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12 November 2007

To: Chief Executive Officer of the Mekong River Commission Secretariat,  
Vientiane, Lao PDR

Donor institutions currently supporting the Mekong River Commission

**Re: MRC and hydropower dams on the lower Mekong mainstream**

We, the undersigned citizens groups, are writing to express our concerns about the revival of plans to build dams on the lower Mekong, and the failure of the international Mekong River Commission to uphold the 1995 Mekong Agreement at this critical juncture.

Please find below our assessment of the situation and our recommendations for action.

We are aware that the governments of Lao PDR, Cambodia and Thailand have granted permission to Thai, Malaysian and Chinese companies, to conduct feasibility studies for up to six large hydro dams on the lower Mekong. These same six sites – four in Laos, one in Cambodia and one on the Thai-Laos border – were recommended by Canadian and French consultants in a report published by the Mekong Secretariat in Bangkok in 1994. The plan did not move ahead at that time, however, not least because it was publicly condemned as too costly and environmentally damaging by a number of MRC donors, as well as fisheries biologists, academics, citizens groups, and dam-affected community leaders.

Since that time, the adverse (and typically unmitigatable) transboundary impacts of large hydro dams on fisheries and fishing-based livelihoods have become painfully evident to thousands of riparian communities throughout the Mekong basin. These impacts and the connectivity between the river's seasonal patterns and fisheries productivity have been well documented by MRC scientists, hydro consultants, and many community organizations. Research published by the Mekong River Commission in 2004 identifies dams built for purposes of irrigation, hydroelectricity and flood control as “the overriding threat to the future of the Mekong’s fish and fisheries.” At the Mekong River Commission’s 6<sup>th</sup> Technical Symposium on Mekong Fisheries (2003), researchers concluded that “any dam on the Mekong mainstream . . . could be disastrous for fisheries, but [the Sambor] site is the worst possible location.” If built, it would block a crucial passageway for fish migrating from Cambodia’s Tonle Sap into the Mekong’s deep pools where fish take refuge in the dry season. Further upstream, Hou Sahong, the proposed site of Don Sahong dam in the Khone Falls area of southern Laos, is another vitally important channel for fish migrations, according to fishery biologists at the Phnom Penh-based WorldFish Center. Even a small percentage decline in Mekong and Tonle Sap fish yields would translate into significant economic losses for Cambodia, according to Cambodia’s National Mekong Committee, where the fishing industry accounts for

roughly 12 percent of national GDP. As well, for thousands of rural communities living along the Mekong and around Tonle Sap, any decline in riparian fisheries directly threatens their food security and livelihoods.

Despite the serious ecological and economic implications of damming the lower Mekong, the Mekong River Commission has remained notably silent. We find this an extraordinary abdication of responsibility. Under Article 7 of the 1995 Mekong Agreement, the Commission is required “to make every effort to avoid, minimize and mitigate harmful effects that might occur to the environment, especially the water quantity and quality, the aquatic (eco-system) conditions, and ecological balance of the river system, from the development and use of the Mekong River Basin water resources.” Conceivably, the Mekong River Commission could advise riparian states against building dams on the mainstream based on the best available scientific knowledge about the river’s ecosystem.

In broader terms, the Commission has a mandate “to cooperate in all fields of sustainable development, utilization, management and conservation of the water and related resources of the Mekong River Basin including, but not limited to irrigation, hydro-power, navigation, flood control, fisheries, timber floating, recreation and tourism, in a manner to optimize the multiple-use and mutual benefits of all riparians.” In contrast, we have no confidence that studies conducted by the Thai, Malaysian and Chinese companies will seek to “optimize” multiple uses and benefits for all riparians.

The MRC mandate is based on a recognition that the Mekong is a vast international resource and therefore decisions affecting its use and management cannot be undertaken without due consideration of the countries sharing the river and its multiple uses and functions by diverse groups. Simply put, the Mekong is not the sole domain of any one riparian state or group.

To fulfill its obligations under the Agreement, the Mekong River Commission has the authority to conduct “assessments for the protection of the environment and maintenance of the ecological balance of the Mekong River Basin” (Article 24), insist on procedures of consultation among and within the member states, and evaluate proposed uses of the Mekong in terms of their impact on flow in the mainstream and the Tonle Sap (Article 6).

At the very least, the MRC should be providing some measure of professional oversight and technical assessment of the proposed dam projects, including an open and participatory review of the feasibility studies prepared by Thai, Malaysian and Chinese dam builders. The MRC can start by publicly releasing its fisheries evaluation of the proposed Don Sahong dam, which we understand has already been completed.

If the MRC does not act now to uphold the 1995 Agreement and defend the ecological integrity of the Mekong, the institution is a river authority in name only and does not deserve the tens of millions of dollars worth of grants and technical assistance that it receives from international donor agencies annually. As such, we are urging MRC donors to review and reconsider funding for the institution.

Signed,

Flint Duxfield  
Stephanie Long  
Margie Law  
Jessica Rosien  
Patrick Anderson

Aid/Watch, Australia  
Friends of the Earth Australia, Australia  
Mekong Monitor Tasmania, Australia  
Oxfam Australia, Australia  
Rainforest Information Centre Australia

Winnie Overbeek

Alert Against the Green Desert Network, Brazil

Aung Ngyeh  
Salo Lahu  
Chan Dein  
Oum Kham

Karenni Development and Research Group, Burma  
National Development Organisation, Burma  
Mon Youth Progressive Organization, Burma  
Shan Sapawa and Environmental Organisation, Burma

Jan Cappelle

Proyecto Gato, Belgium

Grainne Ryder

Probe International, Canada

Meach Mean  
Aok Longdee  
Cheatlom Ang

3S Rivers Protection Network, Rattanakiri, Cambodia  
KABB, Battambang, Cambodia  
Buddhism for a Progressive Society (BPS), Preah  
Vihear, Cambodia

Ham Kimkong

Cambodian Volunteer for Society (CVS), Phnom Penh,  
Cambodia

Thon Bunranin

Cambodian Commissioner for Development, Cambodia  
Organisation (CCD), Phnom Penh, Cambodia

Leang Ratanakvevy

Cambodian Commissioner for Development, Cambodia  
Organisation (CCD), Kampong Chhnang, Cambodia

Him Sokunthea,

Cambodian Commissioner for Development  
Organisation (CCD), Kratie, Cambodia

Yang Saing Koma

Centre d'Etude et de Developpement Agricole  
Cambodgien (CEDAC), Phnom Penh, Cambodia

Bun Nath

Citizen, Battambang, Cambodia

Vann Piseth

Citizen, Phnom Penh, Cambodia

Yous Pheary

Community Economic Development (CED),  
Kratie, Cambodia

Chim Cheun

Community Fishing Lot 13<sup>th</sup> region, Kampong  
Chhnang, Cambodia

Prak Samban

Community Fishing Lot 13<sup>th</sup> region, Kampong  
Chhnang, Cambodia

Doung Sothea

Community Fishing Lot 15<sup>th</sup> region, Cambodia

Khoun Cheng

Community Fishing Lot 15<sup>th</sup> region, Kampong  
Chhnang, Cambodia

Un Seeyan

Community Fishing Lot 15<sup>th</sup> region, Kampong  
Chhnang, Cambodia

Si Sokeun	Community Fishing Lot, Kampong Cham, Cambodia
Doung Khieng	Community Fishing Lot, Kampot, Cambodia
Kem Da	Community Fishing Lot, Kampot, Cambodia
Rim Musar	Community Fishing Lot, Prey Noup, Cambodia
Kong Chamreun	Community Fishing Lot, Takeo, Cambodia
Yeng Virek	Community Legal Education Center (CLEC), Cambodia
Sauth Sophorn	Conservation and Development on Cambodia (CD Cam), Phnom Penh, Cambodia
Tep Bunnarith	Culture and Environment Preservation Association (CEPA), Cambodia
Neang Penghor	Dai Ku Apiwat (DKA), Kampot, Cambodia
Tep Malen	East West Network Region, Banteaymeanchey, Cambodia
Mak Sithirith	Fishery Action Coalition Team (FACT), Phnom Penh, Cambodia
Long Sochet	Fishery Action Committee Team, Pursat, Cambodia
Dam Chanthy	Highland Association, Rattanakiri, Cambodia
Phan Sithan	Housing Rights Task Force, Phnom Penh, Cambodia
Mean Someth	Human Resource and Natural Development Organisation of Cambodia (HRND), Siem Reap, Cambodia
Sao Vansey	Indigenous Community Support Organization (ICSO), Cambodia
Chhoun Borith	Khmer Youth and Social Development (KYSD), Phnom Penh, Cambodia
Nuth Machung	Kunathor, Battambang, Cambodia
Estela Estoria	Mekong River Basin Management (MRBM) Program, East Asia Regional Office, Oxfam America, Phnom Penh, Cambodia
Eung Vanak	New Vision, Phnom Penh, Cambodia
Sao Sokal	New Vision, Phnom Penh, Cambodia
Chhith Sam Ath	NGO Forum on Cambodia, Phnom Penh, Cambodia
Souy Tin	OPKC-CBO (Network), Preah Vihear, Cambodia
Uk Ngar	OPKC-CBO (Network), Preah Vihear, Cambodia
Boua Chanthou	Partnership for Development in Kampuchea (PADEK), Cambodia
Hor Sam-art	Peace Building Network, Battambang, Cambodia
Chheav Varee	Peace Building Network, Kampong Thom, Cambodia
Heang Han	Peace Building Network, Kampong Thom, Cambodia
Sieng Chouk	Peace Building Network, Mondulkiri, Cambodia
Seng Sokheng	Peace Building Network, Oddor Meanchey, Cambodia
Sok Rai	Peace Building Network, Oddor Meanchey, Cambodia
Sorn Saveun,	Peace Building Network, Oddor Meanchey, Cambodia
Chhoung Sareun	Peace Building Network, Preah Vihear, Cambodia
Vong Veun	Peace Building Network, Preah Vihear, Cambodia

Khin Yeun	Peace Building Network, Rattanakiri, Cambodia
Sev Them	Peace Building Network, Rattanakiri, Cambodia
Sim Sien	Peace Building Network, Sandan, Kampong Thom, Cambodia
Soung Save	Rural Development and Community Natural Resources Management (RDCNRM), Kratie, Cambodia
Chim Vandeth	Sor Sor Troung (SST), Phnom Penh, Cambodia
Soum Samoun	Urban Poor Women Development (UPWD), Cambodia
Ek Vuthy	Yopec Coordinator, Phnom Penh, Cambodia
Hou Ye	Citizen, Kunming, Yunnan province, China
Miao Yun	Freelance journalist, Kunming, Yunnan province, China
Ren Jingwen	Green Anhui, Anhui province, China
Jiang Lian	Green Camel Bell, Gansu province, China
Fang Minghe	Green Eyes China, Zhejiang province, China
Li Rong	Green Hainan, Hainan province, China
Mei Nianshu	Green Kunming, Yunnan province, China
Zhang Chun Shan	Lijiang Environmental Conservation Center, Yunnan, China
Wen Bo	Pacific Environment, Beijing, China
GE Yun	Xinjiang Conservation Fund, Beijing, China
Beute Hessellund Audersea	NOAH - Friends of the Earth Denmark
Taavi Nuum	Estonia Green Movement-FoE, Estonia
Natalia Bonilla	Accion Ecologica, Ecuador
Tove Selin	Finnish Asiatic Society, Finland
Minna Hakkarainen	Finnish Vietnamese Friendship Association, Finland
Niko Humalisto	New Wind, Finland
Anu Lounela	Siemenpuu Foundation, Finland
Sébastien Godinot	Friends of the Earth France
Klaus Schenck	Rettet den Rajenwald e.v., Germany
Regine Richter	Urgewald, Germany
Heike Drillisch	World Economy, Ecology & Development e.V. (WEED), Germany
Chris Lang	World Rainforest Movement, Germany
Lambert Okrah	Institute of Cultural Affairs (ICA), Ghana
Sandra Moniaga	HuMa, Indonesia
Norman Jiwana	Sawit Watch, Indonesia

Farah Sofa	Indonesian Forum on the Environment (WALHI)- Friends of the Earth, Indonesia
Keiko Kushuhara	Fukuoka NGO Forum on Asian Development Bank (FNA), Japan
Shigeya Kihara	Globalization Watch Hiroshima (GWH), Japan
Yuki Tanabe	Japan Center for a Sustainable Environment and Society (JACSES), Japan
Junko Okura	Jubilee Kyushu on World Debt and Poverty, Japan
Satoru Matsumoto	Mekong Watch Japan
Yoko Fukawa	Pacific Asia Resource Center (PARC), Japan
Yong-un	Korea Federation for Environmental Movements/Friends of the Earth Korea
Kim Hye Kyung	Korea ODA Watch, Korea
Sombath Somphone	Citizen, Vientiane, Lao PDR
Sengphouxay Inthavikham	Citizen, Vientiane, Lao PDR
Namthipkesone Bouttasing	Citizen/student, Vientiane, Lao PDR
Somsy Manivanh	Citizen/student, Vientiane, Lao PDR
Mohd Nizam Mahshar	Sahabat Alam Malaysia (SAM), Malaysia
Sjef Langeveld	Both ENDS, Netherlands
Fiona Dove	Transnational Institute (TNI), Netherlands
Andrew Preston	Association for International Water Studies (FIVAS), Norway
Samuel Gamboa	The Legal Rights and Natural Resources Center- Kasama sa Kalikasan. LRC-KSK/Friends of the Earth Philippines
Hemantha Withanage	NGO Forum on ADB, Philippines
Sleh Rabi	PENGON, Palestine
Wally Menne	Timberwatch Coalition, South Africa
Christine Eberlein	Berne Declaration, Switzerland
Mae-Anne Llanza	Asia Pacific Forum on Women Law and Development, Chiang Mai, Thailand
Baramée Chairat	Assembly of the Poor, Bangkok, Thailand
Hannarong Yaowalert	Biodiversity Conservation of Siam, Bangkok, Thailand
Penchom Tang	Campaign for Alternative Industry (CAIN), Bangkok, Thailand

Arunwadee Hong-Udon	Center for Coordinator, Health promotion network, Mahasarakham, Thailand
Aganit Pongphai	Chee River Community Network, Khonkaen, Thailand
Niwat Roykeaw	Chiang Khong Conservation Group, Chiang Rai, Thailand
Prayad Jatupornpitakkul	Chiang Mai People Network, Chiang Mai, Thailand
Miti Yaprasit	Chiang Saen Conservation Group, Chiang Rai, Thailand
Aphatsorn Sombunwatthanakun	Citizen/student, Bangkok, Thailand
Maneerat Mitprasart	Citizen, Mahasarakham, Thailand
Pongpipat Mebenjamath	Community and Cultural Recovery Project, Mae Hong Son, Thailand
Jakkapong Tanawworrapong	Community Forestry Association, Surin, Thailand
Somchai Anurat	Community Forest Association, Surin, Thailand
Rojcharek Wattanapanich	Community Forest Support Group, Chiang Mai, Thailand
Sairung Thongplon	Confederation of Consumer Organisations Thailand, Bangkok, Thailand
Sabrina Gyorvary	EarthRights Mekong School, Chiang Mai, Thailand
Leardsak Khamkongsak	Ecology and Cultural Study Group, Udon Thani, Thailand
Bualai Sawaddee	Affected people, Lam Thakhong Project, Chaiyaphum, Thailand
Sayamol Kaiyoorawong	Environmental Awareness Building (EAB), Trang, Thailand
Surachai Trong-ngam	Environmental Litigation and Advocacy for the Wants (ENLAW), Bangkok, Thailand
Poonsombat Namla	Isan Community Institute, Surin, Thailand
Decharut Sukkumnoed	Faculty of Economic, Kasetsart University, Bangkok, Thailand
Kanokporn Rattanasuteerakul	Faculty of Humanities and Social Science, Mahasarakham University, Mahasarakham, Thailand
Theerada Namhai	Farmer Community School, Mahasarakham, Thailand
Shalmali Guttal	Focus on the Global South (FOCUS), Bangkok, Thailand
Nitirat Sapsomboon	Friends of the People (FOP), Bangkok, Thailand
Pim Koetsawang	Friends Without Borders, Chiang Mai, Thailand
Kannikar Kijtiwatchakul	FTA Watch, Bangkok, Thailand
Tara Buakamsri	Greenpeace, Southeast Asia, Bangkok, Thailand
Suebswasd Snidvongs	Hak Chiang Mai Alliances, Chiang Mai, Thailand
Sombat Nonsang	Hak Mae Mun, Srisakhet, Thailand
Suvadee Thanubamrungsaen	Hill Area and Community Development Foundation, Chiang Rai, Thailand
Daniel Aguirre	Human Rights for Change International, Chiang Mai, Thailand
Nang Siphoung	Images Asia Environment Desk, Chiang Mai, Thailand

Sakorn Sisai	Lam Chiang Tha Conservation Group, Chaiyaphum, Thailand
Wichian Srichannon	Lam Paniang Recovery and Conservation Group, Chaiyaphum, Thailand
Sumat Phulaiyao	Living River Siam - SEARIN, Chiang Mai, Thailand
Trakarnchai Thummanuwong	Local Knowledge Development Association, Lampun, Thailand
Khematasn Palprem	Local Knowledge Education Project for Community Resources Management/Institute for Community Rights – ICR, Chiang Mai, Thailand
Prayong Atthachack	Loei Fund for Nature Conservation and Sustainable Development, Loei, Thailand
Somkiat Khunchiangsa	Mekong-Lanna Natural Resources Conservation Network, Chiang Rai, Thailand
Kritipong Jupoh	Minorities Development Association, Chiang Rai, Thailand
Sodsai Srangsok	Mun River Communities Organisations Network, Ubon Rachathani, Thailand
Sanan Chusakul	Mun River Wetland Recovery Project, Surin, Thailand
Sathaporn Somsak	Natural Resources and Sustainable Agriculture Network, Nan, Thailand
Pa Kongtham	Network for Mun River Flooded Forest Conservation, Ubon Rachathani, Thailand
Ruangdetch Posri	Northeastern Alternative Agriculture Network, Mahasarakham, Thailand
Supadee Wanaprapavetch	Northeastern Information Centre on Human Rights and Peace, Thailand
Jakkapong Thanaworapong	Northeastern Natural Resources and Environmental Network, Mahasarakham, Thailand
Suwit Kulapwong	Northeastern Network on Salinity and Mining Study, Udon Thani, Thailand
Jon Ungpakorn	NGO Coordinating Committee on Development (NGO-COD), Bangkok, Thailand
Wipattanchai Phimhim	Northeastern NGOs Coordinating Committee on Development (Northeastern NGO-COD), Khon Kaen, Thailand
Nittaya Inyavilert	Northern NGOs Coordinating Committee on Development (Northern NGO-COD), Chiang Mai, Thailand
Taitat Paipilai	Northern NGOs Coalition on AIDS, Chiang Mai, Thailand
Kanokwan Ukockit	Northern Organic Standard Association, Chiang Mai, Thailand
Prayong Doklumyai	Northern Peasants Federation, Chiang Mai, Thailand
Decho Chaitap	Northern Sustainable Development Foundation, Chiang Mai, Thailand



Supaporn Thinwattanakul Pianporn Deetes	Phayao Development Foundation, Phayao, Thailand Rivers Watch East and Southeast Asia (RWESA), Chiang Mai, Thailand
Den Nipat	Songkram River Conservation Group, Sakonnakorn, Thailand
Tanat Dokbua	Student Network for Mekong Studies, Ubon Rachathani University, Ubon Rachathani, Thailand
Ubon Boonmak Nawarat Daoruang	Surin Local Information Center, Surin, Thailand Udon Thani Environment Conservation Club, Udon Thani, Thailand
Chuenchom Greacen Bunyeun Kongpetsak	Palang Thai, Bangkok, Thailand Salween Watershed Development and Recovery Association, Mae Hong Son, Thailand
Tongphun Mahawongsanan	Samun and Sanien Watershed Conservation Network, Nan, Thailand
Panapat Jundittawong	Student Club for Social Justice (SVS), Chulalongkorn University, Bangkok, Thailand
Chinnaraj Bootseepumi	Sustainable ISAN Center Faculty of Liberal Arts, Ubon Ratchathani University, Ubon Rachathani, Thailand
Chartchai Thammo Somkid Mahissaya Premrudee Daoroung	Takonyom Youth Group for River, Prae, Thailand Thai Volunteer Service (TVS), Bangkok, Thailand Towards Ecological Recovery and Regional Alliance, (TERRA), Bangkok, Thailand
Nikom Puttha	Upper Ping Watershed Development Project, Chiang Mai, Thailand
Ricardo Carrere	World Rainforest Movement (WRM), Uruguay
Saskia Ozinga	Forests and the European Union Resource Network (FERN), UK
Joseph Zacune Larry Lohmann Vicky Cann	Friends of the Earth UK The Corner House, UK World Development Movement (WDM), UK
Bruce Jenkins Scot Quaranda Jeremy Mak	Bank Information Center (BIC), USA Dogwood Alliance, USA Educational Network for Global and Grassroots Exchange, USA
Orin Langelle Carl Middleton	Global Justice Ecology Project, USA International Rivers, USA
Nguyen Duc Anh Nguyen T. Phuong	Citizen/Student, Cantho, Vietnam Citizen/Student, Ho Chi Minh City, Vietnam

Cc:

**MRC Council**

H.E. Mr Lim Kean Hor, Minister of Water Resources and Meteorology, Cambodia  
H.E. Ms Khempheng Pholsena, Minister to the Prime Minister's Office, Lao PDR  
H.E. Mr Yongyuth Yuthavong, Minister of Natural Resources and the Environment,  
Thailand  
H.E. Dr Cao Duc Phat, Minister of Agriculture and Rural Development, Vietnam

**MRC Joint Committee**

H.E. Mr Sin Niny, Vice-Chair of Cambodia National Mekong Committee, Cambodia  
Mr Chanthavong Saignasith, Director-General of Lao National Mekong Committee, Lao  
PDR  
Mr Saksit Tridech, Permanent Secretary, Ministry of Natural Resources and the  
Environment, Thailand  
Mr Nguyen Hong Toan, Secretary-General of Viet Nam National Mekong Committee,  
Vietnam

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**Working committee with respect to this letter**

Premrudee Daoroung  
Director  
**Towards Ecological Recovery  
& Regional Alliance (TERRA)**  
409 Soi Rohitsuk  
Pracharajbampen Road  
Huay Kwang, Bangkok  
Thailand  
[fer@terraper.org](mailto:fer@terraper.org)  
Tel : (66 2) 691-0718-20  
Fax: (66 2) 691 0714

Suntaree Saeng-ging  
Secretary General  
**NGO-Coordinating Committee  
on Development, Thailand**  
409 Soi Rohitsuk  
Pracharajbampen Road  
Huay Kwang, Bangkok  
Thailand  
[ngocod@thai.com](mailto:ngocod@thai.com)  
Tel : (66 2) 691 1216  
Fax: (66 2) 691 1216

On behalf of Rivers  
Coalition in Cambodia  
**NGO Forum on  
Cambodia**  
#9-11 Street 476  
Toul Tompong,  
Phnom Penh,  
Cambodia  
[samath@ngoforum.org.kh](mailto:samath@ngoforum.org.kh)  
Tel: (855) 23 214 429  
Fax: (855) 23 994 063