



International Rivers Network

September 17, 2007

Mr. John Cooney
Director, Infrastructure Division
Southeast Asia Department
Asian Development Bank
P.O. Box 789
0980 Manila, Philippines

Dear Mr. Cooney,

International Rivers Network (IRN) is concerned about the number of existing and proposed mining and hydropower developments in the Nam Ngum river basin in Laos and their impacts on water quality, fisheries and villagers' rights and livelihoods. We are particularly concerned about the situation of the Hmong from the Nam Ngum river basin, both those living there now and the 8,000 Hmong in refugee camps in Thailand facing deportation back to Laos.¹

We have been reviewing ADB-supported initiatives in the area, such as the Nam Ngum River Basin Sector Development Project and the Nam Ngum 3 hydropower project cumulative impact assessment. However, it has been difficult to find information about these operations and other developments in the Nam Ngum basin. Therefore, we would appreciate it if you or a member of your team would answer the following questions:

Nam Ngum River Basin Sector Development Project

1. What is the status of the various components of ADB's Nam Ngum River Basin Development Sector Project, which became effective in 2004?
2. As noted in the 2002 Report and Recommendation of the President to the Board of Directors (RRP) for the Nam Ngum River Basin Development Sector Project, more than half the people in the project area are indigenous peoples, with Hmong making up the largest group. Could you please provide us with a copy of the Ethnic Groups' Development Plan which is referenced in the document (but apparently not available on ADB's website)?

Nam Ngum 3 Hydropower Project Cumulative Impact Assessment

3. What is the status of preparation of the ADB-funded cumulative impact assessment (CIA) for the Nam Ngum 3 hydropower project? When will it be completed? Is it possible to receive a copy of the project's inception report?

¹ See, for example: <http://www.ipsnews.net/news.asp?idnews=38944> and <http://www.iht.com/articles/ap/2007/09/04/asia/AS-GEN-Thailand-Hmong-Refugees.php>.

4. We understand that the first consultation on the draft Environmental Impact Assessment (EIA) for Nam Ngum 3 was held in Vientiane on 10th August 2007. Is it possible to receive a copy of the draft EIA, a copy of the meeting minutes and participants' list, and any other supporting material?
5. The ADB Technical Assistance Report (TAR) for preparing the CIA for the Nam Ngum 3 hydropower project refers only to "71 households consisting of approximately 500 individuals in Ban Xiengdet village at the rear of the reservoir" who will need to be resettled for Nam Ngum 3. However, according to the 2001 Nam Ngum 3 EIA,² approximately 40 to 90 Hmong families were living in the middle-reservoir area. What is the status of those households and why were they not mentioned in the TAR?
6. The part of the Nam Ngum river basin where these projects are located, formerly called the Xaysomboune special zone, has long been a center of conflict between the Lao government and the Hmong population.³ According to information we have received, the area was recently declared a conflict zone by the Lao government and closed to foreigners once again. We understand that Lao military operations against the Hmong population have been increasing since the arrest of General Vang Pao in the United States. There are concerns that forced resettlement may be occurring in the area in anticipation of proposed hydropower projects.
 - a. What information does ADB have regarding this situation?
 - b. How has it affected the development of the CIA?
 - c. What will the ADB do to ensure that the rights of Hmong villagers are being respected in the development of Nam Ngum 3, in compliance with its safeguard policies?
 - d. We understand that that the ADB is considering support for the Nam Ngum 3 project. Given the history of conflict in the area, should the ADB be supporting a hydropower project in the Nam Ngum basin?
7. What are the estimates of downstream populations that will be affected by Nam Ngum 5, 4A, 3, and/or 2? What downstream impacts are being planned for in the case of Nam Ngum 3?

Other developments in the Nam Ngum basin

8. How are mining operations in the Nam Ngum river basin – reportedly numbering more than 50 concessions – likely to affect the health of the river basin and ADB's projects in the area? What is the ADB doing to assess the impact of these mining operations?
9. Despite assertions made in the ADB Project Completion Report for the Lao Environment and Social Program Loan in June 2007, the Science, Technology and Environment Agency (STEA) has not disclosed the Nam Ngum 2 environmental impact assessment at a "fully functioning public information center." As we discussed in our March 2007 meeting, STEA has informed us that EIAs are confidential and has refused to release them. The failure to disclose approved EIAs violates the Lao government's 2005

² http://rmruk.com/archive/index.php?option=com_remository&Itemid=26&func=startdown&id=4

³ See, for example, http://www.europarl.europa.eu/meetdocs/2004_2009/documents/fd/hmong_ruhi_hamid_020905_/hmong_ruhi_hamid_020905_en.pdf

National Hydropower Policy. Although ADB is not directly supporting the Nam Ngum 2 hydropower project, could you inform us as to the status of construction and resettlement activities? Could you please provide us with a copy of the EIA for Nam Ngum 2 or tell us how we could obtain a copy?

Thank you in advance for your response to these questions and concerns.

Sincerely,



Shannon Lawrence
Lao Program Director
International Rivers Network

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