

Stakeholder engagement in the Mekong River: Relevant Findings from the Blue Peace Index

By Matus Samel

Water management and transboundary water cooperation affect people's rights, and projects must balance the needs of different sectors of society. The Blue Peace Index, developed by the Economist Intelligence Unit (EIU) with support from the Swiss Agency for Development and Cooperation (SDC), highlights that major tensions over water resources often arise not between states, but rather governments or commercial developers on the one hand, and affected communities on the other, or between communities themselves. Protests and tensions related to issues like pollution, inadequate resettlement logistics, and damage to livelihoods, have affected water infrastructure developments across the world. In pursuing sustainable and collaborative management of transboundary waters, inclusive participation of legitimate stakeholders is essential.

Matus Samel, Consultant for the Economist Intelligence Unit, explains that: "Top-down basin-level stakeholder engagement has been limited by the fact that the river's upstream states, China and Myanmar, are only 'dialogue partners', not full members, of the Mekong River Commission."

In the Mekong River, top-down basin-level stakeholder engagement has been limited by the fact that the river's upstream states, China and Myanmar, are only "dialogue partners", not full members, of the Mekong River Commission (MRC), alongside the riparian neighbors Cambodia, Laos, Thailand, and Vietnam. Despite some positive developments in recent years with regards to basin-level dialogue through both the MRC and the Lancang–Mekong Cooperation Framework – a development and investment initiative promoted by China since 2016 as a platform for all Mekong riparian states – the lack of a single comprehensive platform for basin-level dialogue remains a major challenge to transboundary water cooperation, including in terms of stakeholder engagement.

Stakeholder engagement in the Mekong region: Some progress, but much room for improvement

The MRC has active organizational structures for engagement among member states at a high political level, including regular meetings at the level of ministers and prime ministers. China has maintained cooperation with the MRC, and Myanmar attends the MRC Summit, but their engagement remains limited as they are not full members of the MRC.

Crucially, the MRC has also established basin-level regular meetings to engage actors outside national governments, including the private sector, civil society, and academia. The Regional Stakeholder Forums (RSFs) serve as platforms for governments and external stakeholders to discuss issues affecting the basin and approaches to address them. Since 2016, nine RSFs have been held. The latest one, held in 2020, involved over 100 participants, including representatives from hydropower-related companies, non-governmental organizations (NGOs), research institutions, civil society, and MRC Member Countries. The discussions focused on two critical issues of interest to public stakeholders – the proposed Luang Prabang Hydropower Project and the preparation of the Basin Development Strategy 2021-2030.

However, these stakeholder engagement processes face significant shortcomings. For instance, in 2018, the Cambodia Mekong Alliance (CMA) – a coalition of 52 NGOs – boycotted an RSF on proposed hydropower projects due to the fact its request to express its concerns over the potential impacts of the dams was ignored. The CMA highlighted several shortcomings in the consultative process and argued it was far from being truly inclusive. The stakeholder engagement processes are also weakened by the fact that the MRC itself is only consulted by the member states on their infrastructure activities, but unable to halt them, limiting the potential environmental and social benefits resulting from the RSFs.

Stakeholder engagement elsewhere: No universal solutions, but some sources of inspiration

As The Blue Peace Index highlights, the processes to engage public stakeholders can be improved on across all basins and countries. However, there are some examples of strong institutionalised engagement that can serve as a source of inspiration for others. For instance, The Senegal River Basin Development Organisation (OMVS) provides permanent platforms for broad participation in the water management process through its coordination committees. The national coordination committees ensure the coordination of activities in each country and include representatives from ministries, as well as national or local civil society. Local coordination committees, which include representatives of the agricultural, livestock, fishing, hunting, and logging sectors; women's and youth associations; NGOs; and government, ensure the mobilization of local actors to be included in the decision-making process.

At the national level, most countries in the Mekong region have some existing systems in place for local stakeholder engagement, however, engagement is often ad-hoc, takes place through non-permanent platforms, and lacks a tangible impact on policy making. There is scope for them to improve in this regard by looking to approaches taken by some other countries. For example, in Peru and Brazil, local stakeholders, including representatives from civil society, marginalized communities, education, and research organisations, participate actively in water policy, planning, and management through the Board of Directors of the National Water Authority and the National Council for Water Resources, respectively, which actively shape national water policy planning and development.

Need to combine top-down and bottom-up approaches

As transboundary water management decisions tend to address multiple objectives and involve varied interests, there is a need for inclusive stakeholder engagement, particularly with non-state actors and members of affected communities. The current water governance initiatives in the Mekong region do not comprehensively engage with non-state actors, leaving the community members that are affected by water infrastructure developments and those with expertise in water resource management marginalized and unable to participate in addressing key water-related issues.

Effective engagement at the local level should focus on the pursuit of inclusive participation, which requires a combination of top-down structure and bottom-up innovative inclusion practices. For instance, the riparian states – Botswana, Mozambique, South Africa, and Zimbabwe – incorporated into the mandate of the Limpopo Watercourse Commission (LIMCOM) an explicit provision for the inclusion of local stakeholders when planning for the basin's development. During the development of a new flood defense system in Mozambique, LIMCOM also applied innovative practices to facilitate participation, such as including a gender specialist when conducting local stakeholder engagements to ensure that women are effectively empowered to participate in the process.

Additionally, more should be done to improve the effectiveness and impartiality of the stakeholder participation process. The RSFs are undermined by the lack of accountability of the MRC's Procedures for Notification, Prior Consultation, and Agreement (PNPCA) process toward accounting for comments made by participants during the consultations. Under this process, the states can effectively approve their own projects without undertaking legally binding consultations and without effectively considering issues raised during the RSFs. This undermines the critical perception of impartiality of the process. In order to ensure that the views of participants are fully accounted for, improved accountability and transparency should be encouraged.

The benefits of public stakeholder engagement in transboundary water cooperation are diverse and extensive, traversing the economic, health, social, and environmental domains. Countries should recognize the shared benefits that result from inclusive and participatory decision-making, in order to secure the future of freshwater accessibility for all.

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