FINAL EVALUATION REPORT

Project Number
VNM/S65

Project Title
“Strengthening of the Legal and Law Enforcement Institutions in Preventing and Combating Money Laundering in Viet Nam”

Thematic Area
Rule of law
(International cooperation in criminal justice matters)

Location
Viet Nam

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UNITED NATIONS OFFICE ON DRUGS AND CRIME

Ha Noi, March 2012
### LIST OF ABBREVIATIONS AND ACRONYMS

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tr>
<td>AML</td>
<td>Anti Money Laundering</td>
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<tr>
<td>AMLIC</td>
<td>Anti Money Laundering Information Centre</td>
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<td>AMLD</td>
<td>Anti Money Laundering Department</td>
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<td>AMLU</td>
<td>Anti Money Laundering Unit</td>
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<td>AMMTC</td>
<td>ASEAN Ministerial Meeting on Trans-national Crime</td>
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<td>APG</td>
<td>Asia/Pacific Group on Money Laundering</td>
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<td>ASEAN</td>
<td>Association of Southeast Asian Nations</td>
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<td>ASEM</td>
<td>The Asia Europe Meeting</td>
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<td>BA</td>
<td>Border Army</td>
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<tr>
<td>CBT</td>
<td>Computer-Based Training</td>
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<td>CFT</td>
<td>Countering Financing of Terrorism</td>
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<td>FATF</td>
<td>Financial Action Task Force</td>
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<td>FE</td>
<td>Final Evaluation</td>
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<td>FIU</td>
<td>Financial Intelligence Unit</td>
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<td>GPML</td>
<td>Global Programme against Money Laundering</td>
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<td>ICRG</td>
<td>International Co-operation Review Group</td>
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<td>IMF</td>
<td>International Monetary Fund</td>
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<td>LE</td>
<td>Law Enforcement</td>
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<td>ML</td>
<td>Money Laundering</td>
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<td>MOD</td>
<td>Ministry of Defence</td>
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<td>MOF</td>
<td>Ministry of Finance</td>
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<td>MOFA</td>
<td>Ministry of Foreign Affairs</td>
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<td>MOJ</td>
<td>Ministry of Justice</td>
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<td>MoU</td>
<td>Memorandum of Understanding</td>
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<td>MPS</td>
<td>Ministry of Public Security</td>
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<td>NSC</td>
<td>National Steering Committee on AML</td>
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<td>PPR</td>
<td>Project Progress Report</td>
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<td>SBV</td>
<td>State Bank of Viet Nam</td>
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<td>SPC</td>
<td>Supreme People’s Court</td>
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<td>SPPO</td>
<td>Supreme People’s Prosecution Office</td>
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<td>UN</td>
<td>United Nations</td>
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<td>UNODC HQ</td>
<td>United Nations Office against Drugs and Crime Headquarters</td>
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<td>UNODC</td>
<td>United Nations Office on Drugs and Crime</td>
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<td>UNDP</td>
<td>United Nations Development Programme</td>
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<td>UNSC</td>
<td>United Nations Security Council</td>
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<td>VND</td>
<td>Vietnamese Dong</td>
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Disclaimer

Independent Project Evaluations are scheduled and managed by the project managers and conducted by external independent evaluators. The role of the Independent Evaluation Unit (IEU) in relation to independent project evaluations is one of quality assurance and support throughout the evaluation process, but IEU does not directly participate in or undertake independent project evaluations. It is, however, the responsibility of IEU to respond to the commitment of the United Nations Evaluation Group (UNEG) in professionalizing the evaluation function and promoting a culture of evaluation within UNODC for the purposes of accountability and continuous learning and improvement.

Due to the disbandment of the Independent Evaluation Unit (IEU) and the shortage of resources following its reinstitution, the IEU has been limited in its capacity to perform these functions for independent project evaluations to the degree anticipated. As a result, some independent evaluation reports posted may not be in full compliance with all IEU or UNEG guidelines. However, in order to support a transparent and learning environment, all evaluations received during this period have been posted and as an ongoing process, IEU has begun re-implementing quality assurance processes and instituting guidelines for independent project evaluations as of January 2011.
## SUMMARY MATRIX

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<thead>
<tr>
<th>Findings</th>
<th>Supporting evidence</th>
<th>Recommendations</th>
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<tr>
<td>1. The project is a success and should be considered as a basis for further initiatives.</td>
<td>The project scores high on relevance, effectiveness and impact. Feedback from beneficiaries and stakeholders indicate increased knowledge and awareness on AML. Moreover, the project played a central role in adaptation of the national legal framework. However, general impressions point out that this project was a first step.</td>
<td>Preparations should be made for Phase II of the project. Project management should pay specific attention to assigning significant time for the early direct involvement of stakeholders and beneficiaries during project formulation to ensure inclusion of developing needs; as well as improving the quality of project logic.</td>
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<td>2. The development of ‘master trainers’ (via ToT) to provide sustainable capacity development should be exploited further.</td>
<td>S65 made good use of targeting educational institutions (e.g. the People’s Police Academy) for the ToT segment.</td>
<td>In a next phase, the project should explore and seek to include participants across the board as well. The beneficiary entities should provide additional support for master trainers to develop.</td>
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<td>3. Feedback from training sessions (quality, effect) should be improved.</td>
<td>Testing was done only occasionally, and not systematically.</td>
<td>Project management should revisit training modules and improve the training component of future projects by including systemized pre- and post testing methodologies. The testing should assess the quality and effect of the training</td>
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<td>4. Despite its impact, the project design (especially logic, definition of indicators) needs improvement.</td>
<td>The weakness of an instrumental part of the project document - i.e. the formulation of project logic - has been explored and its effects described: imperilling implementation, monitoring and evaluation.</td>
<td>The UNODC should consider increasing capacity amongst its staff on Project Cycle Management through training or workshops with a special focus on the formulation clear and meaningful project logical frameworks.</td>
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## EXECUTIVE SUMMARY

### Introduction and background

As a society with a cash based economy, Viet Nam is very vulnerable to money laundering. Although the country has been active to some extent in the international context in anti-
money laundering initiatives, there have been only a few efforts linking relevant partners inside the country to combat money laundering in a structural manner.

UNODC project VNM/S65 is a pilot project focused on capacity development within governmental agencies, in an attempt to support the Vietnamese government in achieving international Anti Money Laundering (AML) standards. The project was executed by the UNODC in Viet Nam Country Office (COVIE) in Ha Noi. Implementation commenced in July 2007 and was planned to run for 3 years. Four project revisions extended the running time of the project to 4 years and 10 months, with the original budget increasing from US$ 1,027,800 to US$ 1,249,359. Termination will take place in April 2012.

The objective of the project was to institute an effective national anti-money laundering system in Viet Nam with the intended outcome of strengthening the capacity of government law enforcement, prosecution and other criminal justice institutions as well as civil society responses to prevent, detect, investigate and prosecute cases of money laundering in line with international standards.

The purpose of the final evaluation (FE) was to assess the results of the project and to demonstrate to what extent it has achieved its objectives and has been relevant, efficient, and sustainable. It also derived lessons learned and best practices from the evaluation findings as well as recommendations. In addition, the FE analyzed achievements and/or gaps in delivering technical assistance on AML/CFT under the project. This final evaluation will cover the project in its entirety e.g. project concept and design, implementation and management arrangements including monitoring and evaluation, outputs, outcomes and impact, between its inception and the project end, from July 2007 to December 2011. The Terms of Reference (TOR) can be found at Annex 1.

**Major findings**

The project design is strong in explaining the justification of the project, and providing linkages with international regulations and national legislation. The weak point of the design is its project logic, which fails to provide for clear objectives and SMART indicators.

The project is very relevant in view of the current standards and international interest on ML through the Financial Action Task Force (FATF) and International Co-operation Review Group (ICRG). It suitably addresses major problems in the fight against Money Laundering (ML) and Countering Financing of Terrorism (CFT). It taps well into existing national policies and strategies, as well from international donors.

The effectiveness of S65 is difficult to determine. It has weak indicators, and baseline data is not available for this pilot project. Nevertheless, its real effect can be found in its core deliveries which were very well received by all its beneficiaries, key players and stakeholders alike: all stated to have experienced the increase in knowledge, skills and strengthened cooperation that were the major driving forces behind this initiative.

The project was executed reasonably efficiently. Again, the lack of strong indicators does not allow for strict measurements. However, a project team was put in place in a timely manner, as well as focal points selected in the partner agencies. S65 managed to deliver trainings of
high quality on time, as well as successfully operating internationally through the organisation of a number of study visits abroad.

The project has left a significant impact amongst its beneficiaries as well as with the Government. Feedback unanimously consisted of praise for the developed and enhanced awareness on ML, as well as the coordination of structures that S65 initiated –the example of the National Steering Committee stands out.

Finally, the sustainability for this pilot project may be found in the apparent ownership by the Vietnamese government. S65 had a vital role in the amendment of the Penal Code, resulting in a stronger legal framework to enable Law Enforcement (LE) officers and judges to successfully pursue and trial ML cases. However, although there is a solid but small core of well-trained and skilled officials available within AML forces in Viet Nam, without proper follow up from the Government as well from international efforts, this effect may easily erode.

**Main conclusions**

The FE asserts that S65 was a success. Efforts to combat money laundering in Viet Nam and the wider region are relatively young, and projects aimed at integrated capacity development are new. This project was the first of its kind, and therefore its success could have been the drop of a coin. Instead, it delivered on its promises, and managed to be of vital importance to a process of change on the national legislative level: the amended Art 251 and the drafting of the new Law on AML.

The project adequately targeted and promoted positive policy and institutional measures to protect and empower relevant agencies and law enforcement officers.

The programme’s work on strengthening capacities of national authorities and LE officers is a significant contribution to developing and strengthening networks and links between AML partners; a contribution to developing effective and sustainable frameworks in the fight against money laundering.

However, development projects involving many partners, covering multiple institutions and targeting different groups are by their nature complex and difficult to present in the generally rigid results framework. The logframe struggles to explain clearly the link between the concrete activities (with target groups) with general changes, especially connecting these with objectively verifiable indicators (OVI-s). This presents difficulties in properly understanding the project logic, imperilling proper monitoring and evaluation. Unfortunately, it distracts from the otherwise strong results of the project.

In all, S65 had a very positive impact and its initiatives deserve continuation, ideally in the form of sequential projects.

**Main recommendations**

The project should be considered as a basis for further initiatives. The project’s incentives and achievements are recommendable. Feedback obtained included considerations as listed in Chapter IV (Recommendations). UNODC is advised to start preparing for a Phase II.
The development of ‘master trainers’ (via Training of Trainers -ToT) to provide sustainable capacity development should be exploited further. S65 made good use of targeting educational institutions (e.g. the People’s Police Academy) for the ToT segment. In a next phase, the project should explore and seek to include participants across the board as well. The beneficiary entities should provide additional support for master trainers to develop.

The training component of future projects should be improved by including systemized pre- and post testing methodologies. This will allow for enhanced and accurate measuring of capacity development amongst trainees.

The project formulation phase, in case of a follow up project, should be re-visited. The weakness of an instrumental part of the project document –i.e. the formulation of project logic- has been explored and its effects described: imperilling implementation, monitoring and evaluation. The UNODC should consider increasing capacity amongst its staff on Project Cycle Management –in particular the formulation of clear and meaningful project logical frameworks -through training or workshops.

**Major lessons learned**

A number of lessons have been learned from implementing S65. Awareness of these lessons can help promote continuous improvement in the planning, design, and implementation of future projects; in other words, put best practices into action. These include the following:

- Include national partners during the formulation phase for the next project. Their direct input may allow for better defining desired outcomes and workable indicators.

- The Computer Based Training Centres (CBT) have proven to be a very practical training tool and play a crucial role in the AML fight through provision of training to young LE officers. The risk of this segment lies in adoption of the centres by the beneficiary: regular use will wear out the equipment, and without regular investment (maintenance, replacement) the centres may lose their purpose.

- Maintaining proper and timely communication with relevant stakeholders will avoid perceived ‘gaps’ in implementation.

- Regularly engaging, briefing and involving donors and donor institutions not (yet) related to the project is vital for current and future project support.
I. INTRODUCTION

Background and Context

Two months after the publication of David Wolman’s latest book “The End Of Money: Counterfeiters, Preachers, Techies Dreamers –and The Coming Cashless Society” in February 2012, UNODC project VNM/S65 (hereafter: S65) draws to an end. These two events have not much in common, besides the fact that they both point out how and why cash can be a detrimental force in society.

For those who want to know more about how Mr Wolman comes to his conclusions, the FE refers to the book itself –available in fine bookstores everywhere. As for S65, this report will further elaborate on the project also known under its official title: “Strengthening of the Legal and Law Enforcement Institutions in Preventing and Combating Money Laundering in Viet Nam”.

Naturally, cash is not the only raison d’être for money laundering, but it does play a significant providing role. Since Viet Nam’s economy can be characterised as heavily cash based, it makes for an attractive hunting ground for money laundering activities.

Money laundering, a global phenomenon affecting most countries around the world, is a process whereby the origin of funds generated by illegal means is concealed. The objective of this operation, which usually takes place in several stages, consists of making the funds and assets that are illegally obtained appear as though they have been derived from a legitimate source before integrating them into the legitimate economy. Within the framework of globalisation and free trade, criminal benefit from the advantages offered by the current state of affairs; thanks to technology and market integration, funds and commodities can be transferred from one side of the world to the other in a matter of seconds. Thus “marginal” financial markets no longer exist in today’s global economy; money or commodities located in Hanoi can easily be transferred to and traded in New York, London, or any other financial market, without being physically moved.

Viet Nam may not be seen as a serious target for money laundering. However, the IMF estimates the world scale of money laundering transactions is a staggering 2 to 5 percent of global GDP; even if Viet Nam is only half of the lower end of the estimated extent of money laundering, the national scale could be 1 percent of national GDP or in excess of USD$1 billion per annum (per data of 2010). All funds derived from criminal activity are monies that need to be laundered. The funds and assets acquired from crime are also funds and assets potentially available for confiscation by the State. Whilst it is very difficult to accurately estimate the extent of money laundering in Viet Nam, the above figure is not unrealistic when one takes account of the millions of dollars generated from crime within Viet Nam and the anecdotal evidence that millions of dollars illicit funds are received into Viet Nam from the United States, Canada, the United Kingdom, Australia and other jurisdictions as part of various money laundering operations.

Viet Nam, as a developing economy with strong foreign investment in a ‘high-cash economy’ fulfils all the requirements money launderers look for when establishing and running their businesses. Project S65 aimed at supporting Viet Nam’s AML efforts through research and operational inputs. It was foreseen that the combination of specialized field knowledge and enhanced operational capabilities would result in enhanced anti-money laundering activities, regulations, and policies.
The project was executed by the UNODC Viet Nam Country Office (COVIE) in Ha Noi. Implementation commenced in July 2007 and was planned to run for 3 years. Four project revisions extended the running time of the project to 4 years and 10 months, with the original budget increasing from US$ 1,027,800 to US$ 1,249,359. The main reasons for both extensions were requests from Governmental agencies for additional project support as well as delays faced in implementation (e.g. shipment of computers, publishing of the AML/CFT Handbook).

The purpose of the final evaluation (FE) was to assess the results of the project and to demonstrate to what extent it has achieved its objectives and has been relevant, efficient, and sustainable. It also derived lessons learned and best practices from the evaluation findings as well as recommendations. In addition, the FE analyzed achievements and/or gaps in delivering technical assistance on AML/CFT under the project.

The scope of the FE covered the city of Ha Noi, where the majority of governmental agencies, key actors and stakeholders are located: Investigation Police on Economic Management Order and Position of the Anti-crime Police General Department of MPS, the Supreme People’s Prosecution Office (the 1C Department), the Supreme People’s Court, the Customs General Department (the Anti-smuggling Investigation Department), the Border Army Command (the Counter Narcotic Drugs Department), the Ministry of Justice (Department of Criminal and Administrative Laws), the State Bank (AMLD), and the Police Academy of the MPS. The duration of the FE was 17 days.

**Evaluation Methodology**

The FE focused on three levels: design, process and results. This involved gathering data from existing documentation and monitoring data, and complementing these data through surveys and interviews with Programme staff, -partners and -beneficiaries, whilst comparing the findings with baseline data (where feasible). This report contains the findings of this process, its conclusions and recommendations. The entire evaluation process adhered to the standards and guidelines set forth by the United Nations.

The evaluation methodology is based on ratings of the OECD-DAC established evaluation criteria: relevance, efficiency, effectiveness, sustainability and impact. Additionally, the evaluation will study the extent of partnership and cooperation, its effects on project implementation and possibilities of duplication. The evaluation was carried out in three phases:

- In the Inception Phase, a review of project-produced documents in the desk study was conducted and subsequently an Inception Report describing background and proposed evaluation methodologies including evaluation instruments was submitted to the UNODC, revised, and cleared by the Independent Evaluation Unit (IEU);
- The Site Visits and Data Collection Phase consisted of semi-structured interviews with a representation of key project beneficiaries, partners and stakeholders;

Data was acquired through desk research and interviews with representatives of beneficiary institutions, programme staff and consultants. The list of reviewed documents is attached in Annex 1.
Additionally, semi-structured interviews were carried out, in person as well as by phone and/or through questionnaires by email with representatives from the beneficiaries of the programme and the project donor. The FE used the list of questions as they are grouped per DAC criteria (see also the Evaluation Matrix, Annex 2). These evaluation questions formed the basis for the interviews, whilst the FE maintained sufficient flexibility for other relevant questions to be discussed as well where deemed appropriate.

**Limitations to the Evaluation**

The FE did not suffer from serious limitations. However, S65 has been running for the last 4 years and 9 months; a lot of time has passed since project commencement and it could be expected that many trainees as well as former staff may have limited memory of project details or have moved on. Their input may put limitations on the quality of feedback obtained.

The interviews undertaken during the field phase of the FE did show a number of occasions where staff had left or were moved elsewhere, and talks were therefore held with officials that were not fully aware of the entire project context. The FE stresses though that the frequency of these occasions was not too high to risk imperilling the data gathering.

Another limitation concerned the planned survey amongst the 1,900 trainees, based on a simple sample of 91 selected respondents. Coordination with the national project team learned that such survey would be impossible within the given time frame, not in the least because respondents do not have easy access to email, which, if present, is subject to authorisation of superiors and would not be obtained on time.

Instead, the FE was enabled to meet and interview with all the main partners and beneficiaries of the project:
- The Economic Police Department
- The Border Army
- The People’s Police Academy
- The Ministry of Justice – Criminal and Administration Laws Department
- The Supreme People’s Court
- The Supreme People’s Procuracy
- The Anti Money Laundering Department of the State Bank
- The Customs General Department – Anti Smuggling Investigation Department
- The Ministry of Construction – Housing & Real Estate Management Department.

Finally, the FE was not able to meet with donors; they were contacted for meetings but stated that they would be satisfied with receiving the end product of this FE, the Evaluation Report.

For a full list of interviews, please see Annex 3.

**II. EVALUATION FINDINGS**

**Design**

The project design of S65 is characterised with a sound narrative part in which the intervention is properly justified. The project makes strong references to international treaties
and regulations, and intends to fit well in with national strategies and initiatives.

There is a problem however when taking a look at the project logic of S65 in its logical framework matrix (logframe –attached in Annex 3). The main issues are analyzed in the following paragraphs.

There seems to be more than one overall objective:

- **Crime Prevention objective:**
  To provide Viet Nam with the skills and ability to detect and reduce money-laundering offences

- **Main objective:**
  To increase detection, investigation, prosecution and trial capacities of law enforcement and the judiciary regarding money laundering in Viet Nam

- **Objective:**
  Money laundering activities identified & effectively acted on

This is not helpful for the project when it attempts to attain its objectives (which one would that be?). Secondly, the phrasing of each objective is unfortunate; in its ambitions it is also ‘arrogant’. In other words, it promises ‘to provide’, ‘to increase’ and/or ‘acted on’. No single project can do more than to contribute to each or all of these objectives, and that should ideally have been reflected in a more correct drafting of the overall objectives.

The objectively verifiable indicators (OVI) are not chosen well either. First and foremost, none of them are SMART (Specific, Measurable, Achievable, Realistic, Time-phased). This is a significant loss for the project since it doesn’t allow us to really measure its attainments. A second problem with the OVI-s, which also leads to the third problematic issue below, is that many are phrased with the characteristics of activities or outputs, which is confusing when studying the project logic.

The logframe chooses to use ‘outputs’ in describing how the project intends to support its objectives; again, a choice with unfavourable effects. First, objectives can be supported through the attainment of a result, which in literature is sometimes (partly correct) described as an outcome. It is unrealistic to assume that the attainment of objectives is done through the performance of outputs (which are in turn also known as ‘activities’). This is not an uncommon problem; ‘outcomes’ and ‘outputs’ are many times confused. It is therefore advisable to use the more clear phrases ‘results’ and ‘activities’ when drafting a logframe.

Activities do appear in the logframe of the original project document of 2007, but not are not included some later versions; they do re-appear in the final project revision of 2010. This leads to a sense of disconnection of project logic between outputs and objectives, as well as adds to the confusion. As an example, one can look at Activity 10.2: “Conduct … workshops…” The corresponding Output 10 states “…workshops conducted…” while the OVI consist of nothing more than “Workshops conducted”. This happens as well on many other occasions. In other words, the logframe has a strong self-serving character, and may give the reader the impression that S65 could be a project that exists for its own reason.

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1 From the Project Document, 2007.
2 From the Annual Progress Report, 2008
3 From the Semi-Annual Report, 2011
Finally, the project budget is not designed based on the intervention logic. The UNODC is known for working with its own budget system, which is not always mostly suited for project implementation. It doesn’t follow project logic nor is it activity based as they are defined through the project logic. It may be advised to re-visit this approach, adding to budgets that support project monitoring and evaluation stronger.

As a final overall remark, S65 never went through a mid-term evaluation where many (if not all) of the above issues could have been addressed. The three project revisions focused on financial and duration aspects, and failed to include this as well.

**S65 and the DAC Criteria**

The FE will describe and analyze below to what extent S65 adhered to the principles of the OECD-DAC evaluation criteria, using the findings of the mission through the answers to the Evaluation Questions (EQ) against the Judgement Criteria (JC).

**Relevance**

**EQ1: Are the project objective and results (outputs, outcomes and impacts considering relevant indicators) clear, realistic and coherent in terms of contributing to the achievements of UNODC Strategic Programme Frameworks 2005-2007?**

The project objective and results are contributing to the achievements of UNODC Strategic Programme Frameworks 2005-2007. The Programme documents lay out clear presentation of the problems and their root causes. S65 strongly focused on capacity development of Government officials and LE officers. It sought to increase knowledge and awareness on ML amongst its target audiences, and supported the Government in general to extend this to a wider audience. It clearly explains that knowledge levels need to be up to international level, and further explains that Viet Nam needs to re-consider its cash based economy.

**EQ2: Are the project objectives relevant in view of the current standards and international interest through FATF and ICRG on AML/CFT related issues including on asset recovery?**

The objectives are relevant in view of the current standards and international interest through FATF and ICRG on AML/CFT related issues including asset recovery. The relevance of S65 is obvious which can be deduced from the international laws, regulations and treaties that it supports through its implementation. The programme document clearly explains and justifies how the objectives meet the standards of the FATF and ICRG on AML/CFT including asset recovery. At the international level, Viet Nam is a signatory to the following:

- The UN Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (the Vienna Convention - 1988);
- The International Convention Against Transnational Organized Crime (the Palermo Convention - 2000);
- Viet Nam signed the Palermo Convention on 13 December 2000. Ratification of the Convention and its supplementary protocols on human trafficking is underway;
- The UN Convention Against Corruption adopted by the UN General Assembly in October 2003;
- International Convention for the Suppression of the Financing of Terrorism, April 2002;
- UN Security Council Resolution 1373;
• UN Security Council Resolution 1267 and its successors;
• UN Security Council Resolution 1617;
• In November 2005 Viet Nam along with its ASEAN partners at the 5th AMMTC committed to implement the ASEAN Plan of Action to Combat Transnational Crime, which includes the combating of money laundering.
• Viet Nam’s membership of the Asian Pacific Group since 2007.

EQ3: Are the AML/CFT challenges identified and major problems addressed under the project still a problem to tackle, why?
S65 has suitably addressed the major challenges and problems of ML in Viet Nam, especially considering the fact the project is a first of its kind. It was aware of its limitations, however, the phrasing of the Objectives may have been too ambitious; single projects, as a rule, can merely aim to contribute to solving problems.
The FE finds that the challenges and problems are partly solved. Immediate areas of attention remain, as identified by the project, such as asset recovery, while further training and awareness campaigning should be considered as well.

EQ4: To what extent is the project aligned with the policies and strategies of the national stakeholders and international donors in the area of AML/CFT?
The project has successfully aligned itself with national and international policies and strategies. The international segment has been covered under EQ2 above.
On the national level, the following laws, treaties and cooperation modules underscore the relevance of S65:
• The Penal Code of Viet Nam, in particular the following articles: 41, 154, 250 and 251;
• Decree No.74 of 2005: A Decree to Prevent and Combat Money Laundering. The AML Decree provides for measures to prevent and combat money laundering in Viet Nam; sets out responsibilities of individuals, agencies and organizations in preventing and combating money laundering and provides for international cooperation against money laundering. It provides for the establishment of Viet Nam’s financial intelligence unit –the Anti Money Laundering Information Centre (AMLIC), later transformed into the Anti Money Laundering Department (AMLD).
• The Criminal Procedure Code 2003 (amended);
• Law on National Security;
• Article 19 of the Law on Credit Institutions (December 1997).

Moreover, S65 strongly cooperated with the AML/CFT Advisor for Mekong Region, further strengthening its relation with AML efforts on the transnational level.

Finally, S65 respected the national institutional framework by including all the national partners on AML in its activities and cooperation modules, while strengthening inter-agency cooperation:
• The State Bank of Viet Nam -responsible for the supervision of and the issue of guidance to the regulated financial sector
• Ministry of Public Security -the Economic Police Department The Counter-Narcotics Police Department
• Border Army
• The Customs General Department
• Ministry of Justice
The Supreme People’s Procuracy  
The Supreme People’s Court  
The Ministry of Construction – the Housing & Real Estate Management Department.

The strategies and programme activities coherently and comprehensively address identified needs, and there is no contradiction between the priorities of the programme documents and of national policies and strategies. S65 has played an important part in creating and raising awareness about ML amongst target audiences.

**EQ5:** Considering the various players involved in technical assistance delivery, are the priority areas and objectives of S65 relevant to responding to international needs?

Through a close coordination and cooperation between COVIE and its national counterparts for years, the project team allowed for timely participation of key stakeholders in needs assessment, selection of strategy and implementation duration. The involvement of the Regional Advisor on AML/CFT further supported alignment to the international level.

**Effectiveness**

**EQ6:** Has the project achieved, or made acceptable positive progress, vis-à-vis of its objectives and results (outputs, outcomes and impacts considering relevant indicators)?

Unfortunately for S65, the indicators do not meet the SMART criteria. Therefore, a solid argument for its overall attainment cannot be given. Nevertheless, the programme did meet its intentions in its change theory; mentioned here are increased awareness, enhanced skills and above all, change in regulations on the national level through its direct involvement in the amendment of Art 251 of the Penal Code and in the drafting of a new Law on AML (to be adopted in 2012).

Regarding overall capacity building, S65 managed to deliver high quality trainings, and from beneficiary feedback it can be concluded that this was successful; the project records show an average score of 4.63 on a scale of 1-5. Evaluation forms were distributed for participants’ completion at the end of each course and training workshop. The project based on the trainees’ comments in their evaluations, especially on items showing trainees’ commitment to apply the learnt knowledge into their work, to conduct interviews after two or three months in order to assess the effectiveness of the trainings.

However, it used pre- and post testing in only some of its training modules; this hampers a true capacity building measurement (see also JC13.1).

- Output 1: National AML strategy developed by and co-ordinated through multi-agency National AML Committee – by end of six months.

The entire S65 project team and focal points at the beneficiary agencies were appointed in an early stage. The National Anti-Money Laundering Steering Committee was established in April 2009, with the Standing Deputy Prime Minister as the Chairman of the Committee. The Governor of the State Bank of Vietnam and the Vice Minister of Public Security serve as the Vice-Chairmen and deputy Ministers of 11 Ministries as members of the Committee. Instead of a strategy, Action Plans were adopted.

The Anti-Money Laundering Department (AMLD) has been designated as the Secretariat of this Committee. The Project submitted the draft national AML action plan to AMLD who will present it for the Committee’s consideration. The National Action Plan period 2010–2011 was issued in August 2010.
• Output 2: A comprehensive legal assessment report on existing Vietnamese AML/CFT legislation and other measures mapped against the international standards. A review report was completed and published in October 2008. Key report recommendations were accepted, which helped to revise the relevant money laundering articles in the Penal Code. The National Assembly subsequently approved the amended Penal Code article 251, which has taken effect from 1st January 2010. The workshop was held on 12 August 2008 in Ha Noi with participants from all related Governmental agencies.

• Output 3: Existing training material modified and expanded upon, including drafting of an “Anti-Money Laundering Handbook for Law Enforcement Officers” and an “Anti-Money Laundering Handbook for Prosecutors and Judges”, for law enforcement, prosecutors and the judiciary to combat and punish money laundering. The above material included in the training curricula at the Police Academy, Prosecution College, Border Army Academy and Court College, by the end of the 18th month. The workshop was held on 18 December 2007 in Ha Noi with participation from implementing agencies and the key training institutions such as police academy, border army academy, judicial academy, prosecutors’ training college and court school. The two draft handbooks, one for law enforcement officers and one for prosecutors and judges were drafted by experienced trainers of the Police Academy in collaboration with legal experts of the supreme people’s procuracy and the supreme people’s court. After three circles of revision, the handbooks were completed in December 2008. Due to the changes in the Penal Code and the plan to develop a guideline for the implementation of the relevant articles of the Penal Code, these handbooks was updated and reconstructed into one handbook for both the law enforcement and prosecutors & judges to reflect the required changes. The key training institutions participating in the preparation of the draft handbooks agreed to include the handbook in their curricula. The Project has collaborated with 25 national trainers from five key training institutions, SPPO and the Customs General Department to complete a trainer’s manual. This manual contributes to the quality of AML related training. The training material on AML/CFT consists of two types, Financial Investigation training (FIT) and Awareness Raising workshop (ARW). These materials were first compiled in December 2007, with modifications in June 2008, May 2009 and after the issuance of Penal Code article 251 on money laundering.

• Output 4: Eleven in-service training sessions conducted for law enforcement, prosecution and judges as well as other relevant officials, including officials of the AMLIC, using the material developed under output 3 by the end of the project. The Project committed to training national trainers to deliver AML courses and workshops. Throughout 2009, it provided ongoing training and support to 25 national trainers through in country and overseas courses, training visit and conferences. As a result, these national trainers were able to conduct all financial investigation training courses and awareness raising workshops in 2009, 2010 and 2011 and successfully trained more than 1,000 analysts, investigators, prosecutors and court officials. Since the start of the Project in July 2007 the project conducted throughout the country: 16 financial investigation training courses for investigators, 1 train the trainers (ToT) course, 20 general awareness raising workshops for law enforcement and the judiciary, 10 CBT training courses, 8 specific awareness raising for real estate sector, 4 awareness raising for
commercial banking system, and 4 typology workshops for provincial customs officers. In all, the project has trained 1,890 Government officials with 83% of the participants working in the provincial or local areas.

- Output 5: Two mock trials conducted for training of law enforcement, prosecution and judges as well as other relevant officials, including officials of the AMLD – by end of project.

Two mock trials were successfully conducted in Hanoi (March 2-6, 2009) and Ho Chi Minh City (Nov 16-20 2009). A total of 96 participants attended the two events, including 67 prosecutors and judges from 11 provinces, Hanoi and Ho Chi Minh City. A DVD was produced for future training purposes, based on the mock trials.

One key outcome of these events was the call for the development of a guideline for the implementation of the AML article 251 of the Penal Code, as the lack of it was identified as the main reason why there had been few money-laundering prosecutions. In December 2009, the Project received a request from the Legal Department of MPS for assistance in developing this guideline.

- Output 6: International activities conducted to increase cooperation with key-countries in the region and wider, including participation in international meetings as well as a study tour – by end of the project.

The Project conducted international study visits to the United Kingdom, the United States, Philippines and Hong Kong in 2008, 2009 and 2010 as well as participated in regional meetings such as the APG’s typologies workshop, its Annual Meeting and regional training. These international visits, regional meetings and workshops have improved the Vietnamese officials’ understanding of the legal and law enforcement systems of other countries and contributed to the increased cooperation between Vietnam and its partner countries. (Since, Vietnam has signed a Mutual Legal Assistance treaty with the United Kingdom in 2009, and actively requested information from the British authority on cases relating to money laundering. Vietnam authorities have also assisted in arresting a US national connected to taxation crime in US and helped trace illegal assets for confiscation. US subsequently shared the confiscated assets with Vietnam who agreed to use the funds for law enforcement training purposes).

The Project conducted international study visits to the United Kingdom, as well as:

- Training visit on Financial investigation training curriculum on 17-21 March 2008 with participation of representatives from the Economic Police and the Police Academy;
- Study Visit on AML/CFT Legal and Institutional framework on 23-29 March 2008 with representatives from the Police, Border Army, the Supreme People’s Procuracy, the Supreme People’s Court, the MOJ and the Customs;
- Study Visit to the Philippines on AML/CFT legal and institutional framework on 18-22 August 2008 with representatives from Police, Border Army, Anti-terrorism department, Customs, AMLD, supreme procuracy and Supreme Court;
- Attending the Financial Investigation Training Course in the United States by representative from Supreme Procuracy, Police University and the international project coordinator;
- Training visit for AML/CFT Typology development in Hong Kong on 1-5 June 2009 and Training Visit for Trainers on AML/CFT on 22-26 June 2009;
- Training Visit for real estate regulators on AML/CFT in Hong Kong on 17-18 May 2010, representatives from the housing and real estate dept of the Ministry of
Construction, Ha Noi Housing Management Department, Ha Noi planning and investment department and project staff.

- Output 7: Conduct research into money laundering in Viet Nam and on the vulnerability of a cash-based economy to money laundering.

Three Typology workshops were conducted on 4-5 March 2010 in Ha Noi; 29 March 2010 in Ho Chi Minh City and 31 March in Ha Noi.

An inter-agency group, with members representing the MPS, SPP, Customs General Department, AMLD and Police Academy, was formed to compile and analyze 53 cases related to money laundering. Following 5 additional consultation meetings with experts from various law enforcement agencies and private sectors such as banking, securities, insurance, real estate, precious stones and casinos, the interagency group completed a draft report for law enforcement agencies.

- Output 8: An interagency guideline in implementing Penal Code Article 251 developed.

The workshop was conducted on 22 September 2010. Inter-agency Circular No 9 on implementing article 251 of the Penal Code was issued on 30 November 2011.

- Output 9: Two Computer-Based Training (CBT) centres established to support ongoing training on AML/CFT.

CBT Centres were set up in November 2010 in Ha Noi and Ho Chi Minh City. 200 law enforcement officers completed AML related modules of the CBT program. Trainees are mainly from law enforcement agencies such as police, BA, Customs, Judicial academy and police training institutions.

- Output 10: 8 awareness raising workshops conducted for regulators and reporting entities in the real estate and banking sectors.

On 17 – 18 May 2010, the Project organized a training visit for a Vietnamese delegation to Hong Kong, China. Members of the delegation included representatives from the Ministry of Public Security, the Anti-Money-Laundering Department, the Ministry of Construction and the Department of Natural Resources and Environment.

During the two-day training mission the delegates visited the Joint Financial Intelligence Unit (JFIU), the Narcotics Bureau and the Estate Agent Authority (E.A.A) of Hong Kong. They learned about common money-laundering methods and indicators, the need for a balanced approach in regulating the real estate sector through education and enforcement, and the effectiveness of joint efforts in law enforcement, policy and legislation, as well as regulation in dealing with money-laundering.

After the training visit, the interagency group conducted a workshop with participation of the representatives from regulatory authorities, banks and the real-estate agencies, who formed the interagency group to draft guidelines for banking and the real-estate sector.

Eight workshops were conducted for real estates sector on 1 July; 17-18 August; 15-16 Nov; 1-2 Dec. 2010 and 16-17 Mar.; 9-10 June; 4-5 Oct; 19-20 Oct. 2011.

Circular No 22/ SBV was issued 17 September 2009 for the banking system, followed by Circular No 12/ BXD (issued 01 September 2011) for real estate regulatory.

EQ7: What are the project’s achievements and failures?

The success stories do not exist in the increase in arrests and seizure of assets, which can be considered as the obvious measure of any AML project; more time and effort is needed. The project did have a solid effect on strengthening cooperation networks between involved
agencies, providing for a solid foundation of sharing knowledge and skills amongst a wider group. Examples of good practices are the study trips undertaken to Hong Kong, London and the Philippines; these gave participants a unique chance to learn from each other’s experiences in an international setting. Another example is the project team’s decision to target the educational units amongst its beneficiary agencies for the ToT; it made clever use of the existing educational realm, which fitted well with the S65’s ‘first of its kind’ character.

There is a risk of post-project failure in the form of erosion if sharing efforts do not at least remain at the current level.

**EQ8: How did the project succeed in assisting the Vietnamese counterparts in the development of an effective AML/CFT regime?**

S65 was instrumental in introducing AML to an audience with limited knowledge, thereby increasing awareness and skills amongst its beneficiaries.

Most important, it played a central role in developing an implementation guideline to Art 251 of the Penal Code to assist the LE- and judiciary agencies in enforcing the article. It set up Computer Based Training Centres (CBT-s) in Ha Noi and Ho Chi Minh City to support ongoing training on AML and counter-financing of terrorism (CFT).

S65 significantly contributed to setting the National Steering Committee (NSC) on AML. It organised the founding forums in which all relevant Government agencies participated to draft the National Action Plan (NAP) in 2009, which resulted in the establishment of the NSC.

In all interventions, the project team ensured alignment with national regulations, counterparts and principles of AML.

**EQ9: Have the project’s work plans, logical framework matrix and monitoring system been designed to make proper monitoring possible and effective throughout the project cycle?**

The problematic issues with the logframe have been described under the ‘Design’ section of this report. In short, the logframe did not allow for proper monitoring by not having quantifiable and qualifiable targets linked to a delivery date. The monitoring that was performed showed an ad-hoc character; selected contacts with beneficiaries to check progress on a regular basis by phone would support a monitoring system, not be the only form of it.

The project monitored implementation progress and results achieved through keeping training records, news-clippings, evaluation reports and interviews with government officials. The interviewees’ statements showed that the training assisted the bankers to identify suspicious customers and submit Suspicious Transaction Reports; the Customs officers knew how to detect the bulk cash smuggling across the borders; the investigators knew how to apply methods of gathering financial documents related to money laundering activities in their daily work.

S65 had a solid reporting system, based on a semi-annual frequency. These reports provide feedback on the entire context of the project, and serve as the project’s reference base. However, a higher reporting frequency (e.g. monthly) in adapted format could have solidified the monitoring exercise.

**Efficiency**

**EQ10: What can be done in general to make S65 more effective?**

As identified in the Inception Report, the FE considers this not an evaluation question but rather an invitation to the chapter ‘Recommendations’, and as such is dealt with accordingly.
**EQ11: Has the project management team been selected and recruited in a transparent, efficient and timely manner?**

The administrative and organizational structures were in place ensuring the correct implementation of the Programme. S65 managed to timely install an international Project Manager, a national Project Coordinator and Project Assistant. Moreover, it made use of the expertise of the Regional Advisor on AML/CFT early in its design phase, while cooperation during implementation. The project administrative and organizational structures showed flexibility in adapting to changing conditions; e.g. the leaving of the international of International Project Manager was well covered by the remaining members of the team.

**EQ12: Has the budget been allocated proportionally between the outputs and spent as planned?**

Procedures are in place ensuring the efficient implementation, characterized by: clear and formal assignment and division of responsibilities, staffing and budgeting arrangements, and systematic monitoring data collection and analysis mechanisms. Programme structure is in place through formal appointment of staff and adoption of program implementation procedures.

The project had clear and formal assignment and division of responsibilities, as well as staffing arrangements. The overall management belonged to the UNODC Country Manager, while daily operations were under the direct responsibility of an international Project Manager. The project team further consisted of a National Project Coordinator and a Project Assistant.

Budgeting arrangements derived from standard UNODC regulations, which are not always the ideal for single project implementation –i.e. these are not activity based. This fact, in addition to the lack of clear OVI-s, may have imperilled the monitoring and analysis throughout implementation.

The implementation of different components effectively contributed to the achievement of project outputs. Progress and monitoring reports demonstrate satisfactory level of efficiency of the Programme implementation. This fact was strongly supported by feedback from beneficiaries, who clearly stated to have benefitted from cross-fertilisation during training sessions, workshops and study visits that all included representatives from the various agencies included in the project.

**EQ13: Have the project’s outputs achieved their targets or not according to the given inputs?**

Considering its objectives, the project did not fully deliver in that its beneficiaries are not (yet) able to prevent and prosecute ML cases –more efforts have to be undertaken in terms of project implementation and changes in national laws and regulations.

S65 managed to deliver high quality trainings on time, and from beneficiary feedback it can be concluded that this was successful; the project records show an average score of 4.63 on a scale of 1-5. However, it used pre- and post testing in only some of its training modules; this hampers a true capacity building measurement (see also JC6.1).

**EQ14: What measures have been taken during project’s planning and implementation to ensure that resources allocated are efficiently used?**

Timely revisions, with the June 2010 revision adding an additional three outputs at the request of the Vietnamese government, ensured efficient allocation of resources. Additionally, through savings made throughout implementation, part of the extended project duration was financed, while the rest of the savings were used to allow for additional training.

The project managed to absorb and deliver three added outputs on time.
EQ15: Are the project deliveries in line with set targets and time?
Despite the earlier noticed lack of indicators, it is hard to answer this question positively. Beneficiary feedback and project records show a smooth implementation without delays, in line with the set project deadlines.
On one occasion, a participating agency stated that there seemed to be a ‘gap’ in project implementation. The project team explained that this was in line with the overall implementation agenda, which at that time was focusing on activities involving other agencies, not relevant to the agency in question. The team could ideally have chosen for regular communication with all parties to avoid this confusion. However, in all, coordination seemed to be sufficient.

Efficiency - Partnerships and Cooperation

EQ16: What are the level and quality of cooperation with the key stakeholders and other active players in the field of AML/CFT in terms of avoiding duplications?
When organising training, one always has to take into account the availability of potential participants. The project partly solved this by targeting educational institutions to provide for participants for the Training of Trainers segment; their schedules allowed for the training modules not to overlap. The project did suffer slightly from seeing some of its trainees being transferred to other units; this happens many times when working with governmental agencies and falls outside of the responsibility of the project team.
In its entire intervention, the project coordinated and cooperated well with the entire scope of relevant agents, and played a strong catalyzing role in creating and strengthening coordination lines between agencies.
Apart from this, S65 aligned itself from its inception phase with relevant national and international regulations, and started off as the first of its kind in Viet Nam. Overlapping was not an issue. Moreover, future duplication is a strong possible spin off with sufficient interest from donors –national interest seems guaranteed.
UNODC and the Government of Viet Nam through the project’s Steering Committee and Management Board collaborated effectively in the planning, implementation and evaluation of project activities.

EQ17: What is the level of coordination between the project and other UNODC initiative in the field of AML/CFT?
The implementation ran smoothly together with the activities of the UNODC/World Bank Regional Coordinator working on the GPML. S65 may provide the foundations for the GPML to build further upon.

EQ18: Have national stakeholders and international donors and community actively and meaningfully participated in developing and implementing the project?
The core of the design of the project was done with the assistance of international experts. National input was ensured through the UNODC National project team. However, actors from national/local governments, social agents and key stakeholders were not involved actively during the designing phase. It seems though that the selection of the strategy was well received by the national partners. Training needs assessments were done during the execution of the programme and is supported by project records. National stakeholders were very actively involved in the implementation of the project.
Impact

EQ19: What differences has the project made to national counterparts, and beneficiaries?
Project records show that the training components were well received and highly valued. Beneficiary feedback from the interviews provided more specific insight in the overall impact of the programme. Interviewees pointed out a wide range of S65’s contributions through:

- Increase of knowledge, awareness on AML
- Strengthened cooperation between Ministries, Agencies, State Bank and Real Estate bodies when dealing with ML/other sectors now joint processes instead of separate procedures, even after project finish
- Established cooperation between sectors previously not connected (e.g. banks, real estate agents)
- The National Action Plan (submitted to the National Steering Committee)
- Penal Code art. 251 Amendment/improving the legal framework
- Setting up of National Steering Committee
- Quality of the trainings/exchange experiences – cross fertilization
- Influenced seizures of crime proceeds
- Production of training handbook, building training curriculum
- Establishing CBT Centers on AML
- Linking Vietnam legislation internationally
- Establishing AML SC on a national level
- Positive results on training courses on all levels
- Criminalization of two crimes: ML and terrorist financing
- Impact on participation of Viet Nam in APG.

EQ20: What are the intended or unintended positive and negative, direct or indirect, primary and secondary technical, professional, and other relevant effects on national counterparts’ institutions?
The semi-structured interviews with the targeted group provided feedback for some of the perceived weak points of the project—the unintended negative effects. Mentioned were:

- Not enough funds for field trips;
- ToT only focused on educational institutions; better to have from each department;
- Duration was long—some long periods of inactivity;
- Training did not include (enough) real life case studies from example countries;
- Study tours did not reveal how cases are being dealt with/solved (Customs);
- Some of the target group members have been relocated to other positions (this is out of the range of control of S65, but it will effect its sustainability possibilities).

These weak points belong to the sphere of any project that is a first of its kind. Except for the last point, these can be overcome by continuing efforts of sharing gained knowledge and skills. The relocation of target group members may indeed lead to a terminal loss of institutional memory, but this cannot be labelled as an effect of S65.

EQ21: What has been the impact of the project in the recovery of proceeds of crime?
Asset recovery was pointed as an absolute next step to cover. There are no records on how the project directly contributed to the recovery of proceeds of crime in its lifetime. However, as has been stated unanimously by close to all interviewees, it laid the foundations of creating a legal framework to allow LE officers and other officials to be more effective in this regard.
EQ22: What has been the project’s impact in the conduct of investigation, prosecution and trial?

The programme contributed to conduct of investigation and trial. Documented results acknowledge progress towards achievement of results set up by the programme. Results of the Programme support are acknowledged by and benefit national counterparts’ institutions. The issuance of inter-agency circular No 9 (the guidance on the implementation of Art 251 of the Penal Code) combined with the overall increased knowledge on AML provides the necessary framework to improve detention, investigation, prosecution and trial of money laundering cases.

Sustainability

EQ23: To what extent will the benefits generated under this project be sustainable?

Governmental agencies across the board actively supported and endorsed the project. This was shown, and continues to be, through the amendment to Art 251 of the Penal Code by the National Assembly for which S65 produced guidelines enabling LE officers to correctly implement the law. Moreover, the dedication of the Government to adopt a Law on AML in April 2012 is partly due to the overall impact of S65. Moreover, high-level active participation in the National Steering Committee (NSC) provides a solid foundation for sustainability and illustrates national ownership of S65’s intentions (see Box 1).

Box 1

Members of the National Steering Committee on AML

Chairman:
- Standing Deputy Prime Minister Vu Van Ninh

Standing Deputy Chairman:
- SBV Governor Nguyen Van Binh

Deputy Chairman:
- Vice Minister of Public Security Pham Qui Ngo

Members:
1. Mr Dang Quang Phuong, Standing deputy Chief Judge of the Supreme People’s Court
2. Mr Hoang Nghia Mai, Deputy Procurator General of the Supreme People’s Procuracy
3. Mr Pham Van Phuong, Deputy Minister of the Government Office
4. Mr Ho Xuan Son, Deputy Minister of Foreign Affairs
5. Mr Nguyen Duy Thang, Deputy Minister of Internal Affairs
6. Mr Hoang The Lien, Deputy Minister of Justice
7. Mr Tran Xuan Ha, Deputy Minister of Finance
8. Mr Cao Viet Sinh, Deputy Minister of Planning and Investment
9. Mr Do Qui Doan, Deputy Minister of Information and Communication
10. Mr Nguyen Van San, Deputy Inspectorate General of the Government
11. Mr Nguyen Chi Vinh, Deputy Minister of National Defense
12. Mr Tran Nam, Deputy Minister of Construction
**EQ24:** Has the project generated the following element of sustainability as coordination group, critical mass of expertise at national level as well as at each target area, diversified services, responsibilities transferred to national counterparts, experience systematized and lessons learnt and disseminated?

The targeted institutions are partly capable of continuing. It remains a question whether the project created a critical mass to ensure continuation after project’s end: for example, have enough people been trained in AML, and is additional training across the board needed? The participants of the ToT segment continue to spread knowledge and know how through continuing training. On the other hand, continued support will be essential to improve prevention, detection, investigation and prosecution of ML: training, strengthening the legal framework, data exchange between agencies are just a few of the possible future interventions.

**EQ25:** To what extend can the national counterparts and beneficiaries take ownership of the project’s objective?

There is strong evidence of the Government’s support of the program. The 2010 project revision took place upon request from the Government, requesting S65 to be extended with three extra outputs. Secondly, the Steering Committee, set up by S65, counts many/only Governmental representatives amongst its members. Thirdly, the amendment to Art 251 of the Penal code was partly an initiative of S65, which also substantially contributed to produce guidelines for its implementation. Finally, the project team provided AML expertise and vital technical support to the drafting of a new Law on ML to be adopted by the National Assembly. All these events are very strong indications, if not evidence, that national and local counterparts have entirely supported and endorsed the project.

**EQ26:** Are national counterparts and regional-international partners committed to continue working towards this objective at the end of the project?

Sustainability of the S65 depends to a large extent on factors such as technical and financial capacities of the local and national government partners. There is a need to continue investing in building capacities of the police, judges, LE officers and other involved in the ALM battle, primarily through training and exchange visits abroad to acquire and familiarise with new approaches as prescribed by international regulations.

Beneficiary feedback contains stories of increase in arrests in ML cases, credited to a large part on S65. The FE cannot verify these claims objectively (e.g. there are no records as to what extent the S65 training actually increased capacity) but the project deserves the benefit of doubt unquestioned for many reasons as argues in earlier chapters. Therefore the FE asserts that knowledge and skills have been, and continue to be, applied.

Finally, it cannot be overstated that the composition of the NSC, and its regular meeting schedule (i.e. it is not a ‘dead’ body’) is strong supporting evidence to this point.

**Innovations (optional)**

Project S65 is seen by many as the first of its kind; perhaps not per se because of its thematic area, but through the combination with its targeted audience. It brought together international specialists, key stakeholders and players on the national level, and colleagues of other countries to exchange experiences, to train and to develop skills necessary in the AML combat, and moreover, to formulate new policies (or adapt existing ones) that provide for the necessary framework for the AML fight to be successful.
S65 was instrumental in setting up the AMLD (the former AMLIC) and its Steering Committee by providing technical and logistical support across the board. The AMLD is a widely respected and active institution in the fight against ML in Viet Nam.

Amending of Art 251 of the Penal Code – how many ‘single’ projects are instrumental in changing national laws? S65 is one the few ‘single’ projects that achieved this, and it’s making its influence felt even in the future through the upcoming new Law on AML, planned for adoption by the National Assembly in April 2012.
III. CONCLUSIONS

The FE asserts that S65 was a success. Efforts to combat money laundering in Viet Nam and the wider region are relatively young, and projects aimed at integrated capacity development are new. This project was the first of its kind, and therefore its success could have been the drop of a coin. Instead, it delivered on its promises, and managed to be of vital importance to a process of change on the national legislative level: the amended Art 251 and the drafting of the new Law on AML.

The project adequately targeted and promoted positive policy and institutional measures to protect and empower relevant agencies and law enforcement officers.

The programme’s work on strengthening capacities of national authorities and LE officers is a significant contribution to developing and strengthening networks and links between AML partners; a contribution to developing effective and sustainable frameworks in the fight against money laundering. Venues provided by the programme to bring together and connect representatives of different agencies around joint interventions significantly contribute to building confidence among these groups and increases potential for efficient and effective AML regime.

However, development projects involving many partners, covering multiple institutions and targeting different groups are by their nature complex and difficult to present in the generally rigid results framework. The logframe struggles with explaining clearly the link between the concrete activities (with target groups) with general changes, especially connecting these with objectively verifiable indicators (OVI-s). Review of the framework indicates this struggle. The Programme log-frame shows a poor development of the Programme intervention, with the fact that the outputs, activities and indicators are not clear, not SMART and not always linked to each other. This presents difficulties in properly understanding the project logic, imperilling proper monitoring and evaluation. Unfortunately, it takes a bit away from the otherwise strong results of the project.

In all, S65 had a very positive impact and its initiatives deserve continuation, ideally in the form of sequential projects.

IV. RECOMMENDATIONS

The specific findings and conclusions of the FE have been be recorded and, based on these; recommendations have been drafted for a possible follow-up assistance programme to respond effectively to the country needs.

In this context, the FE aimed at recommendations as specific as considered possible, with concrete action proposed that could be taken in the future to improve or rectify undesired project’s outcomes. They may also refer to the implementation or management of the project. In light of the assessment conducted for the purpose of this FE, the following recommendations have been deduced:

1. The project should be considered as a basis for further initiatives. The project’s incentives and achievements are recommendable. Feedback obtained included the following considerations:
Regarding the Legal Framework:
- Further strengthening of the legal framework;
- Further elaboration on established legislation and how to prosecute; e.g. on the use of electronic evidence;
- Consideration of the need for higher regulation other than just per agency/institution;
- Investigate options to improve cooperation between sectors; data exchange;
- Explore the need for a more specific law on ML –in preparation, adoption planned 2012;
- UNODC to assist in the drafting of laws, the consideration of models.

Regarding the Training Content:
- Organization or trainings: more ToT to cover more sectors, guarantee sustainability/TA;
- Additional training for Police (financial investigation techniques), Court/Prosecutors (case studies);
- Include asset recovery;
- Include more case studies from example countries;
- Include language course (English) for specific terminology;
- Extra equipment for the CBT Center; maintenance will become an issue because of increasing use;
- To continue to develop capacity in all sectors, especially for AMLD staff;
- Consider training modules per agency, more specific oriented (Customs).

Regarding Inter-agency cooperation:
- Expand project activities to the rest of the country, more remote areas;
- Improve sharing of trans-national experiences;
- Closer cooperation between projects and National SC;
- Maintain/increase UNODC legal assistance on ML.

2. The development of ‘master trainers’ (via ToT) to provide sustainable capacity development should be exploited further. S65 made good use of targeting educational institutions (e.g. the People’s Police Academy) for the ToT segment. In a next phase, the project should explore and seek to include participants across the board as well. The beneficiary entities should provide additional support for master trainers to develop.

3. Improve the training component of future projects by including systemized pre- and post testing methodologies. This will allow for enhanced and accurate measuring of capacity development amongst trainees.

4. Re-visit the project formulation phase in case of a follow up project. The weakness of an instrumental part of the project document –i.e. the formulation of project logic- has been explored and its effects described: imperilling monitoring and evaluation. The UNODC should consider increasing capacity amongst its staff on Project Cycle Management through training or workshops.
V. LESSONS LEARNED

A number of lessons have been learned from implementing S65. Awareness of these lessons can help promote continuous improvement in the planning, design, and implementation of future projects; in other words, put best practices into action. It is recommended that program managers incorporate these lessons, as appropriate, into their agendas when planning for (follow-up) projects.

The implementation of a multi-year novelty project presents its hefty challenges for any project team, and the one that seems to have had an impact on S65 was the issue of perceived gaps during its lifetime by some of its beneficiaries. Although these gaps were part of the planning cycle, they were not recognized as such. A main reason (as was admitted by the team) was the lack of timely and proper communication with relevant stakeholders and beneficiaries on overall project progress and planning. The maintenance of communication strategies tackling this issue may help avoid its occurrence in future.

In general, project outputs were well received by the beneficiary groups, although none of stated to have been involved in the designing phase. There is room for improvement in this department, and this can be secured through the inclusion of national partners during the formulation phase for the next project. Their direct input may allow for better defining desired outcomes and workable indicators.

The Computer Based Training Centres (CBT) proven to be a very practical training tool and play a crucial role in the AML fight through provision of training to young LE officers. The risk of this segment lies in adoption of the centres by the beneficiary: regular use will wear out the equipment, and without regular investment (maintenance, replacement) the centres may lose their purpose.

Finally, with an eye to a possible immediate future in the form of a next phase, it deserves attention for the project team to regularly brief and involve donors and donor institutions not (yet) related to the project during implementation; it is vital for current and future project support.
External Evaluation of the Project VNMS65, Strengthening of the Legal and Law Enforcement Institutions in Preventing and Combating Money Laundering in Viet Nam

Terms of Reference
as of 7 February 2012

Evaluation team: An International Consultant with technical expertise on anti-money laundering and countering the financing of terrorism (legal issues, preventive and combating measures)

Evaluation starting date: 21 February 2012
Evaluation duration: 17 days (comprising desk review, field visits and home-based work) within the period: 21 February and 27 April 2012

I. BACKGROUND AND CONTEXT

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<td>Strengthening of the Legal and Law Enforcement Institutions in Preventing and Combating Money Laundering in Viet Nam</td>
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<td>Duration:</td>
<td>July 2007 - December 2011, 4 years and 6 months</td>
</tr>
<tr>
<td>Location:</td>
<td>Viet Nam</td>
</tr>
<tr>
<td>Linkages to Country Programme:</td>
<td></td>
</tr>
<tr>
<td>Linkages to Regional Programme:</td>
<td>UNODC Regional Programme for East Asia and the Pacific, thematic area 1, Rule of Law; Sub-Programme 2, Governance</td>
</tr>
<tr>
<td>Linkages to Thematic Programme:</td>
<td>UNODC Strategic Theme of Rule of Law</td>
</tr>
<tr>
<td>Executing Agency:</td>
<td>United Nations Office on Drugs and Crime (UNODC)</td>
</tr>
<tr>
<td>Partner Organizations:</td>
<td>Ministry of Public Security (MPS), Government of Viet Nam</td>
</tr>
<tr>
<td>Total Approved Budget:</td>
<td>US$ 1,249,539</td>
</tr>
<tr>
<td>Donors:</td>
<td>Canada, UK, USA and UN One Plan Fund</td>
</tr>
</tbody>
</table>
1.1 Money laundering in Viet Nam

Money laundering is a global issue affecting all parts of the world. However, being a developing economy with increasing international trade and investment and being a high cash economy, Viet Nam is particularly vulnerable to money laundering activities. The organized crime groups engage in money laundering operations so as to remove or distance themselves from crimes that generate profits and thus making it difficult for law enforcement to investigate and prosecute key organizers and to confiscate the assets of those criminals. This is applicable no matter what the crime types are – drug manufacturing and trafficking, human trafficking, kidnapping, illegal logging, fraud, corruption to mention a few.

Given that millions of dollars are generated from crimes within Viet Nam and the anecdotal evidence that illicit funds are received from the United States, Canada, the United Kingdom, Australia and other jurisdictions as part of various money laundering operations, the extent of money laundering in Viet Nam is considered to be significant.

The IMF estimates the world scale of money laundering transactions is a staggering 2 to 5 percent of global GDP. Even if Viet Nam is only half of the lower end of the estimated extent of money laundering, the national scale could be 1 percent of national GDP or in excess of US$2.25 billion per annum. The funds and assets acquired from crime are also funds and assets potentially available for confiscation by the State.

In recent years, some initial successes were seen in detecting and investigating money laundering offences by the authorities. The case of a Vietnamese flight attendant was found smuggling 330,000 euro from Germany into Ho Chi Minh City, and the police arrested two African suspects in connection with the laundering of proceeds from stolen funds from a foreign bank account. The funds were laundered via Vietnamese banks and the police was able to seize over US$250,000. Besides many other cases on bulk-cash smuggling and corruption have been detected, investigated and prosecuted.

Generally, there has been greater awareness among government officials of the connection between money laundering and various predicate offences, following various training activities organized by the UNODC-VNMS65 project. Preliminary evaluations indicated that officers who participated in the project’s training activities have applied the newly acquired skills and knowledge in their daily work, in particular in the detection and investigation of crimes such as diamond smuggling, currency counterfeit, human trafficking and corruption.

1.2 Project Document and Revisions

The S65 project document was signed in June 2007 by the Ministry of Public Security (MPS) and UNODC. The original project document had the budget of US$ 1,027,800 and the duration was 3 years (July 2007 – June 2010).

The project document and its objectives are in line with the UNODC Strategic Programme Framework on Drugs and Crime with the guiding principles of UNODC’s operational priorities.

4 The Core Learning Partnership (CLP) encourages a participatory evaluation approach by allowing its members to participate in and provide feedback on key steps of the evaluation process. CLP members are the key stakeholders of the subject evaluated (project, programme, policy etc.) who have an interest in the evaluation. The CLP works closely with the Evaluation Manager to guide the evaluation process. The list of CLP members is to be found in Annex.
In March 2010, at the Tripartite Project Review Meeting the representatives of Government agencies made some requests of further assistance from UNODC Viet Nam via VNMS65 project and the project was able to secure addition funding from the UN One Plan Fund in Viet Nam. The revised project budget was US$ 1,249,359 (US$ 221,739 increased). This made it necessary to do the first project revision as to add 3 more outputs for the project relating to i) to develop implementation guideline relating to Penal Code Article 251 on money laundering offence, ii) to set up 2 computer-based training (CBT) centres, iii) to conduct awareness raising activities for selected AML/CFT regulators; and to extent the duration to 3 years and 6 months (July 2007 – December 2010).

The second project revision was made due to the change in the work plan of international consultants, the delay of computer shipment for setting up CBT centers as well as the delay of AML/CFT Handbook accomplishment and the issuance of inter-agency circulars that affected the project progress. In addition the State Bank of Viet Nam and the Customs General Department made requests of further assistance to raise their capacity on AML/CFT in some certain areas and the project had secured sufficient fund for additional activities owing to the abolishment of international coordinator post and the leftover amount from project completed activities. So the duration of project was increased from 3 years and 6 months (July 2007 – December 2010) to 4 years and 6 months (July 2007 – December 2011)

1.3 UNODC Strategy Context

VNMS65’s activities are carried out under the UNODC Strategic Theme of Rule of Law and also fall under the Regional Programme for East Asia and the Pacific, thematic area 1, Rule of Law and the sub-programme 2, Governance.

The project contributes to:

Result area 1.2.3 – Strengthen capacity of Member States to establish comprehensive and effective regimes against money laundering related to organized crime, drug trafficking and corruption

East Asia and the Pacific Regional Programme outcome 2.3 – Money laundering activities identified and effectively acted on.

The detailed logical framework, which includes project objective, outcome, outputs, Indicators, means of verification and important assumptions, is provided in the VNMS65 Project Document.

Project Objective:

An effective national anti-money laundering system in place in Viet Nam

Outcome:

The capacity of government law enforcement, prosecution and other criminal justice institutions as well as civil society responses to prevent, detect, investigate and prosecute cases of money laundering has been strengthened in line with international standards.

The project’s outcome is measured through the two following indicators which are consideration of new laws/amendments of existing laws, and improved AML performance by the prosecuting authorities.

The project’s outcome is achieved through the following 10 outputs:

Outputs & Indicators:

Output 1: National AML strategy developed by and coordinated through multi-agency National AML Committee – by the end of six months.
Achievement indicator: National Committee formed and strategies available.
Output 2: A comprehensive legal assessment on existing Vietnamese AML/CFT legislation and other measures mapped against the international standards.
Achievement indicator: Legal assessment report available.

Output 3: Existing training material modified and expanded upon, including drafting of an “Anti-Money Laundering Handbook for Law Enforcement Officers” and an “Anti-Money Laundering Handbook for Prosecutors and Judges”, for law enforcement, prosecutors and the judiciary to combat and punish money laundering. The above material included in the training curricula at the Police Academy, Prosecutor’s Training and Supplementary School Border Army Academy and Court College.

Achievement indicator: Handbook and Training material available and confirmation letter(s) of inclusion in curricula received.

Output 4: Twelve in-service training sessions conducted for law enforcement, prosecution and judges as well as other relevant officials, including officials of the AMLD, using the material developed under output 3.

Achievement indicator: Training evaluation reports available.

Output 5: Two mock trials conducted for training of law enforcement, prosecution and judges as well as other relevant officials, including officials of the AMLD, using the material developed under output 3.

Achievement indicator: Mock trial evaluation report available.

Output 6: International activities conducted to increase cooperation with key countries in the region and wider, including participation in international meetings as well as a study tour.

Achievement indicator: Reports of the international activities available.

Output 7: Conduct research into money laundering in Viet Nam and on the vulnerability of a cash-based economy to money laundering.

Achievement indicator: Research reports available

Output 8: An inter-agency guideline in implementing Penal Code Article 251 developed

Achievement indicator: Guideline completed and adopted by the Government

Output 9: Two computer-based training (CBT) centres established to support ongoing training on AML/CFT

Achievement indicator: Two CBT centres fully set up, equipped with proper hardware and software

Output 10: Eight awareness raising workshops conducted for regulators and reporting entities in the real-estate; four awareness raising workshops for the commercial banking system and four typology training courses for the provincial customs officials

Achievement indicator: Workshops conducted & Guidelines issued by the banking and real-estate regulators.

II. DISBURSEMENT HISTORY

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<thead>
<tr>
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<tr>
<td>US$1,249,539</td>
<td>US$1,249,539</td>
<td>US$1,194,257</td>
<td>95.58</td>
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</table>

III. PURPOSE OF THE EVALUATION

In compliance with the project document the external final evaluation is initiated by UNODC to assess the results of VNMS65 project and demonstrate to what extent it has achieved its objectives and has been relevant, efficient, and sustainable. It will also derive lessons learned and best practices from the evaluation findings as

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[5] This training material will be at a higher and more detailed/specific level for each organization.
well as recommendations. These will then be incorporated in the designing, setting up and management of new similar projects expressing priorities that fully meet the needs of beneficiary parties.

In addition, the evaluator is expected to analyze achievements and/or gaps in delivering technical assistance on AML/CFT under the project.

The evaluation will also seek the views and feedback from the donors providing funding to the project.

A Core Learning Partnership of major stakeholders is proposed to encourage a participatory evaluation process. Please see annex 3 for a list of Core Learning Partners (CLP) who will be consulted during the major steps of the evaluation.

The evaluation findings and recommendations will be presented during a debriefing session in UNODC office in Ha Noi by the Evaluator. Sooner the evaluation findings will be discussed at the Terminal Project Review Meeting with the participation of related Government agencies, the Donors and UNODC, which will put forward recommendations for further development of a follow-up assistance programme based on the lessons learned from implementation of the project.

The Evaluation will further be supported by the UNODC Independent Evaluation Unit (IEU) in regards to the provision of guidelines, formats, assistance, advice and clearance on evaluation procedures and quality control of evaluation outputs.

IV. SCOPE OF THE EVALUATION

The period to be covered by the S65 project evaluation is from the date when the project has been signed and actually launched.

The duration of the evaluation is 17 days and the evaluator will visit the stakeholders in Ha Noi such as the Investigation Police on Economic Management Order and Position of the Anti-crime Police General Department of MPS, the Supreme People’s Prosecution Office (the 1C Department), the Supreme People’s Court, the Customs General Department (the Anti-smuggling Investigation Department), the Border Army Command (the Counter Narcotic Drugs Department), the Ministry of Justice (Department of Criminal and Administrative Laws), the State Bank (AMLD), the Police Academy of MPS. These agencies are implementing, associated and beneficiary agencies of the project and HQs for all of them are located in Hanoi.

This final evaluation will cover the project in its entirety e.g. project concept and design, implementation and management arrangements including monitoring and evaluation, outputs, outcomes and impact, relevance, efficiency, effectiveness, and sustainability between its inception and the project end, from July 2007 to December 2011.

On a general level, the evaluation will seek to draw lessons and best practices that can be used to improve project design and implementation process of similar projects.

V. EVALUATION CRITERIA AND KEY EVALUATION QUESTIONS

The final evaluation will be based on the following evaluation criteria: relevance, effectiveness, efficiency, impact and sustainability, partnership and cooperation. The evaluation will answer key questions in its final report, with the understanding that these questions remain generic, but are consistent with standard approaches to project evaluation. There should be an element of flexibility as the evaluation progresses, to further provide and inject additional generic questions. In this context the overall key evaluation questions to be answered by the evaluation are as follows:

- **Project concept and design**

The project final evaluation will undertake to establish whether the project design and concept are in line with UNODC Programme and Project Document Standard Format and Guidelines and with the country’s priorities and expectations.

It will review the clarity, logic and coherence of the project document, the ways in which problems are addressed by the project and priorities were determined, the strategy adopted to address immediate objectives.
and planned outputs and whether inputs and the level of activities were appropriate and objectives and outputs achievable.

- **Implementation**
An evaluation of the executing modalities and managerial arrangements will be undertaken, including organizational structures, timeliness of inputs, and quality of activities, management, backstopping, co-ordination mechanisms, work plans, project monitoring, planned duration and budget.

- **Outputs**
It will also assess whether the stated outputs have been produced, and how they contribute to the foreseen outcome.

- **Project outcome and indicators**
An assessment will be made of progress towards achievement of project’s outcome, objective, and impact.

If expected results have not been achieved yet, the evaluation will aim at determining why and whether progress has been made toward its achievement.

The evaluation will also assess if the project has had significant unexpected effects, whether of beneficial or detrimental character.

In particular, as this project is focusing on capacity-building at the central, provincial and community based level the evaluation will look at the project contribution to institutional capacity development and whether this capacity is creating conditions for sustainability.

- **Relevance, Efficiency, Effectiveness, Impact and Sustainability/Cooperation and Coordination**
The evaluation will review:

  - **Relevance: Did the objective of the project really match the problems and needs?**
    - Are the project objective and results (outputs, outcomes and impacts considering relevant indicators) clear, realistic and coherent in terms of contributing to the achievements of UNODC Strategic Programme Frameworks 2005-2007?
    - Are the project objectives relevant in view of the current standards and international interest through FATF and ICRG on AML/CFT related issues including on asset recovery?
    - Are the AML/CFT challenges identified and major problems addressed under the project still a problem to tackle, why?
    - To what extent is the project aligned with the policies and strategies of the national stakeholders and international donors in the area of AML/CFT?
    - Considering the various players involved in technical assistance delivery, are the priority areas and objectives of S65 relevant to responding to international needs?

  - **Effectiveness: Has the project been successful in achieving its objective?**
    - Has the project achieved, or made acceptable positive progress, vis-à-vis of its objectives and results (outputs, outcomes and impacts considering relevant indicators)?
    - What are the project’s achievements and failures?
    - How did the project succeed in assisting the Vietnamese counterparts in the development of an effective AML/CFT regime?
    - Have the project’s work plans, logical framework matrix and monitoring system been designed to make proper monitoring possible and effective throughout the project cycle?
    - What can be done in general to make S65 more effective?

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6 - Decree 74/2005/ND-CP for Prevention and Combating Money Laundering
- Article 251 on money laundering offense of the Penal Code
- National Action Plan on AML for the period 2010-2011
- FATF 40+9 Recommendations
- **Efficiency**: How economically resources/inputs (funds, expertise, time etc.) have been converted to results?

  - Has the project management team been selected and recruited in a transparent, efficient and timely manner?
  - Has the budget been allocated proportionally between the outputs and spent as planned?
  - Has the project’s outputs achieved their targets or not according to the given inputs?
  - What measures have been taken during project’s planning and implementation to ensure that resources allocated are efficiently used?
  - Are the project deliveries in line with set targets and time?

- **Impacts**: What have been positive and negative, primary and secondary long-term effects produced by this development intervention, directly or indirectly, intended or unintended?

  - What differences has the project made to national counterparts, and beneficiaries?
  - What are the intended or unintended positive and negative, direct or indirect, primary and secondary technical, professional, and other relevant effects on national counterparts’ institutions?
  - What has been the impact of the project in the recovery of proceeds of crime?
  - What has been the project’s impact in the conduct of investigation, prosecution and trial?

- **Sustainability**: Are there lasting benefits after the project? What happens after the project comes to end?

  - To what extent will the benefits generated under this project are sustainable?
  - Has the project generated the following element of sustainability as coordination group, critical mass of expertise at national level as well as at each target area, diversified services, responsibilities transferred to national counterparts, experience systematized and lessons learnt and disseminated?
  - To what extend the national counterparts; beneficiaries could take ownership of the project’s objective?
  - Are national counterparts and regional-international partners committed to continue working towards this objective at the end of the project?

  ➢ **Partnerships/ Cooperation and coordination**

  - What are the level and quality of cooperation with the key stakeholders and other active players in the field of AML/CFT in terms of avoiding duplications?
  - What is the level of coordination between the project and other UNODC initiative in the field of AML/CFT?
  - Have national stakeholders and international donors and community actively and meaningfully participated in developing and implementing the project?

  ➢ **Recommendations**

    The specific findings and conclusions of the project’s final evaluation are to be recorded and, based on these; recommendations are made for a possible follow-up assistance programme to respond effectively to the country needs.

    In this context, the recommendations made should be specific, and concrete action should be proposed that could be taken in the future to improve or rectify undesired project’s outcomes. They may also refer to the implementation or management of the project.

  ➢ **Lessons learned and best practices**

    - Identify key lessons on positioning that can provide a useful basis for strengthening UNODC support to Vietnam and for improving project performance, results and effectiveness in the future.

    - What lessons can be drawn from the project engagement with target beneficiaries such as legislators, prosecutors, FIU analysts and law enforcement officials during the local capacity building joint collaborations.

    - Through in-depth assessment, present and highlight features to be considered as good practices and lessons learned.
VI. EVALUATION METHODOLOGY

The Evaluator will have access to all relevant documents and available staff who have worked on the project.

The Evaluator will conduct field missions; s/he will meet with the Investigation Police on Economic Management Order and Position of MPS, the 1C Department of SPPO, the SPC, the Border Army, the Anti-smuggling Department of the Customs General Department, the Criminal and Administrative Laws Department of MOJ, AMLD, the Police Academy of MPS in Ha Noi.

The evaluator will perform a desk review of existing documentation (Preliminary List of Documents to be consulted in Annex II); information stemming from secondary sources will be cross-checked and triangulated through data retrieved from primary research methods. The construction of a retrospective baseline may also be necessary.

Primary sources of data include, among others:

- Qualitative methods: Structured and semi-structured interviews with key stakeholders\(^7\), key informants or representatives of different interested entities
- Quantitative methods: The use of survey questionnaires

Secondary sources for the desk review will include, among others:

- Project document and project revisions
- Work plans
- Training needs assessment reports
- Training reports
- Activities and projects progress reports
- Mission reports, and
- Brochures and other supplementary documents

The credibility of data and the analysis of data are key to the evaluation. Rival theories and competing explanations must be tested once plausible patterns emerge from triangulating data stemming from primary and secondary research. In order to assess the impact of the programme, “before and after data” should be used – as much as feasible - , addressing methodologically the questions listed under “impact”. When feasible, treatment and control groups should be established, along with establishing a representative sample and credible sampling technique.

Based on the evaluation questions in this TOR and prior to the field visit, the Evaluator will present a summarized methodology (evaluation matrix) in an inception report which will specify the evaluation criteria, indicators, sources of information and methods of data collection. The evaluation methodology must conform to the United Nations Evaluation Group (UNEG) Norms and Standards.

VII. TIMEFRAME AND DELIVERABLES

- **4 working days** for desk review and inception report drafting and its submission (home based work)
- **5 working days** (in Vietnam - visiting concerned government agencies in Hanoi)
- **5 working days** for writing the draft evaluation report (home based work)
- **3 working days** for finalizing the final evaluation report (home based work)

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\(^7\) Stakeholders here refer to recipient country, partners, other beneficiaries, and UNODC management and mentors.
The final evaluation of the VNM/S65 project will be carried out in **17 days beginning the 21st February 2012**. The detail proposed agenda will be as follow:

Note: The consultant is available in Ha Noi on 4th March 2012 and starts the Field Visits on 5th March 2012

### Preliminary Timeline

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Activity</th>
<th>Location</th>
<th>Participant</th>
</tr>
</thead>
<tbody>
<tr>
<td>21st Feb - 24th Feb. 2012.</td>
<td>8.00-17.00</td>
<td>Desk review of the project documents, draft and submit inception report containing a refined work plan methodology &amp; tools to IEU</td>
<td>Home-based work</td>
<td>Consultant</td>
</tr>
<tr>
<td>27th Feb - 1st Mar. 2012.</td>
<td>9:30 - 11:00</td>
<td>Review and feedbacks from IEU</td>
<td></td>
<td>IEU</td>
</tr>
<tr>
<td>5th Mar. 2012</td>
<td>14.00-16.30</td>
<td>Meet with the Economic Police Department officials</td>
<td>Police HQ office</td>
<td>Consultant, Police officials, S65 Project staff, Interpreter</td>
</tr>
<tr>
<td>6th Mar. 2012</td>
<td>9:00-11:00</td>
<td>Meet with the Supreme People’s Prosecution Office (SPPO)</td>
<td>SPPO Office</td>
<td>Consultant, SPPO Officials, Interpreter, S65 staff</td>
</tr>
<tr>
<td>7th Mar. 2012</td>
<td>14.00-16.30</td>
<td>Meet with the Supreme People’s Court (SPC)</td>
<td>SPC Office</td>
<td>Consultant, SPC officials, Interpreter, S65 staff</td>
</tr>
<tr>
<td>8th Mar. 2012</td>
<td>9:30-11.30</td>
<td>Meet with the Police Academy</td>
<td>Police Academy HQ</td>
<td>Consultant, Police Academy officials, Interpreter, S65 staff</td>
</tr>
<tr>
<td>15th Mar. 2012</td>
<td>9.00-11.00</td>
<td>Meet with the Border Army Command (BA)</td>
<td>UNODC Office</td>
<td>Consultant, BA Officials, Interpreter, S65 staff</td>
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<tr>
<td>9th Mar. 2012</td>
<td>15.00-17.00</td>
<td>Meet with the Criminal and Administrative Laws Department of MOJ</td>
<td>MOJ Office</td>
<td>Consultant, MOJ Officials, interpreter, S65 staff</td>
</tr>
<tr>
<td>12th - 17th Mar. 2012</td>
<td>9.00-11.00</td>
<td>Debriefing at COVIE (Review documents)</td>
<td>UNODC Office</td>
<td>Consultant, COVIE Manager, Interpreter, S65 project Manager and staff</td>
</tr>
<tr>
<td>19th - 22nd Mar. 2012</td>
<td>9.00-11.00</td>
<td>Write and submit draft report to COVIE and IEU</td>
<td>Home based work</td>
<td>Consultant</td>
</tr>
<tr>
<td>23rd - 25th Mar. 2012</td>
<td>9.00-11.00</td>
<td>Comments and feedbacks from IEU, COVIE, CLPs</td>
<td></td>
<td>IEU, COVIE, CLPs</td>
</tr>
<tr>
<td>26th - 29th Mar. 2012</td>
<td>9.00-11.00</td>
<td>Revise, integrate comments, finalize and submit final report</td>
<td>Home based work</td>
<td>Consultant</td>
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<tr>
<td></td>
<td></td>
<td>Final report review and clearance</td>
<td></td>
<td>IEU</td>
</tr>
</tbody>
</table>
The Evaluator will have the overall responsibility for the quality and timely submission of all deliverables, as specified below:

- **Inception Report**, containing a refined work plan, methodology and evaluation tools.
- **Draft Evaluation Report** in line with UNODC evaluation policy and guidelines.
- **Final Evaluation Report**, including annex with management response
- **Presentation** of evaluation findings and recommendations to CLP and other key stakeholders

**VIII. EVALUATION TEAM COMPOSITION**

An external independent evaluator will undertake the evaluation.

The evaluator must not have been involved in the design and/or implementation, supervision and coordination of and/or have benefited from the project.

The evaluator will be guided by UNODC Independent Evaluation Unit, if needed.

The Evaluator will not act as representative of any party and must remain independent and impartial.

The evaluator is contracted by UNODC. The qualifications and responsibilities for the Evaluator are specified in the job description attached to these Terms of Reference (Annex I).

**IX. MANAGEMENT OF EVALUATION PROCESS**

*Management Arrangements*

The independent evaluation will be carried out following UNODC’s evaluation policy and UNEG Norms and Standards. The evaluator will work closely with UNODC’s Independent Evaluation Unit.

*The Independent Evaluation Unit*

The IEU guides the process of this evaluation; endorses the TOR, approves the selection of the proposed Evaluator and liaises closely with him throughout the entire evaluation process. IEU comments on and approves the evaluation methodology and provides methodological support throughout the evaluation. IEU will comment on the draft report, endorse the quality of the final report, supports the process of issuing a management response, if needed, and participates in disseminating the final report to stakeholders within and outside of UNODC. IEU ensures a participatory evaluation process by involving Core Learning Partners during key stages of the evaluation.

*Project Manager*

The project Management is responsible for the provision of desk review materials to the evaluator, commenting on the evaluation methodology, liaising with the core learning partners, as well as commenting on the draft report and developing an implementation plan for the evaluation recommendations.

The project Management will be in charge of providing logistical support to the Evaluator including arranging the field missions of the Evaluator and providing interpretation services. For the field missions, the Evaluator will liaise with the UNODC Country Office in Vietnam.

*Core Learning Partners*

Members of the CLP will be selected by the project managers in consultation with IEU. Members of the CLP will be selected from the key stakeholder groups (Annex III), including UNODC management, mentor, beneficiaries, partner organizations and donor Member States. The CLP will be asked to comment on key steps of the evaluation and act as facilitators with respect to the dissemination and application of the results and other follow-up action.

*Roles and Responsibilities of the Evaluator*

- Carries out the desk review;
- Develops the evaluation methodology, including sample size and sampling technique;
- Drafts the inception report and finalizes evaluation methodology incorporating relevant comments;
- Conducts the evaluation process;
Implements quantitative tools and analyses data
Triangulates date and tests rival explanations
Ensures that all aspects of the terms of reference are fulfilled;
Drafts an evaluation report in line with UNODC evaluation policy;
Finalizes the evaluation report on the basis of comments received;
Includes a management response in the final report
Presents the findings and recommendations of the evaluation at the debriefing session in UNODC office in Ha Noi.

While conducting the evaluation, the evaluator will be guided by relevant international standards, such as “Guiding principles for evaluation at UNODC”, “Standards of evaluation in the UN system”, and “Norms for evaluations in the UN system”.

Although the evaluator should be free to discuss all matters relevant to his/her assignment with the authorities concerned, the incumbent is not authorized to make any commitment on behalf of UNODC or the Government.

The evaluator will submit a draft evaluation report to UNODC Headquarters – the IEU, to UNODC COVIE. The draft report, as agreed with UNODC, will also be shared with the CLPs and donors for comments.

The report will contain the draft findings, conclusions and recommendations of the evaluator as well as a recording of the lessons learned during project implementation. Further, the evaluator will follow the instructions provided by the Evaluation Handbook of UNODC regarding the content, structure and annexes of evaluation report.

For the Final Evaluation Report, the evaluator will be solely responsible.

**Documentation**
Prior to undertaking the final evaluation mission and for ease of reference, the project management in Vietnam will provide the Evaluator with relevant documentation pertaining to the project. These include the project document, project revision documents, semi-annual and annual project progress reports, project-related mission reports, project meeting reports, Project Performance Evaluation Reports (PPER), and other relevant correspondence deemed necessary for the overall assessment of the current project status.

**Briefings, consultations and administrative support**
Prior to the start of the mission, the Evaluator will visit UNODC Office in Vietnam for a briefing by the Country Office on the project management and the status of the project’s execution. The Evaluator will visit the selected government agencies having received assistance under the project so far. While in Hanoi, the evaluator may also, at his/her discretion, visit other stakeholders.

**Evaluation report and follow-up**
There will be a debriefing meeting, which will be held at UNODC Office in Hanoi, during which the Evaluator will present a summary of the mission’s findings and recommendations. Any observations and comments received from UNODC and the national counterparts during the mission may be taken into account by the Evaluator and reflected in the final report as appropriate without compromising confidentiality. The IEU of UNODC will provide quality assurance in accordance with United Nations Evaluation Group and UNODC evaluation guidelines and standards, comments on the draft report and clearance of the final report, which will be posted on the UNODC website. The Evaluator will keep his/her independence and freedom of judgment in finalizing the report and in his/her conclusions and recommendations.

Within 5 days after the end of the mission the Evaluator will then produce a draft report in English not exceeding 20 pages, excluding annexes. This draft report will be circulated for comments to UNODC Vietnam, the IEU and the CLPs in that order. The Evaluator will then incorporate any comments in the final evaluation report that should follow UNODC format and guidelines for evaluation report.

The Evaluator will adhere to the UNODC format and guidelines for the evaluation report.

The Evaluator will submit the final report to UNODC Hanoi and to the IEU for final clearance one week upon receipt of the comments on the draft report from IEU and CLPs. An electronic copy of the final evaluation report will be submitted to the IEU for final clearance.
report, the evaluation summary and the summary assessment questionnaire will be made available and forwarded to: zhuldyz.akisheva@unodc.org and thanh.tran@unodc.org

The evaluation will be conducted within a contracted period of 17 days starting on 21 February 2012. The preliminary agenda could be revised by the Evaluator following prior consultation with UNODC Viet Nam.

X. PAYMENT MODALITIES

The Evaluator will be issued consultancy contract and paid as per the common UN rules and procedures including a lump sum payment in US Dollar.

The project will cover all the cost related to travel of the evaluator and provide him/her with DSA based on the UN rates established for each location to be visited.

Payment will be as it follows:

- The first payment will be made upon acceptance of the inception report and arrival in Viet Nam of the contractor (travel expenses plus 80 per cent of the daily subsistence allowance). Upon completion of the mission and presentation of boarding passes, the 20 percent of travel expenses and daily subsistence allowance will be paid.
- The second payment (25 per cent of the consultancy fee) will be made upon acceptance of inception report by the relevant units and sections at headquarters or field offices and by the Independent Evaluation Unit.
- The third payment (25 per cent of the consultancy fee) will be made upon receipt of the draft report by the relevant units and sections at headquarters or field offices and by the Independent Evaluation Unit.
- The final payment (50 per cent of the consultancy fee, i.e. the remainder of the fee) will be made only after completion of the respective tasks to full satisfaction of UNODC and receipt of the final report and its clearance by the Independent Evaluation Unit.

Annex I

Job description for the International Evaluation Consultant

Post title
International Evaluation Consultant

Estimated duration
17 working days over a period of two months.

Starting date required
Home base; missions to Viet Nam/ Ha Noi

Duty station

Duties of the International Evaluation Consultant:
The International Evaluation Consultant will conduct the independent evaluation of the UNODC project VNMS65. On the basis of the Terms of Reference s/he will carry out the following duties:

<table>
<thead>
<tr>
<th>Duties</th>
<th>Duration (working days)</th>
<th>Location</th>
<th>Results</th>
</tr>
</thead>
<tbody>
<tr>
<td>Desk study</td>
<td>4 days</td>
<td>Home base</td>
<td>List of evaluation questions Evaluation tools Draft inception report</td>
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<tr>
<td>Evaluation mission: briefing, interviews and presentation of preliminary findings</td>
<td>5 days</td>
<td>Viet Nam/ Ha Noi</td>
<td>Findings from Visits to CLPs</td>
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<tr>
<td>Drafting the evaluation report/ submit report</td>
<td>5 days</td>
<td>Home base</td>
<td>Draft Report</td>
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Finalizing the final evaluation report

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<th>3 days</th>
<th>Home base</th>
<th>Final Report</th>
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<tr>
<td><strong>Total</strong></td>
<td>17 days</td>
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**Required qualifications:**
The consultant should possess a combination of technical expertise in AML/CFT related matters and in evaluation. S/he should have:

- University degree or Master degree in laws, criminology, criminal justice, international development, public administration or law enforcement related fields,
- A minimum of 10 years of professional experience, specifically in the field of law enforcements, criminal justice or anti-money laundering and countering the financing of terrorism (AML/CFT) and evaluation of international programmes;
- Extensive knowledge of, and experience in applying quantitative and qualitative evaluation methods;
- Ability to plan and conduct all works related to independent evaluation;
- Solid experience in working with stakeholders: government (national and local), civil society, multilateral institutions etc;
- A track record of conducting various types of evaluation, including process, outcome and impact evaluations preferably with experience in conducting evaluations for the United Nations;
- Knowledge and experience of the UN System;
- Working experience in the cultural and socio-political environment of South East Asia or Vietnam would be considered an asset

**Languages:**
The consultant must have excellent English writing and analytical skills. Knowledge of another language relevant to the evaluation might be an advantage.

**Absence of Conflict of Interest:**
The consultant must not have been involved in the design and/or implementation, supervision and coordination of and/or have benefited from the project under evaluation

**Ethics:**
The evaluator should respect UNEG Ethical Guideline; s/he will be guided by UNODC Independent Evaluation Unit, if needed.
List of Reviewed Documents

- Project document (2007)
- Project revision 2010
- Project revision 2011
- Training needs assessment report
- Activities conducted in 2007-2008
- Activities conducted in 2009
- Activities conducted in 2010
- Activities conducted in 2011
- Decree No 74-2005/ND-CP on AML of Viet Nam
- National Steering Committee on AML of Viet Nam
- National Action Plan on AML – period 2010-2011
- Impact Assessment Report and Guideline for the Implementation of Article 251 on money laundering offense
- Article 251 on money laundering offense of the Penal Code
- Report on Comparison of Viet Nam’s Legal System with the 40+9 Recommendations of FATF
- Handbook of Guideline on Money Laundering Investigation, Prosecution and Trial.
- Penal Code of Viet Nam (1999)
- Criminal Procedure Code
## Evaluation Questions Matrix

<table>
<thead>
<tr>
<th>Evaluation Criteria (EC)</th>
<th>Evaluation Questions (EQ)</th>
<th>Judgment Criteria (JC)</th>
<th>Indicators</th>
<th>Sources of Information</th>
<th>EQ Specific Methodology</th>
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<tbody>
<tr>
<td>Relevance: Did the objective of the project really match the problems and needs?</td>
<td>EQ1: Are the project objective and results (outputs, outcomes and impacts considering relevant indicators) clear, realistic and coherent in terms of contributing to the achievements of UNODC Strategic Programme Frameworks 2005-2007?</td>
<td>JC1.1: The project objective and results (outputs, outcomes and impact considering relevant indicators) are clear, realistic and coherent in terms of contributing to the achievements of UNODC Strategic Programme Frameworks 2005-2007.</td>
<td>1.1.1 The Programme documents lay out clear presentation of the problems and their root causes.</td>
<td>Programme document, UNODC Strategy papers.</td>
<td>Desk review, interviews with programme staff. Analysis of the programme document and UNODC strategies.</td>
</tr>
<tr>
<td>EQ2: Are the project objectives relevant in view of the current standards and international interest through FATF and ICRG on AML/CFT related issues including asset recovery?</td>
<td>JC2.1: The objectives are relevant in view of the current standards and international interest through FATF and ICRG on AML/CFT related issues including asset recovery.</td>
<td>2.1.1 The programme document clearly explains and justifies how the objectives meet the standards of the FATF and ICRG on AML/CFT including asset recovery.</td>
<td>Programme document, FATF and ICRG policy papers and strategies.</td>
<td>Desk review, interviews. Analysis of the programme document and relevant FATF/ICRG papers.</td>
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<tr>
<td>EQ3: Are the AML/CFT challenges identified and major problems addressed under the project still a problem to tackle, why?</td>
<td>JC3.1: The AML/CFT challenges and major problems are suitably addressed. JC3.2: The challenges and problems are solved.</td>
<td>3.1.1 The programme document clearly reflects the challenges and major problems. 3.1.2 It offers a strategic approach to solve these.</td>
<td>Programme document, FATF and ICRG policy papers and strategies.</td>
<td>Analysis of the S65 programming documents and national policies and strategies.</td>
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<tr>
<td>EQ4: To what extent is the project aligned with the policies and</td>
<td>JC4.1: The intervention is informed about and has considered the</td>
<td>4.1.1 References to national policies and strategies in the</td>
<td>Programme documents, Country/regional strategies, relevant</td>
<td>Analysis of the S65 programming documents and</td>
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<td>Evaluation Criteria (EC)</td>
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<td>strategies of the national stakeholders and international donors in the area of AML/CFT?</td>
<td>existing national authorities’ policies and strategies, as well as from international donors. JC4.2: Strategies and programme activities coherently and comprehensively address identified needs.</td>
<td>programming documents 4.2.1 Absence of contradiction between the priorities of the programme documents and of national policies and strategies 4.2.2 Documented results acknowledge progress towards achievement of results that contribute to the area of AML/CFT.</td>
<td>studies, publications, documents by donors, international and local agencies, etc. Progress reports, Interviews with UN Agencies and relevant stakeholders. Project Progress Reports.</td>
<td>national policies and strategies.</td>
</tr>
<tr>
<td>EQ5: Considering the various players involved in technical assistance delivery, are the priority areas and objectives of S65 relevant to responding to international needs?</td>
<td>JC5.1: The identified priority areas and objectives of S65 are relevant to international needs. 5.1 The design stage of the programme allowed for accurate and timely participation of a range of other key stakeholders in: - Needs assessment - Strategy selection - Other key steps of the programming cycle.</td>
<td>Program document, progress reports, interviews.</td>
<td>Desk review, analysis of programme documents, field work.</td>
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<tr>
<td>Effectiveness: Has the project been successful in achieving its objective?</td>
<td>EQ6: Has the project achieved, or made acceptable positive progress, vis-à-vis of its objectives and results (outputs, outcomes and impacts considering relevant indicators)?</td>
<td>JC6.1: The programme has achieved identifiable results in its implementation in meeting its indicators. 6.1.1 Documented results acknowledge progress towards achievement of results set up by the programme. 6.1.2 Results of Programme support are acknowledged by and</td>
<td>Project documentation: Progress Reports, Interviews with direct and non-direct project stakeholders, interviews with relevant stakeholders</td>
<td>The progress towards achievement of results will be based on the evaluation team’s validation of the progress. The investigation of this will focus on a number of sampled beneficiaries and</td>
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<td>EQ7: What are the project’s achievements and failures?</td>
<td>JC7.1: The programme’s knowledge management contains evidence of good practices, success stories, or transferable examples for wider use and institutional memory.</td>
<td>7.1.1 Records of good practices, success stories, or transferable examples available and easily accessible via internet or other communication sources</td>
<td>benefit the society at large</td>
<td>Programme website, Structured interviews with UN Agencies, national authorities, programming and implementing actors, and beneficiaries</td>
<td>partners of the Program in accordance with the evaluation methodology. The work on this EQ will be based on interviews with direct and non-direct stakeholders. Field Missions including interviews and focus groups</td>
</tr>
<tr>
<td>EQ8: How did the project succeed in assisting the Vietnamese counterparts in the development of an effective AML/CFT regime?</td>
<td>JC8.1: The project succeeded in assisting Vietnamese counterparts in the development of an effective AML/CFT regime.</td>
<td>8.1.1 Documented results acknowledge the success that contributes to establishing an effective AML/CFT.</td>
<td>7.1.1 Records of good practices, success stories, or transferable examples available and easily accessible via internet or other communication sources</td>
<td>Project documentation: Progress Reports, Interviews with direct and non-direct project stakeholders, Interviews with relevant stakeholders</td>
<td>Desk study of internal information sources</td>
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<tr>
<td>EQ9: Have the project’s work plans, logical framework matrix and monitoring system been designed to make proper monitoring possible and effective throughout the project cycle?</td>
<td>JC9.1: The project’s logframe and monitoring system are supporting proper monitoring throughout the project cycle.</td>
<td>9.1.1 Project documents show regular reporting on progress along pre-defined performance indicators.</td>
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<td>Desk study, interviews with programme staff.</td>
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<td>Efficiency: How economically resources/inputs (funds, expertise, time etc.) have been converted to results?</td>
<td>EQ10: What can be done in general to make S65 more effective? n/a</td>
<td>JC11.1: The administrative and organizational structures were in place ensuring the correct implementation of the Programme. 11.1.1 Performance by administrative and organizational structures vis-à-vis agreed targets 11.1.2 Flexibility of administrative and organizational structures in adapting to changing external conditions 11.1.3 Contribution by administrative and organizational structures to ensuring visibility of the Programme.</td>
<td>Programme documents. Progress and monitoring reports Reporting by National Authorities, Civil society and the media. Structured interviews with Programme staff, UN Agencies, national authorities, programming and implementing actors, and beneficiaries of the Programme.</td>
<td>Mapping of administrative and organisational targets as per agreement and financing agreement. Mapping of administrative and organisational achievements vis-à-vis targets. Fieldwork including structured interviews and focus groups.</td>
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<tr>
<td>Efficiency: How economically resources/inputs (funds, expertise, time etc.) have been converted to results?</td>
<td>EQ11: Has the project management team been selected and recruited in a transparent, efficient and timely manner?</td>
<td>JC11.1: The administrative and organizational structures were in place ensuring the correct implementation of the Programme. 11.1.1 Performance by administrative and organizational structures vis-à-vis agreed targets 11.1.2 Flexibility of administrative and organizational structures in adapting to changing external conditions 11.1.3 Contribution by administrative and organizational structures to ensuring visibility of the Programme.</td>
<td>Programme documents. Progress and monitoring reports Reporting by National Authorities, Civil society and the media. Structured interviews with Programme staff, UN Agencies, national authorities, programming and implementing actors, and beneficiaries of the Programme.</td>
<td>Mapping of administrative and organisational targets as per agreement and financing agreement. Mapping of administrative and organisational achievements vis-à-vis targets. Fieldwork including structured interviews and focus groups.</td>
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<tr>
<td>Efficiency: How economically resources/inputs (funds, expertise, time etc.) have been converted to results?</td>
<td>EQ12: Has the budget been allocated proportionally between the outputs and spent as planned?</td>
<td>JC12.1: Procedures are in place ensuring the efficient implementation, characterized by: clear and formal assignment and division of responsibilities, staffing and budgeting arrangements, and systematic monitoring data collection and analysis mechanisms. JC12.2: The implementation of 12.1.1 Programme structure in place through formal appointment of staff and adoption of program implementation procedures 12.1.2. Performance by organizational structures vis-à-vis agreed targets as per inter-agency agreements and financing agreement</td>
<td>Revision of program documents, agreements; administrative data (procedures, staffing arrangements and structures), Progress reports, Monitoring reports.</td>
<td>Mapping of administrative structures; Mapping of organisational structures Mapping of data collection and analysis mechanisms. Review of administrative and organisational structures vis-à-vis “benchmarks” as per agreement. Field Missions including semi</td>
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<td>different components effectively contributes to achievement of results.</td>
<td>12.1.3. Amount of financial, human and other resources used by the Programme</td>
<td>12.2.1. Progress and monitoring reports demonstrate satisfactory level of efficiency of the Programme implementation</td>
<td>- structured interviews with relevant stakeholders.</td>
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<tr>
<td>EQ13: Have the project’s outputs achieved their targets or not according to the given inputs?</td>
<td>JC13.1: The project has delivered on its targets.</td>
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<td>13.1.1 Project documentation shows that the project has timely delivered on its planned outputs.</td>
<td>Programme documents, beneficiary feedback</td>
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<td>13.1.2 Beneficiary feedback shows that project outputs have been timely and correctly received.</td>
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<td>EQ14: What measures have been taken during project’s planning and implementation to ensure that resources allocated are efficiently used?</td>
<td>JC14.1: Programme implementation is based on well-developed measures ensuring efficient allocation of resources.</td>
<td>14.1.1 Programme contains strong reference to coordination mechanisms.</td>
<td>Programme documents, progress reports.</td>
<td></td>
<td>desk review/analysis of the programme document, monitoring and progress reports</td>
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<td>JC15.1: The project delivered on time, in line with set targets and deadlines.</td>
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<td>Interview with staff.</td>
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<tr>
<td>EQ15: Are the project deliveries in line with set targets and time?</td>
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<td>15.1.1 Project documentation shows that the project has timely delivered on its planned outputs.</td>
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<td>15.1.2 Beneficiary feedback shows that project outputs have</td>
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<td>Partnerships -- Cooperation and coordination</td>
<td>EQ16: What are the level and quality of cooperation with the key stakeholders and other active players in the field of AML/CFT in terms of avoiding duplications?</td>
<td>JC16.1: Programme implementation is based on well-developed coordination lines between participating agencies. JC16.2: The Programme takes accurately and timely account of other interventions promoted by government, civil society and other key donors. JC16.3: Internal communications methodology is clear and logical.</td>
<td>been timely and correctly received. 16.1.1. Programme contains strong reference to coordination mechanisms between participating agencies. 16.2.1. The programme procedures allow for accurate and timely integration of information on other interventions promoted by government, civil society and by donors. 16.3.1. Programme documents contain reference to other interventions promoted by government, civil society and donors.</td>
<td>Review of the programme documents. Other donors’ programming documents, progress reports, and monitoring and evaluation reports. Interviews with representatives of government and donors.</td>
<td>Review of the programme document, monitoring and progress reports in order to determine whether programme implementation prevents duplication and overlap and promotes synergy with interventions (strategies, policies, programmes, projects) that are promoted by other stakeholders.</td>
</tr>
<tr>
<td>EQ17: What is the level of coordination between the project and other UNODC initiative in the field of AML/CFT?</td>
<td>JC17.1: Programme implementation is based on well-developed coordination lines between participating agencies. JC17.2: The Programme takes accurately and timely</td>
<td>17.1.1. Programme contains strong reference to coordination mechanisms between participating agencies. 17.2.1. The programme procedures allow for accurate and timely integration of information on other interventions promoted by government, civil society and by donors. 17.3.1. Programme documents contain reference to other interventions promoted by government, civil society and donors.</td>
<td>Review of the programme documents. Other donors’ programming documents, progress reports, and monitoring and evaluation reports. Interviews with representatives of government and donors.</td>
<td>Review of the programme document, monitoring and progress reports in order to determine whether programme implementation prevents duplication and overlap and promotes synergy with interventions (strategies, policies, programmes, projects) that are promoted by other stakeholders.</td>
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<td>account of other interventions promoted by government, civil society and other key donors</td>
<td>integration of information on other interventions promoted by government, civil society and by donors</td>
<td>representatives of government and donors.</td>
<td>promotes synergy with interventions (strategies, policies, programmes, projects) that are promoted by other stakeholders.</td>
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<td>JC17.3: Internal communications methodology is clear and logical.</td>
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<tr>
<td>EQ18: Have national stakeholders and international donors and community actively and meaningfully participated in developing and implementing the project?</td>
<td>JC18.1: Design stage of the Programme ensured adequate and timely participation of a range of actors coming from national and local governments, social agents and other key stakeholders.</td>
<td>JC18.1.1. The design stage of the Programme allowed for accurate and timely participation of a range of other key stakeholders in: - Needs assessment - Strategy selection - Other key steps of the programming cycle.</td>
<td>Program documents pertaining needs assessments, strategy selection and other key steps of the programming cycle.</td>
<td>Program documents including strategies, and results framework.</td>
<td>Review of the Programme design process and its products (ProDoc) in order to determine if and to what extent programming ensured representative participation by relevant actors in needs assessment, strategy selection and other key steps in the programming cycle.</td>
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<td>JC18.1.2. Programming documents contain references to participation by a range of national and local government actors, social agents and other key</td>
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<td>Evaluation Criteria (EC)</td>
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<td>Impact: What have been positive and negative, primary and secondary long-term effects produced by this development intervention, directly or indirectly, intended or unintended?</td>
<td>EQ19: What differences has the project made to national counterparts, and beneficiaries?</td>
<td>JC19.1: The programme has made a difference to national counterparts and beneficiaries.</td>
<td>19.1.1 Programme documentation shows improvements on the areas covered by its outputs.</td>
<td>Review of the programme documents. Other donors' programming documents, progress reports, and monitoring and evaluation reports. Interviews with representatives of government and donors.</td>
<td>Desk study of in- and external information sources Field Missions including interviews with staff members and beneficiaries</td>
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<tr>
<td>EQ20: What are the intended or unintended positive and negative, direct or indirect, primary and secondary technical, professional, and other relevant effects on national counterparts' institutions?</td>
<td>JC20.1: The programme effected the national counterparts' institutions technically and professionally in a primary and secondary manner.</td>
<td>20.1.1. Documented results acknowledge progress towards achievement of results set up by the programme. 20.1.2. Results of the Programme support are acknowledged by and benefit the national counterparts' institutions.</td>
<td>Basic project documentation Project Progress Reports Interviews with direct and non-direct project stakeholders. Interviews with relevant stakeholders.</td>
<td>Desk study of in- and external information sources Field Missions including interviews with staff members and beneficiaries</td>
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<tr>
<td>EQ21: What has been the impact of the project in the recovery of proceeds of crime?</td>
<td>JC21.1: The programme contributed to the recovery of proceeds of crime.</td>
<td>21.1.1. Documented results acknowledge progress towards achievement of results set up by the programme. 21.1.2. Results of the Programme support are acknowledged by and benefit the national counterparts' institutions.</td>
<td>Basic project documentation Project Progress Reports Interviews with direct and non-direct project stakeholders. Interviews with relevant stakeholders.</td>
<td>Desk study of in- and external information sources Field Missions including interviews with staff members and beneficiaries</td>
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<td>EQ22: What has been the project’s impact in the conduct of investigation, prosecution and trial?</td>
<td>JC22.1: The programme contributed to conduct of investigation and trial.</td>
<td>institutions. 22.1.1. Documented results acknowledge progress towards achievement of results set up by the programme. 22.1.2. Results of the Programme support are acknowledged by and benefit national counterparts’ institutions.</td>
<td>Basic project documentation Project Progress Reports Interviews with direct and non-direct project stakeholders. Interviews with relevant stakeholders.</td>
<td>Desk study of internal information sources. Field Missions including interviews with staff members and beneficiaries</td>
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<tr>
<td>EQ23: To what extent will the benefits generated under this project be sustainable?</td>
<td>JC 23.1. National and local government counterparts support and endorse the programme. 23.1.1. Evidence of governments’ support and endorsement of the programme.</td>
<td>Programme documentation Interviews with stakeholders.</td>
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<td>EQ24: Has the project generated the following element of sustainability as coordination group, critical mass of expertise at national level as well as at each target area, diversified services, responsibilities transferred to national counterparts, experience systematized and lessons learnt and disseminated?</td>
<td>J.C. 24.1. Local government institutions have technical capacity and commitment to follow up on the achievements of the programme. 24.1.1. Evidence of application of knowledge and skills of the government counterparts that were acquired from the participation in the program activities in their work. 24.1.2. Recommendations from the programme effectively used</td>
<td>Adopted and revised Strategies adopted by relevant government counterparts with support by the programme. Programme Progress reports and other relevant studies and documents Interviews with relevant Government and CS representatives</td>
<td>Mapping of adopted and revised strategies supported by the programme. Mapping of governmental mechanisms administrative and management structures that have participated in the programme. Interviews and focus groups with government representatives to discuss the application of acquired knowledge.</td>
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<td>EQ25: To what extend can the national counterparts and beneficiaries take ownership of the project’s objective?</td>
<td>JC 25.1. National and local government counterparts support and endorse the programme.</td>
<td>25.1.1. Evidence of governments’ support and endorsement of the program</td>
<td>Programme documentation Interviews with government stakeholders</td>
<td>Desk study of internal information sources. Field Missions including interviews with staff members and beneficiaries. Mapping of adopted and revised strategies supported by the programme. Mapping of governmental mechanisms administrative and management structures that have participated in the programme. Interviews and focus groups with government representatives to discuss the application of acquired knowledge. Mapping of adopted and revised strategies in the programme. Mapping of governmental mechanisms administrative and management structures that have participated in the programme. Interviews and focus groups with government representatives to</td>
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<td>EQ26: Are national counterparts and regional-international partners committed to continue working towards this objective at the end of the project?</td>
<td>J.C. 26.1. Local government institutions have technical capacity and commitment to follow up on the achievements of the programme.</td>
<td>26.1.1. Evidence of application of knowledge and skills of the government counterparts that were acquired from the participation in the program activities in their work. 26.1.2. Recommendations from the programme effectively used</td>
<td>Adopted and revised Strategies adopted by relevant government counterparts with support by the programme. Programme Progress reports and other relevant studies and documents Interviews with relevant Government and CS representatives</td>
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<tr>
<td>Evaluation Criteria (EC)</td>
<td>Evaluation Questions (EQ)</td>
<td>Judgment Criteria (JC)</td>
<td>Indicators</td>
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Discuss the application of acquired knowledge.
### S65 List of interviews

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<tr>
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<th>Institution</th>
<th>Name</th>
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<tr>
<td>12</td>
<td>UNODC Viet Nam Country Office, Ha Noi</td>
<td>Ministry of Public Security - Economic Police Department</td>
<td>Senior Police Colonel Tran Duc Vinh</td>
<td>Deputy Director</td>
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<td></td>
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<td>Captain Nguyen Ouoi Anh</td>
<td>Officer in charge of AML</td>
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<td>People's Police Academy</td>
<td>PPA</td>
<td>Prof Dr Maj Gen Nguyen Van Canh</td>
<td>Deputy Director</td>
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<td>Colonel Khieu Manh Hung</td>
<td>Deputy Director of Criminology Center</td>
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<td>Colonel Hua Doan Hoi</td>
<td>Deputy Director of Economic Police Dept.</td>
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<td>Colonel Dang Duc Nghia</td>
<td>Chief of Administration Department</td>
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<td>14</td>
<td>State Bank</td>
<td>AMLD-State Bank</td>
<td>Mr Nguyen Van Ngoc</td>
<td>Director AMLD</td>
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<td>Supreme People's Court</td>
<td>SPC</td>
<td>Ms Vu Thi Diem</td>
<td>Legal Expert AMLD</td>
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<td>Ms Bui Ngoc Dung</td>
<td>Deputy Director Criminal Court</td>
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<td>Mr Cao Van Manh</td>
<td>Senior Expert Criminal Court</td>
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<td>15</td>
<td>Supreme People's Prosecution Office</td>
<td>SPP</td>
<td>Mr Tran Duc Phong</td>
<td>Director Drug Crime Prosecution Dept.</td>
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<td>Mr Mai Anh Thong</td>
<td>Deputy Director Economic Crime Prosecution Dept.</td>
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<td>Mr Mai The Bay</td>
<td>Deputy Director International Relation Dept.</td>
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<td>Mr Nguyen Anh Thao</td>
<td>Deputy Section Head in charge of AML, Economic Crime Department</td>
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<td>Mr Nguyen Van Dat</td>
<td>Deputy Section Head in charge of AML, International Relations Dept.</td>
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<td>Ministry of Justice</td>
<td>MoJ</td>
<td>Ms Nguyen Thi Mai Nga</td>
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<td>UNODC Viet Nam Country Office, Ha Noi</td>
<td>World Bank/UNODC</td>
<td>Mr Chris Batt</td>
<td>Regional Advisor AML/CFT, Global Programme Against Money Laundering</td>
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<td>Customs Office</td>
<td>CO - Anti-smuggling and</td>
<td>Mr Mai Xuan Thanh</td>
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<td>Investigation Department</td>
<td>Mr Nguyen Duc Long</td>
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<td>Mr Nguyen Ngoc Khue</td>
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<td>Mr Le Duc Long</td>
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<td>Mr Tran Huy Hieu</td>
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<td>Mr Hoang Thi Lien</td>
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<td>Mr Le Duc Binh</td>
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<td>Mr Dang Cong Thanh</td>
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<td>Ministry of Construction</td>
<td>MoC - Housing and Real Estate Dept.</td>
<td>Mr Vu Xuan Thien</td>
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<td>Mr Nguyen Van Thuong</td>
<td>Section Head/Senior Specialist</td>
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<td>UNODC Viet Nam Country Office, Ha Noi</td>
<td>De-briefing (review documents)</td>
<td>Ms Zhuldyz Akisheva</td>
<td>Country Manager</td>
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<td>Mr Thanh Tran</td>
<td>National Project Coordinator AML</td>
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<td>Ms Nguyen Phuong Lien</td>
<td>Project Assistant</td>
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<td>Mr Kodo Sounna Hamadou</td>
<td>UNV M&amp;E Specialist</td>
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*all dates March 2012