

TECHNICAL ASSISTANCE COMPLETION REPORT

Division: SESS

TA No., Country and Name TA 4453-VIE: Supporting the Preparation of the Law on Gender Equality		Amount Approved: \$370,000	
		Revised Amount: \$370,000	
Executing Agency Viet Nam Women's Union		Source of Funding Poverty Reduction Cooperation Fund	Amount Undisbursed: \$13,308.81
			Amount Utilized: \$356,691.19
TA Approval Date: 26 Nov 2004	TA Signing Date: 4 March 2005	Fielding of First Consultants: July 2006	TA Completion Date Original: 31 December 2006 Actual: 30 June 2007
			Account Closing Date Original: 31 December 2006 Actual: 11 December 2007

Description

The XI Legislature National Assembly (NA) of the Socialist Republic of Vietnam passed a Resolution in 2003 on the formulation of a gender equality law. In April 2004, the NA established an 11-member committee (Drafting Committee) to begin drafting a Law on Gender Equality (GEL). The Central Executive Committee of Viet Nam Women's Union (VWU) was assigned to lead the drafting process. During the Country Programming Mission in 2004, the Government of Viet Nam (the Government) requested ADB to provide advisory technical assistance to support the preparation of the GEL. Such a law was seen to address a comprehensive and cross-sector approach to gender equality, and promote an iterative, consultative, and gender-inclusive process of drafting laws. The enactment of GEL would support the reduction of both income and non-income poverty by ensuring equal access to assets, land, property, finance, and business registration. Participation of stakeholders in the law drafting process, public consultation after the drafting stage, and a public awareness and advocacy campaign after the proclamation of the law were expected to improve the public's level of legal awareness and knowledge.

Expected Impact, Outcome and Outputs

The expected impact of the TA was to reduce poverty and gender inequality through adoption of a law on gender equality with effective implementation and enforcement mechanisms. The expected outcome of the TA was the development and enactment of the GEL. The TA's specific outputs were: (i) a draft comprehensive law on gender equality that will support the repealing of gender-biased and conflicting laws and regulations; (ii) development of suggested gender-sensitive systems and procedures; (iii) increased gender-awareness by the judiciary, law enforcement, administrative personnel, and the legal profession; and (iv) enhanced legal literacy of the poor, especially women.

Delivery of Inputs and Conduct of Activities

TA formulation and design. The TA's impact, outcome and outputs were well-formulated. TA activities focused on: (i) conducting a diagnostic analysis, (ii) drafting the GEL, and (iii) conducting awareness and public advocacy. Support for drafting the GEL was comprehensive and addressed all areas of concern. The TA supported the VWU and the Drafting Committee to address the specific requests raised by the NA (e.g., consultations with NA members and female laborers, perception surveys on retirement age and female representation in legislative bodies). The Australian Agency for International Development (AusAID) provided \$18,766 in parallel financing to support a study tour in Australia for the Drafting Committee members from 9 to 15 July 2006. An extension of the TA allowed for activities, aimed at information and dissemination of the law after its passing, to be completed.

Consulting services. International and national specialists (24 and 43 person-months) were engaged to support the VWU in the drafting process. An external panel of five gender experts from Canada, People's Republic of China, Japan, New Zealand and the United Kingdom provided comments on selected drafts of the GEL based on international practices. The initial estimated consulting services (29 person-months) was not sufficient given the scope of the TA and close follow-up required. Contracts for the Gender and Law Specialist and the Participatory Consultation Specialist were extended to conduct supplementary research, provide technical legal advice, support implementation of the consultation plan, and conduct awareness raising and public advocacy on the GEL and its provisions. Performance of the consultants with respect to their terms of reference is rated highly satisfactory. Timely consideration and inclusion of comments provided by the gender experts was a key challenge, which was overcome by developing a comments matrix and a review of the comments against the draft final law prior to submission.

Implementation arrangements. The VWU was the executing agency (EA). The EA and consultants provided bimonthly updates on the development of the GEL to ADB after the midterm TA review. This helped keep ADB engaged in the drafting process, so that activities could be easily adjusted to the process. The EA allocated additional funds for parallel translations of drafts and comments in order to keep consultants engaged in the drafting process. The EA also invited consultants to attend workshops and consultations on draft GEL to understand the different opinions surrounding the draft law. The performance of ADB and the executing agency is rated highly satisfactory.

Evaluation of Outputs and Achievement of Outcome

The main outputs of the TA were achieved. The Law on Gender Equality (Law No. 73/2006/QH11) was passed on 29 November 2006, and the Prime Minister's Directive on the Implementation of the Law on Gender Equality (PM No. 10/2007/CT-TTg) was issued on 3 May 2007. Both have triggered the repeal of gender-biased and conflicting laws and

