



Mekong River Commission

For Sustainable Development

TERMS OF REFERENCE

1. CONSULTANCY SUMMARY

Title:	Regional Consultant for Inland Waterway Safety and Pollution Prevention
Consultancy Type:	Special Service Agreement - home-based, daily rate: one-time assignment, 1 TOR, number of consultancy days within 9 calendar months
Division:	Planning Division
Duration:	10 working days from May to December 31, 2024
Duty Station:	Home-based and MRCS office
Reporting to:	PD Director
Expected Deliverables:	Please refer to Section 5

2. INTRODUCTION AND BACKGROUND

Since 2016, the Mekong River Commission Secretariat (MRCS) has requested assistance in implementing the Agreement between the Royal Government of Cambodia and the Government of the Socialist Republic of Viet Nam on Waterborne Transportation (Agreement). The MRCS proposed Task 3.2.3.2.8 (Harmonize and secure agreement on Safety and anti-pollution for Cambodia and Vietnam: propose common rules and regulations) for 2024's Multi-year Working Plan (MWP) to facilitate the Agreement's implementation effectively. This activity will support sharing risk prevention and emergency response by proposing common rules and regulations on navigation safety and pollution prevention for inland waterway transportation between the countries.

General requirements and framework of the Guidelines on Emergency Response Plans for Inland Navigation in the Lower Mekong Basin

Inland navigation in the Mekong River basin is contributing to more sustainable transportation, particularly as a substitute for road transport. However, it also poses significant environmental risks. Petroleum products and other dangerous goods are increasingly transported along the Mekong River. If not managed properly, these cargoes have the potential to cause substantial pollution and major incidents, such as fires and explosions affecting riparian communities.

The navigation-related unexpected incident refers to any emergency occurrence within the designated navigation section of the Mekong River. These incidents may result in casualties, property damage, ecological destruction, serious social disruption that threaten the economic and social stability along the river jeopardizing public security.

Therefore, the general requirements and framework of the Emergency Response Plan for inland waterway transportation from each LMB country must be assessed. This assessment will be the basis for proposing a regional framework for the Emergency Response Plan, ensuring effective response mechanisms for inland waterway transportation incidents throughout the region.

Guidelines on Emergency Response Plans for Inland Navigation in the Lower Mekong Basin

To deal with any navigation-related unexpected incident, improve emergency response and coordination in each country, minimize damage resulting from such incidents, and safeguard people's lives and property of the LMB countries, Guidelines on Emergency Response Plans for inland waterway transportation in the Lower Mekong Basin should be formalized.

The coordination, control, and command framework used when the Guidelines are activated neither modifies nor replaces the National response system of the affected State. The terminology used in these Guidelines is solely for regional cooperation purposes. The affected state will continue to implement its National Contingency Plan and established incident management system. The proposed transboundary Emergency Response Plans framework aims to ensure a shared understanding and effective integration between affected and assisting States.

The effectiveness of response efforts to search and rescue, oil spills, and salvage operations depends largely on the preparedness of involved organizations and individuals. This preparedness can be greatly enhanced by developing and maintaining a comprehensive plan to address all potential contingencies. The process of producing a contingency plan provides an opportunity to identify roles and responsibilities and define response strategies and operational procedures, alleviating the intense pressures that often accompany a spill incident.

3. OBJECTIVES OF THE CONSULTANCY

The objectives of this consultancy are to propose common rules and regulations on navigation safety and pollution prevention for inland waterway transportation in the Lower Mekong Basin and support the formulation of the Guidelines on Emergency Response Plans for inland waterway transportation in the Lower Mekong Basin.

4. EXPECTED RESULTS

- General requirements and framework of the Guidelines on Emergency Response Plans for Inland Navigation in the Lower Mekong Basin.
- Legislation frameworks relating to Emergency Response Plans for Inland Navigation.
- Guidelines on Emergency Response Plan for Inland Navigation in the Lower Mekong Basin.

5. DELIVERABLES AND CONCRETE TIMELINES

Deliverables and Expected Quality	Number of Days/Hours	Deadline
General requirements and framework of the Guidelines on Emergency Response Plan for Inland Navigation in the Lower Mekong Basin	3	May, 2024
The first draft Transboundary Guidelines on Emergency Response Plan for Inland Navigation in the Lower Mekong Basin	4	August, 2024
Discuss findings with line agencies and finalize Draft Guidelines on Emergency Response Plan for Inland Navigation in the Lower Mekong Basin	3	October, 2024
Total Number of Days/Hours	10 days/75 hours	

6. REQUIRED TASKS AND RESPONSIBILITIES

- Provide material covering:
 - o General requirements and framework of the Guidelines on Emergency Response Plan for Inland Navigation in the Lower Mekong Basin;
 - o Legislation frameworks relating to Emergency Response Plans for Inland Navigation;
 - o Proposal for draft Transboundary Guidelines on Emergency Response Plan for Inland Navigation in the Lower Mekong Basin.
- Discuss findings on the Emergency Response Plans Guidelines for Inland Navigation with line agencies and national consultants.
- Finalize the Draft Guidelines on Emergency Response Plans for Inland Navigation in the Lower Mekong Basin.

7. PAYMENT MODALITY

- A first payment (20% of total contract value) will be paid after signing the contract.
- The second payment will be paid after the deliverables outlined in section 5. The final payment will be made based on the deliverables outlined in section 5, including all reports, a short progress report, and a timesheet. All deliverables must be satisfactorily accepted by the MRCS Planning Division.
- The Consultant will invoice for completed deliverables outlined in Section 5.

Note: The consultancy rate is defined by the MRCS consultancy rate policy and the level of consultancy. MRC is a tax-exempted agency for the work done for the MRC. Consultant, in case a mission is required, will be covered with a return ticket to and from the assigned duty stations with a daily related subsistence allowance of 75% of the UN for the mission days.

8. INTELLECTUAL PROPERTY RIGHTS

Intellectual property rights - IPR: Information, data, database, knowledge resources in the forms of briefings, reports, proceedings, articles, essays, etc. issued by and for the MRCS will be the MRCS property.

Any utility, announcement, and disclosure that is without MRCS's highest levels of authority' permission is considered illegal and will be charged by relevant local and international legal procedures.

9. DECLARATION OF NON-FRAUDULENCE AND PROTECTION OF PERSONAL DATA

The Subscriber shall adhere to the MRC's relevant rules and regulations of the MRC on personal data protection, business exclusion, fraud prevention, and anti-corruption principles and shall be under strict disciplinary measures should any violation occur.

10. WORKING ARRANGEMENT

Communication Line

The Consultant will work under the supervision of the Director of the MRCS Planning Division; the consultant will work with relevant staff of the MRCS, including the Navigation Specialist. Furthermore, he/she will collaborate closely with the National Mekong Committee Secretariats and the National Navigation Experts.

11. QUALIFICATIONS AND REQUIREMENTS (select or add as appropriate)

- Master's degree in environment or waterborne transport management or Higher degree.
- High-level knowledge and experience in environment or waterborne transportation (>10 years).
- Good knowledge of Environmental Impact Assessment for inland navigation and emergency response plans.
- Demonstrated ability to write technical reports readily understood by decision-makers and the public.
- Fluency in spoken and written English.
- Excellent writing, presentation, and reporting skills.
- Experience with MRC, Mekong work, and regional networks or being hired by a UN-based organization is advantageous.

12. SIGNATURE BLOCK

MRCS:
Full Name: Mr. Theerawat Samphawamana
Title: Director of Planning Division

Consultant:
Incumbent's Full Name: _____

Signature: _____
Date: _____

Incumbent's Signature: _____
Date: _____