

Cambodia • Lao PDR • Thailand • Viet Nam
For sustainable development



WORKSHOP ON THE GLOBAL APPLICATION OF
THE CONVENTION AND PROTOCOL
9 November 2016, Geneva, Switzerland

Trans-boundary Environmental Impact Assessment in the Mekong River Basin



Truong Hong Tien
Director of the Environmental Management Division
Mekong River Commission

www.mrcmekong.org

Presentation Outline



1

- Mekong River Basin and Commission

2

- Progress on TbEIA Development

3

- Application of TbEIA/SEA in the Mekong

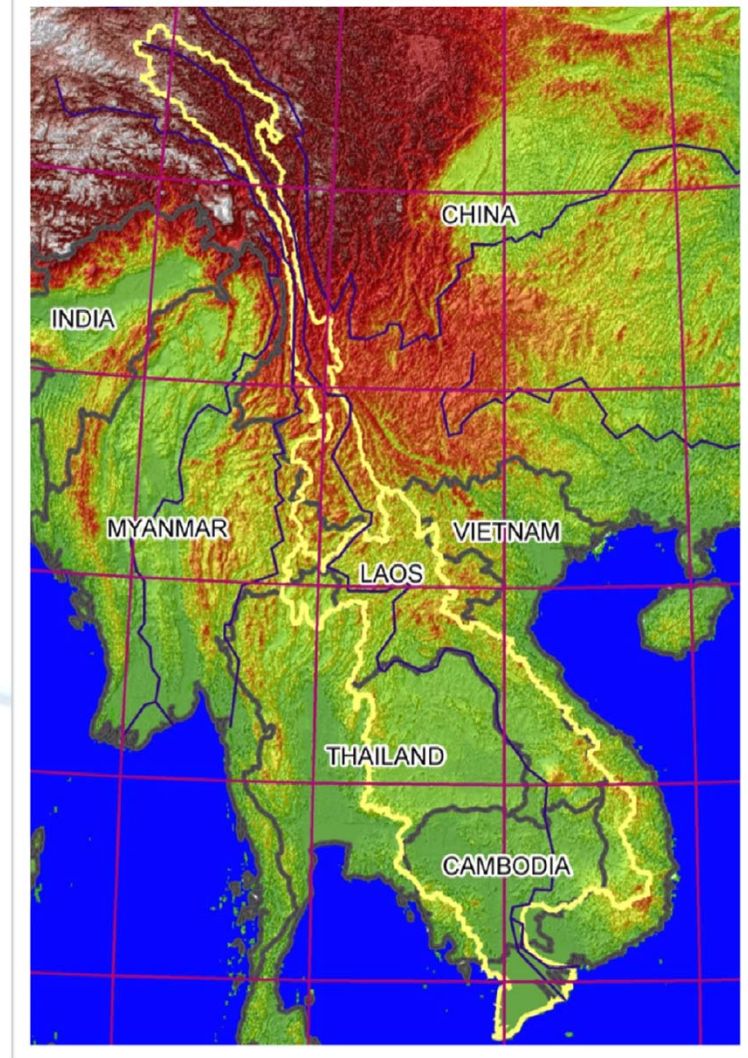
4

- Challenges and Opportunities

5

- Way Ahead

Mekong River Basin



A transboundary river basin of six countries:

China, Myanmar, Lao PDR, Cambodia, Thailand and Viet Nam

Mekong River Commission Governance Structure



1995 Mekong Agreement

- **Article 1:** To cooperate in all fields of sustainable development, utilisation, management and conservation of the water and related resources of the Mekong River Basin ...
- **Article 3:** To protect the environment, natural resources, aquatic life and conditions, and ecological balance of the Mekong River Basin from pollution or other harmful effects...
- **Article 5:** To utilize the water of the Mekong River System in reasonable and equitable manner in their respective territories...



MRC PNPCA



- ❑ **In 2003:** Pursuant to 1995 MA, Procedures for Notification, Prior Consultation and Agreement (PNPCA) was established.
- ❑ By demanding notification and prior consultation, PNPCA in fact is the first step of TbEIA and is considered as the precursor of the TbEIA.
- ❑ PNPCA acts as a potential triggering mechanism to determine whether the TbEIA is necessary for a certain project.

PROGRESS OF TbEIA DEVELOPMENT



- ❑ **2002:** To adopt and apply TbEIA for water resources development, official development of TbEIA (Framework, Technical Guidelines and Institutional Support) was started.
- ❑ **2006:** Draft TbEIA for Mekong was completed.
- ❑ **2009-2011:** Two pilot studies on bank erosion in Bokeo (Lao PDR) and in Chiang Rai (Thailand) were conducted to test and revise the Framework.
- ❑ **2011:** Development of Technical Guidelines (TGs) and Institutional Support was initiated.
- ❑ **2015 2017:** A pilot study (Sesan River between Cambodia and Viet Nam) was agreed by the Member Countries to verify the Technical Guidelines.

CHALLENGES



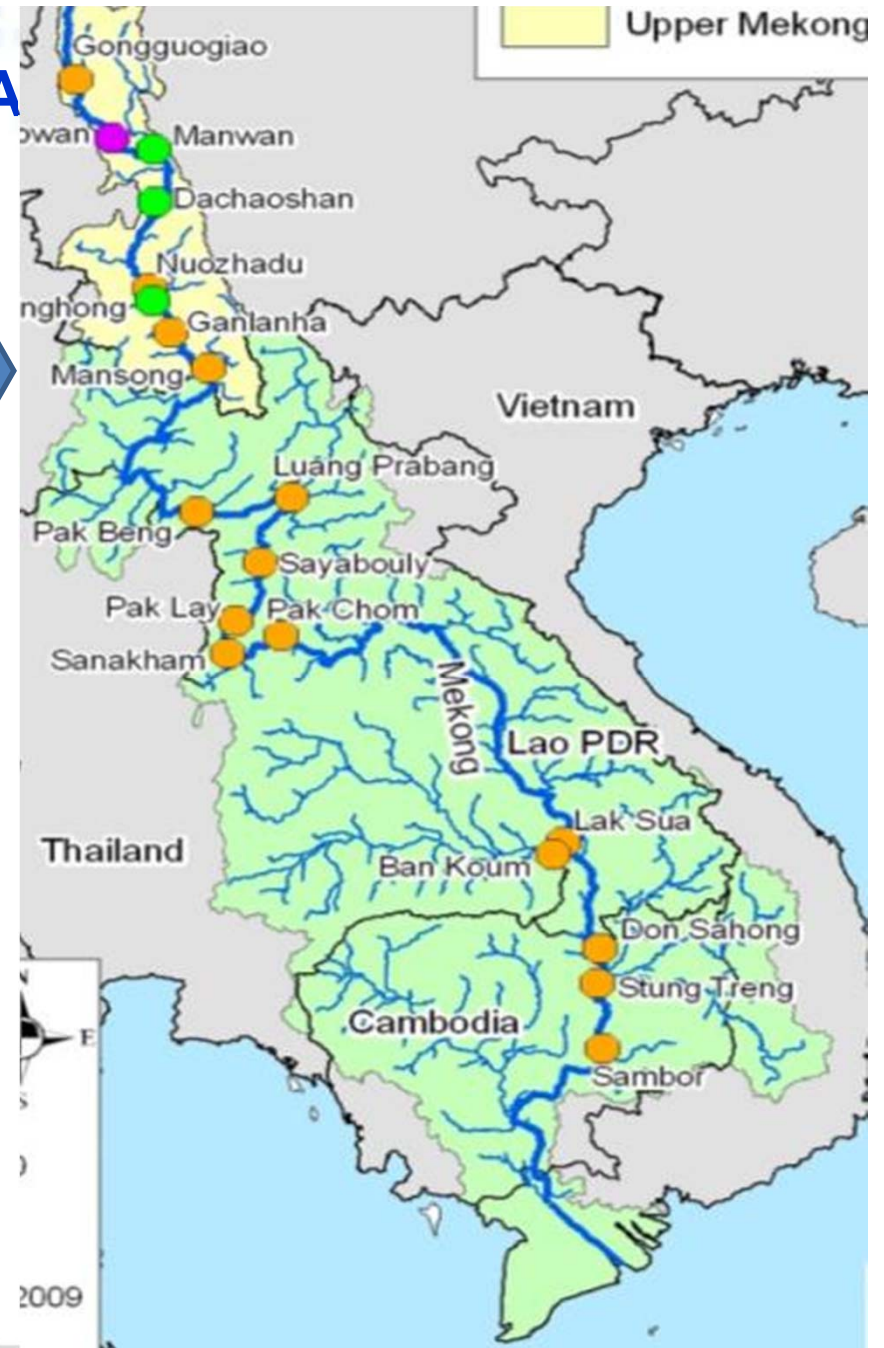
After more than decade of development, the TbEIA framework for the Mekong has not been finalized. The main reasons identified are follows:

- ❑ Differences between the countries: Sovereign nations, national development plans, differing development priorities, varying levels of economic development and different political systems.
- ❑ National laws do not require TbEIA.
- ❑ Different views on whether the TbEIA be implemented on a voluntary or legal binding basic.

APPLICATION OF T&EIA/SEA IN THE MEKONG (1)

Hydropower
development on the
Mekong mainstream

- **2009-2010:** To support for the decision making, the MRC was in collaboration with its member countries to conduct the **SEA** study on the impacts of the mainstream dams on the Lower Mekong Basin.



APPLICATION OF T_bEIA/SEA IN THE MEKONG (2)



- ❑ **October 2010:** Lao PDR officially submitted the documents on feasibility study of the **Xayabury hydropower project** proposed on the Mekong mainstream to the MRC for prior consultation (PNPCA process).
- ❑ **April 2011:** After completion of six-month consultation period, the potentially affected countries requested the developer to carry out the trans-boundary impact assessment of the project.
- ❑ **April 2012:** At the Fourth Mekong-Japan Summit, the Prime Ministers of 4 MRC Member Countries agreed to conduct a **Joint Study** on Sustainable Management and Development of the Mekong River including Impacts of Mainstream Hydropower Projects.

APPLICATION OF TbEIA/SEA IN THE MEKONG (3)



- ❑ **2013-2017:** MRC is collaboration with its member countries to implement the MRC Joint Study.
- ❑ **2013-2015:** In parallel with the MRC Joint Study, Viet Nam government in collaboration with other Member Countries also conducted a Study on the Impacts of Mainstream Hydropowers on the Mekong River (**Delta Study**).
- ❑ **2009-2011:** Two pilot studies on bank erosion in Bokeo (Lao PDR) and in Chiang Rai (Thailand) were conducted to test and revise the TbIEA Framework.
- ❑ **2015-2017:** A pilot study (Sesan River between Cambodia and Viet Nam) was agreed by the Member Countries to verify the Technical Guidelines.

OPPORTUNITIES FOR COOPERATION



- ❑ Highest political commitment to implement the 1995 Mekong Agreement.
- ❑ Common challenges (Increased water demand for economic development, climate change, natural disasters).
- ❑ Long friendship; trend of globalization; and tendency of international water cooperation.
- ❑ Commitment of the MCs in development of the TbEIA framework for the Mekong.
- ❑ International lessons & experiences of application of Espoo Convention.



WAY AHEAD



- ❑ Enhance dialogues at all levels and raise awareness, especially for the decision making (political) level on positive effect of introducing TbEIA in the region.
- ❑ Draw international experiences and best practices from application of Espoo Convention for the Mekong case.
- ❑ Strengthen the capacity of the Member Countries in TbEIA.
- ❑ Seek external supports from regional/international organizations to complete the pilot studies and finalize the TbEIA Framework, Technical Guidelines and Institutional Support.

**Thank you very much
for your attention**

