



Terms of Reference (ToR)

To Conduct a Baseline for Pollution Emanating from Vessels to inform Policy Development

1. BACKGROUND OF THE BENGUELA CURRENT CONVENTION (BCC)

The Benguela Current Convention (BCC) is a multi-sectoral organisation established by the Republics of Angola, Namibia and South Africa (Parties) to spearhead regional collaboration for integrated management, sustainable development and protection of the environment using an ecosystem approach to ocean governance in the Benguela Current Large Marine Ecosystem (BCLME). The BCC is the first inter-governmental Convention in the world to be based on the Large Marine Ecosystem (LME) concept of ocean governance – a move towards managing transboundary resources at the larger ecosystem level (rather than at the national level) and balancing human needs with conservation imperatives.

The BCC in partnership with the United Nations Development Programme (UNDP) and with financial support from the Global Environment Facility (GEF), is implementing a project titled “Mainstreaming Climate-Resilient Blue Economy in the BCLME Region” (BCLME IV Project). The objective of the project is to mainstream the development of a climate-resilient Blue Economy in the implementation of the updated SAP of the BCLME, that will maintain integrity of coastal and marine ecosystems and improve livelihoods of coastal communities.

2. SCOPE OF WORK

The baseline will cover the BCLME region as agreed with the Benguela Current Convention. At a minimum, it will include fishing vessel operations and governance contexts within coastal and port/landing site locations relevant to fishing activities and to develop a regionally comparable baseline on pollution emanating from fishing vessels in the BCLME countries. The baseline study will be used as evidence to inform policy development (including harmonised policy directions, legislation options, and institutional arrangements for implementation).

3. TIME FRAME

The project is envisaged to be implemented for six (6) months starting with a strategic planning workshop upon signature.



4. OBJECTIVE OF THE ASSIGNMENT

The BCLME supports economically and socially significant fisheries, as well as port, coastal, and maritime activities. Fishing vessels contribute to marine pollution through multiple pathways, including operational discharges (e.g., oily residues from engine operations, bilge water, deck washings), sewage and wastewater management (where applicable), solid waste and marine debris associated with onboard practices and port/landing site interfaces (e.g., plastics and gear residues/ghost gear), chemical residues linked to maintenance and cleaning, and accidental risks such as fuel/oil leaks and small-to-moderate spills.

Policy development and harmonisation for marine pollution prevention and control require evidence on:

- Pollution types and sources linked to fishing vessel operations,
- Spatial patterns and hotspots (ports/landing sites, fishing areas, corridors),
- The governance and regulatory landscape (laws, policies, standards, mandates), and
- Compliance capacity and performance (inspection systems, reporting mechanisms, and enforcement constraints).

This baseline study will provide the factual basis for designing policy options and strengthening regional cooperation on marine pollution prevention and control in the BCLME region.

To produce a credible baseline that can guide short, medium, and long-term policy interventions for marine pollution prevention and control specifically related to fishing vessels in the BCLME region.

5. EXPECTED OUTPUTS

The assignment will:

- I. Identify and characterise pollution pathways associated with fishing vessel operations (operational, solid waste/debris, sewage where applicable, and accidental risks).
- II. Determine pollution hotspots and risk drivers using triangulated evidence (records, stakeholder input, and field/port assessments where feasible).
- III. Map the governance baseline: global, regional and national policy and legal instruments, regulatory obligations, and institutional mandates relevant to fishing vessel pollution control. (IMO guidelines)



- IV. Assess compliance and enforcement baseline: inspection coverage, enforcement tools, reporting systems, documented incidents/violations (where available), and capacity constraints.
- V. Assess port/landing site waste reception interface relevant to fishing vessels: availability, accessibility, functionality, waste handling routes, and barriers to use.
- VI. Develop a harmonisation gap analysis: identify convergences, inconsistencies, and minimum requirements needed for regional policy coherence.
- VII. Propose baseline indicators and a monitoring framework for tracking progress after policy adoption.
- VIII. Deliver policy-support outputs to inform policy development, including drafting-ready policy principles and recommended elements for legislation and institutional arrangements.

6. SPECIFIC TASKS/ THEMATIC SCOPE

- I) Operational pollution from fishing vessels: oily residues, bilge water, deck washing and other routine operational wastes (as identified in each country's context).
- II) Sewage/wastewater management (where applicable and evidenced).
- III) Solid waste and marine debris linked to fishing operations: plastics and packaging; gear residues; lost/abandoned gear where traceable to fishing activities.
- IV) Accidental pollution risk connected to fishing operations: fuel/oil leak risks and reported incidents/near-misses where data exists.
- V) Port/landing site interface: waste reception availability and performance for fishing vessels; waste contractor/handling pathways; refusal/constraints, where documented.
- VI) Governance and compliance: laws, policies, mandates; inspection regimes; reporting mechanisms for incidents/violations; enforcement practices and capacities; recordkeeping/data availability.

7. METHODOLOGY AND APPROACH

The consultant shall use a mixed-method, triangulation-based approach, integrating desk review, consultations, and targeted site/record assessments.

7.1. Desk review

Conduct a structured review of:

- National laws/regulations relevant to marine pollution control and fishing vessel obligations,
- Port/harbour regulations and waste reception requirements,
- Enforcement and inspection guidelines and institutional mandates,
- Available national/regional strategies and guidance,



- Any available incident databases, inspection reports, compliance summaries, and port waste reception information,
- Relevant regional/international references as policy framing (to guide harmonisation logic).

7.2. Stakeholder consultations

Conduct stakeholder consultations in each participating country with:

- Ministries responsible for fisheries, Fisheries authorities and fisheries inspectors (as available),
- Harbour Master, Port Authorities and any relevant bodies and or organisations,
- Environmental Management Authorities and Regulators responsible for marine pollution,
- Port operators and waste reception facility managers and or contractors,
- Vessel owners or operators, fishing associations and/cooperatives, and ship agents (where relevant),
- Relevant NGOs, Academia, Research Institutions and Technical experts etc.
- Stakeholders will be engaged using a semi-structured interview guide to ensure cross-country comparability.

7.3. Field, Port, Landing site and Record Assessments (where feasible)

For selected priority ports and/landing sites per country (to be confirmed in the Inception Report), conduct assessments focusing on:

- Waste reception facility availability, service access and functionality,
- Types of waste received and practical handling/disposal routes,
- Barriers and compliance drivers (service costs, segregation requirements, refusal practices, capacity),
- Availability and quality of waste reception records/logs/manifests.

If quantitative water or sediment sampling is not feasible, the baseline will rely on triangulated evidence and proxy indicators.

7.4. Data synthesis and harmonisation analysis

- Compile a structured baseline evidence matrix by country (Angola, Namibia and South Africa) and by pollution pathway.
- Identify convergences and differences in obligations, definitions, inspection workflows, enforcement authority, and reporting.
- Develop a harmonisation “gap and convergence” matrix to inform policy development.



8. EXPECTED DELIVERABLES

Deliverables shall be submitted to the Benguela Current Convention Secretariat.

Deliverable 1: Inception Report (within 3 - 4 weeks of contract commencement) which will include:

- Scope of study and methodology;
- Identified area of coverage and selection rationale;
- Proposed priority ports/landing sites per country (and selection criteria);
- Detailed stakeholder mapping plan and consultation schedule;
- Data availability assessment and risk register;
- Draft baseline reporting outline;
- Draft indicator framework outline.

Deliverable 2: Country Baseline Reports (within 6 - 10 weeks subject to Deliverable 1 approval and acceptance) and will include one report per participating country (or a consolidated report with clearly separated country chapters), covering:

- Pollution pathways relevant to fishing vessels;
- Governance and institutional arrangements;
- Waste reception interface assessment;
- Compliance and enforcement and reporting baseline;
- Hotspots and risk drivers;
- Gaps and recommended policy directions per country.

Deliverable 3: Draft Regional Baseline Report (within 11–12 weeks after contract commencement) which includes:

- Consolidated regional findings;
- Comparative analysis between countries;
- Hotspot identification and ranking;
- Harmonisation gap analysis;
- Proposed baseline indicator set with definitions and data sources;
- Preliminary priority policy and institutional options.

Deliverable 4: Policy Support Outputs (harmonised policy development inputs) (within 13–17 weeks) and will provide:

- Policy principles and policy options for harmonised marine pollution prevention and control relevant to fishing vessels;
- Recommended elements for harmonised legislation;
- Institutional arrangements options for implementation such roles and responsibilities;
- Implementation considerations (capacity, feasibility, sequencing, monitoring).

Deliverable 5: Final Regional Baseline Report and Final Policy Support Outputs

- Produce a draft report for BCC, BCLME IV Project, PSC and Member States inputs and or comments
- Incorporate comments from the BCC, BCLME IV Project, PSC and Member States and convene regional validation Workshop.



9. QUALIFICATIONS, COMPETENCE AND SKILLS

The consultancy team shall include (as a minimum):

- Team Leader, a Marine Environmental Policy Specialist (lead policy and regional harmonisation analysis);
- Marine Pollution/Waste Management Specialist (pollution pathways, operational discharge and waste streams);
- Legal Analyst (Maritime/Environmental Law) (legal inventory and legislation drafting guidance);
- Institutional/Governance Specialist (mandates, coordination and enforcement);
- Data/Monitoring & Evaluation Specialist;
- Country Researchers / Field Coordinators (as needed per country coverage);

9.1. Education and Experience

- A Postgraduate qualification in Law, Social Sciences, Environmental Management, Maritime Studies, or another relevant field;
 - Minimum of 10 years of proven consultancy-related working experience in the above fields;
 - Demonstrated experience in delivering related assignments in oil and gas sector;
 - Sound knowledge of analytical methods and tools for baseline study;
 - Team player, with excellent organizational, and delivery, and time management skills;
 - Strong communication and coordination skills
 - Preference will be given to a national from one of the three BCC countries;
 - Familiar with activities of the Benguela Current Convention;
- Must be proficient in English and Portuguese.

SUBMISSION OF TECHNICAL AND FINANCIAL PROPOSALS

The deadline for submission of both Technical and Financial Proposals is on or before

12 October 2026, 16h00 Namibian Time.



The Proposal shall comprise the following documents in electronic copies:

- a) Technical Component
- b) Financial Component

The Financial Proposal should remain valid for 30 (thirty) days from the closing date of the tender. The BCC may decide to reserve the right to annul the tendering process and not award the contracts.

The Proposals shall be emailed to baselinestudy@benguelacc.org

All enquiries shall be directed to sarlotte@benguelacc.org

7. ADDITIONAL INFORMATION

7.1 Evaluation of tenders

- a) The contract will be awarded to the qualifying bidder as per the following criteria:
 - i. Responsive/compliant/acceptable, and
 - ii. Having received the highest score out of a pre-determined set of weighted technical and financial criteria specific to the tender proposal. In this regard, the respective weights of the proposals are as follows:
 - b) Technical Criteria weight is 70%
 - c) Financial Criteria weight is 30%

7.2 Modification of terms

The BCC Secretariat reserves the right to add, modify or omit certain portions of the tender scope at any time at its sole discretion. This includes the right to cancel this tender at any time before entering into a contract with the successful bidder.

7.3 Tender award

The contract will be awarded to a successful bidder within 60 days of closing of this tender and the successful bidder will commence work within four (4) weeks from the date of signature, by all parties.

7.4 Prime contractor relationship

The BCC Secretariat will enter into a contract with only one successful bidder.



7.5 Confidentiality

- i. Tenders submitted will not be revealed to any other bidders.
- ii. The BCC Secretariat reserves the right to seek clarification or verification of any information contained in the tenders.
- iii. All information about BCC obtained by the bidder as a result of participation in this tender is confidential and must not be disclosed without written authorisation from the Executive Secretary of BCC.

7.6 Ownership of data

All tenders, including any supporting documents and training materials or any other documentation with reference to this tender, submitted to the BCC Secretariat, become the property of BCC.

Any data of whatever nature resulting from the provision of the Products and Services shall be the property of BCC and may be used by BCC without restriction. All data or information that may be shared with the successful bidder during the provision of the Products and Services shall, upon termination of the contract, be returned to the BCC Secretariat.

APPENDIX A – TECHNICAL PROPOSAL

Bidders must address all the issues and requirements which appear in Appendix A.

1. UNDERSTANDING OF THE ASSIGNMENT

A detailed proposal indicating a clear understanding of the Terms of Reference and the methodology to be applied will be required.

2. TECHNICAL REQUIREMENTS

- i. One-page letter of introduction identifying the bidder and signed by the person(s) authorised to bind the bidder to statements made in the proposal.
- ii. Complete CV, certified qualifications and other documentation in support of the CV.
- iii. Proof of technical knowledge or qualifications or experience of staff that will carry out the work as specified in the deliverables.
- iv. A Profile of the Company / Consultancy Firm / Consortium / Individual.
- v. All bidders are required to clearly state the name of the Primary Party with whom the BCC Secretariat will enter into an Agreement. In the event of a consortium, or group of companies jointly delivering a response, full details are required of each of the legal entities involved.



- vi. Description of role or element of the proposal to be fulfilled by any third party and the full contact details of any third parties involved in the proposal (if applicable).

3. REFERENCES

- i. A record of previous similar assignments undertaken by the bidder.
- ii. Bidders must provide a minimum of three (3) clients (names, addresses and telephone numbers) who may be contacted for references in connection with the scope of works.
- iii. These references should be current, stipulate the nature of work undertaken, the financial value of the Services offered and where the work was executed.
- iv. The BCC Secretariat reserves the right to undertake a full background check on all references submitted before awarding the contract.

APPENDIX B - FINANCIAL PROPOSAL

Bidders must address all the issues and requirements which appear in this Appendix B.

1. SCHEDULE OF COSTS/FINANCIAL PROPOSAL

The schedule must take the following format:

- i. All costs must be quoted in Namibian Dollars (NAD).
- ii. The total cost of the proposal (best and final offer).
- iii. All prices must be quoted including VAT.
- iv. The BCC shall cover all workshops, travel costs and per diem.
- v. A breakdown of the pricing and cost components for Services set out in this invitation to tender should be in line with the given timelines.

2. GENERAL INFORMATION

- i. Bidders are solely responsible for their own costs in preparing the tender.
- ii. Payments for all products and services (professional fees and reimbursements) covered by this project shall be made within 30 (thirty) days subject to receipt of appropriate invoices the satisfactory completion of work, and adherence to the BCC's policies.
- iii. The BCC shall not be liable for any losses, damages, costs, charges or expenses caused by defects or damage to the service provider's equipment and supplies.
- iv. The BCC may decide to reserve the right to add, modify or omit certain portions of the proposal.

