

# Terms of Reference

## **Consultancy to conduct study on barriers to disclosure of Gender-Based Violence (GBV), including Sexual Exploitation and Abuse (SEA), in Moldova**

### **1. Background**

Since February 2022, more than 700,000 refugees from Ukraine crossed the border into Moldova. Of these, approximately 107,00 remained in the country, of which 63% are women. Risks of GBV, including trafficking and Sexual Exploitation and Abuse (SEA) committed by humanitarian actors, are present in Ukraine, during displacement and after arriving in Moldova. According to findings from the GBV Safety Audit, conducted by the GBV Sub-Working Group in August 2022, refugee women and girls in Moldova remain at risk of GBV and SEA, including at Refugee Accommodation Centres (RACs) and private accommodations. Reduced ability to meet basic needs, separation from protective networks and limited access to protection support and to services are among the factors that heighten the risks of GBV. Intimate partner violence has also been identified as a concern in both Moldovan and Ukrainian communities, and changes in gender dynamics resulting from displacement increase the risks. Groups such as women heads of households, young women, women who travel alone, persons with diverse Sexual Orientation, Gender Identity and Gender Expression, and Sexual Characteristics (SOGIESC) are disproportionately affected by displacement and face heightened risk of violence, trafficking and sexual exploitation and abuse.

While procedures are in place and the government and local organizations are making efforts to ensure quality services for survivors and persons at risk of GBV, the issue of non-disclosure, or sharing past or current experiences of GBV, and underreporting of GBV is compounded: stigma around survivors of GBV is widespread, and much is related to understandings that by reporting an incident, a person would be compromising their family, the backbone of society. Aligned to that, violence is frequently only recognized and addressed if it results in serious physical injuries or death. Gaps in the quality of services are also present, and the most common entry points for GBV, including health and the police, often fail to provide survivors with information, referrals and services in line with standards of safety, confidentiality, respect and non-discrimination. These complex layers of individual, social and structural factors, aligned with the displacement and the challenges to navigate systems, affect a survivor's capacity, opportunity and motivation to report harm.

Furthermore, mandatory reporting in Moldova is established by Law No. 45 on Preventing and Combating Family Violence and it has been observed as a factor hampering survivors from disclosing GBV and accessing life-saving services, including health. The lack of understanding about what amounts to GBV, aligned to the consequences of reporting incidents without the informed consent of survivors and loss of trust in service providers and procedures, represent barriers to GBV disclosure, including incidents of Sexual Exploitation and Abuse (SEA) by aid workers.

### **2. Purpose of the study**

While several assessments and studies were conducted in Moldova in the context of the Ukraine refugee response and were able to identify, through a participatory approach, the risk factors that contribute to GBV and SEA risks as well as the services available for survivors and persons at risk of GBV, information is lacking to further understand the multifaceted elements that prevent the

disclosure of GBV incidents, including societal, religion and family. There is, furthermore, a need to analyse the dynamics of gendered spaces as perceived by both Ukrainian refugees and host communities in Moldova, including on issues around consent and encompassing the intersectionality between gender, class, race and ethnic backgrounds. Changes related to the context of displacement, as well as the 'displacement cycle', which includes origin, flight,, destination and return to country of origin, to outline the barriers to the safe disclosure of GBV, including SEA, and access to services, should also be considered in the analysis.

The overall objective of the study is to determine to understand the individual, social and structural factors that contribute to the low disclosure of GBV in Moldova, with particular focus on refugees. The study will shed light on the reasons for survivors of GBV not to disclose harm done against them, whether in the private or public sphere. The results of the study will inform GBV and PSEA programming and approaches to prevent and respond to GBV, in particular to ensure that survivors who wish and are able to disclose access essential quality services in a timely and safe manner.

Specific objectives include:

- a. Understand the individual, social and structural aspects that create barriers that prevent survivors to come forward about the harm they experienced and to access life-saving services.
- b. Delineate the displacement aspects contributing to the non-disclosure of GBV incidents, including, potentially, survivors' lack of access to reliable information, potential gaps in service provision, concerns about the quality of services and confidentiality, language barriers etc. , as well as unclarity about procedures, including how to file a complaint.
- c. Underline how issues around mandatory reporting and Law No. 45 on Preventing and Combating Violence Against Women pose barriers for survivors to disclose incidents and access life-saving services.
- d. Identify if (and how) the different types of GBV, including SEA, intimate partner violence, psychological violence, and sexual violence, among others, influence survivors' decision not to disclose harm and access services.
- e. Outline global standards on safe disclosure of GBV, and identify localized good practices for safe disclosure.
- f. Based on the findings of the study, develop training methodologies and materials context-relevant and tailored to address the gaps identified resulting in strengthened providers' approach to GBV disclosure.
- g. Indicate strategies for communication around GBV, SEA and services which could contribute to creating enabling and supportive environments for survivors to be able to safely disclose harm and seek support in line with a survivor-centred approach.

### **3. Terminology**

Gender-Based Violence (GBV) is an umbrella term for any harmful act that is perpetrated against a person's will and that is based on socially ascribed (i.e., gender) differences between males and females. It includes acts that inflict physical, sexual or mental harm or suffering, threats of such acts, coercion and other deprivations of liberty<sup>1</sup>. These acts can occur in public or in private.

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<sup>1</sup> Inter-Agency Standing Committee Guidelines on GBV in Humanitarian Interventions.

Sexual Exploitation and Abuse (SEA) is a specific form of GBV. In the context of the United Nations Secretary-General's Bulletin on Special Measures for Protection from Sexual Exploitation and Sexual Abuse (ST/SGB/2003/13), Sexual Exploitation and Sexual Abuse are defined as follows:

Sexual Exploitation is defined as any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. This is notably prevalent in contexts where individuals may feel they have no alternative but to submit to such exploitation.

Sexual Abuse, on the other hand, refers to the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. It covers a wide range of actions, from sexual assaults, such as rape, to unwanted sexual comments or advances, all of which are degrading and damaging.

For the purpose of this study, disclosure is understood as an act of a survivor revealing their past or ongoing experience(s) of GBV in the context of service provision, including through accessing complaint and feedback mechanisms in line with survivor-centered approach. This may include disclosures throughout the different stages of forced displacement.

#### **4. Components of the study**

The study will encompass the below aspects to allow for comprehensive and nuanced analysis and design of tools:

- a. Cultural and social aspects: identify the main cultural and societal elements that contribute to the non-disclosure of GBV cases, including the understanding of the family as the backbone of society and State, and the narratives around the violation of tradition by destroying or dissolving the family. Nuances of the gender spaces, as well as the behaviours and attitudes expected in relation to public and private spaces are particularly relevant to the study. The study will also outline how these burdens impact survivors of GBV who decide or not to disclose harm.
- b. Individual aspects: identify perceived individual aspects which influence a survivor's decision not to disclose harm, including concerns about the quality of services available and confidentiality, language barriers, psychological barriers such as trauma, fear of revictimization, lack of trust in the procedures, past individual or collective experiences, lack of knowledge about services and procedures. The knowledge and perception of mandatory reporting in Moldova should be a cross-cutting issue for this analysis, and an age and gender approach should be considered.
- c. Structural aspects: element should include, at a minimum, potential gaps in service provision, lack of capacity and competence from service providers, confusing or overwhelming procedures and systems both by civil society organizations and government, gaps in information sharing, the humanitarian context and the presence of international organizations as well as the expansion of national organizations.
- d. Heightened risks related to the intersectionality of identities: perceptions of service providers on how different adult age, gender-diverse, ethnical and race groups navigate GBV disclosure procedures, including differences about willingness their decision to disclose incidents due to factors such as discrimination and fear of exposure.

- e. Displacement-related aspects: consider the displacement-related factors as it relates to disclosure, including, but not limited to, lack of enabling and safe environments, loss of community ties and family support to enable healing, lack of knowledge about how to navigate systems as well as about services available, fears associated with the condition of displacement, such as being stranded in Moldova due to procedures related to the incident, among others.
- f. Standards for disclosure of GBV: considerations around safe and ethical disclosure of GBV, including detailed elements for working with survivors of GBV, such as the survivor-centred approach.
- g. Contextual and localized strategies to enable safe GBV disclosure: identify procedures, practices and tools used in the context of Moldova by service providers to allow for self-motivated disclosure, to enabled disclosure and elicited disclosure. Specific disclosure strategies and techniques for different population groups, including marginalized ones, should also be considered, including good practices for SEA disclosure.
- h. Geographical coverage: the information collected should inform an analysis covering the north, central and south region of Moldova, as well as the two main border-crossing points, Otaci and Palanca, as well as Chisinau.

## **5. Data gathering and expected methodology**

The data gathering will be conducted through, a minimum:

- a. Development of a detailed methodological approach and structure for the study, including for desk review research and collection of information through key informant interviews.
- b. Desk review of theoretical literature and relevant reports, evaluations and assessments on gender issues in general, as well as cultural and societal aspects of both Ukraine and Moldova which result in barriers to GBV disclosure and, consequently, lack of access to live-saving and basic services. A desk review of GBV disclosure during displacement should also be included to outline common displacement-associated barriers to GBV disclosure.
- c. Development of a context-relevant questionnaire based on information collected through the desk review to be used with service providers and experts providing technical support on GBV.
- d. Semi-structured interviews with identified service providers to collect qualitative data (and if relevant, quantitative, although it is not the focus of the study) to understand individual barriers, including trauma, lack of awareness about rights and services, and fears related to the consequences of disclosure, structural barriers to GBV disclosure, such as service provider capacity, as well as the nuances of disclosure in the displacement context of the Ukraine response.
- e. Consultation meetings, if necessary, to complement the information gathered through the key informant interviews.

In line with the methodology above and with the objectives of the study, the following timeframe will be designated for each phase of the study:

<b>Phase 1: Methodological approach</b>	<b>Week 1</b>
<ul style="list-style-type: none"> <li>- Present a comprehensive methodological approach to the study.</li> <li>- Structure and selected areas for desk review.</li> <li>- Theory-related literature to be considered for the areas to be covered by the study.</li> <li>- Reports, assessments and evaluations to be analysed.</li> <li>- Proposed methodology for interviews, including number of persons to be interviewed, and minimum proposed departments and organizations to be interviewed.</li> <li>- Proposal for systematization of information collected.</li> <li>- Obtain necessary approvals from institutions to conduct the study.</li> </ul>	
<b>Phase 2: Desk review of literature</b>	<b>Week 2-4</b>
<ul style="list-style-type: none"> <li>- Draft of analysis conducted based on selected materials.</li> <li>- Analysis of theoretical resources, including on gender and sexuality issues, gender theories around disclosure, and cultural, social, individual and structural-contributing factors to non-disclosure of harm.</li> <li>- Analysis of GBV disclosure in the context of displacement.</li> <li>- Analysis of relevant reports and assessments to shed light on the GBV situation in Moldova.</li> </ul>	
<b>Phase 3: Identify and contact service providers for key informant interviews, and prepare interview questionnaire</b>	<b>Week 5-6</b>
<ul style="list-style-type: none"> <li>- Based on desk review, finalize identification of relevant departments, organizations and counterparts to be interviewed for the study, including diverse geographical locations.</li> <li>- Contact counterparts for interviews, explaining the objectives of the study, deliverables and expected outcomes.</li> <li>- Based on the desk review conducted, prepare questionnaires for key informant interviews.</li> <li>- Ensure that questionnaires are tailored to the profile of the work conducted by the service provider, and include questions to collect mostly qualitative information and quantitative, when and if relevant.</li> <li>- Insert questions in digital tool used for collection of information (Kobo).</li> </ul>	
<b>Phase 4: Conduct interviews with service providers</b>	<b>Week 7</b>
<ul style="list-style-type: none"> <li>- Conduct interviews with identified service providers from relevant institutions and organizations.</li> </ul>	
<b>Phase 5: Systematize information collected from service providers</b>	<b>Week 8</b>
<ul style="list-style-type: none"> <li>- Based on the methodology identified and agreed, systematize the information collected through interviews to allow for an analysis along with the desk review.</li> <li>- Present the systematized information to UNHCR.</li> <li>- Review of systematized information and potential gaps in information.</li> </ul>	
<b>Phase 6: Draft report</b>	<b>Week 9-12</b>
<ul style="list-style-type: none"> <li>- Draft and submit first draft of comprehensive report reflecting an analysis of the data collected, including preliminary findings, and recommendations.</li> <li>- Consultations with UNHCR can be carried out to define structure of report, as well as technical guidance.</li> </ul>	
<b>Phase 7: Training package development</b>	<b>Week 13-16</b>
Based on the findings from desk review and analysis of data collected through key informant interviews, develop a tailored and localized training package for service providers on safe disclosure and referral of GBV cases, including methodology, tools and sheets, visual materials and case studies.	
<b>Phase 8: Review of findings by UNHCR and feedback</b>	<b>Week 17-20</b>
<ul style="list-style-type: none"> <li>- Report and training tool to be shared with UNHCR for review, comments and inputs.</li> <li>- Consultation meetings to be held, if necessary.</li> </ul>	

<b>Phase 9: Incorporate inputs and final draft.</b>	<b>Week 21-23</b>
<ul style="list-style-type: none"> <li>- Based on UNHCR's inputs and comments, incorporate agreed amendments to the report and training tool.</li> <li>- Submit final draft of report.</li> </ul>	
<b>Phase 10: Workshop and launch</b>	<b>Week 24</b>
<ul style="list-style-type: none"> <li>- Prepare presentation with main findings.</li> <li>- Plan workshop session.</li> <li>- Conduct workshop to present main findings of report.</li> <li>- Launch of training tool.</li> </ul>	

## 6. Deliverables

- Methodological approach.
- Desk review.
- Interview questionnaires.
- Systematized data of findings from interviews.
- Final report, including context-specific and localized recommendations around GBV disclosure.
- Training tools.
- Presentation for workshop with findings from report.
- Report from workshop and launch of disclosure report and training tool.

## 7. UNHCR's responsibilities

UNHCR Moldova will:

- Provide technical guidance to the consultant when needed and review products submitted.
- Provide logistical support for workshop, including booking the venue and supporting during session.

## 8. Technical Requirements

The project's task team should comprise of skilled individuals with specific qualifications in the field of Gender-Based Violence and Forced Displacement. The team will consist of a Team Leader (Task Manager) and Team Member(s). The precise qualifications and responsibilities are outlined below:

### A. Team Leader (Task Manager):

- *Educational Qualifications:* The Task Manager should hold a PhD in disciplines such as social sciences, social assistance, or any other related field relevant to the project's objectives. If a PhD is absent, a Master's degree accompanied by significant academic and professional experience in the relevant field may be acceptable.
- *Leadership Experience:* A minimum of 5 years' experience in a leadership or managerial role is required.
- *Technical Expertise:* The candidate must have at least 3 years of professional experience in social sciences, social assistance, or related areas, including data collection, analysis, and research.
- *Additional Experience:* Prior experience of reporting to international organizations, including the UN, donors, and other stakeholders, will be considered a significant asset.

- *Language Proficiency:* Ideally, the Team Leader should be fluent in Romanian, Russian, and English.

**B. Team Member(s):**

- *Educational Qualifications:* Team members should hold a University degree in social sciences, social assistance, anthropology, or any related field relevant to the assignment.
- *Technical Expertise:* They must have at least 3 years of work experience in social sciences, social assistance, or related areas, including data collection, analysis, and research.
- *Language Proficiency:* Fluency in Romanian and Russian is required.

The required experience of the project team should be clearly outlined in their CVs, ensuring that team members possess the necessary skills and experience to meet the project's demands.

**9. Timeframe of consultancy**

The consultant is expected to start on July through December and deliver products within the abovementioned timeframe.

**10. Content of the technical offer**

The technical offer should be concisely presented and structured in the following order to include, but not necessarily be limited to, the following information:

- A 3-page document with:
  - a. A description of your experience (in light of the area of study).
  - b. A proposed methodology for the study, including a timeline for all processes, based on the components of the study.
- The CVs of all team members
- Vendor Registration Form: If your company is not already registered with UNHCR, you should complete, sign and submit with your technical proposal the Vendor Registration Form.
- Registration certificate of the company