



# Mekong River Commission

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## TERMS OF REFERENCE

- 1. Project Title:** Prepare proposals for a strategy to standardize vessel and waterway classification in the Mekong River Basin and harmonize rules on Navigation safety between (1) Thailand and Lao PDR and (2) Vietnam and Cambodia.
- 2. Title of Services:** International Navigation Consultant for Rule harmonization and Vessel classification
  - (a) to gather data and prepare proposals for a strategy to standardize vessel and waterway classification in the Mekong River Basin under Output 2.7 of the SP and the 2018 AWP: Facilitate and coordinate the implementation of the cross border projects derived from the Master Plan;
  - (b) to gather data and contribute to the operationalization of the Mekong Navigation Facilitation Committee between Cambodia and Vietnam under Output 3.3 of the SP and 2018 AWP: A set of guidelines and frameworks on waterborne transport management prepared and promoted;
  - (c) to gather data and to contribute to the harmonization of rules and regulations on vessel safety between Thailand and the Lao PDR.
- 3. Duty station:** Home based with regional travel for meetings as required.
- 4. Duration:** 50 working days in the period from January to December 2018.
- 5. Background:**

One of MRC overall objectives is to promote freedom of navigation, to increase the international trade opportunities for the MRC member countries' mutual benefit and to assist in coordination and cooperation in developing effective and safe waterborne transport in a sustainable and protective manner for the waterway environment.

### **Cambodia – Vietnam**

In 2015 MRCS Navigation Programme was requested to assist in the establishment and operation of the Bilateral Mekong Navigation Facilitation Committee (MNFC) in the framework of the Agreement between the Government of the Socialist Republic of Viet Nam and the Royal Government of Cambodia on Waterway Transportation.

To start the operationalization of the Mekong Navigation Facilitation Committee, internal rules and a work plan must be drafted and discussed with the Governmental Authorities.

## Thailand – Lao PDR

For the stretches of the Mekong River which are within the scope of this Quadripartite Agreement on Commercial Navigation on the Lancang-Mekong River, harmonization of safety and anti-pollution rules and regulations are part of this Agreement. For those stretches of the Mekong which are outside the scope of this Agreement (i.e. from Luang Prabang down to the Khone Falls), some national vessel safety rules and regulations are available but need to be harmonized to have a common risk prevention and emergency response.

### Vessel and waterway classification

When a waterway classification is accepted by a Nation and its waterways are categorized according to the different classes, then the relevant country authority assures the shipping industry and the waterway users that the waterway characteristics of a specific class are available and applicable over the entire length of this (section of the) waterway.

Therefore, a questionnaire has to be organized in the four MRC Member Countries on the potential applications of a common Mekong vessel and inland waterway classification and on the parameters that should be considered in order to formulate a proposal on the scope, goals and general structure of the vessel and inland waterway classification (one uniform standard or two standards, one for the upper part and one for the lower part).

## 6. Objectives

The objectives of this consultancy are

- to effectively start the standardization of a vessel and waterway classification for the Mekong River basin;
- to effectively start the implementation of the Viet Nam-Cambodia Agreement on Waterway Transportation;
- to effectively start the harmonization of rules and regulations on safety of vessels including on inspection of vessels between Thailand and the Lao PDR.

This will significantly facilitate international and cross-border waterborne transportation of cargo and passengers, increase the competitiveness of the MRC Member Countries' economies and enhance safety and sustainability of navigation and port operations.

## 7. Outputs

The outputs to be delivered are the following:

Deliverables	Level of service		Target date
	Days	Travels	
Vessel and waterway classification			
Draft proposal(s) on scope of a vessel and waterway classification (including question.)	7		30 April 2018
Negotiate with the authorities on a uniform classification or two separate classifications	3	1	30 June 2018
Cambodia – Viet Nam			
Draft proposal of internal rules and workplan for the MNFC (including questionnaire)	10		30 June 2018
Negotiate with the National Authorities on the internal rules and workplan for the MNFC	5	1	30 September 2018
Lao PDR – Thailand			
Collect and analyse existing international and national rules on vessel safety	10		31 March 2018
Negotiate with the National Authorities on the strategy for harmonization	5	1	30 June 2018
Draft harmonized rules on vessel safety	5		30 September

(including vessel inspection)			2018
Negotiate with the National Authorities on the draft rules for vessel safety	5	1	31 December 2018
Total	50	4	

## 8. Scope of work

The Consultant will conduct the following tasks:

Under Output 2.7 of the SP and the 2018 AWP: Facilitate and coordinate the implementation of the cross border projects derived from the Master Plan

For Output 1: Agreement on one uniform Classification for the Mekong Basin or two separate classifications for the upstream Mekong countries and for the downstream Mekong countries.

Activity 1.1 Organize a questionnaire in the four MRC Member Countries on the potential applications of a common Mekong vessel and waterway classification and on the parameters that should be considered.

Activity 1.2 Prepare an inventory of the existing standards, rules and regulations on vessel and waterway classification in the MRC member countries and complement with additional benchmarking information from international standards.

Activity 1.3 Organize a workshop with all stakeholders to discuss the planning for a uniform classification for the Mekong Basin or alternatively for a separate classification for the upstream Mekong countries and for the downstream Mekong Countries.

Under Output 3.3 of the SP and 2018 AWP: A set of guidelines and frameworks on waterborne transport management prepared and promoted

For Output 2: The Mekong Navigation Facilitation Committee can organize its inaugural meeting

Activity 2.1 Prepare draft internal rules and a draft work plan for the Mekong Navigation Facilitation Committee.

Activity 2.2 Organise negotiations on the draft internal rules and the work plan.

For Output 3: Common Thai-Lao rules and regulations on safety of vessels including on inspection of vessels are ready for adoption

Activity 3.1 Collect and analyse all existing international and national rules and regulations on vessel safety, including vessel inspections, considering the provisions of the Quadripartite Agreement, treaty obligations of the States and international best practices.

Activity 3.2 Organize negotiations through one or more working groups set up by the countries to discuss the strategy of harmonisation.

Activity 3.3 Prepare draft harmonised rules and regulations on vessel safety, including vessel inspection.

Activity 3.4 Organize negotiations through one or more working groups set up by the countries on the draft harmonised rules and regulations.

## 9. Itinerary

The inputs will be delivered from the Consultant home base. Some trips to the Member Countries will be required for consultation on the analysis framework and the draft reports.

## 10. Working Principles / Reporting Line

Under the supervision of the Director of the MRCS Technical Support Division, the consultant will work with relevant staff of the MRCS including the Navigation Specialist. Furthermore, he/she will work in close collaboration and coordination with the National Mekong Committee Secretariats and the National Navigation Experts.

**11. Qualifications / Requirements**

The Consultant has the following qualifications:

- Master degree in waterborne transport management
- High level knowledge and experience in transport planning and operating
- Good knowledge of Inland waterway transport on the Mekong River.
- Demonstrated ability to write technical reports which can be readily understood by decision makers and the general public.
- Experience with MRC and Mekong work and networks in the region is a very important advantage
- Fluency in spoken and written English
- Excellent writing, presentation, and reporting skills

**12. Condition of Payment**

The Consultant will be required to enter in a contract with the MRC Secretariat as per the terms and conditions of the contract document.

Payment will be based on time recordings in accordance with MRC procedures, the completion of the outputs (see Section 7), and the invoice submitted to the MRCS.

**13. Budget:**

Fund	G/L	Core function	Outcome	Activity	Division
EMF-BEL	40601	203	27	2.7.1	TD

**14. Signature Block:**

**TD Director**

**Consultant**

Name:.....

Name:.....

Date: .....

Date: .....