

ASIAN DEVELOPMENT BANK

TAR: VIE 38384

TECHNICAL ASSISTANCE

(Financed by the Poverty Reduction Cooperation Fund)

TO THE

SOCIALIST REPUBLIC OF VIET NAM

FOR

SUPPORTING THE PREPARATION OF THE LAW ON GENDER EQUALITY

November 2004

CURRENCY EQUIVALENTS

(as of 5 October 2004)

Currency Unit	–	dong (D)
D1,000	=	\$0.06348
\$1.00	=	D15,753

ABBREVIATIONS

ADB	–	Asian Development Bank
CPRGS	–	Comprehensive Poverty Reduction and Growth Strategy
TA	–	technical assistance
VWU	–	Viet Nam Women's Union

TA CLASSIFICATION

Poverty Classification	–	General intervention
Sector	–	Law, economic management, and public policy
Subsector	–	Law and judiciary
Theme	–	Gender and development, governance
Subtheme	–	Gender equity in empowerment and rights, public governance

NOTE

In this report, "\$" refers to US dollars.

This report was prepared by a team consisting of Y. Uehara (team leader), S. Kawazu, F. Tornieri, and N. N. Tuyen.

I. INTRODUCTION

1. During the Country Programming Mission from April to May 2004, the Government of Viet Nam asked the Asian Development Bank (ADB) to provide advisory technical assistance (TA)¹ to support the preparation of a law on gender equality. The TA Fact-Finding Mission² visited Viet Nam from 19 to 30 July 2004 and held discussions with the Government on the goals, purpose, scope, implementation arrangements, cost, financing arrangements, and terms of reference for consulting services. The peer review meeting in August 2004 endorsed funding from the Poverty Reduction Cooperation Fund. The Government confirmed the mission's aide memoire on 23 August 2004. The TA framework is in Appendix 1.

2. The law on gender equality will 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 the law will support the reduction of both income and non-income poverty by (i) ensuring gender-equal access to assets, land property, finance, and business registration, and (ii) strengthening pro-poor and inclusive good governance. Broad participation of stakeholders in the law drafting process, public consultation after the drafting stage, and a public awareness and advocacy campaign after the law is proclaimed will improve the poor and women's legal awareness and knowledge.

II. ISSUES

3. During the past decades, the socialist system created a foundation for gender equality in Viet Nam. Viet Nam signed the Convention on the Elimination of All Forms of Discrimination against Women in July 1980; the convention was ratified in November 1981. Women in Viet Nam have reached 68.9% of the level of human development in comparison with men, as measured by the gender-related development index. This is very close to the country's human development index rating of 0.691, indicating that gender disparities seem to largely correspond with the country's level of human development. Women hold 27.3% of the seats in Parliament; one of the highest rates among countries of similar income and human development levels.³

4. Despite the Government's commitments and efforts, the persistence of gender-based discriminatory practices, weak enforcement of the existing laws and regulations, and women's limited awareness and knowledge of their rights, constitute critical impediments to the full realization of gender equality. The *National Strategy for the Advancement of Women in Viet Nam by 2010* aims to promote women's rights and gender equality in critical areas, including labor and employment, education, health care, and decision making. Ensuring the realization of women's rights and benefits is one of the five major objectives of the ongoing *National Plan of Action for the Advancement of Women: 2001–2005*.

5. The Comprehensive Poverty Reduction and Growth Strategy (CPRGS) identifies insufficient access to the law and protection of an individual's legitimate rights as one cause of poverty. As powerlessness and vulnerability are significant factors of non-income poverty, the CPRGS emphasizes the empowerment of women and the need to improve their access to legal

¹ The TA first appeared in the Internet edition of *ADB Business Opportunities* on 5 August 2004.

² Comprising Y. Uehara, Senior Social Development Specialist, Operations Coordination Division, Mekong Department; S. Kawazu, Counsel, Office of the General Counsel (supported from headquarters); F. Tornieri, Social Development Specialist, Poverty Reduction and Social Development Division; and Nguyen Nhat Tuyen, Social Development and Gender Officer, Viet Nam Resident Mission.

³ United Nations Development Programme. 2004. *Human Development Report 2003*. New York: United Nations Development Programme.

information and the judicial system. Against this background, the fourth meeting of the National Assembly in 2003 adopted a resolution to draft and promulgate a law on gender equality. Subsequently in April 2004 the National Assembly appointed the 11-member Drafting Committee⁴ headed by the president of Viet Nam Women's Union (VWU), who also chairs the National Committee for the Advancement of Women. The Drafting Committee will be supported by a 12-member working group with members drawn from the same ministries and offices of the Drafting Committee members. The VWU vice president (director, Law and Policy Department) will head the working group; and the deputy director, Law and Policy Department, VWU, will act as member-secretary. VWU has the institutional responsibility to lead the drafting of the law.

6. Achieving gender equality in the legal system involves addressing several issues. First, the existing laws and regulations have disparities, contradictions, and inconsistencies. Since the introduction of a market-oriented economy, explicit gender gaps and disparities emerged. A challenge in addressing these matters is how to balance equality, protection, and affirmative action, while ensuring women's interests. Other matters such as trafficking in women and children, migration, and gender-based violence, while addressed under the relevant laws, are not dealt with in a comprehensive and unified manner.

7. Second, the effective application and execution of laws depend largely on implementation and enforcement systems and procedures. Currently several agencies such as the National Committee for the Advancement of Women, National Legal Aid Agency, and VWU, have a mandate to (i) respond to the needs of the poor and socially vulnerable by providing legal information, awareness, education, and representation; and (ii) protect women's rights and interests. However no agency has been assigned an explicit role to enforce gender equality under the law or to monitor adherence to the laws and regulations. No system exists to determine compliance of newly drafted laws and regulations with the principles of gender equality and nondiscrimination, nor has any review been performed to determine if already enacted laws and regulations comply with the principles of gender equality. No systematic review has been done of currently existing laws and regulations to identify those needing amendments.

8. Third, weak law enforcement results from both ignorance of the law and lack of capacity of the implementing and enforcing agencies. Little knowledge and awareness of legal rights by the population is also a serious constraint. Furthermore, accessibility to legal support and services by the poor, including women, is severely limited. The law on gender equality will respond to these challenges. The law will provide a coherent framework to integrate gender equality within the substance of the laws, legal structures, institutions, and procedures.

III. THE TECHNICAL ASSISTANCE

A. Purpose and Output

9. The purpose of the TA is to support the Government to develop a law on gender equality with a view to reducing poverty and inequality based on gender. The TA's specific objectives are to (i) facilitate the process of gender mainstreaming in drafting and amending legislation, (ii) build gender-sensitive legal institutions, and (iii) enhance gender awareness in the legal system.

⁴ Members are the vice president of VWU (vice chairperson); vice ministers of the ministries of agriculture and rural development; education and training; justice; and labor, invalids, and social affairs; deputy chief justice of the People's Supreme Court; permanent secretary of the National Committee for the Advancement of Women, and representatives from the Office of the National Assembly, Office of the Government, and Fatherland Front.

10. The expected outputs of the TA will be (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. The TA conforms with ongoing multi-agency-supported assistance for legal system development and amendment of the civil code, for which ADB is also providing advisory TAs.⁵

B. Methodology and Key Activities

11. Many factors limit women from enjoying their full legal rights and benefits. The constraints are often quite separate from the substantive nature of the law itself—the provision and content of the law. In many cases, the factors underlying the persistence of gender-based discrimination are extralegal, and therefore are not able to be fully reflected in legal terms. In recognition of this situation, the TA will address three interrelated factors of the legal system: (i) substantive factors, such as the lack of appropriate laws, gender-biased and discriminatory laws and regulations, and contradictory and inconsistent provisions within existing laws; (ii) structural, institutional, and procedural factors, such as the judiciary, enforcement, and administrative agencies' functions and roles; and (iii) sociocultural factors, such as shared attitudes, perceptions, knowledge, and behaviors toward the laws and legal/judicial systems. The TA's approach and key activities are designed to address the first two factors, while touching upon the third in a limited way through pre- and postdrafting public consultations and public campaigns once the law is proclaimed. The TA is designed to achieve the following distinctive, yet interlinked objectives.

1. Conduct a Diagnostic Analysis

12. The initial review will focus on the latest documents and reports on gender equality in legal systems, in particular, the findings and outcome of recent research commissioned by the Social Affairs Committee of the National Assembly. Supplementary research and analysis will be conducted only for the areas/issues where information is found insufficient. Concurrently, existing laws on gender equality and their implementation and enforcement systems in the countries that have enacted such laws will be studied. Based on the diagnostic analysis and deemed needs, a study visit to relevant countries in the region, may be made.

13. In line with the CPRGS, broad and rigorous stakeholder consultations will be fully integrated in the scope of the TA. The activities will encompass (i) identify the specific stakeholders and stakeholder groups, (ii) plan and design consultation workshops, (iii) conduct consultations, (iv) compile and analyze the results and findings, and (v) consolidate information and prepare the report.

14. Stakeholders are expected to include judiciary; law enforcement agencies; and administrative staff at the national, provincial, district, and commune levels; lawyers, bar associations, and paralegals; officials of alternative dispute resolution systems; members of

⁵ ADB. 2002. *Technical Assistance to the Socialist Republic of Viet Nam for Legal System Development up to Year 2010 and Capacity Building for Secured Transactions Registration*. Manila (TA 4060 VIE approved on 19 December 2002); and ADB. 2002. *Technical Assistance to the Socialist Republic of Viet Nam for Institutional and Capacity Building Support to the Ministry of Home Affairs*. Manila (TA No. 4081 VIE approved in conjunction with Loan 1992 VIE [ADB. 2002. *Report and Recommendation of the President to the Board of Directors on a proposed Program Loan Cluster, Phase I of the Proposed Program Loan and Technical Assistance Grants to the Socialist Republic of Viet Nam*. Manila]. on 16 January 2003).

trade unions and mass organizations; ethnic minority groups; civil society; and networks such as the Gender Action Partnership. The key concerns and suggestions of the stakeholders will be examined and reflected in the drafting process. The findings of participatory consultations will be shared at different stages of the validation process of the draft law and fed back to groups drafting the law and working on awareness raising and public advocacy.

2. Draft the Law on Gender Equality

15. The scope of the TA activities includes identification of key issues to be addressed by the law; deliberations within the working group; and drafting of the law. Expert support will be provided to the working group to deepen the understanding of experiences in countries that already have a law on gender equality or similar legal provisions. The main focus at this stage is to provide sufficient information and analysis to the working group for them to define the format and content of the law. The TA will also recommend amendments to other relevant laws and regulations. In addition, the TA will facilitate the consultation and feedback process at various stages of the process.

16. Legal structures and procedures have considerable impact upon the implementation and enforcement of laws. The TA will, in line with expansion of legal support for the poor stipulated in the CPRGS, support the assessment of the structural and procedural factors of law enforcement, and identify flexible and efficient forms of support for women to have easy access to legal services, including dispute resolution. The TA will assess the effectiveness and gender-responsiveness of the present implementation and enforcement mechanisms, and identify options for possible inclusion in the draft law on gender equality. The ultimate goal will be to develop a mechanism and procedures that serve the needs and interests of women and realize gender equality.

3. Conduct Awareness Raising and Public Advocacy

17. The third critical factor for ensuring that the law operates in a fair and equitable way for women is the culture of the law, i.e., the way people regard and interpret the law. Focused gender sensitization, awareness raising, and public campaigns will be conducted for major stakeholder groups before and after the law on gender equality is proclaimed. The findings of the diagnostic analysis and stakeholder consultation results will be fully reflected in this component.

18. Legal processes often disadvantage women, especially poor women and those from indigenous and ethnic minority groups. They are frequently unaware of their rights and the very existence of the law. Indifference of officials, community and family pressures, and limited mobility, all can play a part in leading to this outcome. The TA will aim to improve women's legal literacy and better awareness of the role of the judiciary, and administrative and law enforcement agencies. Specific awareness raising and targeted legal literacy programs will be designed and carried out upon completion of the draft law on gender equality. A national public campaign and advocacy program will be conducted on the key provisions of the law after its promulgation.

C. Cost and Financing

19. The total cost of the TA is estimated at \$465,000 equivalent of which \$230,000 is the foreign exchange cost and \$235,000 equivalent the local currency cost. The Government has requested ADB to finance \$370,000 equivalent, covering the entire foreign exchange cost and

\$140,000 equivalent of the local currency cost. The TA will be financed on a grant basis by the Poverty Reduction Cooperation Fund. The Government will finance the balance of the local currency cost, equivalent to \$95,000, through the provision of counterpart and support staff, office accommodation, and other related services and facilities. Cost estimates and the financing plan are presented in Appendix 2.

D. Implementation Arrangements

20. VWU will be the Executing Agency for the TA and the deputy director, Law and Policy Department (member-secretary of the working group) will be the TA director. The TA director will liaise between the working group and the TA consultants. The VWU vice president (vice chairperson of the Drafting Committee and chairperson of the working group) will give overall guidance and oversee the implementation of all TA activities. The TA consultants will be located in the VWU premises. VWU will assign counterpart staff to work closely with the TA consultant team.

21. The TA will be implemented over 22 months from March 2005 to December 2006, and will require 29 person-months of consulting services: 9 person-months of international consulting for (i) legal drafting and (ii) legal system development; and 20 person-months of domestic consulting for (i) sociolegal issues, (ii) participatory consultation, (iii) legal drafting, and (iv) public advocacy. The consultants will be engaged by ADB in accordance with ADB's *Guidelines on the Use of Consultants* and other arrangements satisfactory to ADB for the engagement of domestic consultants. The consultants will be recruited as individuals. Appendix 3 gives the outline terms of reference for the consultants. The consultants will submit inception, interim, and final reports, and quarterly progress reports to ADB. An indicative implementation schedule and reporting requirements are in Appendix 4. ADB will finance equipment for the TA in accordance with the ADB *Guidelines for Procurement*.

22. Dissemination of the TA's outputs is integrated in the scope of the TA as public consultations following the drafting of the law and its proclamation, a public awareness campaign, and targeted awareness raising for the major stakeholders (para. 18). In addition, a series of stakeholder consultative workshops will serve as a venue for disseminating the outputs at various stages of the TA. Evaluation of the outcomes will be integrated into the Government's periodic reports to the Convention on the Elimination of All Forms of Discrimination against Women and the annual report of the National Plan of Action for the Advancement of Women.

IV. THE PRESIDENT'S DECISION

23. The President, acting under the authority delegated by the Board, has approved ADB administering technical assistance not exceeding the equivalent of \$370,000 to the Government of Viet Nam to be financed on a grant basis by the Poverty Reduction Cooperation Fund for Supporting the Preparation of the Law on Gender Equality, and hereby reports this action to the Board.

TECHNICAL ASSISTANCE FRAMEWORK

Design Summary	Performance Indicators/Targets	Monitoring Mechanisms	Assumptions and Risks
<p>Goal</p> <p>Achieve equality between women and men under the rule of law to reduce poverty and develop a law on gender equality with effective implementation and enforcement mechanisms.</p>	<p>By 2010</p> <p>Passage of the law on gender equality by November 2006</p> <p>Legal system and framework to protect women's rights and provide benefits on an equal footing with men</p>	<p>Government document Law bulletin</p> <p>Report of the Convention on the Elimination of All Forms of Discrimination against Women</p> <p>Report of the National Committee for the Advancement of Women</p>	
<p>Purpose</p> <p>Support drafting of the law on gender equality.</p>	<p>The preliminary draft of the law on gender equality developed and submitted to the Ministry of Justice by July 2005</p> <p>The revised draft of the law on gender equality submitted to the National Assembly by November 2005</p> <p>The final draft of the law on gender equality submitted to the National Assembly by November 2006</p>	<p>Government document</p>	<p>Assumption The Government is fully committed and has the capacity to develop the law.</p> <p>Risks The working group representing various ministries and offices may have different views on gender and gender equality and have difficulty reaching a consensus on the content of the law.</p>
<p>Outputs</p> <p>Law on gender equality triggers the repeal of gender-biased and conflicting laws and regulations.</p>	<p>Promulgation of the law on gender equality by December 2006</p>	<p>Legislation</p>	<p>Assumption Members of Parliament generally support the draft law.</p> <p>Risk Debate and decision making is prolonged.</p>

Continued on next page

Design Summary	Performance Indicators/Targets	Monitoring Mechanisms	Assumptions and Risks
<p>Technical reports are prepared on</p> <ul style="list-style-type: none"> • law and gender: key issues and constraints, • participatory consultation plan, • report on participatory consultation, • report on the law on gender equality, and • report on public advocacy. 	<p>May 2005</p> <p>March 2005</p> <p>Interim: October 2005 Final: October 2006</p> <p>July 2005</p> <p>December 2006</p>	<p>Technical assistance (TA) consultants' reports</p> <p>Reports of review missions</p>	
<p>Activities</p> <p>1. Conduct a diagnostic analysis.</p> <p>Collect, compile, and analyze information.</p> <p>Conduct participatory consultations.</p> <p style="padding-left: 40px;">Train facilitators.</p> <p>Hold stakeholder consultations.</p>	<p>March–May 2005 August–October 2005</p> <p>March 2005 10 master facilitators to be trained</p> <p>March–June 2005 (predrafting stage) Consultation workshops in North, Central, and South provinces (details to be developed)</p> <p>August–October 2005 (consultation on the preliminary draft) Consultation workshops in North, Central, and South provinces Seminars with the Social Affairs Committee of the National Assembly (details to be developed)</p>	<p>TA consultants' report</p> <p>Reports of review missions</p> <p>TA consultants' reports</p> <p>Feedback and evaluation from the participants</p> <p>TA consultants' reports</p> <p>Reports of review missions</p> <p>TA consultants' reports</p> <p>Reports of review missions</p>	<p>Assumption</p> <p>The Working Group will carry out the activities as planned according to their agreed "road map."</p> <p>Risk</p> <p>External factors (deliberations at the Ministry of Justice, the Social Affairs Committee of the National Assembly etc.) may delay the planned timetable.</p>

Design Summary	Performance Indicators/Targets	Monitoring Mechanisms	Assumptions and Risks
<p>Organize and hold study tour.</p> <p>2. Draft the law on gender equality.</p> <p>Provide technical support and inputs to the content of the law.</p> <p>Conduct institutional analysis and development.</p> <p>Hold seminars for the working group.</p> <p>Conduct national workshops to disseminate the draft law on gender equality.</p> <p>Hold public forums.</p> <p>Conduct consultations with law professions.</p> <p>3. Provide awareness raising, advocacy, and public campaign.</p>	<p>Between March–October 2005 (to be decided)</p> <p>April–October 2005</p> <p>May–July 2005</p> <p>3 thematic seminars April 2005 May 2005 June 2005</p> <p>National workshops November 2005 (Midterm review of the TA) November 2006 (Final review of the TA)</p> <p>Public Forums Consultation workshops in North, Central, And South provinces (details to be developed) December 2005 - October 2006</p> <p>Consultation with law professions December 2005–October 2006, In the form of seminars and workshops</p> <p>Public campaign through paper and broadcast media November–December 2006</p>	<p>TA consultants' reports Report of the members of the working group</p> <p>TA consultants' reports Reports of review missions</p> <p>TA consultants' reports Reports of review missions</p>	

Design Summary	Performance Indicators/Targets	Monitoring Mechanisms	Assumptions and Risks
Inputs Financial Inputs Consulting Services International Domestic Training, workshops, and seminars Equipment Other financing Counterpart financing	\$370,000 (total) 9 person-months 20 person-months \$73,000 \$5,000 \$46,000 \$95,000	Reports of review missions TA consultants' reports	

COST ESTIMATES AND FINANCING PLAN
(\$'000)

Item	Foreign Exchange	Local Currency	Total Cost
A. Poverty Reduction Cooperation Fund Financing^a			
1. Consultants			
a. Remuneration and Per Diem			
i. International Consultants	180.0	0.0	180.0
ii. Domestic Consultants	0.0	48.0	48.0
b. International and Local Travel	10.0	3.0	13.0
c. Reports and Communications	0.0	5.0	5.0
2. Equipment ^b	5.0	0.0	5.0
3. Training, Seminars, and Conferences			
a. Facilitators	0.0	3.0	3.0
b. Training Program	10.0	60.0	70.0
4. Miscellaneous Administration and Support Costs	0.0	6.0	6.0
5. Contingencies	25.0	15.0	40.0
Subtotal (A)	230.0	140.0	370.0
B. Government of Viet Nam Financing			
1. Office Accommodation and Transport	0.0	30.0	30.0
2. Remuneration and Per Diem of Counterpart Staff	0.0	45.0	45.0
3. Others	0.0	20.0	20.0
Subtotal (B)	0.0	95.0	95.0
Total	230.0	235.0	465.0

^a Administered by the Asian Development Bank.

^b The equipment will include two computers, one printer, and assorted accessories. The equipment will become the property of the Government upon completion of the technical assistance.

Source: Asian Development Bank estimates.

OUTLINE TERMS OF REFERENCE FOR CONSULTANTS

A. Conduct a Diagnostic Analysis

1. This component of the technical assistance (TA) will focus reviewing available reports, research papers, seminar proceedings, etc., and identifying the crucial elements to be considered for the drafting of a law on gender equality. Subsequent to the review, supplementary study and analysis will be undertaken for the areas/issues where not enough information has been compiled. In parallel with the desk review and research undertaking, participatory consultation will be carried out to receive inputs from stakeholders. The output of this component will be a comprehensive picture of the issues, needs, demands, and requirements to be reflected in the law drafting process.

1. Law and Gender Specialist (domestic, 3 person-months)

2. The consultant will

- (i) review the latest reports and documents on gender equality in legal systems;
- (ii) collect existing laws and regulations related to the legal and socioeconomic status of women in critical areas, which include, health and reproductive health (including HIV/AIDS),⁶ violence against women and human trafficking, education/literacy, personal and family law, inheritance and succession, land law, labor and employment laws, social protection, financial and banking laws, and customary laws and practices;
- (iii) identify persistent gender-discriminatory practices and/or conflicting provisions within domestic legislation;
- (iv) review relevant areas for gender equality to supplement the information as already gathered;
- (v) identify key issues and constraints affecting women or restricting them from fully exercising and enjoying their rights under the law, including areas requiring gender integration for implementing the Strategy for Legal System Development;
- (vi) carry out supplementary desk review or research if deemed necessary; and
- (vii) prepare a report by the end of the services summarizing the main findings and issues to be taken into account in the law drafting process and a public education program on the law on gender equality.

2. Participatory Consultation Specialist (domestic, 6 person-months)

3. The consultant will

- (i) identify major stakeholders and stakeholder groups, including major stakeholders and stakeholder groups for predrafting and postdrafting consultation;
- (ii) develop an overall consultation plan and timetable;
- (iii) develop detailed consultation programs and agenda with guiding questions;
- (iv) identify and train facilitators;
- (v) carry out and oversee consultation workshops, meetings, seminars, and forums;
- (vi) prepare the quarterly progress report at months 12 and 16; and
- (vii) consolidate the major findings, suggestions, and recommendations, and prepare a report on participatory consultation at the end of each stage of consultations.

⁶ HIV/AIDS refers to human immunodeficiency virus/acquired immunodeficiency syndrome.

B. Draft the Law on Gender Equality

4. This component will focus on the actual development and drafting of the law on gender equality. The content of the law and its implementation and enforcement mechanism will be simultaneously reviewed and drafted. The outcome of the diagnostic analysis done in the preceding phase will be fully fed into this component.

1. Legal Drafting Specialist and Team Leader (international, 6 person-months)

5. The consultant will

- (i) review the laws on gender equality enacted in selected countries, assess their relevance to Viet Nam with specific attention to the advantages and disadvantages of different models, and identify international good practices in drafting a law on gender equality;
- (ii) make recommendations on the content of the draft law on gender equality, taking into account the following:
 - (a) outcome of diagnostic analysis conducted,
 - (b) provisions in international conventions ratified by Viet Nam, and
 - (c) international good practices and lessons learned;
- (iii) make recommendations to amend other relevant laws and regulations;
- (iv) assist the working group in drafting a law on gender equality;
- (v) identify key considerations and strategic approach for different stages of validating the draft law proposal;
- (vi) act as the team leader of the TA and coordinate the work with other consultants, namely, the legal system development specialist, legal drafting expert, and public advocacy specialist;
- (vii) prepare the quarterly progress report at months 4, 8, and 20, and inception, midterm, and final report; and
- (viii) by the end of services at month 5, prepare a report on the law on gender equality stipulating the drafting process, major issues raised and discussed, recommendations and conclusions, and content of the law.

2. Legal System Development Specialist (international, 3 person-months)

6. The consultant will

- (i) make recommendations on the implementation and enforcement mechanism (including monitoring, reporting, and screening functions, and procedural matters) for the law on gender equality, taking into account the following:
 - (a) outcome of diagnostic analysis conducted;
 - (b) existing structure of alternative dispute solution mechanisms, legal aid/paralegal support, conciliation and mediation systems, and inspection functions; and
 - (c) international good practices and lessons learned, including ombudsperson, council, and board;
- (ii) assess and validate the conformity of the proposed implementation and enforcement mechanism with that being developed under the Strategy for Legal System Development;
- (iii) help the working group draft the implementation and enforcement mechanism of the law on gender equality; and

- (iv) summarize the process and provide inputs to the reports to be prepared by the legal drafting specialist.

3. Legal Drafting Expert (domestic, 6 person-months)

7. The consultant will

- (i) help identify various options for improving the effectiveness and responsiveness of the implementation and enforcement system;
- (ii) help draft the law with its implementation, enforcement, institutional setup, and procedures;
- (iii) participate in the consultation and validation process to finalize the draft; and
- (iv) provide inputs to the reports to be prepared by the legal drafting specialist.

C. Conduct Awareness Raising and Public Advocacy

8. This component will focus on capacity building and training for the public on the gender equality law and their rights, and for those legal and administrative personnel about their duties.

1. Public Advocacy Specialist (domestic, 2 person-months)

9. The consultant will

- (i) based on the assessment during the diagnostic analysis and other available information during the drafting process, develop a gender and legal awareness and public advocacy program on the law on gender equality for different stakeholder groups (law enforcement and administrative officials, judiciary, alternative dispute solution systems personnel, and the public);
- (ii) identify various mediums and alternative channels (e.g., visual aids, print, entertainment, and organized forums) to ensure that women receive sufficient information and knowledge on the law on gender equality;
- (iii) design public information/media campaign programs and materials, with due attention to gender-specific constraints to access to information; and
- (iv) prepare a report on public advocacy and the campaign, including the programs and materials developed.

D. Short-Term Specialists (domestic, 3 person-months)

2. Domestic consultants, as needed, will be recruited for short assignments for the duration of the TA. At this stage, assistance is anticipated to include translation, legal research, advocacy, and public consultation.

INDICATIVE IMPLEMENTATION SCHEDULE

Month	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	
Law and Gender Specialist (D)																							
Reports			1)					b)															
Participatory Cons. Specialist (D)																							
Reports	2)							3)													4)		
Facilitators for Consultation																							
Legal Drafting Specialist (I)																							
Reports		a)			5)			b)													c)		
Legal System Dev. Specialist (I)																							
Report					5)																		
Legal Drafting Expert (D)																							
Reports					5)			b)													c)		
Public Advocacy Specialist (D)																							
Report																							6)

I = international consultant, D = domestic consultant.

Major reporting requirements

Technical reports

- 1) Report on law and gender (key issues and constraints)
- 2) Participatory consultation plan (with detailed consultation programs and agenda)
- 3) Interim report on participatory consultation (summary of consultations with major issues raised and recommendations)
- 4) Final report on participatory consultation
- 5) Report on the law on gender equality
- 6) Report on public advocacy

Periodic reports

- a) Inception report
- b) Midterm report
- c) Final report