

Negotiating Transboundary River Governance in Myanmar

By Khin Ohnmar Htwe

Myanmar lies in the northwestern part of Indo-Chinese Peninsular or mainland South-East Asia. It is bounded by China on the north and north-east, Laos on the east, Thailand on the south-east, and Bangladesh and India on the west. There are 7 major drainage areas or catchment areas in Myanmar comprising a series of river- valleys running from north to south. The drainage areas in Myanmar are Ayeyarwady and Chindwin Rivers and tributaries (55.05%), Thanlwin (Salween) River and tributaries (18.43%), Sittaung River and tributaries (5.38%), Kaladan and Lemyo Rivers and tributaries (3.76%), Yangon River and tributaries (2.96%), Tanintharyi River and tributaries (2.66%), and Minor Coastal Streams (11.76%). Myanmar possesses 12% of Asia's fresh water resources and 16% of that of the ASEAN nations. Growing nationwide demand for fresh water has heightened the challenges of water security. The transboundary river basins along the border line of Myanmar and neighboring countries are the Mekong, Thanlwin (Salween), Thaungyin (Moai), Naf, and Manipu rivers. The Mekong River is also an important transboundary river for Myanmar which it shares with China, Laos, and Thailand.

The Mekong River, with a length of about 2,700 miles (4,350 km), rises in southeastern Qinghai Province, China, flows through the eastern part of the Tibet Autonomous Region and Yunnan Province, and forms part of the international border between Myanmar (Burma) and Laos, as well as between Laos and Thailand. The Mekong River meets the China–Myanmar border and flows about six miles along that border until it reaches the tripoint of China, Myanmar, and Laos. From there it flows southwest and forms the border of Myanmar and Laos for about 60 miles until it arrives at the tripoint of Myanmar, Laos, and Thailand. This is also the point of confluence between the Ruak River (which follows the Thai–Myanmar border) and the Mekong.

Water Resource Management and Transboundary Rivers in Myanmar

Since the country has both national and international rivers, Myanmar needs to be aware of Integrated Water Resources Management (IWRM). Thus, Myanmar is trying to develop a National Water Policy and Myanmar National Water Law comprised of transboundary river basin issues of Myanmar. Generally, the three categories of rivers in Myanmar are national rivers, international rivers, and transboundary watercourses.

The National Water Policy of Myanmar (2014) states: 1) Myanmar should enter into international agreements with neighboring countries on a bilateral basis for exchange of data of international rivers on a near real time basis. 2) Negotiations about sharing and management of water of international rivers should be done on a bilateral basis. Adequate institutional arrangements at the national level should be set up to implement international agreement. 3) Myanmar should play an active role in international water conventions, treaties, and water cooperation.

A Myanmar National Water Law also has been developed, and is expected to be approved by the Union

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Director of the Myanmar
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Parliament and the Government this year. The objectives of this law are to ensure sustainable utilization; rationally development; fair distribution; conservation and protection of water resources; mitigations and reduction of water disasters; and contribution to national economic and social development.

This law is comprised of 14 Chapters, among which 8 Chapters are concerned with water resources conservation and water resources utilization. Water related disasters and climate change impacts, water for environment, implementation of integrated water resources management, water sciences research, data and information management and water rights, obligations and the role of citizens. Chapter 11 is prescribed for Transboundary water and International Cooperation, emphasizing: cooperation on related international conventions; central thematic areas in sharing transboundary water resources; monitoring and assessment of flow issues; flood forecasting, flood control and flood warning systems; communication and coordination mechanisms on information and data sharing; measures to reduce social and environment impacts; institutional and technical capacity to improve transboundary coordination and cooperation; multi-stakeholders' engagement and awareness; and; cooperation on transboundary aquifers.

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Priorities in Negotiating Transboundary River Governance Organizations and Agencies in Myanmar

The National Water Resources Committee (NWRC) is a national level committee for Myanmar water resources management. The Sustainable Water Resources Development standing committee was formed on November 19, 2012 for the special economic zones. After that, the National Water Resources Committee (apex body in Myanmar) was established by Presidential decree in July 2013, to maximize the benefits of water resources with equality, integrity, sustainability, and inclusiveness, and was headed by the Vice-President (2). The Advisory Group (AG) is providing advocacy to the committee in various sectors of water management.

Priority in Working for Negotiating Transboundary River Governance

Understanding all aspects of the problems, processes, and parties in transboundary water negotiations is crucial toward finding common ground around which collaboration can start. The more a transboundary water practitioner knows of the situation and of the elements that are in play, the more likely it is that they are able to work with relevant parties in order to facilitate negotiations and options for collaborative solutions. Achieving collaboration can be one of the objectives of negotiations. During the process of negotiations, parties should become clearer on their own needs and interests in order to allow them to identify the position they should take, guide their engagement in the process, and assist in finding ways to reach consensus. In the process of Negotiating Transboundary River governance, there should be dialogues among countries in the Mekong Region. Especially important is collaboration in training, seminars, workshops, scientific research with local universities, and inclusiveness of local people (public awareness, public participation and stakeholders) among countries related to transboundary river basins in which Myanmar is located.

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