



Mr. Shinzo Abe  
Prime Minister of Japan

December 10, 2013

**【Re: At the forthcoming Japan-ASEAN Summit in Tokyo, Prime Minister Abe should urge the Lao Government to fully consult with regional countries over development of the Mekong River.】**

Dear Prime Minister Shinzo Abe;

Mekong Watch is a Tokyo-based non-profit organization (NPO). Since its establishment in 1993, we have conducted research/advocacy activities relating to development issues in Southeast Asia/Mekong Region. Based on our expertise, we would like to request you to urge the Lao Government to fully consult with other countries in the region over development of the Mekong River during the forthcoming Japan-ASEAN (Association of Southeast Asian Nations) Summit scheduled to be held in Tokyo, Japan on December 13 to 15, 2013.

**Mekong River's environment and natural resources are threatened by mainstream dams**

The Mekong River originates on the Tibetan Plateau in China and stretches over 4,900 km, running through Myanmar (Burma), Laos, Thailand, Cambodia, and Viet Nam. It is the largest inland fisheries in the world, and enjoys the world's second highest fish diversity<sup>1</sup>. The estimated total fish catch in the Lower Mekong Basin amounts to 750,000 to 2,100,000 tons a year, with its commercial value reaching 420 to 760 billion Yen a year (at retail prices)<sup>2</sup>. Fish is an important source of food and income for approximately 60 million residents in the river basin, and particularly for the economic poor.

However, the Mekong River's environment and natural resources are now threatened by large-scale hydropower dams planned on its mainstream. Of 11 proposed sites, the Lao Government is proceeding with two, namely the Xayaburi and Don Sahong Dams. The Agreement on the Cooperation for the Sustainable Development of the Mekong River Basin (generally known as "the Mekong Agreement"), signed by Laos, Thailand, Cambodia, and Viet Nam, obligates the four governments to consult with each other regarding development projects along the Mekong mainstream at the four-member Mekong River Commission (MRC). However, the Lao Government has ignored the spirit of the Mekong Agreement by showing reluctance to fully consult with the other member countries. The MRC's consultation procedures are also flawed, being unable to stop the Lao Government from unilaterally proceeding with the projects.

In October 2010, the four MRC governments started to discuss the Lao Government's 1,260 megawatt Xayaburi hydropower project<sup>3</sup>. The Xayaburi Dam will block fish migration and nutrition flow in the Mekong River. The Governments of Cambodia and Viet Nam have voiced concerns, as the project may damage the productivity of the Tonle Sap Lake and Mekong Delta. In May 2011, the Lao Government said they would temporarily stop construction, which had already been started. In December 2011, MRC's Council (a Ministry-level body) meeting agreed to conduct a further study on the mainstream dam's impacts on the Mekong River Basin, and approach its development partners, in particular Japan, for funding<sup>4</sup>. However, the Lao Government did not stop construction and has continued to proceed with the

<sup>1</sup> *Nature and our Future: The Mekong Basin and Japan* (Mekong Watch 2013), page 12

<http://www.mekongwatch.org/platform/bp/english1-3.pdf>

<sup>2</sup> Ibid. *Nature and our Future*, page 14 <http://www.mekongwatch.org/platform/bp/english1-4.pdf>

<sup>3</sup> For more information on the Xayaburi Dam project (in Japanese): <http://www.mekongwatch.org/report/tb/Xayaburi.html>

<sup>4</sup> "Minutes of the 18<sup>th</sup> meeting of the MRC Council, 8 December 2011 in Siem Reap, Cambodia", paragraph 21

<http://www.mrcmekong.org/assets/Publications/governance/Minutes-of-the-18th-Council.pdf>

project without a consensus from the other countries, with reasoning that they have modified the dam's design. The details of the design changes, however, have not been publicized yet, despite a request put forward by development partners, including Japan<sup>5</sup>.

In September of this year, the Lao Government notified the MRC about the 260 megawatt Don Sahong hydropower project<sup>6</sup>. The Don Sahong Dam will block a channel through which fish migrate during the water-scarce dry season, and may drive river dolphins (an endangered species) into extinction. In May 2007, more than 30 scientists sent a letter to Mekong Region governments and international institutions, warning that the dam "*is probably the worst possible place to site a 240 MW project*" and "*is not in the best interests of Lao PDR and its people*", as it will destroy local fisheries and tourism<sup>7</sup>. However, the Lao Government asserts the Don Sahong Dam is not on Mekong mainstream and so they do not have to consult through the MRC. The Governments of Thailand, Cambodia, and Vietnam have each submitted a request to the Lao Government that they should agree to have prior consultation over the project<sup>8</sup>. At the informal June meeting this year, the MRC's development partners, including Japan, also asked the Lao Government to submit the project to the MRC's consultation process<sup>9</sup>.

### **Food security and regional cooperation in crisis**

Construction of the Xayaburi and Don Sahong Dams will cause huge problems to the entire Mekong River Basin, including Laos. The two projects will accelerate dam construction on Mekong mainstream, which will devastate the Mekong River's ecology. A final draft of the Strategic Environmental Assessment, publicized by the MRC in 2010, warns that 11 mainstream dams may irreversibly change the Mekong River's ecology in 55 percent of the length of the Lower Mekong, and decrease fish populations by from 26 to 42 percent. In conclusion, the report recommends that decisions over mainstream dams should be deferred for ten years, and further studies should be carried out<sup>10</sup>. The drastic decrease of fish will threaten the food security of people who depend on fish for an animal protein source<sup>11</sup>, and may even lead to economic and political destabilization in the Mekong Basin countries. This is a huge risk for ASEAN as well as for the Japanese Government.

The MRC's raison d'être as a cooperative management body will be seriously damaged. In the Mekong River's upstream, the Chinese Government has already completed large-scale hydropower dams in six locations and downstream countries have voiced concerns over their impact on the river. China is not a full MRC member and a framework through which it consults with downstream countries over Mekong River's development is currently lacking. If cooperation among the four Lower Basin countries becomes weakened, it is less feasible for them to achieve cooperative management of the Mekong River among themselves and with China<sup>12</sup>.

### **Request to Prime Minister Abe**

<sup>5</sup> "Report: Informal donor meeting, 27-28 June 2013 Phnom Penh, Cambodia", page 22

<http://www.mrcmekong.org/assets/Publications/governance/Report-IDM-2013-Complete-set-final.pdf>

<sup>6</sup> For more information on the Don Sahong Dam project (in Japanese): <http://www.mekongwatch.org/report/tb/Donsahong.html>

<sup>7</sup> "A letter from scientists concerned for the sustainable development of the Mekong River"

[http://www.internationalrivers.org/files/attached-files/don\\_sahong\\_scientists\\_letter.pdf](http://www.internationalrivers.org/files/attached-files/don_sahong_scientists_letter.pdf)

<sup>8</sup> "Viet Nam joined other MRC Member Countries calling Prior Notification for Don Sahong Project"

[http://www.vnmc.gov.vn/newsdetail/355/viet-nam-joined-other-mrc-member-countries-calling-prior-notification-for-don-sahong-pr](http://www.vnmc.gov.vn/newsdetail/355/viet-nam-joined-other-mrc-member-countries-calling-prior-notification-for-don-sahong-project.aspx)

<sup>9</sup> Ibid. "Report: Informal donor meeting, 27-28 June 2013", page 2

<sup>10</sup> "Foretelling the Mekong River's Fate: Key Findings of the MRC's Strategic Environmental Assessment on Mekong Mainstream Dams" (International Rivers, January 2011), pages 1-2 [http://www.internationalrivers.org/files/attached-files/sea\\_factsheet\\_eng.pdf](http://www.internationalrivers.org/files/attached-files/sea_factsheet_eng.pdf)

<sup>11</sup> Calculating from Agriculture and Food Organization (FAO) and other statistics, the estimated annual consumption of freshwater fish per person reaches 34.5 kg for Viet Nam, 32.3 kg for Cambodia, 24.9 kg for Thailand, and 24.5 kg for Laos, while the global average is 2.3 kg. Ibid. *Nature and our Future*, page 14

<sup>12</sup> In "Action Plan for 'A Decade toward the Green Mekong Initiative'" (October 29, 2010) the Japanese Government/Ministry of Foreign Affairs writes, "*Efforts will also be made to promote the Integrated Water Resources Management (IWRM) approach through the MRC*" ("(2) Water Resource Management, 3.2 Actions to be Taken in Each Area").

[http://www.mofa.go.jp/region/asia-paci/mekong/summit02/gm10\\_iap\\_en.html](http://www.mofa.go.jp/region/asia-paci/mekong/summit02/gm10_iap_en.html) Such an approach will have to be reconsidered, if MRC becomes weakened.

The Japanese Government is hosting the Japan-ASEAN Summit in Tokyo between December 13 and 15, 2013. It is reported that the Japan-Mekong Summit and bi-lateral side meetings will also be held during this period. We would like to request you to take this opportunity to strongly urge the Lao Government to remember the spirit of the Mekong Agreement, suspend dam construction on the Mekong mainstream, respect results of scientific research, and fully consult with other basin countries, as well as with civil society.

The Japanese Government is currently being asked by the MRC to fund further research agreed upon at the MRC Council to review mainstream dams' impacts. In order for this research to be carried out scientifically and to become useful to consensus-building among the river basin countries, the Lao Government should stop dam construction. Also, as the MRC's consultation process is insufficient, full information disclosure and public consultation should become minimal requirements.

During your meeting with the former Prime Minister of the Lao Government, Mr. Bouasone Bouphavanh, in Tokyo in May 2007, you "*reaffirmed the importance of the fundamental values such as freedom, democracy, basic human rights, rule of law and good governance for the long-term economic prosperity (of Laos)*"<sup>13</sup>. For Laos, fully consulting with other countries, as well as with civil society, based on the results of sound scientific research should be in line with these fundamental values.

We firmly believe that it is an extremely meaningful diplomatic step for the Japanese Government to play an active role in facilitating consultation and cooperation among the relevant countries over the development and management of the rich environment and natural resources of the Mekong River in working towards Japan's future relations with the countries in the ASEAN and Mekong Region.

Sincerely yours,

Kenji Fukuda  
Representative Director  
NPO Mekong Watch

CC:

Minister of Foreign Affairs of Japan;  
Japanese Embassies in Laos, Thailand, Cambodia, and Viet Nam;  
First Southeast Asia Division, South Asian Affairs Department, Asian and Oceanian Affairs Bureau,  
Ministry of Foreign Affairs of Japan

(This document is a translation of the Japanese original.)

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<sup>13</sup> "Joint Press Statement on Japan-Lao PDR Summit Meeting", paragraph 3  
<http://www.mofa.go.jp/region/asia-paci/laos/joint0705.html>