

TERMS OF REFERENCE

IDENTIFICATION OF AREAS OF EXISTING LAWS, REGULATION AND POLICIES THAT NEED REVIEW FOR REVIEW

The Commission on Human Rights and Administrative Justice (CHRAJ) is seeking the services of a consultant to identify areas of existing, regulations and policies on *HIV, TB and* human rights that need to be reviewed.

1.0 Background and Justification

The USAID, under the President's Emergency Plan For Aids Relief (PEPFAR) Focal Country Collaboration (FCC) roll-out Project in partnership with SEND Ghana is implementing a Community-Led Monitoring (CLM) Activity for HIV services. The PEPFAR guidance for the Regional Operational Plan for FY23 (ROP22) emphasise two overarching principles for programming. Firstly, it is a minimum activity requirement of which HIV-affected populations are provided continuous, quality, and person-centred services. Secondly, integral to all HIV response measures should be an independent, routine, local community-led monitoring efforts to improve the accessibility and quality of services. Results from the FCC activity will be utilised by the Government of Ghana (GOG) and PEPFAR implementing partners to better understand community perceptions of quality of services, human rights violations, stigma and discrimination, health services and commodities availability, and to inform decision-making about improvements in service delivery.

The overall goal of the CLM Activity is to strengthen regional, district and local government health systems to promote the delivery of quality HIV services, institutionalize equity and responsiveness to the needs of People Living with HIV/AIDS (PLHIV), and strengthen transparency and accountability, especially at the service delivery level. The FCC seeks a joint approach of state and non-state actors to national level advocacy. The FCC aims at increasing coordination, collaboration, and planning with communities and the Government of Ghana for better anti-stigma and discrimination (S&D) programming and funding to reduce stigma and discrimination against PLHIV, KP and TB patients.

The Commission on Human Rights and Administrative Justice (CHRAJ) which has the mandate to promote and protect fundamental human rights and freedom is supported under the USAID PEPFAR Focal Country Collaboration (FCC) in partnership with SEND Ghana to

1. *Coordinate human rights interventions and advocate for reformation of laws, regulations, and policies relevant to HIV, TB and HR-related barriers to care services.*
2. *Promote access to justice, HIV-and TB-related legal services and HR interventions, and to facilitate TB and HIV legal literacy ("Know Your Rights")*

To limit barriers to the promotion of human rights and access to justice, the CHRAJ is seeking the services of a consultant to identify areas of existing laws, policies and regulations relevant to HIV, TB and human rights that need to be reviewed. The review is geared towards updating the relevant legislation and polices to reflect current trends on issues related to people living with HIV/AIDS, Key Population (KPs) and TB Patients.

1.1 Objectives of the Assignment

To assess and identify gaps (if any) of all relevant existing national laws, regulations and policies and review to reflect current trends of issues related to people living with HIV/AIDS, Key Population (KPs) and TB Patients.

1.2 Scope of Work

The scope of the assignment covers an assessment of relevant existing national legislation, regulations and policies that addresses human rights issues and identify the gaps therein that require revision to reduce stigma and discrimination against PLHIV, KP and TB patients. The consultant will be responsible for documenting all gaps in the legislations, regulations and policies, and further propose revisions for each gap identified in tandem with regional and international human rights laws, principles best practices.

Under the direction of the Team Leads of the Commission on Human Rights and Administrative Justice Ghana the consultant will perform the following task:

The Consultant will:

1. Attend pre-engagement meeting with the CHRAJ Team to discuss the Terms of reference (TOR).
2. Liaise with relevant Divisions of CHRAJ other relevant government agencies to obtain some of the relevant policy documents, legislation and regulations for review.
3. Conduct a comprehensive review of existing policies, legislation and regulations related to human rights and HIV/TB in Ghana.
4. Develop a draft document outlining the gaps in policies, legislation and regulations with proposed revisions.
5. Participate in stakeholder validation workshop to gather feedback and refine the draft gaps and proposed revisions.

1.3 Methodology

It is intended that the data and information gathered in this review will be generated by a mixed methods approach, utilizing both primary and secondary research methods. the consultant/s can also propose and justify a more appropriate methodology which can be reviewed and accepted) The following can be considered.

- a. Desk Review: Conduct a comprehensive review of existing laws, legislation regulations and policies on human rights and HIV/TB.
- b. Engagement: Engage with key staff of CHRAJ and other relevant government agencies to seek ideas on possible revisions
- c. Documentation: Development of a draft human rights and HIV/TB legislation, regulations and policies gaps and relevant proposed revision report

1.4 Expected Outputs

Areas of existing laws and policies relevant to HIV, TB and HR-related barriers to care services that need review identified and recommendations made for amendment. The core deliverables are as follows

1.5 Deliverables

The Consultant/s assume the responsibility of developing the following documents:

1. Inception report outlining the consultant's understanding of the assignment and the scope, approach to be employed, list of any documentation, information and work plan/timelines required to conduct the assignment, and a. The inception report will be discussed prior to the commencement of the assignment in an inception meeting.
2. Draft report of the findings of the review and relevant proposed revision, which will be subjected to a validation process.
3. Final report of the Review

1.6 Duration of Assignment

Twenty (20) days from the date of engagement

1.7 Institutional Arrangements / Reporting Relationships

- The consultant is expected to submit the proposal, and sign a contract with CHRAJ.
- The consultant will be held responsible for all deliverables
- The consultants will be supervised by the Team Lead of CHRAJ
- Payment will be made upon satisfactory delivery of outputs, certification of payment form, acceptance and confirmation by CHRAJ.

1.8 Required Professional qualification and Experience

- The consultant/s should have advanced university degree in law, human rights, or related discipline.
- At least 10 years of traceable experience of working and/or conducting research, public health, policy development and review in the rights of vulnerable groups and in particular the rights of persons living with HIV and TB
- Demonstrated professional experience in the areas of international and regional human rights laws and instruments related to people with HIV, KP and TB patients
- Excellent analytical skills, using both qualitative and quantitative methods;
- Excellent and proven report writing skills;
- Ability to deliver quality product on time.
- Track record of successful completion of past assignments
- Evidence of tax clearance

1.9 How to apply

All applicants should submit technical and financial proposals to CHRAJ email address info@chraj.gov.gh and copy mary.nartey@chraj.gov.gh, gloria.gyedu@chraj.gov.gh and career@sendwestafrica.org on or before 18 August 2023 1700hrs