

## TERMS OF REFERENCE

<b>Position Title:</b>	<b>Program Manager, Law and Regulatory Reform</b>
<b>Position Description:</b>	Long-term position responsible for supporting activities in the area of legal and regulatory reforms
<b>Report to:</b>	Senior Manager, Trade and Economic Policy or as otherwise assigned
<b>Main place of work:</b>	Hanoi, Vietnam

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## BACKGROUND

The USAID Governance for Inclusive Growth (GIG) Program (the Program) aims to assist efforts by the Government of Vietnam (GVN) to achieve sustainable and equitable economic growth by working with the Government of Vietnam, its private sector, and civil society organizations to maintain the momentum in expanding market reforms, institutional modernization, and global integration in trade. The Program strives to ensure that growth reaches all segments of Vietnam's population by implementing targeted initiatives to address the unique challenges faced by historically disadvantaged and vulnerable groups, as well as to empower women.

The Program has five high-level objectives:

1. Increased trade and investment
2. Enhanced private sector competitiveness
3. Strengthened rule of law and judicial effectiveness
4. More effective public administration and financial management
5. Greater social and economic inclusion for all citizens

The Program is providing technical assistance, training, and other direct support to the GVN, under the lead of the Ministry of Justice (MOJ), and in coordination with other government counterparts – Ministry of Finance (MOF), Ministry of Industry and Trade (MOIT), Ministry of Planning and Investment (MPI), State Audit Office of Vietnam (SAV), and the National Assembly (NA) – to strengthen policy-making, implementation, oversight, performance management, and other accountability mechanisms. The Program is promoting greater exchange, networking, and sharing of information nationwide among the government, private sector, and civil society organizations, including social organizations, research centers, and universities. Program activities include, but are not be limited to: providing training programs and workshops; data collection and analyses; public awareness forums and communications campaigns; technical assistance particularly in relation to Vietnam's commitments under the Trans-Pacific Partnership (TPP); grants to empower and increase economic participation of women, ethnic minorities, and other vulnerable groups; and facilitation of innovative partnerships with the business community.

The Expected Results (ERs) of the program are:

- ER 1: A clear and transparent legal and regulatory framework (Trade, Legal, and Regulatory Reform);
- ER 2: Improved accountability of public institutions (Governance and Accountability); and
- ER 3: Improved inclusion and expanded opportunities for vulnerable populations (Inclusive Growth).

## INDICATIVE RESPONSIBILITIES OF THE POSITION

Within the framework of approved Annual Work Plans (AWPs), the **Program Manager, Legal and Regulatory Framework (Manager)** supports coordination among counterparts within the Government of Vietnam (GVN). Consistent with the Program's focus on inclusive growth, the Manager must support coordination with the private sector and the public to provide technical assistance to the respective GVN counterparts to ensure that Vietnam's laws and regulations are revised and implemented in compliance with the Constitution, the Law on Laws and other fundamental codes of Vietnam as well as requirements of the international treaties including the Trans-Pacific Partnership (TPP) agreement, including but not limited to:

1. Jointly identify and prioritize specific interventions as directed in support of fulfillment of a transparent and efficient legal and regulatory framework.
2. Assist in achieving performance indicators and targets in cooperation with the Program's monitoring and evaluation team.
3. Support the management and implementation of annual work plans and direct technical assistance (DTA) agreements in close cooperation with the counterparts and other Program staff, including the administration, finance, communications, monitoring and evaluation, legal and regulatory, governance and accountability, and inclusive growth teams.

The approach is based on the following principles:

- The partner GVN agencies lead and take ownership of the process.
- Relevant stakeholders from business, academia, think tanks, and civil society participate in a structured public-private dialogue that the Program facilitates.
- Prioritization of interventions and reform focuses on activities that have systematic impact, and that are ambitious but achievable and measurable.
- Maximization of inclusiveness, i.e. activities that yield equality of benefits and opportunities in Vietnam.
- Building of targeted sustainable capacity among government, public sector, and private sector.

In the context of the approved annual work plans, the position will provide technical assistance to GVN counterparts, private sector, and public sector in support of, but not limited to, the following:

- Work closely with the GVN counterparts and relevant private sector stakeholders to facilitate legal and regulatory reforms, and to foster and facilitate a structured and effective public-private dialogue.
- Comparative legal research and drafting of revised laws and regulations.
- Assist the GVN with identification of barriers, development of interventions, and implementation of good practice reform initiatives to improve the legal and regulatory environment in support of inclusive economic growth.
- Assist the GVN counterparts and businesses to improve coordination and consultative dialogues, coordination, and information-sharing among GVN counterparts.
- Assist the GVN counterparts, and private stakeholders to develop and implement action plans to improve a legal development process that improve harmonization and coherence of regulations and with international best practices, as required by the Trans-Pacific Partnership (TPP), and other international agreements.

- Assist GVN counterparts with the development and utilization of user-friendly management tools to identify and prioritize performance gaps, monitor implementation of action plans for harmonizing laws and regulations, and report regularly on progress in achieving objectives.
- Cooperate with the monitoring and evaluation team to develop M&E capacities within the GVN counterparts.
- Cooperate with the GVN counterparts and other Program staff to harmonize Vietnam’s laws and regulations with the TPP as required.
- Provide targeted capacity-building to assist with alignment of incentives, mobilization of resources, and coordination with other counterparts to strengthen compliance with legal, regulatory, and other requirements to participate in the TPP.
- Based on specific recommendations from Vietnam’s businesses and legal communities, jointly prioritize specific interventions to improve the overall business and legal environment to comply with, and fully benefit from, the TPP.
- Facilitate capacity-building, technical assistance and consultations, surveys, workshops and trainings, the mobilization of resources, and coordination of assistance to avoid duplication with other donor programs to harmonize rules and practices and ensure compliance with legal, regulatory, and institutional standards required to meet international commitments.
- Prepare briefing notes on findings and recommendations from consultations and play an active role in research, analysis, consultations, planning, and advocacy.
- Collaborate closely with Program counterparts and other teams to identify joint training needs and capacity building needs.

The Manager is expected to contribute to the achievement of Program results by undertaking other tasks, duties, or leadership responsibilities as directed by the supervisor, consistent with program objectives and the technical skills required for the position.

The Manager will cooperate with other staff toward achieving program objectives through effective communication, team building, incentives, and responsiveness to the Program’s evolving needs.

The Manager will coordinate daily with other Program staff. The Manager will at all times adhere to and act according to the Chemonics Professional Code of Conduct (“Living Our Values”), and will contribute to the code being a part of the Program’s culture and practices.

## **PLACES OF WORK**

The main place of work will be Hanoi, Vietnam. Travel inside the country is expected, as required by program activities. Work and travel will be in compliance with the policies and procedures of the Program, per USAID rules and Chemonics policies.

## **QUALIFICATIONS AND KEY COMPETENCIES**

- Demonstrated knowledge of legal and governance expertise, law, and public policy required.
- Demonstrated knowledge of Vietnamese legal and regulatory challenges, and opportunities for strengthening law-making and policy-making.
- Experience working with GVN and non-governmental counterparts.
- Thorough understanding of the policy making and law making processes (policy analysis, policy formulation, advocacy, monitoring, and evaluation) and legislative procedures.

- Demonstrated strong communication and interpersonal skills, and strong intellectual and operational capacity in planning and coordinating research, advocacy, collaboration, and facilitating agreement on Program activities, among Program staff and counterparts. .
- Good communication and interpersonal skills, including demonstrated capacity to coordinate direct technical assistance with the Program’s counterparts, USAID, and other donors.

## **EXPERIENCE AND EDUCATION**

- Degree or equivalent in law. Master degree preferred.
- Minimum of 5 years working experience in the area of policy development, legislative procedures, or social development preferred.
- Fluent written and spoken English and Vietnamese required.

## **HOW TO APPLY**

Applications will be reviewed on a rolling basis. The position will remain open until filled but applications by **COB November 8<sup>th</sup>, 2016** are highly encouraged. To apply, please submit an expression of interest and CV only to [HR@VietnamGIG.com](mailto:HR@VietnamGIG.com). Other supporting documents are not required until the final round of interview. Please include the position of interest in the subject line email following this format: Application - Name of position – Your full name. Only short-listed candidates will be contacted. No telephone inquiries please.