Transboundary Water Governance and Institutional Effectiveness in the Lower Mekong Delta

An analysis of the Mekong River Commission

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Transboundary Water Governance

WATER REPRESENTS ONE OF THE MOST IMPORTANT NATURAL RESOURCES FOR OUR PLANET

WATER IS A FINITE RESOURCE, IT NEEDS TO BE USED WITH GOOD GOVERNANCE

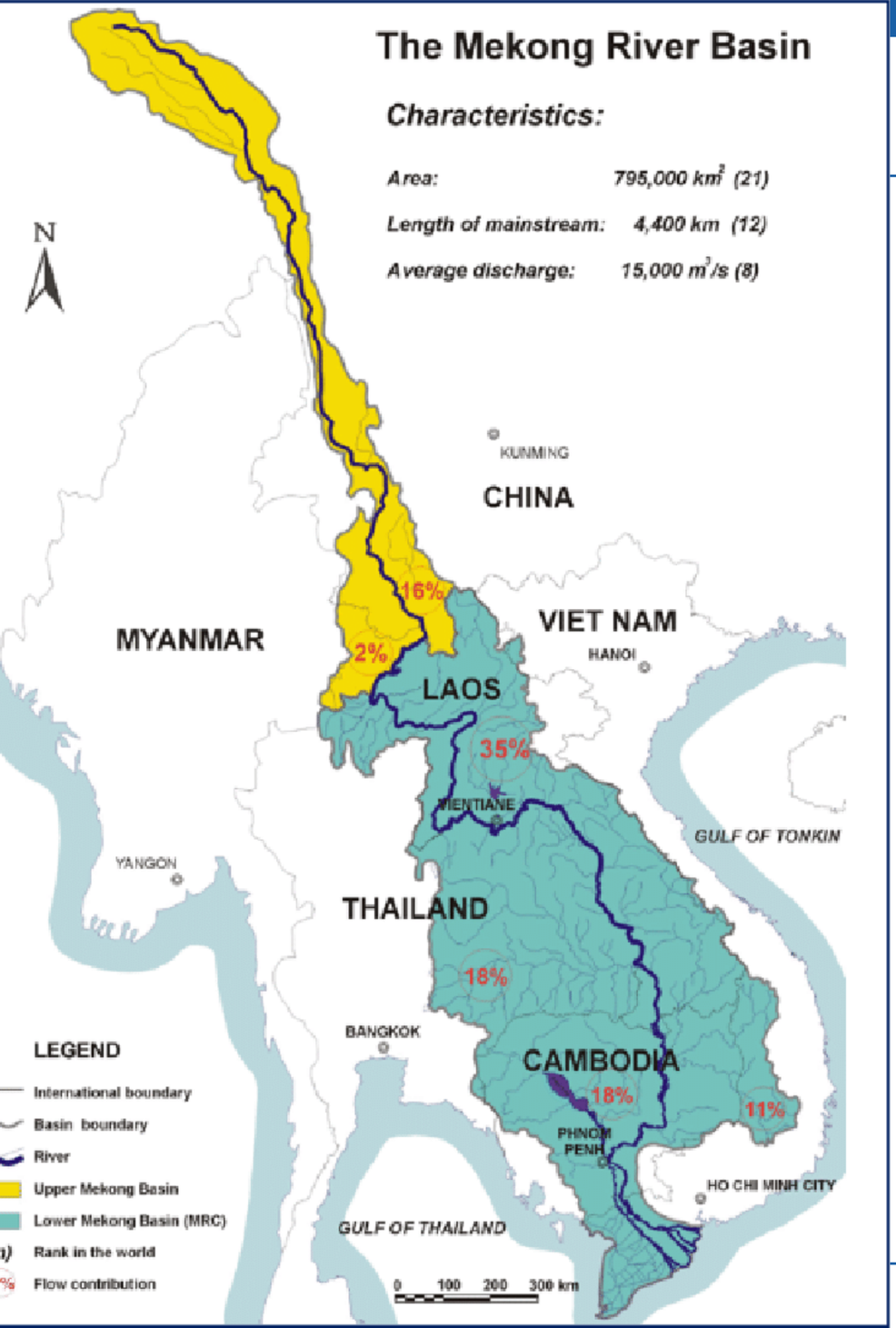
«A WATER CRISIS IS OFTEN A CRISIS OF GOVERNANCE» (GLOBAL WATER PARTNERSHIP, 2000)

«TRANSBOUNDARY WATER GOVERNANCE IS INTERCONNECTED AND INTERTWINED WITH SEVERAL DEVELOPMENT RELATED ISSUES, SUCH AS SOCIAL, ECONOMIC, ENVIRONMENTAL, LEGAL AND POLITICAL ASPECTS; AT THE INTERNATIONAL, REGIONAL AND LOCAL LEVELS.» (BISWAS, 2008)

«INSTRUMENTS FOR WATER MANAGEMENT EMERGED FROM INTEGRATED WATER RESOURCES MANAGEMENT, TO LEARNING-BASED ADAPTIVE GOVERNANCE, UNDERSTANDING THAT WATER IS A CROSS CUTTING PROBLEM» (GUPTA ET AL, 2013)

INTEGRATED WATER RESOURCE MANAGEMENT (IWRM) IS THE APPROACH USED IN TRANSBOUNDARY WATER GOVERNANCE

IWRM IS A UNIVERSAL APPROACH TO MANAGE WATER RESOURCES, AND TO COORDINATE SOCIAL AND ECONOMIC NEEDS FOR DEVELOPMENT AND ENVIRONMENTAL PROTECTION WITH RIPARIANS

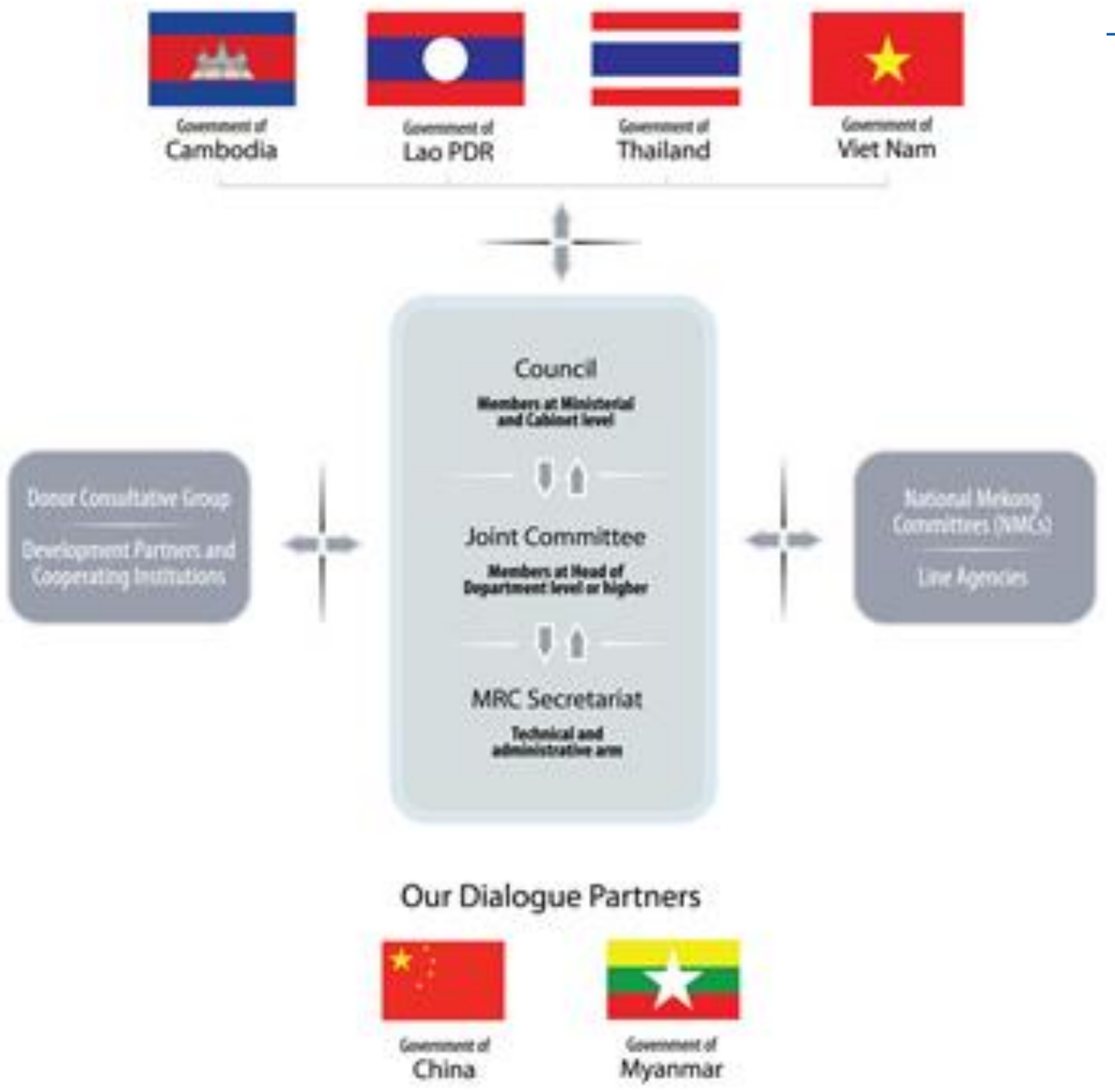


The Mekong Delta

- There are many rivers globally that needs better water management, the iconic Mekong Delta it has been at the epicenter of contemporary debates for years
- The Mekong Delta is the 10th largest river in the world. It starts from China, crossing three provinces, continuing into Myanmar, Laos, Thailand, Cambodia and Vietnam, before ending in the South China Sea

The Mekong River Commission governance structure

- The Mekong River Commission (MRC) established in 1995 is an agreement between Cambodia, Laos, Thailand and Vietnam
- China and Myanmar are dialogue partners
- The MRC is divided in three body: the Council, the Joint Committee and the Secretariat



MRC Structure: Positive VS Negative Aspects

✓ Inclusion of *sustainable development* and *environmental and ecological balanace* concepts

✓ Creation of *the Basin Development Plan* (BSD)

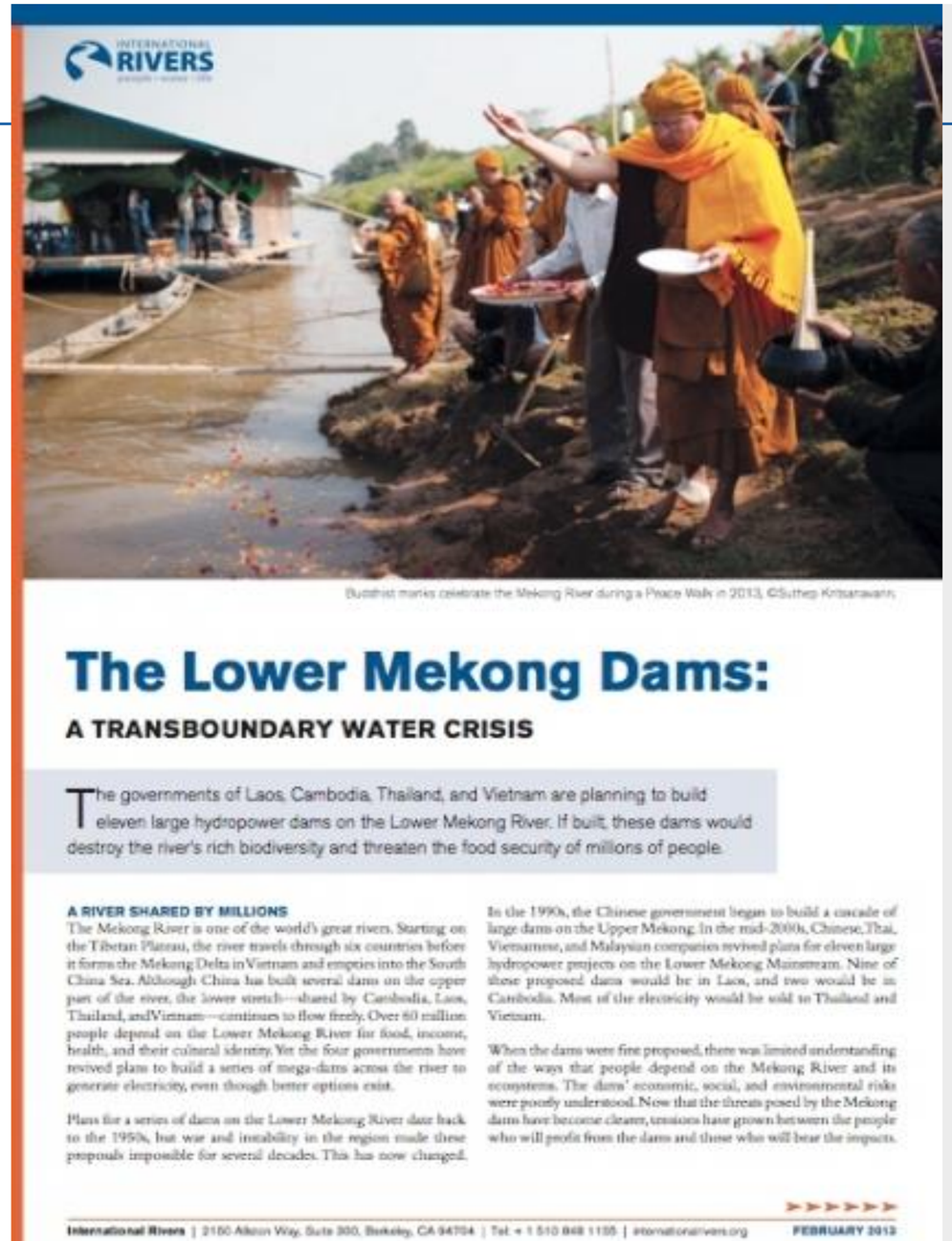
✓ IWRM approach included in the 1995 Agreement

✗ China and Myanmar are *not* included in the MRC

✗ BDP does *not* have a binding agreement between MRC member states

✗ *Upstream* vs *downstream* economic interests

Gap, Conflict and Challenges



Buddhist monks celebrate the Mekong River during a Peace Walk in 2013. ©Suthep Kritsanawarin.

The Lower Mekong Dams:

A TRANSBOUNDARY WATER CRISIS

The governments of Laos, Cambodia, Thailand, and Vietnam are planning to build eleven large hydropower dams on the Lower Mekong River. If built, these dams would destroy the river's rich biodiversity and threaten the food security of millions of people.

A RIVER SHARED BY MILLIONS

The Mekong River is one of the world's great rivers. Starting on the Tibetan Plateau, the river travels through six countries before it forms the Mekong Delta in Vietnam and empties into the South China Sea. Although China has built several dams on the upper part of the river, the lower stretch—shared by Cambodia, Laos, Thailand, and Vietnam—continues to flow freely. Over 60 million people depend on the Lower Mekong River for food, income, health, and their cultural identity. Yet the four governments have revived plans to build a series of mega-dams across the river to generate electricity, even though better options exist.

Plans for a series of dams on the Lower Mekong River date back to the 1950s, but war and instability in the region made these proposals impossible for several decades. This has now changed.

In the 1990s, the Chinese government began to build a cascade of large dams on the Upper Mekong. In the mid-2000s, Chinese, Thai, Vietnamese, and Malaysian companies revived plans for eleven large hydropower projects on the Lower Mekong Mainstream. Nine of these proposed dams would be in Laos, and two would be in Cambodia. Most of the electricity would be sold to Thailand and Vietnam.

When the dams were first proposed, there was limited understanding of the ways that people depend on the Mekong River and its ecosystems. The dams' economic, social, and environmental risks were poorly understood. Now that the threats posed by the Mekong dams have become clearer, tensions have grown between the people who will profit from the dams and those who will bear the impacts.

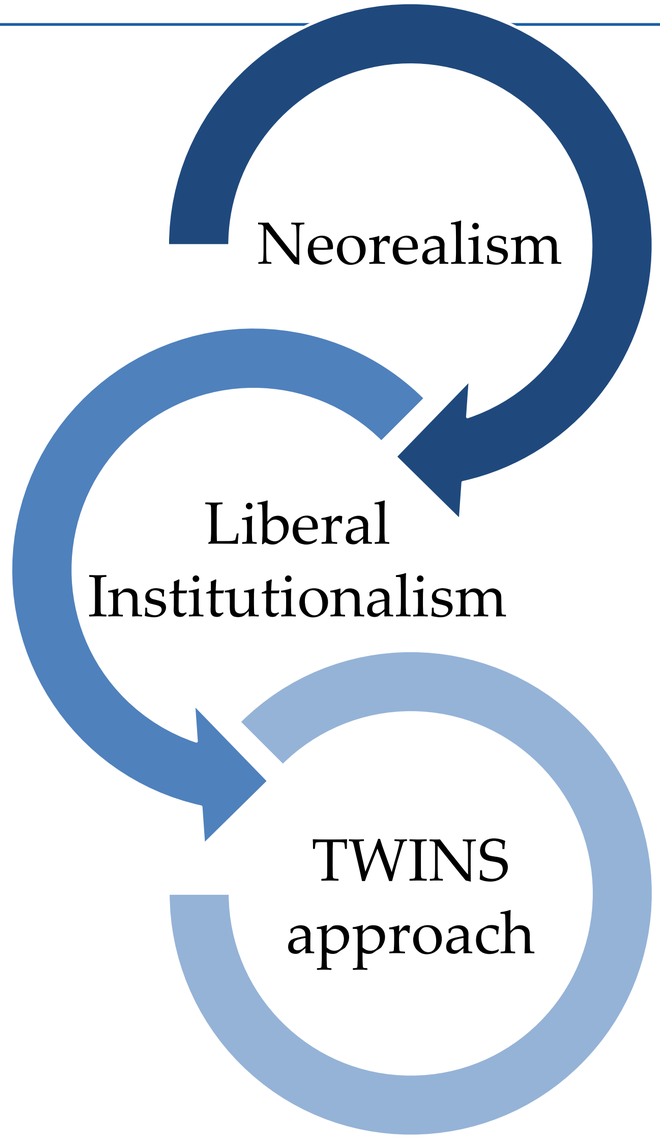
Gap: between the regional and national decision making process

Conflict: between upstream and downstream riparians

Challenges:

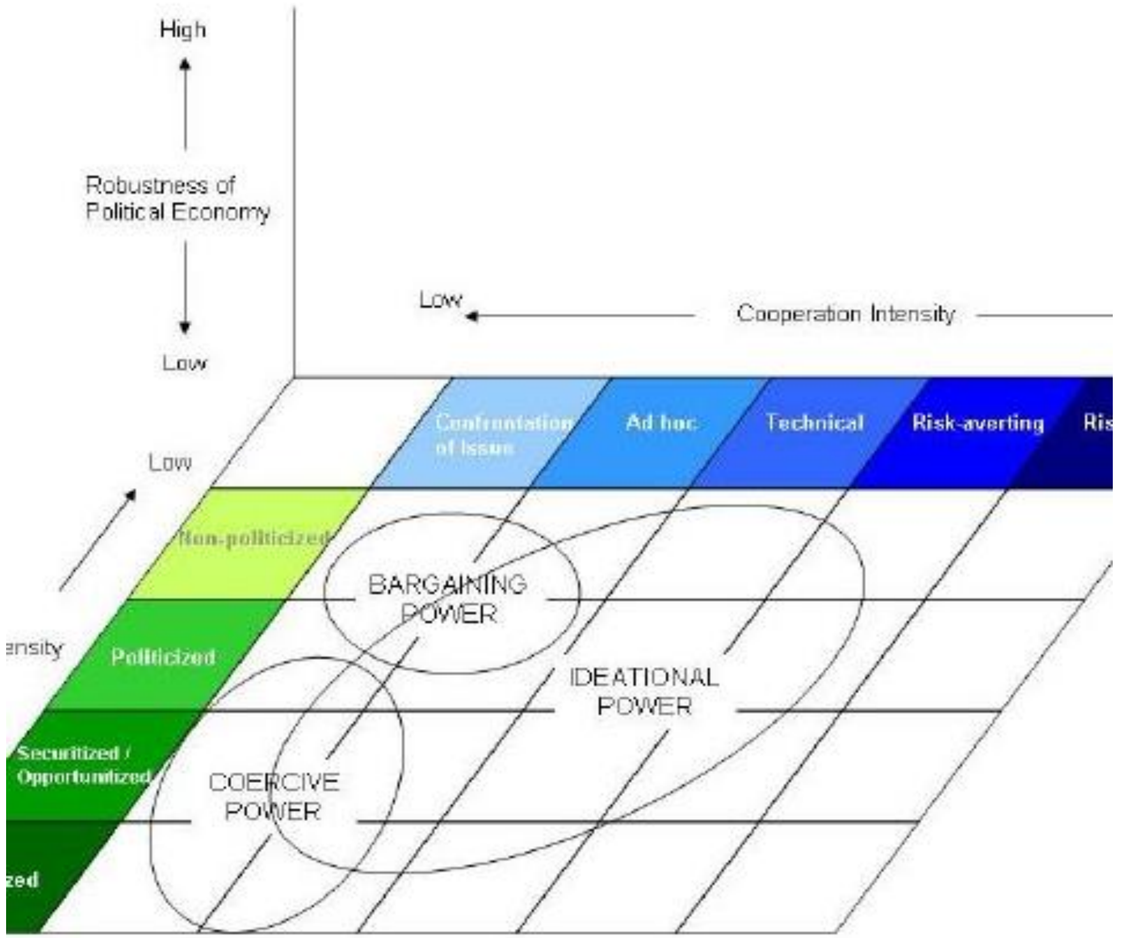
- IWRM principles are *not* fully applied by the MRC member states
- Dams construction by China affects the sustainability of the Lower Basin of the MD and its local livelihood

Theories in Hydro-governance



TWINS approach

- Water relations are under circumstances of *asymmetric power* (Mirumachi & Allan, 2007)
- the role of asymmetric power can explain *conflict and cooperation* relation
- this power is expressed as coercive, bargaining and ideational power (Mirumachi & Allan, 2007)
- The figure shows the three faces of power TWINS conceptual approach, where the different faces of power can be used *simultaneously*



MRC historical background

- In 1975 the Mekong Committee (MC) established the mandate to «*promote, coordinate, supervise and control planning and investigations of water resources development projects in the LMB*» (Article 4 of the Statute)
- The MC plan focused on designing tributary projects for dams constructions, mainly in Laos and Thailand
- Up to 1960s the WB financed many dam projects, US became an allay for Laos and Thailand
- After US decision to withdraw to financially support Southeast Asia, member countries faced critical issues in water resources management
- The figure shows the current situation of dams construction in the MD

BDP and GMS

- A review of the Basin Development Plan (BDP) was announced to reassess water resources development
- Western aid came back through the WB and the Asia Development Bank (ADB) offering *financial help*
- In 1992 the ADP established the Greater Mekong Sub-Region programme (GMS)
- The GMS focused on member states' economic growth, rather than its natural resources preservation → it *negatively* affects local livelihood and it raises *inequalities*
- In 1995, the MRC is created in a severe period of *water scarcity*
- Introduction of Article 2 and 5, marked a turning point in the MD water management
- The MRC did not specify the BDP as a binding plan for MRC member states → the MRC institutional effectiveness appears *weak*

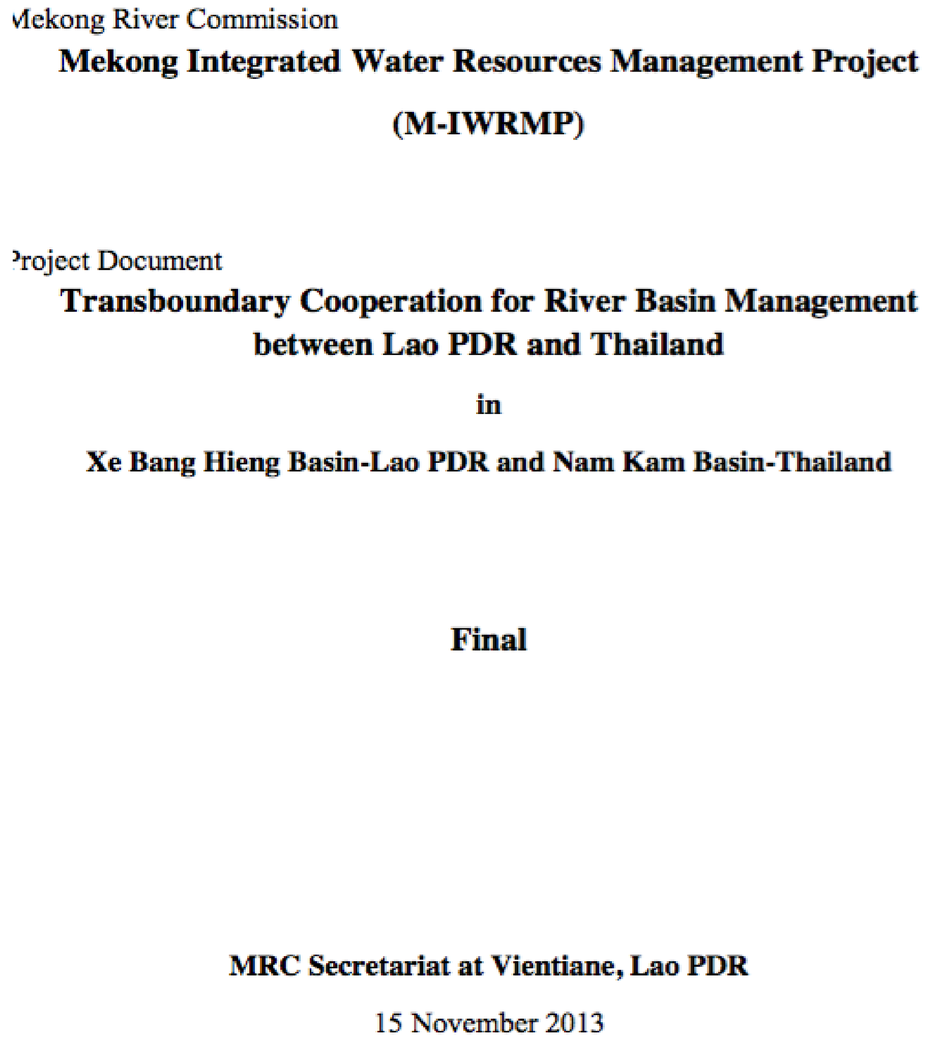
Measuring Institutional Effectiveness

	INDICATORS	ASSESSMENTS
OUTPUTS	Rules, Mandates, Tasks, Goals	Binding rules and clear mandates, tasks and goals
	Inclusiveness	Inclusion of all Riparians
	Non-Compliance, Monitoring & Reporting, Audit & Dispute Mechanism	Existence of mechanisms and procedures to strength institutional effectiveness
	Decision-Making Process	Decision making process is designed in order to achieve effectiveness
OUTCOMES	Database & Data	Effectiveness and reliability of data
	Leadership	Effective leadership or not
	Stakeholder participation	Inclusion of all actors involved with water resources management in transboundary water governance
IMPACTS	Environmental impacts	Environmental consequences on the MRC effectiveness
	Social and Economic impacts	The MRC's impacts at social and economic level in the MD

Table of Indicator for Measurement Institutional Effectiveness (Source: Young, 2011)

M-IWRM Project Laos & Thailand

- The goal of the M-IWRMP is to institutionalize IWRM approaches and principles in the region via the MRC framework and its member countries.
- The projects addresses IWRM challenges in the Lower Mekong Basin (LMB) through a three tier approach, combining interlinked regional, national and transboundary initiatives (Basin-Thailand, 2013)



Mekong River Commission

Mekong Integrated Water Resources Management Project

(M-IWRMP)

Project Document

Transboundary Cooperation for River Basin Management between Lao PDR and Thailand

in

Xe Bang Hieng Basin-Lao PDR and Nam Kam Basin-Thailand

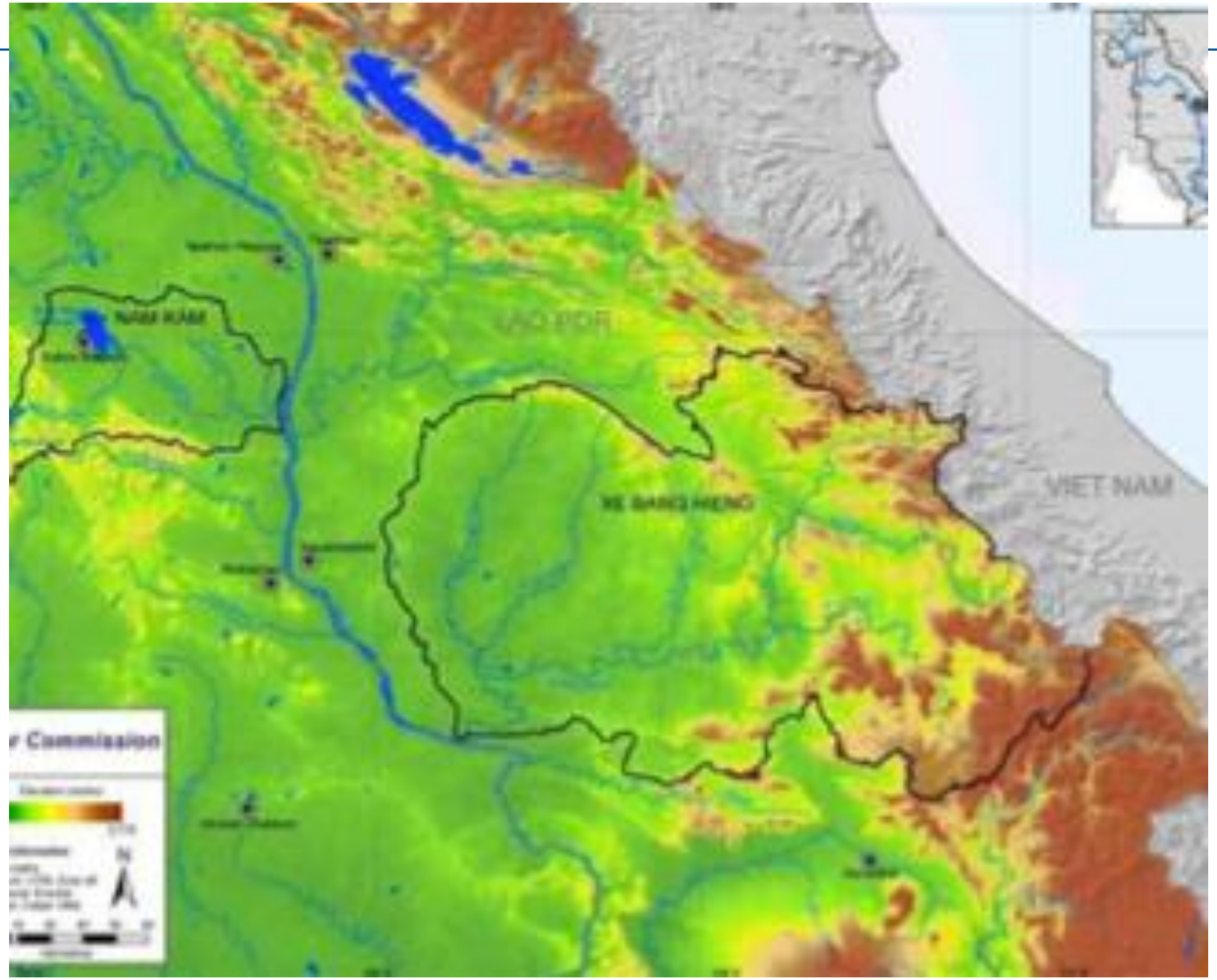
Final

MRC Secretariat at Vientiane, Lao PDR

15 November 2013

Xe Bang Hieng basin of Laos & Nam Kam River basin of Thailand

- The Xe Bang Hieng basin and the Nam Kam River are located near each other and they share similar livelihood, water resources problems and IWRM issues
- They both contribute to the flow and quality of the Mekong River



Results of the Project

Goal: Support pro-poor development, sustainable livelihoods and maintain mainstream of the Mekong River

Objective: Enhanced transboundary cooperation between Lao PDR and Thailand and improved river basin management.

Outcome 1:
RBCs/RBPs and working groups applying IWRM principles and preparing IWRM-based river basin management plans

Outcome 2:
Knowledge and IWRM tools to support river basin planning and management being used effectively

Outcome 3:
Strengthened transboundary cooperation and effective transboundary project implementation and management

Output 1.1: RBCs and working groups established

Output 1.2: Capacity needs identified and capacity built

Output 1.3: Enhancement of river basin networks and knowledge transferred to sub-basin level

Output 2.1: Databases and base maps of the river basin

Output 2.2: State and trends of the river basins

Output 2.3: Demonstration and application of relevant IWRM tools to support river basin planning and management

Output 2.4: IWRM-based river basin management plans and action plans focused on integrated wetland and flood management and sustainable irrigation development

Output 3.1: Project implementation and management structures established

Output 3.2: Data and information shared, experiences and lessons exchanged and MRC PDIES Procedure applied

Output 3.3: Effective transboundary project implementation and management

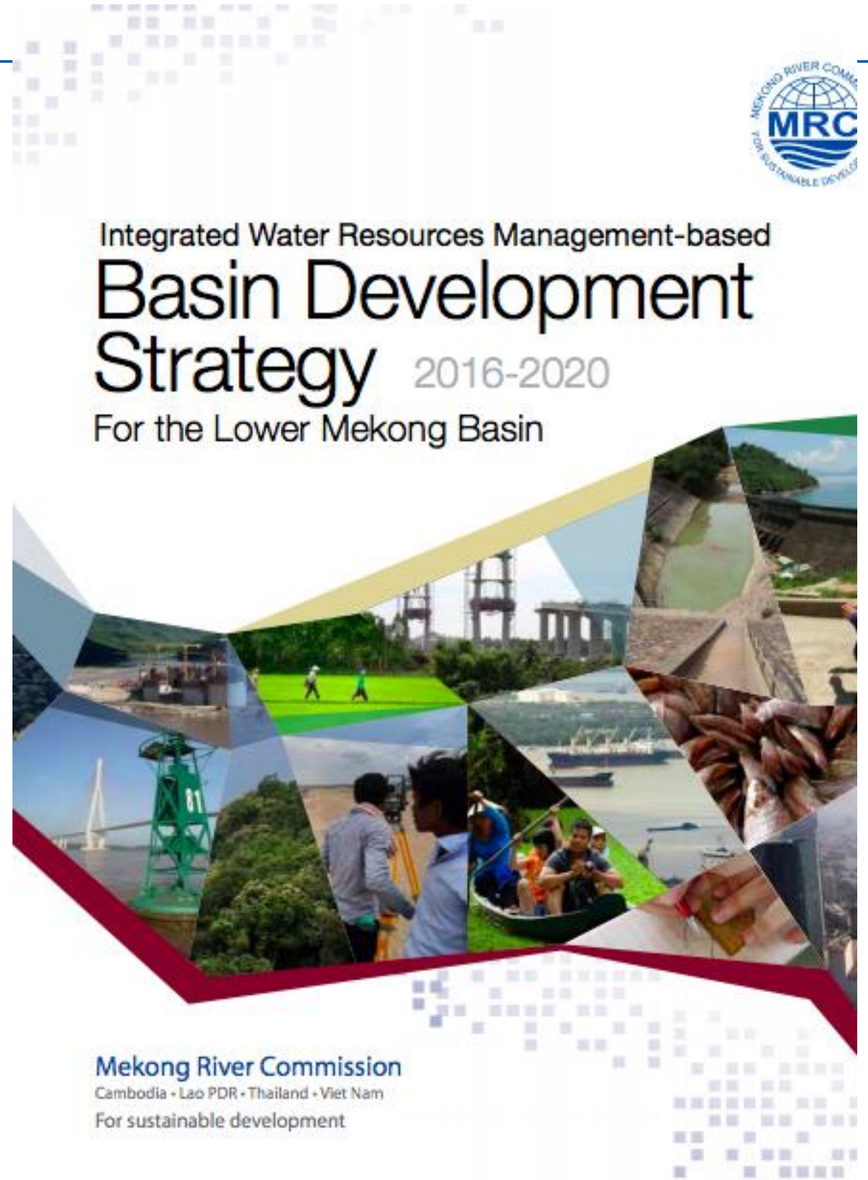
Interviews

- How effective have been the intervention of the MRC in the water management of the Mekong Delta?
- How far the role of the MRC has helped facilitating a better governance and management of the Mekong Delta?
- To what extent the political economy conflict of Southeast Asia countries had an impact on the water management of the MD?
- International organizations (World Bank, UNEP, etc.) have given financial help to tackle negative impacts in the MD. How effective they have been?

Interviewee	Name	Organization/ Occupation	Contact
1	Dr. Dang Thanh Lam	Deputy Director, Southern Institute for Water Resource Planning	dangthanhlamvn@yahoo.com
2	Dr. Dang Kieu Nhan	Vice Director, Mekong Delta Development Research Institute, Can Tho University	dknhan@ctu.edu.vn
3	Dr. Le Anh Tuan	Deputy Director, Research Institute for Climate Change (DRAGON institute - Mekong)	atuan@ctu.edu.vn
4	Dr. Ho Long Phi	WACC -Water Management and Climate Change	hlphi.wacc@yahoo.com

2010-2016 VS 2016-2020 BDP

- MRC BDP 2016-2020 aims to implement access to data monitoring available for the public
- There are still *gaps* in implementation of the MRC procedures, especially in relation with data requirements and their use
- Lack of awareness of the MRC's actions in relations with the national planning → *limited dialogue and cooperation* about national implications at the regional level and *scarce inclusion* of member countries in the national dialogue
- The MRC is *not* fully included in the policy decision-making of dams constructions
- In 2019 and 2020 it is foreseen to attain a *realistic* approach:
  - Decentralization of activities in river basin management
  - Improvement of monitoring activities
  - Advanced systems for data sharing and information



Analysis of Findings

The M-IWRM project had successful results, with specific regards to better data monitoring and evaluation; IWRM adaptation; database implementation to track water challenges

Interviewees responses confirmed that MRC intervention in water management has been effective *only in part*

The MRC's lack of coordination in decision-making shows the current lack of *horizontal coordination* between national ministries and *vertical coordination* between various level of governments

The lack of clear objectives for data assessment and lack of communication at the national level to access data → low effective jurisdictional river management

Non inclusion of China in the MRC represents a big gap to enhance effective water governance

Conclusions

- MRC needs to build trust and cooperation
- Engagement of multi-stakeholders actors
- «Public participation increases policy effectiveness because additional information is provided» (Holmes & Scoones, 2000)
- «Including experiences and management practices from local stakeholders, could increase the link between the RBO and water resources users at the local level» (Miller & Hirsch, 2003)
- The MRC lack of coordination and the inability of information about water management had severe impacts on local communities
- The MRC (in)effectiveness has proved to be higher during the period going from the Cold War to BDP 2010-2016
- It is envisaged that through:

1. The inclusion of upstream countries in the MRC
2. The public participation in transboundary water governance

→ the hope for a sustainable MD and the achivement of MRC efecttiveness can be tangible

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Thank you for your attention

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