THE MEKONG RIVER, INTERNATIONAL RELATIONS & THE NEED FOR MULTILATERAL GOVERNANCE

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ABSTRACT
This article examines Mekong River water governance from an international relations perspective. It outlines some of the river’s most significant cross-border issues, with particular emphasis on those directly affecting the Mekong Delta. It then attempts to pit these challenges against the region’s broader international relations, including between both member and ‘dialogue partner’ Mekong River Commission (MRC) states. It assesses the existing Mekong regime arguing that, despite its current shortcomings, persisting with a multilateral approach is essential for effective Mekong River governance. In addition it suggests all Mekong basin states become fully integrated and committed to such a regime for successful cross-border water management to transpire.

1. Introduction – The Mekong River Basin
The Mekong River – the world’s twelfth longest – extends some 4,880 kilometres from its source in Tibet to the mouths of the Mekong Delta in Vietnam. Its course runs across the sovereign territory of six states: China (which contributes 16 per cent of the flow), Burma (two per cent), Laos (35 per cent), Thailand (18 per cent), Cambodia (18 per cent) and Vietnam (11 per cent). Covering an area of 795,000 square kilometres the Mekong River basin is one of the world’s most vital, supporting the lives of between 60 and 70 million people.

Mekong River basin states face a range of water governance challenges including water flows, flooding, pollution, fisheries, navigation, ecosystems, biodiversity and sustainable development. John Dore defines ‘water governance’ as “the range of political, social, economic and administrative systems that are in place to develop and manage water resources, and the delivery of water services, at different levels of society”. Yet water governance perspectives between states often depend on their relative upstream or downstream locations; what L. Lebel, P. Garden and M. Imamura refer to as the “politics of position”. In reality this often favours upstream states on a “first come, first served” basis. Thailand, for example, has been concerned about providing adequate water supplies for its comparatively dry north-east Isan region, despite the potential impact that water diversion may have on downstream water flows. In some cases, though, the “politics of place” can trump the “politics of position” where, for example, a national capital is located downstream and demands sufficient ‘watering’ (such is the case, for instance, with Hanoi in the Red River Delta). With regard to navigation, also, the downstream country may enjoy the advantage through its development of port facilities and connection to the sea.

In this article I seek to address the impact of international relations on Mekong River water governance, emphasising the need to persist with a multilateral approach. At the regional level the Mekong regime has gone through many alterations, and is now fronted by the controversial Mekong River Commission (MRC). Under the current system downstream states are disadvantaged as they may no longer veto controversial decisions made upstream. Yet when national governments make isolated water management decisions they inevitably do so according to their national interest, which can also create conflict. Despite problems encountered thus far in multilateral governance frameworks, states would be advised to strive to further develop the multilateral Mekong regime. Rivers that cross international borders demand international management approaches, given that all Mekong governance issues inherently have an international relations element.

2. Water Governance Issues
Of the range of water governance issues highlighted earlier, I will briefly outline three which have particular relevance for the Mekong Delta. Vietnam’s Mekong Delta region covers an area of approximately 39,568 square kilometres, or about five per cent of the entire river basin. There are two main branches; Song Tien (Tien River) and Song Hau (Hau River), connected by the Vam Nao Channel near Cho Moi in An Giang province. About 16 million people live in the Delta area (or 22 per cent of Vietnam’s total population); three-quarters of whom are engaged in agricultural labour.

The first governance issue is that of water flows. The Delta suffers from both South China Sea salt-water intrusion (which affects 1.6 million hectares of farming land) and acidic soils (affecting 1.5 million hectares). Both of these problems demand a regular Mekong water flow for flushing purposes. Abigail Makim explains that “agricultural practices [are] well adapted to these
conditions but [that] change to the flow would require major adjustment and investment”. Such flow changes could come from upstream damming and hydroelectric schemes. This would also impact significantly on rice production, with the Delta providing a significant proportion of Vietnam’s domestic rice consumption and its exports.

Secondly, with regard to fisheries, approximately 500 species of fish infiltrate the Mekong Delta during the flooding season, including twenty different catfish varieties. The most common species – *Pangasius Hypophthalmus* (‘Tra’) and *Pangasius Bocourti* (‘Basa’) – travel up the Mekong through Cambodia between October and February, when ready to spawn, and back down river as juveniles between May and August. An Giang province, for example, is a key catfish farming area; 145,500 tonnes were produced in 2005 alone. This fish is then sold abroad in around 65 world markets, accounting for more than US$1 billion in annual exports. According to Tran Dinh Thanh Lam some Mekong fisherman are now reporting reduced catches. Quang Minh suggests that upstream dams are inhibiting Pangasius migration. The Don Sahong Dam in Laos, for example, arouses particular criticism in that “only one migratory fish can easily pass through at the peak of the dry season”.

Thirdly, promoting Mekong navigation may have the dual effect of reducing road transport and traffic demands and potentially saving industry costs by providing convenient access to ports and markets. Vietnam and Cambodia recognised such opportunities by making a tentative 1998 agreement to ease international water transport restrictions, thereby lessening customs and immigration procedures. Peter Starr cites that upstream dams are inhibiting Pangasius migration. The Don Sahong Dam in Laos, for example, arouses particular criticism in that “only one migratory fish can easily pass through at the peak of the dry season”.

### 3. Multilateral Governance

As the Mekong River basin spans six states its water governance and management necessarily requires a multilateral approach. Over the past half-century these states have strived to forge multilateral agreements to manage this precious waterway, often amid challenging political environments. This period witnessed significant internal social and political upheaval – particularly in Burma, Cambodia and Vietnam – as well as conflict between states. In this context river management has understandably sometimes been a lesser priority for national governments. As S. Moellenkamp observes, “countries in an international river basin are not only linked by the joint water resource, but by numerous other international relations”. Even so, despite such political turmoil these states have still observed the importance of manufacturing multilateral governance efforts.

The first notable attempt came in 1957 when the Mekong Committee was founded, with the overall aim of aiding the region’s development. The Committee operated on the principle that “downstream countries had the power to veto any project judged to have an adverse effect on the mainstream flow”. Following Cambodia’s withdrawal in 1975, however, the organisation proved to be short-lived. It was replaced by the Interim Mekong Committee in 1978, which itself was then disbanded in 1992. Apart from the unstable political environment, these organisations were also weakened by the persistent membership absence of one or more of the Mekong states.

This drawback continued to tarnish the integrity of multilateral Mekong River governance. In the early 1990s, the issue of Cambodian entry into the Mekong regime led to a dispute between Vietnam and Thailand. In 1995, however, the Mekong River Commission (MRC) was founded and signed by Thailand, Laos, Cambodia and Vietnam, with both China and Burma granted ‘dialogue partner’ status. The MRC claimed to provide a framework for the “reasonable and equitable utilisation” of the river, covering such areas as sustainable development, water management, conservation, irrigation, hydropower, navigation and tourism. Article 5, however, replaced the old ‘veto principle’ with the watered-down ‘prior consultation’ requirement, which Abigail Makim observed as a major deficiency:

“Where the original arrangements required prior notification for all projects throughout the entire river basin without seasonal variation and contained a related comprehensive veto power, the new and much weaker arrangements required prior notification and unanimity for the mainstream only and were also subject to seasonal variation. This change was particularly and relatively disadvantageous to the downstream Indochinese states. Not only did it limit obligations among the co-riparians, it also circumscribed power within the regime, returning it instead to the sovereign states”.
Though Article 7 stressed that member countries should “make every effort to avoid, minimise and mitigate harmful effects” caused to the environment and water flows, the MRC has since attracted widespread criticism from Mekong observers and civil society groups. Such groups – particularly prominent in Thailand – monitor Mekong governance and also campaign on specific issues such as sustainable development, poverty alleviation, water quality management, and environmental and ethnic minority issues. Instead of promoting water management and sustainable development the MRC has conversely been accused of “facilitating dam construction” and working for investors. Lebel, Garden and Imamura claim that the “MRC is ineffectual and often sidelined by its own member states”. Thus, for example, Thailand’s sovereignty was ‘promoted’ at the expense of a regionally-agreed outcome in the Khong Chi Mun dispute, in which the Thais sought to divert water to Isan. Tran reports some citizens’ groups, therefore, feel the MRC suffers from a “crisis of legitimacy and relevance”.

4. Relations with China

The relations of South-East Asian states with China have historically been thorny. China’s influence in this region has been significant, demonstrated by the spread of Chinese culture and language to neighbouring states such as Vietnam. In international relations more recently China has continued to have a large regional impact, for example through its support of Burma’s military dictatorship or Cambodia’s Khmer Rouge. Now the ‘rise of China’ has reignited such fears and suspicions of a growing Chinese regional hegemony. China, however, should still play an important role with regard to Mekong water governance. The river’s source is in Chinese territory, and the impact of its dam construction on downstream states is potentially significant.

As of February 2007 eight dams were being planned in China’s Yunnan province, with two already having been completed. Being the most upstream Mekong state China has mostly displayed an interest in forging upper Mekong framework settlements. In June 2001 China signed an agreement with Laos, Thailand and Burma to widen the river and improve navigation, thus facilitating increased Chinese river access to Thai oil. Unfortunately, dam building in Yunnan has been blamed for low water levels and “unusual fluctuations” downstream. China for its part has claimed the matter is a “sovereign issue”, and by implication of no business to downstream states. China even argues the dams will have positive effects, such as more regulated flows and the prevention of downstream flooding during the wet season.

Linden Ellis and Jennifer L. Turner observe, though, that “downstream countries are overall hesitant to ask China to alter its plans, in part because they are also beneficiaries of Chinese aid and access to its markets”. More to the point, other Mekong states are likewise involved in their own dam construction and hydroelectric schemes. Perhaps as a result, Vietnamese government officials are not usually prone to openly criticising upstream dams. As Tran points out, “Vietnam’s steady economic growth has fed a massive increase in demand for power”, and that “in addition to importing power from China and Laos, Vietnam has built several hydroelectric dams on its own rivers and is involved in projects across the border in Laos and Cambodia”.

As China is merely an MRC ‘dialogue partner’ and not a full member state, it need not comply with the organisation’s (admittedly weak) directives. South-East Asian states recognise the importance of increased dialogue and engagement with China – at least, to a point. Two barriers currently stand in the way of such engagement. First, South-East Asian states have so far been unwilling to extend full ASEAN membership further northwards, mainly owing to historical suspicions of Chinese regional dominance. Secondly, China needs to be convinced of its own interest to join such an association and thus adhere to binding multilateral rules. It may be that the MRC should have a greater role within ASEAN, or its ‘ASEAN+3’ – a forum that includes ASEAN states plus China, Japan and South Korea – offshoot. Alternatively, the Greater Mekong Subregion (GMS) – an economic cooperation program signed by the six states in 1992 – might be expanded to include specific river management roles. Either way further engagement, openness and debate with ‘dialogue partner’ states such as Burma and China would be of benefit to broader Mekong River governance capabilities.
5. Conclusion – A Future Mekong Regime

In this article I have attempted to discuss Mekong River water governance issues from an international relations perspective. Water governance is bound to be complex for an international river basin with a recent history of political instability. Competing national interests and ineffective multilateral compliance rules make managing the Mekong’s precious water resources even more difficult. Yet a multilateral approach with open dialogue is essential for effective Mekong water governance. This is especially the case for water flow and fisheries issues, which are highly likely to involve both upstream and downstream states. Even bilateral agreements – such as that involving navigation between downstream Cambodia and Vietnam – could still be pursued within a broader multilateral framework so that any settlements made are known to all. In future these states might consider developing a Mekong regime that involves closer political cooperation and that is as inclusive as possible. This means a forum that operates with six full member states, publishes in all six official national languages, and stages regular meetings to monitor its management progress. The current MRC ‘dialogue partner’ states would thus be completely integrated, and fully committed, to the regime. Developing an effective, sustainable and workable multilateral Mekong regime is a difficult international relations challenge, but one that is vital for the ongoing benefit of the Mekong River basin’s current and future inhabitants.

REFERENCES


