Market orientation

Legal advice on Transport Policy Lake Tanganyika (Burundi, Zambia, Tanzania, DRC) - ref. 202610078

Organisation: The Netherlands Enterprise Agency

The Netherlands Enterprise Agency (in Dutch: Rijksdienst voor Ondernemend Nederland, RVO) supports private and public organisations with funding, international business partners, knowledge, and regulations.
More information about RVO can be found on: www.rvo.nl and http://english.rvo.nl/.

Extent and duration
The project will run from January – June 2027 (6 months)

Budget indication
max € 126.000,- including all local costs (accommodation, travel costs, workshops, taxes, VAT) and excluding Netherlands VAT.

Purpose of the notification
The purpose of the market orientation is:
To gauge the interest of qualified consultants (firm or individuals) to provide legal support to the process of harmonizing transport legislation and common operational standards in the Lake Tanganyika region.

The reason for this project
RVO is implementing the Tanganyika Trade Corridor Development (TTCD) project cofinanced by the EU and The Netherlands. As part of this project the Legal Maritime Framework Strategy seeks to establish harmonised transport legislation.

The Lake Tanganyika Transport Legislations are driven by the absence of a harmonised legal and regulatory framework governing transport operations. The four riparian countries—Burundi, Democratic Republic of the Congo, Tanzania and Zambia—currently apply different transport laws, navigation regulations, vessel registration systems, safety standards and administrative procedures, creating barriers to efficient and safe cross-border transport.

Harmonisation of Lake Tanganyika Transport Legislations should reduce those barriers and increase navigational safety, facilitate trade and transport operations, strengthen regional integration and create a more attractive environment for public and private investment in the lake transport sector.

TTCD (Tanganyika Transport (or Trade) Corridor Development project) builds upon the AfDB (African Development Bank) financed Feasibility Study for Harmonisation Transport Legislation and Port Procedures and Operations on Lake Tanganyika. Deliverable A of this study is a proposed Protocol on the Harmonisation of Lake Tanganyika Transport Legislation and deliverable LC-LOI TYPE is a proposed Modal Law for national domestication of the Harmonisation Transport Legislation.

The Legal advice on Transport Policy Lake Tanganyika (this assignment) should facilitate the implementation of this proposed protocol.

During validation of the Feasibility study, it resulted that an advice on whether to apply this as a model law or as a protocol under the CCTTFA is required.
Following that advice, in case of a CCTTFA protocol, legal advice on the protocol is needed as well as advice on the adoption of the protocol in the countries. While similarly that would be required as well in case of a model law.

Within this project the two most important stakeholders are the LTA and the CCTTFA:

1. The Lake Tanganyika Authority (LTA) was established under the Convention on the Sustainable Management of Lake Tanganyika. The function of the LTA is to coordinate the implementation of the Convention by the Contracting States (Burundi, DRC, Tanzania, and Zambia). The mission of the LTA is to promote sustainable management of Lake Tanganyika and its basin. It is also responsible for ensuring the safe and secure transportation of goods on the lake, in order to avoid any possible contamination of the waters and to strengthen the regional integration of its member states.

2. The Central Corridor Transit Transport Facilitation Agency (CCTTFA) is an inter-governmental agency and a Corridor Management Institution, with Burundi, DRC, Rwanda, Tanzania, Uganda, Malawi and Zambia as members. The Central Corridor is an integrated transport and logistics network that connects landlocked Member States to the sea through the Port of Dar es Salaam. CCTTFA works with Member State governments and development partners to improve the efficiency of the Corridor and facilitate transit trade.

Project Results
The project is designed to achieve the following results:

Result 1. The Lake Tanganyika Transport Protocol is finalised and progressed through the formal CCTTFA review and adoption process
Building on the existing Feasibility Study for the Harmonisation of Transport Legislation and Port Procedures and Operations on Lake Tanganyika, the draft Protocol is technically and legally finalised and prepared for review by the CCTTFA (Central Corridor Transit Transport Facilitation Agency) Technical Working Group and subsequent consideration and approval by the CCTTFA Board of Directors and Interstate Council of Ministers.
The consultant shall not repeat the legal gap analysis, international standards assessment, governance analysis or drafting work already undertaken under the Feasibility Study. The existing Protocol, Model Law, governance framework and related instruments shall serve as the substantive basis for the formal review and adoption process. The Feasibility Study already contains a draft Protocol (Feasibility study, Volume I, deliverable A) and a Model Law for national domestication (Feasibility study, Volume II, LC-LOI TYPE).

By the end of this result:

- a legal advise on the pros and cons of either adopting the proposed legislation as a Protocol at the level of CCTTFA or as an Agreement at the level of Member States has been given;
- the existing draft Protocol has undergone the required review by the CCTTFA Technical Working Group;
- outstanding legal and institutional issues relevant to adoption have been identified and addressed;
- the respective roles of CCTTFA, LTA, Member States and other relevant institutions are consistently reflected in the final documentation;
- amendments agreed during the Technical Working Group review have been incorporated;
- the documentation required for consideration by the CCTTFA Board of Directors and Interstate Council of Ministers has been prepared; and
- the Protocol has been submitted through the appropriate CCTTFA procedures for consideration, approval and signature.

Final approval and signature of the Protocol remain the responsibility of the CCTTFA Board of Directors, Interstate Council of Ministers and the participating Member States, in accordance with the applicable CCTTFA procedures.

Result 2. Country-specific legal and policy alignment pathways are established for Burundi, the Democratic Republic of the Congo, Tanzania and Zambia
Building on the existing Protocol, Model Law and other relevant instruments produced under the Feasibility Study, a practical legal and policy alignment pathway is established for each of the four Lake Tanganyika riparian States.
The consultant should not develop a new generic framework for domestication. Instead, the existing Model Law should be translated into country-specific requirements, taking into account differences in national legal systems, institutional arrangements and legislative procedures. The existing Model Law itself states that it is an indicative reference instrument which each State must adapt to its own institutional framework and legislative drafting practices.

For each country, the pathway should clarify:
- which provisions of the Protocol require legislative, regulatory or administrative action;
- which existing laws, regulations or procedures may need amendment;
- which provisions may be implemented without legislative amendment;
- which institution is responsible for each required action;
- which national approval or decision-making procedures apply;
- which actions depend on regional coordination or joint instruments;
- the recommended sequence of actions; and
- where additional technical assistance may be required.

The four country pathways shall together provide a coherent regional overview aimed at supporting alignment of Member States' transport policies and preventing materially inconsistent national application of the Protocol.

Project Activities
The following activities are foreseen to achieve these results:

Activities under Result 1: Finalisation and formal review and adoption process of the Protocol
1.1 Conduct a final review of the existing Feasibility Study (proposed transport legislation and CCTTFA Agreement and Protocols), provide a legal opinion on the option of either adopting the proposed legislation as a Protocol at the level of CCTTFA or as an Agreement at the level of Member States and determine the outstanding steps towards formal adoption

Review the relevant outputs of Volumes I, II and III, including the proposed transport legislation, the CCTTFA Agreement and Protocols, Model Law, governance framework, stakeholder comments and outcomes of the May and August 2026 validation workshop.
The review shall not repeat the substantive analyses already conducted.
The purpose is to determine:

- The legal advise on the option of either adopting the proposed legislation as a Protocol at the level of CCTTFA or as an Agreement at the level of Member States;
- the current status of the proposed legislation;
- outstanding comments or unresolved issues;
- amendments still required following stakeholder validation;
- the formal CCTTFA procedure and documentation required for review, approval and signature;
- issues requiring consideration by the CCTTFA Technical Working Group;
- issues requiring consideration by the CCTTFA Board of Directors or Interstate Council of Ministers rather than further technical analysis; and
- the sequence, responsibilities and indicative timetable towards approval and signature.

The resulting inception note shall serve as the agreed roadmap for the assignment.

1.2 Prepare and technically support the CCTTFA Technical Working Group review
Using the proposed transport legislation as the basis, prepare the documentation required for structured review by the relevant legal and technical representatives of Member States.
This includes:

- consolidating outstanding comments;
- preparing an article-by-article issues and decision matrix where required;
- identifying provisions requiring clarification or amendment;
- preparing legally feasible options where different positions remain;
- preparing background notes and briefing materials;
- providing legal and technical support during the Technical Working Group meeting; and
- documenting agreements, amendments and outstanding decisions.

The consultant shall not reopen matters for which consensus has already been reached unless a material legal or implementation issue is identified.

1.3 Incorporate agreed amendments and prepare the final Protocol package
Revise the Protocol on the basis of decisions taken during the CCTTFA Technical Working Group process.
Ensure consistency between the final Protocol and relevant supporting instruments of the Feasibility Study, including the Model Law and governance framework.
Prepare:

- a clean final version of the Protocol;
- a consolidated version showing substantive amendments where required;
- an updated traceability or decision matrix; and
- supporting explanatory documentation required for consideration by the CCTTFA Board of Directors and Interstate Council of Ministers.

1.4 Support consideration by the CCTTFA Board of Directors and Interstate Council of Ministers
Prepare the technical and legal documentation required for consideration by the CCTTFA Board of Directors and Interstate Council of Ministers.
Provide clarification and drafting support where comments are raised during the formal approval process.
CCTTFA remains responsible for convening the Board of Directors and Interstate Council of Ministers, and the participating Member States remain responsible for approval and signature of the Protocol in accordance with the applicable CCTTFA procedures.

<u>Activities under Result 2: National legal and policy alignment</u>
2.1 Translate the Protocol or Model Law after adoption into country-specific legal and policy requirements
For Burundi, DRC, Tanzania and Zambia, determine how the Protocol can be given effect within the national legal and institutional system.
The analysis shall build directly on the existing Feasibility Study and focus on the country-specific differences that remain to be addressed.
For each country, identify:

- the appropriate legal or policy mechanism for giving effect to the Protocol;
- relevant existing legislation and regulations requiring amendment;
- provisions that may be implemented through secondary legislation or administrative action;
- competent institutions;
- required national decision-making procedures;
- institutional dependencies; and
- major legal or institutional obstacles.

2.2 Validate the country-specific findings with competent national authorities
Conduct targeted consultations with relevant national ministries, regulators, legal offices and other competent authorities.
The consultations should:

- test the legal and institutional feasibility of the proposed pathway;
- verify responsibilities;
- identify country-specific constraints;
- determine whether proposed amendments or measures are realistic; and
- establish ownership of the next steps.

The format of consultation should be proportionate and cost-effective. Dedicated large-scale workshops in all four countries are not automatically required. Targeted technical meetings, bilateral consultations, online sessions or participation in existing meetings may be used where appropriate.
It is recommended that the consultant should work with local partners for this in the respective countries, should they not have local presence themselves.

2.3 Prepare four country-specific legal and policy alignment pathways
Prepare a concise and actionable pathway for each of the four riparian States.
Each pathway shall identify, as applicable:

- required legal, regulatory, policy or administrative action;
- responsible institution;
- relevant instrument;
- dependencies;
- indicative sequence and timeframe;
- required technical assistance;
- major risks to alignment; and
- regional coordination requirements.

The pathways shall make explicit use of the existing Model Law and other relevant Feasibility Study outputs and shall not duplicate these instruments.

2.4 Consolidate the national pathways into a regional alignment overview
Prepare a regional overview showing:

- measures that can proceed independently at national level;
- measures requiring regional coordination;
- potential inconsistencies between country approaches;
- actions that may affect the harmonised character of the Protocol; and
- priority actions for CCTTFA and Member States following adoption.

This should directly facilitate the alignment of Member States' transport policies.

Consultant's profile
The profile of the consultant or team of consultants for this assignment:

- Preferably based in Dar Es Salaam, Bujumbura, Lusaka and/or Kinshasa;
- If a tenderer has no presence in any of these locations, the tenderer should subcontract or form a consortium to ensure presence in this location.
- Bilingual proficiency in English and French, as well as proficiency in official legal language of each of the CCTTFA countries;
- At least five years experience with transport legislation, more specifically on maritime and/or on inland waterways navigation in relevant contexts;
- At least five years experience with public international law, treaty negotiation and drafting;
- More specifically experience with harmonising legislation, in such a way that it is applicable and enforceable under both legal systems, civil law used in the DRC and Burundi and common law used in Zambia and Tanzania;

- The team of consultants should have knowledge of local legislation in each of the riparian countries, specifically for Result 2 it is required to have at least one consultant in every capital, this can include subcontracted partner firms.

Application
Interested parties are requested to express their interest to RVO by completing the table below and sending this information by e-mail to Jeannette Keyzer, jeannette.keyzer@rvo.nl of the Procurement Office. No supporting documents are required at this stage.

Name company	
Website	
Name contact person, position + e-mail address	
Can the party carry out the assignment in accordance with the requirements set above and the terms of reference?	Yes / No
Can the party carry out the assignment within the given budget range?	Yes / No
Is the party available to carry out the assignment from end of January – June 2027	Yes / No
Relevant experience: You are requested to provide a brief explanation, based on your previous experiences and skills, of why you believe you are capable of completing this assignment.	Please submit your response in **Verdana, font size 9**, not exceeding **800 words.** No supporting documents are required at this stage.
If applicable: You are requested to list the name of the company, contact person, position and e-mail address of the consortium partner(s) and/or subcontractor(s).	

As a result of the market orientation, RVO can decide to start a follow-up procurement process. Interested parties can be invited in this process to submit a proposal.

In case of a follow-up process, no distinction will be made between parties that have or have not participated in the market orientation

Deadline
The deadline for responding to this market orientation is set at **December 03, 2026 12pm CET**