical matters identified at Outputs 1 to 4 and the costs for the direct support the Action identified at Output 5. Also, in February 2014, the United Nations Development Group (UNDG) approved the updated 2014 UNDG Framework on the Harmonized Approach to Cash Transfers (the interagency HACT Framework¹³). The HACT framework represents a common operational (harmonized) framework for transferring cash to government and non-governmental IPs, irrespective of whether these partners work with one or multiple United Nation agencies. All transfers to government and non-government counterparts and subsequent management and monitoring of transfers by UNDP, UNICEF and UNODC will be accordance with the HACT Framework.

Programme implementation is aligned with the overall UN One Strategic Plan (OSP) 2017-2021 and the national priorities in Viet Nam. UN respective agencies will act in accordance with their Regulations and Rules. To that end, UN agencies will assign existing or hire additional human resources in order to ensure the implementation of this Action in line with the deliverables foreseen herein. All agencies will ensure that members of their technical and advisory team have legal and gender expertise and background.

An **UN Program Coordination Team (PCT)** will be established to ensure integrated implementation, and coherence among all Program activities. It will consist of lead management and technical focal points of UNDP (lead agency), UNODC and UNICEF. The PCT will meet quarterly for internal coordination of programme activities, and for identification of issues to discuss with the EU JULE Programme Steering Committee. As needed, members of the PCT will liaise with technical counterparts of the relevant Implementing Partners.

¹³ https://undg.org/main/undg_document/undg-hact-framework-2014/

The UN Agencies will assign 5 relevant staff to serve on the PCT. The following is a list of PCT members:

- Team Leader, Head of Governance and Participation Cluster, UNDP
- Project Manager, UNDP
- Programme Officer, Rule of Law and Access to Justice Specialist, UNDP
- Legal Specialist, UNICEF
- Program Specialist, UNODC.

Further project support will come from staff assigned by the UN agencies to support operational and technical elements of the programme. These are detailed below, after the PCT.

Programme Coordination Team Roles

Team Leader (P4 ACD, UNDP) will be assigned by UNDP and will be responsible for all aspects of the management and implementation of the Action. S/he reports to UNDP Country Representative. The Team Leader will be responsible for coordinating the annual work plans as well as the annual progress and final reports. In accordance with the approved annual work plan, quarterly work plans can be developed.

Project Manager (NOB, UNDP) will assist and report to the Team Leader in project management, coordination, reporting and monitoring of the Action.

Three **technical specialists**, one per UN Agency, will serve in the Programme Coordination Team, to ensure an integrated approach to programming, liaise with technical counterparts and implementation partners of each agency, and will be responsible for coordinating agency contributions to annual work plans, progress and final reports.

- **Programme Officer, Rule of Law and Access to Justice (NOB, UNDP)**
- **Legal Specialist, (P4, UNICEF)**
- **Programme Specialist, (NOC, UNODC)**

These three technical specialists will also play a direct role in technical implementation of components under Results 1 – 4.

Further Technical Advisory Roles

A **Rule of Law and Access to Justice Advisor, (P5 Bangkok Regional Hub, UNDP)** from UNDP's regional office will provide technical guidance to and support implementation of specific programme components under Results 1 - 4, in line with global best practice. The Rule of Law and Access to Justice Advisor will work in close coordination with the national **Programme Officer, Rule of Law and Access to Justice (NOB, UNDP)**.

UNDP will leverage cost-effective expertise in partnership with UNV sourcing national UNV's to directly support programme components under Results 1-4. A **Communications Specialist (NUNV, UNDP)** will support the implementation of the Visibility and Communication Plan, Annex VI of the Co-delegation Agreement, and on communications and public campaigning, rights awareness, legal empowerment behavior change, and outreach materials on legal advice and support to detainees, under Results 1 and 2, activities 1.1 Development and implementation of a comprehensive and professional legal empowerment behavior change strategy, 1.5 Support interventions to raise public awareness on protection of rights and access to justice for vulnerable groups, in particular for women, children, ethnic minorities and poor

people, 2.5 Legal advice and information sessions in prisons and pre-trial detention facilities, and 3.4 Policy dialogues on justice sector reform.

A **Gender Specialist (NUNV, UNDP)** will support a public campaign for awareness-raising on legal rights and protection with focus on gender equality, provide technical advice and inputs to the design and implement of an assessment of the grass-root mediation mechanisms, support the innovations in grass-roots mediation, conduct gender analysis to support strengthening gender equality in implementation of laws, and support the gender dimension of a justice index, under Results 1, 2, 3 and 4, activities 1.5 Support interventions to raise public awareness on protection of rights and access to justice for vulnerable groups, in particular for women, children, ethnic minorities and poor people, 2.4 Targeted support for dispute resolution mechanisms in accordance with the Law on Grass-root Mediation, 3.2 Expand the evidence base for results oriented justice sector policy making at national and sub-national levels, and 4.5 Rolling out of a justice index at provincial and national levels to measure performance in the justice sector.

Three technical specialists will guide programme implementation of UNICEF related components. The **Legal Specialist (P4, UNICEF)**, in addition to playing a coordination role in the PCT, as above, will provide technical advice and inputs across UNICEF's components with a particular focus on support the implementation of the Family and Juvenile Court. The **Justice Specialist (NOC, UNICEF)** will be assigned by UNICEF and will be responsible for the day-to-day implementation, financials, monitoring and reporting of UNICEF specific activities of the Action. S/he will work directly with the Legal Specialist (P4, UNICEF) to contribute to annual work plans, progress and final reports. S/he will also provide country-level technical advice and assistance to UNICEF specific activities of the Action. The Justice Specialist (NOC, UNICEF) is fully funded by UNICEF core resources. In addition, a **Child Justice Specialist (NUNV, UNICEF)** will provide technical assistance and management for the implementation of two pilot models on specialized children's lawyers and community-based support for juveniles in conflict with the law at sub-national level (Dong Thap, HCMC, and Ha Noi).

A **Crime Prevention and Criminal Justice Officer, (P4, UNODC)**, will provide technical guidance for UNODC implemented components, including supporting implementation of legal aid providers capacity need assessment tool, development of M&E Tools for legal aid provision, provide policy advice on investigation and prosecution skills for law enforcement and prosecutorial officers, draft Code of conduct and consultations. The Crime Prevention and Criminal Justice Officer, (P4, UNODC) will work in close coordination with the **Program Specialist, (NOC, UNODC)** in the technical oversight and implementation of these programme components.

Project Management Support will be provided by national staff positions who will undertake project management support, predominantly on a part-time basis, including financial, communications, administrative, procurement, monitoring and evaluation tasks, with the costs for these team members indicated under Output 5 in the Annex III - Budget for the Action. UNDP will assign staff on a part-time basis as follows: a Finance Analyst, a Programme Associate, a Monitoring and Evaluation Specialist and a Communications Specialist, along with support for procurement, and travel services estimated based on expected programme transactions. UNODC will assign three staff to support project management: a full-time Programme Assistant, a Finance Associate, and a Communications Officer. UNICEF will assign a Senior Programme Assistant, a Planning, Monitoring and Evaluation Specialist and a Communications Specialist to provide project management support, with these three positions are funded by UNICEF core resources.

As indicated in the table below for the period 1 November 2017 to 30 November 2020, a dedicated amount of time of all positions of the Action's Project Coordination Team, and additional technical advisory and project management support functions, has been determined, with relevant proportional cost of their staff costs attributed to the Action's budget as clearly indicated in Annex III. Relevant proportional cost of the staff costs of technical and advisory members who allocate a dedicated time to provide technical assistance and quality assurance for the results and deliverables of the Action are clearly indicated under Outputs 1-4 in the Annex III. Management, coordination and project management support costs are detailed under Output 5 in the same Annex.

The Project Coordination Team will link to the One UN results group for the 'promoting peace, justice and inclusive governance' focus area of the new One Strategic Plan ("OSP"), which will ensure broader coordination within UN governance and rule of law work.

The team involved in the direct management of the Action will be based in one location in a Green One UN House (GOUNH) in Hanoi, Viet Nam, with dedicated space on Level 3 and 4 of the GOUNH. Output 5 of the Annex III - Budget for the Action identifies the direct project costs that will be incurred as part of the management and implementation of the Action and can be traced and attributed directly to the management of the Action. This includes the proportional costs for the office space to be occupied by the core team members - the Team Leader, Project Manager and Project Assistant. The types of cost taken into account are the costs to lease building and maintenance, utilities, security, internet provision, information technology communication services and maintenance, and cleaning.

Quality assurance will be properly ensured both for the use of the Action resources and quality assurance for implementation of Action's activities. The Programme Coordination Team will be responsible for quality assurance of the Action implementation.

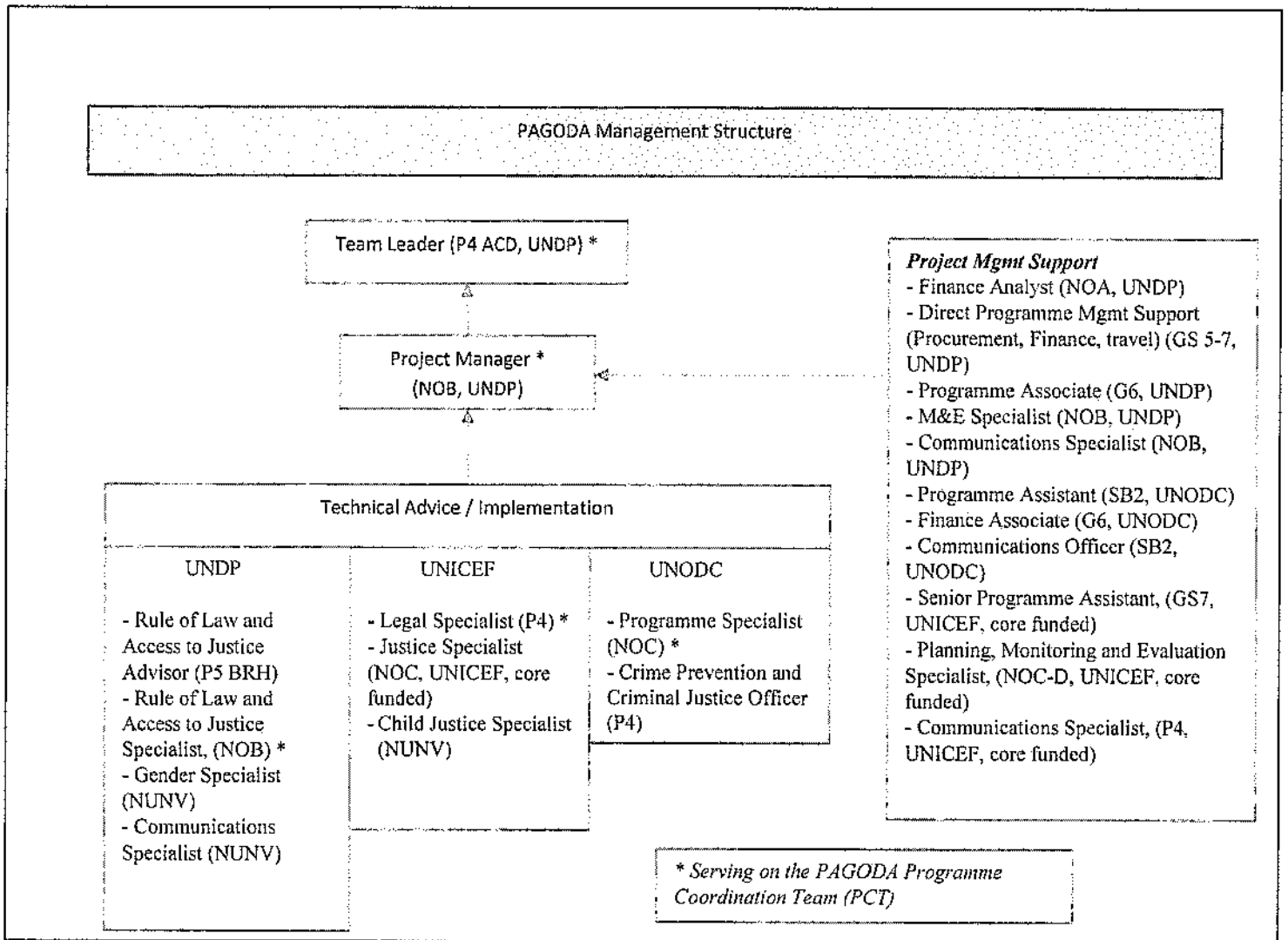
The **charts** below illustrate the management arrangements for the Action, including proportional time allocation, and management structure.

Title of position	Post Level	Key functions	Allocation of time/costs to the Action			
			Year 1	Year 2	Year 3	Year 4 (1 month)
Management and Coordination						
Team Leader (P4 ACD, UNDP)	P4	Be responsible for all aspects of the management and implementation of the Action.	4 months	4 months	4 months	1 month
Project Manager (NOB, UNDP)	NOB	Provide specialist project management services and oversight of project support team of the Action.	Full time	Full time	Full time	1 month
Programme Officer, Rule of Law and Access to Justice, (NOB, UNDP)	NOB	Technical advice and oversight of UNDP programme components, in addition to supporting UNDP coordination by monitoring technical and programmatic integration.	8 months	8.5 months	8 months	1 month

Legal Specialist (P4, UNICEF)	P4	Provide specialist overall project management services and oversight of UNICEF programme component, and provide expert technical advice and inputs across UNICEF's components of the Action. (88 days per year allocated to management and coordination in year 1, 66 days per year applied to years 2 and 3; remainder for technical advisory role)	147 days	159 days	169 days	0
Programme Specialist (NOC, UNODC)	NOC	Provide specialist project management services and oversight of and technical support to UNODC programme component (including 30% time per year for management, coordination and technical support role during years 1-3, and 20 days for year 4).	176 days	172 days	176 days	20 days
Further Technical Advisory Roles						
Rule of Law and Access to Justice Advisor (P5 BRH, UNDP)	P5	Technical guidance and implementation support to specific programme components under Results 1 – 4, in line with global best practice.	22 days	22 days	20 days	0
Gender Specialist (NUNV, UNDP)	NUNV	Supporting programme focus on gender equality, with priority on legal rights awareness, grassroots mediation, gender-sensitive legal reform, and gender-sensitive justice index, under Results 1, 2, 3 and 4, activities 1.5, 2.4, 3.2 and 4.5.	10 months	12 months	10 months	0
Communications Specialist (NUNV, UNDP)	NUNV	Supporting the V&C Plan implementation and communications and public campaigning, rights awareness, legal empowerment behavior change, and outreach materials on legal advice, under Results 1 and 2, activities 1.1, 1.5, 2.5 and 3.4.	10 months	12 months	10 months	0
Justice Specialist (NOC, UNICEF)	NOC	Provide country-level technical advice and inputs to UNICEF specific activities of the Action, as well as day-to-day project management services, implementation, monitoring	Position is fully funded by UNICEF core resources			

		and reporting of UNICEF specific activities of the Action.				
Child Justice Specialist (NUNV, UNICEF)	NUNV	Provide technical support for implementation of specialist child-lawyer model and pilot on community-based support for juveniles in conflict with the law, and programme management.	Full time	Full time	Full time	0
Crime Prevention and Criminal Justice Officer - (P4, UNODC)	P4	Technical guidance for UNODC implemented components, including on need assessment and M&E tools for legal aid provision, policy advice on investigation and prosecution skills for law enforcement and prosecutorial officers, and support on code of conduct development.	33 days	55 days	29 days	0
Direct Project Management Support						
Finance Analyst (NOA, UNDP)	NOA	Responsible for administering and coordinating financial transactions, including administering interagency financing of receiving contributions, making transfers, consolidation of narrative and financial reports.	5 months	5 months	5 months	1 month
Direct Programme Management Support (GS5-6, UNDP)	GS-7	Country office programme support functions to UNDP implementation, covering transactions for procurement, finance management and travel services.	Procurement Associate (GS6), Finance Associate (GS7), and other supporting staff (travel services), (average estimate of 66 days per year x 3.08 years).			
Programme Associate (GS6, UNDP)	GS6	Provide specialist administration and programme coordination support services for implementation of the Action.	6 months	6 months	6 months	1 month
M&E Specialist (NOB, UNDP)	NOB	Provide access to justice specialist technical services and provide access to justice specialist monitoring services	1 month	1 month	1 month	1 month
Communications Specialist (NOB, UNDP)	NOB	Provide specialist reporting and communications services, including support to Communications and Visibility Plan.	1 month	1 month	1 month	1 month
Programme Assistant (SB2, UNODC)	SB2	Provide specialist administration, procurement and M&E support services dedicated for UNODC programme component.	12 months	12 months	12 months	1 month

Finance Associate (GS6, UNODC)	G6	Financial support for the coordination and reporting of the UNODC components of the Action.	6 months	6 months	6 months	1 month
Communications Officer (SB2, UNODC)	SB2	Provide specialist reporting and communications inputs, including on the communication strategy design, public campaign implementation support, and to overall programme Communications and Visibility Plan.	86 days	73 days	86 days	20 days
Senior Programme Assistant (GS7, UNICEF)	GS7	Provide specialist administration and programme coordination support services for implementation of UNICEF specific components of the Action.	Position is fully funded by UNICEF core resources			
Planning, Monitoring and Evaluation Specialist (NOC-D UNICEF)	NOD or NOC	Provide specialist technical advice to planning, monitoring and evaluation of the Action, and technical advice and support to all PM&E elements of UNICEF specific components of the Action.	Position is fully funded by UNICEF core resources			
Communication Specialist (P4, UNICEF)	P4	Provide specialist technical advice to implement Communications and Visibility Plan, and technical advice and support to all communications elements of UNICEF specific components of the Action.	Position is fully funded by UNICEF core resources			



5. Monitoring and Evaluation

5.1 MONITORING AND EVALUATION FRAMEWORK

UNDP, UNICEF and UNODC are each individually responsible for monitoring the implementation, tracking of results and deliverables of their respective components following the indicative plan in Section 3.3 (Duration and Multi-Year Indicative Work Plan for the Action Implementation). This will involve:

- **Track results progress:** Collect and analyse progress data against the results indicators in the Log Frame to assess the progress of the Action in achieving the agreed outputs.
- **Monitor and manage risk:** Identify specific risks that may threaten achievement of intended results. Identify and monitor risk management actions using a risk log.

On an annual basis:

- **Annual Progress Report** (narrative and financial) will be prepared by UNDP, in coordination with UNICEF and UNODC, and submitted to the EU Delegation as per the contract details set out in the special conditions of the Agreement and in compliance with the reporting requirements set out in the General Conditions.
- **Lessons learnt and knowledge management:** Document knowledge, good practices and lessons for integration into future projects/programmes.
- **Quality Assurance of the Action:** Assess the quality of the Action against UNDP's quality standards to identify its strengths and weaknesses and to inform management decision making to improvement.
- **The Action Report:** A progress report will be presented to the Programme Steering Committee, consisting of progress data showing the results achieved against pre-defined annual targets at the output level, the annual Action quality.
- **The Action Review:** The PSC will hold annual review on work plan of the Action and its progress to ensure realistic planning within the duration of the Action.

Financial transactions and financial statements shall be subject to the internal and external auditing procedures laid down in the Regulations and Rules of the United Nations Organizations.

Day-to-day monitoring will be a continuous process and will be undertaken in line with UNDP's policies, regulations and rules. Any monitoring and evaluation activities commanded by the EU will be carried out as per Article 10 of the General Conditions.

Monitoring & Quality Assurance Activities	Time and Frequency
Support the formulation of DOA and Annual Work Plan for Year 1 to ensure intervention logic and SMART result and output indicators	At the inception stage (November – December 2017)
Support the development of annual work plans and annual M&E plans of the Action, ensuring proper development of project indicators, baseline and annual targets	Annually (November - December)
Capacity building for staff of government and NGO counterparts on results-based management, M&E and quality assurance standards	Annually (March-April)
Support the development and management of a database for the Action's output, indicators and result indicators as per EU Guidance on Monitoring and Evaluation	Annually (March-April)
Support the collection of updated data for the project database	Annually (November – December)
Spot check to Government counterpart engaged under a Letter of Agreement	Annually (aligned with the three UN agencies' country offices' M&E plans)
Spot check to NGOs as grantees under micro capital grants	Annually (aligned with the UNDP country office's M&E plan)
Monitoring visits to locations where the Action's activities be carried out.	Annually
Support reporting of the Action's results (focus on result-based management (RBM) process)	Annually (November – December)

5.2 INDICATORS FOR MEASUREMENT OF ACHIEVEMENTS

To measure the Action's results and deliverables, the following indicators are specified which are in correspondence with the EU JULE's proposed indicators, national baseline and targets.

#	Results	Indicators	Baseline	Target	Means of verification
1	Result 1: Increased public awareness and understanding of rights and how to invoke those rights	(a) Accessibility of legal information disaggregated by gender, age, education and income levels (b) Awareness of fundamental rights (c) Level of awareness and understanding of rights and principles enshrined in Vietnamese law	Viet Nam Justice Index, Indicator 1.1. Access to legal information, and Indicators 4.1 – Rights awareness and 4.3 – Protection of rights in practice (a): Sub-indicator 4.3.9 (b): Indicator 4.1 (c): Sub-indicator 1.1.7	(a/b/c): Increased by 5%	<ul style="list-style-type: none"> • Oversight reports of National Assembly's Committees • Data published on Government accessible websites and channels • Viet Nam Justice Index (UNDP) • Independent review • Project reports
2	Result 2: Increased access to legal advice, assistance and representation in both civil and criminal matters	(a) Proportion of defendants in criminal cases who are represented by legal counsel (b) Percentage of disputes solved (disaggregated by type of dispute and gender of complainant) (c) Number of children received legal aid/assistance (d) Number of villages with participated and rights-based mediation groups (e) Number of people who receive	(a): Official data not available (*) (b): Viet Nam Justice Index, Indicator 3.6 – Effectiveness of dispute resolution (c): Official data not available (*) (d): Official data not available (*) (e): MOJ statistics for 2016	(a): More than 30% (b): Increased by 5% (c): Increased by 5% (d): Increased by 5% (e): Increased by 5%	<ul style="list-style-type: none"> • Global Rule of Law Index (World Justice Project) • Statistics on legal aid delivery (MOJ) • Statistics on criminal cases with defend counsel (SPC) • Viet Nam Justice Index (UNDP) • Independent review • Project reports

		<p>legal advice or assistance from legal aid providers (disaggregated by sex, age, ethnicity and type of legal aid services)</p> <p>(f) Availability of legal aid delivered at communes, in courts and at people's committees, in ethnic minority languages</p> <p>(g) Number of pre-trial detainees with access to legal aid/assistance</p> <p>(h) Score on impartial and effective mechanisms for civil dispute and administrative complaint resolution</p> <p>(i) Number of cases handled by the Juvenile and Family Court</p>	<p>legal aid, to be published by February 2017</p> <p>(f): Official data not available (*)</p> <p>(g): Official data not available (*)</p> <p>(h): Viet Nam Justice Index, Indicator 1.2 – Access to basic legal services, and Indicator 2.3 – Resolution of administrative complaints</p> <p>(i) SPC data from Juvenile and Family Court</p>	<p>(f): Increased by 5%</p> <p>(g): Increased by 5%</p> <p>(h): Increased by 5%</p>	
<p>3</p> <p>Result 3: Improved enabling legislative and regulatory framework for legal empowerment and access to justice</p>	<p>(a) Number of laws and regulations adopted in response to specific recommendations of research studies supported by the Action</p> <p>(b) Quality of legislation in terms of practically facilitating access to justice and legal empowerment</p> <p>(c) Availability of publicly accessible data and evidence base to</p>	<p>(a) 0</p> <p>(b): Baseline on quality of target laws to be established before any intervention supported by the Action</p> <p>(c): Limited information as published on</p>	<p>(a): 12</p> <p>(b): Improved</p> <p>(c): Improved</p>		<ul style="list-style-type: none"> • Official Gazette (Office of the Government) • Minutes of National Assembly sessions • Data published on <i>duthaonline.quochoi.vn</i> and other publicly accessible channels

4	Result 4: Enhanced integrity and transparency in the justice sector	support rights-based legislative process for justice sector reform	<i>duthaonline.quochoi.vn</i> website and in Government's dossiers to National Assembly for submission on new laws/policies		<ul style="list-style-type: none"> • Independent review • Project reports
	(a) Aggregate indicator on integrity in the justice system (b) Perceptions of corruption in judiciary (c) Access to court judgments (d) Public and media access to trials and court hearings (e) Existence of codes of conduct and effective mechanisms to enforce those codes	(a): Viet Nam Justice Index, Indicator 3.1 – Integrity in the justice system (b): Global Corruption Perception Index (Viet Nam Country Report) (d): Official data not available (*) (e): Official data not available (*) (f): Official data not available (*)	(a): Improved (b): Positively improved (d): Improved (e): Improved (f): Improved		<ul style="list-style-type: none"> • Global Corruption Perception Index (Transparency International) • Viet Nam Justice Index (UNDP) • PAPI (UNDP) • PCI (VCCI) • Independent review • Project reports

(*) Baseline data to be collected in the first 3 months of the Action's implementation.

6. VISIBILITY

The Action will ensure visibility according to the Joint Visibility Guidelines for EU – United Nations Actions in the field.¹⁴ A detailed Visibility and Communication Plan is included in Annex VI of the Agreement.

¹⁴ Document available here: https://ec.europa.eu/europeaid/sites/devco/files/guidelines-joint-visibility-eu-un_en.pdf.