



# Mekong River Commission

## For Sustainable Development

## TERMS OF REFERENCE

### 1. CONSULTANCY SUMMARY

<b>Title:</b>	Regional Consultant for Navigation Master Plan (Lao PDR & Thailand)
<b>Consultancy Type:</b>	Special Service Agreement - home-based, daily rate: one-time assignment, 1 TOR, number of consultancy days within nine calendar months
<b>Division:</b>	Planning Division
<b>Duration:</b>	22 working days from April to December 31, 2025
<b>Duty Station:</b>	Home-based and regional meeting venue (on request)
<b>Reporting to:</b>	Director of Planning Division, MRCS
<b>Expected Deliverables:</b>	Please refer to Section 5

### 2. INTRODUCTION AND BACKGROUND

The Mekong River has historically been a vital transportation route, supporting trade and connectivity between riparian countries. Under Article 9 of the 1995 Mekong Agreement, MRC is mandated to promote and coordinate waterborne transportation to ensure freedom of navigation in the Lower Mekong Basin (LMB).

To support this, the MRC Navigation Master Plan (2014) and the Regional Action Plan (RAP) for Sustainable Transport of Dangerous Goods (2015) were developed. However, given the evolving economic landscape and national transport strategies, a review and prioritization of the proposed projects is required.

Additionally, Lao PDR and Thailand are in the process of formalizing a Memorandum of Understanding (MOU) on Navigation Safety and Pollution Prevention, which includes 13 annexes (to be shared once the consultant is on board). While five annexes (1, 2, 4, 5, and 6) have been agreed upon, the remaining annexes need harmonization and alignment with regional policies and require to be:

- Assessed on the national needs for inland waterway transportation in Lao PDR and Thailand.
- Reviewed and prioritized on key projects under the MRC Navigation Master Plan and RAP.
- Facilitated on harmonization of the remaining annexes of the Lao-Thai MOU on Navigation Safety and Pollution Prevention.

### 3. OBJECTIVES OF THE CONSULTANCY

- Evaluate the status, strategies, and needs of Lao PDR and Thailand for implementing short- and long-term navigation projects.
- Prioritize projects aligned with national strategies, bilateral agreements, and the BDS 2021-2030.
- Identify gaps in the remaining annexes of the Lao-Thai MOU and facilitate discussions for their harmonization.

### 4. EXPECTED RESULTS

- Assess the countries' needs for implementing short-term and long-term actions proposed in the navigation master plan and projects proposed in the RAP;

- Prioritize the projects to be implemented in alignment with the national strategies for Lao PDR and Thailand;
- Discuss the key findings with member countries and finalize the report on the implementation of the projects of the MRC’s navigation master plan and RAP.

## 5. DELIVERABLES AND CONCRETE TIMELINES

Deliverables and Expected Quality	Number of Days/Hours	Deadline
Assess the countries’ needs for implementing short-term and long-term actions proposed in the navigation master plan and projects proposed in the RAP	5	May 2025
Prioritize the implementation of the masterplan’s actions and the RAP’s projects	4	June 2025
Discuss the key findings with member countries and finalize the report on the implementation of the projects of the MRC’s navigation master plan and RAP	8	July 2025
Finding the gaps, discussing with line agencies, and harmonizing the remaining annexes of the Lao-Thai MOU	5	October 2025
<b>Total Number of Days/Hours</b>	<b>22 days</b>	

## 6. REQUIRED TASKS AND RESPONSIBILITIES

- **Assessing the countries’ needs for implementing short-term and long-term actions proposed in the navigation master plan and projects proposed in the RAP:** The consultant discusses with the working group to identify the assessment method. Then, the consultant assesses the implementation of the projects in Lao PDR and Thailand based on the data collected from the member countries, including information on the current economic situation, waterways transportation development strategies, planned and ongoing projects, vessels and fleets, waterway design, waterway safety, port development, and socio-environmental, institutional, and legal aspects.
- **Prioritizing the implementation of projects in alignment with the national strategies for Lao PDR and Thailand:** Based on the assessment, the regional consultant defines the member countries’ needs in implementing the above-mentioned projects, then prioritizes projects and implementation strategies for the next period, 2026-2030, and an outlook until 2040. The priority projects to be implemented should be sufficient to meet the member states’ current inland waterways status, strategies, and needs in waterway transportation. The list of priority projects is incorporated into a report on implementing the MRC’s navigation master plan and RAP projects.
- **Discussing the key findings with member countries and finalizing the report on the implementation of the projects of the MRC’s navigation master plan and RAP:** The consultant discusses the key findings with line agencies in national and regional meetings for review to aid improvement and receives the opinion of the member states on the proposed projects’ implementation. The consultant addresses the relevant comments through the meeting results by providing suggestions and incorporating good recommendations into the report to improve quality and ensure it aligns with the Lao PDR, Thailand’s national strategies and needs, and the Lao-Thai MOU. The final report will be submitted to the member countries for review and approval. In case of any issues the member countries or the MRC Secretariat raise, the consultant must provide the measures to ensure a common understanding of the implementation strategies for waterborne transport is reached.

- **Finding the gaps, discussing with line agencies, and harmonizing the remaining annexes of the Lao-Thai MOU:** Lao PDR and Thailand are running their internal process to sign a non-legally binding MOU with 05 annexes (1,2,4,5 and 6) for the initial phase. The remaining annexes are planned to be discussed in national and bilateral meetings to identify the gaps in harmonizing the remaining annexes' MOU between Lao PDR and Thailand in 2025. The consultant finds the gaps, discusses them with member countries, and harmonizes the remaining annexes of the Lao-Thai MOU.

## **7. PAYMENT MODALITY**

- The first payment (30% of the total contract value) will be paid after signing the contract.
- The second payment (40%) will be made after submitting the second and third deliverables outlined in section 5.
- The final payment (30%) will be made after submitting all 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 that does the work 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**

Under the supervision of the Director of the MRCS Planning Division, the Consultant will work closely with the Navigation Operations Specialist and other MRCS staff, as well as collaborate with the National Mekong Committee Secretariats and National Navigation Experts.

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

- Advanced university degree (Master's degree or higher) in law, waterborne transport management, or an area relevant to the work on waterborne transportation or inland waterway infrastructure is required.
- A minimum of ten years of experience in waterborne transportation (>10 years) in Lao PDR and Thailand is required.
- Excellent skills in report writing and presentation in English are required.
- Familiarity with the MOU on Navigation Safety and Pollution Prevention on the Mekong

River System between Lao PDR and Thailand is desirable.

- Experience with national agencies, the MRC, and navigation projects in the Mekong region is preferred.

## 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: \_\_\_\_\_