

## TERMS OF REFERENCE

**Job Title:** National Consultant to support the Health Sector Non-Discrimination Board in its work for prevention and combatting discrimination

**Project:** Moldova: Anti-Discrimination Capacity Development in the Health Sector

**Contract type:** Individual Contract

**Duration of assignment:** April-December 2014

**Starting date:** April 1, 2014

**Duty Station:** Chisinau, Republic of Moldova

**Application deadline:** March 19, 2014

### A. 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. 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.

The first cycle review of the Republic of Moldova was held at the 16<sup>th</sup> meeting of the Working Group on the Universal Periodic Review (UPR) on 12 October 2012.

The first Universal Periodic Review (UPR) review of the Republic of Moldova resulted in a number of recommendations to the Government concerning discrimination against women, religious minorities, ethnic minorities, Roma, persons with disabilities, LGBT, and poor population. The cases of discrimination include general lack of access to health services, explicit refusal for specific treatments or service provision. There are also formal discriminatory regulatory provisions in laws and subordinated documents in the health filed. In regard to this,

Moldova accepted recommendations to adopt legislation on anti-discrimination and progress towards implementation of internationally approved principles on the ground.

The project is envisioned as bringing together the expertise of OHCHR via the Human Rights Adviser and the commitment of the Government to eradicate discrimination in the health field, as a tool for creating a real link between the country's human rights obligations and the benefits felt in the daily lives of its people. It aims significantly to heighten the involvement of civil society in bringing cases of discrimination in the health field to the attention of the relevant authorities, with a view to resolving them.

The action is supported by the UPR Voluntary Fund for Financial and Technical Assistance. In 2007, the Human Rights Council established a new financial mechanism called the Voluntary Fund for Financial and Technical Assistance ([resolution 6/17](#)), with a view to provide, in conjunction with multilateral funding mechanisms, a source of financial and technical assistance to help countries implement recommendations emanating from the universal periodic review. Information on the UPR Voluntary Fund for Financial and Technical Assistance is available at: <http://www.ohchr.org/EN/HRBodies/UPR/Pages/UPRVoluntaryFundFinancialAndTechnicalAssistance.aspx>.

## **B. Objective:**

The objective of the engagement is to support the Health Sector Anti-Discrimination Board in receiving, investigating, identifying and resolving cases of discrimination in the provision of health services. Another important objective is to coordinate analytical and reporting work as well as capacity building activities for stakeholders in health – service providers and consumers.

## **C. Scope of work and expected outputs:**

In order to achieve objectives the National Consultant shall:

- analyse the health legislation and subordinated normative acts with the view to identify discriminatory provisions and other acts, including medical protocols at the beginning and during examination of cases;
- elaborate the initial Regulation of the Health Non-discrimination Board and coordinate organizational details with the view to later adjustment/improvement of it according to working realities; the regulation includes modalities of communication, record keeping and investigation protocols;
- organize and coordinate trainings for the board and stakeholders in health on issues of discrimination;
- coordinate the collaboration of the Service of petitions and audiences (operations) of the green line and the e-transformation service of the Ministry of Health to ensure proper reference of complaints involving alleged discriminatory acts;
- develop in coordination with the UN Human Rights Adviser and UNDP Human Rights and Health Consultant the preliminary referral criteria used for referring to the non-discrimination Board from the mainstream complaint review mechanisms;
- conduct investigation on complaints;
- prepare and convene meetings of the Board according to the Regulation and agreed schedule;
- prepare summary reports on the results of investigation with reference to relevant documentation and submission to board members at least 2 days ahead of the meeting;
- report on cases of investigation and the findings during Board meetings;

- document the Board’s deliberations, decision and recommendations for solutions;
- prepare reference papers to judiciary and law enforcement in case of criminal or other cases outside of the Board’s competence;
- collect and analyse data ,elaborate biannual reports on systemic discrimination issues, including recommendations to address the challenges;
- ensure promotion and publicity to the work and findings of the Board, including on the MoH website;
- undertake work to ensure the overall sustainability of the Health Sector Anti-Discrimination Board.

#### **D. Deliverables:**

	<b>Deliverable</b>	<b>Deadline</b>
1.	Initial consultation meeting/workshop for MoH, SCO and board members organized to consult on the Board’s regulation	April 7
2.	Set of documents for establishing the Board prepared, Order of MoH approved	April 15
3.	General report on the analyses of main health legislation (16 health laws) with the view to identify major provisions potentially leading to direct or indirect discrimination	1 May
4.	Initial Draft regulation of the Board’s activity, coordinated with UN MoH and civil society, including work modalities and reference criteria	1 May
5.	The possibility of online complains and petitions to the Board on the MoH site established (coordination with MoH e-transformation service)	1 May
6.	Summary reports on the meetings and cases reviewed	monthly, every last day of the month between May 1 and December 31
7.	Coordination and organization of the 10 trainings for stakeholders – service providers, vulnerable groups and communities, the board members	10 trainings performed by June 30
8.	Final regulation of the Board	30 June
9.	First Board’s activity report	15 September
10.	Consultant’s final activities report	31 December
11.	Annual Board’s activity report	31 December

The deliverables can be amended or specified for the purposes of the assignment.

#### **E. Organizational Setting:**

This is a full-time consultancy. The National Consultant will work within the Ministry of Health and under direct supervision of the Human Rights Adviser to the UN Resident Coordinator in Moldova: The National Consultant will also work in close collaboration with the UNDP Human Rights and Health Consultant.

## **F. Qualifications:**

### **I. Academic Qualifications:**

- University degree in law, social science, human rights, health management/medicine, or other relevant background; Qualification or formation in public health is an advantage.

### **II. Experience and skills:**

- At least 3 years of practical experience in human rights domain; experience with health and human rights issues is an advantage;
- Advanced understanding of the international anti-discrimination law acquis;
- Extensive experience (at least 3 years) in carrying out needs analysis, policy/strategy development, in/for the health public administration;
- Demonstrated knowledge of the normative framework of Moldovan health system;
- Proven experience in working with the international organizations (successful experience in working with UN agencies is an asset);
- Strong leadership abilities and excellent (diplomatic) communication and presentation skills, ability to facilitate discussions;
- Research, reporting and organizational skills.

### **III. Competencies:**

- Good PC skills, ability to use the Internet and database/spreadsheet;
- Fluency in Romanian and Russian, knowledge of English is a significant advantage;
- Working knowledge of one or more additional languages relevant for Moldova, including Bulgarian, Gagauzian, Romani, Ukrainian or sign language is an asset;
- Responsibility, creativity, flexibility and punctuality.

National Consultant should adhere to the core values of the United Nations; in particular, he/she should be respectful of differences of culture, gender, religion, ethnicity, nationality, language, age, HIV status, disability, and sexual orientation, or other status.

The United Nations is committed to workforce diversity. Women, persons with disabilities, Roma and other ethnic or religious minorities, persons living with HIV, as well as refugees and other non-citizens legally entitled to work in the Republic of Moldova, are particularly encouraged to apply.