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12 November 2007

To: Chief Executive Officer of the Mekong River Commission Secretariat,  
Vientiane, Lao PDR

Donor institutions currently supporting the Mekong River Commission

**Re: MRC and hydropower dams on the lower Mekong mainstream**

We, the undersigned citizens groups, are writing to express our concerns about the revival of plans to build dams on the lower Mekong, and the failure of the international Mekong River Commission to uphold the 1995 Mekong Agreement at this critical juncture.

Please find below our assessment of the situation and our recommendations for action.

We are aware that the governments of Lao PDR, Cambodia and Thailand have granted permission to Thai, Malaysian and Chinese companies, to conduct feasibility studies for up to six large hydro dams on the lower Mekong. These same six sites – four in Laos, one in Cambodia and one on the Thai-Laos border – were recommended by Canadian and French consultants in a report published by the Mekong Secretariat in Bangkok in 1994. The plan did not move ahead at that time, however, not least because it was publicly condemned as too costly and environmentally damaging by a number of MRC donors, as well as fisheries biologists, academics, citizens groups, and dam-affected community leaders.

Since that time, the adverse (and typically unmitigatable) transboundary impacts of large hydro dams on fisheries and fishing-based livelihoods have become painfully evident to thousands of riparian communities throughout the Mekong basin. These impacts and the connectivity between the river's seasonal patterns and fisheries productivity have been well documented by MRC scientists, hydro consultants, and many community organizations. Research published by the Mekong River Commission in 2004 identifies dams built for purposes of irrigation, hydroelectricity and flood control as “the overriding threat to the future of the Mekong’s fish and fisheries.” At the Mekong River Commission’s 6<sup>th</sup> Technical Symposium on Mekong Fisheries (2003), researchers concluded that “any dam on the Mekong mainstream . . . could be disastrous for fisheries, but [the Sambor] site is the worst possible location.” If built, it would block a crucial passageway for fish migrating from Cambodia’s Tonle Sap into the Mekong’s deep pools where fish take refuge in the dry season. Further upstream, Hou Sahong, the proposed site of Don Sahong dam in the Khone Falls area of southern Laos, is another vitally important channel for fish migrations, according to fishery biologists at the Phnom Penh-based WorldFish Center. Even a small percentage decline in Mekong and Tonle Sap fish yields would translate into significant economic losses for Cambodia, according to Cambodia’s National Mekong Committee, where the fishing industry accounts for

roughly 12 percent of national GDP. As well, for thousands of rural communities living along the Mekong and around Tonle Sap, any decline in riparian fisheries directly threatens their food security and livelihoods.

Despite the serious ecological and economic implications of damming the lower Mekong, the Mekong River Commission has remained notably silent. We find this an extraordinary abdication of responsibility. Under Article 7 of the 1995 Mekong Agreement, the Commission is required “to make every effort to avoid, minimize and mitigate harmful effects that might occur to the environment, especially the water quantity and quality, the aquatic (eco-system) conditions, and ecological balance of the river system, from the development and use of the Mekong River Basin water resources.” Conceivably, the Mekong River Commission could advise riparian states against building dams on the mainstream based on the best available scientific knowledge about the river’s ecosystem.

In broader terms, the Commission has a mandate “to cooperate in all fields of sustainable development, utilization, management and conservation of the water and related resources of the Mekong River Basin including, but not limited to irrigation, hydro-power, navigation, flood control, fisheries, timber floating, recreation and tourism, in a manner to optimize the multiple-use and mutual benefits of all riparians.” In contrast, we have no confidence that studies conducted by the Thai, Malaysian and Chinese companies will seek to “optimize” multiple uses and benefits for all riparians.

The MRC mandate is based on a recognition that the Mekong is a vast international resource and therefore decisions affecting its use and management cannot be undertaken without due consideration of the countries sharing the river and its multiple uses and functions by diverse groups. Simply put, the Mekong is not the sole domain of any one riparian state or group.

To fulfill its obligations under the Agreement, the Mekong River Commission has the authority to conduct “assessments for the protection of the environment and maintenance of the ecological balance of the Mekong River Basin” (Article 24), insist on procedures of consultation among and within the member states, and evaluate proposed uses of the Mekong in terms of their impact on flow in the mainstream and the Tonle Sap (Article 6).

At the very least, the MRC should be providing some measure of professional oversight and technical assessment of the proposed dam projects, including an open and participatory review of the feasibility studies prepared by Thai, Malaysian and Chinese dam builders. The MRC can start by publicly releasing its fisheries evaluation of the proposed Don Sahong dam, which we understand has already been completed.

If the MRC does not act now to uphold the 1995 Agreement and defend the ecological integrity of the Mekong, the institution is a river authority in name only and does not deserve the tens of millions of dollars worth of grants and technical assistance that it receives from international donor agencies annually. As such, we are urging MRC donors to review and reconsider funding for the institution.

Signed,

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