

Joint Action Plan for the Implementation of the Statement on the Prior Consultation Process of the Luang Prabang Hydropower Project



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Purpose of the Joint Action Plan

- ▶ The Joint Action Plan aims at outlining a process for further discussion leading to the finalisation of a set of measures that will form the basis for regular reporting on the notified water use once it is operationalised.

Principles of the Joint Action Plan

- ▶ It is guided by the same spirit of cooperation and transparency as the Prior Consultation process and good faith cooperation in disclosures by the notifying Country.
- ▶ The implementation of the JAP will be aligned with the ongoing design, construction schedule and operationalisation of the proposed water use.
- ▶ The implementation of the JAP aims at enhancing the project final design and construction as well as the operation of the project.

I. Background

Article 5.4.3 of the Procedures for Notification, Prior Consultation and Agreement ([PNPCA](#)) indicates that:

The MRC JC shall aim to arriving at an agreement on the proposed use and issue a decision that contains the agreed upon conditions. That decision shall become part of the record of the proposed use and of the record of the use of the waters when commenced. The notifying State(s) shall not implement the proposed use without providing the opportunity of the other Member States to discuss and evaluate the proposed use. The MRC JC shall take note of replies and place in the record for the proposed use of any concerns or reservations made by the notified State(s).

The prior consultation process aims to provide the MRC JC (JC) with the information it needs to come to an agreement on the notified use, outlining the conditions or measures that will, if implemented, take into account the legitimate concerns of the notified Countries¹. The Procedures for Water Use Monitoring ([PWUM](#)) make provision for regular reporting on water use in the Lower Mekong Basin (LMB) so that the JC can, after considering all the MRC Procedures, advise the Member Countries on potential management options that can

¹ Notwithstanding any agreement on the Statement in the JC, the notified States may express reservations highlighting the potential impacts of the proposed use on the shared ecosystems and their use of the Mekong River System.

mitigate the impacts of droughts, floods or the declining environmental and fisheries conditions of the LMB.

Notification takes place at the Feasibility Stage of the project development and the prior consultation process concludes with a Statement outlining the measures recommended by the JC for the notifying country to consider in the ongoing design, construction and operations of the notified use. As Prior Consultation takes place at the Feasibility Stage of project implementation, it is expected that the measures proposed will be modified as more information comes to light and as the financial and technical feasibility of the measures is assessed. The Joint Action Plan (JAP) therefore outlines a process for ongoing engagements between the Member Countries, leading towards the finalisation of a set of measures (conditions) that can be taken up in the [PWUM](#).

The JAP is not a continuation of Prior Consultation, and it relies on the good faith cooperation in disclosures by the notifying Country. Its pace of implementation is dependent on the ongoing design, construction and operationalisation of the proposed use and not timeframes for responses from the MRC.

II. Introduction

The Special Session of JC convened on 30 June 2020 at the end of the Prior Consultation process for the Luang Prabang Hydropower Project ([LPHPP](#)) agreed on a “*Statement on the Prior Consultation process for the Luang Prabang Hydropower Project [LPHPP] in Lao PDR*” (the [Statement](#)).

The Statement includes a request to the MRC Secretariat (MRCS) to support the preparation of a JAP that outlines a process for implementing the Statement. The JAP was drafted and the JC discussed and approved it at its Special Session on 30 June 2020.

II. The Purpose of the JAP

The aim of the JAP is to provide mechanisms for ongoing feedback and data exchange and sharing of knowledge between Lao PDR and the MRC, regarding the ongoing design, construction and operation of the LPHPP. The intention is to track the implementation of the Statement and support Lao PDR in its ongoing efforts to identify measures that may further avoid, minimise, and mitigate the potential transboundary adverse impacts of the LPHPP. It aims at enhancing the benefits of the project and sharing knowledge and experience among the MRC Member Countries. Eventually, the JAP aims to agree on a set of measures that will form part of the record of the proposed use as defined in the PWUM and PNPCA.

The JAP will be initiated after it is approved, and will run through the ongoing design, construction and operation phases of the LPHPP. The outcomes of the JAP implementation are advisory in nature and form part of all the Member Countries’ commitment to good faith cooperation. It may be updated by the JC throughout its implementation to address changing circumstances and the deepening understanding of the Prior Consultation process.

Implementation of the JAP shall not impede the implementation of the LPHPP.

The purpose of the JAP is multifaceted and aims to:

- Support the implementation of the Statement as agreed by the JC (*the Statement is included as Annex 1*);
- Provide opportunities for the Government of Lao PDR (GoL) and the Lao National Mekong Committee (LNMC), to engage with experts from the MRCS and the notified Countries with a view to enhancing existing measures to avoid, minimize and mitigate the potential transboundary adverse impacts, and to enhance the benefits of the project and the sharing of knowledge and experience amongst the Member Countries;
- Provide a mechanism for the exchange of data between the GoL, the MRCS and the notified Countries on the monitoring of flows, sediment transport, fish and aquatic ecology, water quality, navigation, and socio- economic factors;
- Present regular updates on progress with the development and revision of the final designs and operating rules for the LPHPP; and
- Provide a forum for exchanging information and knowledge with other hydropower developers on the mainstream and tributaries, to improve the conjunctive or adaptive management of HPPs in the LMB and to share and learn lessons.

III Principles for implementation

The JAP will be underpinned by the same spirit of cooperation and practicality as the prior consultation process. To this end, it will be governed by the following principles:

- The JAP supports the implementation of the Statement after the conclusion of the six-month prior consultation process. It is a cooperative mechanism to jointly further explore viable and practical measures to avoid, minimise and mitigate potential transboundary adverse impacts, or enhance any positive impacts and benefits.
- It is founded on the principles of the PNPCA, viz..
 - Sovereign equality and territorial integrity;
 - Equitable and reasonable utilisation;
 - Respect for rights and legitimate interests; and
 - Good faith and transparency.
- It aims to accommodate the interests and constraints of all the Member Countries and will address all concerns as far as reasonably practicable.
- It recognises the Lao PDR's plan to pursue the project, while making every effort to implement the Statement.
- While promoting the free and open exchange of data, the JAP recognises that certain data and information that may affect the developer's competitive advantage are confidential (as is provided for in the Procedures for Data and Information Exchange and Sharing or [PDIES](#)).
- Any discussions and engagements will be through the GoL and its Line Agencies; and
- It covers the project design, construction and operational phases of the LPHPP.

IV. Engagement of Stakeholders

The MRC is committed to improving the engagement of stakeholders at all levels. The MRC

Council, the JC and the Secretariat, as well as other government agencies in the Member Countries will be primarily responsible for the implementation of the JAP through the administrative mechanisms already in place in the MRC. These are the internal stakeholders to the process.

External stakeholders such as development partners, NGOs, implementing partners, civil society organisations, research institutions, academics, individuals and other interested groups will be kept informed of progress with the implementation of the JAP through the MRC's regular engagements.

V. A Phased Approach

The JAP will be undertaken in a phased manner, with reviews after each Phase. These Phases are as follows:

- **Phase 1: Initiation** - This will start immediately after approval of the JAP by the JC and will focus on mobilising the resources required for implementation.
- **Phase 2: Project Design** – This will aim at working with relevant Line/Implementing Agencies in the GoL to explore measures that may further improve the project design and operations of the LPHPP, and address the concerns raised during the Prior Consultation process.
- **Phase 3: Construction** – This will start once construction on the LPHPP starts, and will aim at appraising the progress with construction, monitoring of impacts during construction and having input into any design changes; and
- **Phase 4: Operations** – This will include agreement by the JC on a set of monitoring and reporting parameters for the operational phase of the LPHPP and will be completed as operations commence. These will form part of the PWUM and will be regularly reported to the JC.

A broad Scope of Work (SoW) for these Phases is presented below. This is intended to be flexible, and subject to change based on lessons learnt, the growing technical understanding of the Mekong River system, and the human and financial resources availability. Any changes to the SoW will be made through an agreement by the JC.

Phase 1: Initiation

This phase starts immediately and aims at:

- Mobilising resources required for implementation.
- Informing stakeholders of the outcomes of the Prior Consultation process and the content of the JAP.
- Initiating the implementation of the JAP within the MRC and the GoL. This will include the modalities of collaboration, and lines of communication and reporting; and
- Developing a Tracking Matrix for the JAP implementation to be maintained by the MRCS, so that the JC can exercise an effective oversight over the implementation of the JAP.

Phase 2: Project Design (including Operating Rules)

This Phase will aim to exchange information between the GoL and the MRCS and Member Country experts on the ongoing design of the infrastructure and operating rules. This is intended to jointly explore opportunities to further avoid, minimise and mitigate potential transboundary adverse impacts, as well as to enhance the benefits of the project and the sharing of knowledge and experience amongst the Member Countries. This Phase will also develop mechanisms to monitor the implementation of the agreed outcomes of the discussions. These include:

- Mechanisms to maximise the technical expertise available to support the implementation of the Statement. This may include the appointment of independent panels by the GoL and opportunities to engage the MRC's and Member Countries' experts.
- Working sessions at key design milestones bringing together the relevant expertise around the following subjects:
 - Dam safety;
 - Sediment flushing and routing infrastructure and operations;
 - Dam release infrastructure, regulation and operations;
 - Fish passage infrastructure and operations;
 - Navigation lock infrastructure and operations;
 - Monitoring and evaluation; and
 - Positive and negative impacts on socio-economic issues.
- Working sessions to gain a better understanding of potential significant transboundary adverse environmental and socio-economic impacts, and options to further avoid, minimize, and mitigate these as far as reasonably practical; and
- After review by the JC, making recommendations on the project design and operating rules for the GoL to consider.

Progress with the implementation of the JAP will be reported as part of the overall implementation of the MRC Procedures in the regular meetings of the JC. The progress report to the JC will have the following components:

- Comments (not a review) from the MRCS on the documentation and data received at the end of the Prior Consultation process, but not incorporated in the [Technical Review Report](#).
- An outline of how the GoL has responded to the Technical Review Report and Statement.
- Presentation of further information supporting the Technical Review Report, and its key outcomes; and
- Presentation of the ongoing designs and operating rules that will be put in place to further avoid, minimise and mitigate any potential transboundary adverse impacts and to enhance the benefits of the project and the sharing of knowledge and experience amongst Member Countries.

At the first working session the GoL will be given the opportunity to present their updated

designs and further monitoring programmes and share the data collected thus far.

Discussions will also aim at identifying monitoring indicators to assess the efficacy of the design and operations with respect to avoiding, minimising and mitigating the risk of potential transboundary adverse impacts and to enhance the benefits of the project and the sharing of knowledge and experience amongst Member Countries. This will include recommendations by the JC on the modalities of exchanging data on a regular basis.

This phase concludes with the request for submission of the final designs and operating rules through the LNMC.

Phase 3: Construction

This phase will be initiated with the commencement of construction of the LPHPP and will start after reviews and recommendations by the JC for the monitoring of the implementation of the Statement during construction. Activities will include:

- Periodic visits to the site by the MRCS and Member Country experts to observe the process. These visits will be arranged through the GoL.
- Working sessions or meetings to discuss any major design changes made during the construction phase.
- Exchange of data on the efficacy of measures agreed to avoid, minimise and mitigate impacts during construction in line with the Joint Environmental Monitoring Programme; and
- Regular updates on progress with construction, provided via the LNMC and MRCS as outlined in the following section.

Given the costs of these working sessions, these will only be held when significant milestones have been reached with construction, or where input into design changes is desirable. Through the GoL the developer will be requested to make presentations of the on-going design changes and the results of any monitoring.

Phase 4: Operations

This phase will start after commissioning of the LPHPP and will aim at:

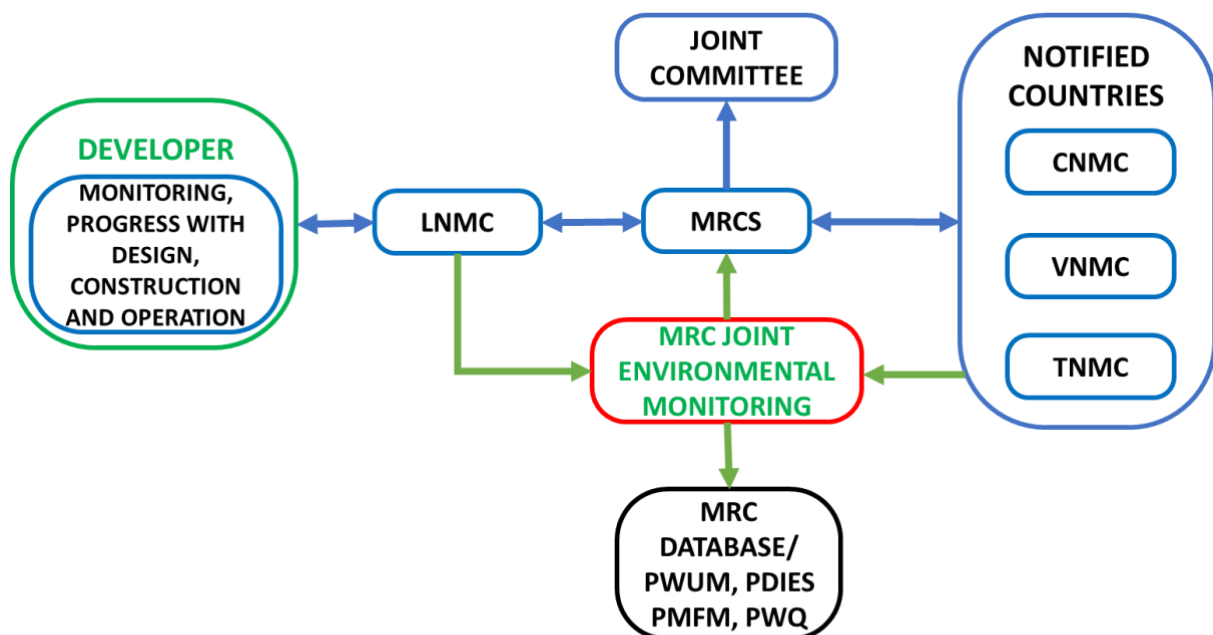
- Formalising, by the JC, the agreed final measures to avoid, minimise and mitigate any potential transboundary adverse impacts of the LPHPP and including these into the PWUM.
- Developing an Operations Monitoring Scheme in line with the MRC Joint Environmental Monitoring Programme (JEM), to be based on monitoring indicators and frequency that have emerged from the previous Phases.

It is expected that the monitoring for the purposes of the PWUM, [PMFM](#) (Procedures for the Maintenance of Flows on the Mainstream) and [PWQ](#) (Procedures for Water Quality) will include inter alia:

- The implementation of any measures to route and flush sediments that may be agreed under the Joint Cascade Operations.
- Monitoring the efficacy of the fish passage facilities and any operating measures that may be implemented to promote fish passage.
- Monitoring sediment volume trapped in the impoundment.
- Monitoring critical habitats in the free-flowing reach between the LPHPP and the Xayaburi backwater.
- Monitoring the number of vessels using the locking system and waiting times.
- Monitoring the flow in order to provide early warning of rapid increases in inflows and large water releases when occurring to the downstream HPPs and affected communities, the MRCS and downstream countries.

This will include recommendations on the frequency of reporting to the MRC, the internal processing and reporting mechanisms by the MRCS, and the regular reporting to the JC. Monitoring may therefore be done by the Operator (and reported through LNMC), or the GoL.

This monitoring scheme will be developed six months following the start of operations and will be submitted to the JC for approval. The monitoring scheme may be reviewed from time-to-time based on the analysis of the results. Any substantial changes in the scope of monitoring during operations in response to the analysis of the data will be subject to approval by the JC. The following flow diagramme outlines the proposed reporting lines.



Data and information flows to support the implementation of the JAP

These reporting lines outline the following:

- Once the measures have been agreed by the JC, the recommendations will be communicated to the GoL through the usual channels.

- The GoL will be urged to implement the agreed monitoring scheme and will collate those data on a regular basis and transmit that to the MRCS through the LNMC.
- The MRCS will include those data in the MRC Information System (MRC-IS) and will summarise the information into an annual report to the JC. The JC may on receiving that report, propose changes in the monitoring for the PWUM, PMFM and PWQ purposes.

VI. Financing the JAP

The following activities in the JAP will have to be financed:

- Working sessions between the Member Countries and the MRCS experts.
- Regional stakeholder engagements as per normal MRC process.
- Internal MRCS staff attendance of the above.
- Training for internal stakeholders.
- Field monitoring/inspection and site visit activities; and any additional² expertise required

It is proposed that the following funding mechanisms should be considered:

- MRC basket funds; and
- Funding support from interested development partners, and other sources (e.g. developers, foundations, environment and climate funds etc.).

The budget for the implementation of the JAP will be prepared by the MRCS for approval by the JC.

VII. Institutional Responsibilities

Joint Committee (JC)

The MRC JC will maintain oversight of the implementation of the JAP and will approve any updates to the JAP that may be proposed from time-to-time. The JC will make recommendations to the GoL in the spirit of the Statement.

The Lao National Mekong Committee (LNMC)

In keeping with the spirit of the Statement and the commitment to engage the MRC with respect to ongoing efforts to avoid, minimise and mitigate the potential transboundary

² It is anticipated that the GoL will establish the International Review panels as required by the LEPTS 2018 and the PDG 2009. Any costs of any expert input required *over and above* those panels will be carried by the MRC.

impacts, and to enhance the benefits of the project and the sharing of knowledge and experience amongst Member Countries; the GoL is requested to provide regular updates on progress with the design, construction and operations of the LPHPP, including at MRC JC meetings.

The frequency of monitoring and reporting and feedback once the LPHPP becomes operational will be specified as provided for in Clause 4 of the PWUM.

The National Mekong Committees of the notified Countries

Similarly, in keeping with the spirit of good faith cooperation and the Principles outlined in Section IV, the NMCs of the notified countries are requested to maintain open and good faith communication with a view to advising the GoL on viable measures for implementation that will further avoid, minimise and mitigate potential significant transboundary adverse impacts from the LPHPP, and to enhance the benefits of the project and the sharing of knowledge and experience amongst Member Countries.

The NMCs may identify national experts (consultants) and implementing/line agencies' staff to support the implementation of the JAP, and will avail these experts for workshops, meetings and providing comments on any documentation produced. The NMCs will form the primary point of liaison with their respective countries and should pass information to their national experts as expeditiously as possible, consistent with their national mandates.

The Mekong River Commission Secretariat (MRCS)

The MRCS will provide a summary of progress with implementation of the JAP, and any data provided, as a standing item on the JC Agenda. The MRCS will arrange any working sessions. The MRCS may request the LNMC for an update on progress to prepare for and report to the JC meetings prior to these meetings.

If agreed, the MRCS will appoint any external specialists/consultants to support any workshops with specialist inputs.

Once the MRCS receives documentation outlining technical progress milestones, it will undertake an internal assessment, and provide feedback to the JC, with suggestions on the ongoing process. The MRCS may take proactive action to prompt the LNMC to provide documentation in a timely manner.

Once the LPHPP is operational, data to support the requirements of the PWUM will be forwarded to the MRCS via the LNMC. It is recommended that this be done on at least an annual basis. The MRCS will prepare an analysis of these data, placing the analysis in the context of key findings from the Joint Environmental Monitoring of the Mekong mainstream Hydropower Projects. These data will also be used to update the database held by the MRC. This report will be presented to JC meetings on an annual basis.

The report will highlight the implementation of the agreed measures as part of the PWUM report back. This annual report will not constitute a further technical review of the LPHPP but

is rather aimed at a collaborative process to continually examine and update measures for implementation to further avoid, minimise and mitigate any impacts, and to optimise benefits, and to develop monitoring activities in that regard. The MRCS must take a proactive role in driving the monitoring activities in line with the PWUM and PDIES.

VIII. Interaction with other programmes

The Joint Environmental Monitoring Programme

The Joint Environmental Monitoring Programme (JEM) aims to assess the impact of the mainstream hydropower projects and the efficacy of any measures applied to minimise these impacts. The outcomes of the JEM supplement the JAP. In brief, while the JAP monitors if the agreed measures are being applied, the JEM assesses whether these are successful. The JC may, on examining the outcomes of both these programmes, recommend changes to the agreed measures.

The development of Joint Cascade Operating Rules

The Statement recommends the development of Joint Cascade Operating Rules by the GoL. These Rules when adopted by the GoL will be implemented by each of the HPP in the upper Lao Cascade on the mainstream, and will be monitored and reported as part of the PWUM.

IX. The way forward

The MRCS will use the agreed version to guide the formulation of a JAP Implementation Matrix.

Annex 1: The Statement

Statement on the Prior Consultation Process for the Luang Prabang Hydropower Project in Lao PDR

1. The Joint Committee of the Mekong River Commission (MRC) convened a Special Session (the Meeting) on 30 June 2020 via video conference to discuss the Luang Prabang Hydropower Project ([LPHPP](#)) submitted by Lao PDR for Prior Consultation.
2. As provided for in Article 5 of the Agreement on the Cooperation for the Sustainable Development of the Mekong River Basin (the 1995 Mekong [Agreement](#)), and Article 5.4.3 of the Procedures for Notification, Prior Consultation and Agreement ([PNPCA](#)), the MRC Joint Committee aimed to reach an agreement on the LPHPP, and to propose measures that should be considered in the ongoing development and operation of the Project.
3. The MRC Joint Committee noted that the 1995 Mekong Agreement signed by the Governments of Cambodia, Lao PDR, Thailand and Viet Nam, set out cooperation in all fields of sustainable development, utilisation, management and conservation of the water and related resources of the Mekong River Basin. The Meeting also recognised that all four MRC Member Countries reaffirmed their commitment to the Objectives and Principles of the 1995 Mekong Agreement at the last three MRC Summits in 2010, 2014 and 2018, in Hua Hin of Thailand, in Ho Chi Minh of Viet Nam and in Siem Reap of Cambodia, respectively.
4. The MRC Joint Committee also recalled that in 2016, the MRC adopted the Basin Development Strategy 2016-2020 for the Lower Mekong Basin. This [Strategy](#) recognises mainstream hydropower as one of the development opportunities and the enhancement of regional benefits while any potential transboundary adverse impacts should be avoided, minimised and mitigated.
5. The MRC Joint Committee recognised its mandate to evaluate the proposed LPHPP with the aim of arriving at an agreement. The Meeting noted that the notified Countries ([Cambodia](#), [Thailand](#), and [Viet Nam](#)) had submitted individual Official Reply Forms on the proposed LPHPP. The MRC Joint Committee also noted that Lao PDR had also submitted a [Statement](#) to the Special Session of the MRC Joint Committee.
6. The MRC Joint Committee appreciated the spirit of cooperation and responsibility of all Member Countries during the Prior Consultation process and noted with gratitude that efforts were already made by Lao PDR to address some of the Member Countries' concerns.
7. The MRC Joint Committee noted that the MRC Secretariat had prepared a Technical Review Report ([TRR](#)), guided by the PNPCA Joint Committee Working Group and informed by feedback from national consultation/information sharing discussions and regional stakeholder forums. The MRC Joint Committee also noted the responses to

the second and final drafts of the TRR prepared by the Developer and forwarded to the MRC Secretariat via the Lao National Mekong Committee.

8. Having considered the TRR, the outcomes of the national consultation/information sharing discussions and regional stakeholder forums, and the Official Reply Forms from the notified Countries, the MRC Joint Committee resolved as follows.

The Joint Committee of the Mekong River Commission:

- I. **Taking into account the Statement of Lao PDR as the notifying country, requests the Government of Lao PDR to take into consideration the comments and recommendations made in the Official Reply Forms submitted by the notified countries and in the Technical Review Report in pursuance of their oversight of the Project's Developer.**
- II. **Calls on the Government of Lao PDR to make every effort to address any potential transboundary adverse impacts of the LPHPP by considering *inter alia* the following measures in the ongoing development and future operation of the proposed Project, and in the same spirit of cooperation that has characterised the Prior Consultation process:**
 1. *The inclusion of the following regarding hydrology and hydraulics:*
 - a. The impacts of climate change, climate variability and the operations of all upstream dams of the LPHPP on the hydrology within the Lower Mekong Basin.
 - b. The spillway capacities of the upstream dams in the determination of flood peaks as is required by Lao national standards (e.g. Lao Electric Power Technical Standard [LEPTS] 2018) and international good practices.
 2. *Addressing the preservation of critical habitats in the remaining free-flowing section of the river between the LPHPP and the backwater of the Xayaburi HPP by considering:*
 - a. The potential for scouring of the riverbed in the free-flowing reach just downstream of the LPHPP to the backwaters of the Xayaburi HPP, due to the potential reduction of sediment transport both in the Mekong mainstream and the Nam Ou tributary.
 - b. Special measures to protect critical habitats for those species that migrate and breed in this section of the mainstream in the Lower Mekong Basin.
 3. *Improving the fish passage facilities by:*
 - a. Updating the fish passage design based on the monitoring of the fish passage from the Xayaburi HPP.
 - b. Ensuring that the entrances to the fish passage facilities remain submerged at all possible flows, after considering the impacts of climate change, climate variability and the operations of the upstream HPPs, particularly in the light of the record low flows noted in the mainstream in recent years.
 - c. Exploring practical measures to reduce the risk of trapping larger fish on the debris screens, to minimise the risk of fish mortality through the turbines as well as to ensure the optimal size of the fish crowders.

4. *Addressing dam safety concerns by:*
 - a. Establishing an independent Dam Safety Review Panel before the construction.
 - b. Adjusting the design of the infrastructure to comply with Lao national standards (e.g. LEPTS 2018) and international good practices.
 - c. Developing an Emergency Preparedness Plan before construction and ensuring dissemination of information to relevant stakeholders.

5. *Increasing the safety and reliability of the navigation facilities by:*
 - a. Improving the sustainability and reliability of the filling and emptying systems as recommended in the TRR.
 - b. Improving the visibility inside the channel and reducing the risk that vessels may be pushed towards the spillway.

- III. **Requests the Government of Lao PDR to actively engage the MRC in a post Prior Consultation process through the implementation of a Joint Action Plan in the same spirit of cooperation and engagement that has characterised the Prior Consultation process.**

- IV. **Requests the Government of Lao PDR to share any additional data and information collated during the ongoing development and operation of the LPHPP in accordance with the MRC Procedures for Data and Information Exchange and Sharing ([PDIES](#)).**

- V. **Requests the Government of Lao PDR to work with the MRC in the development of cascade operating rules that respects the sovereign decision making of the Government of Lao PDR and balance the financial viability of the upper Lao Cascade HPPs, while making every effort to minimise the risk of potential transboundary adverse impacts. This should aim to identify measures that address, *inter alia*:**
 - a. The regular flushing of coarse-grained sediments through the impoundments by adjusting the operating rules.
 - b. The routing of sediments through the impoundments during natural flood events.
 - c. The downstream drift of aquatic species larvae and eggs during critical migration periods.
 - d. The potential impacts of extreme flood and drought events in line with the provisions of the Procedures for the Maintenance of Flows on the Mainstream ([PMFM](#)).
 - e. The risks of multiple failure of infrastructure on the upper mainstream.
 - f. Early warning of rapid increases in inflows and large water releases to the downstream HPPs and affected communities, the MRC Secretariat and downstream countries.
 - g. The preservation of any remaining free-flowing habitats between the proposed Sanakham HPP and Chiang Saen of Thailand.
 - h. The provision for a River Information System to improve the safety of navigation and reduce the waiting times for shipping at the navigation facilities.

- VI. **Requests the Mekong River Commission Secretariat to support the preparation of a Joint Action Plan (JAP) that outlines a post Prior Consultation process that:**

- a. Provides for ongoing engagements throughout the final design, construction, and initial operations of the LPHPP.
- b. Works towards a set of measures for the operational phase of the LPHPP that can be agreed by the Joint Committee, and which can be included in the implementation of the Procedures for Water Use Monitoring.

~~VII.~~ Recognises the importance of exploring the possibility to establish a financing mechanism, subject to agreement by all Member Countries, which can support measures to minimise any adverse impacts of all developments including but not limited to irrigation, hydropower, navigation, tourism and fisheries, on people's livelihoods and well-being in the Lower Mekong Basin.

VIII. Requests the MRC Secretariat to incorporate the key findings and lessons learnt from the Prior Consultation processes into its efforts to improve the implementation of all the MRC Procedures through its work in the MRC Joint Platform.

The MRC Joint Committee notes that the list of recommendations above may be updated based on additional information provided during the post Prior Consultation process.

The MRC Joint Committee will continue its dialogue on the LPHPP in order to avoid, minimise, and mitigate the potential transboundary adverse impacts of water resources development while promoting opportunities for sharing the benefits of that development in all the Member Countries.



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