



EVALUATION OF AN ON-GOING PROJECT

Viet Nam

Project VIE/01/025

Improving the Regulatory Environment for Business

Mission members

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TABLE OF CONTENTS

ABBREVIATIONS	3
1. EXECUTIVE SUMMARY	4
1.1 FINDINGS	4
1.2 LESSONS LEARNED.....	5
1.3 RECOMMENDATIONS.....	6
2. INTRODUCTION	9
3. PROJECT DESIGN	9
3.1 THE PROJECT ENVIRONMENT.....	9
3.2 THE PROJECT DOCUMENT AND ITS EVOLUTION	12
3.3 OVERALL VALIDITY AND RELEVANCE OF THE PROJECT.....	15
4. PROJECT IMPLEMENTATION AND ACHIEVEMENTS	17
4.1 PROJECT OUTPUTS.....	17
4.1.1 <i>Direct support to the EL and IL drafting and implementation process</i>	17
4.1.2 <i>Dialogue between business people and policy makers</i>	19
4.1.3 <i>Support to the implementation of Enterprise Law</i>	20
4.1.4 <i>Studies and research activities</i>	21
4.1.5 <i>Other activities</i>	22
4.1.6 <i>Some observations on multiplicity and usefulness of studies and reports</i>	22
4.2 PROJECT MANAGEMENT	23
4.3 INSTITUTIONAL ISSUES.....	27
5. FINDINGS AND LESSONS LEARNED.....	32
6. RECOMMENDATIONS	35
ANNEX 1. BRIEF INDEPENDENT TERM OF REFERENCE	40
ANNEX 2. SELECTED LIST OF DOCUMENTS CONSULTED	43
ANNEX 3. LIST OF ORGANIZATIONS AND PEOPLE INTERVIEWED	45

ABBREVIATIONS

ABA	American Bar Association
BTA	Bilateral Trade Agreement (with USA)
CIEM	Central Institute for Economic Management
(C)IL	(Common) Investment Law
DC	Drafting Committee
DBM	Domestic Business Meetings
DPI	Department of Planning and Investment
EL	Enterprise Law
EU	European Union
FDI	Foreign Direct Investment
FIE	Foreign Invested Enterprises
GtZ	German Technical Cooperation
MOJ	Ministry of Justice
MPDF	Mekong Private Sector Development Facility
MPI	Ministry of Planning and Investment
NA	National Assembly
NBIN	National Business Information Network
NEX	National Execution
NPD	National Project Director
OOG	Office of the Government
PMRC	Prime Minister's Research Commission
PMU	Project Management Unit
PO	Program Officer
RIA	Regulatory Impact Assessment
SGELI	Steering Group on Enterprise Law Implementation
SME	Small and Medium Development
SMEPG	Partnership Group for SME Promotion and Private Sector Development
SOE	State Owned Enterprise
STA	Senior Technical Advisor
STAR	Support for Trade Acceleration Project
ToR	Terms of Reference
(U)EL	(Unified) Enterprise Law
VCCI	Vietnam Chamber of Commerce and Industry
VNCI	Vietnam Competitiveness Initiative
WTO	World Trade Organization

1. EXECUTIVE SUMMARY

1.1 Findings

- With the joint passage of the EL and IL in late 2005, the project as whole, and certainly the revised project, can certainly said to be a **success**. It is generally opined that the laws are better and were developed in a shorter time because of the project.
- The project has been valid overall. Its subject area is highly relevant and well aligned with the developments in the business environment during recent years and priorities for the coming years.
- The intervention areas address key constraints and challenges to success, and equally important, take into account both the technical reform substance and the actual reform processes.
- The project has definitely contributed to an improved law drafting process through better policy studies and wider consultations. But these are not fully sustainable, as long as government budgets remain inadequate.
- The project has also successfully promoted and gained acceptance for consultation and dialogue between government and business, but not achieved institutionalization and professionalization.
- The project produced a large number of studies and reports on regulatory topics and drafting issues, many of definite value and usefulness, but would probably have gained in impact by concentration.
- Support to the 1999 Enterprise Law implementation and media advocacy was quite successful and innovative, at least in the earlier years of the project, less so as attention shifted to the drafting of the two new laws.
- The choice of CIEM as the key project partner is highly valid because of its excellent commitment, appropriate expertise and capacity and leading roles in economic reform in Vietnam. The same is valid for the support to PMRC via the project.
- The project document (and its modifications) has only partially reflected the “real” and evolving project and has played a relatively limited role in guiding the project, except on the level of overall goal and target.
- The initial spread of target areas and outputs may have been too wide and dispersed to be really effective, but the project later became more focused and concentrated.
- The very flexible and dynamic shifting of project focus and concentration of effort, formal and informal, as priorities have shifted in the reform process has contributed to maintaining the relevance and validity of the project. But

this flexibility and successive concentration strategy are somewhat after-the-fact constructions.

- Management of the project has been strong and effective, but highly informal and ad hoc, both at the overall and at the operational level. This has been a definite strength for a highly process-oriented policy reform project in a rapidly evolving environment, but risky, as success almost wholly depends on the personal qualities and interactions between the project management team members on both sides and other fortuitously concurring factors.
- Monitoring has been informal and rather anecdotal. This has not seriously affected the overall success of the project, but it has as a consequence it is not possible to assess the direct usefulness and impact of individual project activities and products except in a very general sense. This may also have delayed the shift in focus and concentration on fewer priorities, with some loss of efficiency in resource use.
- The “knowledge management” aspect of the project has not been adequately recognized, and this has probably resulted in less effective support. Also, the opportunities for promoting reform networks were not well utilized.
- Capacity building in the hard sense has been limited, mainly ad hoc and personal for certain staff. However, the “confidence capacity” of CIEM in itself as an effective policy advocate does seem to have increased as the result of UNDP support over the two projects.
- UNDP has several comparative advantages over other donors in doing similar projects: its track record of successfully supporting initial breakthroughs in reform in Vietnam, its reputation as a neutral and disinterested party, and its being a truly global supplier of technical assistance.
- Despite there being quite a number of project and initiatives dealing with the business regulatory reform, and several donors supporting CIEM itself, there do not seem to have been any direct overlap or duplication. On the contrary, the multiplicity and diversity have probably been an advantage by enhancing reform momentum and dialogue.

1.2 Lessons learned

- A project that is essentially oriented towards process support needs to be designed, structured and presented differently from ‘blueprint’ projects, and needs to be managed with a high degree of flexibility and rapid decisions.
- The non-formal and soft skills of project managers, programme officers and advisors are essential to success in managing process projects, skills that normally are not identifiable from CVs.

- Process projects are inherently more risky and sensitive to presence or absence of “success factors”. Success may not be easily replicable. Effective and continuous monitoring is essential, both formal and informal.
- Explicit attention to knowledge management aspects should be part of all projects that concern policy studies and reform, advocacy, stakeholder dialogue and consultation, and generally where production and application of information is major component. This should not only be reflected in design and execution, but also in monitoring and outcome assessment criteria.
- Passing laws is only the first step; the really difficult part in Vietnam is effective implementation in actual practice. There is thus continued critical need for an effective and dynamic reform champion, with the means and resources to push and monitor the implementation process.
- Only CIEM and PMRC that could take on this role. Although the bulk of actual support to implementation would be at the provincial and local level, only organizations at the national level can be effective overall advocates for reform and guard against regulatory backsliding.
- CIEM has shown itself capable of absorbing and making good use of external support, and of taking on board new concepts and techniques. However, the CIEM government budget will remain inadequate for the foreseeable future. Without extra support the momentum of CIEM will dissipate. By and large, the same applies to PMRC, although since it is a lighter and looser structure, the resource squeeze may be somewhat less constraining.

1.3 Recommendations

There definitely is a case for further support to CIEM and PMRC in the field of business regulatory reform. Conceivably, support could come from other sources than UNDP. However, the comparative advantages of UNDP mentioned earlier are still valid. Also, with careful focus of support, there is reasonable chance of making a ‘flagship’ difference in the “implementation climate” with relatively small amounts of money. Furthermore, such support would have synergy with more substantial support by others to business environment development and to EL and IL implementation at the provincial level.

- **We therefore recommend that UNDP consider continuing to support CIEM as well as PMRC.**

This recommendation has two levels.

The **first level** concerns “minimum” support focused solely on consolidating and sustaining the results and impacts of the support from the current project. This

is considered highly desirable in order not to jeopardize the real achievements so far, irrespective of whether support is also given on the second level.

1. Follow-up (Monitoring, assessment, consultation and advocacy) on the EL and IL implementation.
2. Development, testing and application of a practical but rigorous model and package for implementation monitoring of the two laws, based on international state-of-the-art but adapted to Vietnamese realities
3. Monitoring, assessment, consultation and advocacy on continuing business regulatory reform, overall but also especially at sub-law level (actions by ministries, provinces etc).

The comparative advantages of UNDP are still valid here, apart from the fact that this is a natural follow-up of the previous project. Both CIEM and PMRC would have roles here, especially in (1) and (3). Although PMRC was primarily involved in the pioneering regulatory impact assessment attempt, CIEM would be mainly responsible for (2), as the challenge now would now be institutionalizing a new model.

The **second level** concerns general support to the main priority tasks of CIEM and PMRC in business regulatory reform for the next 3-4 years, as broadly spelled out in the 10th Party Congress resolutions and later in Government directives.

CIEM has already prepared a draft concept paper on what could be included in a new project. It is beyond the scope of this evaluation to comment in any detail on contents and priorities, except to repeat that support per se is recommended, for reasons given above.

But the experience of this project, the combination of success factors and the comparative advantages of UNDP may be less compelling for the new project, as the issues are broader and involve an even wider range of stakeholders and sectors. There is more dispersion of action and timelines, and not so many visible and symbolic goals (once WTO accession is secured). On the other hand, the UNDP cooperation has shown itself to be effective and productive, so one could argue that it would be a pity to dismantle a mechanism that works well.

However, the emphasis at CIEM and PMRC would still be mainly national, and this may conflict with the desire to have a more provincial and local focus. Support to reforms at both national and local levels are useful and needed, but whether to support one or the other or both is a UNDP policy prioritization that goes beyond the scope of this report.

- **An exit strategy should be included**

Support at whatever level should include an exit strategy that will determine and ensure sustained and adequate Government funding for CIEM and PMRC to fulfill their tasks with progressively less external support.

- **Recognize the process aspects more explicitly in the project design.**

Policy reform is both a process and technical issue. The project document should reflect this through more attention to defining the mechanisms through which the desired objectives and outcomes are to be achieved; the monitoring criteria for reorienting or discontinuing support; and how to ensure that advice and information is optimally injected into the reform process for maximum impact.

Support to process facilitation should be major duty of any international senior technical advisor (or equivalent)

- **Knowledge management**

Knowledge management and promotion of networks, international as national, are essential elements of capacity building for policy reform. These should be explicit components of any policy reform support project. Assistance with these two elements should be included as major duties of any international senior technical advisor.

2. INTRODUCTION

This report is an independent evaluation of a project at the Central Institution of Economic Management (CIEM) under the Ministry of Planning and Investment, funded by UNDP under national execution mode, designed to improve the regulatory environment for business in Vietnam, with the overall goal of contributing to increased employment and income through an expanding, mainly private, business sector, stimulated by an enabling environment. In concrete terms, the project has supported the process of elaborating and promoting new and improved business and investment laws, as well the work of actively identifying and overcoming constraints to their implementation and effectiveness. Its goal achievement is summarized and symbolized in the adoption of the Enterprise Law and Investment Law in late 2005 and enabling decrees in 2006.

This support has been channeled to and through CIEM as the leading operational policy institution in the field of economic management reform.

It is a 4.5 year project which effectively started in April 2002 and which will finish at the end of 2006, with a total budget of USD 2.5 M. It was preceded by a similar 4 year project (VIE/97/016) of about the same magnitude, the goal achievement of which can be summarized in the adoption of the 1999 Enterprise Law.

The evaluation took place during May-June 2006, and is based on interviews with some 35 stakeholders, studies of relevant documents and outputs, as well experiences from other reform processes and support projects. The evaluation team consisted of an international and a national consultant.

3. PROJECT DESIGN

3.1 *The project environment*

The overall context and characteristics of Vietnam's high growth and rapid economic transformation during recent years is well known and will not be repeated here¹. The Enterprise Law, which came into effect in 2000 was the "flagship" change in business regulatory environment by introducing the business registration mechanism, acknowledging the rights and freedom to do business on the principle that the citizens are allowed to do whatever business which are not prohibited by the law, and (in principle) eliminating the "licensing" mechanism. Instead, we will just highlight some selected aspects of the business regulatory reform process that we feel are directly relevant in assessing this project.

¹ See Vietnam development report 2006 "Business" (December 2005)

Contradictory forces in change process

- Strong recognition at the highest political levels, that a continually and rapidly growing private domestic and foreign-invested business sector is paramount in achieving development targets.
- Growing recognition in society at large of the positive role of private business, as well as spreading willingness and action to personally engage in setting up and running formal businesses, leading to greater domestic “demand” for business regulatory reform.
- Strong external current and future potential pressure from globalization and integration to further substantially reform the business environment, with WTO accession and adjustment as the highly visible “magnet” and symbol.

However, these positive forces for change are counterbalanced by strong negative forces:

- A persisting legacy in mindset and attitudes from the command economy period among a significant fraction of civil servants and cadres, reflected inter alia in preference for prohibitions and sanctions rather than facilitation and incentives; one-way communication rather than two-way stakeholder dialogue; for administrative discretion rather than transparent and consistently applied rules.
- A lagging pace and effectiveness of public administration reform relative to economic reform, impacting negatively on the pace and quality in implementation of new business laws and regulations. And, generally, a still evolving legal and judicial system.
- Large and significant vested interests in perpetuating the current system, as the otherwise beneficial reforms would tend to – or are perceived to - reduce the legitimate powers and scope of concerned agencies, as well as the opportunities for rent-seeking and other non-legitimate perks, without any compensating incentives.
- Still quite limited knowledge and skills relevant to the management, operation and development of a modern market economy among stakeholders, primarily but not exclusively within the public administration. This is especially pronounced at local levels.

There are several important implications of the above dynamic and evolving “balance of forces”.

- Firstly, sustained and continuing improvements in the regulatory environment for business will not happen unless there is effective and dedicated “champion” and owner of the issues that has the means and influence push the reform agenda forward, and guard against backsliding.

- Secondly, the degree of success is only partly predictable beforehand, and the factors for success can only partly be influenced by the “champion” or indeed any single stakeholder.
- Thirdly, while elaborating appropriate policies and reflecting them in high-quality laws and decrees are critical and important, it is but half the battle. Effectively implementing them in practice and in spirit is a major difficulty across all sectors, and arguably the main impediment to reform success. This is compounded by a lack of effective strategies, techniques, tools and adequately funded support mechanisms for ensuring and monitoring implementation suitable to the Vietnamese context.

The legal drafting process

Although the capacity and quality of law making has increased quite substantially in recent years, it still needs to improve to keep pace with the requirements of socio-economic development and global integration.

- In the current practice, the work of the law-drafting committees appointed for each major law is at the heart of the reform process. Concentration of work to this stage has advantages in creating a dynamic and visible temporary structure with clear result and deadline focus, but also results in some weaknesses².
- Policy research, analysis and arbitration prior to actual drafting is limited both in volume and quality, and furthermore seldom gives enough attention to the preconditions, requirements and capacities for implementation, or to prospective analysis of effects and impact³.
- The drafting committee mechanism and selection of members tends to overemphasize sectoral and agency interests and underutilize outside expertise or consultations with stakeholders, leading to quality problems and lack of balance. This is compounded by severe under-funding of the drafting process that prevents broad and repeated stakeholder consultations and wide use of outside expertise.
- Operational policy studies and arbitration on substance become too intertwined with the technicalities of legal drafting and sectoral “negotiations”, with risk for information overload and time squeeze for the drafting committee.

² Similar and other observations are also made in Improving the quality of business laws – a Quickscan of Vietnam’s Capacities & Introduction of International Best Practices, PMRC/GTZ/UNDP, 2005.

³ In this context, the regulatory impact assessment conducted by the project (with PMRC and GTZ) was a pioneering attempt to address some of these aspects. Although the quality of this first experience can be debated, it did demonstrate the pertinence of the approach and the need to develop appropriate skills.

- Thorny points not resolved in the give and take of drafting the law tend to be pushed forward to the implementing decree drafting stage. The decrees thus in some ways become de facto supplements to the law, rather than just interpretations.
- Laws normally require a panoply of implementing decrees, decisions and circulars before they can become effective, and this process can take 1-2 years, all the more critical as the laws often tend to be somewhat general and orientational. But this process is even more unbalanced in favor of the implementing agencies, and much less open to stakeholder consultation.
- The post-drafting appraisal mechanisms are still rather weak (in OOG, MOJ, NA), and often rather pro forma, due to lack of resources and expertise, and cannot adequately compensate for weaknesses at earlier stages.
- The cost of implementation is not systematically taken into account, and rarely are extra financial or other practical support resources elaborated and allocated for actual implementation or for high-quality impact monitoring and evaluation.

3.2 The project document and its evolution

The project document was developed in 2001, and uses a standard framework table with summary outcome and output targets, baseline description, and various indicators to define the project. Only a summary milestone/work plan for the first year was included, in recognition of the fact that a fair amount of flexibility in actual outputs and activities would subsequently be required. It built on an earlier project (VIE/97/016) that supported the development of the 1999 Enterprise Law.

The overall outcome target was formulated as *“Increased, and more balanced distribution of, business investment, income and employment, more equitable income distribution and reduced poverty.”* This of course is an overall vision, and not an operational goal for the project. However, although some very relevant studies were made in the first years to more specifically address provincial disparities in business environment, it proved too ambitious to try to adequately cover both national as well as provincial and equity issues at the levels required to for significant impact. Most effort subsequently has been on national and overall regulatory issues, but since provincial focus is more important in the implementation stage, this is not a major weakness. Although in the beginning the project was rather a pioneer in trying to apply a local perspective, in subsequent years several other projects have started to work with a provincial focus and (to a certain extent) with a poverty and equity issues⁴.

⁴ In particular, the VNCI project that started in 2003 has with its provincial competitiveness index created a highly visible and tangible measurement framework that has helped to focus and stimulate support at the provincial level.

As in the previous project, there is a basic process orientation, with emphasis on consultative approaches and mobilizing support for regulatory reform. As the document states, the *“whole project is built around developing and institutionalizing consultative mechanisms with all stakeholders, and especially with business groups”*.

The project originally started in April 2002 with five outcome targets/objectives, a sixth one was added later, one of original ones was terminated in 2003, and as of the end of 2004 all the original areas were terminated. In late 2004, it was also decided to extend the project to end 2006 with additional 0.5M USD budget, but with exclusive focus on supporting the drafting of the EL, IL and their implementing decrees - in practice almost a new project, and ultimately the outcome of which would be the main success indicator of the whole project.

The result has been a successive sharpening of focus from most sectors of business regulatory reform, to private sector only, and ultimately to key law drafting only. At the same time, the support became increasingly process-oriented in approach.

The following table attempts to summarize the total of eight outcome areas under some broader categories (used in this report only, not in the project document):

2002 - 2004

Improved research and consultation for business regulatory reform

- A) Improved capacity to address constraints through business-government partnerships (wider and more frequent consultations, studies, surveys, follow-up of Enterprise Law, media exposure, review of decrees and regulations etc).
- B) Domestic Business Meetings – expanding dialogue between business people and policymakers (meetings and follow-up on various topics). From late 2002.
- C) Identify and address institutional constraints on factor market development (various studies and workshops).

Improved and modernized business laws

- D) More uniform and consistent policies and regulations concerning business entities (support to revisions of Enterprise, Investment, Cooperative and SOE laws).
- E) (To end 2003): Capacity building for SOE restructuring regulatory framework (studies and drafting of regulations).

Improved implementation of EL

- F) Strengthened capacity to effectively implement enterprise regulations (training on EL and business registration, publicity, publications, studies and support to business registration IT system).

2005 - 2006

Improved and modernized business laws

- G) (2005, exclusive focus): Develop and adopt United Enterprise Law and Common Investment Law as part of effective enabling environment (support to drafting committees and process, studies).
- H) (2006, exclusive focus): EL and IL implemented at central level to promote business and employment growth (support to drafting of implementing decrees and documents, studies, and publicity).

The distribution of activities and outputs between the eight outcome areas sometimes seem a bit mixed, especially in subsequent work plans, which in any case do not follow these very closely. And the DBM area would seem just to be another output under A) rather than an outcome in itself. Instead the structure seems more to be conditioned by practical considerations of management and assignment to departments and delegation to the SGELI, rather than by a LFA-style logic, which arguably would have been easier to monitor and evaluate against the more overall objectives.

The baseline description is reasonably concrete and verifiable. The indicators in the project document are a mixture of process, output/outcome and impact indicators, quantitative and qualitative, and perhaps not always very pertinent in practice. In any case, they have on the whole mostly not been measured, reported or discussed other than in very general terms. The main indicators actually used have been activity completion status for each yearly work plan.

As can be seen from the above list, there is quite a diversity of target areas and activities. Indeed, one could argue that there initially was perhaps too broad a spread, and not so clear prioritization between areas and between the CIEM and MPI departments benefiting from the project, although all relate to and are important for the business regulatory environment. There seems to have been an element of spreading support around all concerned departments. Some of these activities, such as support to the business registration units and IT network, support to SOE laws and restructuring, drafting of the cooperative law, were subsequently discontinued by the project, but have been continued by the concerned departments with support from other projects and sources. One could argue that it was useful support because it was the initial stage or no other support source was available at the time, but this has not been made clear, at least not explicitly. The termination of such support at certain milestones (such as completion of revised laws) or at seemingly fairly arbitrary times, and continuation by others make it difficult to subsequently assess the

impact and value-added of the partial contributions from this project, other than in general terms of perception by stakeholders.

Be that as it may, the issue of dispersion was noticed and acknowledged by CIEM and UNDP, and is one of the reasons for refocusing of the project in 2004.

3.3 Overall validity and relevance of the project

Subject area, project partner and intervention methods

There is no doubt that business regulatory reform to promote private sector development has been a major reform priority in Vietnam during the last 5 years. So the subject area of the project is highly relevant.

CIEM is responsible for applied research and regulatory reform in this area, and by its position, influence, tradition and track record, the leading 'champion' for reform of the business regulatory environment. The choice of project partner is thus highly valid. Indeed, it is hardly possible to think of any other organization that could offer the same opportunities for external support to potentially make a difference, with the exception of PMRC.

As a quite independent advisory group, PMRC is less influenced by own agency or sector perspective and interests, and their feedback would arguably be more neutral and more representative of the "general interest". But although also an effective 'champion', PMRC for example is much smaller and more a group of advisors than a fully-fledged organization. In fact, PMRC has been a significant beneficiary of project support, and this has been a strategic choice, creating a balance between MPI and other perspective.

Secondly, referring to the description of the project environment above, it can also be seen that areas supported by the project have generally been well aligned with the forces and agendas for change in the business environment during recent years. Thirdly, the intervention areas address key constraints and challenges to success, and equally important, take into account both the technical reform substance and the actual reform processes. In particular, the project has addressed some of key quality weaknesses in the legal drafting process: quality, timing and practical usability of policy studies; dialogue and consultation with stakeholders; and (to a certain extent) assessment of impact and consequences.

The project has been valid overall.

As concerns intervention methods, direct support to drafting committees for the EL and IL, and earlier to the steering group for enterprise law implementation have been quite positive. In effect, they have been treated as sub-projects (or cooperating agencies) with CIEM project management delegating responsibility and accountability, and not micro-managing. The sub-project approach has

been applied elsewhere on governance projects with positive results, but requires clear terms of reference, work plans and close monitoring feedback.

The approaches to advocacy and publicity have been quite innovative and dynamic, resulting in high media exposure and getting the message of business reform across to the wider public and to businessmen.

Otherwise, the intervention methods have been fairly standard ones, studies, seminars, workshops, study tours etc, and as far as can be ascertained these have by and large been used appropriately and with reasonable effectiveness.

The very flexible and dynamic shifting of project focus and increased concentration of effort as priorities have shifted in the reform process has also contributed to maintaining the relevance and validity of the project. But this flexibility strategy is somewhat of an after-the-fact construction, and not fully inherent or explicit in the project document.

Comparative advantages of UNDP as donor

UNDP has limited resources, both in absolute terms and relative to many other donors and has to carefully target its support. Many other donors are active in this field, also have significant experience in the area and can mobilize highly qualified expertise. What then, if any, are the comparative advantages of UNDP in this type of policy reform work? There would seem to be several, which have also been brought up by most of the respondents:

- Support to policy reform development does not require large amounts of money; but can have high leverage and impact if given at the right time and to the right stakeholders.
- The UNDP has a track record of successfully supporting initial breakthroughs in reform in Vietnam, and has built up a considerable capital of trust and respect over the years.
- UNDP is considered as neutral and disinterested, and as an 'honest broker' in providing advice and expertise. This is especially important in high-stakes, high-profile fields such as business regulatory reform where there are many differing agendas, interests and perspectives, from within as well as from outside Vietnam.
- UNDP is perceived as a truly global supplier of technical assistance, capable of finding and mobilizing quality expertise from all over the world without bias and without limitation of nationality and origin.

Coordination and collaboration with other donors, projects and other local institutions

This project is far from alone in dealing with the business environment, regulatory reform and support to drafting of business-related laws, nor alone in supporting CIEM itself (or in one way or another the other relevant MPI departments and the drafting committees). In particular MPDF, STAR, VNCI have worked extensively with these and related topics, but also a number of projects or interventions funded by GtZ, EU, Danida and several others. Nor is CIEM alone either on the Vietnamese side. Especially the PMRC, but also for example VCCI have been important 'reform' actors. The collaboration and coordination with GTZ and with PMRC (which also received direct support through the project) appear by all accounts to have been quite efficient and effective.

There do not seem to have been any obvious or direct overlap or duplication of effort. Many of the other donor projects have a provincial orientation and/or are geared to supporting implementation, or have a somewhat different perspective (such as STAR). On the contrary, the multiplicity and diversity have probably been an advantage by enhancing reform momentum, dialogue, exposure to alternative perspectives and interests, and testing of new approaches and concepts.

On the other hand, effectively sharing, collaborating on and assimilating what is relevant becomes more difficult. The SME Partnership Group (SMEPG) is meant to be a one channel for such exchanges, but its working group on business regulatory reform has barely started. In any case, this is more relevant for the future, as collaboration and coordination is more critical for policy implementation than for policy development.

4. PROJECT IMPLEMENTATION AND ACHIEVEMENTS

4.1 Project outputs

4.1.1 Direct support to the EL and IL drafting and implementation process

Direct and focused support to the drafting of EL and IL became the project's only and priority components since the project revision and extension in late 2004, due to the expressed urgency and crucial importance of the two laws. The support included the organization and financing of various technical and consultation meetings and workshops, as well as commissioning and financing of studies on specific technical issues considered critical inputs to the drafting of the two laws. There was also regular but ad hoc 'soft' support from the PO and STA in facilitating the dynamics of the process and to enhance exchange between the two drafting committees.

In November 2005, the National Assembly approved and passed these two laws, which can be said to be a mark of success for the project. Although there

are diverging opinions on the level of substantive reform 'breakthrough' in the two laws, particularly in the IL, all respondents and other feedback agree that the quality of the laws would not have been as good without this direct support provided by the project. Furthermore, without the support it would probably not have been possible to keep to the very tight deadline, a deadline with high symbolic value.

The two laws will come into effect on 1st July 2006 and the project is currently supporting the drafting and passing of the pertinent implementing decrees and regulations, and will support dissemination and publicity in the last project semester.

Direct support to EL and IL drafting

Two sets of activities were carried out to support the EL and IL drafting process: (i) substantial discussion and consultation with business communities and stakeholders through various workshops and seminars and (ii) in-depth background researches on technical issues that need to be addressed by the two laws.

The project held various public workshops and business fora on EL and IL in different locations throughout Vietnam, especially in 2005, for the drafting team to receive comments and discuss the drafts of the two laws with different members of the business communities and other stakeholders. Special workshops to address specific technical issues related to EL and IL were also held, such as transformation of SOEs and FIEs, business registration, investment licensing, investment locations, portfolio and privileges. Additionally, the project organized regular and multiple meetings at CIEM and MPI to discuss various issues in the process of drafting the two laws, and played a focal role in contacting with many local and some foreign experts for the thorough assessment of the draft laws.

Most interviewed stakeholders appreciated the success of the project in mobilizing the contributions and the support from the public through the above mentioned workshops, seminars, business fora and business associations as they consider it is an indispensable activity in regulatory drafting process, to make sure that the laws regulate and equally benefit all stakeholders. Some interviewed stakeholders, however, suggested that it is still necessary to have more public consultation workshops with stakeholders, in different locations, during the regulatory drafting. There is also a need to have more participants from business communities in such seminars and dialogues.

Various background studies on specific technical issues has been supported and commissioned by the project to provide key inputs to the drafting teams. These include, among others, a study tour to China, field trips to selected provinces and cities, and studies on EL implementation including a separate one on rural areas, SOE transfer process, indirect portfolio investment, investment protection, etc. The evaluators registered mostly positive views on these studies. It was particularly mentioned that these studies are of reasonably

good quality and provided on time inputs and reference to the drafting teams. The evaluators believe that such study activities are very important and necessary in the regulatory drafting process, and they were done well by the project, especially during 2005.

Direct support to EL and IL implementation

After the National Assembly passed the EL and IL in November 2005, the project substantially focused its resources and mandates on assisting the drafting of six implementing decrees. A donor-government forum to present, discuss and get comments on these six implementing decrees was held in Ha Noi in May 2006. At the time of writing this evaluation report, two decrees have been submitted to the government for approval and the remaining four decrees are on a rush for final preparation. Given that the two laws will come into effect on the 1st July and there are still debates especially on IL, it remains to be seen whether all the implementing decrees can be smoothly approved and be ready for the implementation by July 1. However, the fact that the implementing decrees will most likely be ready more or less at the time of the law coming into force is an achievement in itself. But it is a bit too early to assess whether the support in this part has been more or less effective and positive as the earlier support to the laws.

4.1.2 Dialogue between business people and policy makers

Through this component, the project has tried foster wider dialogue between the domestic private sector and policy makers on business constraints and government policies. These have also been fora for entrepreneurs to discuss good and bad practices of doing business in Vietnam.

There have been five Domestic Business Meetings (DBMs) carried out since the component was added in 2002 to the time when it shifted its focus to only support the law drafting. Inter alia, these meetings discussed Action Plan of the Government of Vietnam on the development of the collective and private economic sector (2003), assessed trade – investment promotion programs (2003) and the implementation of assistance and promotion policies to domestic entrepreneurs under the law on domestic investment promotion (2004), and implementation of enterprise law in rural areas (2005). In 2003, it is also reported that the project held a series of seminars to follow up on domestic business meetings and established Working Group with monthly meeting schedule to execute a various vital tasks related to the management and functions of the DBMs.

The evaluators received positive comments from interviewed stakeholders on DBMs, as they were seen as a “bridge” to transfer opinions, understandings and needs between policymakers and entrepreneurs, which in turn helps to build more uniform and consistent policies and regulations governing businesses. Given the limited resources and timing, the project did a good job in inviting a wide range of participants. There were for instance about 250 participants, including representatives from more than 130 enterprises, in the DBM in

assessment of implementation of assistance and promotion policies to domestic entrepreneurs in 2004.

Definitely, the opinion is that this type of activity is valuable and should to continue. But it should also increasingly focus on the entrepreneurs in local areas and other policymakers in different ministries and governing organizations, the people who clearly are the main beneficiaries and players in the development of the business environment. Some leading people in business associations, when interviewed, were not familiar with these project activities. Better dissemination of information through website and media is one proposed option as they could be an excellent means to provide information to business communities and could be an important vehicle to inform a larger concerned professional group on the changes in business regulatory environment. Participants in a number of workshops and discussions were mainly researchers, rather than the people who actually do business. The DBMs have had the same weaknesses as most business-government consultation fora, low specificity in technical issues discussed, dominance of government and weakness of businesses in technical expertise and debate, and no mechanism for following up afterwards on issues and subjects raised.

The goal of institutionalizing this type of consultation has yet to be achieved, but the project is not alone in this respect. However, it can credibly be argued that the DBM and other similar initiatives have helped to establish a general consensus that business-government dialogue is important, meaningful and should be ultimately be institutionalized.⁵

4.1.3 Support to the implementation of Enterprise Law

The project provided continuous supports to supervise and monitor the implementation of the enterprise law, mainly through direct support to the Steering Group (Task Force) on Enterprise Law Implementation. Among others, the project supported the periodic assessments on the implementation of enterprise to identify positive impacts as well as limitations and constraints to the implementation process. Lessons from these implementations were disseminated to policymakers and business communities for better implementation of the EL and have been considered valuable inputs to the drafting of the EL.

The project has supported many training courses on EL and related implementing decrees and regulatory documents in different locations throughout Vietnam. It is reported that participants in such training courses are generally satisfied and they recommended that similar trainings should be organized on a regular manner to help enterprises update new policies and regulations. But as in the case of the DBMs, the impact could be still better if those materials were disseminated more widely thorough websites and

⁵ See further the evaluation of business-government consultation sponsored by GTZ, *Consultation of the Domestic Business Community in the Development of Vietnam's Legal Framework for Enterprise*, Hanoi 2005, GTZ

business associations such as VCCI, Young Business People Association and Vietnam Associations of Financial Investors.

The project also used media and press in facilitating strong outreach to public, enhancing awareness of the law among citizens and supporting the implementation of the EL. In 2004, for instance, a series of 10 TV programs on the EL were produced and shown on VTV2 consisting of interviews of enterprises, roundtable discussions and success / failure of different aspects of EL. A lot of articles on enterprise law reform have also been published in the media, including articles written by or interviews with task force members or CIEM experts. Although the anecdotal feeling is that this publicity and advocacy has been noticed and positively received by the public, we are not aware of any more systematic attempt to gauge their impact or effectiveness at the time.

The issue and lessons learned from the task force experience have been recently described and analyzed⁶. These will not be repeated here, except to highlight the fragile nature of external and internal factors that allow and make “champions” of reform that are effective and dynamic.

4.1.4 Studies and research activities

A whole series of studies has been supported by the project under several of the outcome areas, in addition to the specific area “identify and address institutional constraints on factor market development”. Many studies aimed to support the work of CIEM, rather than directly supporting the draft of the laws. Several books on interesting and relevant research subjects were published⁷ and workshops and seminars were often held to present and disseminate their findings.

Although several studies have been of very high quality and well received, it has been said that the quality of some research carried out by local consulting firms was just average. The project did face challenges in recruiting top-quality and professional national private sector consultants. It is true given that the consulting industry is still newly emerged in Vietnam and its research capacity is limited. However, the participation of local consulting firms in these activities is still positive as they can better ensure the sustainability of reforms by gradually becoming part of a growing network of people supporting positive changes in business environment for the longer term.

Though the research activities have produced a foundation to deal with various issues relating to business environment of Vietnam and helped strengthen capacity of CIEM to deal with such issues, some interviewed stakeholders expressed their opinion that the research coverage was rather large and that

⁶ 6 Years of Implementing the Enterprise Law – Issues & Lessons Learned, Hanoi 2006, CIEM/GTZ

⁷ Selected publications include Improving National Competitiveness; Comparative Provincial Performance in Private Business Development; Improving and Developing the Money and Capital Market in Vietnam; Development of the Science and Technology Market in Vietnam.

more concentration would have led to higher quality and in-depth analysis and recommendations.

4.1.5 Other activities

The project provided substantial supports to strengthen regulatory framework for SOE restructuring in 2003. The project provide support to study the transformation of SOEs and enterprises attached to political or sociopolitical organizations into one-member limited liability companies, research and revisions of draft law on SOE, studies on effects of SOE reforms and proposal to establish Economic Group in Vietnam. Support was also given to the drafting of the Cooperative Law. Most SOE restructuring-related activities originally planned for 2004 such as training on SOE laws and several technical studies were ultimately not carried out due to the termination of this component due to the decision to concentration on the private sector only.

4.1.6 Some observations on multiplicity and usefulness of studies and reports

Apart from 'quality' in a professional or academic sense, the judgments most frequently used in characterizing reports and studies concern usefulness, relevance and applicability to today's Vietnamese situation. And in relation to the number of reports and studies, the judgments concern perceived duplication and overlap. Of course, to a certain extent the studies, reports and other documents from the project have to varying degrees objectively been stronger or weaker in one or more of these respects.

But the project has by no means been the only or perhaps even the majority producer of reports, studies and submissions on the various issues and topics related to reform of the business regulatory environment. Often the first question is whether this situation is bad or good, and irrespective of the answer, whether it is meaningful to try to do something about this 'problem', if in fact it is a problem. We would tend to argue for answer more or less 'no' to both questions.

Policy development and reform elaboration processes are more or less chaotic and pluralistic in most countries as different stakeholders and interests compete for attention and influence, and also because there are many valid perspectives and competing concerns, as well as different audiences and changing windows of opportunity for leverage. So multiplicity is arguably good per se, but this also means that much of what is produced will for a number of difficult to control reasons not have any impact, and thus be 'wasted' on the micro level. But this cannot really be predicted beforehand. Nor can it be predicted on whom it will have impact. Furthermore, there is no single exclusive 'owner' or monopoly stakeholder in important and complex policy areas. As donor interventions and support of course also reflect various perspectives and concerns, they will also inevitably be partly competing, partly complementing.

We rather think that the relevant question is rather: How well does a project like this cope with such an information environment? This is discussed below in section 4.3, Knowledge management.

4.2 Project management

Management structure and mechanism

In a formal sense, the project management structure follows the standard model with a national project director, project manager and a project assistant on the CIEM side. These are all working within the normal organizational of CIEM, and the project duties are additional to ordinary work. There is no separate and distinct PMU or project office. In this respect, the project management has been well integrated into the normal organization. Project administration has followed the NEX procedures, with which CIEM is familiar and comfortable since many years and appreciates for its emphasis on client ownership, flexibility and comparably low donor-mandated administrative overhead, relative to some other donors.

A senior technical advisor has been attached to the project, with the usual dual duties of support to project management and provision of substantive technical advice. The STA has changed several times over the life of the project. Initially the STA was full-time, then there was a period without STA, and during the last year a part-time STA. These changes do not seem to have adversely affected the project management, as they roughly mirror the organic evolution of the project life and intensity.

On the UNDP side, the arrangements have also been standard, with a program officer as the main interface.

The project document and its rather laconic revisions have for reasons evoked above not been operationally very relevant to management, nor for that matter the usually very brief and un-analytical quarterly reports (but which have improved from late 2005). The main instrument has been the annual work plan, and its descriptive justifications, though these to certain extent seem to be somewhat ancillary. Annual reports, while comprehensive and informative, also seem to have played a limited role in management, being more for the record.

Instead, the real justification and drivers more often lies in the work plans and agenda for CIEM set by government decisions and to some extent within CIEM. But even so, changing external and internal priorities, particularly due to the rapidly changing drafting agenda during the last two years, have also led to work plan changes within the years. There has been a very large degree of flexibility in and over the years, in respect of components and activities, and in budget reallocations, which again reduces the steering value of the work plan.

Instead, the vision and consensus between CIEM and UNDP on what the key issues and project priorities should be, as a function of evolving and changing reform process requirements, seem to have been the main – and quite strong –

project management mechanism at the more strategic level. In practice, UNDP has been very responsive to the actual needs and priorities of the Government. And the NEX modality has been able to accommodate this flexibility and to the emerging needs that were not part of the original project document.

But this has largely been an informal and ad hoc style. This is not necessarily a bad approach for a process project in a rapidly evolving environment – on the contrary. Indeed, given the extremely compressed schedule for the EL and IL drafting and implementation during the last two years, and the resulting rush and rapid evolution of the agenda, it is unlikely that any other approach could have succeeded in keeping the project support relevant and timely, and avoiding marginalisation (a real risk in donor support to fast-moving operational policy work). But it is quite risky, and can easily derail the project unless the result and goal focus is very strong.

On the operational level, the Program Officer and the STA on the one hand, and the National Project Manager on the other hand replicated this informal but strong management style. As for considerable periods of time there was no STA and during the last year only a part-time STA resident outside Hanoi, the role of the PO in particular has been very important. Luckily, the PO has had the requisite qualities particularly needed during the last 2 years of support to a hectic and not always smooth law drafting processes, with good negotiation and mediation skills and a good balance between flexibility and rigour in dealing with problems and situations.

Monitoring and reporting

The monitoring framework and indicators in the project document have not really been used, and there does not seem to have been any systematic feedback or documentation on quality, timeliness, and utilization of the various outputs, particularly studies and reports, but also in respect of seminars, training courses, advocacy etc. There has been feedback, but mainly anecdotal or based on summary “expert judgment”. Such feedback is not necessarily inaccurate, but it has to a large extent to be accepted on trust. Furthermore, as most of this feedback has been from or through the project implementers rather than independently from the beneficiaries, there is an inevitable and natural risk of sounding a bit more positive than actual reality warrants.

Given the numerous and diverse outputs by the project over the last four years, as well as many other projects or organizations conducting related or similar activities, and low visibility of the project as such in its operations, it is not surprising that respondents and stakeholders now have great difficulty in remembering specific activities and products of this project, their quality, timeliness and utility. Instead, there is only a more general appreciation of the project outputs and results. Although almost always positive, it is general and global. It does not give any operational guidance on what could have been improved in particular activities or products, as lessons for the future. Most of this information is now lost, but could have been collected with quite modest resources at the time of the activities.

The formal and regular reporting and documentation seem to have played a limited real-time role, which is a weakness, at least potentially, as there is risk of not capturing emerging problems in time. However, there do not seem to have been any major issues, which were not recognized and dealt with in time, nor any serious conflicts or prolonged blockages. The project has never lost sight of the fundamental project goals and overall objectives. Activities overall have clearly been related to objectives; most planned outputs have been produced to reasonable quality standards (or higher) and in reasonable conformity to the timetables; if not, there seems to have been good external reasons, and these have been spelled out. The formats for reporting have evolved, and the new formats used in the 2005 annual report and 2006 1st quarter report are better in assessing and justifying the choices, flexibility and strategy in how to best respond to the evolving support needs.

It is not necessary to create a highly formalized system to document and make the informal monitoring more structured. The informal monitoring could be made more explicit, focused and traceable with some fairly simple measures. For example, for each activity or component output, a checklist along the following lines could be applied, in addition to the normal activity completion monitoring. This checklist will also help justify changes and revisions to the work plan and project.

- To what current government priority policy reform area does it contribute?
- To what anticipated future government priority policy reform area does it contribute?
- For ongoing reform work, are there any extraneous factors that slow down or accelerate the pace, or affect the quality and progress?
- Are there any interpersonal, relational, organizational, managerial or other soft factors that influence the effectiveness of reform work and/or project support?
- Is it necessary or meaningful to conduct this activity/component now? I.e. are there or will there be windows of opportunities for the outputs to be taken into account in the policy reform process, without too long time lapses?
- What organizations and persons are the intended users of the outputs, both those directly involved in the reform work as per 1 and 2 above, and other stakeholders?
- Have these users considered, made use or been influenced by these outputs? Do they think they are relevant, timely and of high quality? Is there any indication of effect on policy outputs?
- Are the volume and quality of resources assigned to the activity/component sufficient to make a difference and to ensure impact and sustainability?

- Are the resource allocations to the activity/component in line with its priority and urgency order?
- Are other stakeholders doing similar work, and if so, what is the value added of the project's contributions? Is the project's support significant overall?
- If and when the support stops, who and what will ensure that remaining value added is not lost and who will continue this type of work if deemed useful?

The feedback from users does not have to be very sophisticated and comprehensive; it is enough for operational monitoring that some of the beneficiaries are interviewed not too long after the event, as indications rather than "proof" of impact.

Factors for success

The real management has instead been largely informal, and this has worked very well despite the inherent risks of rather weak formal management and reporting, high flexibility and a large and varied set of activities and objectives, especially in the first two years. The project has been successful certainly in the sense that the two major laws have been passed, and that the business regulatory environment has improved, and that CIEM has been effective in its role, despite strong forces to the contrary and many external constraints beyond project control.

But there are many examples of projects with similar formal setup and environment working with high profile policy issues that have not been very successful or have had major problems of one kind or another. Why has the project been well managed in spite of the significant weaknesses in the management system? What have been the factors and strengths in this particular case?

External factors

- Strong external pressure to produce results from international community and from requirements of BTA, WTO accession etc.
- Strong commitment by Government at highest level.
- Widespread public interest in and desire for business reform.
- Highly visible, tangible and easy to understand goals with high symbolic value (business registrations, passage of key laws etc).

On the CIEM side:

- Strong and genuine ownership by CIEM, and commitment by its top leadership.

- Committed, pro-active and competent managers in CIEM.
- High degree of performance and result-orientation.
- Willingness and capacity to accept, localize and make use of new ideas and inputs from outside the organization.

On the UNDP side:

- Sustained commitment and personal engagement by UNDP resident representative, and strategic vision of what was most important in the project.
- Steady focus on substance and results, high degree of pragmatism, and high interpersonal and management skills of the Program Officer.
- Good understanding of and sensitivity to the particular conditions and requirements of process support, by the project officer as well as by the STAs
- Ability and willingness to imaginatively use contacts and networks to mobilize complementary support from other organizations and projects, sometimes on a pro bono basis.

Interaction between CIEM and UNDP:

- High degree of mutual trust and respect at leadership level, as well as between project manager and Program Officer.
- A clear understanding of respective roles, and a win-win attitude to resolving problems.
- Openness and transparency in mutual interactions.

There is nothing exceptionally new or unusual in this list. These factors are well-known success factors for any development or change project. The only thing that is unusual in this particular case is the coming together of so many of them, mostly fortuitously. But even though the “luck” may not have been anticipated, once the parties recognized intuitively or explicitly what was working well and why, this was not changed even though it may have been somewhat unorthodox.

4.3 Institutional issues

Capacity building

Has the capacity (in some sense) of CIEM been increased as a result of project support?

Direct capacity building has not been a primary objective of this project, and there have not been any explicit activities. However, other projects in CIEM have and are supporting training and various capacity building activities, so this can rather be seen as positive, in sense of exemplifying complementarity in donor support (at least in hindsight). Furthermore, much of the project support has in reality only been channeled through CIEM to other departments in MPI or to partly external task forces and drafting committees (which of course are temporary structures) and PMRC.

Having said that, on the individual level there is evidence that some of the key CIEM staff more directly involved with project and its activities have benefited from the opportunities of interaction with and exposure to a number of high-quality international experts engaged as consultants under the project. But this has been informal and personal. Making mentorship more systematic and formalized could be a way to make such knowledge transfer more effective and lasting.

Similarly, the opportunities offered by these contacts and UNDPs world-wide contact network, which have often been quite productively exploited (for example in getting pro bono comments from the ABA), have perhaps not been used enough to enhance the autonomous networking capacity of CIEM.

On the other hand, there is always a latent time, attention and resource conflict between conducting explicit capacity building activities and providing direct substantive support. Time and work pressure during the two last years has been very, very high, due to the tightly compressed drafting timetable for the two laws, and it has been hard work just keeping up the pace in substantive support. However, perhaps more attention could have been given to systematizing mentorship and networking during the first two years.

Looking at capacity of the institution, there is no obvious evidence of any hard effect. But there does seem to be a soft effect. The external reputation as well as the “confidence capacity” of CIEM in itself as a think tank able to independently “Vietnamize” innovative external ideas and experiences; as an effective policy advocate; as a coordinator of many activities and actors - in short, as an effective change agent for reform - is arguably greater now. The mentoring (as it were) by the project of the change processes for the previous Enterprise Law and recently for the EL and IL has been effective. But the credit for this has to be shared with the previous phase of the project.

However, sustainability is not guaranteed, as the CIEM government recurrent budget and other allocation mechanisms do not provide sufficient funds for conducting quality studies, broad consultations and advocacy anywhere close to levels required for policy “breakthroughs”. Here external donor aid in the form of agency “budget support” (in the sense of support not too tightly tied to specific activities and outputs) can continue to play a vital role, until government norms and mechanisms for financing reform development are substantially strengthened.

Knowledge management

Although the term knowledge management is not used anywhere in the project document, work plans or other documents, many – if not most - of the activities and project work have had an implicit knowledge management aspect. But this has been ad hoc and only vaguely recognized.

We consider this to be a weakness in the design and implementation, as providing focused, timely and relevant information operational policy arbitration, advocacy and decision-making, often in real time, has been the implicit purpose of the wide range and large number of studies, reports and memos produced by the project.

The risk of information overload and indigestion is all the more real, as many other projects and stakeholders have also been producing a host of studies and documents of potential relevance to CIEM, the two drafting committees, and earlier to other task forces. Given the volume and disparity of information produced, not all of which is disinterested, it is almost impossible for CIEM staff and drafting committee members to sieve and distill the information needed or useful during the “windows of opportunity” when decisions are made or decision makers can be influenced, especially in situations of political pressure and time constraints.

There is not any comparative advantage per se of the project commissioning studies or research, in relation to other projects or sources, as long as the relevant and needed work is done. But the project had a definite potential and unique advantage in acting as a neutral but friendly knowledge manager analyzing, synthesizing and distilling the range and diversity of facts, options and arguments from sources inside and outside the project into actionable information at the right time, transforming “useless” or ineffective reports into useful briefs.

In fact, the need for such support has been more or less recognized, and the successive senior technical advisors in particular have tried to do this at various stages of the project, inter alia by improving and focusing ToRs for studies and consultants, but mostly on an ad hoc basis and on personal initiative. Some of the reports and studies commissioned have used this approach, and they seem to have been generally appreciated as better and more useful than other more traditionally structured studies of the same quality. But despite often laudable work, this cannot compensate for the absence of a more systematic and institutionalized focus as well as working methodology, especially under the conditions of extreme pressure and pace in the final stages of the EL and IL drafting.

In the context of policy work, knowledge management relates to technical assistance in the same way as the program approach relates to project approach in development. It has the potential for making it easier to get coherence and comprehensiveness, reduces overlap and confusion, but more importantly it makes it easier for the recipient, CIEM in this case, exercise stronger ownership and command of information production and utilization. To a

large extent, this is a change in attitudes and ways of working with studies and external technical expertise, and to a certain extent in synthesis skills; it does not necessarily imply complicated information or IT systems.

Knowledge management can be made as sophisticated as one wants, but quite a lot of benefit can be gained with fairly simple methods that do not require complicated systems. Some examples:

Events: meetings, consultations, workshops, seminars

For each event, there should be an “owner”, someone responsible for compiling outputs, conclusions or recommendations and for carrying them onwards, by acting on them, passing them to concerned agencies or decision makers and following up on the outcomes.

Products: studies, reports, papers etc

The problem of multiplicity and overload can be mitigated by commissioning synthesis and digest reports of all internal and external studies, reports and papers on a particular topic or area. These will summarize and present the information in formats suitable for different groups of operational users and decision makers.

For subject studies and reports commissioned by the project, a checklist approach can be applied:

- Who are the primary targets for the study, the people who may or will act on the contents?
- Who are the secondary targets, the people who can use the information as inputs to their policy work?
- What operational or other needs of the intended target groups does the study address?
- What specific questions should the study answer or illuminate, and what forms or presentation are useful to and usable by the target groups?
- Does the study become available at an appropriate time or window of opportunity to have impact?
- Is the study found relevant, timely, usable and of sufficient quality by the target groups?
- Have the results actually been considered and taken into account by the target group decision makers?
- Does the study have lasting value? If so, who is responsible for ensuring that it is not “lost” and remains accessible to and known by the relevant target groups?

The checklist should help to prioritize and focus studies, and to maximize their impact.

If a study is deemed to have lasting value, it could be incorporated in a web-based knowledge resource database available to all stakeholders. This does not have to be overly structured; it is enough if the database can be googled.

Each main knowledge area, for example SOE reform, Enterprise Law or competitiveness, should have a designated “owner” who is responsible for the above actions, for ensuring that the knowledge base is increasingly comprehensive and up-to-date, and for monitoring that the information is and can be used by relevant stakeholders

People: experts, consultants, stakeholders

The presence or interventions of consultants and experts, particularly international ones, can be utilized to organize informal meetings with interested practitioners and stakeholders, with the purpose to reinforce local as well international networks. For each major area or subject, it is necessary to assign a coordinator who is responsible for organizing get-togethers, managing contacts and keeping the network alive.

The presence of leading international experts can also be exploited to set up mentor relationships with certain officials if there is mutual interest and willingness. This could in certain cases also involve internships or study visits to the mentor’s institution and/or participation in studies and research.

Use of consultants

There has been extensive use of consultants, international and especially local consultants.

The extensive use of local consultants has probably had a positive effect in helping to build up a network of people inside and outside CIEM that are interested and capable of working on business reform. However, this has not been an explicit objective and has not been given any specific attention.

As is invariably the case, quality has varied, but on the whole has been satisfactory, and in some cases very high. The main quality problems have been in finding good local consultants. This is a general problem in Vietnam, especially in the policy and governance field. There is a genuine lack of good local consultants as consulting as a full or part-time profession is still a new phenomenon in Vietnam. On the client side in general, professionalism in recruiting, managing and using local consultants is still an emerging phenomenon. Many, if not most, local consultants are in civil servants doing sideline work primarily for income enhancement.

Sometimes it seems CIEM staff have been more qualified than any local consultant to perform a particular study, but as there is no incentive mechanism within CIEM or in NEX to reward internal staff for what is in fact work beyond ordinary duties, the job has been given to an external local consultant. This issue goes well beyond this project, and will not be solved at this level. But in the context of policy studies, it is important to develop also the in-house capacity, and it would be worthwhile to reflect on whether non-monetary incentives could be devised that respect principles of good conduct and commonly accepted donor deontology but recognize and reward real added-value work and results.

Capacity to develop high quality ToRs for assignments or studies has been somewhat weak, but support to this has been a priority task for the STAs (as is commonly the case)

Modality

The standard national execution (NEX) modality has been used on this project, as is normal for UNDP projects. This has worked well, with limited administrative overburden in practice (although this may be partly due to the special management circumstances referred to above rather than just the modality as such). Generally speaking, it has been perceived as quite suited to this type of technical assistance situation, able to respond quickly and efficiently to needs, with less rigidity and formalia and delay compared to some other donor's modalities, and enabling high local ownership.

The UNDP system is seen as good in disinterestedly identifying and recruiting individual consultants and top level specialists world-wide without restriction to nationality or provenance, but perhaps a bit less so in recruiting larger teams as it more difficult to take into account the team interaction factors if recruiting "à la carte". But in this case it has mostly been one or two consultants at a time, so this has not been significant.

5. FINDINGS AND LESSONS LEARNED

Findings

- With the joint passage of the EL and IL in late 2005, the project as whole, and certainly the revised project, can certainly said to be a **success**. It is generally opined that the laws are better and were developed in a shorter time because of the project.
- The project has definitely contributed to an improved law drafting process through better policy studies before and during drafting, and wider consultations. But although the merits and example of this way of working are generally recognized, these are only sustainable or replicable up to point, as long as government budgets for law drafting and policy studies remain highly inadequate.

- The project has also successfully promoted and gained acceptance for consultation and dialogue between government and business, but not achieved institutionalization and professionalization.
- The project produced a large number of studies and reports on regulatory topics and drafting issues, many of definite value and usefulness, but would probably have gained in impact by concentration.
- Support to the 1999 Enterprise Law implementation and media advocacy was quite successful and innovative, at least in the earlier years of the project, less so as attention shifted to the drafting of the two new laws.
- The project has been valid overall. Its subject area is highly relevant and well aligned with the developments in the business environment during recent years and priorities for the coming years.
- The intervention areas address key constraints and challenges to success, and equally important, take into account both the technical reform substance and the actual reform processes.
- The choice of CIEM as the key project partner is highly valid because of its excellent commitment, appropriate expertise and capacity and leading roles in economic reform in Vietnam.
- The project document (and its modifications) has only partially reflected the “real” and evolving project and has played a relatively limited role in guiding the project, except on the level of overall goal and target.
- The initial spread of target areas and outputs may have been too wide for and dispersed to be really effective, but the project later became more focused and concentrated.
- The very flexible and dynamic shifting of project focus and concentration of effort, formal and informal, as priorities have shifted in the reform process has contributed to maintaining the relevance and validity of the project. But this flexibility and successive concentration strategy are somewhat after-the-fact constructions, and not really inherent or explicit in the project document.
- Management of the project has been highly informal and ad hoc, both at the overall and at the operational level. This has been a definite strength for a highly process-oriented policy reform project in a rapidly evolving environment, but risky, as success almost wholly depends on the personal qualities and interactions between the project management team members on both sides and other fortuitously concurring factors.
- Monitoring has been informal and rather anecdotal. This has not seriously affected the overall success of the project, but it has as a consequence it is not possible to assess the direct usefulness and impact of individual project activities and products except in a very general and amalgamated sense.

This may also have delayed the positive – in our opinion - shift in focus and concentration on fewer priorities, with some loss of efficiency in resource use.

- The “knowledge management” aspect of the project has not been adequately recognized, and this has probably resulted in less effective support. It can perhaps also be seen as missed opportunity for enhancing the sustainable policy study and action capacity of CIEM. Also, the opportunities for promoting reform networks were not more explored.
- Capacity building in the hard sense has been limited, mainly ad hoc and personal for certain staff. However, the “confidence capacity” of CIEM in itself as a think tank, as an effective policy advocate; and as an effective change agent does seem to have increased as the result of UNDP support over the two projects.
- UNDP has several comparative advantages over other donors in doing similar projects: its track record of successfully supporting initial breakthroughs in reform in Vietnam, its reputation as a neutral and disinterested party, and its being a truly global supplier of technical assistance.
- Despite there being quite a number of project and initiatives dealing with the business environment, regulatory reform and support to drafting of business-related laws, and several donors supporting CIEM itself, there do not seem to have been any obvious or direct overlap or duplication of effort. On the contrary, the multiplicity and diversity have probably been an advantage by enhancing reform momentum, dialogue and testing of new approaches and concepts.

Lessons learned

- A project that is essentially oriented towards process support needs to be designed, structured and presented differently from ‘blueprint’ projects, and needs to be managed with a high degree of flexibility.
- The non-formal and soft skills of project managers, programme officers and advisors are essential to success in managing process projects, skills that normally are not identifiable from CVs.
- Process projects are inherently more risky and sensitive to presence or absence of “success factors”. Success may not be easily replicable. Effective and continuous monitoring is essential, both formal and informal.
- Explicit attention to knowledge management aspects should be part of all projects that concern policy studies and reform, advocacy, stakeholder dialogue and consultation, and generally where production and application of information is major component. This should not only be reflected in

design and execution, but also in monitoring and outcome assessment criteria.

6. RECOMMENDATIONS

Passing laws is only the first step; the really difficult part in Vietnam is effective implementation in actual practice. The following would seem to be some of the major challenges for the coming years:

- The success of improvement of the business regulatory environment depends heavily on continued commitments from highest political and government leaders. Quality of the laws and regulations depend much on the continued improvement of the quality of the drafting process, and more rigorous stakeholder dialogue and consultation.
- There is an increasing risk that various government authorities try to protect or reintroduce their special interests during the drafting of laws and their subordinate implementing documents. Conflicts between EL, IL and other specialized laws persist and may increase. Backsliding is risk as soon as vigilance and advocacy slacken.
- Implementation and enforcement remain a serious and refractory problem in practice. There is a lack of an efficient monitoring mechanism and transparency in implementation of laws.
- The lagging pace of public administration reform, the still low professional capacity and traditional attitudes of many civil servants, will remain major constraints to effective implementation

If one accepts this scenario, then there is continued critical need and role for an effective and dynamic reform champion, with the means and resources to push and monitor the implementation process. In the current context, it is difficult to identify any institutions other than CIEM and PMRC that could take on this role. Although the bulk of actual support to implementation would be at the provincial and local level, only organizations at the national level can be effective advocates for institutionalizing better implementation methods and at the same time be effective guards against regulatory backsliding.

CIEM has shown itself capable of absorbing and making good use of external support, and of taking on board new concepts and techniques. However, the CIEM government budget will remain inadequate for the foreseeable future for this type of role. Without extra support the momentum of CIEM will dissipate. By and large, the same applies to PMRC, although since it is a lighter and looser structure, the resource squeeze may be somewhat less constraining.

There definitely is a case for further support to CIEM and PMRC in the field of business regulatory reform. Conceivably, support could come from other sources than UNDP. However, the comparative advantages of UNDP mentioned earlier are still valid. Also, with careful focus of support, there is

reasonable chance of making a 'flagship' difference in the "implementation climate" with relatively small amounts of money. Furthermore, such support would have synergy with more substantial support to business environment development and to EL and IL implementation at the provincial level.

As mentioned earlier, PMRC is the other key agency, and a natural complement to CIEM in this area.

We therefore recommend that UNDP consider continuing to support CIEM as well as PMRC.

This recommendation has two levels.

The **first level** concerns "minimum" support focused solely on consolidating and sustaining the results and impacts of the support from the current project (and is considered highly desirable in order not to jeopardize the real achievements so far, irrespective of whether support is also given on level "two" below)

1. Follow-up (Monitoring, assessment, consultation and advocacy) on the EL and IL implementation.
2. Development, testing and application of a practical but rigorous model and package for implementation monitoring of the two laws, based on international state-of-the-art but adapted to Vietnamese realities
3. Monitoring, assessment, consultation and advocacy on continuing business regulatory reform, overall but also especially at sub-law level (actions by ministries, provinces etc).

We feel that the comparative advantages of UNDP are still valid here, apart from the fact that this is a natural follow-up of the previous project. Both CIEM and PMRC would have roles here, especially in (1) and (3). Although PMRC was primarily involved in the pioneering RIA attempt, CIEM would be mainly responsible for (2), as the challenge now would now be institutionalizing a new model.

Developing these components more fully goes beyond the scope of this report, but a few suggestions are offered.

(1) Follow-up of EL and IL implementation

This could be modeled along the lines used for the 1999 EL implementation follow-up, using a task force approach, with 4-6 members from CIEM and PMRC. But at least one member should be full-time, supplemented with a research assistant, as secretariat. While follow-up should be national and general, it is also important to follow the reality of strengths and weaknesses at provincial level, as well as attempts at backsliding through constraining subsidiary regulations and "bad faith" in interpreting the laws. This will mainly have to rely on secondary reports from provinces, studies, various projects and

other sources, but could be complemented with more detailed and direct follow-up in 3-4 selected provinces covering the range of conditions in Vietnam. The main role of the full-time member and research assistant would be to conduct this provincial follow-up.

(2) EL and IL implementation monitoring model

Some foundations have already been laid, notably the RIA conducted by PMRC/GtZ, but also the compliance cost assessments conducted by the EU Private Sector Support Program. But one should not only look at these specific methods. In general, the techniques and methods of performance audits are also very relevant, as the effectiveness and efficiency of the public administration impact considerably on the implementation of the laws. Based on these experiences, other international experiences and methods, as well as on the traditional administrative monitoring and reporting mechanisms used, CIEM would develop, discuss and test a model suitable to Vietnamese conditions and resources, to be used both *ex ante* (at drafting stage) and *ex post* (at implementation).

Fully developing and implementing such a model, and imparting the required skills to practitioners, will obviously take some time, perhaps 1-2 years. In the meantime, the laws still have to be monitored. It is therefore suggested to quickly develop a simplified list of some key indicators, a checklist of questions for field or desk assessments, and some rapid survey instruments that can be used in the meantime to at least get a semi-quantitative overview of implementation beyond the traditional narrative reports.

While the immediate goal is to apply such a model to the EL and IL, it could also serve as model for more general reform of law implementation monitoring.

(3). Monitoring etc on continuing business regulatory reform

This is similar to (1) but concentrates more on other laws and factors affecting the business regulatory environment (including other critical reform areas such as PAR). Apart from advocating for specific new reforms, it is also important to promote higher awareness of “bad” regulations in general, and to encourage the channels through which the voice of business can be effectively heard. Obviously, CIEM and PMRC would not be alone in these fields, and in any case cannot substitute for the multitude of increasingly active stakeholders at national and local levels. Rather, their role should be to set and coordinate the overall agenda; mobilize and encourage other stakeholders; promote, synthesize and publicize pertinent studies and research; and act as pioneers in raising issues and testing new approaches; and generally “keep up the momentum” of reform.

The **second level** concerns general support to the main priority tasks of CIEM and PMRC in business regulatory reform for the next 3-4 years, as broadly spelled out in the 10th Party Congress resolutions and later in Government

directives. CIEM has already prepared a draft concept paper on what could be included in a new project.

Inter alia, areas for support could include continued improvements in market institutions post WTO (including regulatory reform, broader legal framework for business, corporate governance, PAR, rapid elimination of non-market economy elements); improving competitiveness of the economy in general as well as of enterprises; development of a balanced multi-sector economy.

These are all relevant and significant areas, but it is beyond the scope of this evaluation to comment in any detail on contents and priorities, except to repeat that support per se is recommended, for reasons given above. But the experience of this project, the combination of success factors and the comparative advantages of UNDP may be less compelling for the new project, as the issues are broader and involve an even wider range of stakeholders and sectors. There is more dispersion of action and timelines, and not so many visible and symbolic goals (once WTO accession is secured).

On the other hand, the UNDP cooperation has shown itself to be effective and productive, so one could argue that it would be a pity to dismantle a mechanism that works well. However, the emphasis at CIEM and PMRC would still be mainly national, and this may conflict with the desire to have a more provincial and local focus. Support to reforms at both national and local levels are useful and needed, but whether to support one or the other or both is a UNDP policy prioritization that goes beyond the scope of this report.

Exit strategy

Be that as it may, support at both levels should include an exit strategy, in the form of assurances and mechanisms to determine and ensure sustained and adequate Government funding for CIEM and PMRC to fulfill their tasks to high standards with progressively less external support. A “performance-oriented” study on resource requirements for business regulatory legal drafting and reform, consultations and studies, advocacy and implementation monitoring and evaluation, based on some different levels of ambition in terms of quality and quantity could be the initial starting point for dialogue and consensus-seeking in this respect. Such a study should be included in any support project.

Recognize the process aspects more explicitly in the project design.

Policy reform is both a process and technical issue. The project document should reflect this through more attention to defining the desired objectives and outcomes and how these are to be achieved, and relatively less to specific activities; the mechanisms through which support and advice is channelled to decision makers and policy deliberating fora; the risks and success factors to be monitored dynamically, the criteria for reorienting or discontinuing support; and how to ensure that advice and information is optimally “packaged” and injected into the reform process for maximum impact.

Support to process facilitation should be major duty of any international senior technical advisor (or equivalent)

Knowledge management

Knowledge management and promotion of networks, international as national, are essential elements of capacity building for policy reform. These should be explicit components of any policy reform support project. Assistance with these two elements should be included as major duties of any international senior technical advisor.

Annex 1. Brief Independent Term of Reference

I. Background

The Project VIE/01/025 “Improving the Regulatory Environment for Business” was originally designed to address some of the important imperfections and constraints in the ongoing economic transition process that cumulatively serve to inhibit economic growth and reduce the impact of anti-poverty measures. The key premise underlying the project’s logic was that a simple and transparent regulatory framework will facilitate business investment and economic growth, and provide greater opportunities for individuals and businesses with less access to decision makers. Based on this premise, the Project initially had six objectives, later reduced to five in 2004, as follows:

- Objective 1: Improved capacity to address constraints through Business-Government Partnerships
- Objective 2: More uniform and consistent policies and regulations concerning business entities
- Objective 3: Domestic Business Meetings: expand dialogue between business people and policymakers
- Objective 4: Strengthened capacity to effectively implement enterprise regulations: technical assistance
- Objective 5: Identify and address institutional constraints on factor market development

However, in 2004, due to the widely perceived importance (and urgency) of the impending (Unified) Enterprise Law and (Common) Investment Law, all of the Project’s efforts were re-focused on supporting the drafting of these laws, and the Project’s work-plan was significantly revised. In November 2004, the Government and UNDP agreed to extend the tenor of the Project, until the end of 2006, along with an additional budgetary injection. The two laws were subsequently submitted to, and passed by, the National Assembly in November 2005, and will become effective on 1st July 2006. At the time of writing, attention has turned to preparing seven implementing decrees needed to support the laws, as well as an advocacy campaign to support corporate sector compliance. The Project is expected to complete its activities in December 2006.

II. Rationale / objective for independent evaluation

In the course of Project implementation, a number of developments prompted considerable changes in the primary goals and activities of the Project. This change in circumstances has demanded that the Project adopt a highly flexible and pragmatic approach, both towards its principal objectives, and the means taken in seeking to achieve those objectives. It has also demanded a fairly close working relationship between personnel of UNDP and the executing agency, so as to ensure that outputs provided by the Project have been both prompt and pertinent, particularly given the accelerated legislative agenda under which the two laws were prepared and passed. The Project also had to

contend with a fairly complex environment of numerous other donor initiatives relating to the two laws. The Project therefore sought to coordinate these efforts wherever possible, attempting not to duplicate the activities of others, and always attempting to provide value-added outputs.

It is in this context that an independent evaluation of the Project is of merit. Given the simple fact that the two laws were passed by the National Assembly, one could argue that the Project effectively met its principal (revised) goal. However, an evaluation can gauge the extent to which the Project was, or was not, able to successfully meet a shifting set of objectives, and the critical factors that determined the degree of success, or lack of it. And perhaps more importantly, an evaluation can assist both UNDP and the Executing Agency in learning lessons from the Project's experience, which will be useful for any future projects, especially those focusing on support to law drafting.

Findings and recommendations pertaining to the above key points will serve as important inputs for conceptualizing, designing and implementing any subsequent project pursued by UNDP (or the Executing Agency) in the broad field of improving the regulatory environment for business.

III. Scope of the independent evaluation

The independent evaluation is to review all Project activities. It is to: i) compare actual progress with planned progress toward Project outputs and outcomes/objectives; ii) gauge the extent to which it met its revised objectives; iii) identify specific areas where the Project was of particular value, and where it failed to meet expectations; iv) review the operational approach taken by the Project; and v) provide recommendations for consideration in the design and implementation of future Projects in this field.

In order to do this, the evaluation mission shall have access to all pertinent Project documents, including research reports and other materials commissioned by the Project since its commencement. The evaluation mission will also meet with the Project management staff and STA, who are expected to assist the evaluation mission's work wherever possible.

IV. Specific issues to be addressed by the independent evaluation mission

The independent evaluation will seek to assess the following key issues:

1. Assess the overall validity and relevance of the project (e.g. approach, objectives, outputs, activities, inputs, modalities for implementation, etc.), and its extension, within the context of Vietnam's perceived needs in this field.
2. Did the Project meet its objectives (both original and revised)? To what extent was there any disparity between planned outputs/outcomes and actual output/outcomes?

3. Gauge the effectiveness of the Project management and its chosen approach, in terms of strengths and weaknesses.
4. Assess the Project's various outputs, in terms of quality, quantity and timeliness.
5. Assess institutional issues, notably in terms of UNDP's coordination with, and the capacity development of, the counterpart agency (CIEM). In particular, draw lessons learned for UNDP, in terms of the kind of support provided to legal drafting (e.g. UNDP's value added, relative to other donors; flexible mechanism and modality; handling conflicts of interest (if any); UNDP interventions and inputs by the program officer / STA / consultants; etc.)
6. Based on the above, identify key lessons learnt from the Project, and thereby provide specific recommendations that will be of value in the design and implementation of any future Projects in this field.
7. Any other issues that may become apparent in the process of conducting the evaluation, and which the mission deems pertinent to the evaluation process.

Annex 2. Selected List of Documents Consulted

1. The Project Document and its amendments
2. Annual Project Report & Work Plans for 2002, 2003, 2004 and 2005, Various Quarterly Reports, Agreed Minutes of Annual Project Review Meetings, Tripartite Review reports and various briefing memos
3. Report on "Supervision and Management of State-owned of Enterprises in China", YuJi, 2005.
4. Study Visit Reports in China, 2005, in Czech Republic and Russia, 2004, in Hungary and Poland, 2003.
5. Research report on Post-monitoring Mechanism for Enterprises.
6. Report on Review 9 years of Implementing the Law on Domestic Investment Promotion Investment.
7. Research report on Review the Current Mechanism on Issuing Investment Privilege Certificate in Vietnam.
8. Research report on "Vietnam's International Commitments on Investment".
9. Research report on "Investment Protection and Guarantee" in Vietnam.
10. Reports on Domestic Business Meetings.
11. Report on "History or Policy: Why Don't Northern Provinces Grow Faster?".
12. Survey report on implementing the Law on Domestic Promotion Investment in 11 provinces.
13. Report on Assessing of Four Years of Enterprise Law Implementation.
14. Comparative Study on Effectiveness of Private Sectors in Selected Provinces.
15. Research report on Transforming SOEs into Enterprises Operating Under the New Enterprise Law.
16. Research review of Common Investment Law and Securities Law.
17. Report on Review 5 years of Implementing the Enterprise Law.
18. Report on Status and Solutions for Localization of Vietnam's International Commitments on Investment.
19. Research Report on Comparison of the Laws on Foreign Investment in some countries (7/2004).
20. Report on State Management of Enterprises.
21. Research Report on the State-owned Enterprises Management Model: Successes, Failures and Suggested Changes.
22. Comments on Unified Enterprise Law, Professor Kosar.
23. Report on Current Situation on Issuance of Investment License in Vietnam & Recommendations.
24. Report review Strengths and Weaknesses of Enterprise Law 1999.
25. High Time for Another Breakthrough - Review of the Enterprise Law and Recommendations for Change, November 2004, CIEM/GTZ/UNDP.
26. Working in Partnership to Deliver Results – Vietnam Partnership Report 2005.
27. Improving the quality of business laws – a Quicksan of Vietnam's Capacities & Introduction of International Best Practices, PMRC/GTZ/UNDP, 2005.
28. Preliminary Assessment Report – Training Viet Nam Investment and & Enterprise Law 2005, EU-Vietnam PSSP/DPI Haiphong/CIEM/UNDP.
29. Consultation of the Domestic Business Community in the Development of Vietnam's Legal Framework for Enterprise, Hanoi 2005, GTZ.

30. The Vietnam Provincial Competitiveness Index 2006, VNCI.
31. Briefing Book on; The Unified Enterprise Law and the Common Investment Law, Office of the National Assembly –CILRS/MPDF, August 2005.
32. Business Licensing – Current Status and the Ways Forward, 2006, PMRC/ADB/GTZ.
33. Business – Vietnam Development Report 2006.
34. Regulatory Impact Assessment for Unified Enterprise Law & Common Investment Law, 2005, PMRC/GTZ/UNDP.
35. Beyond the Headline Numbers: Business Registration Startup in Vietnam, May 2005, MPDF.
36. From Business Idea to Reality – Still a Long and Costly Reality, 2005, CIEM/GtZ
37. Women Business Owners in Vietnam – a National Survey, 2006, MPDF/Gender Entrepreneurship Markets.
38. Comparative Provincial Performance in Private Business Development – Some preliminary Observations from Nine Provincial Case Studies, Dec 2003, CIEM/UNDP.
39. 6 Years of Implementing the Enterprise Law – Issues & Lessons Learned, Hanoi 2006, CIEM/GTZ.

Annex 3. List of Organizations and People Interviewed

Time	Description	Venue
21 April 2006		
	<ul style="list-style-type: none"> ▪ Mr. Phong, Head of Poverty Unit, UNDP Ha Noi ▪ Ms. Do Nguyet Nga, Program Officer, UNDP Ha Noi 	25-29 Phan Boi Chau, Hanoi
17 May		
10:00	<ul style="list-style-type: none"> ▪ Mr. Nguyen Ngoc Bich, Lawyer and Partner of IMAC Law Office 	17 Le Duan Blv, Floor 8, District 1, Ho Chi Minh City
14:00	<ul style="list-style-type: none"> ▪ Mr. Huy Nam, Economist 	6C Phan Ke Binh, Da Kao Ward, District 1, Ho Chi Minh City
18 May		
14:00	<ul style="list-style-type: none"> ▪ Mr. Tran Du Lich, President, Ho Chi Minh Institute of Economics 	28 Le Quy Don, District 3, Ho Chi Minh City.
16:00	<ul style="list-style-type: none"> ▪ Prof. Dr Nguyen Thi Canh, Economist 	28 Nguyen An Ninh, Ward 14, Binh Thanh District, Ho Chi Minh City
20 May		
9:30	<ul style="list-style-type: none"> ▪ Mr. Nguyen Thanh Nhon, President, Nhon Corporation and Director of Project Department, Ho Chi Minh Young Business People Association. 	126 Road 3/2, Ward 12, District 10, Ho Chi Minh City
23 May		
8:00	<ul style="list-style-type: none"> ▪ Mr. Nguyen Hoang Hai, General Secretary, Vietnam Association of Financial Investors (VAFI) 	Room 1404, Block 17T4, Trung Hoa Nhan Chinh, Thanh Xuan, Ha Noi
10:00	<ul style="list-style-type: none"> ▪ Dr. Adam McCarty, Chief Economist, Mekong Economics 	24 Tran Vu Street, Ha Noi.
15:00	<ul style="list-style-type: none"> ▪ Mr. Tran Huu Huynh, Director, Legal Department, Vietnam Chamber of Commerce and Industry 	International Trade Center, 9 Dao Duy Anh Street, Ha Noi
16:30	<ul style="list-style-type: none"> ▪ Lawyer Cao Ba Khoat, Director, ATYS Consultancy and Training Company 	5 Alley 43, Vong Thi Street, Tay Ho District, Ha Noi
25 May		
8:30	<ul style="list-style-type: none"> ▪ Various people at the Seminar "6 year 	Melia Hotel, 44B Ly Thuong Kiet Street, Ha Noi

<i>Time</i>	<i>Description</i>	<i>Venue</i>
	implementation of Enterprise Laws”, by CIEM and GTZ	
14:30	<ul style="list-style-type: none"> ▪ Mr. Thomas Finkel, Chief Technical Advisor, Public Private Partnership ▪ Mr. Le Duy Binh, Programme Advisor, SME Policy 	97 Tran Quoc Toan (2nd floor), Ha Noi
16:00	<ul style="list-style-type: none"> ▪ Dr. Pham Thi Thu Hang, Director of Small and Medium Enterprise Promotion Center; Director of Enterprise Development Foundation, Vietnam Chamber of Commerce and Industry 	International Trade Center, 9 Dao Duy Anh Street, Ha Noi
29 May		
9:00	<ul style="list-style-type: none"> ▪ Mr. Kohata Kenichi, Advisor to SME finance project, Japan International Cooperation Agency and Ministry of Planning and Investment ▪ Ms. Trieu Viet Chau, Project Secretary 	2nd Floor, 51A Nguyen Khac Hieu Street, Ha Noi.
14:30	<ul style="list-style-type: none"> ▪ Ms. Do Thanh Ha, VIE 01/025 Project Assistant 	Central Institute for Economic Management, 68 Phan Dinh Phung, Ha Noi
30 May		
12:00	<ul style="list-style-type: none"> ▪ Mr. Giang Tien Doan, Deputy Director, VNCI Project 	Prime Center Building, 15 th Floor, Suite 2 53 Quang Trung Street, Hanoi, Vietnam.
31 May		
9:00	<ul style="list-style-type: none"> ▪ Mr Phan Vinh Quang, Project Deputy Director, STAR Project 	7 th Floor, 17 Ngo Quyen Street, Ha Noi
11:00	<ul style="list-style-type: none"> ▪ Mr. Micheal McGabe, Resident Representative, MOT-CIDA (PIAP) 	N2 Building, 33A Pham Ngu Lao Street, Ha Noi
16:00	<ul style="list-style-type: none"> ▪ Mr. Svend Erik Holde, DANIDA's Business Sector Program Support 	Room 501, 47 Quan Thanh Street, Ha Noi 7344521 (102)
17:00	<ul style="list-style-type: none"> ▪ Mr. Raymond Mallon, Development Economist and Consultant 	Metropole Hanoi mallon@netnam.vn 8273906 / 0903 404949 raymond@raymondmallon.com

<i>Time</i>	<i>Description</i>	<i>Venue</i>
		mallon@serendip.com.au
1 June		
8:30	▪ Dissemination Workshop on the Provincial Competitiveness Index on the Business Environment in Vietnam 2006	Thang Long Ballroom, Melia Hotel, 44B Ly Thuong Kiet, Ha Noi
16:00	▪ Mr. Nguyen Van Lan, Business Development Officer, Business Enabling Environment Program, Mekong Private Sector Development Facility	3 rd , 63 Ly Thai To Street, Ha Noi.
5 June		
8:30	▪ Mr. Nguyen Dinh Tai, VIE 01/025 National Project Manager	Central Institute for Economic Management, 68 Phan Dinh Phung, Ha Noi
10:00	▪ Mr Jonas Lovkrona, Head of Governance Unit, UNDP Ha Noi	25-29 Phan Boi Chau, Hanoi
11:00	▪ Ms. Pham Chi Lan, Advisor, Prime Minister's Research Commission	6 Le Hong Phong Street, Hanoi
14:15	▪ Mr. Nguyen Le Trung, Director of SME Dept	Ministry of Planning and Investment, 02 Hoang Van Thu, Ha Noi
15:45	▪ Mr. Phuong Huu Viet, NA Member, Chairman, Vietnam Young Entrepreneur Association	64 Ba Trieu Street, Ha Noi 0903401968 / 9723720
17:00	▪ Ms. Do Nguyet Nga, Program Officer, UNDP Ha Noi	25-29 Phan Boi Chau, Hanoi 0912 532731 / 04 833 9671
6 June		
9:00	▪ Mr. Nguyen Dinh Cung, Director of Macro-Economic Dept, CIEM	Central Institute for Economic Management, 68 Phan Dinh Phung, Ha Noi
14:00	▪ Mr. Nick Freeman, STA, VIE 01/025	25-29 Phan Boi Chau, Hanoi
16:30	▪ Ms. Ricardar Meissner, EU Private Sector Support Program	Ministry of Planning and Investment, 02 Hoang Van Thu, Ha Noi
7 June		
14:00	▪ Mr. Pham Manh Dung, Director of Legal Dept, MPI	Ministry of Planning and Investment, 02 Hoang Van Thu, Ha Noi
16:00	▪ Mr. Le Dang Doanh, Economic Advisor to MPI	Ministry of Planning and Investment, 02 Hoang Van

<i>Time</i>	<i>Description</i>	<i>Venue</i>
		Thu, Ha Noi
9 June		
16:00	▪ Mr. Son Tran, Private Sector Development Specialist, World Bank Vietnam	63 Ly Thai To Street, Ha Noi

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