

## TERMS OF REFERENCES (TOR)

ACCEPT Association, on behalf of the project consortium in the **Partnership for LGBTI Equality** project, announces the position of:

**Position:** 3 European consultant positions working individually or as a consortium for developing and delivering a training for trainers based on European best practices regarding:

- LGBTI non-discrimination in access to justice, education, social services and health care
- the interaction between freedom of religion and other human rights, with a focus on the human rights of LGBTI people
- transgender equality and non-discriminatory access to support services during legal and medical transition, mental health and physical wellbeing.

**Project Title:** Partnership for LGBTI Equality, funded by European Union's Rights, Equality and Citizenship Programme 2014-2020)

**Contract Duration:** 15 February 2018 – 30 May, 2018, 10 working days per expert, including a minimum of 2 working days (1 trip) to Romania in the period of March 26<sup>th</sup> – March 30<sup>th</sup> 2018.

**Duty Station:** Home based with 1 trip to Romania.

### **1. Background**

In Romania, societal discrimination against lesbian, gay, bisexual, transgender and intersex (LGBTI) persons remains a systemic problem, with a need for greater protection afforded to those categories affected by discrimination. This can be obtained through improved responses and enhanced knowledge and resources available to both victims, as well as to the Romanian Equality Body, social workers, school teachers, counsellors or psychologists and actors part of the justice system – judges, prosecutors and lawyers.

Despite the sociological information regarding the high rates of discrimination against LGBTI individuals in employment, education, healthcare, access to private or public services, the number of complaints brought before the National Council for Combating Discrimination (NCCD), as well as before a court of law, remains low, if not insignificant compared to the cases communicated to the only NGO providing legal support to the LGBTI community, ACCEPT. During 2008-2015, NCCD received only 31 complaints dealing with sexual orientation and no complaints on gender identity; out of these complaints only 4 were in areas of employment relations and access to public services, the rest of them dealt with discriminatory public discourse against LGBTI. NCCD found discrimination on the ground of sexual orientation in 12 out of 31 cases; most of the cases rejected by CNCD were based on the protection of freedom of expression or because there were indications of hate-crimes. This shows a worrisome trend of severe underreporting, especially when ACCEPT, the leading LGBTI rights NGO who provides constant legal advice to the local LGBTI community in discrimination cases,



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receives roughly 12 to 15 legal assistance requests every month. LGBTI victims of discrimination are often unaware of their rights and appropriate legal proceedings, and have limited or no trust in reporting incidents that can reveal in the public space their sexual orientation or gender identity. Most often, LGBTI victims of discrimination have internalized a status of second class citizen, and expect public authorities or public service providers to treat them in a discriminatory fashion, generating high levels of reluctance to seek help and protection. This reluctance is substantiated by the homophobic and transphobic attitudes of many of the public authorities and public service providers, formed in the absence of knowledge, resources or training in Romania on equality and nondiscrimination correlated with SOGI issues, for almost all of the professional categories mentioned above in their initial and secondary professional training.

The proposed solution funded by the European Union's Rights, Equality and Citizenship Programme 2014-2020)

The national equality body, NCCD, is the only Romanian public institution actively trying to protect the rights of LGBT persons. ACCEPT is the first and only human rights NGO which in the last 20 years provided legal and psychological support to LGBT victims, engaged in strategic litigation and advocacy work to improve the legal framework and tried to produce educational resources and capacitate various professional groups on SOGI issues. The effective collaboration of the NCCD and ACCEPT in the past and the common challenges bring the two entities together. In order to address the discrimination of LGBTI individuals in Romania, especially in key fields by key professions providing access to justice, healthcare, education and private and public services, ACCEPT and NCCD propose the following actions:

**1. The training of key professionals, to prevent and combat discrimination on SOGI in key fields, following a training of trainers (ToT) delivered to a core group of trainers both from NCCD and ACCEPT.** The educational resources produced by ACCEPT and NCCD will be piloted with the different professional groups in 6 different trainings for:

- i. access to justice: judges, prosecutors and lawyers
- ii. education: high school teachers and school councilors
- iii. social services and assistance: social assistance working within public local authorities
- iv. healthcare: psychologists, psychiatrists and endocrinologists, providing services for LGBTI individuals, with an emphasis on transgender mental health.

**2. Mutual learning, exchange of good practices, cooperation, including identifying best practices which may be transferable to other professional groups, focused on:**

- a. Ways of exploring and dismantling patterns of intersectional and multiple forms of intolerance and discrimination expressed in the name of religion and so-called traditional, "Romanian" values, with the support of European consultants. A section of the training of trainers will be developed by European consultants on this particular interaction between freedom of religion and other human rights, with a focus on the human rights of LGBTI people. The kit will disseminate good practices identified in the EU context as a way to negotiate differences and potential conflicts that can lead to



discrimination affecting LGBTI individuals and groups by using a religious ethos as a motivation for discriminatory acts. The exchange of good practice is two-folded – initially, we will study European best practices in the field of LGBTI nondiscrimination from a bottom – up approach, looking at national initiatives that, through Europeanization, became approaches for ensuring LGBTI equality at a EU level. Secondly, we will look at implementing a top-down approaches, and find European best practices that can resonate in a national context. Common grounds and values related to a shared human rights agenda will be proposed as a way of building trust and a new narrative of dialogue between freedom of religion and LGBT rights.

b. LGBTI non-discrimination in access to justice, education, social services and health care. The exchange of good practices will consist of a training of trainers, provided to ACCEPT and NCCD representatives by European consultants. European consultants will look at best practices in the field of LGBTI equality both at EU level, but also in selected member states, and operationalize these best practices during the ToT. The training will be followed by an information kit on the non-discriminatory treatment of LGBTI individuals in access to justice, education, social assistance and healthcare, created with the input of European consultants..

c. Transgender equality and non-discriminatory access to support services during legal and medical transition, mental health and physical wellbeing. The exchange of good practices will consist of a best practices package, delivered and operationalized by European consultants during the training of trainers, provided to ACCEPT and NCCD experts; followed by an information kit on the non-discriminatory treatment of transgender individuals in access to justice, education, social assistance and healthcare.

d. Operationalize a plan to combat LGBT discrimination, taking into consideration best practices models identified by European consultants, in order to strengthen the ability of public officials in preventing and combating discrimination based on sexual orientation and gender identity.

### **3. Dissemination and awareness raising activities (including at local level), such as seminars, events, campaigns or social media and press activities.**

ACCEPT and NCCD will launched a joint campaign focused on LGBTI equality, emphasizing the need for fair treatment in education, the legal system, social assistance and healthcare, with a focus on the rights of same sex families and transgender individuals. The campaign will have a below the line component, through seminars, conferences and the distribution of information kits to key professionals, as well as a general above the line component, though mainstream and social media, targeting the movable middle through online videos, articles featuring personal stories and humanizing the plight of Romanian LGBTI individuals.

## **2. Objectives of the Assignment**

The 3 selected European consultants will develop either individually for one or more of the topics below or together, following a needs assessment provided by the project coordinator, a ToT kit of educational resources focused on:

1. European best practices regarding LGBTI non-discrimination in access to justice, education, social services and health care;



2. The interaction between freedom of religion and other human rights, with a focus on the human rights of LGBTI people;
3. Transgender equality and non-discriminatory access to support services during legal and medical transition, mental health and physical wellbeing.

The 3 selected European consultants will deliver a three-days ToT in Bucharest to practicing trainers from ACCEPT and NCCD, which will facilitate the exchange of good practices between the European experience and the national situation in Romania.

### **3. Duties, Responsibilities and Deliverables**

Under the direct supervision of the Project Coordinator the European consultants are expected to perform the following duties and responsibilities:

- A. European consultant on European best practices regarding LGBTI non-discrimination in access to justice, education, social services and health care
  - a. Collect European best practices regarding LGBTI non-discrimination in access to justice, education, social services and health care.
  - b. Develop a training kit for the ToT, based on the needs assessment provided by ACCEPT.
  - c. Deliver a part of the 4-day ToT for ACCEPT and NCCD trainers and national experts in Bucharest, Romania (10 participants).
  - d. Submit to ACCEPT a document summarizing the European best practices identified regarding LGBTI non-discrimination in access to justice, education, social services and health care.
  - e. Consult ACCEPT and NCCD experts in preparation of targeted resources and curricula for the 6 professional trainings.
  - f. Submit to ACCEPT a final activity report.
  
- B. European consultant on the interaction between freedom of religion and other human rights, with a focus on the human rights of LGBTI people
  - a. Collect European best practices regarding the interaction between freedom of religion and other human rights, with a focus on the human rights of LGBTI people.
  - b. Develop a training kit for the ToT, following a needs assessment conducted by ACCEPT.
  - c. Deliver a part of the 4-day ToT for ACCEPT and NCCD trainers and national experts in Bucharest, Romania (10 participants).
  - d. Submit to ACCEPT a document summarizing the European best practices identified regarding the interaction between freedom of religion and other human rights, with a focus on the human rights of LGBTI people.
  - e. Consult ACCEPT and NCCD experts in preparation of targeted resources and curricula for the 6 professional trainings.
  - f. Submit to ACCEPT a final activity report.



- C. European consultant on transgender equality and non-discriminatory access to support services during legal and medical transition, mental health and physical wellbeing.
  - a. Collect European best practices regarding transgender equality and non-discriminatory access to support services during legal and medical transition, mental health and physical wellbeing.
  - b. Develop a training kit for the ToT, following a needs assessment conducted by ACCEPT.
  - c. Deliver a part of the 4-day ToT for ACCEPT and NCCD trainers and national experts in Bucharest, Romania (10 participants).
  - d. Submit to ACCEPT a document summarizing the European best practices identified regarding transgender equality and non-discriminatory access to support services during legal and medical transition, mental health and physical wellbeing.
  - e. Consult ACCEPT and NCCD experts in preparation of targeted resources and curricula for the 6 professional trainings.
  - f. Submit to ACCEPT a final activity report.

#### **4. Required Qualifications and Competencies**

**Academic Qualifications:** BA or equivalent in the following relevant fields: Law, Human Rights, Equality and Non-Discrimination, Humanities, Social Sciences, Sociology, Social Assistance, Psychology, Education Sciences, Political Sciences, European Studies.

**MA degree or equivalent is a plus,** in the following relevant fields: Conflict Resolution, Law, Interest Representation, Human Rights, International Affairs, Equality and Non-Discrimination, Social Sciences, Sociology, Social Assistance, Psychology, Education Sciences, Political Sciences, European Studies.

**Years of experience:**

- Minimum 10-year of experience in Human Rights field (minimum qualification requirement);
- Minimum 5-year experience as a trainer (minimum qualification requirement);
- Experience in providing training for trainers (minimum qualification requirement);
- Proven familiarity with at least one of the three main topics (minimum qualification requirement):
  - European best practices regarding LGBTI non-discrimination in access to justice, education, social services and health care
  - the interaction between freedom of religion and other human rights, with a focus on the human rights of LGBTI people
  - transgender equality and non-discriminatory access to support services during legal and medical transition, mental health and physical wellbeing.
- At least 3-year experience in working as a consultant to human rights organization; (desired);

**Language Requirements:**



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- Excellent English skills (both written and verbal);

#### Technical Requirements:

- Familiarity with tele-conference software (Skype, Hangouts, etc.)
- Familiarity with work processing software.

### 5. Management arrangements

ACCEPT will be responsible for assisting the European expert in acquiring relevant documentation, data and evidence, as well as support in identification of training participants.

The project team will be responsible for logistical arrangements – travel, accommodation, meals.

ACCEPT will be providing office during the stay in Romania of the European experts.

Payment modality: Payments are based upon output, i.e. upon delivery of the services specified in the TOR approved by Project Coordinator and the Financial Officer in line with the following timetable:

Deliverable/expert	Working days
Collection of European best practices and development of training kit	5 days
Deliver a section of the 4-day ToT	2 days
Draft a document summarizing the European best practices identified	1 day
Consult with ACCEPT and NCCD experts on training curricula development	1 day
Final activity report	1 day

