



TERMS OF REFERENCE

Consultancy service - Identifying vulnerable groups in Moldova from a Human Rights perspective

Job Title:	National consultant
Type of Contract:	SSA modality
Duty Station:	Chisinau, Moldova. <i>No travel expenses outside of Moldova are envisaged.</i>
Application Deadline :	6 August 2010, 17:00 local time
Starting Date : (date when the selected candidate is expected to start)	1 September 2010
Duration of Contract :	30 November 2010
Contracting Authority	UNIFEM SRO CIS within the Joint UNDP/UNIFEM Project on Integrated Local Development (Joint ILDP)
Beneficiary:	State Chancellery, Parity Commission, Working Groups

Background

UNDP and UNIFEM in partnership with the Government of Moldova (State Chancellery) with financial support from SIDA are implementing the Joint Integrated Local Development Programme (JILDP). The JILDP was designed to improve the policy framework, as well as to support the administrative systems and procedures focused on efficient transfer of competencies to Local Public Administrations (LPAs), decentralization and promotion of LPAs' role in decision making. It also helps in building the capacity of LPAs to plan, implement and monitor their strategic plans and improve local public service delivery, involving civil society and community efforts and participation.

Given the overall development context, related to the impact of the political and economic crisis, and considering the priorities of the Coalition for European Integration, new Government Programme, as well as the National Development Strategy, *Decentralization, Sustainable Local Development and Democratic Local Governance* represent key issues to be addressed in order to respond to existing country priorities and development challenges.

Key components of the programme:

Policy Advisory and Advocacy Component: Program will strengthen the capacity of the key ministries and partners (the Parliamentary Commission on Decentralization, State Chancellery, Ministry of Finance, Ministry of Labour, Social Protection and Family, Ministry for Construction and Regional Development among others) in elaborating policies, legislation & implementation mechanisms taking into account the

principles of HRBA and gender equality dimensions to advance the administrative and fiscal decentralization reform that shall accelerate human rights and gender responsive development at the regional and local level. Broad participation and engagement will be the core for the design and implementation of the reform.

Local Self-Governance and Participation Component: The capacity of the rayons and municipalities to plan, budget, implement, monitor and evaluate local development as well as to manage efficiently service delivery in the targeted areas, ensuring good quality services to the vulnerable persons and groups, including persons with disabilities, women and children at risk, single-parent households, ethnic and other minorities in particular Roma, persons living with HIV/AIDS, the elderly and others, as well as the capacity to provide services will be assessed and strengthened through applying HRBA and gender equality approach. Capacities of Associations of Local Authorities will be enhanced to advocate for better decentralization and local development policies.

Community Empowerment Component: The JILDLP will encourage and facilitate active participation of community members, especially members of identified vulnerable groups, as the primary recipients of all local development initiatives, in the local development processes and decision-making. The Joint Programme will support local communities to have better access to improved services.

Transnistria and Security zone Component: The JILDLP will be expanded to the Transnistria Region and will work more thoroughly in the security zone. It will cover all 5 rayons of the region and the areas from the security zone which are based on the left bank of Nistru River but are under Moldovan Government control. 20 communities from the Transnistria region will be supported and 9 from the security zone.

The Programme will be implemented and will advocate for using Human Rights Based Approach (HRBA) and Gender equality mainstreaming (GE) which calls for participation, accountability, transparency and non-discrimination.

HRBA & GE

In 2009 UNDP and Sida Head Quarters agreed to work together on implementing a rights-based approach in three pilot countries, Moldova being the first country. When defining HRBA in the Moldovan context focus will be on the core principles of: *Participation, Non-discrimination, Transparency and Accountability.*

International and European review bodies have regularly provided recommendations and guidance to the Government of Moldova on human rights and social inclusion matters of relevance to local authorities and local governance. A number of these recommendations remain to date unimplemented.

The JILDLP is designed to improve the policy framework, as well as to support the administrative systems and procedures focused on efficient transfer of competencies to Local Public Administrations (LPAs), decentralization and promotion of LPAs' role in decision making. It also helps in building the capacity of LPAs to plan, implement and monitor their strategic plans and improve local public service delivery, involving civil society and community efforts and participation, transparency, accountability and non-discrimination. Given the overall development context, related to the impact of the political and economic crisis, and considering the priorities of the European Integration spelled out in the, new Government's Programme, as well as in the National Development Strategy, Decentralization, Sustainable Local Development and Democratic Local Governance represent key issues to be addressed in order to respond to existing country priorities and development challenges.

A Human Rights Based Approach (HRBA) will be implemented throughout all levels and instances of the project, ensuring the four principles

Organizational setting

The Consultant will work under the supervision of UNIFEM CTA/Program Analyst with thorough guidance from Program HRBA Team. Consultant will also be working with the separate UNDP Component Managers and relevant officials from the State Chancellery on various parts of the project, giving input and advice and to actively promote HRBA activities into the JILD/Decentralization reform.

Objectives of identifying the vulnerable groups

The objective of the assignment is to get proper and updated identification and knowledge about the persons and groups to be defined as “vulnerable” in Moldova from a Human Rights perspective. Implementing HRBA means emphasising the advancement and well-being of those most discriminated in society. The intention with this study is to use the information; to in all means available include the most vulnerable people into the reform process and to in the end improve their situation.

The findings of the study will be used as a basis in all other studies and research within the JILD and decentralization process, specifically looking at the situation of the most vulnerable, and measuring the effects of the reform on these groups over time. The information will also be used when performing consultations, making sure that the most vulnerable are able to influence their situation.

Assignment under these ToR will include three basic dimensions:

1. Study on vulnerable groups of population (including their identification, definition, etc.), which will feed into the decentralization reform; in this regard, particular reference will be paid to implementing the findings of competent international and regional review bodies.
2. Based on conclusions and recommendations of the study, feed in and connect with other JILD studies on decentralization (on administrative-territorial structure, on administrative and fiscal decentralization, on de-concentrated services).
3. Provide strategic and conceptual advice on HRBA to the working groups established by the Government under the Decentralization reform.

Tasks to be performed

Study shall concentrate upon the following elements:

- To consult with relevant stakeholders, including but not limited to civil society organizations working with vulnerable groups in Moldova.
- To develop a definition of “vulnerable groups” based on existing human rights research with respect to vulnerability in Moldova, as well as based on assessments by international and European human rights and social inclusion review bodies.
- To identify the most vulnerable groups in Moldova on the criteria of the definition above, also including information about the numbers of the various groups on a national level including, where relevant, various estimates
- Review existing indicators used by relevant agencies to define and statistically count the vulnerable persons and groups eligible for obtaining service delivery in the targeted areas.
- To make an assessment of the current situation (socio-economic, income levels, health etc) of the above identified vulnerable groups in Moldova on a national level, by looking at existing research and based on the Human Rights conventions and covenants.

- To present information on possible barriers to inclusion, in particular those existing at local level;
- Specifically to identify aspects of the exclusion of vulnerable persons or groups, which affect men or women from particular vulnerable groups differently.
- Where possible, to bring concrete examples from particular localities of issues facing a plurality of groups;

Methodological approach to the elaboration of the study on vulnerable groups to include:

- Desk review of existing studies including their methodologies and focus groups addressed;
- Focus groups with representatives of vulnerable groups (both concrete people representatives and relevant institutions/organizations) to be carried out aiming at national representativeness of conclusions;
- Participation at and contribution to relevant round tables/seminars/conferences, organized by the JILDLP within the course of the assignment;
- Panel and individual discussions with experts in the field (including NGOs, donors, government, etc.)

All costs associated with logistic of necessary events (focus groups, panel discussions, etc.) will be separately supported by UNIFEM. Methodological approach for the study shall be presented with the technical offer for this initiative and will be concretized within 10 days after the starting day of assignment.

The findings and conclusions of the study will provide a platform for advocating and inclusion of HRBA and position of the vulnerable groups into the decentralization reform and shall be concentrated upon:

- To analyze the conclusions, recommendations and results of the relevant studies. Primary documents of reference in this regard are (1) the relevant most recent Concluding Observations concerning Moldova of the UN Committees on the Elimination of Discrimination Against Women (CEDAW), Elimination of Racial Discrimination (CERD), and Rights of the Child (CRC), as well as the most recent reports on Moldova of the Council of Europe's Monitoring Committee for the Framework Convention on National Minorities and the Council of Europe's European Commission on Racism and Intolerance. The study should also have due regard and make reference to documents concerning administrative-territorial division, administrative and fiscal decentralization, de-concentrated services. The study should provide solutions and recommendations on how to relate the situation of vulnerable groups to studies within the decentralization reform process and JILDLP, ideally with reference to given municipalities;
- Evaluate immediate and long-term effects of fiscal and administrative decentralization upon the vulnerable groups of population;
- Evaluate the impact of fiscal and administrative decentralisation trends on local development policies and quality/accessibility of local public services specifically taking into account needs of vulnerable groups of population;
- Provide conceptual support, advice and consultancy for Parity Commission and working groups established by the Government for participatory consultative process for elaboration of the decentralization strategy during the duration of the assignment;

- Assess impact of laws in the framework of decentralization reform from the point of view of HRBA and assure that adequate policy and legal framework in HRBA for decentralization reform is in place;
- Assure that HRBA principles (transparency, accountability, non-discrimination and participation) are taken into thorough account in policy recommendations and legal framework;

Deliverables

- 1) A Study based on Human Rights, on the identification of vulnerable groups in Moldova at a national level, including thorough reasoning about the definition of "vulnerable groups", a presentation of the vulnerable groups and available statistical information about the situation of those groups from a Human Rights perspective, with due regard and direct reference to relevant monitoring conclusions concerning Moldova by the relevant United Nations and Council of Europe monitoring bodies, as well as other relevant studies. The consultant will be expected to produce working and final drafts of the study, following consultation and comment rounds (in English)
- 2) A presentation of possible suggestions on linking the information about the vulnerable groups, and their situation to the decentralization reform process and JILDLP activities on the results of the study for JILDLP consultants, State Chancellery and other relevant stakeholders
- 3) Report on linking the information/conclusions/recommendations on vulnerable groups and their situation to the decentralization reform process and JILDLP activities as well as on activities carried out in support of the Governmental working groups under the decentralization reform including a summary report on consultation with relevant stakeholders (in English)

Implementation time

Duration of the assignment under this contract will be till November 30, 2010

Draft study under deliverable 2 to be presented not later than 6 weeks after signing the contract and shall coincide with the drafts of the studies related to decentralization reform (administrative-territorial structure, fiscal and administrative decentralization and de-concentrated services), which is scheduled for September 2010. The final draft will be expected within 2 weeks of receipt of comprehensive comments on the first draft of the study.

Workshop will be organized at the time of relevance for further use of this study and of convenience of all stakeholders involved (costs of the workshop logistics will be supported separately and should not make part of the honorarium for this project).

Report under the deliverable 3 to be presented upon the logical completion of JILDLP studies

Major milestones for key related documents/events to be taken into account:

1. Relevant JILDLP studies (administrative-territorial structure, fiscal and administrative decentralization and de-concentrated services) – September 2010
2. First draft/vision of decentralization strategy – middle September 2010
3. Parity Commission on decentralization – July 2010-November 2010
4. Working groups on decentralization – August 2010-November 2010
5. Governmental strategy on decentralization – November 2010

Minimum qualification criteria

Consultants shall meet the following minimum qualification criteria:

Experiences:

- Advanced degree in Social sciences, Public Administration, law or similar field, or equivalent working experience in the sector
- At least 3 years of experience in performing and/or analyzing quantitative and qualitative research, investigating the Human Rights/Socio-economic conditions of marginalized people,
- Experience of writing comprehensive, analytical reports,
- Experience of and understanding of the international and regional human rights framework of relevance to Moldova, as well as grasp of recommendations to the Government of Moldova by UN Treaty Bodies, Council of Europe human rights and social inclusion review bodies of relevance to local governance in Moldova,
- Excellent analytical skills
- Experience of working with the inclusion of marginalized groups would be an asset.

Abilities:

- Ability to gather relevant research, to interpret and analyze information, and provide practical recommendations based on results
- Excellent writing skills
- Communication and interpersonal skills required for collaboration with local public administration representatives and service providers
- Proved abilities or skills to manage a contract with international organizations
- Fluency in English and Romanian.

Technical skills:

Computer literacy and ability to effectively use office technology equipment, IT tools.

Corporate Competencies

- Demonstrates integrity by modelling the UN's values and ethical standard;
- Promotes the vision, mission, and strategic goals of UNDP/UNIFEM;
- Displays cultural, gender, religion, race, nationality, and age sensitivity and adaptability;
- Treats all people fairly without favouritism.

Functional Competencies

Management

- Focuses on result for the client and responds positively to feedback;
- Consistently approaches work with energy and a positive, constructive attitude;
- Remains calm, in control and good humoured even under pressure;
- Demonstrates openness to change and ability to manage complexities.

Development and Operational Effectiveness

- Proven ability to problem-solve and think creatively to develop and implement smart business solutions in a challenging socio-economic environment;
- Proven ability to develop detailed operational plans, budgets, and deliver on them for development results.

Knowledge Management and Learning

- Shares knowledge and experience;
- Actively works towards continuing personal learning, acts on learning plan and applies newly acquired skills.

Qualified women, persons with disabilities, and members of minority groups – including in particular Roma – are encouraged to apply.

Application process

Consultant shall submit for consideration the following documents:

1. Cover letter
2. Duly completed P11 form
3. Detailed CV matching qualification requirements
4. Methodological guidelines and detailed workplan for accomplishing assignment
5. Honorarium expectations (per assignment as total)

with the mark ***“Consultancy service - Identifying vulnerable groups in Moldova (Joint ILDP)/UNIFEM”*** by 10 August 2010, 17:00 (Moldova time) to Elena Postovan, at elena.postovan@unifem.org

Only those short listed will be contacted.

Failure of candidates to submit a duly completed P11 form, as well as false representations on this form, shall constitute sufficient grounds for withdrawal of further consideration.