



## TERMS OF REFERENCE

### 1. CONSULTANCY SUMMARY

<b>Title:</b>	Environmental Impact Assessment Consultant
<b>Consultancy Type:</b>	Special Service Agreement - home based, daily rate: one-time assignment, 1 TOR, number of consultancy days within 9 calendar months
<b>Division:</b>	Planning Division
<b>Duration:</b>	25 working days from 15 March to 31 December 2023
<b>Duty Station:</b>	Homebased and MRCS office
<b>Reporting to:</b>	PD Director
<b>Expected Deliverables:</b>	Please refer to Section 5

### 2. INTRODUCTION AND BACKGROUND

The formulation of a “Master Plan for Regional Waterborne Transport on the Mekong River Basin” in order “to design a short-term and long-term development programme which should rehabilitate and improve the national and international transport network using the Mekong River Basin in the MRC Member Countries” was done in 2015 by the MRC Navigation Program.

The environmental impacts of IWT must be effectively managed to ensure sustainable development. Potential impacts are derived from the following activities:

1. Construction of navigation infrastructure e.g. ports and landing facilities;
2. Operational e.g. water pollution from oil spills, solid and liquid wastes, navigation accidents; and
3. Maintenance of the navigation channel and waterway conditions (e.g. dredging) and commercial extraction of sediment (e.g. sand mining).

There are appropriate legal frameworks in all of the Member Countries to ensure that environmental and social assessment, management and monitoring is undertaken for existing and future IWT projects. However, the capacity and resources of line agencies to monitor and enforce law and regulations for environmental protection in the inland navigation sector is limited. There is no guidance available for assessing IWT projects and activities in the Mekong region.

### 3. OBJECTIVES OF THE CONSULTANCY

- The objective of this consultancy is to put up **Environmental assessment guidelines for inland waterway transportation in the LMB (existing in the MCs): including SEA, EIA and EMP** and monitoring and also consider the potential transboundary impacts for port, vessel and waterway improvements.

#### 4. EXPECTED RESULTS

- A gap analysis of the application of the existing environmental legal framework in the Member Countries in relation to EIA, EMP and monitoring, including specific technical guidance related to ports, dredging, sand mining and vessels;
- A rapid baseline assessment of the environmental and social impacts of IWT in the LMB;
- An analysis of international best practice on SEA/integrated planning, EIA, EMP and monitoring of IWT strategies, projects and activities;
- Evaluation of the status of Transboundary EIA (TbEIA) guidance and determine the proposed and existing IWT projects that could have transboundary impacts;
- List of indicators for environmental assessment and monitoring;
- Draft environmental assessment guidelines for consultation with national line agencies and private sector.

#### 5. DELIVERABLES AND CONCRETE TIMELINES

<b>Deliverables and Expected Quality</b>	<b>Number of Days/Hours</b>	<b>Deadline</b>
A gap analysis of the application of the existing environmental legal framework in the Member Countries in relation to EIA, EMP and monitoring, including specific technical guidance related to ports, dredging, sand mining and vessels;	2	April 2023
A rapid baseline assessment of the environmental and social impacts of IWT in the LMB;	3	July 2023
An analysis of international best practice on SEA/integrated planning, EIA, EMP and monitoring of IWT strategies, projects and activities;	5	July 2023
Evaluation of the status of Transboundary EIA (TbEIA) guidance and determine the proposed and existing IWT projects that could have transboundary impacts;	2	July 2023
List of indicators for environmental assessment and monitoring;	1	September 2023
Draft environmental assessment guidelines for consultation with national line agencies and private sector	10	October 2023
Attend consultation meetings	2	Oct/Nov 2023

<b>Total Number of Days/Hours</b>	<b>25</b>	

## 6. REQUIRED TASKS AND RESPONSIBILITIES

- Provide:
  - o A gap analysis of the application of the existing environmental legal framework in the Member Countries in relation to EIA, EMP and monitoring, including specific technical guidance related to ports, dredging, sand mining and vessels;
  - o A rapid baseline assessment of the environmental and social impacts of IWT in the LMB;
  - o An analysis of international best practice on SEA/integrated planning, EIA, EMP and monitoring of IWT strategies, projects and activities;
  - o Evaluation of the status of Transboundary EIA (TbEIA) guidance and determine the proposed and existing IWT projects that could have transboundary impacts;
  - o List of indicators for environmental assessment and monitoring;
- Attended consultation meetings.

## 7. PAYMENT MODALITY

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

Note: 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 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 are without MRCS 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, and fraud prevention and anti-corruption principles, and shall be under strict disciplinary measures should any violation occurs.

**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 work in close collaboration and coordination with the National Mekong Committee Secretariats and the National Navigation Experts

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

- Master’s degree in environmental management or waterborne transport management.
- Minimum fifteen (15) years of high-level knowledge and experience in waterborne transport planning and operating.
- Good knowledge of inland waterway transport on the Mekong River.
- Demonstrated ability to write technical reports that decision-makers and the public can readily understand.
- Experience with the MRC and Mekong work is an advantage.
- Fluency in spoken and written English.
- Excellent writing, presentation, and reporting skills.
- Immediate availability will be considered an advantage.

**12. SIGNATURE BLOCK**

MRCS:

Consultant:

Full Name: Mr. Theerawat Samphawamana

Incumbent’s Full Name: \_\_\_\_\_

Title: Director of Planning Division

Signature: \_\_\_\_\_

Incumbent’s Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_