



TERMS OF REFERENCE

1. CONSULTANCY SUMMARY

Title:	Regional Consultant to Support Development and Implementation of Contingency Plans for Dangerous Goods Management
Consultancy Type:	Special Service Agreement (SSA)
Division:	Planning Division
Duration:	From April to 31 December, 2026
Duty Station:	Home-based
Reporting to:	Director of Planning Division, through the Navigation Operations Specialist
Expected Deliverables:	Please refer to Section 5

2. INTRODUCTION AND BACKGROUND

The Mekong River is a valuable natural resource with significant navigational potential. Waterborne Transport along the Mekong River has been one of the main modes of transportation between communities in the riparian countries since they first settled along its banks many centuries ago.

Since the first Mekong cooperation agreement was signed in 1995, the riparian countries have entered into various agreements addressing regional navigation. Article 9 of the 1995 Agreement gives MRC a specific mandate to promote and coordinate water transportation and to encourage freedom of navigation in the Lower Mekong region.

In 2011, the MRC Member Countries (MCs) reaffirmed their commitment to managing water quality effectively in the Mekong River by adopting the Procedures for Water Quality (PWQ). They also collaboratively developed the Technical Guidelines for the Implementation of the Procedures for Water Quality (TGWQ), which consists of three parts and 4 chapters, as follows:

- Part A – Water Quality Management
 - Chapter 1 – Guidelines for the Protection of Human Health (HH);
 - Chapter 2 – Guidelines for the Protection of Aquatic Life (AL); and
 - Chapter 3 – Cooperative Framework for Implementing the Procedures for Water Quality with regard to HH and AL.
- Part B – Emergency Water Quality Situation
 - Chapter 4 – Guidelines for Water Quality Emergency Response and Management (WQERM)
- Part C – Review of the Technical Guidelines on the Implementation of the Procedures for Water Quality

With the MRC Joint Committee (JC) approving Chapter 4 at its 51st Meeting on 16 June 2021, the TGWQ as a whole has now been officially endorsed by the JC. The implementation of Part

A has been ongoing through various water quality monitoring activities, including the well-established routine water quality monitoring network and the recent Joint Environmental Monitoring Project. The implementation of Part B has not commenced, mainly because it was adopted recently.

The MRC released the Regional Action Plan for Sustainable Transport of Dangerous Goods along the Mekong River (RAP) to support the sustainable improvement in the safe, efficient transport and handling of dangerous goods. The plan consists of 12 national and cross-border project documents to serve as a basis for reducing the risks of accidents, spillages, and pollution, and for enhancing emergency response and regional coordination in the Lower Mekong Basin. Project no. 9 – Emergency and oil spill response in ports and terminals, and project no. 5 – Emergency response on board vessels, are proposed to support the MCs in reducing the impact on the water environment of the Mekong River System, its tributaries and lakes, protect human lives and limit the damage to property by establishing and implementing an effective emergency and oil spill response plan at local, national and cross-border levels.

The short-term navigation safety action 3 (SNS3) of the Master Plan for Regional Waterborne Transport in the Mekong River Basin proposes that the MRC formulate a contingency plan for efficient accident response. The objective of the action is to protect the Mekong River environment from the damaging effects of oil spills by providing a coordinated response mechanism that leverages the combined resources of the private and government sectors to combat them. The plan supports the MCs in protecting human lives, safeguarding the water environment of the Mekong River system, and limiting property damage by formulating effective emergency and oil-spill response plans at local, national, and cross-border levels.

Certain challenges have been identified concerning the carriage, handling, and storage of dangerous goods along the Mekong River, as follows:

- Some terminals' oil spill response plans are inadequate, with limited national or regional plans for the Mekong River and no membership in large industry-funded Tier 3 cooperatives.
- Oil spills cause disruptions, injuries, and environmental impacts, varying by product, environment, and severity. Released oil undergoes weathering, spreading, evaporation, dispersal, sedimentation, and emulsification.
- Oil spill incidents harm companies' reputations, causing financial losses, fines, response costs, and legal issues due to varying national legislation. The key factor in spill management is time; rapid action minimises environmental damage. The effectiveness of response relies on preparedness, with a well-designed oil spill response plan being essential for success.

To plan a response to oil spills, which range from small local incidents to larger, more persistent spills, and to decide when regional and international help is needed, the internationally recognised Tier Response framework is used. Oil spill incidents are categorised into three tiers based on response scale and resource level – local, regional, or national/international. These tiers do not depend on spill volume, as responses differ by oil type and location. The tiers are outlined as follows:

- **Tier 1 (Category 1) – Minor serious situation:** Small operational spills that are within the response capability and resources of an individual port or terminal where the spill occurs. These spills require immediate response with local personnel and equipment. Spills that impact or threaten to impact within the jurisdiction of an individual country.

- **Tier 2 (Category 2) – Moderately serious situation:** Medium spills within the port's or local authority's response capacity require personnel from other port users or local contractors. Spill impacts, or threats within a country's jurisdiction, are managed under the National Contingency Plan.
- **Tier 3 (Category 3) – Very serious situation:** Large spills beyond local response capacity require national or international aid, potentially mobilising resources from an international Tier 3 base. These spills affect or threaten multiple countries and surpass local and regional capabilities, requiring government-controlled intervention via the National Contingency Plan.

Large quantities of petroleum products are transported from Viet Nam to Cambodia on the Mekong River in tankers. There are also significant quantities of oil being shipped from Thailand to PR China over the Mekong River. Spills occurring on the Mekong or its tributaries may, depending on the scale, have a cross-border impact. Arrangements should be in place for mutual assistance to mitigate the impacts of spills that affect both countries. Oil companies and other private and public organisations handling hazardous substances, including port authorities, have a responsibility to address the high risk of water contamination from spills of products in their care. This should include an obligation to contribute to a coordinated response to a navigation spill.

This consultancy will assist the MRC to assess the existing legal framework and will provide a contingency plan that needs to include guidelines for improvement of emergency and/or oil spill response, training facility personnel, preparing reporting procedures for incidents, addressing evidence of financial responsibility, and standardising safety requirements and minimum emergency and oil spill equipment. The Plan will also examine how cross-border emergency and oil spill response cooperation with neighbouring countries can be strengthened. Being prepared for emergency situations and taking mitigation and preventive measures greatly reduces the risk of injury, illness, and fatalities, and may limit the damage to infrastructure, the surrounding environment, and communities. Once the navigation contingency plan has been adopted, the authorities will be able to implement it and assign responsibilities.

3. OBJECTIVES OF THE CONSULTANCY

Formulating a contingency plan involves making decisions in advance about the management of human and financial resources, coordination and communications procedures, and being aware of a range of technical and logistical responses and restrictions. This also involves procedures for accident reporting, establishing a response team, and defining roles and responsibilities within the response system. Moreover, it involves providing guidance to regional or local response teams, coordinating a national preparedness planning and response program, and facilitating research to improve response activities.

The overall aims of this consultancy assignment are to:

- Develop a harmonised contingency (action) plan in accordance with Chapter 4 “WQERM” based on a standardised approach for the Mekong.
- Provide a capacity-building plan to improve the preparation and execution of contingency plans for dangerous goods management for the incident Tier 3, including

(but not limited to) training and drills for an oil spill incident with a scenario of a transboundary incident involving Laos and Thailand or Cambodia and Viet Nam.

4. EXPECTED RESULTS

- A series of spill scenarios predicting the likely spread of spilt materials in different circumstances, and incorporating these predictions into emergency response planning.
- A harmonised contingency (action) plan in accordance with Chapter 4 “WQERM” based on a standardised approach for the Mekong.
- A capacity-building plan to enhance the preparation and implementation of contingency plans for dangerous goods management for the incident Tier 3, including (but not limited to) training and exercises for an oil spill incident with a drill scenario of a transboundary incident between Laos and Thailand or between Cambodia and Viet Nam.
- The MCs’ approval of the plan.

5. DELIVERABLES AND CONCRETE TIMELINES

No.	Deliverables and Expected Quality	Number of Days	Deadline
1	A series of spill scenarios predicting the likely spread of spilt materials in different circumstances		05 May 2026
2	An outline of what needs to be considered when formulating plans for oil spill response.		25 May 2026
3	First draft of the Contingency Plans for Dangerous Goods Management.		25 June 2026
4	Presentations of the first draft of the report for national consultation meetings with MCs.		30 June 2026
5	Second draft of the Contingency Plans for Dangerous Goods Management revised based on the comments/feedback from national consultation meetings, together with a presentation and the matrix of comments/feedback and responses.		30 August 2026
6	Attending the regional meeting for the finalisation of the Contingency Plans for Dangerous Goods Management.		31 September 2026
7	Final draft of the Contingency Plans for Dangerous Goods Management, together with the matrix of comments/feedback and responses for the final draft version. The final draft must be approved by the MCs.		15 November 2026
	Total Number of Days/Hours	Lump sum	

6. REQUIRED TASKS AND RESPONSIBILITIES

Required tasks and responsibilities for the subscriber are summarised below:

- Propose a series of spill scenarios predicting the likely spread of spilt materials in different circumstances, and incorporate these predictions into emergency response planning (**deliverable 1**).
- Provide an outline of what needs to be considered when formulating plans for oil spill response (**deliverable 2**). It should include general planning principles; cleanup strategies; cleanup strategies for rivers and lakes; personnel safety; oiled fauna response; strategies for oil and waste storage and disposal; equipment for oil spill response; response organisation and structure; response operations; and response procedures.
- Provide the first draft of the Contingency Plans for Dangerous Goods Management in accordance with Chapter 4 “WQERM” based on a standardised approach for the Mekong (**deliverable 3**). The plan should cover the following parts:
 - System data requirements;
 - An overall assessment of operational needs in the MCs;
 - A series of spill scenarios predicting the likely spread of spilt materials in different circumstances, and incorporating these predictions into emergency response planning;
 - Recommendations for improvements, and guidance on utilising a harmonised or standardised system;
 - The uniform standards for the contingency plan for the Mekong River, including proposals for institutional set-up, procurement of equipment, and training;
 - Detailed implementation plans for the uniform standards for the Mekong River Contingency Plan in each country;
 - Strategies for sharing or optimally coordinating operations under the Contingency Plan among the MCs, particularly between Lao PDR and Thailand, and between Cambodia and Viet Nam;
 - A capacity-building plan to enhance the preparation and implementation of contingency plans for dangerous goods management for the incident Tier 3, including (but not limited to) training and exercises for an oil spill incident with a drill scenario of a transboundary incident between Laos and Thailand or between Cambodia and Viet Nam.
- Provide presentations of the first draft of the Contingency Plans for Dangerous Goods Management for national consultation meetings with MCs (**deliverable 4**). **The presentations should cover the report's overview and provide clear explanations of each part.**
- Provide the matrix of comments and feedback from national consultation meetings, including responses, as well as the second draft revision of the Contingency Plans for Dangerous Goods Management. Also, include presentations for both the comments matrix and the second draft report (**deliverable 5**).

- Attend the Regional workshop on the finalisation of the draft of the Contingency Plans for Dangerous Goods Management. The subscriber presents the report and responds to MC feedback and comments for finalisation (**deliverable 6**).
- Provide the final report after addressing all additional comments and feedback from MCs, along with the final comments/feedback and responses matrix. **The final draft must be approved by the MCs to complete deliverable 7.**

7. PAYMENT MODALITY

Payment will be made based on the lump sum and deliverables, with the MRC's daily timesheet and invoice templates provided by the consultant. Tasks will be assessed, technically endorsed, and approved by the PD's Navigation Operations Specialist prior to payment.

Milestone	Percent of payment	Target date
After signing the contract and upon submission of the original invoice.	30% of the total contract value	April 2026
Submission of deliverables 1 to 5 outlined in Section 5. All deliverables must be satisfactorily accepted by the MRCS Planning Division.	30% of the total contract value	September 2026
Submission of all deliverables outlined in Section 5. All deliverables must be satisfactorily accepted by the MRCS Planning Division.	40% of the total contract value	December 2026

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. In case a mission is required, the consultant 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 on personal data protection, business exclusion, fraud prevention, and anti-corruption principles, and shall be subject to strict disciplinary measures should any violation occur.

10. WORKING ARRANGEMENT

Reporting Line: The Consultant will be working under the overall supervision of the Director of the MRCS Planning Division.

Communication Line: The consultant will work under the direct supervision of the Director of the MRCS Planning Division and with relevant MRCS staff, including the Chief River Basin Planning and the Navigation Operations Specialist. He/she will collaborate closely with the National Mekong Committee Secretariats and the national navigation experts.

Work Station: Home-based with possible travel to the MRC Secretariat and MRC Member Countries (MCs).

11. QUALIFICATIONS AND REQUIREMENTS

- University degree (Master/Doctoral degrees or equivalent minimum) in waterborne transport management, environmental monitoring and management, environmental health and safety, or an area relevant to the work on emergency response, contingency plan, and dangerous goods transportation is required;
- A minimum of 10 years of experience in waterway transportation, environmental monitoring management, and strategy development, including dangerous goods transportation, environmental governance, emergency response to hazardous chemicals or materials incidents, or transboundary emergency response management, especially in waterway transportation, is required;
- Has demonstrable specific knowledge and experience in developing an emergency response or contingency plan with various scenarios, preferably in inland waterways or rivers, and strong experience in dealing with regional and international environment-related/search and rescue organisations and institutions, as well as national and/or regional environmental and emergency responses to hazardous chemicals/materials incidents are required;
- Excellent skills in report writing and presentation in English, strong analytical skills, and demonstration of previously successful capacity-building or drill activities related to transboundary emergency response management, including serving as a key trainer, are required;
- Experience working with the National Mekong Committees and the MRC's navigation tasks, or holding IMDG code certifications, is advantageous.

12. SIGNATURE BLOCK

MRCS:

Consultant:

Full Name: **Mr. Nguyen Huy Phuong**

Incumbent's Full Name: _____

Title: **Director of Planning Division**

Signature: _____

Incumbent's Signature: _____

Date: _____

Date: _____