

TERMS OF REFERENCE

**INDIVIDUAL CONSULTANT**

**Ref#:** Enter Ref #

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| --- | --- |
| **Name of service:** | Development of training of trainers on Vietnamese Legal Code  |
| **Project:** | The EU Justice and Legal Empowerment Program in Vietnam (EU JULE) |
| **Reporting to:** |  The Governance and Participation Unit of UNDP  |
| **Duty Station:** | Ha Noi, home-based | **Travel Required:** | No |
| **Duration of Assignment:** | From October 2021 to March 2022 |
| **Start Date:** | 11/1/2021 | **End Date:** | 3/31/2022 |

# BACKGROUND & PROJECT DESCRIPTION

In 2012, the Ordinance on Codification of the legal system was approved which enables to build a comprehensive legal library for citizen to easily get access to and search for legal information they need. The codification is aimed to build a better transparency and easier access to the legal system. According to the Ordinance, state agencies will review, collect and arrange current legal documents to formulate a Legal Code (Bộ Pháp điển). The Legal Code is the official Code and can be used for reference in law application and enforcement. Currently, the Vietnamese Legal Code goes online at phapdien.moj.gov.vn with 185/271 legal topics have been codified and there are 86 legal topics need to be codified in coming time. Though the codification involves efforts from different ministries and agencies, the use of the Legal Code for law implementation and enforcement is still limited.

In the past few years, Ministry of Justice has conducted many activities to increase public awareness about the Legal Code and its structure and how to use it. However, “Legal Code” is not popular term and not easy to understand not only for public but officials, legal communicators who providing and disseminating legal information to public.

The EU Justice and Legal Empowerment Programme (EU JULE) funded by the EU and being implemented by UNDP and UNICEF seeks to strengthen the rule of law through a more reliable, trusted and better accessed justice system. Key objectives of the Programme are to increase public awareness and understanding of rights and how to invoke those rights and building, in a coherent and coordinated manner, the capacity of Government institutions at both the central and provincial level. Training for trainers (TOT) courses are one of focus areas for building key resource persons for capacity building activities in the future.

Capacity building for legal officers of the government officials in charge of codification legal topics of the Legal Code and legal communicators who providing and disseminating legal information to public is a need and is one of the critical ways to achieve the Programme’s objectives.

Responding to the need, under the EU JULE, United Nations Development Programme (UNDP) commissions a team of two national consultants to develop a training of trainer materials on Vietnamese Legal Code.

# ObjectiveS

To develop a training of trainer materials of the Vietnamese Legal Code. The training materials will be used to conduct trainings of trainers for those who will take responsible for doing the Codification, updating the legal regulations from their respective agencies to the Vietnamese Legal Code.

The training materials will be also used for training the legal communicators on how to use it to get legal information.

The TOT materials will be pretested for finalization and uploaded at the MOJ website, Vietnamese Legal Code Website, and other communication channels. Officials, students, and individuals of interest can study the Vietnamese legal code by themselves to raise awareness and perform their work better.

# METHODOLOGIES AND APPROACHES

The following approaches should be considered during performing the assignment:

1) Ensuring gender sensitiveness: Due to the nature of the project and the gender and development approach, gender equality and gender sensitiveness aspects should be mainstreamed in the developed training materials and training delivering.
2) Participatory and learner-centered approaches: The training materials should be developed to help trainers to perform their tasks more efficiently. A participatory and learner-centered approaches as well as skill-based training method should be employed and expressed clearly in the training materials.

# SCOPE OF WORK

The assignment will be carried out by one national technical consultant. The successful consultant is expected to be responsible to develop a training of trainer materials on the Vietnamese Legal Code. with the following tasks:

1. **National technical consultant- (42 days)**

**General tasks:**

* Take ultimate responsibility for the final products
* Take the lead in discussions and responsibility for the whole process of the assignment with UNDP and the Department of Examination of Legal Documents (hereinafter referred to as the Department)

**Specific tasks**

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| **No.** | **Tasks** | **Number of working days** |
|  | Conduct desk review of the documents and materials relating to codification, UNDP drafted guideline of participatory training of trainers to propose the main contents of the training materials and implementation plan; discuss with the Department and UNDP to reach agreement on the contents of the training materials | 3 |
|  | Based on the approved contents, develop the detailed outline of the TOT materials, discuss with the Department and UNDP, and revise it upon comments and inputs of the Department and UNDP | 2 |
|  | Develop the training material for trainees based on the approved training outlines  | 8 |
|  | Revise the training material for trainees, based on comments and inputs from UNDP and the Department  | 3 |
|  | Develop trainer’s guide based on the training materials for trainees | 5 |
|  | Revise the trainer’s guide based on the comments and inputs from UNDP and the Department | 2 |
|  | Prepare, participate, and present the main contents and methodologies of the training materials at the two one-day technical meetings organized by the Department tentatively in Ha Noi. | 3 |
|  | Revise the training materials based on comments and inputs collected at the two technical meetings  | 4 |
|  | Prepare and facilitate a 2-day pretest training organized by the Department and UNDP tentatively in Ha Noi Prepare a pre-test training report highlighting issues to be taken consideration for further revision of the training materials and submit the report to UNDP and the Department, | 3 |
|  | Revise the training materials (trainer’s guide and training materials for trainees) based on the pre-test training results.Submit the complete package of training materials to UNDP and the Department for final review | 5 |
|  | Based on the finalized package of training materials, develop, and finalize summary of the training materials (trainer’s guide and training material for trainees) in both English and Vietnamese.Submit the summarized training materials (trainer’s guide and training material for trainees) to UNDP and the Department for review and approval  | 4 |
| **Total of days** | **42 days** |

# Deliverables & Implementation Timeline

**Final products**

The national consultant is expected to deliver the final products as follows:

1. **A package of training materials in Vietnamese, consisting of:**
	1. **Training handbook for trainees**

The handbook for trainees is structured by modules/topics for different lessons. Each module incorporates a detailed lesson plan, learning objectives, the content and reference materials relevant to the module and self – study questions, case studies.

The handbook for trainees must include at least two parts but not limit to:

(1) Overview of Codification: concept of codification, roles and importance of the codification; Structure of Vietnamese Legal Code; How to use the Vietnamese Legal Code.

(2) Instruction of professional skills of updating new legal normative documents, new legal topics in the Legal Code; Guideline of authority, responsibilities, and procedure and methodology of updating new legal normative documents on the software of Codification.

* 1. **Trainer’s guideline**

The trainer’s guideline is developed based on the training materials for trainees, will include but not limit to:

(1) Introduction of participatory training methodologies, guiding notes for trainers to conduct the TOT, suggested selection criteria for TOT participants

(2) Training agenda.

(3) Lesson’s plan for each of the modules (including objectives and expected results after the lesson; allocated time; training methodologies and steps for each of the activities; summaries for each of the lessons)

(4) How to conduct the training in virtual/online platform

(5) Visual aids (power points, videos, pictures, and other tools if any).

(6) Pre and post training evaluation forms; Training report template.

1. **Summary of the training materials in English and Vietnamese**, consisting of

**2.1. Training handbook for trainees**

Summary of the handbook for trainees that includes introduction, main contents of each module, exercises if any of each module, expected results upon each module.

**2.2. Trainer’s guideline**

Summary of the guideline for trainers that includes introduction of the trainers’ guide, objectives targeted trainers and trainees, methodologies and approaches, suggested selection criteria for TOT participants; detailed outline and training agenda; key content of each module/lesson; training report templates.

**Implementation timeline**

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| --- | --- | --- |
|  **No** | **Deliverable** | **Target due date** |
|  | Final detailed training outline and implementation plan approved by UNDP and the Department  | 15 November 2021 |
|  | Presentation of the training materials at the two technical meetings  | 15 December 2021 |
|  | Training material pretested at a two- day training workshop organized by the Department in Ha Noi. | 31 December 2021 |
|  | Final training materials (trainer’s guide and training handbook for trainees in Vietnamese)Final summarized trainer’s guide and training handbook for trainees in English and Vietnamese.  | 31 March 2022 |

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All outputs produced in this TORs shall remain the property of UNDP and MOJ Department of Examination of Legal Documents who shall have exclusive rights over their use.

The consultants may not use, reproduce such works without prior consent from UNDP and MOJ Department of Examination of Legal Documents.

# Duration of Assignment, Duty Station & Expected Places of Travel

**Estimated number of working days**: 42 days for national technical consultant

**Duty station**: Hanoi and home-based for national consultant.

**Expected places of travel**: None

# PROVISION OF MONITORING & PROGRESS CONTROL

The national technical consultant shall work collaboratively on this assignment, under monitoring of Program Officer in charge in the UNDP Governance and Participation Unit and MOJ Department of Examination of Legal Documents and deliver final products as described in Section IV above.

# ADMINistrative SUPPORT & REFERENCE DOCUMENTS

## Administrative Support

UNDP will collaborate with MOJ Department of Examination of Legal Documents to invite stakeholders to the technical meetings and pre-test training workshop for the draft products.

# DEGREE OF EXPERTISE & QUALIFICATIONS

UNDP selects one national consultant in consultation with MOJ Department of Examination of Legal Documents, with the following expected qualifications:

1. **National consultant**

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| **Qualifications** | * PhD degree of Law
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| **Relevant Professional Experience** | * Have at least 15 years of working experience in legal field; have professional experience in codification as an asset
* Have experience in developing training materials, experience in developing training materials in legal field, using participatory training methodologies as an asset.

Submission of a training material in the legal issues as author or co-author |
| **Other Competencies** | * Have experience in working with governmental organizations, and with UN agencies as consultant in legal field.
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| **Language Requirements** | * Excellent writing skills in Vietnamese and English.

Submission of a study report in legal issues in English |

# PAYMENT TERMS

**For National consultant:**

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| **No.** | **Deliverables as indicated in Section IV** | **Due Date**  | **Payment Amount** |
| 1 | Upon submission of deliverable 1 indicated in Section IV  | 15 November 2021  | 30% |
| 2 | Upon submission of all deliverables indicated in Section IV | 31 March 2022 | 70% |

# Consultant Presence Required on Duty Station

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| [x]  NONE | [ ]  PARTIAL | [ ]  INTERMITTENT | [ ]  FULL-TIME |

# Evaluation Criteria

1. **National technical consultant**

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| **No.** | **Requirement** | **Points** |
| 1 | PhD degree in law  | 100 |
| 2 | Have at least 15 years of working experience in legal field; have professional experience in codification as an asset  | 300 |
| 3 | Have experience in developing training materials in legal field, experience in using participatory training methodologies an asset.Submission of a training material in the legal issues as author or co-author  | 300 |
| 4 |  Excellent writing skills in Vietnamese and EnglishSubmission of a study report in legal field in English. | 200 |
| 5 | Having experience with governmental organization and with UN agencies as consultant in legal issue.  | 100 |
|  | **Total** | **1,000** |

## Documents for Submission

Applicants will be expected to include the following along with their application:

### Core Documents for national consultant

1. **Letter of Confirmation of Interest and Availability** using the template provided by UNDP;
2. **Current and complete CV** in English;
3. 01 **sample communication product for national consultant** as indicated above (if required);
4. **Financial offer** using the standard UNDP template.