



Mekong River Commission

For Sustainable Development

PRIVACY STATEMENT FOR THE MRC SECRETARIAT PROCUREMENT PROCESSES (BIDDING, SELECTION AND EVALUATION PROCESSES, PROCUREMENT CONTRACTS IMPLEMENTATION AND MONITORING)

The Mekong River Commission Secretariat (hereinafter “MRC Secretariat” or “MRCS”) is committed to respecting the dignity and privacy of people, while balancing such rights with the MRC Secretariat’s ability to carry out its mission and activities.

1. When does this privacy statement apply?

This privacy statement explains how the MRC Secretariat may collect and use information as part of its procurement processes. The procurement process includes the submission of bids, the due diligence process,¹ selection and evaluation process of your or your organization’s proposals/bids/quotes, and the implementation of any contract with you or your organization and the MRC Secretariat.

This privacy statement also explains the choices and rights available to you. We reserve the right to modify this privacy statement at any time and encourage you to stay informed by reviewing updates posted on the MRC Secretariat website.

2. Why does the MRC Secretariat process my personal data?

The MRC Secretariat may process personal information to carry out its mission and mandate as an international organization. This means the MRC Secretariat has an interest in collecting and using personal information for the following purposes:

- to assess your or your organization’s capacity and suitability to provide the goods or services financed by the MRC Secretariat, including potential operational, financial and reputational risk which you or your organization (or association with your organization) may present to the MRC Secretariat,
- to assess the background and skills of you or your organization’s employees or consultants who may work under a contract with the MRC Secretariat,
- to undertake regular procurement proceedings, including audit and accounting, quality assurance inspection, risk assessment and mitigation, due diligence, conflict of interest management and contract negotiation and management functions, and
- to select, manage and monitor the MRC Secretariat’s suppliers, as part of its procurement process.

3. What information will be collected about me and how will it be used?

The information the MRC Secretariat will collect about you includes:

¹ As described in the MRC Secretariat Due Diligence Guidelines.

- business contact details, such as names, titles, addresses, emails, phone numbers, etc.;
- fiscal or financial information, such as financial statements, audit reports, bank details, VAT or other tax registration number, invoices including supporting documentation such as timesheets, receipts, etc.;
- professional background (skills, education, employment, qualifications, memberships and associations, partnerships etc.);
- biographical information, such as gender, date of birth, family relations, nationality, right to work or conduct business in relevant locations; and
- reports of suspected or credible links to prohibited practices, professional misconduct or unethical activities (as set out in the MRC Secretariat's Exclusion Criteria) that may present risks, including operational, financial or integrity risk, to the MRC Secretariat.

The personal information will be made available to the evaluators or members of the proposals/bids/quotes evaluation panel, the MRC Secretariat's auditors (internal and/or external), as well as the relevant employees and consultants of the requesting business unit, the MRCS HR and Procurement teams, who have a need to obtain the information to ensure compliance with the procurement process. The personal information will also be made available to the relevant teams conducting the MRCS due diligence process.

4. Where does the MRC Secretariat obtain information?

The MRC Secretariat may obtain personal data directly from individuals applying for consultancies or individuals providing their own information as representatives of bidders or suppliers. Personal data may also be obtained indirectly from organizations lawfully providing personal information for their employees, sub-contractors, consultants, etc.; MRCS may obtain information provided by bidders or suppliers, current or past employers, clients or associates, public partners such as governmental authorities or intergovernmental organizations, from public sources such as judicial records, sanctions lists, media and social media.

5. How long will the MRC Secretariat keep my information?

The MRCS retains information for up to seven (7) years.

6. How does the MRC Secretariat protect my information?

The MRC Secretariat has put in place a set of measures to protect information, including strong information security policies and controls baseline, as set out in its Personal Data Protection Guidelines (which can be accessed here: [[PPD Guideline](#)]).

7. What if I don't wish to provide my information?

You are not obliged to participate in the MRC Secretariat's procurement process as an individual consultant, or an organization. If you choose not to provide certain information about yourself, MRCS may not be able to fully assess your or your organization's capacity to perform the work and this could result in MRCS not being able to award or enter into a contract with you or your organization. If you are an employee, consultant or other contractor of a supplier, or applicant to become a supplier and you believe your employer or contractor has not lawfully provided your personal information to the MRC Secretariat please contact the MRC Secretariat at the e-mail address below.

8. Whom should I contact if I have questions about my personal information?

You may request at any time to access your personal information or that your personal information be corrected or deleted in connection with the MRC Secretariat's procurement process. In case of a request for deletion and depending on the nature of the information to be removed, the MRC Secretariat reserves the right to no longer consider a bid or proposal if the deletion results in the minimum criteria for such bid or proposal cannot be met any more.

You are invited to contact mrcshr@mrcmekong.org if you have questions about your personal information, including if you have any complaints with respect to how the MRC Secretariat treats your personal information.

For your protection, the MRC Secretariat will only implement requests with respect to the personal information associated with the particular email address that you use to send us your request, and you may need to verify your identity before the MRC Secretariat is able to implement your request. Verification may require that the MRCS asks you to provide other personal information or use certain security measures. If MRCS is unable to verify your request, it may not be able to implement the request for security reasons.

The MRC Secretariat will endeavour to comply with your request as soon as reasonably practicable. In some cases, certain information may need to be retained where important public interests require this, such as the safety and security of individuals; the rights and freedoms of others; the integrity of audit, investigation, arbitral or judicial processes; and/or recordkeeping or legal purposes.

9. Privileges and immunities

Nothing in or related to this privacy statement may be construed as a waiver, express or implied, of the privileges and immunities accorded to the MRC Secretariat under international law, including international customary law, any international conventions, treaties or agreements, or any national laws.