



*Construction is expected to begin in early 2017 on the Pak Beng Hydropower Project, located in the upper reaches of the Mekong River in Pak Beng district, Oudomxay province. (Photo via International Rivers)*

## Laos dam projects put entire region at risk

Almost two weeks ago, Laos notified the Mekong River Commission (MRC) Secretariat of its intention to develop the Pak Beng dam on the mainstream Mekong River, following its previous notifications on the controversial Xayaburi and Don Sahong dams. There are indications that Laos' fourth mainstream project, the Xanakham dam, will be next.

This means the Pak Peng dam has been submitted for the MRC's six-month 'Prior Consultation' process to provide information and consult with the governments of neighbouring Thailand, Cambodia and Vietnam, enabling them to raise concerns over impacts on their uses of the river. The process can be extended, if agreed by all four countries, while further studies are undertaken, or negotiations continue.

During the same process carried out for both the Xayaburi and Don Sahong dams, major concerns raised about project impacts were not transparently addressed. Yet the projects forged ahead. Concerns are mounting as the third project is undergoing the consultation process.

Located 7km upstream of Pak Beng in Oudomxay province, the 912 megawatt Pak Beng project is the northernmost of a proposed 11 dams on the lower Mekong, and 90% of the electricity generated will

be sold to Thailand. The remaining 10% will go to Laos' state-owned utility company, Electricite du Laos.

During the Xayaburi consultation, initiated in 2010, Cambodia noted a lack of sufficient information about the project's transboundary impacts and called for an extension of the consultation process. Vietnam requested a 10-year moratorium on all dam-building on the Mekong mainstream to enable further studies on the basin-wide impacts of the Xayaburi and other proposed projects. In response, Laos announced additional investment of US\$400 million (14.18 billion baht) in environmental mitigation measures, but the full design details and studies have not yet been publicly released. The dam is over 70% complete.

The four countries again failed to reach an agreement over Don Sahong. All three neighbouring governments expressed serious concerns over the project during the consultation process, which commenced in 2014, and called for a postponement, requesting further baseline information and a transboundary impact assessment. These calls went unheeded and construction of the dam proceeded. The disagreement between the governments was formally elevated within the MRC and remains unresolved.

Prior Consultation aims to promote regional cooperation over the use of a vital shared river. It seems unthinkable that no transboundary impact assessment was produced for either project. The Mekong sustains hundreds of fish and animal species and critical ecosystems along its course. The food and agricultural systems of 60 million people residing in the Mekong basin hinge on the river's seasonal flood pulse and ecosystem services.

Study after study, including the MRC-commissioned 2010 Strategic Environmental Assessment, warn that dam-building on the Mekong mainstream will have tremendous implications, fundamentally altering the river's ecology and destroying much of its biodiversity.

The impacts of a growing cascade of dams are cumulative. The news that Pak Beng is progressing under the same procedure is therefore extremely concerning. The perceived weakness of the Prior Consultation process factors in challenges now facing the MRC, including loss of donor confidence and funding cuts. Donor reviews of the process have identified significant weaknesses and need for reform. In response, the MRC launched a review of the procedures earlier this year, but the outcomes and timeline are unclear.

Despite its inadequacies, Prior Consultation remains one of the only processes through which to raise questions about the rush of dam-building on the Mekong River. Yet it lacks the means to ensure that broad public input and the interests of communities who will lose critical food sources and livelihoods are represented in decision-making.

Communities have instead pursued litigation and other remedial mechanisms, collectively highlighting the dearth of options available to seek accountability for transboundary threats. A landmark lawsuit in the Thai Administrative Court filed by 37 Thai villagers challenging Thailand's approval of the Power Purchase Agreement for the Xayaburi dam remains ongoing.

Complaints to the Malaysian Human Rights Commission and the United Nations Human Rights Council over the Don Sahong dam have produced recommendations urging developers to consider the serious human rights implications of the project. Pak Beng threatens further actions.

Globally, the tide is turning against large dams. In 2013-2015 new hydropower capacity dwindled from 38 to 22 gigawatts, with increased recognition of extensive impacts and questions over economic viability, major cost overruns and a declining performance of existing hydro sites.

Critical to the Mekong region, which faces grave threats from climate change, research points to the fundamental importance of maintaining healthy river basins and freshwater ecosystems for climate adaptation and resilience.

In an era of unprecedented environmental change, decisions over the development of important shared water resources loom large. The implications of dams on the Mekong mainstream reach far beyond any one country. According to international principles, environmental decisions must be based on comprehensive information including transboundary assessment of cross-border impacts, together with broad public input and the meaningful participation of those who stand to be affected. These elements must be met in relation to the Pak Beng dam -- the future of the Mekong and her people demand it.

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Bron: Maureen Harris, *Bangkok Post*, 17 november 2016. Maureen Harris is the Southeast Asia programme director at International Rivers.