

In Support of Sustainable Water Resources Development in the Lower Mekong River Basin: Development of Guidelines for Transboundary Environmental Impact Assessment

Kongmeng Ly

Environmental Management Division, Mekong River Commission Secretariat, Vientiane, Lao PDR

Phetsamone Khanophet

Environmental Management Division, Mekong River Commission Secretariat, Vientiane, Lao PDR

Abstract

The management of transboundary river basins across developing countries, such as the Lower Mekong River Basin (LMB), is frequently challenging given the development and conservation divergences of the basin countries. Driven by needs to sustain economic performance and reduce poverty, the LMB countries (Cambodia, Lao PDR, Thailand, Viet Nam) are embarking on significant land use changes in the form hydropower dam, to fulfill their energy requirements. This pathway could lead to irreversible changes to the ecosystem of the Mekong River, if not properly managed. Given the uncertain trade-offs of hydropower development and operation, the Lower Mekong River Basin Countries through the technical support of the Mekong River Commission (MRC) Secretariat embarked on decade long the development of Technical Guidelines for Transboundary Environmental Impact Assessment. Through a series of workshops, seminars, national and regional consultations, and pilot studies and further development following the recommendations generated through legal and institutional reviews undertaken over two decades period, the LMB Countries jointly adopted the MRC Technical Guidelines for Transboundary Environmental Impact Assessment (TbEIA Guidelines). These guidelines were developed with particular regard to the experience gained from MRC supported consultations and technical reviews of the Xayaburi Dam Project, Don Sahong Hydropower Project, Pak Beng Hydropower Project, and lessons learned from the Srepok River and Se San River case studies commissioned by the MRC under the generous supports of development partners around the globe.

As adopted, the TbEIA Guidelines have been designed as a supporting mechanism to the national EIA legislation, processes and systems in each Member Country. In recognition of the already agreed mechanisms, the TbEIA Guidelines build on and supplement the agreements stipulated in the 1995 Agreement on the Cooperation for the Sustainable Development of the Mekong River Basin and its Procedural Rules, in addressing potential transboundary environmental impacts of development projects and ensuring mutual benefits from the Mekong River and its resources.

Since its adoption in 2023, the TbEIA Guidelines have already been voluntary implemented by Lao PDR on its underdevelopment Sekong A Downstream Hydropower Project, located on the Sekong River – a major tributary of the Mekong River. While this implementation is ongoing with results expected in early 2025, the implementation thus far has strengthened cooperation among concerned Member Countries with multiple successful open dialogues organized at national and regional levels. It is hope that lessons learnt from this application would lead to a wider application of the TbEIA Guidelines for future water resources development projects in the LMB.