



## **Mekong River Commission**

**Procedures for Notification, Prior Consultation and Agreement  
Prior Consultation for the Proposed Xayaburi Dam Project**

# **PRIOR CONSULTATION PROJECT REVIEW REPORT**

**Volume 2  
Stakeholder Consultations  
related to the proposed Xayaburi dam project**

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**This document has been developed as an addition (Volume 2) to the MRCS Prior Consultation Review Report regarding the proposed Xayaburi dam project.**

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## ACRONYMS AND ABBREVIATIONS

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BDP	MRC Basin Development Plan Programme
CIA	Cumulative Impact Assessment
CNMC	Cambodia National Mekong Committee
CSO	Civil Society Organisation
EIA	Environmental Impact Assessment
JC	MRC Joint Committee
JCWG	MRC Joint Committee Working Group
LMB	Lower Mekong Basin
LNMC	Lao National Mekong Committee
MRC	Mekong River Commission
MRCs	Mekong River Commission Secretariat
NGO	Non Governmental Organisation
PAP	People Affected Person
PC	Prior Consultation
PDG	Preliminary Design Guidance
PNPCA	Procedures for Notification, Prior Consultation and Agreement
PP	Public Participation
RAP	Resettlement Action Plan
RBO	River Basin Organisation
SEA	Strategic Environment Assessment
SIA	Social Impact Assessment
TDRI	Thailand Development Research Institute
TNMC	Thai National Mekong Committee
VNMC	Viet Nam National Mekong Committee

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## 1. Background

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### 1.1 The MRC and Stakeholder Participation

The MRC sees public participation as central to its commitments. In addition to the MRC Strategy 2006-2010, the new draft MRC Strategic Plan 2011-2015 states that *'Enhanced stakeholder participation and consultation, a fundamental principle of IWRM, is essential and possible through access to information and engagement in the MRC activities and monitoring processes. Transparent basin-wide dialogue and intensified and structured public participation are needed to realise the full benefits of IWRM and effective Basin management. The Member Countries have shown their commitment to the implementation of IWRM principles through their adoption, in 2005, of the "Strategic Directions in IWRM'.*

On 20 September 2010 the MRCS received a submission from the Lao National Mekong Committee (LNMC) regarding the Xayaburi dam project, proposed to be implemented in the Mekong mainstream. Following certain clarifications, the documents were circulated to other Member Countries by 22 October 2010. In case of such a mainstream project, the MRC Procedures for Notification, Prior Consultation and Agreement (PNPCA) require a prior consultation (PC) process that allows the other member countries discuss and evaluate the impact of the proposed use and to support the MRC Joint Committee with the aim of arriving at an agreement within six months of receipt of the submission i.e. 22 April 2011.

Although not explicitly required under the PNPCA and its Guidelines, stakeholder participation is considered necessary in the prior consultation process to involve people in a process that may affect them. This is consistent with approaches taken in the region for environmental impact assessments. Public participation will also enable information on the full range of attitudes, concerns and expectations of relevant stakeholders to be presented to decision-makers.

The MRC undertook a range of related participatory activities before the PNPCA submission was received under the MRC's Basin Development Plan (BDP) process and the commissioned Strategic Environmental Assessment (SEA) of the proposed mainstream dams. Both the MRC BDP and the SEA public consultations applied multi-stakeholder approaches focussing on overall policy and strategy direction consistent with those relatively 'high' levels of the planning process. Public submission websites were also used by the MRC to receive stakeholders' views. Key objectives and outcomes of those processes that are also relevant for the stakeholder discussions in the prior consultation process are summarised in this report.

Since March 2008 three regional stakeholder forums were held within the BDP process involving a broad spectrum of relevant stakeholders and collecting input as well as feedback on a range of possible development scenarios for the Lower Mekong Basin including the issue of mainstream dams. Those forums were based on several sub-area meetings, which served a more detailed overview on concerns and comments on the BDP.

During the development of the SEA, stakeholders have been involved and were proactively asked for comments in a two-step public consultation process on both the national and regional level in order to ensure information/knowledge sharing as well as the reflection of stakeholder views. The respective workshops included discussions on potential impacts and risks as well as possible mitigation measures.

## **1.2 Prior Consultation Stakeholder Participation**

In relation to the proposed Xayaburi dam project the PNPCA Joint Committee Working Group (PNPCA JC WG) considers the organisation of stakeholder consultations as important integral part of the process. It was agreed between the countries that the prior consultation process needed to ensure a mechanism to raise awareness and to involve affected people directly as well as indirectly, the regional community, the public from local and national government agencies, civil society and non-governmental organisation.

The PNPCA JC WG further agreed that the process on stakeholder consultations within the Xayaburi prior consultation is a national matter for each country concerned. Thus, the stakeholder meetings were organised in line with the respective national context as well as requirements and coordinated by the respective National Mekong Committee Secretariats. The MRC Secretariat provided financial support and expert resources for the meetings where requested.

Regarding the disclosure of the submitted Xayaburi and of other related PC documents, the PNPCA JC WG considered that any submitted documents could only be released and/or disseminated beyond the MRC framework with the official permission of the submitting country, in this case Lao PDR. As of 14 February 2011<sup>1</sup>, the submitted main text of the Project Feasibility Study is available for public download under [www.xayaburi.com](http://www.xayaburi.com). Other submitted documents including the Environmental Impact Assessment were not available under the public domain at the time of writing this draft report. Documents that are prepared by the MRCS within the prior consultation process are currently considered as 'Restricted' under MRC's Disclosure Policy until they are declassified. There are increasing requests from the national stakeholder consultations and wider public for full release of both the submitted documents and the MRCS reports.

The MRC Secretariat has raised the issue of document disclosure for consideration of the Joint Committee and sees that a full disclosure would be consistent with the MRC's commitment to a more open and transparent way of working. Further, it would be in the interest of the MRC and its Member Countries to ensure this transparency in order to shed light on many inaccurate statements as well as misunderstandings that are currently circulating in the media, NGO networks and the public, which are also influencing the views of MRC's Development Partners.

Prior consultation stakeholder meetings took place at the local and national levels of the three LMB countries of Cambodia, Thailand and Viet Nam between 14 January – 28 February 2011 addressing the respective riverine communities and relevant stakeholders. Details on the meetings and their outcomes are provided in Chapter 3. Besides those meetings, a public webpage - as part of the MRC website - has been in place to enable the direct submission of comments (<http://www.mrcmekong.org/pnpca/PNPCA-technical-process.htm>).

The Lao Government together with the Xayaburi developer organized public consultation activities on the proposed Xayaburi dam project as part of the Social Impact Assessment (SIA) between 2007 and 2010. Their activities - as part of the overall process and Resettlement Action Plan (RAP) preparation process - included consultations at both the district and province level with government officials and community leaders (in 2007 and 2008). Further, consultation meetings with the identified Project Affected Persons (PAPs) were held in April 2009 and August 2010.

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<sup>1</sup> During the 3<sup>rd</sup> PNPCA JC WG, the Lao PDR informed the meeting that a website developed by Developer: [www.xayaburi.com](http://www.xayaburi.com) will post all submitted documents available for public to download.

## 2. Basin-Wide Stakeholder Consultations

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### 2.1. Summary of the MRC BDP Stakeholder Consultation Process

A broad spectrum of stakeholders was closely involved within the BDP stakeholder consultation process via participation in a series of forums and meetings at three levels:

- (i) sub-area,
- (ii) country (national), and
- (iii) regional (basin-wide).

#### ***(i) Sub-area stakeholder consultation forums***

Sub-area forums brought together various stakeholders who have an interest in the planning and development of water resources on this scale. The main aim of these sub-area forums was to identify key issues regarding the development of water and related resources in the sub-area; the establishment of a participatory planning process for sub-area, involving representatives of a wide range of stakeholders; the identification of information gaps to complete the sub-area situation analysis.

#### ***(ii) National stakeholder consultation forums***

The national forums aimed to gain (i) an overall picture of the basin parts within each LMB country as well as (ii) collective views of local/national stakeholders on the status of water and water-related resources and their needs; (iii) to enable some input of local sub-area views into national planning and policies.

The results from the sub-area and country forums delivered key inputs to the regional stakeholder consultation forums where all information were pieced together to provide the basin-wide perspective.

#### ***(iii) Regional stakeholder consultation forums***

The three BDP regional stakeholder consultation forums intended to provide a basin-wide overview. These forums focused on the work and outcomes from the sub-area and country consultations. Analyses were aggregated and cross-checked. The regional consultation forums provided a holistic view of the Mekong River Basin regarding water resources development and management, informed by the sectoral and thematic analyses undertaken at different scales.

The BDP regional stakeholder consultations offered an opportunity for open and proactive discussion with and between government agencies, civil society, private groups and the media on the development and management challenges, visions and approaches in the Lower Mekong River Basin (LMB).

Overall three regional stakeholder consultation forums were organized. The 1<sup>st</sup> Regional Stakeholder Consultation on MRC's BDP Phase 2 and its Inception Report was held on 12-13 March 2008 in Vientiane, Lao PDR. This consultation brought together 120 stakeholders including experts and concerned individuals from international, regional and national NGOs, academia and research institutes. Organisations that have development, management and research interests in the region also attended those meetings. With its theme "*Working with the MRC for sustainable development of the Mekong*", the meeting aimed to renew the involvement and commitment of stakeholders and the public in the MRC as well as the BDP process. The consultation provided an open forum for a dialogue amongst participants on the development opportunities and constraints in the LMB, on a common IWRM-based Basin Development Plan and on how all concerned stakeholders could work together toward the common goal of poverty reduction and sustainable LMB development.

The 2<sup>nd</sup> Regional Stakeholder Consultation Forum on the basin development planning process took place in Chiang Rai, Thailand, from 15-16 October 2009. The Forum brought together more than 250 participants from diverse backgrounds, and included officials of the Governments of the Mekong River

Commission (MRC) Member Countries and Dialogue Partners, universities, representatives from River Basin Organisations and Lower Mekong Basin provinces, NGOs and civil society groups, development partners, professional associations, research groups developers of hydropower and other water resource development projects and their advisors, international financial institutions and the media. Under the theme “*Unfolding perspectives and options for sustainable water resources development in the Mekong Basin*”, participants actively shared their perspectives on opportunities and risks of water related development and challenges for transboundary water management in the Lower Mekong Basin. They also discussed the scope and methodologies for the assessment of basin-wide development scenarios, and how the resulting information could be used to prepare a Strategy for Basin Development that would reflect agreed options and guidance for basin development.

The 3<sup>rd</sup> Regional Stakeholder Forum on the Basin Development Plan took place in Vientiane, Lao PDR, from 29-30 July 2010. The Forum brought together more than 260 participants from diverse stakeholders, including representatives of the Governments of the Mekong River Commission (MRC) Member Countries and Dialogue Partners, universities, research institutions, NGOs, civil society groups, representatives from communities, River Basin Organisations, and development partners, and project developers. The Theme of the Forum was “*Decoding the development scenarios and Strategy for Basin Development: What does the future hold?*”. The objectives of the Forum were to: i) discuss the results of the basin-wide scenario assessment for the finalisation of the assessment; ii) discuss the draft IWRM-based Basin Development Strategy and provide inputs for decision-making by the Lower Mekong Basin countries; iii) facilitate a critical dialogue on the future of River Basin Organizations (RBOs) in the Lower Mekong Basin to support the implementation of the Basin Development Strategy; and iv) continue strengthening partnerships between the MRC and stakeholders.

**Table 1: Summary of BDP Stakeholder participation and key outcomes.**

Meeting or Forum	Participants	Outcomes
<b>Sub-area consultation forums</b>	Stakeholders who have an interest in the planning and development of water resources	<ul style="list-style-type: none"> <li>- Identification of key issues regarding the development of water and related resources in the sub-area;</li> <li>- Establishment of a participatory planning process for sub-area, involving representatives of a wide range of stakeholders;</li> <li>- Identification of information gaps to complete the sub-area situation analysis.</li> </ul>
<b>Country consultations forum</b>	Stakeholders who have an interest in the planning and development of water resources	<ul style="list-style-type: none"> <li>- Overall picture of the basin parts within each LMB country;</li> <li>- Collective views of local/national stakeholders on the status of water and water-related resources and their needs;</li> <li>- Input of local sub-area views into national planning and policies.</li> <li>- Key inputs to the regional basin forums where all information were pieced together to provide a basin-wide perspective.</li> </ul>



<b>Regional consultation forum</b>		
<b>Meeting or Forum</b>	<b>Participants</b>	<b>Outcomes</b>
1 <sup>st</sup> Regional Stakeholder Consultation Forum (12-13 March 2008, in Vientiane, Lao PDR)	120 stakeholders (experts and individuals from international, regional and national NGOs, academia and research institutes; Organisations that have development, management and research interests in the region)	<ul style="list-style-type: none"> <li>- Renewal of the involvement and commitment of stakeholders and the public in the MRC as well as the BDP process.</li> <li>- Open forum for a dialogue amongst participants on the development opportunities and constraints in the LMB; on a common IWRM-based Basin Development Plan and on how all concerned stakeholders could work together toward the common goal of poverty reduction and sustainable LMB development</li> </ul>
2 <sup>nd</sup> Regional Stakeholder Consultation Forum (15-16 October 2009, in Chiang Rai, Thailand)	More than 250 participants from diverse backgrounds (Government Officials and Dialogue Partners, universities, representatives from River Basin Organisations and Lower Mekong Basin provinces, NGOs and civil society groups, development partners, professional associations, research groups developers of hydropower and other water resource development projects and their advisors, international financial institutions and the media)	<ul style="list-style-type: none"> <li>- Sharing of a joint perspectives on opportunities and risks of water related development and challenges for transboundary water management in the Mekong Basin</li> <li>- Discussion of the scope and methodologies for the assessment of basin-wide development scenarios, and how the resulting information could be used to prepare a Strategy for Basin Development that would reflect agreed options and guidance for basin development.</li> </ul>
3 <sup>rd</sup> Regional Stakeholder Consultation forum (29-30 July 2010, in Vientiane, Lao PDR)	More than 260 participants (representatives of the Governments of MRC Member Countries and Dialogue Partners, universities, research institutions, NGOs, civil society groups, representatives from communities, River Basin Organisations, and development partners, and project developers)	<ul style="list-style-type: none"> <li>- Discussion of the results of the basin-wide scenario assessment for the finalisation of the assessment;</li> <li>- Discussion the draft IWRM-based Basin Development Strategy and inputs for decision-making by the Lower Mekong Basin countries;</li> <li>- Facilitated critical dialogue on the future of River Basin Organizations in the Lower Mekong Basin to support the implementation of the Basin Development Strategy;</li> <li>- Continued strengthening partnerships between the MRC and stakeholders.</li> </ul>

## **2.2. Summary of SEA Stakeholder Consultation Process**

The SEA consultation process took place between June 2009 and July 2010 involving comprehensive consultation at each stage of the assessment.

In principle, the MRC SEA comprised four main phases that were addressed with respective stakeholder consultation:

- (i) scoping,
- (ii) baseline assessment,
- (iii) opportunities & risks assessment, and
- (iv) avoidance, enhancement and mitigation assessment.

Besides two missions by the MRC Initiative on Sustainable Hydropower (ISH) to Yunnan Province in China and Chinese delegations participating in SEA workshops, the SEA included a program of round table discussions, which was conducted in each of the four LMB countries involving some 60 line agencies.

In addition to the dialogue initiatives with China, four national scoping workshops involving line agencies and sector institutes, five national and local workshops for NGOs and civil society organisations, and three regional multi-stakeholder workshops were conducted.

***(i) Consultation within the SEA scoping phase***

Four national scoping workshops were held in: (1) Vietnam SEA national scoping workshop on 3 July 2009; (2) Lao PDR national scoping workshop on 8 - 9 July 2009; (3) Cambodian national scoping workshop on 16-17 July 2009; and (4) Thailand National Scoping Workshop on 14 August 2009. Five national and local meetings for CSOs were organized in: (1) Vietnam CSO meeting on 3 July 2009; (2) Lao PDR national CSO meeting on 9 July 2009; (3) Cambodian national CSO meeting on 17 July 2009; (4) Viet Nam national CSO meeting on 3 August 2009; and (5) Thai CSO meeting on 3 November 2009.

During the SEA scoping phase, the National Mekong Committee Secretariats (NMCS) and line agencies of the four MRC Member States participated in the SEA national workshops to identify development issues and policies for the Mekong River which might be affected by the mainstream hydropower proposals and thereby need to be considered in the SEA assessment. Those strategic priorities were consolidated into 8 themes and linked key issues, which serve as the substantive backbone and analytical framework for the SEA. The eight themes defining the SEA scope addressed: (1) economic systems, (2) energy and power, (3) hydrology & sediment, (4) terrestrial systems, (5) aquatic systems, (6) fisheries, (7) social systems, and (8) climate change.

***(ii) Consultation within the SEA baseline assessment phase***

The SEA baseline assessment phase, the second phase of the SEA, had taken the analysis of each theme a step further. It identified and analysed the main trends associated with the themes in the past, and then projects the trends forward into a future without mainstream dams. The SEA worked with a projected baseline to 2030 and beyond for some aspects of climate change - taking in the MRC Basin Development Plan Definite Future Scenario (DFS) and the LMB 20-year Probable Future (PFS) scenario without lower Mekong basin (LMB) mainstream dams. The DFS includes 40 tributary dams constructed since 2000, under construction or committed and 6 of the China mainstream dams.

***(iii) Consultation within the SEA impacts assessment phase***

The impact assessment phase, the third phase of the SEA, marked a critical point in the MRC SEA of hydropower on the Mekong mainstream. The impacts assessment phase spanned over two months from April - June 2010 culminating in the SEA Regional Impacts Assessment workshop (19-20 May 2010, Vientiane) and subsequent finalization of the impacts assessment paper. During this phase 8 strategic themes were assessed namely (1) Energy & power, (2) Economic systems, (3) Hydrology & sediment, (4) Terrestrial systems, (5) Aquatic systems, (6) Fisheries, (7) Social systems, (8) Climate change.

The SEA regional Impact Assessment workshop was attended by all relevant SEA stakeholders, including MRC bodies, government agencies in the four LMB nations, hydropower developers and the private sector, civil-society organizations in the LMB and internationally, Mekong riparian communities and the representatives and public interest groups, and donor partners and the finance community. It examined the mainstream projects from a number of geographic perspectives: regional, national, hydro-ecological zones and then in groupings to better explore the opportunities and risks associated with mainstream hydropower development. During the regional workshop, some of the views on both possible and negative impacts can be summarized as follows:

- Dams will block migration routes, change flooding patterns, change nutrient flows in the basin and it likely will result in significant losses of capture fisheries.
- Fisheries productivity and agricultural productivity would be lost due to sediment trapping and loss of nutrients.
- There would be an extension of irrigable area associated with dams. However, some agricultural lands will be lost due to inundation in impoundment areas. Plus, loss of river bank gardens in impoundment areas and conservative areas will occur.
- Reservoir can be use as tourism site. However, there will be degradation and loss of key ecological assets and natural landscape
- There might be a gain navigation potential but local communities may suffer from losses in longitudinal navigability for small boats
- Net revenue for MSHP would be significantly increased annually and depend upon the structure of the financing, project design, provision for social and environmental impacts. However, economic 'boom' in hydropower sector could lead to macro-economic imbalances; real exchange rate appreciation may damage the competitiveness of tradable goods sectors (e.g. agriculture and manufacturing); increased government debt to fund state equity stakes in MSHP may lead to perceptions of increased risk and higher risk premiums

***(iv) Consultation within the SEA avoidance, enhancement and mitigation phase***

The SEA avoidance, enhancement and mitigation phase marked the final phase of assessment in the SEA process and culminated in a regional workshop in Ho Chi Minh City (28-29 June, 2010). 9 themes were considered during this phase, which include: (1) Energy & power, (2) Economic systems, (3) Hydrology & sediment, (4) Terrestrial systems, (5) Aquatic systems, (6) Fisheries, (7) Social systems, (8) Navigation, and (9) Climate change.

During the regional workshop, the participants discussed the impacts and the activities to mitigate the impacts at both national and regional scales in regard to the four strategic options relating to mainstream dam development which include (1) Decide not to proceed with the mainstream projects; (2) Defer a decision on whether or not to proceed and in what form and circumstances; (3) Proceed with caution with mainstream development on a gradual phased basis; and (4) Proceed with rapid development of all 12 projects. The details of each of the group discussions on these four options were reported back to the plenary meeting and recorded in the SEA documentation. The participants provided further recommendations as follows:

- Use all existing knowledge within the MRC framework and identify issues that need funding as well as identify financiers of these studies
- Elaborate a clear picture on current impacts and those to occur in the near future as a result of projects now under development. And combine current and future impacts into basinwide
- Studies should be integrated with MRC Strategic Plan 2011-2015
- Full integration of national institutions into conducting studies, and capacity building

- Consider establishment of Mekong Fund to fund transboundary mitigation and benefit sharing for equalization between states, operating arrangement, and possibly the MRC
- Need to translate the final SEA main report into the four riparian languages. Its summary publication for the general public needed also to be in four riparian languages and English.
- Organise public consultations in each country to disseminate findings of SEA
- Integrate the SEA findings into BDP process for continuity and the MRC programmes
- SEA information needed to be used in the PNPCA process.

Beside, the government and NGO stakeholders derived a number of guiding principles, to be applied to the LMB mainstream projects as a set of minimum standards for the proposed projects. Those recommendations can be summarized as follows:

- Net provincial and district economic gain: Directly affected local government economies should not be left worse off by the plan
- Net national economic gain: There should be no net loss at the national level in any one LMB country
- User pays: HP developers should contribute to meeting all direct and indirect environmental and socio-economic costs of the project implementation
- Multiple use: Hydropower projects with reservoirs should be designed and managed for multiple use of water resources
- Safe operations: Implement operational regimes and institutional arrangements to reduce droughts and floods and prepare for disasters
- Net biodiversity gain: Avoid and minimize harm to biodiversity and introduce conservation offsets
- Net gain in well being of poor and vulnerable groups: The projects should not leave the poor worse off but reduce poverty and increase food security in affected poor and vulnerable groups
- Precautionary principle: Take care to avoid permanent loss of national and local assets.

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### **3. Summary of the Xayaburi Prior Consultation Stakeholder Participation**

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#### **3.1 Overview**

The approach for stakeholder participation aims to inform as well as involve and consult relevant stakeholders in a consolidated way.

The prior consultation stakeholder participation process has a different focus than the one already performed by the Lao PDR Government and the Developer as part of the Social Impact Assessment. The key focus highlights environmental issues and their related social consequences as well as it emphasises the implications of the proposed Xayaburi dam project on LMB communities arising from potential transboundary/cumulative impacts. Due to the complexity of the basin, interactions between hydrological and ecological processes and limited knowledge in some critical areas, it is not possible to provide a precise description of the extent of the transboundary impacts on individual communities. Instead, a range of possible impacts has been described in the main MRC Prior Consultation Review Report along with potential mitigation measures.

In addition to the stakeholder discussions - summarized here - Government agencies in the MRC Member Countries have an opportunity to be involved through their respective NMC discussions. Many international as well as national NGO groups have already made their positions clear through direct contact within the MRC framework and through the media.

Hence, this PC stakeholder participation process mainly addresses representatives of potentially affected groups that have not yet had that opportunity to be involved or heard in relation to the

proposed Xayaburi dam project. The process aims to ensure the involvement of an appropriate and corresponding representation of stakeholders including both governmental and non governmental level as well as the one of the wider public. In particular the communities upstream and downstream of the proposed project that may be affected by respective changes in fisheries, sediment balance and other bio-physical impacts are addressed.

Specific agreed milestones for the stakeholder participation are included in the MRC Road Map for the prior consultation process so that it can be meaningfully concluded within the overall timeframe ensuring the consolidation of received comments are available to the Joint Committee.

The process takes into account respective national contexts, which include consideration of access to information, the ability to provide feedback and opportunities to review mitigation measures. There are also practical considerations to be taken into account such as the availability of information, on which stakeholders are being asked to react on, the language of meetings and the extent that all this can be consolidated into a manageable framework that fits within the 6 month prior consultation period and the available budgetary resources.

As stated above, the stakeholder participation aims to involve potentially affected, interested stakeholders and the wider public to raise awareness on the proposed Xayaburi dam project in terms of the release and sharing of information as well as to obtain their feedback on key issues. This stakeholder process is the basis to gain a representative range of views from communities upstream and downstream of the proposed Xayaburi dam project addressing both the local as well as transboundary scale. The outcomes of those meetings provide a broad spectrum of views from relevant stakeholders expressed through various means and ensure a representative overview to decision makers. The outcomes are taken forward for consideration by the JC.

Participants of the 1<sup>st</sup> PNPCA JC WG meeting concluded that the LMB countries design the stakeholder participation process and the respective meetings in relation to the Xayaburi dam project as required by their national context, frameworks and legislation. However, the records of all meetings are made available to the PC process.

Two generic types of meetings were part of the PC stakeholder consultation process: (i) community based meetings to provide an opportunity to involve potentially affected groups and local officials. Further, information on the proposed project, potential impacts and possible mitigation measures were provided. In addition, (ii) national consultation meetings involved a wider group of government and non-government stakeholders.

- (i) **Community-based meetings** targeted at the local level and involved district community groups likely to be affected by the proposed Xayaburi dam project as well as the corresponding stakeholders. These meetings also involved representatives of concerned line agencies at the national level and the NMCS. The meetings' participants were informed on the proposed dam project, the MRCS technical PC review process in general, the possible impacts and alternative mitigation measures that have been proposed by the developer and/or the SEA. The participants were given the opportunity to voice their concerns through a structured format and put forward possible mitigation measures/approaches using their local experience. The meetings were conducted in the respective national languages.
- (ii) **National consultation meetings** targeted at a wider range of stakeholder representatives of government agencies and non-government groups including representatives of the community group, national assembly members, development NGOs, research institutes and other stakeholders with an interest. Those meetings provided comprehensive information on the proposed project on transboundary effects of the proposed dam project taking into account the basin-wide perspective,

on the background of the SEA, the MRCS technical PC review process as well as respective outcomes.

During January and February 2011, meetings were held in the Cambodia, Thailand and Viet Nam according to the prevailing national context and systems to capture the breadth of views at both community and national levels. The meeting dates and venues are shown in the table below.

Country	Meeting Date	Meeting Venue
<b>Cambodia</b>		
1 <sup>st</sup> Meeting	10 February 2011	Kratie Province
2 <sup>nd</sup> Meeting	28 February 2011	Sihanoukville
<b>Thailand</b>		
1 <sup>st</sup> Meeting	22 January 2011	Chiang Rai
2 <sup>nd</sup> Meeting	10 February 2011	Loei Province
3 <sup>rd</sup> Meeting	12 February 2011	Nakon Phanom Province
4 <sup>th</sup> Meeting	16 February 2011	Bangkok
<b>Viet Nam</b>		
1 <sup>st</sup> Meeting	14 January 2011	Can Tho City
2 <sup>nd</sup> Meeting	22 February 2011	Quang Ninh Province

### **3.2. Stakeholder Consultation in Cambodia**

Two consultative meetings took place in Cambodia. The first meeting which was held on 10 February 2011 at the community level in Kratie Province, was attended by 43 participants including representatives of six provinces namely Stung Treng, Kratie, Kampong Cham, Kandal, Prey Veng and Takeo (they are considered as the representatives of people who are possible to be likely affected by the proposed project), some relevant governmental line agencies as well as non-governmental organizations. The meeting was chaired by H.E. Mr. Te Navuth (Secretary General of the National Cambodian Mekong Committee).

The second meeting was held on 28 February 2011, in Sihanoukville. It was chaired by H.E. Mr. Sin Niny (Vice Chairman of the National Cambodian Mekong Committee) and attended by 68 participants from various concerned Cambodian line agencies such as the Cambodian National Mekong Committee; the Ministry of Foreign Affairs and International Cooperation; the Ministry of Environment; the Ministry of Planning; the Ministry of Industry, Mines and Energy; the Ministry of Interior; the Ministry of Transport and Public Works; the Ministry of Agriculture, Forestry and Fisheries; the Ministry of Tourism; the Ministry of Water Resources and Meteorology; and some NGOs such as WWF, World Fish, NGO Forum, CDRI and some other local NGOs.

During the two meetings, group discussion took place, which addressed three set of questions:

- (1) What potential impacts and mitigations of the proposed Xayaburi project would Cambodian communities be concerned with?
- (2) If the dam construction were to go ahead, what issues and how would Cambodian communities most like to be involved in the monitoring and mitigation program during construction and operation?
- (3) What are concerns of the Cambodian communities and NGOs toward PNPCA process? Participants exchanged their views, concerns and provided recommendations both on the proposed Xayaburi project and on the PNPCA process itself.

Below the key concerns expressed by the participants within the two meetings are summarised:

- Affect on fish migration, loss of fish, especially the Irrawaddy river dolphin, flagship species and some other big fishes.
- Change in water flow and water regime, which affects to cultivating/planting season, shortage of water, water quantity or water pollution, creation of new island and bank erosion;
- Change in hydrology and ecology bio-diversity and its impact on larvae drift, bio-diversity, nutrients in relation to sediments and flagship species;
- Reduction of wetland for agriculture and loss of nutrients for agriculture;
- Change of vegetation pattern in the riverine communities as it impacts on land use change;
- Loss of income and food insecurity due to loss of fish and agricultural land, and tourism spots;
- People's health, affected by change in water quality;
- Lack of information on transboundary impacts;
- Dam breaking, especially in relation to the recent earthquake;
- Re-settlement and changes in traditional culture;
- Freedom of navigation;
- Sediment trapping;
- Adequate use by developer of the recommendations reflected in the PC Review Report given the timeframe is relatively short;
- Concern was expressed, on the role of MRC members to deal with the situation given the case that the JC concludes to go ahead with the proposed Xayaburi project although existence of uncertainties and knowledge gaps. What if the impacts are found to be different or more serious in future in reality since a lot of assumptions are part of the report?
- Concern was expressed on limited access to information for the public. Information has been shared within the JC Working Group as the mandate of the MRC Task Group and JC Working Group, and needs to follow the consensus/agreement before any information can be released for public. Plus, although a website has been established by the Developer, only the feasibility study has been provided but not other important documents such as the EIA.
- If the Xayaburi dam project will be taken forward, it will trigger the rest Mekong dams. Concerns have been expressed regarding the respective development.
- The role and function of the MRC in water governance must be strengthened to ensure equity and sustainability of the Mekong flow regime.

The participants provided their views and recommendation as follows:

- There is a need to disclose all submitted documents, especially the EIA.
- Benefit sharing with the countries and communities downstream needs to be proposed.
- Appropriate regulation for compensation to the damage needs to be discussed.
- Urge the PNPCA process to make use and grasp the importance of the recommendations and findings contained in the SEA Report.
- Request to consider the Xayaburi dam project, as well as other dam projects to defer for 10 years until uncertainties and risks could be clearly understood.
- Need of more detailed studies on the impact on agricultural productivity and on other social impacts. Social issues should also be included in the PDG.
- Describe transboundary impacts more explicitly for example how much Cambodia will be impacted socially, economically and environmentally.
- Perform a cumulative impact assessment (CIA).
- Request to prepare a review list on impacts and recommendations in the three different phases of the project including pre-construction, during construction, during operation.
- Regular monitoring program is needed.
- There should be a fund reserve by the developer or Lao PDR to intervene in case of dam breaks.
- Participation from other stakeholders in feasibility study and planning phase, construction and operation of dams.

- Need of an agreement between operator and downstream communities on time of opening and closing of dam gate.
- Consultation with communities is not broad enough.
- Crop plantation and diversification needs to be carried out.
- Vocational training for adaptation with change due to project construction and operation needs to be put in place.
- The need to have stakeholders participated in monitoring programme before, during and after the construction period.
- Request to extend the PC timeframe ensure sufficient time to the Developer to adapt and use the recommendations in the PC Review Report.
- Request for Developer participation in national consultation meetings.
- Urge everyone, including MRCS and CNMC to think about the life and health of the Mekong River in a longer term and avoid repeating the same mistakes that occurred in other international river basins like the ones of the Murray Darling River, the Mississippi River, and others.
- Request MRCS expert team to study the technical aspect in more detail and to specify the potential impacts of the project (both positive and negative impacts).
- Requested the MRCS to make sure that all concerns, views and recommendations will be integrated into the MRCS PC Review Report and be heard by the Developer and all parties concerned.
- Request to focus and be cautious with the tight Road Map. Many meetings should be organized at the beginning of the process, not at the end to allow a sufficient time for consideration and recommendation would be taken into account by the Developer.
- Spirit of cooperation needs to be taken into account. None of the LMB countries has a veto right to use, nor to ignore other countries' concerns.

The detailed report of these two meetings in Kratie and in Sihanoukville is attached in Annex 1.

### ***3.3. Stakeholder Consultations in Thailand***

Four meetings were held in Thailand. The first meeting was conducted on 22 January 2011, in Chiang Rai. The meeting was facilitated by Ms Pakawan Chufamane (Director of TNMCS) and was attended by 81 participants. The participants represented the villagers living in Chieng Khong district adjacent to Mekong Mainstream portion of Thailand. Further, local and provincial government officers relevant to water resources management, a number of NGOs Groups which are actively involved in Mekong issues, and local leaders participated in the meeting.

The second meeting was held on 10 February 2011 in Loei Province. It was facilitated by Ms Pakawan Chufamane (Director of TNMCS), and participated by 125 people who are villagers living in Chieng Khan district and district nearby and adjacent to Mekong Mainstream portion of Thailand, local and provincial government officers relevant to water resources management, a number of NGOs Groups which are actively involved in Mekong issues, and local leaders.

The third meeting was organised on 12 February 2011 in Nakhon Panom. It was facilitated by Ms Pakawan Chufamane (Director of TNMCS), and participated by 110 people including villagers living in Nakhon Phanom, and provinces nearby and adjacent to Mekong Mainstream portion of Thailand, local and provincial government officers relevant to water management, a number of NGOs Groups which are actively involved in Mekong issues and local leaders. A vice governor of Nakhon Phanom province also attended to address the opening of the Meeting.



The fourth meeting was held on 16 February 2011 in Bangkok. It was chaired by deputy permanent secretary of Ministry of National Resources and Environment. There were approximately 30 participants from relevant government line agencies, non-government organizations, Senate members, academic and universities. The Meeting aimed at reaching a consensus on Thailand's position and inputs towards Xayaburi dam project through on-going PNPCA process.

A formal report of the meeting is not yet available. The following list of views expressed by participants should therefore be considered as preliminary at this stage based on preliminary feedback:

- It was stated that the meeting cannot be recognized and accepted as public participation in line with Thailand public participation legislation and the Constitution. The meeting was considered to collect preliminary inputs and updated information on the proposed Xayaburi project. It cannot be recognized as an official public hearing meeting according to the Thai system, until the public obtains complete relevant information of Xayaburi dam project.
- The participants mostly agreed with the results and recommendations of the SEA regarding the strategic options to defer the decision of mainstream dam development for 10 years in order to obtain while further understanding of potential impacts.
- Some of the participants expressed preference to the SEA strategic option of "no dam development in lower Mekong basin", but they are flexible to the strategic option on "Defer decision for 10 years".
- Concerns have been raised regarding the short period of review time (6 months) according to the PNPCA and as foreseen in the PC process for the Xayaburi project. There is a need to extend the process in time and to adjust the PC Road Map to ensure sufficient public participation of other member countries.
- The issue was raised, on how to integrate the public views into the PC review process prior to the final decision.
- The submitted documents still do not contain sufficient data, information and studies to consider transboundary issues and impacts. The participants expressed that they are specifically interested in transboundary impacts that might occur in Thailand.
- The submitted documents of the proposed Xayaburi dam project should be provide for the public as soon as possible. Data and information needs to be transparent and openly accessible before further discussion and sharing public views.
- The participating stakeholders asked the Developer and the LNMC to enable public access to all submitted documents regarding the Xayaburi dam project.
- The MRCS was asked to clearly outline the next steps of actions in case a consensus cannot be reached by 22 April 2011. Clarification to the public is essential for their shared views.

The detailed reports of the three meetings in Chiang Rai, in Loei, in Nakon Phanom, and in Bangkok will be attached in the Annex 2.

### ***3.4. Stakeholder Consultations in Viet Nam***

In Viet Nam two stakeholder consultation meetings were organized. The first meeting was held in Can Tho City and was chaired by H.E. Dr. Nguyen Thai Lai (Deputy Minister of Natural Resources and Environment, Vice Chairman of Viet Nam National Mekong Committee). About 50 VNMC members and representatives from 13 Mekong Delta provinces/city and related line agencies, institutions in Ho Chi Minh and Can Tho cities participated in the meeting.

The second meeting was conducted on 22 February 2011 in Quang Ninh Province and was chaired by H.E. Dr. Nguyen Thai Lai (Deputy Minister of Natural Resources and Environment, Vice Chairman of Viet Nam National Mekong Committee). About 60 participants including representatives of line agencies, local NGOs, and local newspapers attended this meeting. Representatives of line agencies were

generally at deputy director-general level, namely Department of Southeast Asia, Ministry of Foreign Affairs (MOFA), Department of International Organisations, MOFA, Department of Economic Affairs, MOFA; Ministry of Planning and Investment; Centre for Water Resources Survey and Planning; Department of International Relations, Ministry of Natural Resources and Environment (MONRE); International Relations Division, Institute of Rural Economic Planning; National Centre of Hydrology; International Rivers Network; Centre for Water Resources Conservation and Development.

The meeting participants expressed concerns on the status of overall dam development in the Mekong river basin addressing potential impacts caused by these dams. In particular concerns were expressed regarding the proposed Xayaburi dam project. Received comments can be summarized as follows:

- Documents on the submitted Xayaburi dam project were assessed as inadequate of basic information, particularly the technical essential design features such as fish ladders, sand flushing outlets, and navigation locks, and their proven feasibility and effectiveness in reality, as well as lacking of appropriate and comprehensive assessment of the transboundary and cumulative impacts of the project to the downstream. The EIA should be made publically available.
- Insufficient information and data are presented in the submitted documents, which limits the scope and level of impact assessment carried out by the project developers; As lack of rigorous ranges of data and information on all fields is a management issue in Lao PDR, meeting participants suggested that the MRC Member Countries should use the MRC-commissioned SEA as a scientific basis for any further assessments of the planned mainstream dam projects.
- Error margins of the submitted assessments should be an issue as due to lack of sufficient data and information.
- Participants expressed their great concerns about possible impacts of the project on the productivity of the Mekong Delta and the livelihood of millions of people living in the Delta with particular concerns on impacts on sediments, fisheries, wetland ecosystems and loss of agriculture cultivated land due to salt intrusion. Potentially facing further cumulative impacts, from climate change and sea water level rise, and from the fast development in the Mekong upstream part, especially on the mainstream. The Delta would be adversely threatened by severe impacts resulting in the intrusion of saline sea water far into the inland, immense damage to the fisheries, declination of agro-productivity vital to millions and unpredictable degradation of the invaluable biodiversity, cited most of the comments at the Workshop.
- The time proposed for the prior consultation process of 6 months is certainly too short for sufficient consideration.
- Most of the participants expressed their strong views that the decision on the dam construction should be deferred in a sufficient period of time for further studies to facilitate understanding and confidence of concerned stakeholders on the dam impacts.
- It was suggested that the Lao Government and developer should continue to provide more information on the project, especially the information on the environmental impact for consideration.
- Viet Nam appreciates the results of SEA of the MRCS in collaboration with the international consultants. However, due to many reasons, the results of this study are still limited, and have not reflected all potential impacts on the environment which could be caused by the mainstream hydropower dams. Therefore, it is requested that the MRC and its member countries will make every efforts to conduct further researches on this issue.
- The participants requested more consultations at community level as part of the PC process.
- River flow change: possibly affects Viet Nam most, due to increased risk for salinity intrusion, also worsened by climate change impacts => food security (not only for Viet Nam but potentially also for the world as Viet Nam is the second biggest rice exporting country and one of the world's largest agricultural commodity exporting countries; water natural purification regime; ecological health and biodiversity, etc.)
- The Mekong River is an ecological integral system. Therefore, the proposed Xayaburi dam project should not be considered in isolation but with all planned mainstream hydropower projects and other planned water developments on the mainstream. It was therefore noted that there might be a

need to consider all the other planned mainstream projects as one package. Cumulative impacts need to be assessed.

- Risk analysis and mitigation measures should be provided.
- Benefit sharing mechanisms needs to be set up, since The 1995 Mekong Agreement lacks regulation on benefit-sharing mechanisms.
- Water use in one country should not affect water use in other countries of the LMB.
- Sources of data and information for the proposed project's assessments and how they were acquired/collected should be made clear in a transparent manner for scientific credibility.
- Assistance from international organisations, who are capable in assessing hydropower impacts would be needed.

In addition, the meetings provided further views as followed:

- Necessity of providing reliable information and data related to dam design, the feasibility of fish passing facilities and dam operation.
- The spatial extent of impact assessment to upper and lower basin areas is necessary.
- At this stage of prior consultation, due to lack of sufficient information and data and impact assessments, the meeting participants proposed to delay the project possibly 5-10 years for further research until full research on its impacts is conducted and the project proves with scientific evidence that it causes no harm downstream, particularly in the Mekong Delta of Viet Nam.
- MRC should conduct data collection, data generation work to fill the data gap first before making decision on the dam construction.
- To overcome the lack of data and information for rigorous assessments, Viet Nam would propose to Lao Government to jointly undertake researches on the project impacts, especially on transboundary issues.

The detailed reports of the two meetings in Can Tho City and in Quang Ninh province are attached in the Annex 3.

### ***3.5 Stakeholder Consultations in Lao PDR***

Public consultation activities on the Xayaburi Hydroelectric Power Project were organised by the Lao PDR Government together with the Developer as part of the Social Impact Assessment (SIA) study. Their activities - as part of the overall process and Resettlement Action Plan (RAP) preparation process - included consultations at both the district and province level with government officials and community leaders (in 2007 and 2008). Further, consultation meetings with the identified Project Affected Persons (PAPs) were held in April 2009 and August 2010.

From the initial review of documentation submitted, it appears these events focused on the communities directly affected by resettlement and loss of land due to the reservoir impoundment but not those potentially affected by upstream or downstream impacts. Details on the public consultations already undertaken are outlined as part of the Xayaburi Dam Project. According to those reports, public consultations were organized in compliance with respective guidelines of the Environmental Standard for Electricity Projects issued by the Lao PDR Ministry of Industry and Handicrafts (No. 0366/MIH DOE, 12 June 2003) and the Decree on the Compensation and Resettlement of the Development Projects issued by the Office of the Prime Minister (No. 192, 7 July 2005).

From December 2007 till August 2010, the developer has organised consultations and meetings with local authorities from various villages in Luang Prabang and Xayaburi provinces, and community people and villagers of the two provinces. In total, as provided by in the developer's report, there were 48 consultations or meetings with 769 stakeholders involved. The main objective of the consultations and meetings were to get people opinion, views from government agencies and community leader on

resettlement concept for the PAP. In addition, consultation workshops at the provincial and communal level in Luang Prabang and Xayaburi provinces were conducted.

The table of detailed schedule of consultations in Lao PDR is attached in Annex 4.

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#### 4. Web-submission and other Forums for PC Stakeholder Consultation

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A series of websites have been established within the MRC framework as a tool of public information sharing and communication. The possibility to provide comments via web submission was an opportunity for all stakeholders, interested groups like environmental NGOs, individuals and community representatives to express over their concerns or views on the proposed Xayaburi dam project and/or the PC process itself.

A webpage presenting general information on the PNPCA, the specific prior consultation process regarding Xayaburi Dam, and public participation process, as well as information regarding the planned project and opened for public to provide views and comments on the project can be accessed from mid October 2010 under: <http://www.mrcmekong.org/pnpca/PNPCA-technical-process.htm>. A webpage which has allowed public to submit their views and concerns on development of hydropower dam on the LMB was also launched in June 2009, <http://www.mrcmekong.org/ish/ish.htm>.

As informed by the Lao PDR, the Developer has established a website although so far only the main text of the Feasibility Study has been posted ([www.xayaburi.com](http://www.xayaburi.com)).

Since launching the MRC webpage to submit public views and comments on the development of hydropower projects in the LMB, the MRCS has received a large number of submissions from members of the public, civil society and other private organizations. Some submissions express concerns regarding negative impacts, in particular on sediment transport, fisheries, river ecology and morphology especially downstream the proposed dam. Other comments include the request to have no dam development at all in the Mekong mainstream. Some submissions propose to conduct Regional Dialogue for Rational Development of Hydropower in the Mekong Basin. Other submissions requested to consider viable alternatives to the currently proposed development of Mekong mainstream dams. Further, the adoption of standardised/harmonised laws, policies and procedures were urged including public participation policies in order to balance competing interests while protecting the environment and local livelihoods. Uniform policies and procedures should be a prerequisite to all people affected by planned Mekong dam projects. The detailed views and comments can be found under <http://www.mrcmekong.org/ish/stakeholders-submissions.htm>.

In addition to online communication, stakeholders such as the the non-governmental organisations have sent written letters to the MRC. Those include recommendations and protests including the request not to have any dam project development in the LMB, or defer its construction for any time until further study would be made or to halt the process of the proposed Xayaburi project. In response, MRC has explained and clarified points about its role and work, as well as the significance to have the PNPCA process continued. The letters from stakeholders and the letters responded by the MRC can be found online via: <http://www.mrcmekong.org/petitions-n-responses.htm> or <http://www.mrcmekong.org/pnpca/PNPCA-technical-process.htm>.

A series of meetings have also been conducted outside the framework of MRC. Those were participated by various stakeholders to discuss the sustainable development of the Mekong River in general and regarding the proposed Xayaburi project in particular. The meetings included an International Conference on "Mekong Mainstream Dams: People's Voices across Borders" that took place on 12-13 November 2008 at Chulalongkorn University, in Bangkok (Thailand). The meeting was attended by 135 participants from academic and research institutions, NGOs, representatives of communities working

with water or water-related resources programs. This International Conference served as a platform to exchange views and experiences between the civil society, national and regional policy makers and to discuss problems and solutions regarding planned hydropower development in the Mekong region: Further, the conference examined existing regional cooperation frameworks relevant to the proposed mainstream dams and promoted more effective approaches to ensure a greater role of civil society to develop alternatives to Mekong mainstream dams to meet the region's energy needs and sustainable development.

In addition to the international conference an NGO Forum "the Dam Affected People's" Forum was held in Phnom Penh on 2-3 December 2008 in Phnom Penh. In the Forum there were approximately 150 participants including community groups, development and advocacy-based NGOs, some government agencies and international organizations. It provided an opportunity for the participants to understand better role of the MRC and to discuss some issues of concerns including implementation problems even where strong policy frameworks exist, lack of meaningful consultation with affected people and public acceptance, lack of reparations for impacts caused, and an emphasis on other options that do not adversely affect the life of the poor.

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## 5. Conclusions

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The PC stakeholder participation and consultation for the proposed Xayaburi dam project used a range of different communication channels, comprising small group consultations, meetings at community and national level. Online forums to share information have been established to enable the submission of comments from various stakeholder groups and the public. Together those provide a vehicle to receive the views of potentially affected communities, academic and research institutions, individuals, media and many non-governmental organisations.

From discussion during the national consultation/information exchange meetings in Cambodia, Thailand and Viet Nam and comments made via online submission, views and recommendations can be summarized as below:

1. Many concerns were raised on the loss of fish, sediment trapping, changes in water quality and flow regime, hydrology, overall ecology and biodiversity. Further, freedom of navigation dam safety have been addressed.
2. The stakeholder consultation process needs to be transparent, open and accountable. All documents related to the projects, especially the EIA need to be released to the public timely before the stakeholder consultations take place in order to allow effective involvement.
3. The 6 months timeframe for the PC process is considered too short and needs to be reconsidered. More time is needed to allow further in-depth studies, and give more time to the Developer to incorporate recommendations accordingly. Stakeholder consultations at the end of the process is considered inappropriate. Consultations should start at the beginning of such processes in a continuous manner.
4. A 10 year or a particular time of delay of mainstream dam development has been suggested by some meeting participants to allow a thorough research to ensure maximum negative impacts before projects are implemented.

5. There is a need for deeper study on the transboundary impacts, in particular the impact on specific locations and on each downstream country. Transboundary social impacts need to be included in any considerations as well as the MRC Preliminary Design Guidance.
6. Stakeholder participation needs to be widened to involve community people who can possibly be affected by proposed projects. The Developer should participate in any stakeholder meeting in order to clarify and respond to questions raised in relation to the project, especially the project design and the possible impacts, which is considered as very important.
7. Mitigation measures, benefit sharing and compensation mechanisms need to be studied and addressed. All these measures and mechanisms need to be discussed amongst all stakeholders including affected communities and civil society.

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## **Annexes**

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- Annex 1:** Report of National Consultative Meetings in Kratie Province, and Sihanoukville, Cambodia
- Annex 2:** Report of National Consultative Meetings in Can Tho City and Quang Ninh Province, Viet Nam
- Annex 3:** Report of Information Exchange Meetings in Chiang Rai Province, Loei Province, Nakhon Phanom Province and Bangkok, Thailand
- Annex 4:** Report of Public Consultations in Lao PDR

**Annex 1:**  
**Report of National Consultation Meetings in Kratie Province and Sihanoukville,**  
**Cambodia**

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**Report  
of the National Consultation Meetings on  
“Prior Consultation for the Proposed Xayaburi Dam Project” in Cambodia**  
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**1. Overview**

**1.1. Objective of the Meeting**

Overall objective of the two National Consultation Meetings in Cambodia aimed to: (i) involve potentially affected, interested stakeholders and the wider public to raise awareness on the proposed Xayaburi Dam Project as well as to obtain their feedback on key issues; (ii) gain a representative range of views from potentially affected communities in Cambodia, downstream of the proposed Project, addressing both local as well as transboundary aspects; (iii) collate views from a wide group of stakeholders and to provide a holistic overview to decision makers; and (iv) reflect all the views for consideration of the MRC Joint Committee.

**1.2. Participant Lists**

The two National Consultation Meetings were separately held in Kratie Province on 10 February 2011 (68 participants), and Sihanoukville Province on 28 February 2011 (43 participants). *Lists of Participants were included in Annex-1.* Invited participants were from key government institutions, local authorities, NGOs, civil society, educational institutions, including representatives of communities those will potentially be affected by the proposed project. Resource persons were from the MRC Secretariat, the Cambodia members of the JCWG on PNPCA and the representatives of the Lao government were participated as observers. *The agenda of the two meetings were included in Annex-2.*

**2. Main Outcomes of the Meeting**

**2.1. Summary of Presentation**

The Mekong River Commission Secretariat (MRCS) resource persons, namely, Dr. Phoumin Han, MRCS IWRM Programme Coordinator and Mr. Voradeth Phonekeo, MRCS ISH Manager presented the outline of Prior Consultation process followed by basic information on the Xayaburi Dam project, including location of the project, project layout, project features, some technical design aspects such as the spillway, powerhouse, fish passage and sediment flushing provisions, transmission facility and the proposed construction schedule. Brief information on the Environmental Impact Assessment (EIA), Environmental Management Plan (EMP), the Social Impact Assessment (SIA), and Resettlement Action Plan (RAP) was also presented. In addition, the MRCS resource persons also presented the preliminary findings from the assessment submitted documents of the proposed Xayaburi Dam Project focusing mainly on:

- The process of MRC Prior Consultation on the proposed Xayaburi Dam project based on the 6-month period, project technical review, the knowledge gaps and further needs to minimize any cases of un-intentional negative impacts.
- Key aspects of potential impacts in local and transboundary contexts, and required mitigation measures.
- Next step to finalize the process of MRC Prior Consultation (PC)

**2.2. Concerns Expressed by Participants**

In both National Consultation Meetings, the participants raised their common concerns and views as summarized below.

- This is the first PNPCA of MRC, the six-month period of consultation for this proposed project is insufficient for a comprehensive enough assessment, and project documents and information should be widely disclosed.

- The disclosed website does not provide enough relevant documents and information in addition to the feasibility study and, at the time of the second Consultative Meeting the web site was under construction and the information was not downloadable.
- Based on the short remaining time it is questionable how the project developer can response to the concerns and recommendations from the Consultative Meetings.
- Due to prevailing uncertainties, a lot of assumptions are used in the project documents, thus all result will be hypothetical findings. The JC will face great difficulties in making correct decision. Assuming that the go ahead will be approved, the project will still face great uncertainties in its future operation; especially such a structure will change for ever the Mekong regime since this will also open the way for justification for more proposed project downstream without any further requirement than a localized EIA study.
- What scope of social, economical and environmental trans-boundary impacts to Cambodia? The study should provide detail potential impacts and proposed mitigation measures including share benefit mechanism.
- Most participants have insufficient knowledge about the 1995 Mekong Agreement and its implication which required MRC Secretariat explanation on some specific articles related to the proposed project.
- General technical expert views on local and transboundary potential impacts resulted from dam construction and operation should be provided by the MRCS to the meeting in order to better inform the participants leading to fruitful outcomes.
- The Secretariat should prepare lists of categorized recommendations made by the Expert-Group specific to different staged of the project implementation namely: during pre-construction, construction, operation and maintenance period including monitoring mechanism.
- More information is required for the submitted documents, especially specific information related to potential trans-boundary impacts, and should be widely disseminated so that to provide better understanding for all stakeholders at all level.
- The information placed in the developer's website can not be considered as officially disclosed to relevant stakeholders as the agreed official communication channel should go through MRCS and NMCSs.
- Although fish passage was proposed to mitigate the impact on fish migration, but this probably will not be applicable for all kind of migratory fish species.
- Impact to agricultural sector, the eco-systems and the subsequent impact to local socio-economy and the environment resulted from flow regime change and sediment transports are of major concerns. People fear for the loss of cultivated area along the river banks, the loss of traditional rich and free sediment supplies, and the water level fluctuation due to power plant operation, the possible negative change in crop calendar and the knowledge gaps in the sector of sustainable hydropower development.
- Impact to community income base namely eco-tourism and capture fishery resulted from the changing of flow regime, reduction of flood pulse effect on fishery, shallow water, reduced and/or loss of breeding ground, nutrients and habitats, etc are not well known.
- Impact on river morphology such as river bank erosion due to short supply of sediment. River bank erosion leads to loss of agricultural land and settlement areas. There is not much knowledge in this area
- Impact to people, environment and health resulted from water pollution and water quality impairment.
- The dam safety referred to recent earthquake near to the project site is of major concerns.
- Barrier to fish migration (due to inappropriate fish passage design) and sediment trapping
- If Xayaburi Dam were to go ahead, it will trigger the remaining Mekong mainstream dam projects

- The MRC is still not technically strong enough to play the role as effective water governance body in the region especially to deal with private investment in large infrastructure such as mainstream dams
- Major concerns raised above should be satisfactorily followed in a transparent and open manner
- A learning process should be followed in such a way that direct well define stakeholders be informed on each step to be followed since this is the first dam ever to be built in the LMB;
- A clear mechanism for monitoring and assessment of any mitigation measures must be put in place and well disseminated.
- The role and function of the MRC in water governance must be strengthened to ensure equity and sustainability of the Mekong flow regime
- Mechanism of share benefit should be put in place to assure confident support from downstream communities
- This is the first PNPCA of the MRC which has to be properly conducted with provision of sufficient time, resources and number of required consultation, this case was far from being satisfactory;
- Direct and indirect affected communities are not well aware of the project and its implication on their livelihoods. To get them involved they should well understand the project and its implication.
- According to international standard there are large knowledge gaps in the field of sustainable hydropower development which can not be made available in a short time;
- The rush imply lack of transparency and accountability which are indeed happening
- It is still not clear what the prospect of the Consultation time is and document/ information are insufficient, which caused difficulty in conducting a meaningful consultation on this matter.
- Limited awareness and knowledge of communities and relevant institutions.
- Limited right to participate in the PNPCA process (NGOs and effected local communities)
- How project implementer/owner will acknowledge and take action reflecting to expected concerns rising from affected communities and stakeholders?
- How should community participate during construction or planning phase?

### **2.3. Recommendation by Participants**

As observations, participants from the government sector, civil society and NGOs who attended the two National Consultation Meetings expressed their interests and concerns to the proposed project of Xayaburi Dam. As a downstream country participants recommend the following:

- Further studies of negative impacts including effective mitigation measures are needed.
- Need detailed information on transboundary impacts to socio-economy and the environment as resulted from flow regime change and dam operation.
- A further assessment on transboundary impacts should be conducted based on international standard and practices, including EIA Report
- Support a ten-year delay in the approval of lower Mekong river mainstream dams to ensure a comprehensive understanding of all the impacts of their construction and operation, as reflected in MRC SEA Report. With current knowledge and technology, there is too much uncertainty about the impacts of hydropower development on the lower Mekong River mainstream to properly assess the risk.
- It is suggested to study the Cumulative Impact Assessment (CIA)
- Mitigation measures should be properly conducted before, during and after dam construction
- A further national consultation should be conducted when project documents and information such as the final review report are disclosed and the developer shall be invited;
- Cambodia should be invited to participate in the implementation of EMP
- Consensus from downstream water users on water use upstream
- Agreement on operation rule

- The monitoring framework proposed by project developer should included other stakeholders of downstream states
- Publicize and disseminate study/review documents after completion
- Compensation should be taken into account and applied for affected downstream state based on Article 7 and Article 8 of the 1995 Mekong Agreement. As under the current situation, MRC does not technically strong enough to deal with such Articles, so the MRC governance function should be further strengthened.
- Providing training and awareness raising toward the adaptation
- It is suggested to extend construction period in order to further study and assess and fill the knowledge gaps for sustainable hydropower development.
- Detailed study on flow regime to minimize the changes in natural flow and follow by the clear EMP to avoid serious negative impacts to agricultural planting and harvesting, wetland and inundated forests – those are breeding ground and habitat of many aquatic species, including waterfowls.
- Addressing the EMP to minimize sediment trap at downstream areas/countries in order to maintain agricultural areas and yields, as well as maintain nutrients for aquatic plants, inundated forests, especially for phytoplankton and zoo-plankton.
- Addressing the EMP to minimize impacts to water quality and aquatic ecosystem resulted from heavy metals (in the form of Dissolved Particulate Matters), which may occur during dam construction and operation.
- Taking into account on either benefit sharing or environment endowment funds to improve effected areas through capacity building, awareness raising, on-job training, and additional occupation. The project developer shall reserve additional funds for conducting the survey and assessment at transboundary effected areas.

#### ***2.4. Responses to the Questions Proposed for Plenary or Group Discussions***

The MRCS resource persons tried to clarify and explain to participants who put forward such questions and recommendations as summarized above. Some of them were recorded as suggested by the Chairman, due to difficulty in response or providing feedback.

### ***3. Conclusion***

The two National Consultation Meetings were successfully conducted with fruitful outcomes and friendly atmosphere as expected (at different date and venue). This the first PNPCA ever conducted under the MRC framework Cambodia always look forward for further strengthening cooperation between all member countries through open and transparent process and will fully committed to assist MRC to improve the quality of the assessment works so that the proposed Xayaburi Dam Project meet the international standard and practices with acceptable impact in local and transboundary context and under the sustainable and equitable framework of the MRC .

Participants express their thanks to resource persons from MRCS for presenting them the said report and assisting them in their discussion. The consultation was conducted in a friendly atmosphere with mutual understanding. The NGOs and CSOs were also provided opportunities to share and voice their view on behalf of local communities.

The outcomes of both meeting will be reported in the 33<sup>rd</sup> JC Meeting, which will be held in Sihanoukville Province in late March 2011. It is expected that with these outcomes, the JC will have more and concrete basis to make a decision on how to proceed with the proposed Xayaburi Dam Project including the proposed roadmap.

**Annex 1:**

**LIST OF PARTICIPANTS**  
**National Consultation Meeting on Public Participation**  
**For the Proposed Xayaburi Dam Project**  
**10 February 2011, Kratie Province**  
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No.	Name	Position	Organisation
1	H.E. Mr Te Navuth	Secretary General	CNMC
2	H.E. Mr Kol Vathana	Deputy Secretary General	CNMC
3	H.E. Mr Wat Bottkosol	Deputy Secretary General	CNMC
4	Yos Nasy	Director of Administration	Takeo Province
5	Tep Bunnarith	Director	CECA
6	Kim Sangha	Policy Manager	WWF
7	Much Chhun Horn	Director	Ministry of Industry, Mines and Energy (MIME)
8	Im Chhoeun	Chief	Office of Environment, Prey Veng Province
9	Sim Thavirak	Deputy Chief	Office of Agriculture, Prey Veng Province
10	Ya Voeun	Deputy Chief	Office of Water Resources Kampong Cham Province
11	Has Vuthy		Office of Agriculture, Kandal Province
12	Chea Thavrith	District Governor	Tharaborivath District
13	Om Chhouphany		Provincial Cabinet, Prey Veng Province
14	Meng Sothy		Office of Agriculture, Takeo Province
15	Eng Phirun	Chief	Office of Environment, Stung Treng Province
16	Mr Sophearin Chea	Programme Officer	MRCS
17	H.E. Mr Ou Sam Ourn	Deputy Governor	Kandal Province
18	Chhun Sopheap	Official	Provincial Cabinet, Kandal Province
19	Eng Vanna	Deputy Governor	Kampong Siem District, Kampong Cham Province
20	Muth Pisey	Project Manager	PSOP, NGO in Kampong Cham
21	Sum Sarith	Deputy Chief	Office of Environment, Kandal Province
22	Pech Sunly	Chief of Commune	Stung Treng Province
23	Ly Suthchai	Chief of Commune	Stung Treng Province
24	Ros Sarun	Chief of Bureau	Office of Environment, Kampong Cham Province
25	Phourng Pov	Deputy Director of Administration	Provincial Cabinet, Kampong Cham Province
26	Bour Viruth		Office of Environment, Stung Treng Province
27	Sourng Chan Ratha	Chief of Administration	District Cabinet of Siem Bok
28	Pang Peng	Chief	Office of Environment,

			Stung Treng Province
29	Srey Kosal		Kok Kandal District
30	Him Srung	Chief of Commune	Sambok, Kratie Province
31	Hum Chhorn	Chief of District	Koh Trong District, Kratie Province
32	Vong Sary	Project Manager	Mlob Baytong (Green Shadow) NGO
33	Sin Samnang	Official	CNMC
34	Yen Thol	Chief of District	Sambour Meas, Kampong Cham Province
35	Va Kimhen	Second Deputy Chief	Veal Vong District, Kampong Cham Province
36	Chhe Sam Ath	Deputy Governor	Kratie Province
37	Pen Lynath	Deputy Director of Administration	Provincial Cabinet, Kratie Province
38	Chea Seyla	Deputy Director	Kampong Cham Province
39	Khieu Kanal	Member	Mekong Alumni Network
40	Chea Phallika	Project Officer	NGO Forum
41	Im Phallay	Environment Project Officer	NGO Forum
42	Seav Samneang	Research	NGO Forum
43	Sourng Mom	Director of Administration	Municipality of Stung Treng
44	So Im Bo Ney Cheat	Deputy Chief	PNPCA, DHRW
45	Mr Chrin Sokha	Deputy Director General	Ministry of Environment
46	Voradeth	ISH Manager	MRCS
47	Srun Mao	Director	CRDT, NGO in Kratie Province
48	Mornh Sam Oeun	Research Assistant	CED, Kratie Province
49	Mr Thongthip Chandalasane	Deputy of Division	LNMCs, Lao PDR
50	Mr Bouasavanh Viengsombath	Head of Fisheries Inspection Section	Department of Livestock and Fisheries, Lao PDR
51	Chhou Kimsoth	Deputy Governor	Chith Bory District, Kratie Province
52	Som Mony Rangsey	Deputy Chief	Office of Agriculture, Stung Treng Province
53	Kim Chun	Chief of Commune	Tonle Bit, Kampong Cham Province
54	Ran Sophea	Deputy Governor	Tbong Khmom Disitric, Kampong Cham Province
55	Hong Phearak	Deputy Chief	Office of Environment, Takeo Province
56	Ven Sovann		Office of Water Resources, Takeo Province
57	Prak Lak		Office of Water Resources, Kandal Province
58	Chheng Sopheak	Deputy Chief of Bureau	CNMC
59	Nop Chanthy	Director	Department of Environment, Kratie Province
60	Samrith Vanna	Executive Director	ADHOC
61	Mao Vichetr	Deputy Chief	Office of Agriculture, Kratie Province
62	Sam Ath Meanit	Deputy Governor	Sambor District,

			Kratie Province
63	Ros Rithy	Deputy Chief	Office of Water Resources, Prey Veng Province
64	Lor Makilin	Deputy Chief	Office of Water Resources, Kratie Province
65	Sourn Seng	Executive Director	CENTDOR
66	Sun Bora	Executive Director	MVI
67	Mr Phoum Han	M-IWRM Program Coordinator	MRCS
68	Sok Bun Heng	Interpreter	

**LIST OF PARTICIPANTS**  
**National Consultation Meeting on Public Participation**  
**For the Proposed Xayaburi Dam Project**  
**28 February 2011, Sihanoukville**

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No.	Name	Position	Organisation
1	H.E. Mr Sin Niny	Permanent Vice Chairman	CNMC
2	H.E. Mr Te Navuth	Secretary General	CNMC
3	H.E. Mr Kol Vathana	Deputy Secretary General	CNMC
4	Mr Ku Khemlin	IKMP Coordinator	CNMC
5	Mr So Im Monichoth	PNPCA	DHRW
6	Mam Kay	Official	Ministry of Interior
7	Nouth Sokha	Chief of Office	Ministry of Tourism
8	Ou Chandy	Deputy Director of TPD	NCDM
9	Veng Sithy		Ministry of Water Resources and Meteorology
10	Am Bunthan	Program Monitoring Officer	MB
11	Luy Rasmey	Deputy Director	CEPA
12	Mr Keam Sarat	Chief of Bureau	Ministry of Foreign Affairs and International Cooperation
13	Mr Danh Serey	Deputy Director	EIA Department, Ministry of Environment
14	Mr Sok Khom	National FP Coordinator	CNMC
15	Chheng Phen		Fisheries Administration
16	Eric Barran	Senior Scientist	World Fish
17	Sam Nun	Deputy Director General	Fisheries Administration
18	Mr Bounthong Saphakdy	Director of Fisheries Division	DIF, Lao PDR
19	Mr Thongthip Chandalasane	Deputy of MFD	LNMC, Lao PDR
20	Chheang Hong	Deputy Director of Project Department	CNMC
21	Bul Delly	Secretary of TSBR	CNMC
22	Hean Veasna	Officer	MIME
23	Yan Samrith	Deputy Director	TSA
24	Huy Sophoadocrith	Chief of Office	Ministry of Public Works and Transport
25	Ek Sopheap	Vice Dean	Royal University of Agriculture, Ministry of Agriculture, Forestry and Fisheries
26	Sin Samnang	Officer	CNMC
27	Hak Socheat	National FMMP Coordinator	CNMC
28	H.E. Mr Tuon Thavrak	Director General	Ministry of Planning
29	Mr Han Phoumin	M-IWRM Programme Coordinator	MRCS
30	Mr Voradeth Phonekeo	Manager of ISH	MRCS
31	Mr Chea Sophearin	Programme Officer	MRCS
32	Mr Chhith Sam Ath	Executive Director	NGO Forum
33	Kim Sangha	Policy Manager	WWF
34	Im Phally	EPM	NGO Forum



35	Suon Seng	Executive Director	CENTDOR
36	Chay Keartha	Researcher	CENTDOR
37	Chhim Rumuny	Researcher	CDRI
38	Sun Youra	Executive Director	MVI
39	Sun Max	Executive Director	CRDT
40	Khiev Kanal		MLN
41	Horn Narren	Officer	MIME
42	Chrin Sokha	Deputy Director General	Ministry of Environment
43	So Sokha	Chief of Office	CNMC

**Annex 2:**

**Riverine Community Based Public Participation Meeting  
for the Proposed Xayaburi Dam Project  
Horn Buny Hotel, Kratie City, Cambodia  
10 February 2011**

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**TENTATIVE PROGRAMME**

**Objectives:**

- To involve potentially affected, interested stakeholders and the wider public to raise awareness on the proposed Xayaburi Dam Project as well as to obtain their feedback on key issues;
- To gain a representative range of views from potentially affected communities upstream and downstream of the proposed Xayaburi Dam Project addressing both local as well as transboundary aspects;
- To collate views from a wide group of stakeholders and to provide a holistic overview to decision makers; and
- To reflect all the views for consideration of the MRC Joint Committee.

**Scope:**

- The geographic scope includes areas potentially affected upstream and downstream of the proposed Xayaburi Dam Project in each Member Country;
- The substantive scope includes an overview on direct and indirect impacts caused by potential changes to fisheries and livelihoods, fish migration, sediment transport and river morphology, sediment quality, water quality and aquatic ecology, safety of dams and respective possible impacts (local and transboundary context);
- Less emphasis is given to direct resettlement aspects related to the reservoir area as this is predominantly a national issue, but it will be considered according to good practice examples in the basin.

**Addressed Stakeholders**

- District community groups along the river likely to be affected by the proposed dam project
- Relevant stakeholders
- Representative District officials
- Relevant line agencies via the NMCs

**Expected number of participants at each meeting**

- Approximately 80 participants

**Documents**

1. Background document on the MRC Prior Consultation Process and preliminary findings of the MRC technical review regarding the Xayaburi Dam Project
2. Hand-out of the presentations

**Tentative Programme**

<b>Time</b>	<b>Programme</b>	<b>Responsible</b>
8.00 – 8.30	Registration	NMC
8.30 – 8.40	Welcome speech	Chairman of Meeting (NMC)
8.40 – 8.50	Meeting purpose and introduction	MRCS
8.50 – 9.20	The Xayaburi Dam Project	MRCS
9.20 – 9.40	The MRC Prior Consultation Process within the context of all mainstream dam proposals	MRCS
9:40 – 10:15	Preliminary findings of the MRC technical review regarding the proposed Xayaburi Dam Project ⇒ Key aspects on possible impacts and mitigation measures ⇒ Next steps toward the finalisation of the Prior Consultation Process	MRCS
10.15 – 10:40	Discussion	
10:40 – 11:00	Coffee break	
11.00 – 12.30	Group Discussions The objective is to provide opportunity to groups to give an overview on concerns and collect mitigation measures from their points of views and local experiences. The group will be divided according to the questions interested (a series of questions will be prepared and sent to NMCS at a later stage): <ul style="list-style-type: none"> <li>• Question 1?</li> <li>• Question 2?</li> <li>• .....?</li> </ul>	Community participants facilitated by NMCS
12:30 - 14:00	Lunch Break	
14.00 – 16.30	- Outcomes of group discussions reported by ` facilitator - Moderated plenary discussion, comments and responses	All relevant
16.30 – 16.50	Summary and next steps	MRCS
16.50 – 17.00	Closing Remarks	Chairman of the Meeting (NMC)

**National Public Participation  
for the proposed Xayaburi Dam Project  
Ksach Meas Hotel, Sihanoukville, Cambodia  
28 February 2011**

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**TENTATIVE PROGRAMME**

**Objectives:**

- To involve potentially affected, interested stakeholders and the wider public to raise awareness on the proposed Xayaburi Dam Project as well as to obtain their feedback on key issues;
- To gain a representative range of views from respective stakeholders on the proposed Xayaburi Dam Project addressing both the local as well as transboundary aspects;
- To collate all stakeholder views and to provide a holistic overview to decision makers; and
- Reflect all the views for consideration the MRC Joint Committee.

**Scope:**

- The geographic scope includes areas potentially affected upstream and downstream of the proposed Xayaburi Dam Project in each Member Country;
- The substantive scope includes direct and indirect impacts caused by potential changes to fisheries and livelihoods, fish migration, sediment transport and river morphology, sediment quality, water quality and aquatic ecology, safety of dams and respective possible impacts (local and transboundary context);
- Less emphasis is given to direct resettlement aspects related to the reservoir area as this is predominantly a national issue, but it will be considered according to good practice examples in the basin.

**Addressed Stakeholders**

- Representatives of government agencies and non-government groups including representatives of the community group, national assembly members, development NGOs, research institutes and other stakeholders with an interest.

**Expected number of participants at each meeting**

- 80-100 participants

**Documents to be distributed**

1. Background document on the MRC Prior Consultation Process and preliminary findings of the MRC technical review regarding the Xayaburi Dam Project
2. Hand-out of the presentations

**Tentative Programme**

<b>Time</b>	<b>Programme</b>	<b>Responsible</b>
8.00 – 8.30	Registration	NMCS
8.30 – 8.40	Welcome speech	Chairman of Meeting (NMC)
8.40 – 8.50	Meeting purpose and introduction	MRCS
8.50 – 9.20	The MRC Prior Consultation Process	MRCS
9.20 – 9.40	The Xayaburi Dam Project within the context of all mainstream dam proposals	MRCS
9:40 – 10:15	Preliminary findings of the MRC technical review regarding the proposed Xayaburi Dam Project ⇒ The proposed project, its technical review and its basin-wide context; ⇒ Key aspects on possible impacts, overview on their transboundary meaning and mitigation measures ⇒ Next steps toward the finalisation of the Prior Consultation Process	MRCS
10.15 – 10:40	Discussion	
10:40 – 11.00	Coffee break	
11.00 – 12.30	Group Discussions The objective is to provide opportunity to groups to give an overview on concerns and collect mitigation measures from their points of views and local experiences. The group will be divided according to the questions interested (a series of questions will be prepared and sent to NMCS at a later stage): <ul style="list-style-type: none"> <li>• Question 1?</li> <li>• Question 2?</li> <li>• .....?</li> </ul>	Representative of the communities
12.30 – 14:00	Lunch break	
14.00 – 16.00	Moderated plenary discussion, comments and responses	All relevant
16.00 – 16.20	Summary and next steps	MRCS or NMC
16.20 – 16.30	Closing Remarks	Chairman of the Meeting (NMC)

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**Annex 2:**  
**Report of National Consultation Meetings in Chiang Rai Province, in Loei Province, in Nakhon Phanom Province and in Bangkok, Thailand**

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**Report on National Consultation Meeting  
on Prior Consultation for the proposed Xayaburi hydroelectric power dam project**

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**I. Overview**

**1. Objectives of the meeting**

- 1.1 To involve potentially affected, interested stakeholders and the wider public to raise awareness on the proposed Xayaburi Dam Project as well as to obtain their feedback on key issues;
- 1.2 To gain a representative range of views from respective stakeholders on the proposed Xayaburi Dam Project addressing both the local as well as transboundary aspects;
- 1.3 To collate all stakeholder views and to provide a holistic overview to decision makers

**2. Brief summary of the participants**

The participants consist of representatives of government agencies and non-government groups including representatives of the community group, national assembly members, NGOs, university, research institutes and other stakeholder.

**II. Main outcomes of the meeting**

**1. Summary of presentation by the MRCS or NMCS staff** regarding the Prior Consultation Process and the MRC Technical Review of the proposed Xayaburi dam project

TNMCS staff made a brief introduction to the Agreement on the Cooperation for Sustainable Development in the Mekong River Basin signed on 5 April 1995, the Procedures for Notification, Prior Consultation and Agreement (PNPCA) approved by the MRC Council on 30 November 2003 which will be presenting by the MRCS staff including Strategic Environmental Assessment (SEA), MRC Technical Review Report of Xayaburi hydroelectric power project proposed by the Lao government.

MRCS staff made presentation on SEA, PNPCA, and MRC Technical Review Report of Xayaburi project as summarized below.

**Strategic Environmental Assessment (SEA)** of the proposed Mekong mainstream dam in the lower Mekong basin. SEA is one part of the preparation of the MRC in implementation of the Procedures for Notification, Prior Consultation and Agreement (PNPCA). SEA made assessment of the cumulative impact of the project, opportunities, risks and mitigation measures for use in decision making of the member countries on the development of hydropower in the Mekong mainstream which consider 5 key strategies as follows:

- (1) Power security and generation
- (2) Economic development and poverty alleviation
- (3) Economic integrity and biodiversity
- (4) Fisheries and food security
- (5) Livelihoods and cultural community

SEA report proposes 4 strategic options for consideration by the member countries as follows:

- Option 1 No mainstream dam
- Option 2 Defer decision on all mainstream dams at least for 10 years
- Option 3 Gradual development of mainstream dam
- Option 4 Market driven development of the proposed mainstream projects

**PNPCA:** PNPCA defines the timeframe of prior consultation to be complete within 6 months from the date of receiving the project documents. If necessary the extended period shall be permitted by the decision of the MRC Joint Committee. Lao PDR has made Notification of this project by submission the documents of the Xayaburi hydropower project on 20 September 2010. MRCS

established the MRCS Working Group to review and consider the project documents and submitted the documents to other three member countries on 22 October 2010 which was the starting date of Prior Consultation and will be ending on 22 April 2011. During the Prior Consultation process, the member countries appointed the representatives from each country to be member of MRC Joint Committee Working Group on PNPCA (JCWG on PNPCA) to review and consider the submitted project documents and held the national consultation and submit the view/comments to the MRC Joint Committee for consideration.

**MRC Technical Review Report:** MRCS Working Group reviewed the submitted documents of Xayaburi project and found that the following transboundary issues lack of information and comprehensive study in the Xayaburi study reports:

- (1) **Fisheries:** fish migration route, impact to fish species, design of fish ladder
- (2) **Sediment and nutrient:** sediment analysis, river morphology change, suspended sediment and balance of nutrient in upstream and downstream of dam, cumulative impact to sediment alluvion
- (3) **Water quality:** ecological system condition, appropriate flow for environment condition
- (4) **Water transport:** impact of sediment to water transport, Quantity of water transport in upstream and down stream

## 2. Concerns expressed by participants

The participants expressed their concerns on the key issues which have not been studied clearly in the Xayaburi study reports as follows: change of ecological system, biodiversity, fish migration and food security, livelihoods of local people along the Mekong River, bank erosion and loss of agricultural area along the river.

The participants, therefore, propose that the project owner country considering to make additional study on the aforementioned issues. When the study complete, the project owner country should disclose the results to the public. The participants raised further issue, if the transboundary impact occur who will be responsible for damage affected other countries including Thailand.

## 3. Recommendations by participants

From the concerns raised by the participants as above mentioned, they made the following recommendations on the project owner country for consideration:

### 3.1 Disclosure of data and information

- (1) Disclose all reports (Feasibility study report, EIA report, including all available reports) which are translated in Thai language to the public before receiving the comments
- (2) Apply the Thai Prime Minister Office Regulation on Public Hearing which define that data/information should be disclosed before receiving comments from the stakeholder. But the report is copyright of the Lao government.
- (3) The project's owner, Consultant Company who prepared the study reports, and financial sources should disclose data/information to be in line with good governance
- (4) Need to know the view of other member countries
- (5) Based on technical view, it is applied precautionary principle in case of having incomplete data/information

### 3.2 Data and information presenter

- (1) Investor and consultant company should be responsible for disclosure of data/information, instead of MRC

### 3.3 Prior Consultation Timeframe

- (1) Due to insufficient information for consideration in particular on the transboundary impacts, it is proposed to extend the timeframe of Prior consultation in order to consideration in depth

### 3.4 Stakeholder



(1) To hold prior consultation forum in all provinces located along Mekong River, and also provide opportunity to the youth and student in the said areas to participate and exchange view in the forum

(2) To invite high rank positions of the Royal Thai Government joining the forum because they are the persons who make decision on national policy on energy

#### 3.4 Others

(1) Representatives of local people in the north and northeast will organize the forum to define their position and standing point on the dam construction on the Mekong on 19 March 2011 at Ratchapat Sakonnakon University, and invite the senior management level to participate in this forum

(2) Representative of local people request to participate as observer in the upcoming MRC Joint Committee in March 2011, and also request for financial support for their participation

(3) SEA lack of data on river bank garden, number of affected people, comparison of economic benefit from river bank garden and benefit from electricity

(4) SEA study should consider the benefit from electricity as a risk

#### 4. Responses to the questions proposed for plenary discussion

4.1 What potential impacts and mitigations of the proposed Xayaburi project would upstream communities be concerned with?

The upstream communities concern on the following issues of potential impacts and mitigations: fish migration, sediment transport, environmental health degradation.

4.2 What potential impacts and mitigations of the proposed Xayaburi project would downstream communities is concerned with?

The downstream communities concern on the same issues of upstream communities plus hydrological change including how to manage flow in wet season because there is not only released flow from power house but also additional flow in wet season.

4.3 If the dam construction were to go ahead, what issues and how would communities most like to be involved in the monitoring and mitigation program during construction and operation?

The communities would like to be involved not only in the monitoring and mitigation program during the construction and operation but also be involved in the program preparation for the said monitoring and mitigation.

4.4 How would NGOs like to communicate their concerns to NMCs during the PNPCA process

NGOs would like to communicate with the NMCs during PNPCA process through the public forum with the participation of all sector of stakeholder as well as high rank position of NMC who can make decision.

#### 5 Conclusion

Due to the data and information relevant to the proposed Xayaburi project provided to the stakeholder are insufficient for consideration and comment. The stakeholder request to have all available reports of Xayaburi project translated in Thai language and send to the stakeholder in advance for consideration. In addition, the stakeholder suggests that the data/information presenter should be the representative of Lao PDR/project developer/consultant company instead of MRCS staff. Moreover, the data/information provided in the study reports lack of data on transboundary impact and mitigation measures so the stakeholder request the project owner country to make additional study on the tranboundary impact including the mitigation measures. With the aforementioned reasons, the stakeholders recommend to extend the timeframe for prior consultation of proposed Xayaburi project until the study of transboundary impact and mitigation measures complete for consideration and comments.

Annexes

- Annex 1    Agenda
- Annex 2    List of participants
- Annex 3    Summary of National Consultation of proposed Xayaburi Hydroelectric Power Project

**Annex 1: Agenda**

**National Consultation on proposed Xayaburi hydroelectric power project**  
**22 January 2011, CHIangkong District, Chiangrai Province**  
**10 February 2011, Chiangkan District, Loei Province**  
**12 February 2011, Muang District, Nakhonphanom Province**

<b>Time</b>	<b>Item</b>	<b>Responsible by</b>
09:00 – 09:30	Registration	Thai National Mekong Committee Secretariat (TNMCS)
09:30 – 09:40	Introduction	TNMCS
09:45 – 10:15	Presentation on Strategic Environmental Assessment (SEA) of proposed Mekong mainstream dam	Mekong River Commission Secretariat (MRCS)
10:15 – 10:30	Questions – Answers	All participants
10:30 - 10:45	Coffee Break	All participants
10:45 – 11:15	Presentation on Prior Consultation Process in accordance to Procedures for Notification, Prior Consultation and Agreement (PNPCA)	MRCS
11:15 – 12:15	Questions – Answers	All participants
12:15 – 13:15	<b>Lunch</b>	All participants
13:15 - 13:45	Presentation on overview of proposed Xayaburi hydroelectric power project and study results	MRCS
13:45 - 14:15	Questions – Answers	All participants
14:15-14:30	Coffee Break	All participants
14:30 – 16:00	Comments	All participants
16:00 – 16:30	Closing	

## **Annex 2: List of participants**

### **1<sup>st</sup> meeting on 22 January 2011, Chiangkhong District, Chiangrai Province**

Total participants	80	persons
- government agencies	10	persons
- non-government groups and community groups	64	persons
- national assembly members	-	persons
- universities, research institutes and others	6	persons

### **2<sup>nd</sup> meeting on 10 February 2011, Chiangkan District, Loei Province**

Total participants	127	persons
- government agencies	25	persons
- non-government groups and community groups	90	persons
- national assembly members	7	persons
- universities, research institutes and others	5	persons

### **3<sup>rd</sup> meeting on 12 February 2011, Muang District, Nakhonphanom Province**

Total participants	125	persons
- government agencies	14	persons
- non-government groups and community groups	102	persons
- national assembly members	6	persons
- universities, research institutes and others	3	persons

**Annex 3: Summary of national consultation of proposed Xayaburi Hydroelectric power project**

Item	Issue	Comments		
		<b>22 January 2011</b> Chiangkhong District, Chiangrai Province	<b>10 February 2011</b> Chiangkan District, Loei Province	<b>12 February 2011</b> Muang District, Nakhonphanom Province
<b>Technical matter</b>				
1	SEA of proposed mainstream dam in Lower Mekong Basin	<p><b>1)</b> SEA is the useful tool and to provide good technical data. SEA should be adopted by the member countries.</p> <p><b>2)</b> It is proposed to select the option to defer a decision on Mekong mainstream dam at least 10 years</p>	<p><b>1)</b> It is proposed to select the option to defer a decision on the Mekong mainstream dam at least 10 years</p> <p><b>2)</b> SEA study should also cover the impact assessment of Mekong tributaries development</p>	<p><b>1)</b> SEA study should also cover the impact assessment of Mekong tributaries development</p> <p><b>2)</b> SEA should determine option clearly</p> <p><b>3)</b> Disagree with SEA that consider only hydropower dam</p> <p><b>4)</b> Process of data/information presentation is made after the presentation of impact assessment of Xayaburi project</p> <p><b>5)</b> SEA report lack of impact study on tradition, cultural and tourism aspects</p>
2	Alternative energy	<b>1)</b> It is proposed to study on other alternative energy	<b>1)</b> It is proposed to study on other alternative energy and to allow the communities to participate in the energy management	<b>1)</b> To support the alternative energy in energy generation such as solar energy

3	Construction of China dams	<b>1)</b> Due to the previous experience, the people were impacted by China dams without mitigation. Therefore, they do not support the construction of mainstream dams		<b>1)</b> Due to the previous experience, the people were impacted by China dams without mitigation. Therefore, they do not support the construction of mainstream dams. if the Xayaburi dam were built it will be more impact
4	Fisheries and fish migration routes	<b>1)</b> Local people do not receive any fisheries information on fish migration, fish habit, food area and others  <b>2)</b> To determine the mitigation measure	<b>1)</b> Loss of fisheries can compensate by reservoir fisheries only 10% which cannot solve the problem of fisheries lost	<b>1)</b> Dam construction cause impact to fisheries, loss of local fish, and loss of wetland
5	Fish ladder	<b>1)</b> Design of dam and fish ladder should be designed as natural condition	<b>1)</b> Design of fish ladder for Mekong mainstream dam cannot accommodate the fish migration	<b>1)</b> Fish ladder cannot facilitate the fish migration in term of number and species
6	Sediment		<b>1)</b> Propose to identify clearly impact caused by sediment	<b>1)</b> It is proposed to allocate budget for support rehabilitation of deep pool in the Mekong river impacted by sediment alluvion
7	Navigation			<b>1)</b> Design of navigation lock should take into account not only big boat but also small boat of local people
8	Flow		<b>1)</b> Mekong water management should be undertaken before dam construction	<b>1)</b> How to manage flow in wet season because there is not only released flow from power house but also additional

			2.Dam construction cause change of flow and also other impacts	flow in wet season
9	Importance of Mekong river	<p><b>1)</b> Mekong river is the river of life and importance for local livelihood</p> <p><b>2)</b> Mekong river basin is importance for food security and biodiversity should be studies comprehensively</p>		<p><b>1)</b>Youth request the government to be aware the importance of Mekong river and conservation of natural resources of the Mekong river</p>
10	Climate change			<p><b>1)</b> How does uncertainty of climate change affect to the mainstream dam?</p> <p><b>2)</b> How Xayaburi project affect to climate change?</p>
11	Transboundary impacts and mitigation measures	<p><b>1)</b> Is there any mitigation measures? Who is responsible for this matter?</p> <p><b>2)</b> What issues for Transboundary impact to Thailand?</p> <p><b>3)</b> It is proposed to consider separately between process of learning and process of decision on what are the transboundary impact that should be presented in the report</p>	<p><b>1)</b> What are the mitigation measures?</p> <p><b>2)</b> Need to know transboundary impact to Thailand</p>	<p><b>1)</b> Any mitigation measures to cope with damage caused by the dam?</p> <p><b>2)</b> Local people should participate in the preparation of mitigation measures</p> <p><b>3)</b> It is proposed to allocate the benefit from the project for mitigation measures</p> <p><b>4)</b> Propose to set up the fund for compensation of damage from the project</p>
<b>Prior Consultation Process</b>				

12	Disclosure of data and information	<p><b>1)</b> Propose to disclose all reports which are translated in Thai to the public before receiving the comments</p> <p><b>2)</b> According to Prime Minister Office Regulation on Public Hearing defined that data/information should be disclosed before receiving comments from the stakeholder. But the report is copyright of the Lao government. Therefore it is proposed to apply Thailand regulation on data/information disclosure regulation</p> <p><b>3)</b> The project's owner, consultant company, and financial sources should disclose data/information which is in line with good governance</p> <p><b>4)</b> Need to know the view of other member countries</p> <p><b>5)</b> Based on technical view, it is applied precautionary principle in case of having incomplete data/information</p>	<p><b>1)</b> Should disclose the final report of EIA, and provide it to local people in advance</p> <p><b>2)</b> MRC view on Xayaburi project should be disclosed</p>	<p><b>1)</b> Disclose data on bank who provide financial support to the project construction</p> <p><b>2)</b> The project study report and EIA report need to translate in 4 languages of member countries, and provide to the local people in advance</p> <p><b>3)</b> Data/information disclosed to local people should be simple and ease for understanding</p>
13	Data and information presenter	<p><b>1)</b> Investor and consultant company should be responsible for disclosure</p>	<p><b>1)</b> Next forum, the project owner, investor, and consultant company</p>	<p><b>1)</b> Propose that the consultant company and project owner be the</p>



		of data/information, instead of MRC	should be the data	data/information to the local people
14	Time frame	<b>1)</b> It is proposed to extend the timeframe for prior consultation due to incomplete data and no disclose data to the local people	<b>1)</b> Due to insufficient information for consideration, it is proposed to extend the timeframe of Prior consultation in order to consideration in depth	<b>1)</b> The data provided this time is incomprehensive. Therefore, it is proposed to extend the timeframe for PNPCA due to the period of 6 months is insufficient
15	Stakeholder	<b>1)</b> Development of this project should be received comments from stakeholder in Thailand because the developer, consultant company and financial sources is based in Thailand  <b>2)</b> Government agencies who are responsible for providing data/information and define the mitigation measures	<b>1)</b> It is proposed to extend the group of participants to be broader and cover all sectors  <b>2)</b> Propose to hold additional forum for providing knowledge to local people	<b>1)</b> Propose to hold prior consultation forum in all provinces located along Mekong river, and also provide opportunity to the youth and student in the said area to participate and exchange view in the forum  <b>2)</b> Invite high rank positions of the Royal Thai Government join the forum because they are the persons who make decision on national policy on energy
16	Others			<b>1)</b> Representatives of local people in the north and northeast will organize the forum to define their position and standing point on the dam construction on the Mekong on 19 March 2011 at Ratchapat Sakonnakon University, and invite the senior management level to participate in this forum  <b>2)</b> Representative of local people request to participate as observer in the

				<p>upcoming MRC Joint Committee in March 2011, and also request for financial support for their participation</p> <p>3) SEA lack of data on river bank garden, number of affected people, comparison of economic benefit from river bank garden and benefit from electricity</p> <p>4) SEA study should consider the benefit from electricity as a risk</p>
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**Annex 3:**  
**Report of National Consultation Meetings in Can Tho City, and in Quang Ninh Province, Viet Nam**

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**BRIEF RESULTS OF**  
**The first national consultation workshop on Xayaburi hydropower project**  
**proposed on the Mekong mainstream of Lao PDR**  
**(14 January 2011, Can Tho city, Viet Nam)**  
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In response to the notification of Lao PDR's Government on Xayaburi, the first proposed hydropower project on mainstream of the Lower Mekong Basin, the Mekong River Commission (MRC) in collaboration with national counterparts in all Member Countries have been conducting a series of consultations with relevant stakeholders about the project as required by the Notification, Prior Consultation and Agreement Procedures (PNPCA) of the Mekong River Commission.

As planned, in Viet Nam two national consultation workshops are conducted to seek different views of the national agencies and local authorities on the proposed Xayaburi hydropower project. While the first meeting had been already conducted by the Viet Nam National Mekong Committee (VNMC) in Can Tho city on 14 January 2011 for the participants from the Southern part of Vietnam (list of participants attached), the second will be held on 22 February 2011 in Ha Long city for the participants from the Northern part of Vietnam.

The first workshop in Can Tho city chaired by H.E. Dr. Nguyen Thai Lai, Deputy Minister of Natural Resources and Environment, Vice Chairman of Viet Nam National Mekong Committee, drew large participation of about 50 VNMC members and representatives from 13 Mekong Delta provinces/city and related line agencies, institutions in Ho Chi Minh and Can Tho cities.

After opening remarks of H.E. Dr. Nguyen Thai Lai, representatives from National Mekong Committee presented three presentations on (i) Hydropower projects proposed on the mainstream, 1995 Mekong Agreement and Procedures for Notifications, Prior Consultation and Agreement, (ii) Results of the MRC Strategic Environmental Assessment of the hydropower dams proposed on the Mekong mainstream, and (iii) Report on proposed Xayaburi hydropower project.

According to the reports at the Workshop, the Xayaburi hydropower project is the third among 11 cascaded hydropower projects proposed on the Lower Mekong mainstream. This project is located on the Lao territory and invested by the SEAN & Ch. Karnchang Public of Thailand. This is the first project which is notified to the Mekong River Commission following the Procedures for Notification, Prior Consultation and Agreement. The dam is located 1930km far from the Mekong delta of Vietnam. The main parameters of this project are follows: Length of dam: 820m, dam height: 32.6m, including 8 units with installed capacity of 1,260MW. There are 2 navigation locks with carriage capacity of 500 tons, spilling way on the right banks, and plant house, sediment flushing sluices on the left side. The project construction is proposed to be completed after 8 years starting from 2011 and ending by 2019.

The Xayaburi hydropower project was officially notified to the MRC in October, 2010 by the Government of Lao PDR and is now in the period of 6-months prior consultation as stipulated in the aforementioned Procedures. It was expected the MRC would arrive at an official response to the first propose use of this kind from the Member Countries by April 2011.

The meeting participants expressed their comments and concerns on the status of dam development in the Mekong river basin and their potential impacts caused by these dams. The participants raised strong concerns about the severe impacts of the mainstream dams and strongly recommended that the tributary hydropower development should be considered at this stage.

With respect to the Xayaburi dam, the main comments are summarized as follows:

1. Documents about the Project provided by the Developer was assessed as inadequate of basic information, particularly the technical essential design features such as fish ladders, sand flushing outlets, and navigation locks, and their proven feasibility and effectiveness in reality, as well as lacking of appropriate and comprehensive assessment of the trans-boundary and cumulative impacts of the project to the downstream.

2. Emphasizing the importance of the Mekong Delta as a rice bowl feeding almost 20 millions of people, the Workshop participants expressed their great concerns and worries about the possible impacts of the project on the productivity of the Mekong Delta and the livelihood of millions of people living in the Delta with particular concerns on impacts on sediments, fisheries, wetland ecosystems and lost of agriculture cultivated land due to salt intrusion. Potentially facing double impacts, from climate change and sea water level rise, and from the fast development in the Mekong upstream part, especially on the mainstream, the Delta would be adversely threatened by severe impacts resulting in the intrusion of saline sea water far into the inland, immense damage to the fisheries, declination of agro-productivity vital to millions and unpredictable degradation of the invaluable bio-diversity, cited most of the comments at the Workshop.

3. It was commonly emphasized that as this was the first of a series of dams planned to be built on the mainstream of the Mekong River in the Lower Mekong Basin, it must be considered with due care and full precaution. The time proposed for the prior consultation process of 6 months is certainly too short for consideration. While noting the status of missing of some basic information in the documents provided as well as lacking of comprehensive understanding on the severity and extent of the possible impacts that may occur, most of the participants expressed their strong views that the decision on the dam construction should be deferred in a sufficient period of time for further studies to facilitate understanding and confidence of concerned stakeholders on the dam impacts. In a meanwhile, it was suggested that the Lao government and developer would continue providing more information on the project, especially the information on the environmental impact for consideration.

4. Vietnam appreciates the results of SEA of the MRCS in collaboration with the international consultants. However, due to many reasons, the results of this study are still limited, and have not reflected all potential impacts on environment which could be caused by the mainstream hydropower dams. Therefore, it is requested that the MRC and its member countries will make every efforts to conduct further researches on this issue.

5. Regarding the PNPCA process, the participants requested more consultations at communities levels to be conducted on the process.

## **NEXT STEPS**

The second national consultation meeting for the participants of the Northern part of Vietnam on the Xayaburi project will be organized. The results of the two meetings will be shared with the MRCS.

**Annex 1:**

**AGENDA**  
**National Consultation on Proposed Xayaburi Dam**  
*Can Tho City, 14 January 2011*

<b>Time</b>	<b>Content</b>	<b>Event Leader</b>
08.30-09.00	Registration	VNMC
09.00-09.15	Opening Remark	H.E. Dr. Nguyen Thai Lai, Deputy Minister of MONRE, Vice Chairman of VNMC
09.15-09.30	Participants Introduction	VNMC
09.30-10.30	-Mainstream dam cascade and SEA study - Mainstream dams – Mekong Agreement and PNPCA -Roadmap of the Prior Consultation - The Proposed Xayaburi Hydropower Dam, location and related technical designs	VNMC
10.30-11.00	Coffee Break	
11.00-12.00	Q & A, discussion	H.E. Dr. Nguyen Thai Lai
12.00-13.30	Lunch	
13.30-14.00	Review of received documents by the Developer and its related findings and conclusions	VNMC
14.00-14.30	Q&A, discussion	H.E. Dr. Nguyen Thai Lai
14.30-15.30	Results of the Scoping Assessments by the MRCS	VNMC
15.30-16.00	Afternoon Break	
16.00-17.00	Q&A, discussion	H.E. Dr. Nguyen Thai Lai
17.00-17.30	Wrap-up, Conclusion and Closing Remark	H.E. Dr. Nguyen Thai Lai
18.30	Reception Dinner	All

**Annex 2:****LIST OF PARTICIPANTS**

No.	Name	Position	Agency
<b>Hanoi Participants</b>			
1	Dr. Nguyen Thai Lai	Vice Minister - MONRE, Vice Chairman of VNMC	Ministry of Natural Resources and Environment (MONRE)
2	Dr. Le Duc Trung	Director General	VNMC
3	Dr. Truong Hong Tien	Deputy Director General	VNMC
4	Mr. Pham Anh Dung	Unit Chief	Appraisal and Environment Impact Assessment Department, MONRE
5	Mr. Nguyen Van Bang	Programe Officer	VNMC
6	Mr. Nguyen Van Trieu	Senior Officer, Assistant to Deputy Minister	MONRE
7	Ms. Nguyen Thi Thu Linh	Programe Officer	VNMC
<b>Ho Chi Minh City Participants</b>			
8	Ms. Vo Thi Be Nam	Deputy Director of Centre for Agricultural Economy and Geographic information	Sub-institute of Agricultural Planning and Projection
9	Mr. Phan Thanh Lam	Chief of Inland fisheries Department	Research Institute for Aquaculture
10	Mr. Tran Hoai Giang	Deputy Director	Sub-institute of Fishery Economy and Planning
11	Mr. Nguyen Nhu Trien	Deputy Director	Southern Centre for Economic Study
12	Mr. Ton Than Lang	Chief of Education Department	College of Natural Resources and Environment, Ho Chi Minh City
13	Mr. Bao Thanh	Director	Sub-Institute for Hydro-Meteorological and Environment

14	Mr. Phan Thanh Minh	Director	Southern Regional Hydro Meteorological Center
15	Mr. Pham Van Do	Senior Official	Representative Office of MONRE in Ho Chi Minh City
16	Mr. Vu Minh Thien	PO	VNMC Office, HCM City
17	Ms. Tran Thi Kim Hue	PO	VNMC Office, HCM City
<b>Mekong Delta Participants (outside Can Tho)</b>			
18	Mr. Nguyen Thanh Nguyen	Vice Chairman	People's Committee of Long An Province
19	Mr. Nguyen Van Chinh	Deputy Director	DONRE of Ben Tre Province
20	Mr. Nguyen Van Kieu	Senior Expert	Department of Natural Resources and Marine of Ben Tre Province
21	Mr. Dang Ngoc Loi	Deputy Director	Department of Agriculture and Rural Development of Dong Thap Province
22	Mr. Roan Ngoc Chien	Director	DONRE of Vinh Long Province
23	Mr. Le Hong Trinh	Chief of Natural Resources Department	Provincial People's Committee of Vinh Long Province
24	Ms. Tran Anh Thu	Deputy Director	DONRE of An Giang Province
25	Mr. Nguyen Van Huyen	Director	DONRE of Hau Giang Province
26	Mr. Hoang Minh Chau	Director	Environment Department of Hau Giang Province
27	Mr. Khuu Le	Deputy Director	DONRE of Bac Lieu Province
28	Mr. Ho Hoan Tat	Deputy Director	Ca Mau Province
29	Mr. Dang Quoc Nam	Senior Official	Ca Mau Province
30	Mr. Tran Van Thanh	Deputy Director	DONRE of Soc Trang Province
31	Mr. Chau Ngoc Thom	Specialist	DONRE of Soc Trang Province



32	Mr. Tran Xuan Thanh	Deputy Director	DONRE of Tien Giang Province
33	Ms. Vo Thi Van	Deputy Director	DONRE of Kien Giang Province
34	Mr. Le Thanh Phong	Specialist	DONRE of Kien Giang Province
35	Ms. Phung Thi Bich Lam	Specialist	DONRE of Kien Giang Province
36	Ms. Pham Thi Hong Van	Specialist	DONRE of Kien Giang Province
<b>Can Tho Participants</b>			
37	Mr. Nguyen Thanh Son	Deputy Chairman	People's Committee of Can Tho City
38	Mr. Le Anh Tuan	Vice chief of unit of Faculty of Natural Resources and Environment Management	Can Tho University
39	Mr. Nguyen The Minh	Deputy Director	DONRE of Can Tho City
40	Mr. Ha Thanh Toan	Deputy Director	Can Tho University
41	Mr. Dang Van Tri	Senior Expert	Can Tho University
42	Mr. Doan Thanh Tam	Deputy Director	Hydrological Survey Center, Cantho
43	Mr. Ky Quang Vinh	Director	Hydrological Survey Center, Cantho
44	Ms. Luu Hong Van	Director	DONRE of Can Tho City

**BRIEF RESULTS OF**  
**The second national consultation workshop on Xayaburi hydropower**  
**project proposed on the Mekong mainstream of Lao PDR**  
**(22 February 2011, Ha Long city, Quang Ninh province, Viet Nam)**  
.....

In response to the notification of Lao PDR's Government on Xayaburi, the first proposed hydropower project on mainstream of the Lower Mekong Basin, the Mekong River Commission (MRC) in collaboration with national counterparts in all Member Countries have been conducting a series of consultations with relevant stakeholders about the project as required by the Notification, Prior Consultation and Agreement Procedures (PNPCA) of the Mekong River Commission.

As planned, in Viet Nam two national consultation workshops are conducted to seek different views of the national agencies, local authorities, NGOs and academia on the proposed Xayaburi hydropower project. While the first meeting had been already conducted by the Viet Nam National Mekong Committee (VNMC) in Can Tho city on 14 January 2011 for the participants from the Southern part of Vietnam, this meeting is the second national consultation held on 22 February 2011 in Ha Long city for the participants from the Northern part of Vietnam.

The meeting, chaired by H.E. Dr. Nguyen Thai Lai, Deputy Minister of Natural Resources and Environment, Vice Chairman of Viet Nam National Mekong Committee, drew large participation of about 60 representatives of government ministries/agencies, NGOs, academia, experts and MRC Secretariat (list of participants attached).

After opening remarks of H.E. Dr. Nguyen Thai Lai, representatives from National Mekong Committee and MRC Secretariat presented three presentations on (1) Mainstream dams – Mekong Agreement and PNPCA ; (2) The Proposed Xayaburi Hydropower Dam, location and related technical designs ; Roadmap of the Prior Consultation ; (3) Results of the Scoping Assessments by the MRCS.

According to the reports at the Workshop, the Xayaburi hydropower project is the third among 11 cascaded hydropower projects proposed on the Lower Mekong mainstream. This project is located on the Lao territory and invested by the SEAN & Ch. Karnchang Public of Thailand. This is the first project which is notified to the Mekong River Commission following the Procedures for Notification, Prior Consultation and Agreement. The dam is located 1930km far from the Mekong delta of Vietnam. The main parameters of this project are follows: Length of dam: 820m, dam height: 32.6m, including 8 units with installed capacity of 1,260MW. There are 2 navigation locks with carriage capacity of 500 tons, spilling way on the right banks, and plant house, sediment flushing sluices on the left side. The project construction is proposed to be completed after 8 years starting from 2011 and ending by 2019.

The Xayaburi hydropower project was officially notified to the MRC in October, 2010 by the Government of Lao PDR and is now in the period of 6-months prior consultation as stipulated in the aforementioned Procedures. It was expected the MRC would arrive at an official response to the first propose use of this kind by the Member Countries by April 2011.

The comments of participants in the workshop on the Xayaburi project are summarized as follows:

- The project documents prepared by developer are evaluated as lacks of details and unclear mitigation solutions; insufficient impacts assessment on environment, ecosystem, biological diversity, flow regime in Lower Mekong Basin, particularly the impacts of Xayaburi dam on natural, social aspects and livelihoods of millions of people living in the Mekong Delta in Viet Nam.

- The spatial extent of the impacted area for assessment was only limited to the adjacency of the dam. Therefore, the requirement of expanding the scope of impact assessment to upper and lower basin areas are necessary.
- Many participants emphasized the necessity of providing reliable information and data related to dam design, the feasibility of fish passing facilities and dam operation.
- The issue of insufficient information and data for impact assessment of the proposed mainstream dams was also highlighted in the SEA Report as well as the approved IWRM based Basin Development Strategy. It was therefore recommended that the MRC should conduct data collection, data generation work to fill the data gap first before making decision on the dam construction.
- Xayaburi dam building will create a precedence for other dams planned on mainstream of the Mekong river. Therefore, the riparian countries in close collaboration with research institutions, international organizations should conduct studies on the dam potential impacts in a prudent manner. The Xayaburi dam should be considered within the context of whole dam cascade proposed to be constructed along the Mekong mainstream and should not be considered as a single project.
- Emphasizing the current difficult situation of Mekong water resources, most of the participants expressed their strong views that the decision on the dam construction should be deferred for a sufficient period of time, possibly 5-10 years, to conduct further studies on dam impacts and mitigation measures. Good decision on mainstream dams would strengthen the cooperation and harmonize the benefit of all the MRC member countries.
- It is essential to extend time for national consultations on the proposed Xayaburi dam with more local communities being involved.

The following conclusions and remarks were drawn by H.E. Deputy Minister of MONRE at the closing session of the meeting:

- The delegates participated in National consultation workshop expressed their views and concerns with high responsibility and constructive spirit, and contributed straight comments for future sustainable development of the Mekong River Basin.
- Building the Xayaburi dam on mainstream can cause potential impacts by altering the natural flow regime, reducing sediment, increasing salinity intrusion into land, reducing soil nutrients, declining biodiversity and directly affecting the safety of water sources and food security for Vietnam as well as for the whole world.
- The impact of the Xayaburi dam should be assessed in the context of the whole proposed mainstream dam system. Further research and studies on the dam impacts should be conducted by national agencies and international partners in a full precaution taking into account that the Xayaburi is the first dam on lower Mekong mainstream planned to be constructed and will be an example for consequent mainstream dams.
- The VNMC should work closely with MRCS and LNMC for getting additional and reliable data and information to conduct further studies on the dam impacts and mitigation measures supporting decision making process.

**Annex 1:**

**AGENDA**  
**National Consultation Workshop on the Proposed Xayaburi Dam of the Lao PDR**  
*Ha Long City, 22 January 2011*

<b>Time</b>	<b>Event</b>	<b>Event leaders</b>
08.00-08.15	Registration	VNMC
08.15-08.30	Opening Remarks	H.E. Dr. Nguyen Thai Lai, Deputy Minister of MONRE, Vice Chairman of VNMC
08.30-08.40	Participants Introduction	VNMC
08.40– 08.50	Objectives and agenda of the workshop	Ms. Nguyen Thi Thu Linh, Senior Programme Officer, VNMC
08.50-10.00	The presentations : <ul style="list-style-type: none"> <li>- Mainstream dams – Mekong Agreement and PNPCA</li> <li>- The Proposed Xayaburi Hydropower Dam, location and related technical designs ; Roadmap of the Prior Consultation</li> <li>- Results of the Scoping Assessments by the MRCS</li> </ul>	Dr. Truong Hong Tien, Deputy DG, VNMC Ms. Nguyen Thi Thu Linh, Senior Programme Officer, VNMC Mr. Tran Van Tuan, MRCS
10.00-10.30	Break	
10.30 –11.00	Plenary discussion, Q&A	H.E. Dr. Nguyen Thai Lai, Deputy Minister
11.00– 12.00	Group discussion	All
12.00-13.30	Lunch	
13.30-14.30	Group discussion (continued)	All
14.30– 15.20	Group presentations	VNMC
15.20-15.40	Break	
15.40 –16.00	Plenary discussion, next steps	VNMC
16.00-16.30	Wrap-up, Conclusion and Closing Remarks	H.E. Dr Nguyen Thai Lai

**Annex 2 :****LIST OF PARTICIPANTS**

<b>No.</b>	<b>Name</b>	<b>Position</b>	<b>Organisation</b>
1	Nguyen Thai Lai	Vice-Minister	Ministry of Natural Resources and Environment
2	Le Duc Trung	Director General	Vietnam National Mekong Committee
3	Nguyen Duy Quy	Deputy Director General	International Relations Department, Government's Office
4	Truong Hong Tien	Deputy Director General	Vietnam National Mekong Committee
5	Dao Thi Huong	Head of Division	Vietnam National Mekong Committee
6	Dao Linh Chi	Programme officer	Vietnam National Mekong Committee
7	Le Doan Trang	Programme officer	Vietnam National Mekong Committee
8	Nguyen Thi Thu Linh	Deputy Director of Centre	Vietnam National Mekong Committee
9	Nguyen Hong Phuong	Deputy Head of Division	Vietnam National Mekong Committee
10	Nguyen Thi Xuan Hong	Programme officer	Vietnam National Mekong Committee
11	Le Thi Huong	Programme officer	Vietnam National Mekong Committee
12	Nguyen Van Bang	Programme officer	Vietnam National Mekong Committee
13	Pham Huy Trao	Programme officer	Vietnam National Mekong Committee
14	Nguyen Viet An	Programme officer	Vietnam National Mekong Committee
15	Nguyen Duc Huy	Programme officer	Vietnam National Mekong Committee
16	Pham Tuong	Programme officer	Vietnam National Mekong Committee
17	Nguyen Van Trieu	Official	MONRE Office
18	Nguyen Tuan Quang	Head of Division	Department for Water Resources
19	Le Huu Thuan	Deputy Director General	Department for Water Resources

20	Nguyen Chi Cong	Deputy Director	CWRPI
21	Nguyen Thi Binh Minh	Deputy Director General	Department of Meteorology, Hydrology and Climate Change
22	Nguyen Van Tue	Deputy Director	National Centre For Hydro-Meteorology
23	Pham Anh Dung	Head of Division	Department of EIA and Appraisal, MONRE
24	Pham Hoang Viet	Official	Department of Biodiversity Conservation, Environmental Administration
25	Dang Van Loi	Deputy Director General	Department of Pollution Control, Environmental Administration
26	Nguyen Le Tuan	Deputy Director of Institute	Vietnam Administration of Sea and Island
27	Hoang Duc Loc	Official	International Cooperation Department, MONRE
28	Tran Van Khuong	Deputy Director General	Legal Department- MONRE
29	Dang Thuy Hang	Reporter	Natural Resources and Environment Newspaper
30	Tran Hong Thai	Deputy Director	Institute of Hydrology, Meteorology and Environment
31	Nguyen Manh Dung	Official	Institute of Hydrology, Meteorology and Environment
32	Nguyen Thi Phuong Dung	Director of Centre	Vietnam Institute of Fisheries Economics and Planning
33	Nguyen The Luong	Official	Department of Flood and Storm Management, MARD
34	Vu Cong Lan	Head of Division	National Institute of Agricultural Planning and Projection
35	Le Dinh Thanh	Deputy Director	Water Resource University
36	Nguyen Van Thanh	Officer	Water Resources Administration, MARD

37	Le Kim Ngoc	Officer	Electricity of Viet Nam
38	Vu Van Dien	Deputy Head of Division	PECC 1
39	Ngo Anh Tuan	Deputy Head of Division	Viet Nam Inland Waterway Administration
40	Cao Ngoc Lan	Deputy Head	Development Strategy Institute - MPI
41	Do Viet Hung	Deputy Director General	International Organizations Department - MOFA
42	Phan Thu Hien	Assistant	South East Asia - South Asia - South Pacific Department - MOFA
43	Hoang Thuy Duong	Deputy Director General	Department of Economic Affairs - MOFA
44	Nghiem Xuan Minh	Director General	Department of Social and Natural Sciences - MOST
45	Do Xuan Truong	Water Resources Expert	Freelance
46	Nguyen Thi Thu Hang	Water Resources Expert	Freelance
47	Huynh Tien Dung	Senior Programme Officer	WWF
48	Nguyen Duc Tu	Senior Programme Officer	IUCN
49	Pham Thi Lan Anh	Officer	Vietnam River Network
50	Nguy Thi Khanh	Deputy Director	Center for Water Resources Conservation and Development
51	Nguyen Huy Thang	Deputy Director	Institute of Agriculture Studies
52	Nguyen Viet Dung	Senior Programme Officer	Pan Nature
53	Do Hong Phan	Chairperson	CIWAREM
54	Nguyen Hong Toan	Director	Center for River Basin Environmental Management
55	Nguyen Nhan Quang	Director	CIWAREM
56	Le Van Diem	Programme officer	MONRE ISG Office

57	Nguyen Chi Trinh	Member	Vietnam Committee on Large Dams and Water Resources Development
58	Vu Duy Tuan	Senior Officer	Ministry Of Foreign Affairs
59	Phung Thi Cham	Senior Officer	Institute of Strategy and Policy on Natural Resource and Environment
60	Nguyen Thang	Deputy Director General	Institute of Strategy and Policy on Natural Resource and Environment
<b>MRCS</b>			
61	Tran Van Tuan	IKMP Coordinator	MRCS
62	Nguyen Nhu Hue	ICCS	MRCS



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**Annex 4:**  
**Report of Public Consultation in Lao PDR**

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**SUMMARY OF CONSULTATION WORKSHOPS  
FOR THE XAYABURI HYDROELECTRIC POWER PROJECT**

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**The following are the summary of consultation workshops conducted at different levels:**

**1. PROVINCIAL LEVEL:**

**Objectives of the Consultations:**

- To present the result of EIA and SIA studies to Lao authorities e.g. WREA, concerned line ministries, Xayabuly and Luang Prabang Provincial Authorities and local communities.
- Provide detailed information to the concerned sectors and participants related to the development of Xayaburi Hydroelectric Power Project e.g. anticipated environmental and social impacts, the proposed mitigation measures, compensation policies and livelihood restoration programs; and other issues.

**On 16/12/2010, At Xayaburi Province**

The consultation was held to inform the concerned stakeholder about the Xayaburi Hydroelectric Power Project, report the progress of the project preparation and provide more information on the environmental monitoring and mitigation programs. The workshop was co-chaired by Deputy of Luang Prabang and Xayaburi. There are 24 officers from central and provincial levels and representatives of the Developer attended this workshop.

**On 02/8/2010, At Xayaburi Province**

The workshop was chaired by Deputy Prime Minister, HE Axang Laoli Xayabouly Governor, provincial concerned departments from both Luang Prabang and Xayaburi, concerned district governors, representatives of WREA, MoIC, MoEM, Lao Electricity and technical officers and representatives of Project Affected Villagers attended this workshop with total number of 192 participants.

**Concerned Issues:**

- Findings of EIA, SIA, RAP and EMP
- Detailed information on flooding, impacts and mitigation measures, Resettlement plan, compensation policy, and livelihood restoration program

**Outcomes:**

- Participants from provincial and district levels clearly understood on the anticipated impacts and proposed mitigation measures.
- EIA report was improved based on the recommendations made by participants.
- On behalf of the province, the Governor appreciated with project and hope that the project will contribute benefits to national and local socio economic development especially for Xayaburi Province.

**On 24/8/2010 At Luang Prabang Province**

The workshop was chaired by Luang Prabang Governor, the provincial concerned departments, concerned district governors, representatives of WREA, MoIC, MoEM, Lao Electricity and technical

officers and representatives of Project Affected Villagers attended the workshop with total number of 21 participants.

**Concerned Issues:**

- **flooding of paddy field:** (From the initial assessment at the water level of 275 MSL, 10 Ha of paddy land is expected to be flooded, however, all of the affected properties shall be compensated).
- **Khoun Pasak of Ban Kang:** (Koum Pasak comprised of 34 HH (Khmu minority) located close to construction area shall be relocated and included in RAP).
- **Village Consolidation:** Resettlement of some villages in Nan District should be in line with District socio-economic development planning namely:
  - Houay Hip site: combination of PAPs of Houay Hip, Pak Neun, Khok Yai and Houay Daea.
  - Pak Mon site: combination of PAPs of Pak Mon, Houay Song and Pak Lan
  - PAPs of Pak Khone will be moved to Phouxiang valley along the main road Lung Prabang-Xayaburi
  - PAPs of other villages will be relocated to the higher elevation within the same village.For the PAPs affected directly by project will be resettled under RAP, on the other hand the Non- PAPs will be resettled under GoL policies.
- Hadxaimongkhoun Fertility site: this site will not be affected by project, therefore, the cultural practice can be done normally.

**Outcomes:**

- Participants from provincial and district levels clearly understood on the anticipated impacts and proposed mitigation measures.
- All of the concerned issues raised by the participants, especially for flooding, and fertility site, were clarified.

**On 24/8/2010 At Xayaburi Province**

The workshop was chaired by Xayaburi Governor, provincial concerned departments, concerned district governors, representatives of WREA, MoIC, MoEM, Lao Electricity, technical officers and representatives of Project Affected Villagers also attended the workshop with total of 18 participants.

**Concerned Issues:**

- **flooding of paddy field :** from the initial assessment the water level (275 MSL) may affect 10 Ha of paddy land, however, all of the affected properties shall be compensated.
- **Resettlement site for PAPs and PAHs:**
  - For the PAPs affected directly by project will be resettled under local development planning e.g. Ban Haouy Souy will be relocated to the new Xayaburi district development area (Nator Yai site)
  - PAPs from other villages will be relocated to higher areas within the same village.For the PAPs affected directly by project will be resettled under RAP, on the other hand the Non- PAPs will be resettled under GoL policies.

**Outcomes:**

- In principle, participants fully agreed with the project because it will contribute for national and local socio-economic developments and poverty alleviation.
- Concerns of local people on the potential impacts were clearly clarified and accepted.

## **2. COMMUNITY LEVEL:**

### **Objectives:**

To provide detailed information to concerned sectors and participants on the issues related to the Xayaburi Hydroelectric Power project, e.g. anticipated environmental and social impacts and the proposed mitigation measures, compensation policies and livelihood restoration and other issues.

### **19-24/11/2010**

Public consultations were completed at 8 villages

- B. Houay Souy, B. Talan, B. Thaduea, Xayaburi district, Xayaburi Province
- B. Pak Neun, Houay Duea and Pakkhone, Nan District, Luang Prabang Province.

**Participants:** all household heads, key informants from each village attended

### **Issues discussed and consulted:**

- The consultation introduced the indirect and direct affected person about the national policies and the development strategy of Lao Government.
- Introduced the indirect and direct affected person about the potential environmental and social impacts and the proposed mitigation measures.
- Clarification on the compensation and development programs such as livelihood restoration and community development programs will be implemented during and after construction.

### **Concerned Issues by villagers:**

- When and where they will be relocated?
- What is the compensation policy?
- Who is responsible for the relocation?

### **Outcomes:**

- Villagers clearly understood on the anticipated impacts and proposed mitigation measures.
- All concerned issues raised by the participants, especially for flooding, resettlement plan and compensation policies, were clarified.

### **4-7/12/2010**

Public consultations were completed at 4 villages B. Pak phai, B. Pakpa, B. Huaykheu, B. Pakhao, Xayaburi district, Xayaburi Province

**Participants:** all household heads, key informants from each village attended

### **Issues discussed and consulted:**

- The consultation introduced the indirect and direct affected person about the national policies and the development strategy of Lao Government.
- Introduced the indirect and direct affected person about the potential environmental and social impacts and the proposed mitigation measures.
- Clarification on the compensation and development programs such as livelihood restoration and community development programs will be implemented during and after construction.

### **Concerned Issues by villagers:**

The villagers proposed that they want to move to the higher level because of the following reason:

- It may not be safe if their houses located at the 275+mMSL.
- Almost half of the village already moved to the higher level so they want to follow their relatives

**Outcomes:**

- Villagers clearly understood on the anticipated impacts and proposed mitigation measures.
- Villagers were happy and fully support for the proposed project as they will receive opportunity for their livelihood restoration.

**During 19-21/12/2010**

Public consultations were completed in 8 villages, in Nan District, Louang Prabang Province as follows:

- **PAPs-Group 1:** B. Pak Mon, B. Pak Lan, B. Phonesavanh, B. Khok Ngai, B. Kang
- **PAPs-Group 2:** B. Khok Tom, B. Hat Xok, B. Hat Xaikham and B. Khor Le, Nan district,

**Participants:** all household heads, key informants from each village

**Issues discussed and consulted:**

- The consultation introduced the indirect and direct affected person about the national policies and the development strategy of Lao Government.
- Introduced the indirect and direct affected person about the potential environmental and social impacts and the mitigation measures.
- Clarification on the compensation and development programs such as livelihood restoration and community development programs will be implemented during and after construction.

**Concerned Issues by villagers:**

- They are willing to move according the resettlement plan but they want to know when and how they will be relocated?
- What is the compensation policy?
- Who is responsible for transportation of their belongings and properties?

**Outcomes:**

- Villagers clearly understood on the anticipated impacts and proposed mitigation measures.
- All concerned issues raised by participants, especially for flooding, resettlement plan and compensation policies, were clarified.

**3. OTHER CONSULTATION WORKSHOPS:**

During EIA and SIA study in 2007-2009, there were several consultation workshops conducted as attached in Appendix F of RAP.

**Photos:**

**P.1 Consultation at provincial level, Chaired by Deputy Prime Minister, H.E Axang Laoly**



**P.2 Participants from provincial, district and community Levels**



**P.3 Consultation with Concerned Provincial Officers, Xayaburi**



**P.4 Consultation with Concerned Provincial Officers, Luang Prabang**



**P.5 Consultation with Villagers and key informants at Ban. Houay Souy, Xayaburi**





**Table 1: Consultation with local authorities and locale people representatives between 17 – 18 December 2007 (the meetings have been organized by the developer)**

No.	Date/Time	Activities	Position	Participant (persons)
Visit and Consult with Government Office for SIA				
1	17 Dec 2007	Visited and Consult with Government Official at Luangprabang district	- Chief of Luangprabang District - Director of Energy and Mins, Luangprabang province - 3 Consultant staffs	2
2	20 Dec 2007	Visited and Consult with Government Official at Luangprabang province	- Vice Government of Luangprabang province - Director of Energy and Mins, Luangprabang province - 3 Consultant staffs	2
3	17 Dec 2007	Visited and Consult with Government Official at Chomphet district	- Chief of Chomphet District - Chief of Administrative Office - Official of the Director of Energy and Mins, Luangprabang Province	3
4	18 Dec 2007	Visited and Consult with Government Official at Nan district	- Chief of Nan District - Chief of Technology and Environment Office of Nan district	2
5	18 Dec 2007	Visited and Consult with Government Official at Xayaburi district	- Deputy Chief of Xayaburi district - Chief of Energy and Mine Department Xayaburi district - Chief of Muang Xayaburi Administrative Office - Chief of Civil Work and Transportation Department of Xayaburi district - Chief of Agriculture and Forestry Department of Xayaburi district - Chief of Energy and Mines division, Xayaburi province - 2 Consultant staffs	7

**Table 2: Small group meetings that took place between 15 January 2009 and 9 April 2009 (the meetings have been organized by the developer).**

No.	Date/Time	Activities	Position	Participant (persons)
Conduct Small Group Meeting with PAPs for SIA				
1	15 Jan 2008	Conducted small group meeting for community leaders	- 6 Government official of Nam district	115

		and local people at village level for Nan district.	<ul style="list-style-type: none"> <li>- 109 Local people representatives from 5 villages comprise; <ul style="list-style-type: none"> <li>• Ban Kok Tom</li> <li>• Ban Pak Khon</li> <li>• Ban Pak Lan</li> <li>• Ban Pak Mon</li> <li>• Ban Huay Xong</li> </ul> </li> <li>- 3 Consultant staffs</li> </ul>	
2	15 Jan 2008	Conducted small group meeting for community leaders and local people at the village level for Xayaburi district	<ul style="list-style-type: none"> <li>- 12 Government officials of Xayaburi district</li> <li>- 44 local people representatives from 3 village comprise; <ul style="list-style-type: none"> <li>• Ban Talan</li> <li>• Ban Pak Phai</li> <li>• BanTha Dua</li> </ul> </li> <li>3 Consultant staff</li> </ul>	56
3	9 Apr 2008	Conducted small group meeting for community leaders and local people at the village level for Nan district	<ul style="list-style-type: none"> <li>- 1 Government official of Nan district</li> <li>- 27 local people from Ban Houay Dua</li> <li>- 2 Consultant staff</li> </ul>	28
4	9 Apr 2008	Conducted small group meeting for community leaders and local people at the village level for Nan district	<ul style="list-style-type: none"> <li>- 1 Local government of Nan district</li> <li>- 36 local people from Ban Houay Dua</li> <li>- 2 Consultant staff</li> </ul>	37

**Table 3: Preliminary Consultation on Resettlement Concept**

No.	Date/Time	Activities	Position	Participant (Persons)
1	11 Feb. 2009	Additional consultation on resettlement concept with Xayaburi district	- Than Prompan Suthiwohan, Deputy Chief of Xayaburi District	1
2	11 Feb. 2009	Additional consultation on resettlement concept with Xayaburi district	- Than Paeng Doung-ngorn/District Chief of Xayaburi District	1
3	11 Feb. 2009	Additional consultation on resettlement concept with the Department of Energy and Mine, Xayaburi Province	- Than Sao Khamchan/ Chief of Energy and Mine, Xayaburi Province	1
4	12 Feb. 2009	Additional consultation on resettlement concept with Nan District	<ul style="list-style-type: none"> <li>- Than Khamphuy Boonsana/ Deputy Chief of Nan District</li> <li>- Than Bualee Khantapresert/Chief of Technology and Environment Office</li> </ul>	2
5	12 Feb. 2009	Additional consultation on resettlement concept with Luang Prabang province	- Dr. Khampheng Saisompheng/ Vice-Secretary of Provincial	1

			Party Committee and Vice-Governor of Luang Prabang Province	
6	12 Feb. 2009	Additional consultation on resettlement concept with Luang Prabang district	- Than Saengthong Phodibuppha/ Chief of Administration Office, Luang Prabang District	1
7	13 Feb. 2009	Additional consultation on resettlement concept with	- Mr. Wanthong Chantawong/ Village head of Ban Talan	1
8	13 Feb. 2009	Additional consultation on resettlement concept with village headman of Ban Pak Khon	- Mr Kaison Malaison/ Village head of Ban Pak Khon	1
9	14 Feb. 2009	Additional consultation on resettlement concept with key informant of Ban Houay Xong	- Mr. Jai/ Village head - Mrs. Kian/ Lao Women's Union of Ban Houay Xong	2
10	14 Feb. 2009	Additional consultation on resettlement concept with village headman of Ban Pak Lan	- Mr Somchit/ Village head of Ban Pak Lan	1
11	15 Feb. 2009	Additional consultation on resettlement concept with village head of Ban Pak Mon	- Mr. Somnuk/ Village head of Ban Pak Mon	1
12	20 Feb. 2009	Additional consultation on resettlement concept with village headman of Ban Tha Dua	- Mr. Thongchan/ Village head of Ban Tha Dua	1
13	20 Feb. 2009	Additional consultation on resettlement concept with village headman of Ban Talan	- Village head of Ban Talan	1

**Table 4: the First Consultation Meeting with Government Officials and PAPs for RAP Preparation**

No.	Date/Time	Activities	Position	Participant( Persons)
1	18 March 2009	Conducted individual consultations with government authority	- Deputy Director of the Department of Energy and Mines, Luang Prabang - 3 Consultant staffs	1
2	19 March 2009	Conducted individual consultations with Nan district government officials	- Chief of Nan district - Chief of Environment and Technology Division - 3 Consultant staffs	2
3	19 March 2009	Conducted small group meeting for community leader and villagers of Ban Pak Khon	- Village headman - Lao national Front Representative - Lao National Front Representative - Account Official - Chief of Environment and Technology Division - 3 Consultant staffs	5
4	19 March 2009	Conducted small group	- Village headman	38

		meeting for community leader and villagers of Ban Pak Mon	<ul style="list-style-type: none"> <li>- Deputy village headman</li> <li>- 5 members of village committee</li> <li>- 30 villagers</li> <li>- Chief of Environment and Technology Division</li> <li>- 3 Consultant staffs</li> </ul>	
5	19 March 2009	Conducted small group meeting for community leader and villagers of Ban Houay Xong and Ban Houay Duea	<ul style="list-style-type: none"> <li>- Lao women Union of Ban Houay Duea</li> <li>- Village headman of Ban Houay Xong</li> <li>- Village headman of Ban Houay Duea</li> <li>- 5 members of Ban Houay Duea</li> <li>- 20 members of Ban Houay Xong</li> <li>- Chief of Environment and Technology Division</li> <li>- 3 Consultant staffs</li> </ul>	29
6	19 March 2009	Conducted small group meeting for community leader and villagers of Ban Khok Yai and Ban Houay Hip	<ul style="list-style-type: none"> <li>- Teacher in Ban Houay Hip</li> <li>- Teacher for Ban Khok Yai</li> <li>- 2 Rep. of Lao Nation Front of Ban Khok Yai</li> <li>- Village headman of Ban Houay Hip</li> <li>- Chief of Environment and Technology Division</li> <li>- 3 Consultant staffs</li> </ul>	6
7	20 March 2009	Conducted small group meeting for community leader and villagers of Ban Talan	<ul style="list-style-type: none"> <li>- 2 Officials of Energy and Mines of Xayaburi Province</li> <li>- 1 villager</li> <li>- 2 Rep. of Lao Nation Front in Ban Talan</li> <li>- 3 Consultant staffs</li> </ul>	5
8	20 March 2009	Consultation with village headman of Ban Tha Dua	<ul style="list-style-type: none"> <li>- Village headman</li> <li>- 2 Officials of Energy and Mines of Xayaburi Province</li> <li>- 3 Consultant staffs</li> </ul>	3
9	20 March 2009	Consultation meeting with village headman and villagers of Ban Phak Phai	<ul style="list-style-type: none"> <li>- Village headman</li> <li>- 10 villagers</li> <li>- 2 Officials of Energy and Mines of Xayaburi Province</li> <li>- 3 Consultant staffs</li> </ul>	13
10	20 March 2009	Consultation meeting with chief of Administration Office of Xayaburi province	<ul style="list-style-type: none"> <li>- Chief of Administration Office</li> <li>- 2 Officials of Energy and Mines of Xayaburi Province</li> <li>- 3 Consultant staffs</li> </ul>	4
11	21 March 2009	Consultation meeting with chief of Administrative Office of Luang Prabang district	<ul style="list-style-type: none"> <li>- Chief of Administrative Office</li> <li>- 3 Consultant staffs</li> </ul>	1

**Table 5: the Second Consultation Meeting for RAP Preparation (Resettlement concept, Livelihood restoration and available resettlement site)**

No.	Date/Time	Activities	Position	Participants (Persons)
1	7 May 2009	Consultation meeting with government officials of Chomphet district	<ul style="list-style-type: none"> <li>- Deputy Chief</li> <li>- Chief of Administrative Office</li> <li>- Chief of Industrial and Trade Office</li> <li>- Officer of Energy and Mines Department, Luang Prabang province</li> <li>- 2 Consultant staffs</li> </ul>	4
2	7 May 2009	Consultation meeting with Chief of Nan district	<ul style="list-style-type: none"> <li>- District Chief</li> <li>- 2 Consultant staffs</li> </ul>	1
3	8 May 2009	Consultation meeting with government officials and PAPs of Nan district	<ul style="list-style-type: none"> <li>- Deputy Chief</li> <li>- 13 government officials</li> <li>- 14 persons from 6 affected villages</li> <li>- 2 Consultant staffs</li> </ul>	28
4	8 May 2009	Consultation meeting with Vice governor of Xayaburi province	<ul style="list-style-type: none"> <li>- Vice governor</li> <li>- Vice governor secretary</li> <li>- Deputy director of Energy and Mines Department</li> <li>- Official of Energy and Mines Department</li> <li>- 2 Consultant staffs</li> </ul>	4
5	8 May 2009	Consultation meeting with government officials of Xayaburi district	<ul style="list-style-type: none"> <li>- Deputy chief and chief of agriculture and forestry department</li> <li>- Deputy chief</li> <li>- Chief of Energy and Mines Department</li> <li>- 2 Consultant staffs</li> </ul>	4
6	9 May 2009	Consultation meeting with PAPs in Ban Houay Suay	<ul style="list-style-type: none"> <li>- Deputy chief of Xayaburi district</li> <li>- 2 Officials of Energy and Mines (1 from district and 1 from province)</li> <li>- Chief of Environment and Technology Division, Nan district</li> <li>- Village head</li> <li>- 26 villagers</li> <li>- 2 Consultant staffs</li> </ul>	31
7	9 May 2009	Consultation meeting with PAPs in Ban Pak Noen	<ul style="list-style-type: none"> <li>- Deputy chief of Xayaburi district</li> <li>- 2 Officials of Energy and Mines (1 from district and 1 from province)</li> <li>- Chief of Environment and</li> </ul>	59

			Technology Division, Nan district	
			- Village head	
			- 54 villagers	
			- 2 Consultant staffs	

**Table 6: the Third Consultation Meeting on Resettlement Scheme**

No.	Date/Time	Activities	Position	Participants (Persons)
1	8 Aug. 2010	- Consultation meeting with Deputy Chief of Xayaburi District - Additional field survey for tentative resettlement site for PAPs from Ban Houay Souy	- Deputy chief of Xayaburi district, - 2 Consultants - 1 project staff	4
2	9 Aug. 2010	Field survey in paddy fields belonging to villagers in Ban Houay Chit, Ban Had Sok, Ban Pak Phai, Bn Khok Tom, and Ban Pak Hao	- Deputy chief of Xayaburi district - 2 Consultants - 1 project staff	4
3	10 Aug. 2010	Consultation meeting at Nan district office	- Deputy chief of Nan district - 8 district officials - 2 consultants - 1 project staff	12
4	11 Aug. 2010	- Consultation meeting at Chomphet district office - Field survey around Don Sai Mongkon	- Chief of Chomphet district - 3 district officials - 2 Consultants - 1 Project staff	7
9	12 Aug. 2010	Consultation meeting at Ban Pak Leung	- Ban Pak Leung village headman - 4 villagers from Ban Pak Lueng and Ban Pak Xong Tai - 2 Consultants - 1 project staff	8

**Table 7: the Fourth Consultation Meeting**

No.	Date/Time	Activities	Position	Participants (Persons)
1	2 Aug. 2010	Consultation meeting to present the results of EIA/EMP/SIA/RAP of Xayaburi Hydroelectric Power Project at Luang Prabang Province	- Representative of Luang Prabang and Xayaburi province - Deputy Minister of the Prime Minister Office - Head of the concerned governmental officers in Luang Prabang - Head of the concerned districts (Luang Prabang, Chomphet, Nan) - Head of the concerned	192

			<p>governmental officers in Xayaburi</p> <ul style="list-style-type: none"> <li>- Head of Xayaburi district</li> <li>- Representative of affected villagers</li> </ul>	
2	24 Aug. 2010	Consultation meeting on the results of EIA/SIA/EMP/RAP of Xayaburi Hydroelectric Power Project at Luang Prabang Province	<ul style="list-style-type: none"> <li>- Chairman of Environmental Committee for Luang Prabang</li> <li>- Deputy Minister of the Prime Minister Office</li> <li>- Head of the concerned governmental officers in Luang Prabang</li> <li>- Head of the concerned districts (Luang Prabang, Chomphet, Nan)</li> </ul>	18
3	25 Aug. 2010	Consultation meeting on the results of EIA/SIA/EMP/RAP of Xayaburi Hydroelectric Power Project at Xayaburi Province	<ul style="list-style-type: none"> <li>- Governor of Xayaburi</li> <li>- Deputy Minister of the Prime Minister Office</li> <li>- Head of the concerned governmental officers in Xayaburi</li> <li>- Head of Xayaburi district</li> </ul>	21
<b>In total</b>				<b>769</b>