



CONCEPT NOTE

8th MRC REGIONAL STAKEHOLDER FORUM

Preparation of Basin Development Strategy 2021-2030 and MRC Strategic Plan 2021-2025

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The 1st Regional Information Sharing on Prior Consultation process for the proposed Luang Prabang Hydropower Project

5-6 November 2019, Vientiane, Lao PDR

Background

Recognising the interests involved in the basin and the importance of a shared and informed understanding of different stakeholders' perspectives, the MRC continues to implement various activities to strengthen relationships with a broad range of actors and players outside the national governments, including the private sector, civil society and academia, and other partners working in the Mekong region. One initiative to achieve this is the continuation of a mechanism for engaging broader stakeholders, every year, through the Regional Stakeholder Forums (RSF).

The RSF attempts to address mutual interests and concerns of both internal, the governments of the MRC Member Countries, and external stakeholders, non-government organisations (NGOs), the private sector, media, partners, and other interested groups. The RSF serves as a platform for the Member Countries and other relevant stakeholders to share information, and discuss, provide and exchange views and develop recommendations on the reasonable and equitable use of water and related resources in the lower Mekong Basin.

Since 2017, seven Regional Stakeholder Forums have been held, bringing together multi-stakeholders to have an open and constructive dialogue on pressing issues affecting the Mekong River Basin and to consider the MRC and its partners approach to addressing these issues now and in the future.

As decision-making processes on the management of water and related resources usually address multiple objectives, involve diverse interests, and have far-reaching effects, this multiple-dimensional approach is a cost-effective way to provide a platform that considers multiple relevant issues of interest to the public.

This 2-day 8th Regional Stakeholder Forum will feature 2 topics that meet public's interest: (1) development of updated Basin Development Strategy 2021-2030 and Strategic Plan 2021-2025, as well promoting the State of Basin Report 2018 (a key input to the BDS) and results of Joint Research on extreme floods and droughts, and (2) the 1st Regional Information Sharing on Prior Consultation process for the proposed Luang Prabang Hydropower Project.

Preparation of Basin Development Strategy 2021-2030 and MRC Strategic Plan 2021-2025

The Mekong River Commission (MRC) Integrated Water Resources Management (IWRM)-based Basin Development Strategy (BDS) was firstly developed in 2011 with a five-year planning cycle for 2011-2015, followed by the updated BDS 2016-2020.

The BDS is a statement of the Lower Mekong Basin (LMB) countries setting out how they will utilize, manage and conserve the water and related resources of the Mekong in line with the Agreement on the Cooperation for the Sustainable Development of the Mekong River Basin (the 1995 Mekong Agreement). It provides regional perspectives for development opportunities and management of the basin. It also responds to the goals, objectives and underlying principles of the 1995 Mekong Agreement. The BDS is an instrument for basin planning and cooperation.

Since 2011, the BDS has been implemented at regional and national levels through its MRC Strategic Plan (MRC SP) and the four National Indicative Plans (NIPs) for 2011-2015 and 2016-2020, respectively. Currently, the plans are being implemented for 2016-2020.

For the next planning cycle, the update of the BDS will adopt the approach of shared vision planning which includes the development of long-term vision toward 2040 to reflect the recommendations of the MRC Council Study entitled “Study on Sustainable Management and Development of the Mekong River including Impacts of Mainstream Hydropower Projects.”

With the 20-year vision, the BDS will identify the strategic priorities and outcomes for the development and management of the basin for the duration of 10 years to guide the actions of MRC (through the MRC Strategic Plan 2021-2025) and other actors (through their strategies and action plans), which would be coordinated, promoted and monitored by the MRC for the next five years. The new BDS will also be formulated to tackle issues identified in the MRC State of Basin Report 2018 and will then be monitored whether the state of basin will be improved after the implementation of the BDS. The BDS and MRC SP will also be linked to achieve related targets in the SDGs.

The Prior Consultation process for the proposed Luang Prabang Hydropower Project

On 31 July 2019, Lao PDR submitted documentations of the Luang Prabang Hydropower Project (LPHPP) for prior consultation under the MRC’s Procedures for Notification, Prior Consultation and Agreement (PNPCA). On 3 September 2019, the MRCS officially sent letter and transmitted the submitted LPHPP Documents to JC Members of Notified Countries. The official date of the six-month prior consultation (PC) process will be discussed at the 1st PNPCA JCWG Meeting on 08 October 2019.

The PC process allows the notified Member Countries evaluate potential transboundary impacts of the proposed water use, and, with the support of the MRCS, to discuss these through the MRC Joint Committee. The process aims at an agreement on the proposed use and a decision on measures that will apply to the project to avoid, minimise and mitigate possible harmful effects on the environment and people downstream and upstream.

Like the Xayaburi, Don Sahong and Pak Beng, and Pak Lay Hydropower Projects, the proposed Luang Prabang Hydropower Project (PLHPP) will get attention from the public, particularly civil society, non-governmental organisations and the media, as well as MRC's Development Partners.

Taking the lessons learnt during implementation of the PNPCA, the stakeholder involvement should, therefore, aim to inform, consult and involve potentially affected, interested stakeholders and the public in the prior consultation process. This will include highlighting MRC's role, PC process and its implications, be an open platform for sharing and clarifying technical issues as well as concerns and interests by different stakeholder groups namely government, public and private sector.

Relevant information will be made available on MRC website ahead of any public consultation meetings in order to timely obtain their feedback on issues of their interest.

During the PC process for the Luang Prabang Hydropower Project, there will be two regional information sharing & consultation meetings, together with a series of national consultation meetings.

Forum's Objectives

This 2-day forum has two-fold objectives:

Day 1 of the Forum provides a platform for interested stakeholders to get update and engage in ongoing works at the MRC, with a focus on drafting Basin Development Strategy 2021-2030. The update of BDS will be developed based on outcomes from MRC State of Basin Report 2018, scenario assessment of the MRC Council Study, and other MRC scenario assessments including basin-wide assessment of climate change impacts on water resources, Mekong climate change adaptation strategy and action plan (MASAP), and sustainable hydropower development strategy (SHDS) study. In addition, national and regional perspectives will be developed further and broader to provide framework conditions for the strategy. This forum is held at the formulation step of the BDS aims to:

- Introduce roadmap of the BDS and MRC SP preparation including overall framework, scope, approach, mechanisms, processes, outputs, and activities and timeframe.
- Jointly review current and future conditions of the basin identified in the State of Basin Report, as well as prioritized issues of concerns to be managed within the basin
- Jointly review opportunities to promote sustainable development and strengthen management and increase regional and national benefits
- Share outcomes of MRC and other actors/stakeholders works and how they will be integrated in the update BDS

Day 2 of the Forum, the 1st Regional Information Sharing on the Luang Prabang Hydropower Prior Consultation Process, is a platform for regional multi-stakeholders to engage with MRC as an institution in discussion of specific hydropower development project. The process of engaging with stakeholders, including those who have opposite position about hydropower development in the Mekong basin, aims at sharing accurate information, minimizing misunderstanding and misperceptions of powers and functions by any parties, enabling

environment to deliver key messages to decision-making process. This will enhance MRC's transparency and may bring about an improved perception of the hydropower development and its Prior Consultation process. This 1st Regional Information Sharing meeting will be for (1) early information sharing, (2) common understanding of PNPCA process and mandate, (3) reaffirming stakeholder engagement in good faith and the enhanced MRC mechanism, and (4) soliciting of preliminary views on the project, as well as (5) gaining comments and suggestions on approach and methodology for Technical Review Report.

Participants

The Forum expects to have the following representatives and participants:

- MRC Member Countries including NMCs, Planning Sector, Energy Focal Agencies, and Implementing Agencies
- Research Institutes and Universities
- INGOs and LNGOs and Civil Society Organizations
- Local authorities and communities
- Private sector and companies
- Development partners
- Dialogue partners
- Other interested groups

Expected outcomes

The following outcomes are expected from the forum:

1. Stakeholders are well informed on the development of Basin Development Strategy 2021-2030 and proposed Luang Prabang Hydropower Project as well as its roadmap
2. Constructive suggestions to the update of the BDS 2021-2030 and prior consultation process for the Luang Prabang Hydropower project
3. Engagement with concerned stakeholders throughout PNPCA process
4. Documentation of comments for preparation of the Technical Review of the proposed Luang Prabang Hydropower Project
5. Commitment, collaboration and cooperation from interested stakeholders for development and implementation of the Basin Development Strategy 2021-2030.