

Terms of reference for a consultant or team of consultants to conduct research into the legal framework regarding adults' capacity to consent to conversion practices

Deadline for applications: 26 February 2023 – – 23:59 CET

ILGA-Europe overview:

ILGA-Europe is the European and Central Asia Region of the International Lesbian, Gay, Bisexual, Trans & Intersex Association (ILGA). ILGA-Europe is a membership-based organisation bringing together over 700+ organisations from 54 European and Central Asian countries, making it an excellent platform for joint advocacy and movement development. As part of its mandate ILGA-Europe both advocates for human rights and equality for LGBTI people in Europe and Central Asia; and strengthens the LGBTI movement throughout its capacity building programme.

Background for this work:

In recent years, there is increasing interest in legislation relating to conversion practices (i.e. so-called “conversion therapies”), with a number of States in Europe and Central Asia seeking to ban these practices. Arising in these discussions is the issue of the ability to adults to consent to conversion practices, and whether legislation should ban the practices for minors only or for all persons.

Goals for this consultancy:

The purpose of this consultancy is to assess the legal frameworks and relevant risks of bans which do and do not include banning conversion practices for adults. Relevant questions to be addressed include:

- Is it feasible to implement conversion practice bans without age restrictions?
- What are the legal consequences and risks of banning adults from consenting to an intervention such as conversion practices?
- What are the political risks of advocating for conversion practice bans without age restrictions?

Role of the consultant:

- Coordinate with ILGA-Europe to refine the scope of the research and methodology
- Assess the relevant legal materials to answer the above questions
- Write a final report of no more than 15 pages

Role of ILGA-Europe:

- Provide guidance to the consultant on the direction of work
- Provide introductions to stakeholders, at the request of the consultant, when possible and necessary for completion of the consultancy
- Provide ongoing support and consultation throughout the analysis phase
- Review a draft report and provide written feedback to the consultant
- In case of disagreement, final decisions in relation to content are made by ILGA-Europe

Who we are looking for:

The consultant should have working experience in areas described in this Terms of Reference, and in particular:

- Have a working knowledge of relevant legal frameworks

- Have communication skills in English and excellent report writing skills
- Preference will be given to consultants with a proven track record of working with and knowledge of the LGBTI movements in Europe and Central Asia and their struggles

The consultant will work under the supervision of ILGA-Europe. Staff from ILGA-Europe will provide support and guidance as needed throughout the different phases of the consultancy. The consultant is expected to work remotely.

Expected deliverables:

- A draft report outlining the analysis of the relevant legal documents and answers to the list of questions included in this ToR 10 April 2023
- A final report of no more than 15 pages, incorporating feedback from ILGA-Europe (due prior to 30 April 2023).

ILGA-Europe will have ownership of all materials produced in the framework of the review. The contractor shall transmit all materials produced to ILGA-Europe, along with the final report.

Budget:

A maximum budget of €3.000 (inclusive of VAT) will be available for these tasks.

Please note that if the consultant is not able to issue an invoice with non-zero VAT included (i.e. is exempt of VAT in the country of operations or shifts VAT to ILGA-Europe), ILGA-Europe will proceed with withholding a 21% VAT amount from the lump sum in accordance with fiscal legislation in Belgium.

Total expected time investment is around 6 working days. Activities in relation to this consultancy are expected to take place between March and April 2023.

How to apply:

Applications should be sent by the **26 February 2023 – 23:59 CET**. Interested applicants should provide a **current CV** and a **2-3 page statement of interest and abridged proposal**. These materials should clearly outline the candidate's key skills and experience that are relevant to this ToR, as well as any key standards or principles that inform their work. For the proposal, please include a concise description of the desired approach, including the candidate's understanding of the relevant legal frameworks in the context of this ToR, as well as a financial offer including specification of a number of days to be worked, rates (specifying amounts net + the amount of VAT) and any other expenses (including obtaining access rights) foreseen. Please also do provide 1 recent reference.

Terms of payment (instalments) and time of payment will be discussed prior to signing the service contract.

Return your application to: Cianán Russell, ILGA-Europe Senior Policy Officer, email: cianan@ilga-europe.org with the subject line "Consultancy application: Conversion practices"