



## TERMS OF REFERENCE

### I. Position Information

<b>Job Title:</b>	<b>UN Human Rights Office (OHCHR):</b> National Anti-Discrimination Consultant on Inclusive Education and Rights of Persons with Disabilities
<b>Project Title:</b>	“Combating Discrimination in the Republic of Moldova, including the Transnistrian region”
<b>Starting date</b>	1 April 2014
<b>Duration of employment:</b>	9 months with the possibility of extension
<b>Application deadline</b>	20 March 2014

### II. Background

The Office of the United Nations High Commissioner for Human Rights (OHCHR) represents the world's commitment to universal ideals of human dignity. We have a unique mandate from the international community to promote and protect all human rights. We have an office at United Nations headquarters in New York and offices in numerous countries and regions. To implement our comprehensive mandate, we employ 1085 staff (as of 31 December 2013) based in Geneva, New York and in 13 country offices and 13 regional offices or centres around the world, as well as a workforce of 689 international human rights officers serving in UN peace missions or political offices.

In July 2008, OHCHR has deployed a Human Rights Adviser, based in the Office of the United Nations Resident Coordinator (UN RC) in the Republic of Moldova. The Human Rights Adviser supports and advises the UN RC Office, United Nations Country Team (UNCT) in Moldova, Government, National Human Rights Institution (NHRI) and civil society in strengthening human rights and human rights based approaches. OHCHR, in partnership with UNCT Moldova, also supports UNCT Moldova to implement the recommendations of UN Senior Expert Thomas Hammarberg as concerns human rights in the Transnistrian region of the Republic of Moldova. Thematic priorities for work in the Republic of Moldova for 2014-2017 include: (1) Countering discrimination, in particular racial discrimination, discrimination on the grounds of disability, religion, sexual orientation and other criteria; (2) Combating impunity and strengthening accountability and the rule of law; (3) Strengthening the effectiveness of international human rights mechanisms and the progressive development of international human rights law and standards.

In April 2014, OHCHR will start implementing a European Commission funded project “Combating Discrimination in the Republic of Moldova, including the Transnistrian region”. The project runs for 18 months and the overall objective is address discrimination in Moldova as concerns people belonging to stigmatized or marginalized groups. This project will contribute to the expected accomplishments as detailed in the OHCHR Country Note for the Republic of Moldova for 2014-2017, in parts concerning changes to policy and practice in the field of anti-discrimination, effective implementation of international anti-discrimination law acquis by the Moldovan judiciary and strengthening civil society in these areas.



### III. Organizational Context

The National Consultant reports to the Human Right Adviser and Anti-Discrimination Project Manager. The National Consultant works in close collaboration with project partners, beneficiaries and stakeholders – rights-holders and duty bearers -- for the effective achievement of results, anticipating and resolving complex project-related issues and information delivery.

### IV. Key Functions

The National Anti-Discrimination Consultant on Inclusive Education and Rights of Persons with Disabilities will be responsible for successful implementation of the project “Combating Discrimination in the Republic of Moldova, including the Transnistrian region” in particular key areas, contributing substantively to realization of the Expected Achievements of the OHCHR Country Note for the Republic of Moldova for the period 2014-2017. The particular areas of work for the National Anti-Discrimination Consultant on Inclusive Education and Rights of Persons with Disabilities concern: (1) the rights of persons with disabilities, in particular as concerns equality rights in education; (2) Roma rights, in particular as concerns strengthening equality in education for Roma, and overcoming existing racial segregation, as well as other human rights abuses in this context.

The incumbent will ensure the provision of development services and products (commensurate with the scope of the project) of the highest quality and standards to national counterparts and for beneficiaries, and other relevant stakeholders.

The National Anti-Discrimination Consultant on Inclusive Education and Rights of Persons with Disabilities will organize trainings, roundtables, meetings with stakeholders, partners and beneficiaries in relation to the proposed activities. Where possible and relevant, children from other groups facing stigma-based exclusion in education – in particular for example Romani children – may be included in the network. More specifically, in collaboration with project partners, the incumbent will be responsible for the implementation of the following planned activities as detailed in the project proposal, among which:

1. Creation of the network of children with mental, intellectual, physical and sensory disabilities and their parents legally empowered to seek inclusive education in Moldova, including in Transnistria region. The expected result under this action is the empowered group of children and their parents, having achieved greater degree of legal competence in the comprehensive ban on discrimination and is able to act to claim equality rights, in particular in the field of education. In collaboration with the project partners the incumbent will be responsible for:
  - a) Identification of beneficiaries to be part of the network, ensuring the diversity of beneficiaries, meaning that the focus will be made on children with disabilities and their parents coming from rural and urban areas, regardless their ethnic, religious, gender, etc. belonging.
  - b) Organization of 15 meetings or trainings with the identified beneficiaries, including 5 such meetings to be held in the Transnistrian region. The incumbent will focus on strengthening the rights and empowerment of children with disabilities and their parents. In collaboration with the Associated Partner, the consultant will support coordination of the meetings and the network group, and will support follow up actions as determined in consultation with the rights-holders, as well as monitoring the impact of actions, to strengthen the effective realization of the right to inclusive education as set out under international law, in particular the Convention on the Rights of Persons with Disabilities (CRPD).
  - c) The National Anti-Discrimination Consultant on Inclusive Education and Rights of Persons with Disabilities in collaboration with the project Partners will facilitate the network's



- dialogue by providing legal, practical and strategic advice, as well as support follow-up activities aiming to apply laws and methods learned during training and consultation meetings.
- d) Supporting the network in mobilization activities, a process through which activities will be stimulated by the network itself to improve the access of beneficiaries to justice, services, education etc. through a dialogue initiated with the authorities and through participatory decision-making process.
  - e) Strengthening the documentation of issues facing children with disabilities in their efforts to realize the right to inclusive education, and related rights as established under domestic and international law.
  - f) Empowering rights-holders to initiate strategic legal activities and to address complaints on alleged discrimination to the Council for Preventing Discrimination and Ensuring Equality or other relevant forums, as well as preparing the ground for possible engagement with international adjudicating bodies such as UN Treaty Bodies, where relevant.
  - g) Enabling the beneficiaries to promote their rights and seek for justice including via media. Assist the parents of children with disability to make visible their problems through the portal [www.discriminare.md](http://www.discriminare.md) and/ or through participation at national TV channels.
2. Supporting the UN Human Rights Adviser/ OHCHR in implementation of relevant recommendations by UN Senior Expert Thomas Hammarberg on Human Rights in Transnistrian region of the Republic of Moldova,<sup>1</sup> particularly recommendations related to promoting human rights and combating discrimination in Transnistria with regards to children with disabilities. The current activities aim to focus attention on these particular groups regardless their ethnic, religious, gender or other belonging.
    - a) Organize and conduct training courses on the international human rights standards stipulated in the International Convention on the Rights of People with Disabilities, focusing on inclusive education and right to non-discrimination components, and
    - b) Create an initiative group formed of parents of children with disabilities and enable them to take the initiative in promoting their rights and conduct meetings.
  3. Actions to achieve genuine progress on integrated education for Roma in problematic school districts, including in the Transnistrian region. Following the implementation of the action, at least 2 problematic municipalities having Roma-segregating schools should be desegregated following the visits, roundtables, regular engagement and other actions concerning identified localities with segregated Roma classes and schools, as well as dialogues and seminars on integrated education held with non-Roma and Roma parents, administrations of the identified schools. Under the action, meetings will be convened with the interested and responsible parties in order to identify next steps and actions to desegregate schools or school districts with segregated educational arrangements as concerns Roma and non-Roma:
    - a) At least 8 local travels in the identified problematic municipalities will be conducted in 2014.
    - b) With the view to engage the local school administration as well as the Local Public Administration to carry out the swift desegregation of schools, the incumbent jointly with the Partners will provide consultations involving all relevant stakeholders, including rights-holders and duty bearers.
    - c) The Consultant and the project Partners will provide support for the advocacy of the parents of Roma children in addressing discrimination and ensuring their right to integrated education, as well as support for team- and network-building among Romani children and parents, as well as building common cause with other groups affected by exclusionary forces in education, such as children with disabilities.
  4. Supports and contributes to monthly, annual and other reporting to the Office of the United

<sup>1</sup> Hereinafter "Transnistria" or "Transnistria region". Reference to the *de facto* authorities does not amount to recognition of their legitimacy, nor should it be interpreted to confer recognition of any legal status of the disputed territory.



Nations High Commissioner for Human Rights (OHCHR) against the Office's Expected Accomplishments in these areas, as well as reporting under the Project for the European Union.

In all aspects of work, the consultant **will work closely with the Human Rights Adviser and the Anti-Discrimination Project Manager** to ensure alignment with OHCHR strategic priorities and expected accomplishments; to work toward the best possible results in the field of work; as well as to ensure compliance with all areas of United Nations and European Union policies in the relevant areas. The consultant will also work collaboratively with other persons engaged under the project to work on various aspects of work under the project.

#### V. Deliverables

1. Identification of relevant and appropriate children with disabilities and their parents where relevant, for inclusion in the network, including in Transnistrian region	April-May 2014
2. Organization of 15 meetings with the identified beneficiaries, including 5 such meetings in the Transnistrian region.	May-December 2014
3. Supporting rights-holders with methodological, legal or practical guidance, as well as with other relevant actions, in their efforts to initiate strategic legal activities and to address complaints on alleged discrimination to the Council for Preventing Discrimination and Ensuring Equality and/or to other relevant forums.	May – December 2014
4. Enabling at least 30 relevant rights-holders to promote their rights and seek for justice including via media.	May-December 2014
5. Undertaking actions as described above in the terms of reference document in order to move forward and secure desegregated education in key Romani communities. As a result of at least 8 visits conducted, at least 2 problematic municipalities having Roma segregating schools should be desegregated following the visits, roundtables, regular engagement and other actions concerning identified localities with segregated Roma classes and schools	May-December 2014:  <u>Indicative:</u> <ul style="list-style-type: none"> <li>- 3 visits conducted to Otaci school, community and authorities</li> <li>- 3 visits conducted to Stejareni/Lozova school, community and authorities</li> <li>- 2 visits conducted to Parcani/Racula school, community and authorities</li> <li>- Other visits as needed/consulted</li> </ul>
6. Closely cooperate with the project partners, rights holders and duty bearers, to assure the effective inclusive education for Romani children from Transnistrian region, as well as addressing the documented cases of discrimination against Roma in the region	April – December 2014
7. Monitoring, advisory and other meeting-related activities, as specified above	April-December 2014, as needed.
8. Reporting on actions and activities	April-December 2014, monthly and additionally, as specified.



## V. Competencies

### Professional competencies

- ☐ Excellent knowledge of and exposure to a range of human rights issues
- ☐ Excellent knowledge of the international human rights law acquis in the field of anti-discrimination
- ☐ Excellent knowledge of international law in the field of rights of persons with disabilities, including detailed understanding of the guidance elaborated on rights of persons with disabilities as understood within the framework of the Convention on the Rights of Persons with Disabilities (CRPD)
- ☐ Detailed knowledge of UN System, UN Human rights mechanisms and European institutional mandates, policies and guidelines related to human rights
- ☐ Excellent analytical and research skills, including ability to evaluate and integrate information from a variety of sources and assess impact on the human rights situation
- ☐ Strong human rights and discrimination research, monitoring, documentation and reporting skills

### Development and Operational Effectiveness

- ☐ Ability to engage with various partners and stakeholders at various levels
- ☐ Ability to communicate effectively, both orally and in writing
- ☐ Ability to interpret factual data and to prepare accurate and complete reports and other documents
- ☐ Ability to organize and coordinate major initiatives, events or challenging inter-organizational activities
- ☐ Proven ability to problem-solve, and think creatively to develop and implement smart solutions in a challenging environment
- ☐ Ability and willingness to deploy to the field, sometimes on short notice, for different types of monitoring missions
- ☐ Excellent interpersonal skills
- ☐ Ability to communicate effectively, both orally and in writing

### Knowledge Management and Learning

- ☐ Keeps abreast of new developments in area of professional discipline
- ☐ Actively works towards continuing personal learning, and applies newly acquired skills
- ☐ Shares knowledge and experience

### Leadership and Self-Management

- ☐ Demonstrates commitment to the UN's and the EU's mission, vision and values.
- ☐ Ability to achieve results and meet strict deadlines in an effective manner
- ☐ Responds positively to feedback
- ☐ Consistently approaches work with energy and a positive, constructive attitude
- ☐ Remains calm, in control and good-humored even under pressure or in situations of multiple demands
- ☐ Demonstrates openness to change and ability to manage complexities
- ☐ Understands and adheres to all relevant rules, regulations and procedures and guidelines, including OHCHR and EU rules and procedures, as well as, where relevant and applicable, UNDP and UNOG rules, regulations and procedures and guidelines
- ☐ Adheres to the highest standards of professional ethics in a human rights context
- ☐ Exhibits self-scrutiny and willingness and ability to challenge own prejudices and stereotypes
- ☐ Exhibits the highest levels of respect for cultural, gender, religion, ethnicity, nationality, age, sexual orientation and gender identity differences, and endeavors on a permanent basis to advance self-awareness of respect among the diversity of peoples as a core UN value.

## VII. Recruitment Qualifications



Education:	University Degree, preferably in law, political science, international relations or other disciplines related to human rights.
Experience:	<p>At least three years of relevant professional experience at the national or international level in human rights or related area.</p> <p>Experience in human rights monitoring and investigation, promoting equality and non-discrimination, including:</p> <p>Experience in capacity building trainings for civil society, working with people with disabilities, knowledge of Roma issues, especially in education field.</p> <p>Detailed understanding of issues in Romani communities and/or issues facing persons with disabilities, ideally as a result of direct experience with one or both communities, is strongly preferred.</p> <p>Experience in the usage of computers and office software packages (MS Word, Excel, etc)</p>
Language Requirements:	Fluency in oral and written Romanian, Russian, and English is a must. Knowledge of one or more additional languages relevant for Moldova, including Bulgarian, Gaguzian, Ukrainian, Romani, sign language or other relevant languages is an asset.
<b>VIII. Documents to be included in the proposal</b>	
<p>Interested persons should submit the following documents:</p> <ol style="list-style-type: none"> <li>1. Proposal: <ol style="list-style-type: none"> <li>(i) Explaining why they are the most suitable for the work;</li> <li>(ii) Provide a brief methodology on how they will approach and conduct the work;</li> </ol> </li> <li>2. Financial proposal;</li> <li>3. Personal CV including past experience in similar projects and the contact details of at least 3 reference persons.</li> </ol>	