



– Workshop Summary –

Second Regional Workshop
MRC/ECO-Asia Regional Cooperation Initiative
Promoting Regional Cooperation in the Mekong River Basin
Vientiane, Lao PDR – August 22-23, 2007
Follow-up Workshop in Siem Reap, Cambodia – October 8, 2007

I. Transboundary Cooperation in the Mekong River Basin - Background

As the Mekong sub-region develops, riparian countries have been constructing dams, dikes and irrigation, and navigation waterways that significantly impact river livelihoods. A major challenge for Mekong River countries is the adoption and implementation of policies and practices that enable participatory and collaborative engagement for planning and development that support sustainable development that both protects vital ecosystems and promotes economic and social prosperity, while ensuring prevention, management and mitigation of conflict.

Mekong River Commission and Regional Cooperation

Established in 1995, the Mekong River Commission (MRC) is an intergovernmental organization that fosters cooperation among the four lower Mekong countries of Cambodia, Lao PDR, Thailand, and Vietnam, in the sustainable development of the Mekong River Basin. The MRC Secretariat (MRCS) supports the implementation of the 1995 Agreement by to promote interdependent sustainable and equitable economic growth whilst preserving the natural resources and environmental quality of the river basin. The MRC's goal is to achieve this mission through participatory and collaborative decision-making within and among the Mekong countries.

The MRC Strategic Plan for 2006-2010 includes a goal for the MRC to enhance effective regional cooperation. One objective under this goal is, “[t]o identify potential transboundary issues for negotiation, mediation and conflict prevention; and develop mediation and conflict management capacity.”

MRC and ECO-Asia: Enhancing Effective Regional Cooperation

To support MRC in the achievement of Goal 2, Environmental Cooperation-Asia (ECO-Asia), a regional program of the United States Agency for International Development (USAID), collaborates with MRC to promote the adoption of improved conflict management and prevention policies, plans and mechanisms at the regional and country levels. USAID and the MRCS signed a Note of Arrangement in April 2007 to provide a basis for cooperation on enhancing effective regional cooperation resulting in joint planning, cooperation, and resolution of transboundary water-related issues.

As a first step in this joint program, in June 2006 in Udon Thani, Thailand, MRCS and ECO-Asia co-organized a regional inception workshop to identify priority areas for cooperation in supporting implementation of Goal 2. Proposed activities were: (1) identifying hotspots/issues; (2) developing common conflict prevention and management terminology; (3) developing a conflict management strategy for MRC; (4) developing ideas for improved institutional arrangements and capacity at MRCS; and (5) building capacity within MRC programmes.

As a next step, in February 2007, MRCS and ECO-Asia co-organized a brainstorming meeting in Vientiane, Lao PDR to identify upcoming program needs, define the Secretariat's role and identify possible implementation strategies and activities. As a result of the meeting MRCS and programme staff concluded that MRCS should:

- Focus on conflict prevention and not conflict resolution, since there is no mandate in the 1995 Mekong Agreement for the MRCS to resolve disputes;
- Create linkages among existing conflict management and prevention components in each programme;
- Identify a role for MRCS in supporting National Mekong Committees (NMCs) and other entities requesting MRCS support;
- Develop conflict management-related terminology across the entire organization to establish a common understanding;
- Coordinate and identify potential conflict “hotspots” that will provide a foundation for cooperation and raise awareness for use in future programme planning; and
- Establish a formal coordination function within MRCS to coordinate and support related activities across all MRC programmes.

Based on these outcomes, ECO-Asia has worked with the Secretariat and programmes to organize planning meetings identifying program requirements for ECO-Asia program activities.

II. Second Regional Workshop

MRC and ECO-Asia held a second regional workshop to strengthen the capacity and capabilities of MRC, NMCs, riparian line agencies and MRCS on conflict management/prevention and regional cooperation. Participants included MRCS and programme staff, representatives from the Lao National Mekong Committee, Thailand National Mekong Committee, Vietnam National Mekong Committee, line agencies from these countries, and ECO-Asia. Representatives from the Cambodia National Mekong Committee were unable to attend due to scheduling constraints. Therefore, a follow-up workshop was conducted in Siem Reap, Cambodia on October 8, 2007.

Participants at the follow-up workshop included representatives from the Cambodia National Mekong Committee and line agencies, the Lao National Mekong Committee, Thailand National Mekong Committee, Vietnam National Mekong Committee, MRCS, and ECO-Asia. The agenda for the follow-up workshop was the same as the regional workshop, though shortened to one day. Results from the follow-up workshop are integrated below; however, the descriptions of the sessions are from the regional workshop.

Objectives

The objectives of the second regional workshop were to:

- Present progress of the joint programme between MRC and ECO-Asia, including sharing results from capacity building and training needs survey;
- Share experience and international best practices on the benefits of regional cooperation;
- Share experience and present benefits on identifying hotspots and issues in the basin, including the flood-related hotspots and issues;
- Develop a common understanding of terminology on conflict prevention and management for use in supporting ongoing and planned activities;
- Strengthen capacity on regional cooperation tools and techniques, including issue identification, issue reframing, and collaborative decision-making;
- Share ideas on strategies for improving MRC institutional capabilities for regional cooperation; and
- Discuss next steps in country implementation of planned activities.

Discussion

After welcoming remarks from Dr. Pornsook Chongprasith, Director, MRC Environment Programme (EP), Ms. Berengere Prince from the International Cooperation and Communication Section (ICCS) presented an overview of MRC activities related to conflict prevention and management. Dr. Vitoon Viriyasakultorn of ECO-Asia presented an overview of ECO-Asia activities in collaboration with the MRC. Finally, Mr. Minh Ngoc Huynh from the MRC Flood Management and Mitigation Programme (FMMP) discussed results of present draft working paper on MRC's mandate within 1995 Agreement.

In addition to discussing the benefits of regional cooperation and how other watersheds have cooperated in the past, day one focused on identification and utilization of transboundary issues or "hotspots." **Participants discussed the term "hotspots" and it was suggested that using the words "differences" or "issues" may be more useful.**

A. Inventory of Transboundary Issues

Some of the main objectives of this second regional workshop were to: (1) present the benefits of identifying transboundary issues in the basin, (2) discuss previous work related to transboundary issues; (3) discuss ways MRC and NMCs could use an inventory or map of transboundary issues; and (4) if the countries agreed that identifying issues was an important tool in conflict prevention, agree on some initial criteria to identify issues and discuss next steps in implementation.

(1) Benefits of identifying transboundary issues. The theoretical benefits of identifying transboundary issues are that prevention is more effective and cheaper than fixing a problem/issue after an event, and that cooperation in addressing issues may identify options and opportunities not realized before. Because the MRC is fundamentally about cooperation in the sustainable development of (and use of) the Mekong River Basin, cooperation requires capacities to address constraints, impacts, priorities, and identify opportunities- addressing issues contributes to this. There is always an issue of managing change, and working with issues allows MRCS to focus the energy on the issues that need the most attention, which in turn is a more effective use of resources. Using clear criteria will allow for early issue identification and proactive management of issues.

(2) Previous work related to transboundary issues. In March 2007, ECO-Asia met with representatives from EP, FMMP and Basin Development Plan (BDP) to identify potential conflict transboundary issues to raise awareness and provide a foundation for capacity building and tools development. Participants developed criteria that could be used to identify transboundary issues.

In May 2007, ECO-Asia met with various programme staff from the MRCS to further discuss transboundary issues, to refine the criteria that could be used to identify an issue, and to identify an illustrative list of potential transboundary issues for use in the second regional workshop. The criteria discussed were "A well-defined, existing or potential activity that does or could result in significant impact across national boundaries. Hotspots/issues can be geographical or non- geographical."

In June, FMMP, as part of its Component 3 program, conducted a regional meeting on the identification of transboundary flood issues. Objectives of the regional meeting were to arrive at a common understanding of the criteria and approach for identifying transboundary flood issues, to develop a regional list of transboundary flood issues, to discuss strategic approaches in addressing transboundary flood issues, and to discuss and clarify roles of the MRCS in addressing differences.

Criteria developed at the FMMP regional meeting was: "Any existing or potential substantial adverse impact on the natural, economic or social environment within an area of a Riparian State resulting from a change of the water conditions during occurrence of floods or/and during flood season of the Mekong river system caused by a human activity, originating wholly or in part from within area(s) of (an)other Riparian State(s)."

Transboundary issues identified by countries. During the second regional workshop, after presenting the common elements of both criteria listed above, the countries identified the following as transboundary issues:

Cambodia:

- 3S
- Flooding in the North-West and Southern part of Takeo and Choudoc provinces.
- Fishery impacts from upstream and downstream development.
- Strung Treng (environmental issues, tourism management).
- Manpower migration and cross-border issues.

Lao PDR:

- 3S
- River bank erosion in the north.
- Deforestation in northern part of Lao PDR.
- Fisheries decreasing because of overfishing/harvesting (non-geographic issue).
- Transboundary wetland issues between Strung Treng (Cambodia) and Champasak (Lao PDR) provinces.

Thailand (positive issues)

- Hydropower generating activities (upper basin) (provides more water in the river, which helps the transport of products to and from China, which benefits Thailand).
- Irrigation (provides more water in the river, which helps the transport of products to and from China, which benefits Thailand).
- Food security (rely on the fish from Tonle Sap).
- Manpower between Cambodia, Lao and Thailand (heavily rely on labor from Lao, Cambodia and Myanmar).
- Tourism resource in Thailand.

Vietnam:

- Fisheries between border of Vietnam and Cambodia.
- Hydropower and water quality problems in the Delta.
- Sediment transportation during flood season in the Delta.
- Uncoordinated flood work in the Delta.

(3) Discussion of how MRC can use a transboundary issue inventory/map as a programme support tool.

The countries were asked the following questions:

- (1) What are the challenges and benefits of identifying and monitoring transboundary issues for MRC?
- (2) How can MRC programmes and NMCs use transboundary issues?
- (3) Who should do what?

The responses were as follows:

	Challenges? Benefits?	Use?	Responsibilities?
Cambodia	<i>Challenges:</i> (1) time constraints; (2) limited resources (both human and financial); (3) timeframe for implementation; (4) budget for determining the issues; (5) criteria to diagnose issues; (6) difficulty in defining the scope and categories of issues. <i>Benefits:</i> Socio-economic cost reduced; political conflict prevention; and indicators of sources of conflict.	<ul style="list-style-type: none"> ▪ Efficient use of resources and well-managed conflict ▪ Information dissemination to raise awareness of issues and attention to potential conflicts 	CNMC, MRC and MRCS to lobby other agencies to assist the process and to coordinate with other line agencies. ECO-Asia facilitates and supports technical cooperation and processes.
Lao PDR	<i>Challenges:</i> Limitation of development and	<ul style="list-style-type: none"> ▪ Planning; 	NMC can coordinate with

	poverty alleviation. Also, as the population increases = demands increase. <i>Benefits:</i> Maintaining ecosystems (water and related resources); socio-economic stability.	<ul style="list-style-type: none"> ▪ Mitigation and management; ▪ Coordination with or inform stakeholders; ▪ MRCS financial and technical support. 	line agencies and local authorities; collaboration with line agencies for planning and implementation; public awareness-raising through national/local authorities. Line agencies responsible for implementation. Monitoring for implementation (MRCS). NMCs should coordinate with MRCS and line agencies. MRCS provide training. MRCS responsible for regional cooperation.
Thailand	Many benefits- status of the issue and use as a resource; if we know the status, once there is a conflict, can use the data in negotiation.	MRCS to gather information and inventory and set up monitoring and evaluation programme.	MRCS and NMCs can support by exchanging information.
Vietnam	<i>Challenges:</i> (1) budget for identifying issues; (2) time delay (ex. When construct new dam and inform MRC, causes time delay); (3) cost; (4) lack of capacity. <i>Benefits:</i> prevention and mitigation; avoid/prevent potential conflict.	<ul style="list-style-type: none"> ▪ Better focusing of resources or preparation of development information, skills, and awareness ▪ Actively prevent potential conflict may arise from issues by cooperation. 	MRCS will do administrative and technical support, and NMCs and local authorities will raise the issues and coordinate with local line agencies to find out what the issues are.

(4) Next steps in implementation. Participants discussed the next steps in implementing activities related to transboundary issue identification. The main purpose of identifying transboundary issues is not capacity building; MRCS would like to come to an agreement that there are priority issues (using the preliminary lists that have been discussed in the previous work) and these issues are where MRCS should focus its efforts, resources, and capacities.

As a next step, MRCS will draft a concept note to further outline this activity and will solicit comments from NMCs. This will be followed by a consultation period between MRCS and NMCs, and will result in regional consensus that the set of issues is a guide for MRC to focus resources.

B. Conflict Prevention/Management – Perspective from the Countries

On day two, ECO-Asia presented tools along a conflict continuum and invited the Member Countries to present case studies highlighting conflict management, resolution and/or prevention.

Case study presented by Lao PDR

A representative from Lao PDR presented a case study on illegal fishing and poor fish management in wetlands between the Siphandone (Champasack) and Stung Treng (Cambodia) areas that have utilized bilateral cooperation under the MRC framework.

The transboundary wetlands area is a Ramsar site. One success of cooperation was that officials from each province signed the minutes of a joint meeting. Possible projects include: formulation of an environmental/fisheries management plan in the proposed Ramsar site; institutional strengthening of concerned

agencies; strengthening and assistance to communities, including agriculture and livelihoods support; and the development of aquaculture and hatcheries projects. Follow-up for both areas include activities to map out and prioritize crucial areas and appropriate objectives in order to formulate the draft environment/fisheries management plan, discussion and agreement by Cambodia and Lao working groups on the draft management plan, and project formulation.

Case study presented by Thailand

A representative from Thailand presented a case study on wastewater pollution from factories into the Pong River that utilized conflict management and resolution.

The pollution caused rice farmers to lose their yields for many years. An expert from Khon Kaen gathered a team of experts to lead the investigation of the possible pollution source, including conducting a study on the soil (findings showed that the salinity came from the factories, which is an example of a data conflict). Because the villagers did not understand the scientific information, a team of experts worked with the villagers. After scientific analysis/evidence, the factories admitted they caused the problem.

The next step was to prove that the pollution was harming the farmers. A working group was assembled from representatives from factories to observe whether a wastewater pipe releasing water was causing the pollution; the working group found it was true. The next step was to improve the rice productivity; the working group compared the controlled and uncontrolled areas to determine the yields, and conducted stakeholder meetings throughout the process (they used the temple as the meeting place since it is neutral).

The factories agreed to compensate the farmers by supplying agricultural inputs like fish ponds and fertilizer.

Case study presented by Vietnam

A representative from Vietnam presented a case study on mitigation measures to reduce impacts of hydropower development in the Se San River that utilizes bilateral cooperation and information sharing.

Vietnam and the Cambodian Government have established Cambodia and Vietnam Committees for the management of the Se San River.

A state company is responsible for power generation for whole country. The Yali dam has been in operation since 2000. There are four other dams under construction, a re-regulation reservoir (to control discharge into Cambodian territory), and one dam currently under planning.

There are five measures to control the impact on the river: regularly inform downstream parties, discharge water step-by-step, discharge water in common sense, in high flood situation act according to agreement, and carry out full EIA report on downstream impacts in Cambodia. There are also methods to control water quality. Vietnam participates in the development of guidelines for transboundary EIA and will launch a strategic communication system for hydropower development (open for interested parties to visit and also meetings with stakeholders).

C. MRC Conflict Prevention and Management Terminology

One objective of the second regional workshop was to develop a common understanding of terminology on conflict prevention and management for use in supporting ongoing and planned activities.

In March 2007, ECO-Asia met with representatives from EP, FMMP and BDP to introduce the process for the development of conflict terminology, present the proposed terms, and to agree on the number of basic terms for further refinement and eventual development of MRC conflict terminology. Participants agreed upon a list of terms to be defined and sent to MRC programmes for feedback/comments.

In May 2007, ECO-Asia met with various MRCS programme staff to present the rationale for MRC conflict terminology definitions and the nature of comments received from MRCS during the review period. ECO-Asia

presented each of the suggested terms and definitions and solicited feedback from participants. BDP and EP sent in comments before the meeting, and their feedback was also discussed with the group. Only one term was removed and several terms were added. ECO-Asia revised the list of terms and definitions based on the feedback from MRCS in order to share with the countries at the second regional workshop.

The initial list of draft terms and definitions were translated into Khmer, Lao, Thai, and Vietnamese.

At this second regional workshop, ECO-Asia distributed a blank table with all terms and definitions (in English) to solicit comments/feedback on the definitions and discussed how to carry out the activity in each country. *For next steps, participants agreed to the following:*

- *Member Countries need to agree on the English version first before translating into local languages.*
- *ECO-Asia will improve the terms based on the feedback, group the words in ways to solve disputes, and provide examples or background information to provide a context for understanding.*
- *MRCS will then distribute to the countries for feedback.*

D. MRC Conflict Management Survey of Capacity Building and Training Needs

To prepare for the second regional workshop and to plan future activities, MRCS and ECO-Asia requested NMCs and line agencies to complete a survey to collect information on capacity building and training needs. The MRCS and ECO-Asia will use survey results to develop targeted activities to support regional cooperation on transboundary water management and conflict prevention.

ECO-Asia briefly presented the results of the conflict management survey of capacity building and training needs. Vietnam commented that Watershed Management and BDP have training programs, so ECO-Asia should review all of the training programs/assessments and try to integrate as much as possible.

ECO-Asia will continue to compile and analyze the results and follow up with Member Countries accordingly.

E. Strengthening Human and Institutional Capabilities for Regional Cooperation

An objective of the second regional workshop was to share ideas on strategies for improving human and institutional capabilities for regional cooperation. A representative from EP led the discussion, asking two questions for Member Countries to consider:

(1) ***Should there be a focal point at the NMCs?*** For conflict management/prevention activities, EP is currently the focal point until the establishment of a conflict management/prevention central function within MRCS. The central function may be linked to ICCS or the office of the CEO and will work across all programmes.

Currently the EP focal points have been interacting with the EP coordinator within the NMCs, but that may not be appropriate for each NMC. For conflict management/prevention work, should a role be assigned within the NMCs, whether an existing person or someone new? If so required, EP can issue a formal letter from the Secretariat to the NMCs.

(2) ***How should communication be managed?*** Would NMCs prefer to communicate with MRCS or ECO-Asia directly? MRCS has been careful to make sure all of the communications have gone through the Secretariat; however, it may be more efficient at times for ECO-Asia to communicate with the NMCs directly.

EP will follow up with a formal letter/memo on the first point and will follow up informally on the second point.