NATIONAL ASSEMBLY OF THE SOCIALIST REPUBLIC OF VIETNAM
INSTITUTE FOR LEGISLATIVE STUDIES (ILS)

UNITED NATIONS DEVELOPMENT PROGRAMME (UNDP)

Project

Enhancing Legislative Research Capacities and Information & Communications Technology of the National Assembly Institute for Legislative Studies

Project Summary

The overall objective of the Project is to enable the National Assembly Institute for Legislative Studies to more effectively fulfil its mandate through enhanced priority short-term Legislative Research and ICT capacities with focus on the following support:

Policy-oriented legislative research

- Strategic research on National Assembly legislation and oversight processes and procedures with recommendations for increased efficiency and effectiveness completed.

- Research on legislative reform process (and substantive issues for review) including comparative research with recommendations completed.

- Assessment report on the operations and activities of the XII National Assembly and recommendations on critical reforms for more effective operation of the XIII National Assembly produced.

Enhanced information and communication technology:

- Information and Communications Technology (ICT) strategy for the ILS developed and selected actions put into effect as an integral part of the ICT Strategy of the National Assembly in support for timely, objective and authoritative research and information services to NA agencies and MPs.

- Coordination and communication between ILS, other NA agencies and donors regularly maintained contributing to resources and results maximization.

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PART I. PROJECT OVERVIEW

GENERAL INFORMATION

1. **Project title and code** : Enhancing Legislative Research and ICT capacities of the National Assembly Institute for Legislative Studies

2. **Project Donors:** United Nations Development Programme

3. **Executing agency:** National Assembly of Vietnam

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4. **Proposed by**: Institute for Legislative Studies

5. **Implementing Agency**: Institute for Legislative Studies, 51B Phan Dinh Phung, Ha Noi

6. **Duration:** June 2010 – December 2011

7. **Project Implementation Location:** Hanoi

8. **Total Budget:** 714,319 USD

   - ODA: 605,000 USD

   - Counterpart funds from the Government of Vietnam (including in-kind contributions) USD 109,319 equivalent

9. **Type of ODA:** non-refundable

I. PROJECT JUSTIFICATION

1. *Brief situation analysis and assessment*

The introduction of the Doi Moi reforms in the eighties which have generated significant gains in economic growth and integration with international markets have also been accompanied with a transformation in the central state that has involved devolution processes and changes in the state's internal make-up, re-examination of functions and roles. Institutional frameworks started to be reviewed and strengthened as a necessary step to ensure that public service delivery would match the challenges of the rapidly growing socio-economic set up, including transparency and accountability mechanisms. Today, this institutional reform process becomes more relevant as Vietnam enters the group of middle-income countries and aims to achieve status of industrialised country in 2020.

In this context, the reform of the National Assembly (NA) has not been an exception. Although since its creation in 1946 the NA owned an oversight role, the 1992 Constitution and subsequent amendments in 2001, the Law on the Organization of the National Assembly and, the Law on Elections of Deputies periodically revised, all have contributed to a more independent and professional legislative body. It is widely recognised that the National Assembly has gradually enhanced its legislation and oversight functions as the number of full-time Deputies has increased, a Question Time has been introduced, a larger number of laws have been examined with a more critical eye, and resolutions have been adopted as a result of oversight activities, among others. In 2008 the Law on Laws was promulgated, which introduces the responsibility of committees to consult relevant agencies, organizations, experts/specialists, scientists and individuals on draft legislation under their consideration. These positive steps, despite requiring further development, are in line with experiences of parliaments in middle-income countries where the system requires a more effective and increased use of oversight mechanisms and public participation in decision-making.

The National Assembly is currently composed by 492 Deputies; only 29 % are full-time Members. The leading body is the Standing Committee. Much of the work of the Assembly is carried out by nine committees and the Ethnic Council. Each committee has a limited number of supporting staff that perform a combination of administrative and technical functions. As the country's development context becomes more sophisticated the need for enhanced institutional capacities of the NA to positively respond to the demands for execution of a more effective mandate also increase. At the core of more effective legislation and oversight functions is a good in-house research and policy analysis capacity. Parliaments resort to technical services that may include library, research, documentation and information that supplement the presumable generalist Members of Parliament with the necessary resources to make objectively informed decisions.

Until 2008, the Vietnamese Assembly hosted such services under the Office of the National Assembly (Secretariat) Centre for Information, Library and Research - CILIRES. However, in line with Party guidelines and institutional reform processes, in April 2008 the National Assembly Standing Committee (NASC) established the Institute for Legislative Studies (ILS)[1]. The Institute has two main functions, *to conduct researches on issues related to the functioning of the NA and, to provide scientific information in support to the functions of the organs and Deputies of the NA*. The ILS has a role equivalent to those of parliamentary information and research centres. Following the creation of the ILS, relevant functions

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[1] See NASC Resolution N. 614/2008/UBTVQH12.

have already been transferred from the ONA CILIRES and others are currently in the process of transferral.

In this context, the current legal framework calls the ILS to conduct *fundamental researches* that contribute to the renovation of the organisation and operations of the National Assembly; as well as *applied researches* on matters related to constitution and law-making activities, on issues of national interest to be decided by the NA, in support for supreme supervision activities of organs and Deputies of the National Assembly; and generally to support the exercise of powers and tasks by National Assembly Organs and Deputies.

In order to effectively provide the services above-mentioned, the ILS is mandated to develop a database of scientific information; to ensure dissemination and application of research findings and to operate as focal point in collecting, selecting, disseminating and applying research findings of domestic and foreign research institutions for the renovation of the organisation and operation of the National Assembly. In addition, the ILS may cooperate with other national and international research institutions to attract scientists, researchers, and experts to participate in researches.

The ILS is led by a President, who is a head of an organisation of the NASC. Two Vice-president positions have been filled recently. The Institute has a Scientific Research Centre which produces substantive researches, a Scientific Information Centre which acquires, manages and disseminates research information and, a Department for General Affairs. In total there are around 40 staff members; 26 are research staff with backgrounds in different disciplines such as law, social sciences, economics and technology. There are five administrative and two IT staff members. Three retired NA Deputies act as Senior Advisors to the ILS. The Institute foresees shaping its structure and doubling the number of researchers in the next five years to more effectively respond to the scope of its mandate.

The specific research products of the ILS range from compilations of documents on specific policy-making themes, in-depth legislative and comparative analyses and studies, and summaries publications. The ILS also produces newsletters and information bulletins on recent legislative activity and actual themes in the NA. The ILS has already been active in producing brief research reports and reference materials for the meeting sessions of the National Assembly and the NASC. In 2009, the ILS received a large number of information requests -3254 requests corresponding to 7392 questions from NA Deputies. The Institute has begun to build relations with organisation in Vietnam and abroad. For instance, it has signed a MoU with the Korean Institute for Legislative Studies for exchanges and cooperation. It has conducted some overseas study missions to learn about other similar parliamentary research centres. In addition, it has established cooperation agreements with Vietnam Union of Science and Technology Associations (VUSTA), Vietnamese Academy of Social Sciences (VASS) and Academy of Finance, including organization of some joint activities.

Yet, as a young agency, the ILS faces a number of challenges in terms of access to information, management of research, facilities and human resources.

Access to information. At present, the ILS does not subscribe to regional or international research databases or networks or service where international legislation on a particular theme can be easily accessed. The process at the moment is one of *manually* gathering all available paper and electronic documents. ILS researchers do have access to various national databases (including external to the NA) that hold legislative records dating back to the late 90s, however earlier records are not easily available. Therefore searching and compilation of laws and related documents becomes a cumbersome process that decreases the productivity of researchers. In addition, in producing research products the ILS depends on in-house expertise and frequently uses external expertise.

Human resources. The expanding work of the NA increases pressure for better quality and quantity of research works which claim further profesionalisation of the staff. It has been difficult to attract talented researchers and collaborators due to a highly limited and competitive market. The current staff requires additional relevant training to meet the demands of legislative research. In the area of ICT there are currently two staff whose roles and responsibilities require further clarification to how to support the envisioned ICT infrastructure and systems.

Management of research. The ILS is not yet sufficiently making use of systems to manage its internal processes, manage work products, electronic and hardcopy resources, in terms of indexing, classifying and cataloguing. In addition there is a sub-optimal access to resources. As the ILS (nor the NA Library and ONA IT Centre) does not regularly participate in regional and international parliamentary research and documentation networks or forums for exchange of experiences, comparative practices and best practices related to the use of ICT in parliaments, valuable opportunities are lost to "accelerate" the process of learning as to what the best solutions are for carrying out research, documentation and information dissemination work.

Facilities. The ILS is temporarily housed in the premises of the Ministry of Defense until the new ONA building is completed in 2-3 years. Many of the technology used is outdated and offers limited functionality to support future ILS processes. In addition, MPs' Delegations working from their Provincial Offices are practically *cut off* from the ILS Intranet site and thus cannot receive much needed research information due to problems in terms of connection speeds. There is no dedicated ICT Unit that would be able to provide equal services to all divisions and working groups within the ILS.The ONA IT Centre currently provides all ICT hardware support to the ILS, including the provision of PCs, office equipment and access to the Intranet through the WAN. With regard to the provision of server capacity to the ILS for hosting an Internet site etc, there are a number of challenges foreseen. Though the ONA Library has some of the research resources needed, many are outdated and the remote location of the Library from the ILS hampers access to these resources. As such to conduct research more effectively and efficiently the ILS has begun acquiring and building its own in-house collection of reference material. The ILS currently lacks the required ICT infrastructure in terms of server and storage capacity and its own Internet domain on which it would be able to deploy an envisaged Internet portal.

2. *Project scope*

In 2010 and 2011, the National Assembly will continue the work to examine its internal processes and procedures with a view to identify areas that require further renovation and enhancement. Given its mandate to carry our *basic research* on issues related to the functioning and operations of the NA, the ILS is expected to be intensively involved in this process. Also, the ILS aims to make use of ICT in providing timely, accurate, comprehensive and authoritative parliamentary research, information and documentation services. Against this background and while the ILS is still in the process of being shaped and is studying different models of parliamentary research services to further streamline its structure and functions; in 2009 the ILS and UNDP engaged in discussions on future collaboration and partnership to support selected *short-term priority actions* in the areas of ICT and Legislative Research capacities. This Detailed Project Outline (DPO) is the result of the agreements reached.

a. ICT component

From 04 – 22 January 2010, at the request of ILS, UNDP deployed a Parliamentary ICT Expert to conduct an assessment of the current situation of the organization and to determine an adequate ICT strategy that supports ILS effective delivery of its services as mentioned above. The strategy has

constituted a basis for the ILS and UNDP's decision in investing resources for improving ILS's information management capacity in the immediate future.

The ILS intends to develop an ILS portal, that will offer several Internet-based research and information services to its staff and clients, including the Standing Committee, Committees, Deputies and Provincial MPs Delegations. To achieve this vision the ILS will have to carry out a number of ICT projects that will deliver the building blocks of the ILS Portal. Following are key initiatives identified to reach the goal[2]:

1. Creation and capacity development of an IT Unit that will be responsible for the management of IT operations within the ILS; the formulation, development, planning and overseeing the implementation of IT Projects.
2. Production of an ICT development programme that will provide a framework under which the IT projects can be executed over the next 3 years. The programme should be monitored by a Project Implementation Board.
3. Integration of ILS ICT plans at the level of the National Assembly through engagement with the NA Steering Committee for ICT in the NA and its Technical Assisting Group.
4. Provision of IT infrastructure such as a data centre, from the ONA IT Centre, instead of the ILS building its own IT infrastructure.
5. Introduction of Service Level Agreements between the ILS and the IT Centre. These will serve as contracts between the IT Centre that would provide the Hardware and the ILS that would receive the Hardware services.
6. Initiation of a project at the National Assembly level to develop a National Assembly Legislative Information System (legislative tracking system) that will see the creation of an Information System that will provide access within the NA to all legislative records and related documents, both historic and current.
7. Evaluation of possible ICT tools and best practices in support of ILS internal research productivity, management and dissemination of information. ILS would benefit from regional and international networking and access to networks for parliamentary research and documentation.

The planning of activities will be based on the recommendations outlined in the document "A comprehensive strategy for the Institute of Legislative Studies of the National Assembly of the Socialist Republic of Vietnam" – Annex 4, produced in January 2010 and; specifically on its "annex 2: road map for the implementation of strategic recommendations" which proposes detailed activities and timeframes. Accordingly, ILS and UNDP will identify during the annual planning process priority activities to be carried out under the project framework.

  b. Legislative Research component

In accordance with the Communist Party Politburo Resolution N. 48-NQ/TW[3] there is a call to renovate the law-making and the law implementation mechanisms. Under the Resolution "directions", provision is made for the improvement of the Law on the Organization of the National Assembly with regard to quality of legislative activities, law-making process, people's participation in legislative activities and, generally improve the quality and effectiveness of the work of the NA. It also refers to enhancing the Law on Supervision by the National Assembly as well as mechanisms to safeguard the constitution and the law. In fact, the establishment of the ILS is also the result of one of the Resolution proposed solutions. As earlier mentioned, one of the key functions of the ILS is to conduct fundamental researches on matters related to the operation and functioning of the National Assembly that provide critical inputs into institutional reform processes.

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[2] See document on ICT Strategy for ILS for detailed information.
[3] Resolution on The Strategy for the Development and Improvement of Vietnam's Legal System to the Year 2010 and Direction for the Period 2020, May 2005.

In line with the above, in 2008, the NA created several working groups to study different aspects of its processes and procedures in the areas of oversight, decision-making, law-making, NA sessions, constituency relations, among others. This work will continue in 2010 and 2011 with a view to producing key recommendations for consideration by the NA Standing Committee and adoption by the NA. Given the significant role the ILS plays in this process, through this cooperation, technical support will be provided for the effective completion of the following specific initiatives:

1. Review of legislative and oversight processes and procedures: as the number of legal documents considered and adopted by the National Assembly has increased as well as its oversight activities, new challenges have raised that need to be addressed including quality of legislation and its responsiveness to the problems it addresses; procedural deficiencies in the making and amendment of legal documents, dissemination of legislation, effectiveness of oversight actions, sanctions and related measures; criteria and process for the exercise of the mandate to make decisions on issues of national interest; and other relevant NA internal processes and procedures.
    .
2. Summary-review of the performance of the XII National Assembly that analyses both quantitative and qualitative aspects of the work carried out during its term, as well as strengths and challenges faced that serve as a basis for decisions on renovation of the XIII National Assembly. A working group led by the President of ILS has been set up on the review of the performance of the XII National Assembly with a mandate to prepare recommendations for the renovation and changes in the XIII National Assembly. The final report is intended to be submitted to the NASC by the end of 2010 or early 2011.
3. Other legislative/law reform research projects. Over the course of the project life ILS will be entrusted with a number of research projects within its mandate which should benefit from technical assistance and capacity development under this project when appropriate, for instance where comparative legal research seems likely to enhance the ability of ILS to produce objective and high-quality findings and recommendations.

Building on the capacity assessment mentioned earlier and the strategic short-term nature of interventions under this project, the proposed approach to capacity development includes: a) training in relevant ICT and research skills; b) introduction of parliamentary self-assessment tools; c) access to networks for parliamentary research and documentation; d) partnerships development with relevant foreign academic/research institutions and parliaments including parliamentary research facilities; e) invitation to foreign experts to share international experiences; f) commissioning of (comparative) researches on relevant topics and making available expert academic research of interest into Vietnamese language; g) organisation of focus, national and/or regional forums to present and discuss research findings; and promotion of peer-reviews of research findings and, h) dissemination of research results, among others. The project is expected to bring in best international (parliamentary) practices and lessons learnt in the ILS development of ICT resources and production of the targeted studies/researches.

3. *Key principles for the Project Implementation Strategy*

Considering the ILS support requirements, the project scope as well as the Project limited funding, time and human resources, the following principles have been agreed among the parties in order to maximise resources and benefits:

▪ *Sustainability* of capacity development interventions will be a paramount principle and will be sought through consistent education and training and support to institutionalisation of the increased capacity in ICT and legislative research. The sustainability of this project will also lie in the high level of activeness, interest and ownership of the ILS, the development and implementation of a demand-driven project.

- *Ownership* of activities should be vested with the ILS. The technical assistance provided by UNDP brings added value in the sense that it enables the ILS to execute initiatives it would not be able to execute with its already existing capacities and resources. As such, it is anticipated that the project will benefit to a large extent from (parliamentary and legislative) comparative international best practice and the involvement of external expertise.
- *Coordination and communication* with a wide range of stakeholders that include internationally funded projects that have similar goals and objectives. In this context, the USAID is in the process of preparing a comprehensive technical support project to the ILS. While several discussions have been initiated in order to ensure aid effectiveness, the project will maintain a more regular and substantive dialogue including on potential synergies with the USAID as both projects kick off.
- *Gender equality* is one of the key considerations for policies in Vietnam. The Law on Gender Equality (2006) is the highest demonstration of such direction. As such, the Project will advocate for Gender equality whereas relevant, for example research on the National Assembly legislation and oversight processes and procedures will include mechanisms to enhance the effective consideration of gender perspectives in the legislative process. As per NEX guidelines, a minimum of 30 % women's participation is targeted in every training activity organised by the project including workshops, trainings and study missions. Experience, knowledge and understanding on gender equality will be an important asset for the selection of Project staff. In addition, sex-disaggregated data will be collected whenever possible.
- *Socio-economic benefits and impacts* on the socio-economic structure of Vietnam are only indirect through increased capacity of the National Assembly through research and information services provided by the ILS that allow for more informed decisions. Many targets address enhancing law-making and oversight procedures and processes which in turn will enable Members of Parliament to more effectively scrutinise legislation and hold the executive branch accountable for its actions. All of which will have an indirect impact on the socio-economic structure of Vietnam.
- The Project does not directly deal with *environmental issues*. Indirectly, and over the longer term, enhanced capacity of independent, scientific and objective information provision to Members of Parliament in environmental area should help strengthen the voices of citizens and solutions in environmental matters.

4. *Comparative advantages of UNDP and cooperation with other donors*

Parliamentary development is one of the key areas under the democratic governance portfolio of UNDP. By 2007, UNDP supported parliaments in 65 countries. UNDP corporate 2008-2011 Strategic Plan emphasises the relevance of representative institutions at national, regional and local levels and their role in ensuring that development processes are responsive to the needs of the poor and other disadvantaged groups. UNDP activities in the field of parliamentary development seek strengthening the core functions of legislatures as cornerstones in the good governance process.

In Vietnam, UNDP began its engagement with the National Assembly in the mid-1990s. Currently, UNDP supports the third phase of a programme with the ONA to strengthen capacities of the National Assembly and People's Councils. In August 2009, it launched the second phase of a project with the NA Finance and Budget Committee. It has also supported committees in policy analysis and legislation drafting in connection to poverty reduction and environmental issues, among others. Throughout the years this close partnership has generated an open and frank dialogue to which UNDP has brought impartiality, neutrality and reliability.

As the ILS has established a structure and operations it has seized opportunities for cooperation with the international donor community. In addition to engaging with UNDP, the ILS is currently exploring collaboration with the USAID, CIDA, and JICA among others. In the past, it has worked on specific initiatives with the World Bank. This project will be working closely and as complementary with these other donor-partners in order to maximise effectiveness of aid resources and impact of interventions.

Additionally, in harmony with the Hanoi Core Statement on Aid Effectiveness there is agreement that capacity development within the National Assembly must be *results-oriented*, emphasising on objectively measurable outcomes and verifiable capacity increase during the life of the project.

II. <u>PROJECT OVERVIEW</u>

One United Nations Plan Outcome: The principles of accountability, transparency, participation and rule of law are integrated into Viet Nam's representative, administrative, judicial and legal systems.[4]

One UN Plan Output: Under *Representation and Democratization* component, the Outputs are:

- Support capacity development of people's elected bodies to oversee the functioning of the executive agencies and represent the interests of the public, through a partnership and policy analysis mechanism with the National Assembly; and
- Promote the increase of expertise of core groups of legislators, executives and judges.[5]

Related Government Decree 131/2006 Priority Area: Institutional capacity strengthening and human resources development; technology transfer, enhancing the research and development capability.

Project objectives: To enable the National Assembly Institute for Legislative Studies to more effectively fulfil its mandate through enhanced priority short-term ICT and Legislative Research capacities with focus on the following support:
- Policy-oriented legislative research
- Enhanced information and communication technology

Project Outcome: ILS is able to more effectively fulfil its mandate through enhanced priority short-term ICT and Legislative Research capacities.

Project Outputs:

Component 1: Support for policy-oriented legislative research
Outputs
- Strategic research(es) on National Assembly legislation and oversight processes and procedures with recommendations for increased efficiency and effectiveness completed.

- Research on law-reform process (and substantive issues for review) including comparative research with recommendations completed.

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[4]   UN Viet Nam, One Plan 2006-2010 (version June 2008), Outcome 4 , para. 27.
[5]   UN Viet Nam One Plan, Outcome 4 and Outputs.

- Assessment report on the operations and activities of the XII National Assembly, including evidence-based recommendations on critical reforms for more effective operation of the XIII National Assembly produced.

Component 2: Support for ICT enhancement
Outputs
- Information and Communications Technology (ICT) strategy for the ILS developed and selected actions put into effect as an integral part of the ICT Strategy of the National Assembly in support for timely, objective and authoritative research and information services to NA agencies and MPs.
- Coordination and communication between ILS, other NA agencies and donors regularly maintained contributing to resources and results maximization.

Detailed outputs and targets are displayed in the Results Framework in Part II of this DPO.

III. PROJECT MANAGEMENT

1. *Management capacity assessment:*

The ILS was established in 2008 as a service delivery organisation. A President who is a Deputy of the NA leads the Institute. The President is supported by a structure of 2 Vice-presidents, 2 Directors and 3 Deputy Directors. There are three retired Deputies who now act as Senior Advisors to the ILS. ILS shows quite a strong management and technical team. Since its inception nearly two years ago, the ILS has developed the foundation of a management practice and routines of its own as an NA agency. Yet, the Institute has never implemented a donor-supported project before. This challenge has been identified during the project design and several solutions have been proposed in the Risk Analysis table in this document. Nevertheless, the Institute has shown a high level of interest and commitment to partner with the UNDP during the project formulation phase. The ILS President will mobilize its internal human resources to fully ensure the technical and managerial capabilities to achieve the project objectives. A National Project Director and a pool of technical staff to work for the Project will be identified. Thus, it is appropriate to apply National Execution (NEX) modality for this project with ILS as the Implementing Party (IP) to execute the project. As such, ILS will be responsible to the Government of Vietnam and UNDP for the achievement of the expected project results and the use of project resources.

2. *Management arrangements:*

The National Project Director (NPD) will be the ILS President. The NPD is ultimately responsible for the project to the Government and the donor as mentioned above. The NPD remains the single person responsible for decisions made by his designate. The NPD, on behalf of the ILS of the National Assembly will be responsible for the proper use of all funding resources of the Project; ensuring quality and efficiency of project results; timely implementation of approved activities; efficient use of resources, including international experts and; properly coordinating the participation of related partners of the Project, specifically of domestic partners. A ***National Project Manager*** (NPM) is under the direction of and responsible to the National Project Director for the organization of Project activities, results and progress. This position will be recruited based on criteria mentioned in the job description and at the discretion of the ILS.
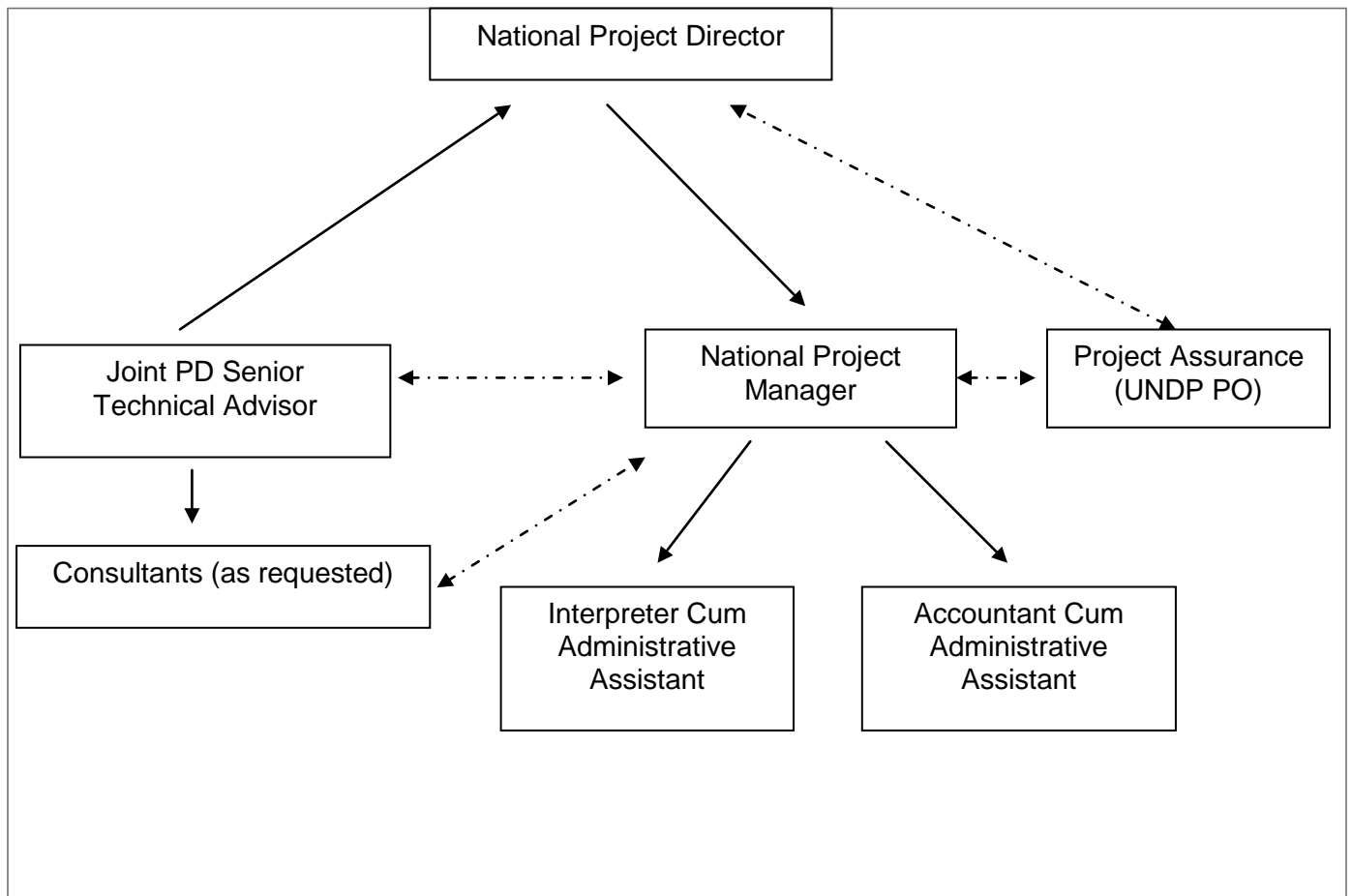
Under a ***Project Management Unit (PMU)*** the NPM will be supported by one Administrative/Accountant Assistant and one Interpreter who will also be requested to perform administrative work for 30% of the incumbent time. The project will be supported by a group of external (national-international) consultants including overseas and project-based experts. The ***Parliamentary Development Joint Senior Technical Advisor (JSTA)*** and the ***UNDP Policy Advisor for Rule of Law and Access to Justice*** will assist on project substantive strategic issues. This is a shared position with the other projects owned by the Office of the National Assembly and the NA Committee on Finance and Budget respectively. The JSTA will work 20% of his/her time for the project. In addition, UNDP's Policy Advisor on Rule of Law and Access to Justice will be available to advise the project on strategic legal system reform issues. The project will work closely with the Global Centre for ICT in Parliaments for the deployment of qualified parliamentary ICT expertise. ***Consultants*** will be mobilised and procured when required for specific activities and missions as agreed during annual workplan preparation and approval every year.

Project assurance: Upon the designation of the UNDP Country Director, the UNDP Programme Officer acts as a focal point of UNDP CO will assist the Project board to exercise the project assurance function. He/she maintains a continuous partnership with the project team and participates in all project management process to ensure the Project Management Unit that the project is implemented according to the approved logical framework and other decisions of the Project Management Unit. She/he will appraise

and clear, prior to UNDP Country Director's approval, the TORs/specifications, annual and quarterly work plan/budgets/progress reports approach, plan, and produce expected outputs that meet quality requirement and beneficiary's expectations.

See more detailed description of responsibilities of management and technical structure in Annex I.

3. *Project Organsation Structure*

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                        │ National Project Director│
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│  Joint PD Senior │    │ National Project │    │ Project Assurance│
│ Technical Advisor│    │     Manager      │    │    (UNDP PO)     │
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│Consultants (as   │  │ Interpreter Cum  │  │ Accountant Cum   │
│  requested)      │  │  Administrative  │  │  Administrative  │
│                  │  │    Assistant     │  │    Assistant     │
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LEGEND: ⟶ : Supervisory/report relationship

◄ - - - ► : Cooperative/advisory relationship

⟶ : Authorative relationship

IV. PROJECT COORDINATION

1. Coordination with Vietnamese Agencies

Under the overall direction of the NPD, the PMU will be the focal point for coordination among Vietnamese partners. Main Vietnamese partners are relevant ministries, agencies and research institutes, non-governmental organizations, etc. The project will also cooperate with other related projects of National Assembly's committees such as the Project "Strengthening Capacity of Representative Bodies (Phase 3)", Project "Strengthening the Capacities for Budgetary Decision and Oversight of People's Elected Bodies in Vietnam" as well as the UNDP-MOJ Project "Strengthening Access to Justice and Protection of Rights."

Regarding the coordination among projects supporting the NA, the recent establishment of the Coordination Board directly reporting to the NA Standing Committee will further enhance the coordination of all external support to the NA. Under this overall coordination framework, with a Secretariat as the focal point, the project would look at possibilities to increase synergies and avoid unnecessary duplication in its activities. In addition, by ways of doing thematic planning and review of all projects having support from UNDP, as conducted in 2008 and 2009, the coordination with other related projects will be significantly enhanced.

The coordination mechanism is mainly via some concrete channels: i) Official information sharing and other relevant publications of the project; ii) Periodical meetings and discussions between the IP and concerned Vietnamese parties/stakeholders to create synergies, map out main activities for quarterly and annual work plans, and share knowledge/experience. Each party's specific participation and role will be assigned respectively at the beginning of each year and stipulated in the Annual Work Plan.

2. Coordination with Donors

The coordination mechanism with donors will be mainly exercised by the executing agency with the NPD as the focal point via the following channels: i) ILS web-site developed and made operationalized ii) Periodical roundtables, briefing discussions to stock-take/analyse project results, share knowledge/experience, and define/refine needs for coming periods.

Most of donors interested in this project contribute their funding via the joint funding channel of the United Nations. Hence the maintenance of annual policy dialogues with direct participation of interested donors and the information sharing channel initiated and maintained by the UNDP (coordinated by the UNDP Parliamentary Development Joint Senior Advisor) will be a useful channel of coordination with donors.

3. Financial Management Mechanism

The main source of funding for this project will be the One UN Fund. The funding will be disbursed from this Fund based on the approved Annual Work Plan (AWP). The ILS and UNDP will endorse this annual plan. Together with the approved DPO, AWP will be the legal basis for project implementation. The reporting regime will also follow the stipulation of this Fund based on general provisions project finance management as stipulated in the Harmonised Programmes and Projects Management Guidelines (HPPMG) for National Executed projects.

In accordance with the approved annual work plan, the project will develop a quarterly work plan in close consultation and agreement with the UNDP. Quarterly work plans will constitute a legal basis for transferring project budget to a project account opened at a chosen bank. The spending of this budget will be recorded in accordance with the provisions of the above-said PPMG. The funds will be spent through the quarterly advances by the project and/or by direct payment to be made by the UNDP as authorized by the National Project Director, depending as necessary and appropriate. In the first case, the project will prepare quarterly financial report at the end of the concerned quarter. The recording, monitoring and consolidation of project expenditures from this non-refundable aid source will be done by the UNDP on the software system named as Atlas. Every year UNDP will issue a Combined Delivery Report (CDR) so that related parties can learn about the annual spending situation.

Unless there are exceptional cases, the budget revision will be done by the UNDP once a year so that related parties can systematically keep track of project budget and expenditures. The counterpart funds in kind (government contribution) will be disbursed and recorded separately in accordance with Vietnamese regulations.

4. *Monitoring and Evaluation*

a. Monitoring and Evaluation Tools:

The Project Team will be responsible for the preparation and submission of the following reports as tools for the monitoring and evaluation process.
- Terms of reference (TOR) for project activity
- Monitoring and Evaluation Framework
- Annual Work Plan (AWP) and Budget
- Quarterly Work Plan (QWP) and Budget
- Quarterly and Annually Progress Report
- Annual Financial and Audits
- Training evaluations sheets

b. Monitoring and Evaluation mechanism:

Project monitoring and evaluation will be conducted in accordance with established UNDP rules and regulations.

Day to day monitoring of implementation progress will be the responsibility of the National Project Manager with oversight by UNDP. Based on the project's Annual Work plan and its indicators in the Monitoring and Evaluation framework, the Project Team will inform the UNDP of any delays or difficulties faced during implementation so that the appropriate support or corrective measures can be adopted in a timely fashion.

Periodic monitoring of implementation progress will be undertaken by the UNDP through quarterly meetings with the project staff. This will allow parties to review and troubleshoot any problems pertaining to the project in a timely fashion to ensure smooth implementation of project activities.

Evaluation: The Project will be subject to annual reviews, enabling related parties to systematically and objectively learn about project accomplishments. More importantly it considers the relevance of objectives/outputs set forth as initially designed, identifying any deviations which need correction and making recommendations to ensure that the project will achieve expected results.

Besides, the implementation of the project is subjected to audit procedures of UNDP scheduled annually. The project has full responsibility for project expenditures, accounting work, and audit findings.

After the project completes, an external financial audit will be conducted and an independent review of a set of projects in the same area of strengthening capacity for the National Assembly will be conducted to assess their impacts over the improvement of democratic institutions. This project will fall into such category.

An indicative M&E work plan is provided below.

Type of M&E activities	Responsible parties	Time frame
Quarterly Progress Report	▪ Project Team ▪ UNDP	Quarterly
Annual Progress Report	▪ Project Team ▪ UNDP	Annually
Final Evaluation	▪ Independent Consultants	Three months prior to the completion of the project

V. OTHER ISSUES

1. Feasibility and Risk Analysis

In general the project has high feasibility, because i) The project meets strategic demands of project beneficiaries; ii) High determination of the leadership of the ILS. To ensure that the project can be implemented immediately after the DPO approval, it is necessary to recruit staff for the Project in a timely manner.
However the project will also face some significant challenges as analysed in the following table:

Table 1: Risk Analysis

Risks and assumption	Type of Risk	Medium	Management measures
Time constraint for ILS execution of the Project: Work schedule of ILS leader might compromise ILS decision making on project execution (approval of work plans, strategy, etc)	Operational	Medium	- Early project planning is recommended with involvement of ILS middle-level - A strong internal support from ILS will be mobilized to support ILS project execution.
Time constraint for NA deputies: NA deputies, despite their interest might have time constrain to be involve in project outputs.	Strategic	Medium	Instead of involving large number of NA deputies, a small group of relevant deputies who have time and commitment to the project outputs will be identified during the project inception. Effective and frequent communication between ILS and project team with this group shall be maintained through the project to ensure meaningful participation of the deputies.

Technical inputs (TA, subcontracts) for projects may not be obtained through competitive recruitment/procurement	Technical	Medium	There is no absolute and immediate solution to this problem, but a learning-by-doing approach should be applied. One possible long-term solution is posting early announcement of the job vacancy on global mass media and maintaining good relations with the recruited experts. Also, contacts and collaboration with other parliaments, relevant research institutions and agencies like the IPU, Global Centre for ICT in Parliaments, among others, will be maintained with regard to supply of international needed expertise
Management support (project staff) may not be obtained through local competitive recruitment	Operational	Medium	Training on project management provided to ILS relevant staff so they could provide backup or even be seconded to the project.
Project management staff is inexperienced in administration of donor-funded projects (especially in procurement skills)	Operational	Medium	The project management team will follow an induction to the UNDP guidelines and procedures for nationally executed projects. Through Project Management Support Unit UNDP will be able to provide regular guidance as required to ensure compliance with relevant rules and regulations and effective implementation.

2. *Legal Context*

This document together with the CPAP signed by the Government and UNDP which is incorporated by reference constitute together a Project Document as referred to in the SBAA [or other appropriate governing agreement] and all CPAP provisions apply to this document.

Consistent with the Article III of the Standard Basic Assistance Agreement, the responsibility for the safety and security of the implementing partner and its personnel and property, and of UNDP's property in the implementing partner's custody, rests with the implementing partner.

The implementing partner shall:
- put in place an appropriate security plan and maintain the security plan, taking into account the security situation in the country where the project is being carried;
- assume all risks and liabilities related to the implementing partner's security, and the full implementation of the security plan.

UNDP reserves the right to verify whether such a plan is in place, and to suggest modifications to the plan when necessary. Failure to maintain and implement an appropriate security plan as required hereunder shall be deemed a breach of this agreement.

The implementing partner agrees to undertake all reasonable efforts to ensure that none of the UNDP funds received pursuant to the Project Document are used to provide support to individuals or entities associated with terrorism and that the recipients of any amounts provided by UNDP hereunder do not appear on the list maintained by the Security Council Committee established pursuant to resolution 1267 (1999). The list can be accessed via http://www.un.org/Docs/sc/committees/1267/1267ListEng.htm . This provision must be included in all sub-contracts or sub-agreements entered into under this Project Document".

PART 2. RESULTS FRAMEWORK

One United Nations Plan Outcome: The principles of accountability, transparency, participation and rule of law are integrated into Viet Nam's representative, administrative, judicial and legal systems.[6]

Related Government Decree 131/2006 Priority Area: Institutional capacity strengthening and human resources development; technology transfer, enhancing the research and development capability.

Project Outcome: ILS is able to more effectively fulfil its mandate through enhanced priority short-term ICT and Legislative/ Research capacities.

COMPONENT 1: SUPPORT FOR POLICY-ORIENTED LEGISLATIVE RESEARCH OF THE ILS						
No	**Intended outputs**	**Indicators**	**Baseline**	**Targets**	**Methods of Verification**	**Risks and Assumptions**
1.1	**Assessment report on the operations and activities of the XII National Assembly and recommendations on critical reforms for more effective operation of the XIII National Assembly produced.**	Quality and timing of the assessment report and circulation/ publication with relevant stakeholders.	ILS has mandate to conduct research on issues relevant for NA institutional reform and has been tasked with examining the performance of the XII NA.	Conceptual approach and methodology determined (2nd Quarter/2010) Draft assessment report on the operations and activities of the XII National Assembly and recommendations (3th quarter/2010) Wide stakeholder consultations, peer review to seek expertise inputs and review results of research (1st Quarter 2011)	Media coverage Research and peer-review reports Views, opinions and assessment of experts, academics on research reports	

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[6]   UN Viet Nam, One Plan 2006-2010 (version June 2008), Outcome 4 , para. 27.

1.2	Research on legislative reform completed and recommendations advocated to National Assembly deputies.	Quality and timing of the research reports and circulation/ publication in contribution to process of NA debates	ILS is mandated to conduct applied research on matters related to legislative reform	Research reports on legislative reform issues (both procedural and substantive) as assigned by Standing Committee of National Assembly with recommendations (2010-2011) Consultation workshops, policy papers and seminars, including comparative seminars, to discuss issues relevant to legislative reforms, to inform and advocate with NA Deputies (2011) Regional fora organised by ILS on legislative reform issues (2011). Participation by ILS in regional fora on legislative reform issues outside Vietnam (2011)	Media coverage Research and peer-review reports Views, opinions and assessment of experts, academics on research reports	The Institute takes the leading role in the research in cooperation with other relevant NA committees and support from relevant organisations.
1.3	Strategic research on National Assembly legislation and oversight processes and procedures with recommendations for	Quality and timing of the research report(s) and circulation/ publication among relevant stakeholder	ILS has mandate to conduct fundamental researches on issues relevant for NA institutional reform.	Conceptual approach and research methodology determined (4th Quarter/2010)	Media coverage Research and peer-review reports	The Institute takes the leading role in the research in cooperation with other relevant NA

	increased efficiency and effectiveness completed.		In 2009 the NA established several working groups for examination of various aspects of its operations and, recommendations will be submitted to the NASC in 2010 for further decision-making.	Draft research report(s) on selected legislation and oversight processes and procedures including comparative studies produced (3rd Quarter 2011) Wide stakeholder consultations, peer-reviews, to seek expertise inputs, inform Deputies and review results of researches (4th Quarter 2011) Capacity building of ILS staff on legislative research throughout the project	Views, opinions and assessment of experts, academics on research reports	committees and other relevant organisations.
COMPONENT 2: SUPPORT FOR ENHANCED INFORMATION AND COMMUNICATION TECHNOLOGY OF THE ILS						
No	**Intended outputs**	**Indicators**	**Baseline**	**Targets[7]/Activities**	**Methods of Verification**	**Risks and Assumptions**

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[7] These are tentative timeframes as per Annex 2 of ICT strategy document.

2.1	**Information and Communications Technology (ICT) strategy for the ILS developed and selected actions put into effect as an integral part of the ICT Strategy of the National Assembly**	ICT Development Programme formulated and approved by the NA Steering Committee for ICT	There is currently no ICT Development Programme formulated, though there is a ICT strategic document for the ILS that serves as a departure point	ICT Development Programme produced (4th quarter/2010) Training and guidance for IT staff on project development and management(2nd quarter/2010)	Number of IT project documents produced	High ICT staff turnover, lack of budget and resources Lack of commitment and sufficient engagement of the leaders of the ILS Lack of budget and resources to develop online services No allocation of ICT infrastructure due to lack of political commitment and disagreement.
		ILS IT unit operational, well capacitated and able to formulate and implement IT projects in coordination and collaboration with the ONA IT Centre	There are two ICT staff in the ILS however their roles and responsibilities are not suited for supporting ICT projects and operations management	Establishment of ILS IT unit, formulation of roles, responsibilities and internal procedures(4th quarter/2010)	ILS ICT unit operational with relevant roles and responsibilities actually carried out	
			The level of coordination and collaboration by the ILS at the NA level is still low	Increase ILS engagement in coordination and planning of ICT initiatives at the NA level (4th quarter/2010)	Amount of representation by ILS in NA Steering Committee for ICT	
		ILS operating with adequate ICT infrastructure	Server capacity and internet domain are lacking	Allocation of ICT infrastructure (3th quarter/2011)	ILS able to deploy an Internet portal	

		ILS managing and providing access to parliamentary research information and documentation	There is currently an Intranet site that offers limited information and functionality. There is a lack of adequate internal research support applications.	Development and deployment of Internet Portal & internal research support applications (4th quarter/2011)	Number of online services offered on the Internet Portal, as well as number of information resources	
2.2	**Coordination and communication between ILS, other NA agencies and donors regularly maintained contributing to resources and results maximization.**	Regular and ongoing coordination amongst ILS and other NA agencies Regular and ongoing coordination amongst ILS and donors	NA has established internal Board on aid coordination UNDP-ONA project has a donor coordination mechanism for all NA donors/implementing agencies	Increased effective cooperation between ILS and other NA agencies in relevant areas Increased collaboration between donors/implementing agencies working with ILS	Records of discussions at dialogue or coordination meetings	Lack of high political commitment and sufficient engagement of the leaders of the NA and ILS. Unwillingness of participants to discuss or reach consensus on strategic issues.

PART 3. ANNEXES

Annex 1: Main Requirements for Project Positions

(Details will be stipulated in TORs before actual recruitment process starts)

Title	Main duties	Requirements on qualification and experience
Project Director and Management staff		
1. National Project Director	Report to the Government and UNDP on the utilization of the Project's resources in order to achieve the targets and expected results; Maintain and coordinate at high level between the Project and stakeholders like ministries, institutes, including the collaborating agencies and sub-contracts with an aim to achieve the targets and to make them become outputs; Play a leading role in annual reviews and quarterly meetings to make decision on quarterly/annual workplans, to assess the Project progress in attaining the targets and results; Review and approve the quarterly targets/activities, officially submit quarterly/annual workplans to UNDP for approval; Review the quality and progress of the activities of the Implementing Partner prior to submitting documents on national project execution to UNDP; Be responsible to the ILS and UNDP for the use of the Project's funding and assets.	✓ Bachelor Degree in political science, economics, law or related fields. Have knowledge and experience in management of ODA projects. ✓ Having experience in executing UNDP's projects at national level is much preferable; be among leaders of the ILS
2. National Project Manager	Under the direction of the National Project Director, manage and report to the National Project Director on project's daily activities, results and progress. Closely cooperate with the Joint STA in the coordination, development and implementation of activities under project components; cooperate with stakeholders to prepare expert input allocation plan (international consultants, local consultants, sub-contracts, etc.) Responsible for overall efficient and effective project management.	✓ Master degree on law, public governance, administrative reform or equivalent. ✓ Have at least five years' working experience with National Assembly's institutions. ✓ Experience on managing capacity development projects an asset. ✓ Fluent in English (reading, speaking, listening, writing).
3. Interpreter cum Administrative Assistant	Under the direct supervision and management of the Project Manager, supports day-to-day efficient and	✓ Bachelor degree on law, public governance, administrative reform or equivalent ✓ At least three years' working experience on

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Title	Main duties	Requirements on qualification and experience
	effective implementation of project components, including Project procedures, progress and output quality. Participate in other activities as assigned by the Project Manager. The quality and timeliness in normal interpretation and translation activity of the Project and administration – archives Smooth correspondence exchange and information sharing between the project and stakeholders.	research with State agencies an asset. ✓ Have at least two consecutive years' experience on project plan preparation, report writing, progress monitoring, result evaluation ✓ Fluent in English (reading, speaking, listening, writing) ✓ Have at least three years' working experience on interpretation/translation
4. Accountant/ Administrative Assistant	Under the direct supervision and management of the Project Manager, responsible for The quality, accuracy and fidelity (in accordance with accounting standards of the donor and the Government of Vietnam) and timeliness of accounting data, including the funding source and the reciprocal source of Vietnam. Supply equipment and stationery for PMU activities on a timely basis. Participate in other activities as assigned by the Project Manager. Establish and maintain proper project archiving and filing system. Participate in other activities as assigned by the Project Manager.	✓ Bachelor degree on accounting or equivalent ✓ Have at least five years' working experience on accounting practice after graduating from university. Experience on accounting for international support projects would be an advantage. ✓ Experience in secretariat tasks and archiving. ✓ Have experience on procurement for project activities. ✓ Fluent in English (reading, speaking, listening, writing).

Project Technical staff		
Type of specialist	**Main functions**	**Requirements of qualification and experience**
Parliamentary Development Joint Senior Advisor. Work 10% time for the project at no cost.	Provide policy and technical advice to the ILS in pursuance of the project objectives. Provide advice and facilitate knowledge building in the field of parliamentary development. Build strategy partnerships and develop joint dialogue initiatives on the parliamentary development issue as relevant to the project. Provide technical advice on project planning, quality assurance, monitoring and evaluation, coordination and knowledge generation and sharing.	✓ A master degree or equivalent on law, public governance, public policy or similar areas. ✓ Have experience and knowledge of project management cycle. ✓ Have at least seven years' international practical working experience in coordination and facilitation of substantive parliamentary work and parliamentary development issues. ✓ Strong presentation skills both verbal and in writing in English are required ✓ Strong team coordination experience ✓ Experience/knowledge/understanding on gender equality and mainstreaming is an asset ✓ Professional attitude and high commitment
Policy Advisor for Rule of Law and Access to Justice. Work 5-10% time for the project at no cost.	Provide policy advice to the ILS in pursuance of the objectives under the legislative reform research component. Provide advice and facilitate knowledge building in the field of law reform process. Build strategy partnerships and develop joint dialogue initiatives on law reform issue as relevant to the project.	✓ Master degree in economics, law, public administration, political science, social sciences or related field ✓ A minimum of 7 years of relevant professional experience from development cooperation with an emphasis on support to governance reform ✓ In-depth understanding of democratic governance issues, with a focus on processes related to Rule of Law and Access to Justice,

Title	Main duties	Requirements on qualification and experience
		in Asia and/or countries in transition. Previous work experience in Viet Nam is a distinct asset ✓ Extensive experience from policy-related work, planning and management of development cooperation, monitoring and evaluation of development projects and programmes ✓ Experience/knowledge/understanding on gender equality and mainstreaming is an asset

Annex 2. Proposed Project Budget (June 2010 – December 2011)

1. Annual Budget Allocation (USD)

Component	2010	2011	Aggregate
A. Support for policy-oriented legislative research	**100,000**	**250,000**	**350,000**
Technical Assistance (international/national consultants)	25,000	50,000	
Training (Seminars, Workshop, Conferences, Study tours)	75,000	200,000	
B. Support for enhanced information and communication technology	**70,000**	**110,000**	**180,000**
Technical Assistance (international/national consultants)	15,000	30,000	
Training (Seminars, Workshop, Conferences, Study tours) and equipment supply for IT System	55,000	80,000	
Project Management	**25,000**	**50,000**	**75,000**
Total	**195,000**	**410,000**	**605,000**

Annex 3. Budget Contributed by the Vietnamese Partner (Counterpart funds)

No	Items	Monthly expenditures (VND)	Aggregate (VND)
I	**Contribution by existing resources**		
1.1	National Project Director	6,000,000	144,000,000
1.2	National Project Manager	3,500,000	84,000,000
	Sub-total contribution by existing resources	**9,500,000**	**228,000,000**
II.	**Contribution in cash**		
2.1	Salary allowance	2,500,000	60,000,000
2.2	Costs of office running and conferences, overseas study tour:	75,000,0000	1,800,000,000
	Public service (power charges, automobile petroleum, maintenance, office cleaning, etc.)	10,000,000	240,000,000
	Communication charges (telephone, internet, books, magazines, etc.)	4,000,000	96,000,000
	Meeting cost	15,000,000	360,000,000
	Office rent	26,000,000	624,000,000
	Other expenditures (office utilities, automobile insurance, travelling charges, parking fees, guest reception, cost for working delegations, etc.)	20,000,000	480,000,000
	Sub-total contribution in cash	**77,500,000**	**1,860,000,000**
III	**Total**	**87,000,000**	**2,088,000,000**

VND 2,088,000,000 = USD109,319
(Exchange rate VND/USD = 19100)

Annex 4: A comprehensive strategy for the Institute of Legislative Studies of the National Assembly of the Socialist Republic of Vietnam (attached)