



TEMPLATE FOR PROGRAMME PROPOSALS

Executive summary

The strategic focus of the proposal is to strengthen the capacities and role of DPOs in the advocacy, development, implementation and monitoring of legal frameworks and policies, to help ensure that the current momentum around ratification of CRPD actually results in the empowerment of people with disabilities and enables them to claim their rights.

1. Background

Official statistics state that in Viet Nam 6 million people live with disabilities, of which over 1.3 million are children, (or about 6.6% of the population). However an analysis from the governmental Vietnam Household Living Standards Survey based on the International Classification of Functioning, Disability and Health (ICF) leads to an estimate of as many as 15.3% of Vietnam's population living with disability.

The large number of persons with disabilities in Viet Nam makes it an issue high on the national agenda. Viet Nam is a signatory to the UN Convention on the Rights of Persons with Disabilities (CRPD), and in its first Universal Periodic Review in 2009 accepted recommendations to consider ratification of CRPD and to adopt a Law on Persons with Disabilities. This law was adopted in June 2010 (Law Nr. 51/2010/QH12, hereafter "LPWD"), and an Implementing Decree was passed in April 2012 (28/2010/NĐ-CP). Viet Nam is actively considering ratification of CRPD, as well as ILO Convention concerning Vocational Rehabilitation and Employment of Disabled Persons (No. 159) and is currently finalizing a National Action Plan to support people with disabilities.

While it will be important to further develop the national legal framework that is compliant with international standards, an effective implementation of the CRPD and the LPWD will only be possible with the active engagement of Disabled People's Organisations (DPOs) and the partnership between the State and DPOs. Only when people with disabilities (including children) are included in every step of the decision-making processes and in monitoring activities, will they be empowered to speak for themselves and only then will the legal framework materialize into the realization of rights. The development of civil society and of appropriate frameworks for civil society are however still in early stages and the involvement of civil society organisations into policy, decision and monitoring making processes are not 'natural' and require advocacy, especially from the UN Country Team.

The **main opportunities** of this proposal therefore are to:

- seize the momentum around the ratification of the CRPD, the ongoing development of policies and sub-laws of the LPWD to strengthen the participation of DPOs in these processes, in empowering people with disabilities to claim their rights, in monitoring implementation of CRPD and LPWD and in engaging in policy advocacy.

- build on the strong One UN structure in Viet Nam (which has piloted Delivering as One successfully since 2007) who has collectively a strong set of partnerships covering international human rights, legal empowerment and is already working on disability issues with the active engagement of DPOs (including partnership with Ministry of Foreign Affairs on the Universal Periodic Review (UPR) implementation and human rights, and multiple partnerships on access to justice and legal empowerment; community-based models for prevention, care and support for CWD, and employment-related policies and programmes for people with disabilities). The proposal can provide a successful demonstration model of the UN delivering as one on a key dimension of human rights, and strengthening State/civil society partnerships, thus supporting resource mobilization for further One UN programming to support implementation of CRPD in the future under One Plan 2012-2016¹ and in subsequent programme cycles.

The **main challenges** this proposal aims to address include:

- A political system which privileges top-down approaches and has not yet developed an appropriate policy space for civil society;
- A legal system based on administrative control and direction rather than on empowerment of rights-holders.
- A widespread misperception around disability with a tendency to regard people with disabilities as objects of charity rather than as bearers of equal rights;

The proposal **will build on the expertise and existing engagement** of UNDP in supporting ratification of international treaties, implementation and reporting, as well as legal empowerment of the rights of disadvantaged groups, the expertise and existing engagement of UNICEF in relation to child rights and disability, and the expertise and existing engagement of ILO in relation to employment-related policies and programmes, as well as the collective partnerships with different state actors of all three agencies, to ensure that appropriate legal and policy frameworks are developed and their implementation is effectively monitored and supported by DPOs, with particular emphasis on children with disability and on access of people with disabilities to the workplace.

2. Programme approach

The proposal will support the mainstreaming of participation of DPOs in ratification, developing implementation legislation and policies, monitoring and reporting on disability rights. It will ensure that the process of ratification and implementation of CRPD results in a rights-based legal and policy framework which can be used to support the realization of disability rights, in particular through the empowerment of DPOs to play a strong and continuing role in policy advocacy, monitoring and claiming their rights. This will set the stage for follow-on programming, firmly based in the current One UN Plan, to build the capacity of all actors in this framework to realize disability rights.

The entry points for the proposal include:

- The ongoing consideration of ratification of CRPD and ILO C. No 159 in line with Viet Nam's UPR commitment to consider ratification and in preparation for Viet Nam's next UPR in January 2014
- The adoption of the 2010 Law on Persons with Disabilities (LPWD) and the development of a National Action Programme for people with disabilities
- The existence of a strong civil society in the disability field, including a range of organizations, associations and networks established and run by people with disabilities themselves, an unusual

¹ The One UN Plan for 2012-2016, signed between the Government and UN agencies, is the framework for Delivering As One in Viet Nam. It contains a number of specific provisions relevant to disability programming (discussed in more detail in section 2 below).

strength in a country with an underdeveloped civil society in which rights-holders often lack organizations which effectively promote their voice;

- The potential to use the Delivering As One initiative in Viet Nam to realize synergies from existing relevant partnerships between UN agencies and Vietnamese counterparts (State and civil society) in the field of disability rights including:
 - A strong commitment in the UN/Government of Viet Nam One Plan 2012-2016, in particular Output 3.2.1 (“Policy, legal and regulatory framework strengthened to better reflect the rights of the most vulnerable groups, and increase their access to justice”) under which one of the indicators of success is “Proportion of recommendations made by the UN that are discussed, adopted and implemented by the Government in relation to the preparation for Viet Nam’s ratification of the UN CRPD, and which engages multiple national partners including the Ministry of Justice (MOJ), the Ministry of Labour, Invalids and Social Affairs (MOLISA), Ministry of Foreign Affairs (MOFA), Ministry of Public Security (MPS) and the Office of Government (OOG), with seven UN agencies engaged in providing support, including UNDP, UNICEF and ILO²;
 - Ongoing support from UNDP to the Ministry of Foreign Affairs in relation to the UPR, implementation of UPR commitments and preparation for the 2014 UPR, as well as building capacities to transpose international obligations into domestic law and to report to treaty bodies;
 - Ongoing support from UNDP in the field of legal empowerment, including working with a range of actors engaged in helping disadvantaged groups to claim their rights (legal consultancy centres of Viet Nam Lawyer’s Association, law university clinics etc.)
 - Ongoing support from UNICEF to the government agencies and others through its existing comprehensive cross-sectoral programme for children with disabilities (CWD). The UNICEF programme covers multiple sectors: Child Protection, Education, Health, Water and Sanitation, and Policy and Planning, and includes both national and sub-national activities. At the national level, UNICEF programme focuses on the legal framework and policies, including support for the development of the Law on People with Disabilities, and its guiding decree and circulars, strengthening coordination mechanism. At the sub-national level, areas of focus are strengthening local-level data and information systems, advocacy and public information and awareness, capacity development, coordination and provision of integrated services.
 - Ongoing ILO engagement with both the Government, workers’ organization and employers’ organizations as well as the civil society DPOs to mainstream disability rights in national employment-related policies, laws and programmes including;
 - Cooperation with National Assembly and Government agencies to reflect CRPD employment rights in employment-related policies and legal framework;
 - Conducting of a feasibility study and regulatory impact assessment of the ILO Vocational Rehabilitation and Employment (Disabled Persons) Convention, No. 159 1983;
 - Collaboration with Hanoi Law University in developing a module on disability-related legislation in the law curriculum
 - Support to the development of disability inclusion support services provided by DPOs. To date Hanoi Disabled People’s Association (DP Hanoi) has been supported in providing disability sensitization and policy advice to agencies and organizations at national level on the steps required to effectively include persons with disabilities in general programmes and services, in line with the requirements of the CRPD and in line with ILO C.No 159. This support will in the coming time be extended to other DPOs and disability advocacy groups in different regions, subject to the availability of funding.

Examples of the strategic synergies to be realized through the programme include:

² in addition the One Plan contains a number of other specific disability-related commitments in the areas of employment and education

- Bringing UNICEF and ILO expertise to bear on the specific focus areas of CWD and employment-related policies and programmes in relation to preparation for ratification of CRPD, bringing legal frameworks and implementation plans in line with international good practices on disability and the CRPD;
- Building on existing partnerships on the one hand with the National Assembly, the Government, workers' and employers' organizations, and on the other hand with DPOs, to strengthen the role of DPOs to engage in policy dialogue on the feasibility of the ratification and implementation of CRPD;
- Providing strong advocacy and technical advice to the government in the development/revision of policies and programmes on or related to disability, including general laws such as the Labour Code;
- Strengthening the capacity of the workers' and employers' organizations as well as DPOs to support legal empowerment of people with disabilities, using both ILO and UNDP expertise and by forging links with legal service providers who currently partner with UNDP.

The main capacity-building elements of the programme will include:

- Building capacity of duty bearers (government agencies and parliament) to adopt a disability rights-based approach in the legal and policy framework;
- Building capacity of duty bearers (government agencies and parliament) to create a space for engagement of DPOs in policy advocacy and monitoring
- Building capacity of DPOs to engage effectively in policy analysis and monitoring and to collaborate with other organizations to support legal empowerment of people with disabilities especially in relation to key rights such as access to employment, education and health services
- Building the capacity of social partners - employers' and workers' organizations – to effectively support the implementation of employment-related laws and policies concerning persons with disabilities

3. Objectives and expected results

Table 1. Expected impact

Impact		
By 2015, People with disabilities, including children with disabilities, enjoy improved access to employment, health, education and protection services		
Impact indicators		
Indicator	Baseline	Means of verification
Number of People with disabilities in employment	6 millions People with disabilities	MOLISA report
Number of children with disabilities finishing primary education	15%	MOET and MOLISA reports
Number of children with disabilities receiving cash transfer through the Government	100,000 CWD	Report of MOLISA/DOLISA

Table 2. Expected outcomes

Outcome 1		
OPDs actively engaged in ratification, implementation and monitoring of CRPD through strengthened policy and legal frameworks		
Outcome indicators		
Indicator	Baseline	Means of verification
CPRD ratified	VN signed CRPD in 2007, agreed to consider ratification in 2009 UPR	Deposit of instrument of ratification
Number of new/ revised institutionalized mechanisms and processes for people with disabilities and DPOs to comment on and influence pending policies and legislation	0	UN will monitor adoption of regular policy dialogues or other mechanisms instituted after commencement of project
Number of reports on implementation of disability rights submitted by DPOs to UPR, treaty bodies etc.	0	Written reports submitted by OPDs as part of NGO reporting process
Number of written submissions by OPDs on draft sub-laws, policies and programmes on disability	0	Written submissions submitted by OPDs to Government agencies on draft laws and policies
Outputs (by contributing agency)		
Formulation	Tentative timeline	
1.1. Build capacity of OPDs to provide input to State agencies on the design and implementation of laws and policies on disability especially in relation to health, education, protection and employment (UNICEF, ILO)	2012-2014	
1.2. Support OPDs to advocate for ratification of CRPD, and to advise on and advocate for effective implementation of CRPD post-ratification (UNDP)	2012-2014	
1.3. Support OPDs to participate in reporting on implementation of disability rights in the context of UPR and reports to CRPD committee and other relevant treaty bodies (UNDP)	2012-2014	
1.4. Support OPDs to consult with people (including children) with disabilities and to provide input to development of laws and policies including Decree on administrative sanctions in violation of the LPWD and its guiding circulars, and finalization of the circular on assessment of levels of disability to receive social assistance, and other relevant laws, sub-laws and policies (UNICEF, ILO)	2012-2014	
1.5. Convene policy dialogue fora at national and local levels to bring OPDs and Government agencies together with development partners to discuss rights of people with disabilities (including children with disabilities) in health and education and other policy areas, and access to employment for people with disabilities (UNICEF, ILO, UNDP)	2012-2014	
Outcome 2		
People with disabilities (including children with disabilities) empowered by DPOs to claim their rights		
Outcome indicators		
Indicator	Baseline	Means of verification
	Baseline survey to be conducted	End of project survey

Number of people (including children) with disabilities trained on disability rights under CRPD and national legal/policy frameworks		
Number of people with disabilities receiving free legal assistance	Baseline survey to be conducted	End of project survey
Number of people with disabilities able to solve legal problems with support from OPDs	Baseline survey to be conducted	End of project survey
Outputs (by contributing agency)		
Formulation		Tentative timeline
1.1. Build capacity of DPOs and other organizations to empower people with disabilities to claim their rights (UNDP, UNICEF, ILO)		2012-2014
1.2. Support DPOs to implement communication activities to promote the rights of and social inclusion for People with disabilities, including Children with disabilities (UNDP, UNICEF, ILO)		2012-2014
1.3. Support OPDs to provide legal empowerment services to people with disabilities, including legal clinics and follow-up actions to support people with disabilities to resolve legal problems through formal or informal dispute settlement mechanisms (UNDP)		2012-2014

4. Management arrangements

The chosen approach corresponds to the “broad based programme approach”. To ensure a collaborative approach UNCT Viet Nam has selected two strategic outcomes which will be jointly achieved by the three participating UN agencies, ILO; UNICEF and UNDP. Based on its mandate and comparative advantage, each UN agency will be responsible for specific outputs under each outcome. In terms of implementing arrangements it is proposed that each participating UN agency is designated as a participating organization (PO) meaning that there will be 3 POs in charge of implementing their agency specific commitments under outcomes 1 and 2.

The Country-level Programme Steering Committee (involving all three UN agencies) will meet once a year with the partnering DPOs and government counterparts for annual work plan approval and for progress reporting.

The Jointness of the proposal will be guaranteed by the quarterly meetings of the Country-level Programme Steering Committee. In those meetings UN agencies will discuss the planned activities in detail and discuss how each agency will contribute to the specific outputs. If deemed necessary support can be requested from Headquarters or from Regional Service Centers.

Table 3. Implementation arrangements

Outcome number	UNPRPD Focal Point	Implementing agencies	Other partners
Outcomes 1 and 2 UNDP component	UNDP Outcome 1: Outcome:2	<ul style="list-style-type: none"> Vietnamese Federation on Disability (Lien Hiep Hoi ve Nguoi Khuyet Tat Viet Nam, "VFD") 	<ul style="list-style-type: none"> Provincial associations of People with Disabilities under VFPWD, other OPDs at national and provincial level, associations of parents, Legal Aid Agencies, Legal Consultancy Centres under Vietnam Lawyer's Association and other institutions at local level
Outcomes 1 and 2 UNICEF component	UNICEF Outcome 1: Outcome 2:	<p>MOLISA, NCCD</p> <p>MOLISA, NCCD, DOLISAs in selected provinces</p>	<p>VFD, USAID, VNAH</p> <p>Ministry of Culture, Sport and Tourism, Media agencies, Viet Nam Association for Victims of Agent Orange (VAVA)</p>
Outcomes 1 and 2 ILO component	ILO Outcome 1: Outcome 2:	MOLISA	VGCL, VCCI and DPOs

5. National ownership, participation and partnership-building

Max 500 words; ref. UNPRPD SOF Section 3.1.3

The proposal was developed in consultation with representatives of a State agency and DPOs: the National Coordination Committee on Disability (NCCD) who is also representing the Ministry of Labour, Invalids and Social Affairs, the Viet Nam Federation on Disability (VFD), the Hanoi Association for Disabled People, and the Viet Nam General Confederation of Labour.

The programme envisages a key role for DPOs throughout:

- The programme will work directly with selected DPOs, in particular those run by and for People with disabilities, to build their capacities in policy advocacy, monitoring and evaluation and legal empowerment
- The programme will work with State actors to support the systematic inclusion of DPOs in consultations about law and policy making, in mechanisms for monitoring and evaluation of implementation of CRPD and the National Action Plan for disability, and in ensuring a role for DPOs in legal empowerment

DPOs and government partners will be actively involved in the implementation of the aforementioned outputs.

Every year a consultation will take place with the Country-level Programme steering committee, the DPOs and governmental counterparts to report on progress, to evaluate the achieved results and to decide on the way forward.

The said consultations and planned activities will create linkages between governmental and non-governmental organizations and will decrease the distance for further partnerships.

6. Knowledge generation and potential for replication

Max 500 words ref. UNPRPD SOF Section 3.1.4

The monitoring of the proposed indicators will happen during quarterly meetings of the Country-level Programme Steering Committee (UNDP, UNICEF and ILO). Each UN agency will report on the progress made. Those meetings will also allow us to discuss synergies, challenges and specific activities that will be carried out jointly. They will be hosted by each one of the three UN agencies on a rotatory basis.

Viet Nam as a pilot country for the One UN has established eight Programme Coordination Groups (PCGs) which are coordination mechanisms to ensure coordinated and effective implementation of the One Plan results. Those PCGs will be used as fora to share experiences, good practices and lessons learnt and to mainstream our work among the other UN Agencies in Viet Nam on a biannual basis. This will enable the other UN Agencies in Viet Nam to benefit from our experiences and replicate the good practices into their programmes.

The recent creation of a One UN intranet for better knowledge management will be instrumental for documenting the good practices and lessons learnt.

UNDP, UNICEF and ILO will work closely together on the two proposed outcomes. The comparative advantages of the three UN Agencies will be combined to achieve greater results for all People with disabilities. The efforts of UNDP, UNICEF and ILO will bring their respective partners together to catalyze the effect of advocacy on the ratification of the CRPD, the implementation laws, decrees and circulars and the empowerment of DPOs to claim their rights.

7. Budget

Please use the template below, based on the format approved by the UNDG Financial Policy Working Group, to provide overall budget information. Please also utilize the attached Excel spreadsheet to provide a budget breakdown by fund recipient (Sheet 1) and by outcome (Sheet 2).

Overall budget							
Category	Item	Unit cost	No. units	Total cost	Request from UNPRPD Fund	UNDRPD POs cost-sharing	Other partners cost-sharing
Supplies, commodities, equipment and transport							
	Printing and equipment			67,000	37,000	30,000	
Personnel (staff, consultants, travel and training)				68,000	50,000	18,000	
Training of counterparts	Costs for consultative workshops, meetings and trainings			208,991	158,991	50,000	
Contracts	Technical expertise (fees for international and national consultants)			140,121	81,112	59,009	
Other direct costs							
Subtotal				484,112	327,103	157,009	
Indirect costs (7%)				33,888	22,897	10,991	
Total				518,000	350,000	168,000	