

## Joint Statement

### Call for the delay on the Pak Lay Dam Prior Consultation Process

We refer to the recent announcement<sup>1</sup> by Mekong River Commission (MRC) to invite all stakeholders to voice concerns during MRC Prior Consultation process over the proposed Pak Lay hydropower dam project on Mekong River, to be organized from 20-21 September 2018 in Vientiane, CSOs working on water governance and natural resources management in Cambodia call on the MRC to delay the Prior Consultation on the proposed project.

We make this call for the following reasons:

- Requests from national and regional CSOs for lower Mekong governments to address outstanding concerns over previous hydropower dam projects that have undergone Prior Consultation (Xayaburi, Don Sahong and Pak Beng) have not been acted upon by the MRC. CSOs in Cambodia and in the region have participated in Prior Consultation meetings since the first project in 2011 and the following projects in 2014 and 2017 respectively to share our concerns on the proposed projects. We have recently reiterated our request<sup>2</sup> to the MRC for clarification of our existing concerns, but we have yet to receive any official response which we wish to receive before any other consultations on new project is taken place.
- The collapse of the Xe Pian Xe Nam Noy hydropower dam project's saddle dam in Laos, resulted in extensive loss and harm for thousands of local people in Laos as well as across the border in Cambodia. This tragedy has led to further major concerns over the standards and safeguard mechanism of hydropower projects in Laos and the accountability of developers and investors that need to be comprehensively reviewed before any further hydropower construction continues in the lower Mekong basin.
- In light of the dam collapse, the government of Laos has announced for an inspection<sup>3</sup> on exiting hydropower dams across the country and temporary suspension of any new projects while at the same time is reviewing its future hydropower development strategy. Even though the Lao National Mekong Committee (LNMC) clarified that they do not regard the Pak Lay project as a new development proposal, progress on the project should nonetheless be suspended until the results of the inspection and review of future hydropower development strategy is completed, in order to ensure an improved process for planning and development of any hydropower dam projects in the future.
- CSOs in Cambodia welcome the efforts of MRC to increase space and involvement of CSOs in Prior Consultation in order to collect feedback on proposed projects from civil society organizations that work closely with local communities. However, our participation cannot be construed as a sign of acceptance of destructive projects. Any concern that is raised during Prior Consultation should be responded to and addressed in advance before commencing development of the project. We believe that our engagement in the Prior Consultation is very

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<sup>1</sup> <http://www.mrcmekong.org/news-and-events/news/stakeholders-invited-to-voice-concerns-during-mrc-prior-consultation-process-for-mekong-hydropower-development/>

<sup>2</sup> Letter to MRC (July 2018) request for responding and addressing existing outstanding concerns over the previous hydro dams before proceeding with any new hydropower dam project on the Lower Mekong mainstream.

<sup>3</sup> <https://laotiantimes.com/2018/08/08/lao-government-suspend-new-hydropower-dam-projects/>

important and will contribute to the sustainable planning and management of the Mekong River and its tributaries for the benefits of local communities, including avoidance of dam projects that cause undue harm to Mekong resources and communities. We would like to see our engagement be treated meaningfully by the MRC and lower Mekong governments, meaning addressing our concerns and demand rather than taking our participation to legitimize the dam construction decision.

- CSOs in Cambodia recognize the efforts of MRC in addressing some of our requests; for instance, by integrating into the agenda of its Regional Stakeholder Forum (to be organized on 21-22 September), however, that agenda should not be discussed in parallel with the Prior Consultation of the proposed Pak Lay project. It should be organized as a separate event to avoid any misinterpretation of our participation as agreeing to the Prior Consultation process.

For the above reasons, we CSOs working on water governance and natural resources management in Cambodia that are listed below call for delay of the Prior Consultation for the proposed Pak Lay Dam project and reiterate our request to first address existing outstanding concerns in order to build confidence that the MRC and lower Mekong governments will meaningfully respond to our input.

#### **List of NGOs endorse the statement**

- 1) Action for Development (AFD)
- 2) Cambodian Community Development (CCD Kratie)
- 3) Cambodia Indigenous Youth Association (CIYA)
- 4) Cambodian Volunteers for Society (CVS)
- 5) Cambodian Youth Network (CYN)
- 6) Community Development Center (CDC)
- 7) Culture and Environment Preservation Association (CEPA)
- 8) Fisheries Action Coalition Team (FACT)
- 9) Mlup Promviheathor Center (MPC)
- 10) My Village (MVi)
- 11) Nak Aphiwat Sahokom (NAS)
- 12) Non-Timber Forest Product-Exchange Program (NTFP-EP)
- 13) Northeastern Rural Development (NRD)
- 14) Save the Vulnerable Cambodia (SVC)
- 15) Strengthen and Extend Community Economic Association (SECEA)
- 16) The Coalition of Cambodia Fishers (CCF)
- 17) The NGO Forum on Cambodia (NGOF)
- 18) Tonle Sap Lake Waterkeeper (TSW)
- 19) Youth Council of Cambodia (YCC)
- 20) 3S Rivers Protection Network (3SPN)