

# STAKEHOLDER ANALYSIS FOR THE MRC BASIN DEVELOPMENT PLAN PROGRAMME PHASE 2 (BDP2)



**Complementary document to the Stakeholder Participation and  
Communication Plan for the Basin Development Planning in the  
Lower Mekong Basin**



**FINAL REPORT**

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## **Acknowledgments**

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The opinions and interpretations expressed within are those of stakeholders and authors do not necessarily reflect the views of the Mekong River Commissions.

## ABBREVIATIONS

ADB	Asian Development Bank
ADI	Analyzing Development Issues
AIT	Asians Institute of Technology
ASEAN	Association of South-East Asian Nations
BDP	Basin Development Plan
CARD	Council for Agriculture and Rural Development
CBNRM-LI	Community Based Natural Resource Management Learning Initiative
CCC	Cooperation Committee of Cambodia
CDRI	Cambodia Development Resources Institute
CEPA	Culture and Environment Preservation Association
CED	Community Economic Development
CEDAC	Cambodian Centre for Study and Development in Agriculture
CF	Community Forestry
CFD	Community Fisheries Division
CFs	Community Fisheries
CGIAR	Consultative Group for International Agriculture Research
CNMC	Cambodia National Mekong Committee
CODE	Consultancy for Development
CPRGS	Comprehensive Poverty Reduction and Growth Strategy
CVS	Cambodian Volunteer Service
CWP	Cambodia Water Partnership
Danida	Danish International Development Agency
DARD	Department of Agriculture and Rural Development
DFID	Department for International Development
DIW	District Integration Workshop
DOLA	Department for Local Administration
DOSTE	Department of Science and Technology
FACT	Fisheries Action Coalition Team
FAO	Food and Agriculture Organization
FiA	Fisheries Administration
FWUCs	Farmer Water Users Association
GMS	Greater Mekong Sub-region
GMSARN	GMS Academic and Research Network
HU	Health Unlimited
IDRC	International Development Research Center
IGES	Institute for Global Environmental Strategies
INGOs	International non-governmental organizations
IR	International River
IWMI	International Water Management Institute

IWRM	Integrated water resources management
IUCN	World Conservation
JC	Joint Committee
JICA	Japan International Cooperation Agency
MAFF	Ministry of Agriculture, Forestry and Fisheries
MIME	Ministry of Industry, Mine and Energy
MOI	Ministry of Interior
MOU	Memorandum of Understanding
MRC	Mekong River Commission
MRWD	Mekong Region Water Dialogues programme
MVOPS	Moving Out of Poverty
MWBP	Mekong Wetlands Biodiversity and Sustainable Use Programme
M-POWER	Mekong Program on Water Environment and Resilience
MOE	Ministry of Environment (MOE)
MOWRAM	Ministry of Water Resources and Meteorology
NHRC	National Human Right Committee
NLCS	National League of Commune Councils and Sangkat
NMCs	National Mekong Committees
NOGs	Non-governmental organizations
NSDP	National Strategic Development Plan
NWAP	National Wetland Action Plan
ONEP	Office of Natural Resources and Environmental Policy and Planning
PA	Participatory Protected Areas Management
PIMD	Participatory Irrigation Management and Development
PLUP	Participatory Land Use Planning
PRDC	Provincial Rural Development Committee
PRSPs	Poverty Reduction Strategy Papers
Sida	Swedish International Development Cooperation Agency
SPCP	Stakeholder Participation and Communication Plan
UNEP	United Nations Environment Program
UNESCAP	United Nations Economic and Social Commission for Asia and the Pacific
RCC	Rivers Coalition in Cambodia
RCG	Royal Government of Cambodia
RECOFTC	Regional Community Forestry Training Center for Asia and the Pacific
SEI	Stockholm Environment Institute
SRI	System of Rice Intensification
TEAN	The Environmental Activist Network
TEI	Thai Environment Institute
TERRA	Toward Ecological Recovery and Regional Alliance
TSBA	Tonle Sap Basin Authority

TWG	Technical Working Group
TWGFSN	Technical Working Group for Food Security and Nutrition
TWGAW	Technical Working Group on Agriculture and Water
TWGF	Technical Working Group on Fisheries
VACNE	Vietnam Association for Conservation of Nature & Environment
VRN	Vietnam Rivers Network
WARECOD	Center for Water Resources Conservation and Development
WATSAN	Water and Sanitation Projects
WRMRCDP	Water Resources Management Research Capacity Development Programme
WSC	Wildlife Conservation Society (WCS)
WWF	World Wildlife Fund

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### 1. OVERVIEW

#### 1.1 Focus of this Assessment and Report

The MRC began developing its approach to stakeholder participation in the late 1990s, shortly after the signing of the 1995 Agreement. In 1998 the MRC produced the booklet, *Public Participation in the Lower Mekong Basin*, but implementation of public participation in the MRC has been stalled until the new initiatives under the Basin Development Plan began in 2008.

This report is a supplement to the Stakeholder Participation and Communication Plan (SPCP) that has been in preparation since early 2008, and is now being finalized (as of March 2009). The objectives of this assessment were refined to better understand existing participation mechanisms and prioritize key stakeholders for BDP process, with the following key tasks:

- **Review policy and institutional context for IWRM in the four countries to assess opportunities for stakeholder participation;**
- **Compile an inventory and institutional appraisal of key and influential civil society stakeholders;**
- **Prepare recommendations on how BDP can strengthen stakeholder participation in each of the countries.**

The scope of this assignment has been adjusted slightly during its implementation. The original focus was very much on the BDP but it has become clear that it is often difficult to separate the BDP from the MRC as a whole.

The main focus of this assignment has been on civil society which includes in many different types within its community groups such as international organizations, and international, national and local NGOs. Of which, whom of these are embedded within their different interests in international, national and local contexts and issues. As short timeframe for this assignment did not allow including assessment on other groups such as private sector, beside this, civil society has proved most difficult for the MRC to engage with, and because there are already existing mechanisms to address donors, media and private sector. Through this work on civil society participation the



attention has also been on strengthen participation of affected people. While recognizing the diversity of civil society across the Mekong, their major areas of interest can broadly be summarized as being in social development and environmental management.

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The concept of stakeholder participation is central to civil society engagement in both thematic areas, with major advances in applying participatory approaches over recent years.

For this mission we have used a broad definition of civil society – focusing on NGOs, INGOs, international organizations, research institutions etc but also considering how through this kind of network MRC might better reach to the broader population, particularly those who tend to be most easily excluded from consultation processes. We have also considered the policy context that supports local people to organize themselves as managers of their resource base – for example, in Community Fisheries, Community Forestry, Water User Associations, Village Health Volunteers, WATSAN– and the existing opportunities for these kinds of resource user networks to engage in planning processes. However, our interviews and discussions have been with NGOs, research centres and academics and how by working primarily at this level, the MRC might be able to reach a wider audience of stakeholders. It was decided that the media would be left to other sections within MRC.

By taking the MRC’s overall vision and mission as the starting point for identifying stakeholders and common areas of interest, there are clearly many types of civil society organizations that could be considered legitimate stakeholders in a regional process that supports sustainable and equitable development of the basin’s water resources. From the perspective of IWRM, the main objectives of water resource management are in terms of poverty reduction (including ensuring food security), with a requirement for sectoral integration in planning and management. IWRM stakeholders therefore include a wide range of diverse interests and potentially a wide range of organizations with overlapping interests.

We have not been able to conduct assessment and consultation at the more local level (such as the Sub-area level), but have instead attempted to identify mechanisms whereby the MRCS and NMCs might develop this level of stakeholder participation themselves as part of their routine engagement in the Sub-areas.

The current effort under SPCP is very much a product of BDP – and is seen as such within the MRC. Therefore this assignment focuses on the work of BDP. *In order to simplify the discussions with a range of stakeholders many of whom are not familiar with the ways of working of the MRC, the focus of discussions was on opportunities to strengthen stakeholder participation in the core areas of work – assessments of change and impact from projects, and dialogues, and on how stakeholders can engage with the formal institutional structures established under the National Mekong Committees.*

*An important issue throughout this assignment has been to consider how stakeholders – from the MRC, government and civil society – view each other, and the quality of their current relationship, in order to better plan how stakeholders might come together.*

It soon became clear that very little is known about the other side, and as a result there is a great deal of misunderstanding. In many cases, interviews conducted under this assignment were the very first direct engagement between stakeholders and the MRC, and as such were very much appreciated. Any efforts at strengthening stakeholder participation must start from this point – and first and foremost, work towards improved understandings and building relationships to clarify the nature and purpose of the participation.

Despite several attempts to strengthen stakeholder participation in the MRC there still has not been a strategic approach that has been applied across the institution. The need to improve stakeholder participation has been

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repeatedly identified by donors and institutional reviews as a priority for the MRC (eg Hirsch and Morck Jensen 2006). At the same time, external reviews have also identified communications within the MRC as an area in need of improvement.

Understanding civil society perceptions of the MRC, whether they are correct or not, is important in order to be able to engage effectively. The MRC has been subject to criticism for not strengthening broader public participation in water resources governance, and public criticism on many occasions regarding specific issues. Several letters from civil society organizations have been submitted to the MRC – so many of the concerns of these particular organizations have been clearly spelled out. Reviews have argued that the MRC is regarded as distant and inaccessible, and unresponsive to the needs of the weak (Hirsch and Morck Jensen 2006). Others have argued that the MRC is weak and ineffective. To

some degree, these kinds of perceptions still abound among civil society stakeholders. (NB Similar criticisms have been articulated in the recently launched, 'Save the Mekong' campaign). Given these perceptions there are clearly significant challenges to the MRC being able to facilitate meaningful participation with many sections of civil society.

A key concern regarding stakeholder participation within the MRC has been how to reach a meaningful representation of the 60 million people from the four member countries who rely on the resources of the Lower Mekong Basin. Civil society organizations are regarded as a vehicle to reach the interests of the wider population, particularly more marginalized groups. This also raises some challenges regarding the degree to which NGOs can be representative of wider interests, and the different overall objectives for engagement.

While NGOs cannot necessarily represent all the views and needs of affected communities which is why and the engagement role of MRC to communities should be increasing at times, the MRC will still need to work harder in order to keep identifying and reach community groups and representatives for its field assessment and consultation events. They too should be able to participate in meetings and should be considered a key stakeholder; and can share their own future vision of the Mekong Basin.

The MRC has not yet addressed how to deal with difference of opinions and values among stakeholders, how to deal with criticism and how to generate at least some degree of consensus. Inevitably, by opening up space for stakeholder participation the MRC is opening up space for criticism, as well as welcome inputs from stakeholders. With the BDP taking the lead in much of the dialogue and consultation efforts of MRC, it will be important to for the programme to reflect on this issue, and prepare itself.

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## **1.2 Outline of the Report**

The report has been prepared in sections so that it can be easily divided for some sections to be disseminated to audiences within the MRC, and other sections to be disseminated for external audiences. Separate sections have been prepared for each of the four countries.

The first section presents an overview of issues and recommendations. This section is intended to synthesise the findings from the countries and present a

discussion and set of recommendations that will be generally applicable to all countries. This section is divided into three parts:

- Summary of main issues;
- Summary of organizational change;
- Summary of main recommendations.

This section has been written with the expectation that it can be shared widely.

While the main focus of this assignment has been on the national level, we have also included a section considering some of the regional stakeholders. As most of these stakeholders are well known to the MRC this section is purposively brief.

The report then addresses the specific issues of the four countries – Cambodia, Lao PDR, Thailand and Viet Nam. Each of these country sections follows the same structure:

- Introduction (including a summary of how the assignment was carried out in each of the countries);
- Summary of Stakeholder Organisations in each country;
- National Planning, IWRM and Stakeholder Participation;
- Discussion of issues arising from stakeholder analysis;
- Opportunities;
- Recommendations.

The report includes a bibliography of key references.

Additionally we have included an annex of a spreadsheet that provides a summary of key stakeholder organisations. It is recommended that development of this spreadsheet continues across the MRC and that it is centrally managed and regularly updated. Given the role of BDP as an umbrella programme it would make sense for this to be managed within BDP.

## 2. STAKEHOLDER ANALYSIS: Summary of Main Issues

### 2.1 Summary of Main Issues

This section provides a summary of the main issues that have arisen from the stakeholder analysis. Purposively, it does not go into the details of the specific individual countries as more detailed analysis by country is provided in the national sections of the report.

There is a long history of a relationship of varying sorts between the MRC, its programmes, the National Mekong Committees and a broad range of stakeholders. Some of this experience seems to have been reasonably successful, but most significantly the experience is rarely known beyond the immediate project responsible or even the individual responsible for the particular activity. There is no working database of stakeholder contacts, nor a summary stakeholder interests and type of engagement. If the experience goes back several years it is easily lost.

*It is clear from the position of MRC stakeholders, that there have been ups and downs over time, but that there is currently a sense of greater openness, and consequently a spirit of goodwill.*

The nature of this relationship and mutual perspectives of MRC and stakeholders varies considerably across the four countries. In reviewing the history of this relationship it is clear from the position of MRC stakeholders, that there have been ups and downs over time, but that there is currently a sense of greater openness, and consequently a spirit of goodwill. This puts the MRC in a strong position to engage more effectively in the near future. But this also creates some pressure for the MRC to meet expectations

that in some cases may be unrealistically high and also for the MRC to respond to some skepticism from civil society stakeholders that the current commitment to stakeholder participation might be short-lived.

The landscape of civil society is changing rapidly across the region and within each of the four countries. There is a growing number of local organizations whether some type of NGO or academic/research institute, including in Laos and Viet Nam. These organisations cover a wide range of interests – particularly related to social development and environment – but not necessarily directly related to IWRM.

In each of the countries there are coordinating mechanisms among NGOs, particularly International NGOs, and also among research organizations. Many of these are organized around specific themes and issues of priority, such as food security, climate change, agriculture etc.

While there is no such theme organized around IWRM per specifically, these provide valuable mechanisms for the MRC to coordinate with a broader constituency, to access up-to-date information, and to elicit technical advice.

*Stakeholder Analysis needs to be part of the routine planning and M&E efforts of the MRC and NMCs at the regional level, and in each of the four countries.*

There is however a number of IWRM related initiatives at the regional and national levels. In some cases the MRC and NMCs are directly involved in these efforts, but this tends to be on a project engagement. Surprisingly there does not seem to be a strategic approach to how these IWRM related efforts could link with the MRC nor of how on-the-ground experience can inform the work of the MRC.

Many projects within the MRC have conducted some kind of stakeholder analysis as part of their preparatory phases for activities, but this has not become routine across the organization. Stakeholder Analysis needs to be part of the routine planning and M&E efforts of the MRC and NMCs at the regional level, and in each of the four countries. The dynamic context in each of the countries means that Stakeholder Analysis cannot be carried out as a one-off activity. The huge diversity of local stakeholders, and the challenges

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to identify and develop relationships with these stakeholders, means that such analysis must continue at the national and sub-national levels. As the capacity to engage stakeholders effectively must be built within the MRCS and NMCs the role of external consultants in carrying out such analysis should be limited, with

the bulk of the work being the responsibility of MRCS and NMC staff.

Many of the issues that are of concern to civil society are highly contentious. Constructive engagement on these issues needs to be carefully planned and well facilitated so that dialogue can be open, and to avoid discussions being trapped in accusations and counter accusations. There is serious concern that despite good intentions there are overwhelming challenges to managing consultation in such a way that a diversity of views might be freely exchanged. Additionally, there is concern that even a well managed process



of participation and consultation might not generate consensus. In many of those cases, it may not be realistic to see consensus as the desired outcome of participation and consultation. Processes may involve negotiation, compromise, mitigation or even compensation etc; but the achievement on consensus might not be the case. An open-ended process with some following up action can be an option in order to identify the knowledge gaps and learn more about the needs stakeholders. In some cases, consensus often simply hides disagreement rather than dealing with it properly.

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There are many ways to view stakeholder participation. Throughout the assessment that carried out in MRC member countries, the question from local NGOs arose of 'what are stakeholders participating in – and how will this influence development decisions making?' It is fundamentally important that the MRC is able to explain what it is that the MRC does, and to convince stakeholders that they are engaging a fruitful process that will deliver tangible benefits.

For NGOs and many donors there is a belief that an engaged civil society is in itself an indication of good development and governance reform. Civil society is seen as providing space for greater public participation, the generation of information and fresh ideas to contribute to the development and governance process, as representing the voices of marginalized peoples, and acting as a check and balance on the development process to address issues of accountability, transparency and inequality.

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Each of the countries has some experience of stakeholder participation shaped by the national political and institutional context. In general stakeholder participation is considered by state agencies in terms of how it can contribute to government led national development, by allowing for greater reach to local levels, and better cross-sectoral

coordination. In most cases there are conflicting interpretations regarding the extent and quality of stakeholder participation where it has occurred. Stakeholder participation can be interpreted by some to allow for more efficient use of government resources, and ensuring support for government policy. Civil society stakeholder expectations however, are often in terms of shaping the overall direction and value of national and regional development,

and allowing for checks and balances on development. As such, the interest of civil society is in entering a more strategic engagement that addresses fundamental issues, while maintaining their right to be critical of state-led development processes.

The policy and institutional context across the four countries is changing rapidly. Each of the countries has a commitment to IWRM and within that, a commitment to public participation (such commitments to public participation also established in other policy and legislation – such as decentralization), but in a substantive sense, it may or may not be the case. Many international organizations are involved in supporting this IWRM process – eg Global Water Partnership, Asian Development Bank, World Bank, UNESCAP, UNEP, FAO, Asian Institute of Technology, IGES as well as IWMI, SEI, IUCN and WWF.

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In Thailand, the Thailand Water Resources Association is also supporting capacity building in the region based on local level Thai experience. However experience of putting IWRM into practice and of effective stakeholder participation, whether in formulating strategies and policies or at the river basin level is more limited.

From the perspective of IWRM, two key concerns have emerged –

- the need for improved collaboration and coordination among government agencies, especially regarding information and development plans;
- and the need for more effective stakeholder and civil society participation in policy and planning processes as well as in the establishment of river basin institutions.

It is also important to reflect on the current role of the MRC as part of these efforts to strengthen IWRM capacity in the region. The MRC is not seen as the leading player in IWRM capacity building and is not sought out for its own in-house IWRM technical capacity.

Despite a long history of promoting IWRM in each of the countries it is generally considered by stakeholders interviewed under this assignment to be a new term that is not well understood. This seems to be a major challenge for the IWRM Basin Strategy to get across the message in simple and easily understood terms. On the other hand, the IWRM itself may not be a perfect water resource management concept which still needs to be tested and evolve



by a number of cases and experiences. However, as a regional institution among many others promoting an IWRM approach, the MRC needs to be able to engage in supporting capacity building of immediate partners.

Yet there are concerns whether MRC itself has the capacity to provide this kind of support. There are many different interpretations of what IWRM means in practice. While the theory and experience of some stakeholders emphasizes that IWRM is a process, IWRM is too often seen as a plan. For many civil society stakeholders, IWRM must very much depend on bottom-up planning processes that require time in order to develop shared understandings, mechanisms for collaboration and coordination and actions that will meet people's needs.

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As well as specific IWRM experience, there are several institutions promoting participatory area-based planning linked to water resource management. This may be directly related to water resources such as Integrated Coastal Zone Management in Thailand, Cambodia and Vietnam, wetland management, and Integrated Watershed

Management, or to particular resources such as forests, as in the case of RECOFTC. One of the key issues emerging from the recent World Bank regional symposium on River Basin Committees was that IWRM should not be seen as solely concerned with water resources.

The experience of stakeholder participation – within the context of IWRM and more broadly – varies significantly across the four countries. From reviewing the literature on stakeholder participation in IWRM and related areas (eg Molle 2005, Molle and Hoanh 2008, WaterAid 2005) the overall conclusion is that stakeholder participation has been largely constrained by state led agendas, and that there is therefore some way to go to reach a more genuine level of participation that represents the interests of broader groups. For some actors with long experience of putting IWRM into practice such as local NGOs, senior researchers and academic institutes, river basin committees and community organizations, the MRC is not considered to have a good grasp of IWRM. For these actors, IWRM should be a process that itself depends on bottom-up planning and meaningful stakeholder participation from the outset.

Stakeholder participation is often interpreted within the MRC to refer to 'consultation' ie. participation in meetings and events that are led by the

MRC itself. In many ways, this perception is a function of the view within the MRC of the organization as a technical institution. At this level of engagement, there is a reasonable degree of experience of involving stakeholders, even if the range of stakeholders involved is rather limited. However, there is less experience of supporting stakeholder participation in the core business of the MRC, for example in technical assessment and analysis, supporting analysis of key issues, and providing peer review. Yet it is at this level of engagement with MRC that there is considerable interest from civil society.

The set of skills within the MRC, whether the Secretariat or NMCs could provide guidance to this level of participation, is also very limited.

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Stakeholder participation is too often seen as a means to an end, rather than a requirement of IWRM and an end in itself. This requires developing a new set of skills and bringing in new expertise. There would need to be an efficient monitoring

system, whether in terms of indicators for MRC programmes and activities or performance indicators for staff, to strengthen participation across the programme.

### **2.1.1 Involvement with MRC**

Many stakeholders have been directly involved with the MRC – in providing and sharing information, in undertaking joint activities, in jointly-implemented donor funded projects, and in involvement in each other's conferences, workshops and other events. This group is largely comprised of international and regional organizations (eg, IUCN, WWF, IWMI, SEI), and national universities and research centres.

The other main mechanism for engagement with stakeholders is through a consultancy-based contract. Such an arrangement might be appropriate in certain circumstances but it clearly also constrains the engagement. Consultancy should not be confused with partnership, but currently there is limited space within the institutional structure of the MRC. On the whole the strategic direction of these engagements is not clear, and there does not appear to be a process for reviewing such engagement.

At the other end of the scale is a group of stakeholders that are active in water resource management related issues, and who have a more skeptical and at times, critical view of the MRC. The relationship with this loose grouping of stakeholders also varies considerably. At times this group has been openly

critical of the MRC and has addressed their concerns directly to the MRC. While some organisations within this loose group prefer to stand outside any formal process with the MRC, the majority are now more prepared to engage with the MRC with a desire to see the spirit of cooperation for sustainable and equitable water resource management move forward.

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There is another group of stakeholders that is involved in areas of work that have some relevance to the work of the MRC but who do not consider themselves to be directly involved in water resource management, and who are not perceived direct

stakeholders by the MRC. The areas of work tend to focus on social dimensions of development, and include poverty reduction, climate change, disaster management, health and nutrition, water and sanitation, natural resource management (eg fisheries and forestry), migration, human rights etc. These organizations have their own networks for linking grassroots level initiatives. For this loose group of stakeholders, mutual awareness and understanding is extremely limited, with virtually no direct contact so far.

However, there is considerable interest among this group in developing some form of working relationship with the MRC and a growing feeling within the MRC and government agencies that some form of constructive, managed engagement can be beneficial. Despite the institutional commitment to poverty reduction, social dimensions of development are seriously under-represented within the MRC. Yet in each of the countries there are coordination mechanisms among INGOs and national NGOs, with Working Groups established around particular topical themes. These mechanisms provide opportunities for the MRC to coordinate with other stakeholder efforts, and also to seek technical advice.

Engagement with local resource users and communities directly affected by water resource infrastructure development is extremely limited, and it is this level of stakeholder participation that remains a challenge at the national level to varying degrees.

*Despite the institutional commitment to poverty reduction, social dimensions of development are seriously under-represented within the MRC.*

## 2.1.2 Perceptions of MRC

Understandings of the MRC – its mandate, structure and main functions – are surprisingly limited except for a small group of largely regional stakeholders that have had direct engagement. Equally from the MRC side, awareness of national and local stakeholders within the MRC, whether programmes or NMCs, is also surprisingly limited. Very few of the stakeholders interviewed understand the programmatic structure of the MRC and virtually none are adequately aware of the role and functions of the BDP either regionally, or nationally. For most stakeholders there is no clear distinction between the various constituent elements of the MRC. For them, ‘the MRC’ can mean the Secretariat, Programmes of National Committees, or a combination thereof. Expectations of the MRC and BDP also vary considerably, and are coloured by perceptions of previous performance, particularly of BDP 1.

While there appears to be more or less across the board recognition of the value of the ideal of the MRC and the 1995 Agreement, the perception of the MRC spans a wide spectrum – ranging from the MRC being seen as, directly involved in promoting hydropower, as a servant of the countries, led by the donors, lacking influence, and even as a ‘waste of time and money’.

*Understandings of the MRC – its mandate, structure and main functions – are surprisingly limited except for a small group of largely regional stakeholders that have had direct engagement.*

The understanding of the main areas of work of the BDP unsurprisingly are even more limited. Much of the BDP’s work is highly technical, and represents a rather specific approach to IWRM based on modeling change and impacts. The way in which this work is presented by the MRC team is not always consistent and while it remains clear to those closely involved in the BDP continues to be confusing to those outside the BDP process. Several models and schematics of what the BDP is trying to do have been used for external communication (whether formal or informal), and while these are not contradictory they are not always entirely consistent. This inconsistency merely adds to the confusion. The terminology itself is a source of confusion – whether ‘scenarios’, ‘project short/long list’, ‘project cycle’ etc.

The talk of a ‘Basin Development Plan’ can confuse stakeholders – many of whom interpret this to mean that this represents an umbrella plan (of infrastructure development) to which the governments must adhere. There are both conceptual challenges in what the BDP is trying to do, and communications challenges in the ways in which it is presented.

In many cases there has not been any direct communication with the MRC beyond a narrow circle of stakeholders fuelling a high degree of misconceptions and misunderstanding. Even among many of the closest stakeholders there is a sense that the MRC has not been taking on board the feedback that has been provided. On the whole, the work of strengthening stakeholder participation in the countries is starting from a point of limited experience and limited understanding. It is therefore important that next steps are incremental, pragmatic and realistic – and that they allow for practical relationship building. Improving communications, building up relationships and ensuring that messages are consistent and not contradictory, are essential. At its most simple level, this requires the MRC and other stakeholders getting to know each other, with the onus on the MRC to reach out and actually visit various stakeholders.

*There are both conceptual challenges in what the BDP is trying to do, and communications challenges in the ways in which it is presented.*

The perception of the role and function of the MRC within the MRC also varies among programmes, and staff. The MRC plays many different roles – sometimes acting as a technical unit, and at other times playing the role of facilitator. These are quite different roles that would require a different kind of stakeholder engagement. For the technical role, the kind of stakeholders is defined according to technical interest and competence. For the facilitator role different criteria would apply. Whether or not MRC would be able to play a neutral facilitator role, this is still a challenge. There is still a lack of clarity within the MRC itself on how it will accommodate both these kinds of roles, and therefore what the implications for stakeholder participation might be?

Stakeholder perceptions of the MRC's role vary. The majority of stakeholders have some understanding that the MRC is a creation of the four governments of the Lower Mekong Basin, and as such see the MRC Secretariat as being answerable to the government members. Some see the MRC's role in ensuring some degree of integrated development across the basin according to the needs of the four governments. However, many other stakeholders consider the MRC to be either leading development or pushing an agenda of a particular kind of development based around water resource infrastructure. There is also some doubt among stakeholders as to the extent the MRC can or should act as a veto on regional development where such development does not fit with concerns for sustainability and equity. The degree to which the MRC represents and answers to the governments rather than the citizens, and the nature of the development agenda with which the MRC is associated are key issues for many stakeholders. On the whole, the MRC is seen as an

important regional organization and a key actor, even if its effectiveness is questioned and its potential is seen as not having been realised.

Coordination and collaboration between the constituent elements of the MRC, and between the MRC and the governments is not always as good as it might be. This is regularly commented upon by those within the MRC, and clearly observed from those outside the organization. This causes confusion among those that engage with some elements of the MRC but get an inconsistent picture of the institution as a whole.

All stakeholders recognize the role of the MRC in generating and disseminating knowledge and information. The MRC is widely acknowledged as an important source of information, and some of the programmes have a good reputation for this. However, some of the most serious concerns of stakeholders are those regarding the accessibility and reliability of some knowledge and information from the MRC. It was frequently stated that it is difficult for those outside the MRC to access information in a timely manner, and in some cases, difficult to access information at all. Hopefully difficulty accessible to information will be improved shortly when the newly approved Disclosure Policy of MRC is implemented.

In some cases this is seen as a deliberate strategy of the MRC to constrain stakeholder participation and to minimize the accountability and transparency of the organisation. This kind of perception obviously undermines the level of trust and confidence stakeholders have in the MRC. It was frequently argued that this is an area that the MRC must address in order to be able to move ahead with stakeholder participation. But this is also an area that the MRC frequently states that its own institutional structure, rules and regulations act as a constraint on its more transparent sharing of information. Unless this issue can be addressed adequately, stakeholder participation in the future will continue to be extremely limited, and potentially unproductive.

This is most difficult in circumstances regarding controversial projects for which information might not always be publicly available. The MRC is often seen, rightly or wrongly, as having a role to play in making this information available and is thus a focus for criticism. It is important that the MRC clarifies its role in disseminating information, and the constraints on the MRC in certain circumstances, as well as developing a more proactive approach to effective dissemination.



Expectations of how the MRC should operate thus also vary considerably. For the majority of stakeholders interviewed, the value of the 1995 Agreement in bringing the four countries together is recognized, and there is an enthusiasm to see the Agreement work in practice, even when interpretations of the Agreement vary. However, the majority of stakeholders do not feel that the MRC has been fully effective, particularly in facing the most contentious development challenges and in putting a regional perspective ahead of national perspectives. The degree of influence over national and regional development that the MRC asserts is widely questioned, to the extent that the need to reformulate the 1995 Agreement in such a way that the MRC would have greater influence over the member countries was also raised.

For many stakeholders there is a question of fundamental development values at stake. Some of the issues that are paramount in the minds of stakeholders are particularly contentious – for example, land concessions – and there is a sense that the MRC is unwilling or unable to address these issues. As such there are serious questions regarding the integrity and value of the MRC.

*It is important that the MRC clarifies its role in disseminating information, and the constraints on the MRC in certain circumstances, as well as developing a more proactive approach to effective dissemination.*

As the MRC positions itself around a role as facilitator the requirement on the organization to deal with such controversial issues intensifies. There is a lingering perception both inside and outside the MRC that its main role is to identify investment projects (largely infrastructure) for the countries to ‘develop their water

resources’. Given that these notions of development are keenly contested, by appearing to be committed to such a specific development agenda makes it difficult for MRC to play the role of neutral facilitator.

Expectations of engagement with the MRC therefore also vary considerably. While for some stakeholders engagement is seen in terms of collaboration along similar lines (eg in joint projects etc) and as a requirement for donor funding for their own projects, for others, engagement with the MRC is a mechanism to engage in decision-making and a vehicle to reach senior decision-makers regarding the direction of regional and national water resource management. It is important the future steps recognize these different expectations, and efforts to strengthen the relationship are directed accordingly.

Much of the interest among stakeholders in the MRC is based around a few key issues, prominent among these being the development of hydropower. Interest in these issues derives from different perspectives from conservation, rights and development and include –fisheries, forestry, land concessions, extractive industries, health and nutrition, water and sanitation, irrigation, and agriculture.

*Engaging in technically framed debates can be difficult. While these stakeholders would like to be able to engage with the MRC it is important that public engagement is managed well so that each side is able to come to a forum well informed, and able to communicate easily with each other.*

The way in which MRC presents itself as an IWRM based organization is not always familiar to stakeholders. The emphasis on IWRM is seen as a recent positioning, resulting in some confusion as to what this actually means in practice. IWRM is itself seen as a relatively new term, and there is not widespread

understanding of the principles and background of IWRM, nor of international and national commitments to pursuing an IWRM approach to water resource management. There is clearly a strong need for MRC to be able to a leading thinker in formulating, promoting and debating about issues related to IWRM in the Mekong, and source of information on IWRM for it to maintain credibility in this position. There are many other issues that would be relevant to the interests of the MRC as a regional IWRM body. But again, the MRC will need to be able to clarify its own development agenda if it is to take on this role.

The MRC also presents itself as a knowledge based organization. Much of its work is of a highly technical nature. For the similarly oriented organizations and potential partners, there is interest in contributing to the technical quality of the MRC's work based on their own in-house expertise, and adding value and credibility to the MRC's technical work by providing a forum for review and critique. It is important that as the technical work moves into the policy arena, that the credibility of this work is ensured. For other organizations, and broader stakeholders (whether from the government, local people or private sector) engaging in technically framed debates can be difficult. While these stakeholders would like to be able to engage with the MRC it is important that public engagement is managed well so that each side is able to come to a forum well informed, and able to communicate easily with each other.



### 2.1.3 Levels of Participation for MRC

There are different levels of stakeholder participation for the MRC to consider as the followings:

- sharing information and data;
- performing services for MRC based on contractual arrangements;
- providing technical advice;
- consultation – largely taken to mean towards the conclusion of a decision about a specific project;
- partnership in project design and implementation;
- design of development vision and strategy;
- watchdog – to oversee, monitor and evaluate.

The MRC is widely recognized as having a role in generating and coordinating data and information. However, virtually all stakeholders consider that the availability and acceptability of this data and information is inadequate but also, that addressing this problem is a prerequisite for effective stakeholder participation. In addition, stakeholders are also recognized that MRC has a role to facilitate public consultation, which they consider that meaningful consultation will also require accessible to information at national level. Translation into regional languages has also been a long-standing issue that will need to be addressed.

While the interests of civil society encompass all of the above levels of participation the main interest is in the more strategic levels of engagement that can influence the direction of regional development.

*Stakeholders are also recognized that MRC has a role to facilitate public consultation, which they consider that meaningful consultation will also require accessible to information at national level.*

### 2.1.4 Managing Stakeholder Consultation Events – the Risk of Co-option

One of the major concerns of civil society when engaging with the state and the MRC is that their participation will be co-opted, and that their presence in an event can be used to argue support for decisions, announced but not discussed in the event. There is a long history of such co-option in the region, where civil society has attended a meeting but not had the opportunity for meaningful dialogues and engagement, and where their presence is used to suggest that they have endorsed specific decisions that have been debated. It

is therefore essential that objectives of consultation events are clear and brief documents in simple language have been distributed to participants well in advance.

MRC stakeholder consultations consist of three key elements

- discussion of analysis of current situation, trends and implications;
- discussion of options; and
- discussion of specific development strategies.

It is important in the design and implementation of stakeholder consultations that these three elements are not blurred, and that the event does not move too quickly to the final discussion of specific development strategies. Civil society's engagement in

advocacy, and expectations of MRC as a knowledge based organization, is that there will be improved space and process for the discussion of analysis – bringing together a variety of voices, knowledges and perspectives, and that this will be followed by a discussion that covers all development options. Very often these key steps can be constrained and thereby deny opportunities for meaningful discussion. Currently the main concern is that there has not been debate on analysis and options and this is very much the interest of civil society in engaging now with MRC.

*If the stakeholder consultation event moves too quickly to the final discussion (of specific development strategies) the space for meaningful debate is already closed, and it is difficult for participants to critique the background analysis, or to raise alternatives development strategies.*

If the stakeholder consultation event moves too quickly to the final discussion (of specific development strategies) the space for meaningful debate is already closed, and it is difficult for participants to critique the background analysis, or to raise alternatives development strategies.

The greatest danger then lies in the risk that the event will be asked to endorse specific development strategies, without having had adequate critical debate. The mere presence of civil society at an event can be manipulated to be an endorsement. Such engagement would not live up to the standards and principles established in the SPCP and would act as a deterrent to civil society engaging in the future, and would thus damage the reputation and integrity of the MRC itself.

### 3. SUMMARY of ORGANIZATIONAL REFORM: MRC Self-Analysis

#### 3.1 Introduction

Implementing principles of stakeholder participation in the MRC requires significant organisational change. There is a need for all MRC management bodies (and BDP) to make a self-assessment in order to deliver a clear message to the both within MRC and stakeholders of the organizational change capacity in improving stakeholder participation. This is very necessary for the MRC to develop a good organizational understanding and realistic expectation in this regard.

For a decade the MRC has acknowledged the importance of stakeholder participation as a component of IWRM – having developed background documents and strategies. But the MRC has itself acknowledged that it has failed to implement these principles and strategies across the MRC (SPCP Feb 2009). However, there are many questions, even within the MRC, regarding the definition of stakeholder participation, what this process should entail, how it is being led and the roles of different programmes in implementing stakeholder participation. There is therefore a clear requirement for the MRC as an organization to change. Nevertheless, the MRC is capable or not and/or to what extent?

*There is a need for all MRC management bodies (and BDP) to make a self-assessment in order to deliver a clear message to the both within MRC and stakeholders of the organizational change capacity in improving stakeholder participation.*

The extent to which organizations become learning organisations and embrace change can be considered as comprising three inter-linked elements (see Honey and Borszony and Hunter 1996) that require a willingness and ability to change, as well as institutional structures that allow for change. These are summarized below:

- i) **Willing.** The extent to which organisations and individuals within organisations agree with core principles and practices, and the extent to which they are willing to adopt the principles and implement these in their work.
- ii) **Able.** The extent to which organisations and individuals within institutions are able to adopt the principles and implement these in

their work – ie whether they have the required professional, technical capacities, skills and knowledge.

- iii) **Allowed.** The extent to which institutional norms and regulations fit change principles and allow for their application – ie whether institutional structures, values and ways of working, performance indicators and career development pathways, rules and regulations allow organisations and individuals to work for effective stakeholder participation.

By reviewing these three elements – willing, able and allowed – it is possible to identify the areas that need strengthening and approaches that will allow for organisational reform within the MRC.<sup>1</sup>

The tables below present an attempt to summarise the perspectives of i) within the MRC and ii) from the perspective of civil society. This is a summary table and therefore does not capture the full detail, diversity and complexity of the MRC, national context in the four countries or the diversity of what constitutes civil society. But it is intended to provide background reasoning and an explanation for the kinds of recommendations that are being presented in this report. Further detail is supplied in the summaries of each of the four MRC country members.

### 3.2 Overview of the Perspectives within MRC – MRCS, Programmes, NMCs and Governments

Willing	Able	Allowed
Interest in public participation dates back to 1998 – but uneven performance (and criticism from external actors)	Much of the focus so far has been for NMCs to address inter-sectoral co-ordination, and to build relationships with NMCs of the other countries, with less attention towards civil society participation	Policy and legislation in each of the countries provides some space for stakeholder participation – but experience and practice varies
The interpretation of what is meant by stakeholder		Currently reviewing stakeholder

<sup>1</sup> Such an assessment of organizational change would normally be done more thoroughly through extensive interviews and structured questionnaires. The framework is used here simply to present a way of thinking about organizational change. It is not the intention to suggest that such a thorough analysis as would normally be required has been undertaken.

<p>participation remains unclear in practice – and often is inconsistent</p> <p><i>Commitment</i> to public participation now stated in the SPCP that outlines principles that has been endorsed by the NMCs</p> <p>In practice, the degree of commitment to stakeholder participation remains unclear</p> <p>Stakeholder participation tends to be interpreted to mean consultation – ie participation in meetings and events</p> <p>Commitment to ‘equal partnership’ is not yet established in MRC – preference given to contractual arrangements, or consultation</p> <p>Concern over exposing MRC and member states to public criticism – expectation of ‘constructive criticism’</p> <p>Questions regarding the MRC’s willingness to address controversial issues in public</p>	<p>SPCP recognizes that stakeholder participation has not been mainstreamed across the MRC</p> <p>Good experience of inviting stakeholders to participate in certain kinds of programme events</p> <p>Some programmes have applied participatory principles in some kinds of project activities</p> <p>Some clear examples of NMCs coordinating among relevant government agencies but also examples of poor coordination, and limited influence of NMCs</p> <p>Limited participatory skills and experience of individual staff members of MRCS, programmes and NMCs</p> <p>Identified need to improve communications skills – and methods for representing the MRC</p> <p>MRC is not seen as the leading institution involved in IWRM in the region</p>	<p>participation in MRC governance processes – but seen as being slow to act</p> <p>Constraints of contractual arrangements for developing partnerships – including issues of sharing information, copyright etc</p> <p>National governance structures of NMCs established with limited scope for broader participation in formal structures</p> <p>No barriers to establishing loose advisory bodies to NMCs and programmes in country, and to the Sub-Area Working Groups</p> <p>No institutional barriers to engaging stakeholders in core activities</p> <p>Questions concerning the extent to which NMCs and MRC activities are part of regular government institutions and practice, particularly at more local levels</p> <p>No performance</p>
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<p>Limited effort directed towards improving understanding of civil society, and limited direct personal face-to-face communication with broader stakeholders</p> <p>Outstanding question to what extent the MRC is willing to share information</p> <p>Is the MRC <b>willing</b> to share information that has not been approved by the countries?</p>	<p>Questions of accessibility and availability of MRC data and information – but the information that is available is generally well regarded, but not yet subject to external critical review</p>	<p>indicators for promoting effective participation</p> <p>Restrictions on sharing of information – particularly in draft format</p> <p>Is the MRC <b>allowed</b> to share information that has not been approved by the countries?</p>
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### 3.3 Overview of the Perspectives of Civil Society Stakeholders

<b>Willing</b>	<b>Able</b>	<b>Allowed</b>
<p>Most civil society organizations are keen to see the MRC fulfill its mandate effectively.</p> <p>Most organizations do not consider the MRC to be the leading player in regional development – compared to ASEAN and GMS</p> <p>Motivations of civil society to engage with MRC vary (as does the nature of these organisations) – from</p>	<p>Many organizations have limited understanding of MRC structure, functions and processes.</p> <p>Misconceptions and misunderstandings</p> <p>Wide range of skills and experience – particularly in technical areas either in which MRC requires additional support (eg modeling) or in areas in which MRC capacity is seriously lacking (social</p>	<p>Despite policy and legislation that supports the principle of stakeholder participation the practice is not seen as living up to expectations</p> <p>Personnel and funding of stakeholders is not always sufficient to engage effectively</p> <p>Financial, time and personnel constraints to maintain high level of regular engagement in</p>

<p>partnership in joint projects, accessing funding to engaging with the MRC to inform and influence regional development.</p> <p>A central expectation is that engagement is in a meaningful, well-managed process that allows for dialogue from the earliest stages.</p> <p>Concern about being co-opted by a process that does not meet expectations of effective participation, but that can be misrepresented.</p> <p>Incentives for civil society to engage depend on being able to influence decision-making processes and development outcomes</p> <p>Effective engagement of the local people – particularly the poor, vulnerable and marginalized is a key concern for civil society</p> <p>Outstanding question regarding incentives for local communities to participate?</p>	<p>development, participation)</p> <p>Applying participatory approaches is for many civil society organizations a core principle of good development, rather than a means to an end. There is considerable expertise in such areas as participatory &amp; community based approaches</p> <p>But - lack of technical expertise of many organizations on many elements of MRC core work</p> <p>Civil society organizations have extensive networks involving local grassroots organizations, local resource users and generally linked to government institutions and processes</p> <p>Networking mechanisms for INGOs around thematic areas within countries</p> <p>At local level, not enough is known about the MRC to be able to engage</p>	<p>all MRC activities. Funding from MRC however could be seen to compromise their independence</p> <p>Participation needs to be throughout the cycle – from the very beginning of formulation of strategies and plans through to implementation and M&amp;E – do MRC structures allow for this?</p> <p>National policy largely supportive of local level participation – but practice is often very different with limited space and a feeling from civil society in some countries that their engagement is constrained</p> <p>No mechanisms in place – and the style of working of MRC creates many obstacles to this level of engagement</p>
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### 3.4 Summary –Potential for Organization Reform

The most important area for change is the initial recognition that effective stakeholder participation for a large, complex organization such as the MRC does indeed require significant organizational change that will not be met simply by consultant reports, or even policy changes. Operating in accordance with the kinds of principles laid out in the SPCP represents a significant change in organizational values that will need to be met with

*While there is broad support “in principle” for stakeholder participation within the MRC, the way in which the term is interpreted and therefore incentives for engaging with stakeholders are not consistent across the MRC.*

corresponding changes in capacities, working methods, performance indicators and avenues for professional development. Currently it is not clear that these kinds of values are well understood or shared across the MRC.

While there is broad support “in principle” for stakeholder participation within the MRC, the way in which the term is interpreted and therefore incentives for engaging with stakeholders are not consistent across the MRC.

Communications remains a major problem for the MRC that individual staff identify but do not have the skills to address. Capacity for stakeholder engagement is extremely limited within the organization. That this area of ‘technical expertise’ has not been targeted for development indicates that it is given little credibility. The organization sees itself primarily as a technical organization catering to a technical audience – but this also acts as an excuse to avoid operating with a broad base of stakeholders. In this sense, MRC has a role to digest and simplify the technical messages to stakeholders and how those will impact to the ecosystem and people in the Mekong Basin. The concept of engaging as equal partners – rather than through the main mechanism of engagement, contracts and consultations – does not appear to have been accepted yet<sup>2</sup>.

Civil society includes a wide range of organizations with a wide range of interests. Overall there is support for the ideal of the MRC – but skepticism about its motivations and capacity to engage. The issues of information availability, accessibility and acceptability, as well as the need to move

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<sup>2</sup> The current review of stakeholder participation at the governance level is of course an indicator of a move in the right direction. However, such governance reform is not yet being supported by reform in the way the institution operates on a more day to day basis.



beyond consultation on MRC programmatic issues need to be addressed urgently.

Many interviewees expect to see significant action in the very near future. But it is also clear that the majority of stakeholders would like to see the MRC playing the role of a regional IWRM organization, acting as a source of information and knowledge, and acting as a neutral facilitator.

For the MRC, it is important to recognize that the change required by taking on board and applying principles of stakeholder participation requires different values, attitudes, motivations, skills and capacities, and rules and norms - ie change in all three areas of willing, able and allowed.

## 4. OVERVIEW of MAIN RECOMMENDATIONS

The recommendations presented below are derived from the series of consultation and interviews conducted with stakeholder during this assignment.

### 4.1 Key Points

- **Construction of dams, particularly on the mainstream is the most prominent issues for civil society stakeholders at the moment.** There is support for the MRC to play a leading role in conducting assessments of impacts and facilitating dialogues – and an expectation that this will be undertaken in a participatory and transparency manner involving a wide range of stakeholders. There are opportunities in each of the countries to involve civil society in both the assessments and in the dialogues.
- **As well as addressing pending development, it is important that there is a move away from consultation on impacts to visioning for the future of the Basin, which visioning livelihoods and governance arrangements should be prior.** Civil society can be a key partner in supporting MRC's role in facilitating a broad strategy for the Basin and involving stakeholders in the process from the outset. The main interest for civil society to engage with the MRC is in respect of this role as a facilitator of an IWRM strategy for the Basin, rather than merely engaging within the framework of MRC programmes and activities.
- **Applying participatory principles and approaches to the technical work of the MRC** – and not just to a process of consultation. This would strengthen the technical quality and rigour of the work within the MRC, and ensure greater acceptability from the public, while also building capacity. In doing so, the MRC would need to be able to accommodate varying degrees of technical expertise.
- **Common ground between civil society and the MRC lies in shared broad objectives of poverty reduction and sustainable development and of an integrated, river basin approach to water resource management.** This is a useful starting point for dialogue. The differences, sometimes profound, lie in what these terms mean in practice

- **There is very little understanding of what the BDP is, or of its role within the MRC.** MRC needs to be able to frame the theme of participation around stakeholder interests rather than around the project structure of the BDP – these two are not always compatible.
- In order to achieve this quality of participation, **the MRC (and the BDP, and the NMCs in each of the countries) need to be more proactive in developing relationships and improving public understanding of the MRC.** In some cases, this will be starting virtually from scratch, and will require a gentle step-by-step approach. It is recommended that such relationship building is undertaken jointly by BDP MRCS and the NMCs.
- Good relationship and trust among stakeholders, it should be recognized that this will take time and also requires effort to build understanding among stakeholders, for examples, all stakeholders need to come to meetings with full information regarding plans for the Mekong Basin and the implications of these plans. **It should also be recognized that some stakeholders may feel fear and intimidation about expressing their views (especially if they are in opposition or critical of the governments), thus restricting the possibility of having real dialogue take place.**
- A stronger engagement between the MRC and NGO's would mean very little to an improved IWRM process, if the MRC and the NMCs do not play more active role in facilitating timely, transparent, complete and reliable information exchange and dialogue among all Mekong Basin stakeholders.

*Practicing stakeholder participation is required, and it is recommended that indicators of quality of stakeholder participation are incorporated into the planning of all MRC programmes.*

## 4.2 Discussion

Effective stakeholder participation requires practice. For the majority of MRC representatives, while there is often enthusiasm, there is limited practical experience of broad stakeholder participation beyond engagement in meetings and events, or within the framework of specific projects and activities. Practicing stakeholder participation is required, and it is recommended that indicators of quality of stakeholder participation are incorporated into the planning of all MRC programmes. While the idea of establishing a trial project for stakeholder participation was raised by NMC

representatives in Laos, it would be more useful to focus efforts on ensuring effective stakeholder participation in the core work of the MRC by focusing on key areas of work that are being undertaken now – in the assessments (from developing approach, collecting and analyzing data, peer review) to processes for dialogue, and in the implementation of joint projects that are already underway.

Communication – including issues of access to and sharing of information – is fundamental to MRC being able to fulfill its role and its commitment to stakeholder participation effectively. Stakeholders come from diverse backgrounds with a similarly diverse range of interests, expertise, understanding and expectations of the MRC. While this is to be expected it is perhaps more surprisingly to appreciate the extent to which understandings of the MRC within the MRC vary. For example, there are different interpretations of the role and function of the BDP across programmes and NMCs, and even among those government agencies most directly involved in BDP there remains some confusion.

#### **4.2.1 Regional Advisory Mechanism**

All stakeholders and many of the MRC representatives expressed interest in establishing stakeholder advisory mechanisms. A range of suggestions have been made that will need further discussion:

##### **4.2.1.a. MRC of the People?**

The idea of a civil society forum that would somehow be linked to the MRC has been made many times over the years. The details of what such a forum might look like need further discussion but essentially there are two models that have been discussed so far – i) a civil society-led forum ii) a forum organized by the MRC. In fact, the two models are not mutually exclusive.

##### **4.2.1.b. Civil society led annual forum**

A forum led and organized by civil society organizations that is organized in such a way that the participants have access to senior decision-making and agenda-setting levels within the MRC.

*The national consultation in Thailand made a recommendation that the MRC provide the funding and meeting space for a civil society forum, that civil society organizations would organize*

Under this relatively broad

concept are several quite specific suggestions. For example, the national consultation in Thailand made a recommendation that the MRC provide the funding and meeting space for a civil society forum, that civil society organizations would organize themselves. The agenda and discussion points would be facilitated by civil society organizations without involvement of the MRC. After suitable discussion, the forum would then invite MRC representatives from the Secretariat, programmes, and NMCs to present their ideas and to engage in more substantive dialogue. Such a forum would require MRC funding support and logistics, and would need adequate preparation.

Under this kind of model, the TORs of the forum, membership and responsibilities should be developed by civil society organizations themselves, but MRC should also be active in encouraging stakeholders that have been consulted during this assignment contribute to the design and launch.

#### **4.2.1.c. MRC Led Forum**

In the SPCP, BDP has suggested hosting a forum for general welcomed by stakeholders but it is important that the forum is able to discuss substantive issues, that there is broader participation from civil society and grassroots organizations, and that the issues emerging from the forum can be articulated to the higher decision making processes within MRC.

*A recent recommendation made by BDP would be for MRC to facilitate a network of River Basin Committees (RBCs) with an annual forum for network members hosted by MRC.*

MRC has also suggested that it could facilitate a forum and network across the basin. This could take many forms. A recent recommendation made by BDP would be for MRC to facilitate a network of River Basin Committees (RBCs) with an annual forum for network members hosted by MRC.

#### **4.2.1.d. Advisory Boards – Regional, National and Thematic**

There is considerable interest in civil society playing an advisory, monitoring and watchdog role for the technical work that MRC undertakes, and in establishing a regular institutional mechanism for civil society organizations to provide peer review of MRC work.

Again a number of models for such a board have been discussed. One suggestion would be for a general Advisory Board that would not be organized around any particular technical areas or topics, that could meet regularly and have input to all of the MRC programmatic work. For the MRC programmes an option would be to establish programme-based Advisory Boards that would take on a combination of steering committee responsibilities, and technical advisory roles including peer review of technical work.

An additional option is for Working Groups to be established under this board organized around specific topics – either technical topics such as hydrological modeling, or thematic areas such as social development and poverty reduction.

Such Advisory Boards and Working Groups could be managed at both the regional and national levels. At the national levels, existing civil society co-ordination mechanisms such as those that have been established for NGO Coordination with thematic Working Groups could provide an initial starting point for the thematic focus. By engaging in existing Working Groups, the MRC would not be required to establish a completely new mechanism, and would be able to take advantage of the existing linkages to government and donor stakeholders.

Support for such national mechanisms came out of the national consultations for this assessment. But it was also suggested that there would need to be some kind of network across the countries that could allow for the development of a Mekong Basin focus, rather than simply a national focus. Providing such a regional dimension would also allow the MRC to present itself as a regional player bringing a unique perspective.

In considering the issues of reporting and independence two models could be considered – one managed by MRC, and one independent of MRC but allowed to feed into most senior level decision making.

### **Example**

- ✓ The MRC Fisheries Programme provides some good working examples of how such mechanisms might operate. **For example, the FP has a Technical Advisory Body (TAB) that acts primarily as a steering committee but also provides technical input to the core work of the Programme.** Recently, in response to concerns about

hydropower development and potential fisheries impacts, FP has established an Expert Working Group comprising internationally renowned experts on dams and fisheries from around the world to provide advice on the current status of scientific knowledge on specific technical issues. An additional mechanism established by the FP is the annual Fisheries Symposium in which programme partners and invited guests participate in a technical conference.

#### **4.2.1.e. Apply participatory approaches to design and implementation of technical work**

Stakeholder participation is largely seen within the MRC as a process of consultation on specific projects, issues or technical areas. However, for many civil society stakeholders taking on board principles of stakeholder participation also requires MRC to work in a more participatory manner throughout its technical work in generating, analyzing and disseminating data and information.

Not involving civil society more effectively in these areas has been identified as a key gap for the MRC to address. Each of the countries has also made policy reforms towards decentralization of development and natural resources management that gives local institutions and people greater responsibility in assessing, planning and managing their resource base.

There has been an enormous growth in developing and applying participatory approaches within the last decade. Such approaches are entirely consistent with the principles of IWRM. Civil society organizations have been at the forefront of this effort and have considerable technical capacities and experience that would be of value to the MRC.

A key area of interest is in developing a broader coalition of stakeholder partners and applying participatory approaches in the technical assessments of the MRC – for example, in the updating of the Sub-Area Profiles (SAPs) of the BDP, and in the Vulnerability and Social Impact Monitoring Initiative of Environment Programme (EP).

*By working through a network of civil society organizations the MRC has the potential for involving a wide group of grassroots organizations and reaching a large number of local people, as well as ensuring that the work that it carries out is technically sound and locally relevant.*

Rather than simply being sources of information, civil society stakeholders have a role to play in designing the technical approach, in conducting the assessments in

the field and carrying out the analysis and in presenting and disseminating the findings. By working through a network of civil society organizations the MRC has the potential for involving a wide group of grassroots organizations and reaching a large number of local people, as well as ensuring that the work that it carries out is technically sound and locally relevant.

Additionally, involving civil society and local people in such technical work can be considered as a capacity building process that has the potential to strengthen existing institutions while also contributing to the strengthening of IWRM based institutions.

There is good experience in the Mekong Basin of participatory approaches being applied in this way. As is discussed in the country sections, the experience of developing Participatory Poverty Assessments (PPAs) has been hugely influential in each of the Mekong countries in establishing improved information and more sustainable methods of gathering data, as well as strengthening the capacity of local stakeholders to engage in national poverty reduction policy debates. The PPA approaches have now been endorsed by national governments (eg see discussion of PPA in Lao PDR below) and by donors.

Civil society organizations have also been active in promoting local people to undertake their own research and assessment activities, and to ensure that these feed into local planning institutions and processes. There are good examples of action research being undertaken by farmers, fishers and school children in Thailand, and in Cambodia, NGOs have also supported local people to engage in on-farm agricultural trials, as well as assessing the fishery of NE Cambodia.

#### **4.2.1.f. Building Partnerships**

The new discourse of development emphasizes the importance of partnership. This is clearly in evidence in the donor harmonization efforts particularly in Cambodia, Lao and Viet Nam.

The MRC is still at an early stage of engaging in such approaches. It is significant to note that the MRC does not seem to be active in the efforts aimed at promoting coordination and information sharing among development partners. These existing mechanisms would seem to be a great opportunity for the MRC to broaden its partnership base, raise its profile, and raise the profile of the Mekong basin and the need for IWRM.



For all MRC countries there is a clear need to engage in existing civil society networks and coordination mechanisms, and to better understand the interests of civil society. There are simple steps that could be easily followed. Very few of the organizations interviewed in this assignment have ever had any direct personal contact with the MRC (except in formal workshops etc). Building up informal links, for example, through presentations of each other's work and interests, and regular meetings would mark an important step forward. Providing the space for informal discussion would at least begin the process of generating improved understanding.

Currently the opportunities for civil society to establish formal partnerships with the MRC appear to be rather limited. As several interviewees have commented the main mechanism for engaging with the MRC is through a consultancy contract in which the provision of services to the MRC is the main basis for partnership. While such contractual arrangements clearly have an important role to play, they can also act as an impediment to developing equal partnerships, and thus limit the institutional benefits that might arise. Within the theory of organizational change (that is also being adopted by international development organizations such as the World Bank) building equal partnerships enhance the building of knowledge and advanced skills, and allow for innovation, and the strengthening of learning organizations.

The MRC still has not developed relationships with many of the important civil society organizations, and clearly for those organizations that are most critical of the MRC. However, there is a lot of work to be done before getting to the stage of partnership. But for many organizations, particularly those that have similar technical orientation and similar ways of working, it seems that the main impediment to partnerships lies in the constraints of engaging through contracts. This is a problem that lies with both sides – but is one that will need to be addressed.

*While the BDP clearly is under pressure to follow its own workplan, it must also reflect on the feedback it is receiving, and adapt its work accordingly. Ultimately it will need to be more demand led than it has been in the past.*

Much of the engagement with civil society so far is led by the interests of the BDP. These are largely based around implementing the workplans of the programme rather than the interests of civil society. For its part, civil

society stakeholders feel that they have made their interests clear to the BDP, but that the BDP has not responded adequately. While the BDP clearly is under pressure to follow its own workplan, it must also reflect on the feedback it is receiving, and adapt its work accordingly. Ultimately it will need to be more demand led than it has been in the past.

During this consultancy we have not been able to conduct the stakeholder analysis at the Sub-Area level. However, identifying existing mechanisms, organisations and projects should be straightforward. This information is generally available at local authorities, and also with the NGO coordination mechanisms. The challenge is in planning participation in a meaningful process that is of relevance to local stakeholders.

There are some organizations that will not participate in MRC-led processes, largely through concern that their participation will be co-opted. The MRC should not expect to have the same kind of relationship with all organizations but equally should not avoid engagement with stakeholders that are critical. It would be worth the MRC, and BDP in particular, following a process of reflection on the main criticisms that they are facing – with an outside facilitator assisting in the process.

#### **4.2.1.g. Reforms within the MRC**

Addressing stakeholder participation requires change within the MRC itself. As we have summarized above, such change can be seen in the areas of the MRC being willing, able and allowed to implement a meaningful approach to stakeholder participation.

*A key gap in expertise lies in the limited capacity in social development within the MRC.*

The most frequently cited cause of tension with the MRC is in the area of availability, accessibility and acceptability of MRC information. Clearly there are institutional barriers to MRC providing certain kinds of information freely but where these barriers do exist, they need to be clearly explained. But given that there are such institutional barriers that might not be easily changed, it is all the more important that where possible, the MRC is proactive in making information available in different forms and for different kinds of stakeholders.

There is also a clear need to develop the understanding of stakeholder participation and the implications of applying the principles laid out in the BDP SPCP. This also requires building the in-house MRC capacity for stakeholder participation and of applying participatory approaches in their technical work.

A key gap in expertise lies in the limited capacity in social development within the MRC. Currently there is only a handful of staff with such technical background, and none of these is in a position of authority. Given the overall institutional objectives of poverty reduction and sustainable development a much higher representation of socio-economic expertise across the MRC would seem appropriate.

One suggestion made in the consultation in Thailand is for the establishment of a Social Development Unit within the MRCS and within the NMCs. An additional suggestion would be for this to be integrated at a senior level within the BDP. Such a unit would be responsible for providing technical advice across the MRC, for leading stakeholder participation and facilitation, and for leading the development and application of participatory approaches.

The lack of practical experience of MRC staff at the local level in different parts of the basin has also been identified as an important gap in capacity. This is largely an issue for the MRCS. Very few of the MRCS have even visited areas outside their own country, and certainly not the more remote areas or the areas that are being targeted for development. Consequently their knowledge and familiarity with the key issues is extremely limited. This kind of capacity gap could be easily addressed.

*The lack of practical experience of MRC staff at the local level in different parts of the basin has also been identified as an important gap in capacity.*

Currently there are no professional incentives to improve capacity and performance regarding stakeholder participation. Establishing clear performance indicators for MRC staff based on meeting the principles of stakeholder participation could be an effective means of improving performance. But it would also require the acceptance of new ways of working, and encouragement from line managers so that individual staff would not be constrained in pursuing such targets.

The lack of a database of stakeholders within the MRC is a clear weakness that again could be easily addressed. Under this consultancy

we have begun to develop such a database but for it to be useful and sustainable it would need to be developed with involvement of all the programmes and the NMCs, and to be regularly updated. This responsibility would need to be shared by the MRCS and the NMCs, and should be more routine across the MRC.

The poor communication across the programmes within the MRCS leads to project-based approach that can at worst lead to competition among programmes, and at the very least lead to inefficiency and poor performance. Many interviewees within the MRC have pointed to this as a long-standing issue and as such, poor communication is itself in danger of becoming institutionalized as an acceptable, normal way of working in the MRC.

On 25 November 2009 BDP organized a stakeholder forum that was invited to comment on the latest draft of the SPCP. Working in small groups, participants presented a number of recommendations directed to MRC and more specifically to BDP. These are summarized in the table below.

<b>Regional Consultation on BDP – Working Groups recommendations</b>
<p>The process for BDP <b>scenario assessment</b> should be better elaborated. In particular the SPCP needs to explain more clearly how negotiations on trade-offs will take place and how stakeholders can participate in these negotiations in addition to MRC Member Countries.</p> <p>The SPCP should ensure consultations/dialogues at different scales to increase effectiveness.</p> <p>The issues brought up for consultation/dialogue should be of concern to stakeholders, not only to MRC. There need to be clear benefits of dialogue to act as incentives for participation.</p> <p><b>Communications, Information</b></p> <p>BDP should ensure adequate availability of information to enable stakeholders to prepare for consultations and dialogues.</p> <p>There should be more frequent communications, especially with private sector stakeholders.</p> <p>MRC should explore other communication channels, different techniques for communication and should ensure a step-by-step approach for full</p>

engagement,

MRC should consider developing a glossary of MRC/BDP terms to facilitate a good understanding of issues and effective engagement.

**Existing Mechanisms**

BDP should build on or use existing networks, processes and research institutions in the region and/or let these networks organize the dialogues. Thematic working groups with participation of agencies with relevant expertise and/or working in the same areas would be a good way to engage.

**Reaching local people**

Engaging with local people can be done more effectively. It is possible for MRC to have dialogue if enough credible neutral players are also involved

Need to build up consultations from the local level and prepare communities to participate

Need to use appropriate communications approaches and materials

Need to build up from existing networks, mechanisms, organizations

## SECTION II: Countries Analysis

### 5. CAMBODIA

#### 5.1 Introduction and Overview

Cambodia has a vibrant civil society with a wide number of national and local organizations involved in a full range of development and natural resource management issues. **Concern for water resources management in the context of the Mekong is extremely high – perhaps the highest among the four countries. However, CSOs are generally considered that space of stakeholder participation in development and natural resource management could not be freely from political circumstance, power imbalance and huge social barriers.**

With much of Cambodia dependent on agriculture, fisheries and forestry – and with the Mekong entwined within society and culture, there is a greater awareness of Mekong water resource development issues. Many civil society organizations are involved in field level work and research around the Tonle Sap Lake, the upper reaches of the Mekong between the Lao border (Stung Treng and Kratie), the 3S basin, and the Cambodia part of the Mekong delta.

Cambodia has long positioned itself as a downstream country with much at stake from development of neighbouring countries. This is still a perception that has some resonance among civil society but Cambodia is itself increasingly becoming a player in regional water resource development, with hydropower development and expansion of irrigation central to national development policy. These are inevitably potentially contentious issues, and there is therefore a need for integration, coordination and consensus building to avoid confrontation.

**There is a long history of tension regarding water resource development in Cambodia, between Cambodia and neighbouring countries, and between civil society and the state.** This is exemplified by experience of the Yali Falls dams on the Sesan river. The Yali Falls continues to have a powerful resonance among Cambodian civil society. From this experience of campaigning on behalf of locally affected people, by building networks among these people and linking to provincial and district government agencies, civil society has developed certain ways of engaging and lobbying, often in partnership with international NGOs, research centres and well-

renowned universities. The MRC has often been criticized for being ineffective in dealing with these issues and reluctant to share information with the public. Civil society on the other hand has often been an important source of information and research, even if its findings have been contested. But there is also a clear perception among some government agencies that some NGOs are confrontational and unwilling to engage in constructive debate.

**Most recently a number of Cambodian NGOs have come together to form the Rivers Coalition of Cambodia (RCC) – a network hosted by NGO Forum but involving a number of national and local NGOs.** They are specifically focused on water resources development and in particular, on hydropower and riparian community rights. They have undertaken a number of studies in collaboration with regional and international partners, and have hosted national dialogue events, as well as a range of advocacy and networking activities at the local level. At times they have been vocal critics of government policy and practice, and of regional development actors, including the MRC and ADB. However, they are keen to point out that they share the government's commitment to poverty reduction and sustainable natural resource management – and that their differences are in interpretation of appropriate actions. They are reasonably high-profile, well organized and articulate, pulling together a broad network that also includes grassroots organizations and networks of local people. They are active organized and facilitated public consultation in the MRC sub-area, which MRC had participated in two of their meetings recently and gave presentation on mainstream dams and MRCs role.

There is a wider range of NGOs involved in development more broadly in Cambodia. These include organizations that are involved in delivering social development support, as well as organizations strengthening the capacity of local people and institutions to plan and manage development processes. Many of these work closely with government agencies particularly at provincial and district level and are more likely to be perceived as development partners of the state. They see their ability to influence state development policy and practice founded on their practical experience at the local level, and their research and advocacy skills. For example, Cambodian Centre for Study and Development in Agriculture (CEDAC) is involved in promoting sustainable agriculture, building up networks of farmers and strengthening extension agencies. They are focused on small-scale irrigation and System of Rice Intensification (SRI) and are currently reaching 12, 000 villages across the whole of Cambodia. This represents a considerable reach.

**Stakeholder participation in Cambodia also needs to be seen in the context of governance reforms, and in particular decentralization and deconcentration (D&D).** Over the last decade the government of Cambodia has attempted to re-establish governance, rebuilding the country after decades of intense conflict. A central element of governance reforms has been the establishment of elected Commune Councils as the building block of local development and natural resource planning and management. This process included development of annual District level plans, as well as coordination mechanisms across line agencies and NGOs at the provincial level. Cambodia has implemented a number of community management approaches – most significant of which is the establishment of Community Fisheries (with the support of the Fisheries Administration FiA) across the country. Additionally, there have been attempts at establishing Community Forestry, Farmer Water User Associations, and implementation of participatory planning tools such as Participatory Land Use Planning (PLUP). The strategy of establishing networks of local people, and supporting community management of resources (particularly fisheries and forests) has a greater resonance in this context of decentralization. Stakeholder participation in Cambodia for the MRC needs to fit within this broader institutional context.

**Cambodia has perhaps the highest number of development focused NGOs. There are two main organizations providing a coordination function - Cooperation Committee of Cambodia (CCC) and NGO Forum in Cambodia.** The membership of CCC largely comprises international NGOs and covers a wider range of sectoral and technical interests. NGO Forum caters largely to Cambodian NGOs, but there are strong links and several collaborations between the two networks.

**As part of the efforts towards donor harmonization the government has embarked on strategic planning within Ministries, and establishing Technical Working Groups to oversee planning and coordination between government agencies, donors and NGOs, and to provide technical input into decision-making.**

Several TWGs are also active in areas relating to IWRM and issues pertinent to the MRC, especially issues related to land management, sustainable livelihoods and impact from hydropower projects. These TWGs are closely working with local community organization and poor people to identify and address poverty issues related to impact from infrastructure development in the Mekong. They are emphasis in promoting community base natural resource management and capacity for local communities.



## **5.2 National Planning, IWRM & Stakeholder Participation in Cambodia**

### **5.2.1 National Development Planning**

Development planning in Cambodia revolves around promoting economic growth and reducing poverty. The key national development plans include:

- Government's Rectangular Strategy Phase II ;
- National Strategic Development Plan (NSDP) 2006–2010;
- National Programme for Household Food Security and Poverty Reduction 2007-2011;
- Joint Strategy for Agriculture and Water 2006-1010;
- Strategic Plan on Water Resources Management and Development 2005–2008;
- Law on Water Resources Management in the Kingdom of Cambodia (approved June 2007).

Central elements of state planning are in terms of poverty reduction and food security, promoting good governance (as part of the Decentralisation and Deconcentration reform process) and in improved strategic planning, and inter-sectoral coordination.

For the water sector, the emphasis of policy is on irrigation development and extending water management to also include promotion of agricultural production and rural economy to achieve government targets of halting poverty by 2015. More recently hydropower development within Cambodia has emerged as a key development priority for the government

An important mechanism for coordination among state agencies, and with donors and NGOs has been the establishment of a series of Technical Working Groups within different ministries dealing with coordination between sectors, and between different actors involved in the same sector (particularly NGOs and donors).

### **5.2.2 Decentralization and Deconcentration**

Promoting good governance has been a corner stone of donor led attempts to support post conflict recovery and sustainable development in Cambodia. These efforts have been supported by a range of donors including Sida, DFID, Danida, IDRC as well as the World Bank, Asian Development Bank. Part of this effort has been directed towards Decentralisation and Deconcentration.

**Administrative levels in Cambodia are of national, provincial, commune and village. Cambodia has embarked on an extensive process of decentralized planning in which elected Commune (and Sangkat) Councils have taken on responsibility for local level planning.** This process of decentralization is under the jurisdiction of the Ministry of Interior (MOI) with the main department being the Department for Local Administration (DOLA).

The Commune Councils are the main local planning unit. Commune Councils typically include around 11 villages and are elected every 5 years. The CCs have taken on a wide range of responsibilities for development planning and natural resource management, and are increasingly expected to take on even more wide ranging responsibilities (eg dealing with domestic violence). However, much of the investment at this local level of Communes has tended to focus on infrastructure (eg roads, schools etc) rather than what could be termed soft investments. Even when natural resource management (particularly fisheries, water and forests) emerge as issues during the planning cycle they tend not to be taken up and allocated funds at the final stages of the cycle (District Integration Workshop). There are many reasons for this.

The planning process involves village level planning feeding into commune planning that is then fed into an annual planning process at the District level, the District Integration Workshop (DIW) at which stage plans are finalized and budgets approved. There is also a process for hiring private sector contractors for implementing infrastructure projects. **Yet the Commune Councils remain the main local level planning unit and are thus key actors for BDP at the Sub-Area level.**

At the provincial level, the Provincial Rural Development Committee (PRDC) chaired by the Provincial Governor is the main mechanism for ensuring coordination among the provincial line agencies. The PRDC also provides a mechanism for NGOs to participate, largely in order to ensure effective communication between state agencies and NGOs, and also for some coordination and collaboration, including implementation of joint projects. **At the Sub-Area level the PRDC thus provides a possible mechanism for coordination and collaboration within provinces between line agencies, and with locally active NGOs.**<sup>3</sup>

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<sup>3</sup> The PRDC should be able to provide a summary of all NGOs and NGO projects active in the province. It is likely that most if not all of these NGOs will be represented in the PRDC Ex-Com.

Considerable support has gone into strengthening this planning process, and in particular the Commune Councils - from donors (UNDP, ADB, Sida, DFID, DANIDA) and international and national NGOs and research centres (eg CARE, PACT, CDRI). Under the MOI, the councils have created a new federation (the National League of Commune Councils and Sangkats or NLCS) to represent their interests through MOI at the national policy level.

The capacity of Commune Councillors themselves continues to be a key issue with much of the interest and concern directed at strengthening this level of capacity to ensure that Commune Councillors can do their job, and that they can represent the interests of their local constituents effectively. Much of the research conducted in Cambodia (eg by CDRI, PACT, DFID and Sida) has also considered the extent to which the Commune Councils actually represent the broad interests of their constituents rather than a local elite, and the degree to which they are accountable.

### **5.2.3 Community Management**

As well as the decentralization of development planning, Cambodia has also supported community management of natural resources. The clearest example of this comes from the fishery sector. Based on a Royal Decree in 2002 and the passing of a Sub-Decree in 2005, the Royal Government of Cambodia (RGC) through **the Fisheries Administration (FiA) under Ministry of Agriculture, Forestry and Fisheries (MAFF) has supported the establishment of Community Fisheries (CFs) across the country, covering inland and coastal fisheries.** This process has also involved considerable coordination with non-state partners – NGOs who have been engaged in such approaches even before the royal decree, and also international aid donors. It is important to note, that the policy drive towards promotion of community management of fisheries was encouraged by an active civil society that had already been promoting this approach to management of natural resources (also in forestry), building on traditional management regimes and concerns regarding commercial encroachment on fishery resources and intensifying conflict among different resource users to the detriment of poorer fishers.

The central importance in policy of Community Fisheries is indicated by the establishment of a Community Fisheries Division (CFD) within the Fisheries Administration (FiA). Given the large number of actors involved in community fisheries, there are attempts at improving coordination between FiA and NGOs under the Technical Working Group on Fisheries (TWGF) and FiA. The MRC has engaged in this process through the MRC Fisheries Programme. The Fisheries TWG involves a number of NGOs – FACT, NGO

Forum, Oxfam and also UN agencies (FAO) and international research centres (The WorldFish Centre).

Community Fisheries are required to elect a committee representing the interests of fishers within their community, and to follow a process of mapping their resource base, demarcating the boundaries of the community fishery, and monitoring and assessing the resource base. However, again, progress in implementing the formal recognition of Community Fisheries has been mixed, with concerns about the capacity and effectiveness of the CFs and the capacity of FiA and provincial fisheries officers (with limited personnel and budgets) to provide support. **But this approach to assessing local resources and developing planning mechanisms is also relevant to the Sub-Area analysis and scenario development of BDP.**

While there have been attempts at establishing the legal framework for community forestry in Cambodia for many years, these have not yet resulted in the passing of legislation. Nevertheless, NGOs and government agencies have been active in establishing such local institutions even in the absence of the legal framework. **This demonstrates that even within a loose policy and legislative framework in Cambodia there is some space for collective action among resource users and for collaboration with state agencies.**

#### **5.2.4 Water Resources**

The lead agency for water resources management in Cambodia is the Ministry of Water Resources and Meteorology (MOWRAM) and is required to consult with all other key agencies involved in water resources. (NB. While under efforts at donor harmonization ministries are developing coordinating bodies – Technical Working Groups - to bring together government agencies, donors and NGOs to develop 5 year strategic plans and annual action plans, MOWRAM does not have such a body in place.)

**The Water Law is set within the framework of IWRM recognizing the different sectoral interests in water, calling for greater coordination, and the need to balance social and environmental considerations.** As such the Water Law includes several articles that deal directly with rights, organization, and participation of water users. The main areas of stakeholder and public participation are as follows:

- collaboration with and participation of relevant agencies, private sector, beneficiary groups, NGOs and International Organizations in all activities related to the management, investment, exploitation, conservation and development of water resources (Article 7);

- ensuring availability of data and information free of charge to all government agencies and other communities for the public interests (Article 8);
- guaranteeing the rights of every person to ‘use water resources for his/her vital human need including drinking, washing, bathing and other domestic purposes including watering for animal husbandry, fishing and the irrigation of domestic gardens and orchards, in a manner that will not affect other legal right of others (Article 11);
- the right of farmers in the same irrigation system to form a Farmers’ Water User Community (FWUC) (Article 19).

In addition to the Water Law, under a policy commitment to Participatory Irrigation Management and Development (PIMD) in Cambodia, the right of farmers to organize collectively is recognized. Farmers Water User Communities (FWUCs) are generally operational around large scale irrigation schemes, and while their existence indicates a level of engagement in water resource management, there have been questions as to how effective, representative and responsive these FWUCs actually are in practice (Perrera 2006).

The National Water Resources Policy (2004) and the Sub-decree on River Basin Management, also addresses public participation stating:

*‘Procedures for planning and managing water resources development and use should aim to uphold justice and equity, recognize the rights and values of members of the community at large, and provide opportunity for persons who might be affected to be consulted about and participate in planning and making decisions. The procedures should be fully transparent (p. 5).*

Additionally, all RGC agencies and committees involved in River Basin Management are required inform the public, consult before implementing Basin Management Plans and enable effective participation in planning and managing water development and use (Article 21).

It is important to recognize that the Cambodia National Mekong Committee is host institution of Cambodia Water Partnership (CamboWP), supports and facilitates the activities of CamboWP for IWRM promotion and implementation (Draft Statutes (2008) , has played a significant role in the development of national water policy and continues to be a key player in the provision of capacity building in IWRM services, in partnership with the Global Water Partnership (GWP).

Cambodia is a signatory of the Ramsar Convention. While there is no specific legal framework dedicated to wetland management, there have been efforts from within the Ministry of Environment (MOE) to revitalize a draft National Wetland Action Plan (NWAP) for approval that would both recognize the importance of public participation in wetland resource management, and make a connection between wetland and river basin management.

### **5.2.5 The Tonle Sap Authority (TSA)**

An important development in the management of water resources in Cambodia and the Mekong Basin has been the establishment of the Tonle Sap Authority (TSA)(Royal Decree 29 June 2009). The TSA is responsible for Coordination in managing, conserving, and developing the Tonle Sap Basin. The TSA has an advisory and communication role among all stakeholders in the Tonle Sap Basin, and for developing a basin management strategy. The Government Declaration (no.41 SSR dated 01 July 2009), defined the composition of the TSA that chaired by H.E. Lim Kean Hor, Minister of Water Resources and Meteorology (MOWRAM) and Chairman of CNMC, its members include representation from key line ministries and Governors of 8 provinces.

### **5.2.6 RBC Pilot Projects**

The CNMC/CamboWP coordinates a number of initiatives aimed at strengthening IWRM and the establishment of a pilot river basin institutions. These activities are linked to Country Water Partnership (CamboWP) and GWP, Cap-Net, and donors such as ADB. One example of piloting a participatory approach to RBC establishment has been under the ADB funded (phase 1 in 2008 and phase 2 in 2009-2010) for 4-Ps Basin located in Kratie and Mondulkiri province, for establishment of Coordinating Committee for Development and Management of 4-Ps Basin and applying IWRM by building wider participation of national and sub-national stakeholders including local NGOs and civil society; phase 2 to develop the 4-Ps Basin Roadmap and investment initiatives for water and related resources development and management of 4-Ps Basin. Although this has only been a pilot project so far, the expectation is that this process of building up a RBC through a process of consultation and participation will continue.

## **5.3 Summary of Assignment in Cambodia**

The stakeholder assessment in Cambodia involved a series of semi-structured interviews with known civil society stakeholders, and with some organizations with overlapping interests. Given the high level of activity of

NGOs in Cambodia on Mekong and water resource issues, and a sometimes tense relationship with the MRC, these groups were given high priority for these interviews. In conducting the assessment in Cambodia effort was focused on identifying mechanisms that would allow for building constructive relationships as the basis for more long-term, sustained engagement.

Much of the discussion with the CNMC and stakeholders also addressed approaching inter-sectoral coordination in a complex, dynamic institutional set-up, under the umbrella of IWRM.

A one-day consultation was held in Khamphong Thom. As this event tied in with the preparation of annual work plans for the BDP in Cambodia the majority of participants were the main national government partners of the BDP, but a small number of Cambodian NGOs also joined the meeting. Importantly this meeting re-affirmed the importance of stakeholder participation in Cambodia.

### **5.3.1 Summary of Cambodian civil society organizations**

*Summary of Cambodian civil society organizations are presented in Annex I (for internal use only).*

## **5.4 Discussion of Issues Arising from Stakeholder Analysis**

### **5.4.1 Relationships, Perceptions and Expectations**

There is a huge range in terms of familiarity with, understandings and perceptions of the MRC and the BDP among Cambodian civil society stakeholders. Several organizations have a good understanding of the MRC having been involved and observed with the MRC over a number of years. **Most of these organizations engage in advocacy, or are based within the Sub-Areas in NE Cambodia. But many do not have much familiarity with the MRC and even those involved in water related issues.** In some ways this indicates their perception of the importance and level of influence of the MRC in Cambodia.

Indeed government representatives to the CNMC also raised concerns about the influence of the MRC and CNMC in Cambodia. The institutional changes in the water sector, particularly with the establishment of the Tonle Sap Basin Authority and a history of difficult coordination among line agencies can be seen to undermine the influence of CNMC. There are also questions about the institutional capacity of the CNMC – with limited personnel and limited

budget. **The Yali Falls dam is still seen as something of a test for the CNMC and for the MRC in dealing with transboundary issues, and that despite creating an MOU with the VNMC there is a widespread sense that the MRC (including both the CNMC and VNMC) were largely ineffective.**

The MRC does not appear to be well integrated into national planning processes, and certainly not into the decentralization efforts. For many observers, the CNMC is not seen as the most influential government actor in the water resources sector in Cambodia.

None of the stakeholders interviewed during this assessment have a thorough grasp of the structure of the MRC programmes. The BDP in particular is not well understood. It seems that many of the government stakeholders who were involved in BDP 1 expected ‘tangible outputs’ in the form of funded projects. Consequently there is a sense of frustration that BDP 1 failed to deliver what was expected, and that BDP 2 is moving ahead without critical review of the experience of BDP 1. From these comments it is clear that there are very different expectations of what BDP and the MRC is. **The use of the terms ‘project short list’ and ‘project long list’ are still interpreted to mean funded projects, which are in turn often understood to mean infrastructure projects.** The range of interpretations of BDP creates all kinds of confusion on what it is that stakeholders are participating in.

The MRC presents itself in ways that might appear contradictory – as a knowledge-based institution, as a coordinator among government sectors, as a facilitator of water resource management, and also as a mobiliser of funds for development interventions. **It is difficult for the MRC to engage with stakeholders while also trying to balance apparently contradictory roles – between facilitator and funding mobiliser.**

This is all the more the case, when much of the intense debate in Cambodia is about development values and alternative development pathways – such as choices between maintaining a viable fishery and rural economies, and hydropower development; or between large-scale hydropower development and other energy options. If the MRC is seen as committed to a certain set of development values it is difficult to have the kind of open-ended dialogue that many of the civil society organisations are looking for.

There is however broad support for what the MRC could be – by playing a leading role in regional, basin wide planning. Many stakeholders have also commented on the important role the MRC has played in generating information. But as discussed there are also frustrations. In general all stakeholders are keen to engage with the MRC.



There are many opportunities for engaging with a very wide group of civil society stakeholders. **The NGO coordination mechanisms provide access to advice, information, and a relatively straightforward mechanism for identifying local stakeholders and relevant NGO projects.** This is also a mechanism for raising the profile of the MRC and of Mekong Basin IWRM challenges and issues. Such forums include – NGO Coordination Committee, IUCN MRWD, WWF Dry Forests, and the IDRC/CDRI/CBNRM-LI Development Research Forum.

The Technical Working Groups of various ministries provide additional opportunities for integrating the work of the MRC into the routine planning of the government, and also for ensuring coordination, sharing of information and technical advice.

There is broad agreement from the government and civil society side that while the institutional structure of the CNMC (comprising different government agencies) cannot be amended, membership of the Sub Area Working Groups can be expanded to include civil society representatives. **There is also agreement that the technical work of the MRC in Cambodia could also be opened up to some form of advisory group – that could be formalized – that would draw on expertise from research institutions and NGOs.**

It is important to acknowledge that there are potentially serious tensions that would need to be overcome. From the government side while there is a recognition of the potential value of stakeholder participation there is also apprehension that engagement will be confrontational and merely expose the government to criticism, that may or may not be justified. From the civil society perspective, there is apprehension that the space for participation will be so constrained as to deny opportunity for constructive engagement. **It is clear that many NGOs do not feel comfortable in a workshop environment in the presence of very senior government officials, and in such circumstances will not engage freely.**

These challenges need to be addressed. The first and most obvious step is for both sides to get to know each other better, and to understand their viewpoints and constraints. This kind of engagement should be relatively informal, and perhaps facilitated against a set of simple rules of engagement – such as, listening without criticizing, identifying points of agreement.

There was some discussion whether an independent host could be identified for holding a Mekong water forum. While this is being attempted under the

IUCN MRWD project, it is felt that another body could host such a process that could include small roundtable discussions, as well as larger events. CDRI has been identified as one possible host for such engagement.

**There is vast experience among civil society of working at the local level in participatory ways – undertaking analysis of challenges and identifying actions, building networks of resource users, linking them to local planning processes (Commune Councils etc).** This kind of capacity is of immense value to the MRC as it tries to introduce participatory approaches into its more technical work. The National League of Commune Councils and Sangkat (NLCS) could play a role in sharing information about the MRC’s work in Cambodia.

Within the NGO community, there is a wealth of experience and technical capacity of applying participatory approaches, and of developing networks of local people. These provide great opportunities to expand the level of stakeholder participation and reach grassroots levels in consultation and dialogue activities, and also in the more technical assessment work.

Technical Working Groups (TWGs) could provide a mechanism for coordination of activities, building on existing activities under different agencies, also a mechanism for identifying different activities in the Sub-Areas, and for sharing and disseminating information. The potential for establishing a TWG on IWRM should also be explored – but given that this process would inevitably take time this should not be an immediate priority.

## 5.4.2 Cambodia Opportunities – Willing, Able & Allowed

### 5.4.2.a. From MRC Perspective

<b>Willing</b>	<b>Able</b>	<b>Allowed</b>
Generally supportive of civil society participation in activities of BDP - but with the caveat that it should be constructive, and not too critical of the government.	Generally some familiarity with engaging with civil society in meetings and events, but not familiar with working collaboratively (e.g. in assessments)	The government approved structure of the National Working Groups does not allow for civil society membership
Tend to regard participation in terms of	Some good participatory experience	Establishing advisory body through existing networks would be possible – eg TWGs,

consultation	from other projects (e.g. ADB 4 P project)	CCC
Supportive of civil society providing some input as advisory body at national and Sub Area levels		

#### 5.4.2.b. From Civil Society Perspective

<b>Willing</b>	<b>Able</b>	<b>Allowed</b>
<p>Generally supportive of the notion of the MRC as being a neutral body able to coordinate national water resources management according to principles of sustainability and equity at a river basin scale</p> <p>General perception that the MRC has been relatively ineffective and is relatively weak player within the government system – but have high expectations of what the MRC could be</p> <p>Questions about the level of commitment to engage – when engaged previously, often been silent.</p> <p>Generally see the need for a neutral organization to generate scientifically credible</p>	<p>Civil society organizations have some very clear areas of skills and expertise</p> <p>Well established networks – among NGOs and academia, and supporting networks of local people</p> <p>Majority of organizations are not aware of the structures and functions of MRC, programmes and NMCs – and hold different interpretations of what the MRC is and should be.</p> <p>For many local organizations much of the technical work of MRC is not easily grasped. Engagement would therefore require some capacity building</p> <p>Increasingly engaging in multi-stakeholder</p>	<p>Policy and law – on IWRM, decentralization etc – clearly spell out space for stakeholder participation – but serious questions about application in practice</p> <p>Some political space to discuss controversial issues but nonetheless concerns about the accessibility of certain types of information, particularly regarding hydropower development, land concessions etc</p>

<p>information and facilitate dialogue</p> <p>Stakeholder participation that allows for poorer and marginalized groups to represent their interests is seen as a means and an end of good development</p> <p>Many organizations have very specific interests, with expertise in (participatory) research and facilitation – hydropower</p>	<p>dialogue, but not all civil society organizations have the same capacity to engage in and facilitate dialogue between different stakeholders</p>	
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## 5.5 Recommendations (Cambodia)

### 5.5.1 Improve understanding MRC and knowledge of stakeholders

The civil society organizations that have the clearest understanding of the MRC are those involved in advocacy. Yet even for these organizations, **there are many aspects of the MRC that are not clear, and many sources of confusion and misunderstanding.** For other organizations virtually nothing is known of the MRC. In order to be able to build relationships it is essential that the MRCS and CNMC improve communications – both informally and formally.

- The personal contact between CNMC and civil society could easily be improved. One possible option would be for CNMC to make informal presentations to explain the MRC, its structure, function and the operation of the programmes. Such presentations could be done with individual organisations or groups of organizations, or even through coordinating bodies. There are specific issues relating to BDP rather than the MRC as a whole, and it would be worth organising a special session on the BDP – that would include a review of BDP 1, and explanation of changes from BDP 1 to BDP 2.
- Preparation of communications materials in Khmer is a high priority. Many civil society organizations are able to present their material in English and Khmer and it would not involve too great a cost burden.

### 5.5.2 Expand membership of Sub-Area Working Groups

The suggestion to expand membership of the Sub-Area Working Groups arose in national roundtable discussions, and has the support of the CNMC and civil society representatives. There are a lot of different organizations active in each of the Sub-Areas. **It would be possible to expand membership based on general interests and also on thematic areas (e.g. irrigation, fisheries).**

Given the large number of potential organizations this would require substantial planning and consultation with support from MRCS, to define the scope and responsibilities.

Given the presence of the ADB involvement in Sub-Area 7C (the Sesan Basin) through the 4P project and the 3S Study, both of which are managed by the CNMC, targeting the 7C Sub-Area Working Group might be the logical place to start. In this way technical support could also be provided by the ADB and MRCS, with the engagement focused on issues of dialogue and participation. This would also provide a source of funding. Lessons learned from this experience could then be transferred to other Sub-Areas.

### 5.5.3 CNMC participate in existing forum, coordination mechanisms

The existing mechanisms for donor harmonization and NGO coordination provide good opportunities for the CNMC to raise the profile of their work, to seek technical advice and to build partnerships. Building a relationship through these existing mechanisms would not require the CNMC to make any significant institutional changes to its structure in the country but would have the additional benefit of bringing the MRC work in Cambodia more into line with other planning mechanisms.

For example, **the CNMC could target the TWGs on Fisheries, and on Agriculture and Irrigation.** These TWGs could ultimately take on a more structured role of providing technical advice.

**In order to improve linkages with Commune Councils the CNMC could also explore partnership with the National League of Commune Councils and Sangkat (NLCS) –** and at very least, use the NLCS as a communications mechanism for reaching out to Commune Councils in the Sub-Areas. The NGO Coordination mechanisms also provide means to improve communications, identify local stakeholders, and also seek technical advice, particularly on issues of social development, poverty reduction and participation.

An additional source of technical advice would be through the Development Research Forum (led by CDRI and CBNRM-LI) that already has an interest in issues related to water resource management and public participation. If organized the DRF could become the basis for a national research symposium related to issues of concern to the MRC.

#### **5.5.4 Establish a National Advisory Body in Cambodia**

The number of organizations involved in water related work means that establishing an advisory body in Cambodia has great potential. Many of the organizations discussed above, as well as those from the development community, would be potential members of such a body.

#### **5.5.5 Provide support for civil society to present concerns and recommendations to CNMC**

As well as the CNMC leading consultation efforts the CNMC could open space for civil society to present their interests and research findings more formally to the MRC. Such an event could be planned jointly but with input determined by each party.

#### **5.5.6 National Dialogue on Mekong**

There is considerable interest in developing a mechanism for national dialogue on water resource related issues including issues of land use change in the Mekong among all parties. **But it is also widely acknowledged that such a dialogue would need to be facilitated by a relatively neutral body and that the MRC should not take on this role.** This consultancy has not identified such an organization, but possible organizations might include CDRI or UNDP. This would need further consultation and considerable planning to ensure that the dialogue was able to address controversial issues but to do so in a spirit of constructive engagement.

Two key issues have emerged for such a national dialogue:

- i.) an examination of the feasibility of various energy supply and demand options for Cambodia
- ii.) an examination of hydropower development, fisheries and livelihoods

It is recommended that these two topics are targeted for such a dialogue and that this is scheduled for 2009.

## 6. LAO PDR

### 6.1 Introduction and Overview

Participation appears in national development discourse but within a particular framework – largely in terms of assisting the government carry out its mandate, and of assisting the government to reach a wider group of people.

There have been policy changes that create space for stakeholder participation. Recent policy changes have authorized the establishment of local associations – often focusing on awareness raising and education, in order to support implementation of government policy, and ensure greater reach of government initiatives in rural areas. But although the number of such associations is by all reports growing, **there appear to be far less than in the other Mekong countries.**

IWRM has a long history in Laos. **There has been a renewed drive to strengthen inter-sectoral coordination from within the government with the restructuring of water resources agencies, and the creation of the Water Resources and Environment Administration under the Prime Ministers Office.** However there is limited experience of implementing IWRM at the river basin level, and consequently limited experience of engaging stakeholders in the process of IWRM. The main target for developing IWRM is the Nam Ngum river basin given the pressing development challenges and importance of the basin's water resources for national development.

**The two main national development priorities in Laos are eradication of poverty and ensuring food security - and the promotion of hydropower to generate electricity for export and revenue for national development.** Balancing these two policy imperatives is a subject of increasingly keen discussion in Laos.

### 6.2 National Planning IWRM & Stakeholder Participation in Lao PDR

#### 6.2.1 Water Resources

There has been important progress in the development of water resource policy and planning in Lao PDR. Building on the Law on Water and Water Resources (1996) and an implementing Decree (2001), the Preparation of a National Water Sector Strategy and Action Plan (1998) and the Establishment of the Water Resources Coordination Committee (WRCC) in 1997 as an apex

body, the Government of the Lao PDR established the Water Resources and Environment Administration (WREA) under the Prime Minister's Office (PMO) in a move to improve coordination across different state agencies and sectoral interests, and to further the implementation of IWRM in Laos.

WREA now has responsibility for coordinating the water sector and for developing national water resource policy and strategy between 2008 and 2010, as an update to the Water Law of 1996. **Currently key policy directions for the water sector in the Lao PDR are the priorities given to improving agricultural productivity and reducing poverty, as well to developing hydropower as a means for generating revenue.**

WREA includes 6 departments:

- a Cabinet Office for the Minister;
- an Environment Department;
- the Department for Environmental Impact Assessment;
- Department for Water Resources;
- The Water Resources & Environment Institute;
- Department of Meteorology and Hydrology (DMH);
- Lao National Mekong Committee Secretariat (LNMCS).

The Lao National Mekong Committee (LNMC) has also been absorbed into the structure of WREA. The Minister of WREA is also the Chair of the LNMC. The responsibilities of the LNMC have changed towards a coordination function between the MRC and the divisions within WREA that have responsibility for areas of work related to MRC. The national BDP has been absorbed as a project under the Water Resources Management Division (under the Department of Water Resources) – with the area of work of the BDP, data gathering, scenario development and sub-area analysis incorporated – with the additional responsibility of supporting the planning for the establishment of RBOs in Laos. **In this way BDP is seen as having been absorbed into national planning within Laos.**

WREA operates with about 363 staffs (WERA, 2009) and 100 consultants and contractors (ADB 2007) limited technical capacity and high pressure on their skills, time and resources. As a result financial and technical support to WREA is being provided by the Asian Development Bank (ADB), World Bank and AusAID.



At provincial level WREA is being set up to take over the old functions of the Science, technology and Environment Agency (STEPA) and data collection operations of DMH, with a District unit of WREA to be established.

The structure of the Sub-Area Working Group at each of the provinces brings together the already established Provincial Planning and Investment Division and Provincial WREA representatives of each of the provinces in the Sub-Areas.

Under the Decree on Establishment of WREA, public participation occurs under several areas for example, in raising social awareness on water resources and conservation, and in providing awards to individuals or communities and organizations which have shown good performance for water resource and environment protection. The Decision on Establishment of Water Resources Department in Lao PDR (No: 1410/PMO-WREA ) from 2008 states responsibilities as including:

*Article 3.9 develop and implement consultation and participation mechanisms of all related parties and people in order to ensure justified and sustainable water resources utility and management*

Additionally Article 3.15 addresses how to deal with community complaints, while Article 3.18 promotes networks to exchange knowledge in IWRM.

## **6.2.2 Land Allocation**

Land allocation is recognized as the driving force behind food security and the eradication of poverty. Land allocations have framed the swidden agriculture that is synonymous to poverty alleviation, and is a key area that is important in the integration of land and water resources in IWRM model. According to Chamberlain et al (2002) and the Committee for Planning and Investment with the National Statistics Center, 72 poor districts were founded upon the Participatory Poverty Assessment. Areas highlighted as poor are largely ethnic groups and are classified as remote mountainous communities.

There was a study conducted for the MRC in 2006-2007 examining how villages in Lao PDR could participate in water resource decisions under IWRM framework. The findings showed that no participatory activities were found at a village level that involved IWRM institutions. In so doing, several questions remain by the civil society in Lao PDR regarding the MRC's vision of participation on how to outline the level and degree of public participation that meaningfully include these groups - and how MRC think it is

appropriate to integrate these groups and the land allocation issue into IWRM decision making framework?

### **6.2.3 River Basin Organizations**

The clearest example of experimentation in the establishment of a River Basin Organization (RBO) comes from the Nam Ngum basin. With support from ADB Nam Ngum River Basin Organization is something of a pilot RBO. The future development and establishment of RBOs will be led by the Water Resources Management Division. Therefore, with supported from ADB, the Nam Ngum River Basin Committee (NNRBC) was established by the Water Resources Management Division to coordinate and advise provincial governors on planning and management of water resources in the Nam Ngum Basin. Member of the committee are a representative from relevance government agencies at provincial, central and district levels.

### **6.2.4 The Irrigation Development**

While irrigation is still somewhat limited in Laos, there has been a dramatic expansion of land area under irrigation from 50,000 hectares in 1997 to 120,000 hectares in 2007 (DOI, 2008). Although concentrated in the central and southern part of the country, these efforts (along with agriculture research successes on rice varieties improvement) significantly contributed to increase rice production. In 2000 the GOL declared national rice self-sufficiency. However, there is still some food insecurity in some areas especially in the mountainous and remote areas. The government has largely invested in the construction of irrigation system. There was large participation from local communities. So an Irrigation Management Transfer policy and regulations were developed and applied. The Water Users Groups (WUGs) and Water User Associations (WUAs) were established in almost irrigation schemes.

Despite the impressive results in recent years, the production in irrigated areas has been somewhat decreased. There are questions related to the efficiency and effectiveness of irrigation performance. As a result the Ministry of Agriculture and Forestry has issued recently the Position paper with five Policy Directions with are for the irrigation strategy:

- Adopt the perception of irrigation as irrigated agriculture;
- Develop irrigated agriculture economic activities in irrigated agriculture focal areas, especially within the seven major plains and fourteen minor plains;

- Support the formation of farmer production and new form of agriculture cooperatives that operate under product value chains link to agro-industries and services;
- Study new model for public management that are adequate under new perception in irrigation development;
- Improve and develop laws and regulatory framework to support the new public management model under the new perception.

### **6.2.5 Area Based Planning**

Promoting an area based approach to watershed management has been a key policy of Ministry of Agriculture, Forestry and Fisheries (MAFF) in Laos. For MAFF, the current policy target is that by 2010 Integrated Watershed Management (IWM) will have been developed for all provinces and districts across the country. In 2004 eight pilots had been established.

### **6.2.6 National Nutrition Committee**

Addressing food security and nutrition remains a central policy objective of the GOL. Previously food issues were divided according to institutional lines – with food security the responsibility of Ministry of Agriculture and Forestry (MAF) and nutrition the responsibility of Ministry of Public Health. In October 2008 a National Nutrition Committee was established in order to ensure greater coordination between different state agencies responsible various dimensions of food production (including land and water resources) as well other agencies.

### **6.2.7 Participatory Poverty Assessment in Laos**

**A clear indication of the how participation appears in Laos can be seen from the history of Participatory Poverty Assessments (PPAs)** that began under donor and NGO initiatives in the late 1990s and that are now being absorbed into national policy and practice. (Notes based on interviews with Ms Phonevanh OUTHAVONG, Deputy DG of Committee for Planning and Investment, General Planning Department, Ministry of Planning and Investment)

The PPA approach was developed during the process of preparing the National Economic and Social Development Plan (2006-2010) in 2004 with financial and technical support from UNDP. With the approval of the National Growth and Poverty Eradication Strategy (NGPES) in 2003 the National Committee on Rural Development and Poverty Alleviation

(NCRDPA) was established, with the NGPES being merged into the National Economic and Social Development Board (NESDP) in 2006.

The GOL has identified 72 poor districts across the country according to criteria established under the NGPES that include food security and nutrition (measured as 2100 k/cal) (Ministry of Planning and Investment in 2003), and according to household monthly expenditure per person (at 2001 prices averaging as less than 85 000 kip/month or about 9 US\$/month at rate 9500kip/\$).

The PPA has been implemented as a pilot exercise since 2007. Under this pilot 68 *Kum baan* (sub-district) from 56 Core Districts of the 72 poor districts are being targeted. The selection of *kum baan* is based on guidance by District and Province.

The process is being led by the Department of Planning, working with the four key ministries of Education, Public Health, Agriculture and Transportation. This team from central government then works with a similar line agency structure at Province and District training teams in the PPA approach.

Currently the approach and manual that is being applied is being updated with the expectation that a unified manual will be approved by the Minister in 2009.

The PPA approach is applied to identify issues and solutions, generating project proposals that can be presented to District and Province for approval and either for financial support from existing funds, or to seek funding from donors and development partners. As such the PPA feeds into national efforts at donor harmonization and national ownership as stated in the Vientiane Declaration.

**Development planning in Lao PDR – working across national, provincial, district and village levels - has increasingly assigned responsibility to the provincial level to encourage bottom-up planning, establishing a planning linkage between Provinces, Districts and Villages.** Provinces are required to have their own 5 Year Strategic Plans as well as their own annual implementation plans and budgets. Under this structure Districts operate as the main planning unit, and Villages as main implementation unit. In this structure Village Chiefs (*nai ban*) operate as representatives of local interest. Along with these local institutional arrangements, **Mass Organizations have also been established by the state, including the Lao Women’s Union (LWU), the Lao Front for National Construction, and the Lao Youth Union.**

The Constitution of the Lao PDR affirms that the power of the state is of and for the people of all ethnicity, that citizens have the rights to make complaints and petitions.

**To some degree, villages are able to establish their own collective management regimes for natural resources with the support of Districts.** For example, community fisheries have been established in many parts of Laos, particularly the South, despite the absence of appropriate legislation. This has largely occurred with the support of international NGOs such as CESVI, WWF and IUCN.

### **6.3 Summary of Assignment in Lao PDR**

The assignment in Laos involved a series of interviews with government agencies, international NGOs with a long history of activity in Laos, both from the environmental conservation sector and the development sector, as well as limited interviews with local organizations. A national roundtable discussion was held for one day in Tha Lat, Vientiane Province bringing together the main government agencies that have been involved with the BDP process as well as one international NGO. Interviewees were conducted by the International Consultant, BDP Sociologist, and the Junior Riparian Professional.

#### **6.3.1 Summary of Lao civil society organizations**

*Summary of Lao civil society organizations are presented in Annex II (for internal use only).*

### **6.4 Discussion of Issues Arising from Stakeholder Analysis**

#### **6.4.1 Relationships, Perceptions and Expectations**

There is a limited number of civil society stakeholders operating in Laos. The vast majority are international NGOs, but there is also a growing number of local organizations that have been established recently. On the whole, the organisations that are well known to the MRC are those that have a strong water and environment focus – such as IUCN, WWF and IWMI. Generally there is not much of a link with the various NGOs involved in social development.

While there is some recognition of participation in national policy and planning, and some examples of how ‘participation’ of resources users and

local people has been addressed (e.g. in PPAs, Community Fisheries etc) some interviewees suggested that **the full potential of effective participation is not broadly recognised across all state agencies.**

Promoting participation and strengthening the capacity of local grassroots organizations and resources users are key areas of support for INGOs from various sectors – whether environment, food security or health. These organizations have capacity in participatory approaches and their own networks of local resource users, and are therefore able to act as facilitators for local consultation and assessment.

### **Hydropower is at the heart of water resource management debated in Laos.**

For some government stakeholders, such as Ministry of Industry, Mine and Energy (MIME), stakeholder participation is seen from this perspective in terms of how to ensure the rapid implementation of planned hydropower projects. **Yet there are also concerns that hydropower, along with mining and logging, have potential social and environmental impacts that need to be assessed,** and a perception that the Lao government is struggling to manage the rapid expansion of these kinds of development.

Among both government and civil society stakeholders, there are concerns about how to address the potential negative social and environmental impacts of current regional and national development, and issues of long-term sustainability, and inequality. **Food security is one of the main priorities of many stakeholders, and is seen as being intimately linked to natural resource management.**

The very high dependence of Lao people on natural resources means that these issues have a high profile social development dimension, and many of these organizations include a natural resource management component in their projects. This often includes issues such as watershed management, irrigation, fisheries and non-timber forest products (NTFPs). **Research over many years has highlighted how natural resources degradation, including loss of access to productive natural resources, is a contributory factor to people's poverty and vulnerability.** Such degradation is clearly associated with land concessions, changes in land use, and a legal system that is increasingly stretched.

In Laos, perhaps more than the other countries, is a sense of frustration with the BDP. Expectations of BDP 1 were that the programme would provide a vehicle for the government to access funding to implement projects identified under the BDP long-list and short-list. It is now recognized that this is not the

function of BDP but there appears to be some lingering disappointment from the side of government line agencies.

**From government stakeholders there was a clear expectation that BDP 1 would identify sources of funding for short-listed projects and the failure to do so is seen as a failure of the BDP.** While it is known that the role of MRC and BDP has changed and is no longer that of an investment facilitator (as previously asserted) there is certainly some expectation that it should be.

**The changing institutional structure around water resources with the creation of WREA and the implications for the LNMC is not well understood.** While the LNMC has certainly been active within the water sector its presence is less visible in the broader development community. There are clear opportunities for improving the profile of the MRC/LNMC and strengthening linkages with a variety of organisations.

There are several initiatives going on in Laos that would be useful for LNMC. The work of WWF in Sekong is closely associated with establishing networks of community resources users across a river basin scale, and as such provides a testing ground for building some kind of river basin forum, that could be an opportunity for stakeholder participation and even a precursor to a river basin management institution. Although in its early stages, the IUCN Mekong Region Water Dialogues programme (MRWD) could provide an opportunity for the LNMC to engage with a range of stakeholders and again, better present itself.

## 6.4.2 Lao Opportunities – Willing, Able & Allowed

### 6.4.2.a. From MRC Perspective

Willing	Able	Allowed
The main emphasis so far has been on coordination with government agencies.	Limited number of staff within WREA and LNMC	State policy emphasizes the need for bottom up planning from the village through to the District and up. It is supportive of some degree of stakeholder participation.
Growing recognition of the potential value of broader stakeholder participation and engagement with NGOs	New institutional arrangements are stretching the existing institutions	But there are institutional challenges
	Mostly technical expertise – less	

Some interviewees commented that the BDP provides an opportunity to demonstrate the value of stakeholder participation to planning processes with other government agencies	experience in participatory approaches	to organizing public forum
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#### 6.4.2.b. From Civil Society Perspective

<b>Willing</b>	<b>Able</b>	<b>Allowed</b>
Civil society keen to see the MRC play a role as a source of data, information and advice, and to be proactive in facilitating debate about water resources	Substantial expertise in participatory approaches related to dimensions of poverty, and also to natural resource management (viz forests and fisheries)	NGOs have an established relationship with government agencies and provincial authorities – and a clear role to play in supporting the government to meet its development targets
Two main areas of interest are in poverty reduction, as well as water resources	Limited technical expertise related to IWRM and river basin approaches	Technical support to the government is encouraged
Interest in advisory roles and establishing think tank around poverty and water	The need to bring in a balance of different stakeholder representatives – for example, from local organizations, academia, the monkhood	

### 6.5 Recommendations (Lao PDR)

The role of the MRC needs to be clarified for stakeholders to be better placed to understand the opportunities and potential value of more engagement



with the MRC. Several issues were raised during the stakeholder analysis to which the MRC needs to respond:

### **6.5.1 Improving understanding of MRC, LNMC and BDP**

- From government partners there is a continuing confusion around BDP's role, and whether the BDP 2 will be a vehicle for identifying donor funding for projects. Following from this, is a clear request for a review of BDP 1 – to identify the level of support to short-list projects.
- BDP will need to clarify its role in relation to this expectation and to develop effective communications tools to represent itself.
- There is a clear need for more regular, semi-formal engagement with a broader group of stakeholders in order to discuss expectations and identify potential opportunities. It is recommended that this process starts with some of the organizations identified in this assessment.
- LNMC and BDP need to address communications as a priority. There is an additional requirement in Laos to ensure that documents are translated and presented in ways that will be easily understandable.
- LNMC needs to develop its own data-base (as a contribution to the MRCS/BDP database). Information on NGO and donor funded projects is easily accessible from INGO networks, and also from provincial levels. Such a database would allow LNMC to identify additional stakeholders and partners.

### **6.5.2 Building relations with existing government and INGO Networks**

- The BDP should take advantage of the INGO Working Groups as potential sources of information, technical advice and linkages to local stakeholders. It is recommended that BDP arranges a series of informal discussions to be followed by formal presentation of BDP to the members of the Working Groups. An additional subject of discussion should be the potential for establishing an INGO Working Group on Water Resources and Livelihoods (see below).
- The BDP should engage with government working groups and committees, and present its own work as part of the regular government system. In particular activities such as updating the Sub-Area profiles and conducting assessments of potential impacts of water resources infrastructure development should be linked to ongoing government-led assessment efforts, such as the PPAs.

- The BDP should discuss how the PPA methods and approaches can be adopted within the PIP for 2009 – both as a means to generate high quality information, and as a mechanism for greater local stakeholder participation.

### **6.5.3 National IWRM Working Group to be established – with links to NGOs**

**All stakeholders – government, NGO and academic – expressed enthusiasm for establishing a National Working Group that would address IWRM and poverty reduction/sustainable livelihoods.** There are several existing mechanisms that would allow for such a working group – for example, taking advantage of the ways of working of the INGO Network’s Working Group approach. This should allow for full participation of a range of stakeholders and to build linkages with those outside the immediate IWRM sector. While the duties, roles and responsibilities would need to be discussed and agreed among the members, it is recommended that the WG should be a body that among other responsibilities could provide technical advice to the National Working Groups, provide up to date information and analysis, provide technical assistance, coordinate input from member organizations into BDP field activities, and provide a mechanism for facilitating multi-stakeholder dialogue.

Linkages between water, land and poverty – therefore clear opportunities to link with existing NGO Working Groups.

#### **6.5.3.a. Sub-Area Advisory Group**

In each of the Lao Sub-Areas there are a number of organizations and project that are active, and that could provide valuable input to the assessment work and the consultation process. Inventories of such projects can be found at the INGO Network, as well as with provincial and district authorities. An initial step would be to identify these projects and prepare an LNMC database, and then to begin discussions regarding their interest in engaging with the Sub-Area level work, and how such organizations might be able to contribute to the LNMC.

#### **6.5.3.b. Strategic Planning with key stakeholders**

**Several projects in Laos provide an opportunity for BDP to link with local groups of resources users –** such as community fisheries (e.g. WWF Sekong and Attapeu, JVC, ACF), Village Health Volunteer Networks and WATSAN Committees (Health Unlimited), and to utilize capacity of local people in

conducting participatory assessments and planning exercises (e.g. Concern). This would require specific planning sessions to identify areas of shared interest and where appropriate, joint work plans.

#### **6.5.3.c. Pilot projects**

The need to develop capacities and skills through practicing stakeholder participation came up as a clear recommendation from the national roundtable meeting. There are several options to address this recommendation. One approach would be to piggy-back on currently funded projects – for example, the ADB funded 3S study (promoting consultative workshops and river basin visioning in Sekong, Sesan and Srepok river basins in partnership with the CNMC and VNMC) would provide one possible testing ground. An additional testing ground, might be with the WWF Sekong Basin project. Another approach would be to develop a project proposal under which the LNMC would lead the testing of stakeholder participation. Such a proposal could indeed be developed out of experience piloting stakeholder participation within the framework of existing projects.

## 7. THAILAND

### 7.1 Introduction and Overview

Civil society in Thailand is highly active, with a high degree of engagement in national water resources, environment and social development, and also an active regional profile.

Public participation is very much on the state agenda with strong supporting policy and institutions – but of course, intense scrutiny and criticism of the effectiveness of such participation.

**Thailand also has a 20-year history of promoting IWRM and the establishment of river basin organizations.** Stakeholder participation is a requirement of these organizations. However, progress on establishment of effective river basin organizations has been mixed, and the capacity and commitment of the state often questioned. But this has also been acknowledged by the state, and there are moves to further strengthen stakeholder participation, particularly within the establishment of RBCs.

As well as the policy drive towards IWRM, Thailand has undergone a major bureaucratic reform and decentralization process. Local elected institutions at Sub-district level now have the responsibility and budgets for local resources management and local development, again with a requirement for effective stakeholder participation.

**Although there continue to be concerns and criticisms as to the effectiveness of stakeholder participation in practice, recent reviews suggest that it is in the area of stakeholder participation that there has been greatest progress with these organizations.**

Within Thailand, there is also a huge number of individual organizations – grassroots groups, local associations, networks of resource users and NGOs. Many of these groups are experienced and well organized. Many of these have strong regional and international networks.

These groups are very diverse – from advocacy groups that are reluctant to engage with the MRC, to other organizations who although critical of the MRC do engage, and see the MRC as an important forum for regional debate.

The role of Thai civil society is also significant for its involvement in regional issues, and its support to emerging civil society in the neighbouring countries.

**As a source of investment and also as a market for hydropower development, Thailand is likely to be an influential player within the region.**

Although the Mekong Basin in Thailand covers an area with a reasonably high population, the Mekong is not as prominent an issue in national policy debates as in other countries (viz Lao PDR and Cambodia). The MRC and the TNMC's mandate is thus rather limited within Thailand, and thus its visibility is also rather limited. However at the local level, through BDP 1 activities MRC is reasonably well known among a range of stakeholders, yet the understanding of the BDP itself is still rather limited, and in some cases unclear.

The TNMC has been able to work with local NGOs and river basin committees and through these organizations reach a wide audience. For those organizations working within the Thai Mekong, the TNMC is regarded as an important government stakeholder among a wide number of government agencies with water-related responsibilities, and thus the TNMC is involved in a wide range of activities led by civil society, as well as the activities it leads itself. The TNMC often plays a role of supporting linkages and exchange between these civil society led initiatives within Thailand and across the region.

## **7.2 Summary of Assignment in Thailand**

The stakeholder assessment in Thailand addressed regional organizations and issues, as well as specifically Thai issues. The assessment began with participation in the regional civil society meeting organized at Chulalongkorn University in late 2008 that brought together NGO representatives from all Mekong countries, as well as representatives of the Thai government and the MRCS.

Many of the civil society organizations active on Mekong issues are well-known to the MRC, having participated in various meetings and events, and having also been involved in raising issues of concern directly with the MRC. As well as conducting interviews (both face-to-face and on the telephone) with these organizations, additional effort was directed towards identifying new, less familiar organizations.

A national round table discussion was held in Bangkok that brought together the TNMC, central government line agencies, and a small number of representatives of river basin committees, and representatives of NGOs and grassroots organizations. This discussion allowed for a review of experience

in the other countries and to consider the progress on stakeholder participation in the context of IWRM in Thailand, and the future potential.

### **7.2.1 Summary of Thai civil society organizations**

*Summary of Thai civil society organization are presented in Summary of Thai key civil society organizations are presented in Annex III (for internal use).*

## **7.3 National Planning IWRM & Stakeholder Participation in Thailand**

### **7.3.1 National Planning**

The main strategic planning mechanism for Thailand is the National Economic and Social Development Plan (NESDP) that is prepared every five years by the National Economic and Social Development Board (NESDB). For several rounds of planning the NESDPs have recognized the importance of public participation and also the management and conservation of natural resources including water, forests and fisheries.

The most dramatic reform of the national planning process came about in the 2002 Bureaucratic Reform Act which affirmed the central role of elected sub-district organizations, the Tambon Administration Organization (TAO) as being responsible for local level development and natural resource management. Much of the central budget is now directed to the TAO with the line agencies at district and province now required to provide technical assistance in the implementation of TAO development plans. **The TAOs are thus the main planning mechanism at the local level and the main formal institution for local participation in planning processes.**

While TAOs have the responsibility for local development and natural resource management, much of the investment to date has been on local infrastructure – such as local roads, schools etc, rather than in social development or natural resource management. However, there is growing evidence that this trend is changing with many TAO increasingly engaging in broader local development.

### **7.3.2 Constitution of Kingdom of Thailand and Public Participation**

Public participation is affirmed in the 1997 Constitution and reaffirmed in the 2007 Constitution – specifically defines the rights of local communities to participate in preservation and exploitation of natural resources and participate in decision making processes, as well as the rights of individuals

to access information, and to form associations. **The concept of public participation is now central to national policy across the sectors, and is readily articulated by government agents at all levels as a key requirement of state policy and practice.** However, the interpretation and application of concepts of participation vary considerably.

There is also a wide range of civil society institutions active in Thailand. These cover a wide range of interests and include for example, local associations, organic farmers groups and networks, charitable organizations, community radio stations, and networks of schoolchildren involved biodiversity monitoring. Academic institutions, whether national or provincial, are also active – particularly in the areas of Thailand that fall under the Lower Mekong Basin.

### 7.3.3 Water Resources

The development of IWRM has a long history in Thailand. In 1999 a process of multi-stakeholder dialogues, seminars and workshops involve state agencies, NGOs, academics and water users groups produced the National Water Vision (Apichart undated), translated into a nine-point policy programme during further multi-stakeholder dialogue in 2000, that was then endorsed by the government in National Water Policy October 2000 (Apichart undated). In 2001 with Cabinet approval, the DWR selected 29 sub-basins (of these 25 major basins) as pilot projects for development of IWRM plans and for their implementation. By 2007, these 29 RBCs were established (DWR 2007), with the organizational structure of these RBCs changing to accommodate greater grassroots participation. **The extent to which these RBCs have completed plans is not clear, but the RBC planning process is intended to involve stakeholders in the preparation, identifying needs, problems and suggested solutions.** In order to rationalize these RBCs and improve stakeholder participation the DWR is now reducing the number of RBCs in major basins to 25 by combining upper and lower RBCs within the larger basins (e.g. Ping River Basin).

In addition to these larger scale river basins, 254 sub-basins have been identified, with Sub-Basin Committees now being established. For observers there are also questions as to the degree of meaningful participation at river basin level, and in the development and implementation of large infrastructure projects (Hirsch and Morck Jensen 2006). Recent reviews undertaken with supervision of TNMC and DWR conclude that there is a need to improve stakeholder participation in RBCs and increasing the proportion of civil society representatives within RBCs.

The establishment of RBCs in Thailand has continued despite not having finalized a water law. The National Water Law is currently being drafted and is said to be ready to be presented for approval shortly. The drafting was required to follow a process of multi-stakeholder dialogues and public participation. Under the auspices of the IWRM SEA Project a number of dialogues, meetings, trainings and workshops have been held with a DWR Working Group and a range of other stakeholders engaged.

The National Water Resources Committee operates as the apex body and involves a range of state representatives, academics, representatives from river basin committees, as well as NGOs. It is seen by some as a good example of a participatory multi-stakeholder process in developing national IWRM strategy and has increasingly taken on board earlier criticisms (e.g. WaterAid 2005) by opening further stakeholder participation. While widely acknowledged as having played a key role in the early history of pushing for an integrated approach to water policy, questions have been raised as to the extent to which participation of civil society allows for debate of major conceptual issues, and for the framing of issues to be debated, and the conclusions that are drawn (WaterAid 2005). Universities have been actively involved in this process. At the national level the universities of Mahidol and Thammasart are involved, while in the region, Khon Kaen and Mahasarakham have been active in water resource issues, with Khon Kaen University offering training in IWRM.

**Wetland conservation and management has also been a high profile issue in Thailand.** While formally state responsibilities for wetlands conservation and management lie under the jurisdiction of MONRE and Office of Natural Resources and Environmental Policy and Planning (ONEP), there are also a number of NGOs and universities involved in wetland management. The national strategy for wetland management places improved public participation as its main objective. Significantly in Thailand, which ratified Ramsar in 1997, has established a National Wetlands Committee – under ONEP also involves civil society representatives. Ramsar Convention has also adopted an approach to wetlands conservation and sustainable use based around a river-basin approach, thus bringing wetlands more in line with IWRM approaches.

#### **7.3.4 Civil Society**

There is a great diversity of civil society organizations directly engaging in water related issues in Thailand that represent a wide range of interests and constituencies. Many local grassroots organizations are active in promoting IWRM principles – and with a strong linkage with the TNMC – for example,



in Houay Sam Mor, Nam Poong, Songkhla Lake, Bang Pakong, Ping river basins.

For example the Thailand Water Resources Association represents an effort to establish a multi-stakeholder forum that involves representatives from state agencies, river basin organizations and NGOs in advocating for the adoption of a national water law.

Under the 1997 Constitution the legal process for establishing local non-governmental institutions or associations, was simplified allowing District Chiefs to approve registration. This has spurred the growth of a wide range of local institutions, with many dedicated specifically to water resources, river basin, wetland and environmental concerns.

Given its geographical location, Bangkok is home to the regional offices of many international organizations including UN agencies (UNDP, UNEP, UNESCAP, FAO) as well as some of the larger international NGOs (Oxfam, CARE US, ActionAid, IUCN). A number of media based organizations are also located in Thailand.

Thailand is also home to many of the private sector companies and consultancy firms involved in infrastructure development, providing technical advice (on areas such as EIAs etc).

## **7.4 Discussion of Issues Arising from Stakeholder Analysis**

### **7.4.1 Relationships, Perceptions and Expectations**

Stakeholder participation is already established as a high priority for government agencies in Thailand that is expected to be reflected in all areas of work. **Much of the experience on stakeholder participation has come from the water and natural resource sectors, and there is a long history of developing participatory mechanisms for water resource management.** These are being further strengthened and there are many good examples of local initiatives, and of working with the TNMC and other government agencies. There is a frequently stated confidence in civil society being able to lead dialogue processes themselves.

Policy and legal commitments towards stakeholder participation in Thailand grew out of previous conflict between state, NGOs and local people, largely around state-led infrastructure development projects. **Stakeholder participation is seen as necessary in order to *'reach consensus and avoid***

*further conflict*'. **Conflict over hydropower projects has a long history in Thailand and has spurred many local groups to action over the last 30 years.**

Development of mainstream dams remains an issue of great concern, and dominated much of the discussion in Thailand. The proposed dam in Ban Kum is the most prominent of the planned dams. Many stakeholders raised the issues of lack of information, no agency accountable – raises serious questions about the quality of stakeholder participation in Thailand.

There is concern that despite policy commitments to participation in Thailand the information on mainstream dams involving Thailand are not in the public domain. That the MRC is not able to provide such information raises doubts about the degree of recognition and influence the MRC has, or about its own transparency and integrity.

Civil society organizations in Thailand are highly critical of matters of process regarding participation. **Civil society reluctant to participate in a 'rubber stamping' process – and are suspicious of engaging in a process in which the objectives are not clear, or when basic information is not available or not acceptable.**

With such high expectations from Thai civil society, it is perhaps not surprising that several interviewees commented that the MRC still has not established a strong relationship with civil society. But equally there is a high degree of participation from many NGOs and local grassroots organizations in many of the MRC activities in Thailand, including in the Sub-Area Working Groups and public consultations. These include some of the more radical NGOs and many of these have participated in regional MRC events at the invitation of the TNMC. The TNMC has also established strong links with emerging RBCs. These are interesting examples of the process by which stakeholder participation can contribute to improved river basin management, and the role that civil society can play in developing good practice for the state to follow.

**The MRC is relatively well known in Thailand but expectations of what the MRC should be differ greatly.** Many stakeholders expect a great deal from the MRC and have expressed disappointment that it has not be able to deliver, and that the MRC has not been able to be more proactive in leading regional development according to objectives of sustainability and equity. While the TNMC is active in many fields, the BDP is still not well understood by all stakeholders.

There are several areas of criticism of the MRC that need to be considered. The first of these relates to the availability, accessibility and acceptability of MRC data and information. All stakeholders raised similar concerns – that while the MRC has generated important and useful information in many cases, much of the information within the MRC is not accessible. This recently came to the fore in the case of the flooding of Northern Thailand towards the end of 2008. This case also exemplifies the difficulties the MRC faces in addressing its own institutional constraints in terms of information dissemination, while meeting the expectations and maintaining relationships with civil society organizations.

The perceived lack of expertise on social development and participation within the MRC also led to suggestions for establishing a special unit within MRC on social and stakeholder participation. Yet at the same time, experience working in the Sub Areas and working directly with RBCs and civil society organizations illustrates that there is a broad base of experience within the TNMC itself. For example, the recent review of RBCs and the regional symposium organised by the TNMC and DWR again demonstrate the ability to conduct critical research and bring together a broad body of civil society actors.

During the national roundtable, there were many suggestions regarding the BDP itself. As has been mentioned, the BDP is not well understood, even by some stakeholders that have been involved in BDP 1. This is also partly a matter of different expectations of what the MRC should be. In Thailand there is less interest either from the state or civil society in the MRC playing a role in mobilizing funding – as funding is less of a concern for Thailand. **There is far more interest in the MRC playing a leading role at the Mekong Basin level of promoting an IWRM approach to planning which for many stakeholders in Thailand amounts to establishing shared visions of future development among different stakeholders.** There is far less interest in the BDP as a plan of projects to be funded.

There has been a clear call for the MRC to accept its past mistakes. Many interviewees remarked that the MRC has failed to deliver, that people are still poor and the MRC has little to contribute to what can be done.

There is a clear belief among Thai civil society that bringing local people, NGOs and grassroots organizations into the development planning process allows for improved development. **Even state representatives admitted that their agencies own mistakes of the past are largely due to not knowing enough about local circumstances, not listening to people and not taking their recommendations on board.** From this perspective, stakeholder

participation is not just a matter of principle, but essential for effective development.

The strength of local civil society organisations in Thailand is such that there is confidence among state and CSO representatives that they are quite capable of organizing their own forum, and that it is not necessary or desirable for the MRC to take the lead. But it is also recognized that there is some value in a relatively neutral organization taking on the facilitator role – such as a UN agency, or perhaps Thailand Environment Institute (TEI), National Human Right Committee (NHRC) or Thai university.

A specific request is for the MRC and BDP to make its information available for Thai stakeholders to use in their own existing planning processes. NGO networks would be able to disseminate this kind of information for the BDP and provide critical feedback.

Representatives at the national roundtable in Thailand made a clear recommendation for some kind of forum at the regional level for civil society, that should be independent of the MRC working according to its own agenda, but able to contribute to the highest governance levels of the MRC.

## 7.4.2 Thailand Opportunities – Willing, Able & Allowed

### 7.4.2.a. From MRC perspective

<b>Willing</b>	<b>Able</b>	<b>Allowed</b>
Recognise the value of stakeholder participation and keen to see improvements	Considerable experience within the TNMC of stakeholder participation for many years	Thai policy and legislation clearly requires a high degree of stakeholder participation in all aspects of local development, and at all stages of project development
Promoting an open-ended dialogue	TNMC is engaged in numerous Initiatives	No institutional constraints but no specific funding available under current budgets
Willing to support	But still some issues of limited technical capacity across the institution	

### 7.4.2b. Civil society perspective

Willing	Able	Allowed
<p>Civil society in Thailand can be seen to represent two positions – i.) willing to engage with MRC when the process is led by civil society; ii.) prepared to engage, but to do so while safeguarding their right to be critical if necessary</p> <p>History of involvement with Mekong issues, and ‘engagement’ with MRC and other actors – often from an advocacy position, and hence openly critical</p> <p>Many strongly held perceptions about the MRC among many civil society organisations</p> <p>NGOs want to be involved in joint studies and assessments</p> <p>NGOs want to be involved in capacity building and training activities on IWRM</p>	<p>Many civil society organizations have strong technical capacity in a wide range of fields, and thus provide a potential resource for the MRC.</p> <p>Significant capacity in social development and public participation.</p> <p>Grassroots organizations have a clear role for engaging in local development matters, but often less technical capacity. This can mean that there is more space for confusion. In order to engage at this level there is a clear need for strategic communications efforts and awareness raising.</p>	<p>Strongest institutional requirement for stakeholder participation.</p> <p>Where there are blockages at this level largely in terms of the financial resources that would allow grassroots organizations to engage in a regular and sustained manner with the MRC. This might require the MRC to provide some financial support for civil society organizations to manage themselves.</p>

### 7.5 Recommendations (Thailand)

There is already a great deal of activity in Thailand on Mekong and water resource issues. On the whole, the TNMC is actively involved in most of these

efforts, and plays a lead role in several itself. Yet there are many challenges in Thailand. Civil society has a prominent established role and high expectations of the MRC in terms of participation and accountability, with regional as well as national interests. On the other hand **there are also great opportunities for the TNMC and for the MRC to work to address regional issues through Thailand, while also being sensitive to national interests of the other MRC countries.**

MRC stakeholder participation in Thailand needs to be address all levels of participation – from information sharing and consultation to the more strategic and technical levels.

### **7.5.1 Relationship Building, Communications**

There have been tensions and difficulties between the MRC and civil society in Thailand but these are not insurmountable.

Despite efforts at communications and relationship building knowledge about the MRC and the programmes needs to be improved. **The BDP needs to be able to present itself more clearly, and to be seen to be a programme that is responsive to interests of civil society partners in Thailand.** But with a highly active civil society perhaps the greatest challenge facing the MRC in Thailand is to convince stakeholders that the MRC has something to provide that is worthwhile.

### **7.5.2 Engagement with Existing Initiatives**

TNMC is already well represented in a number of existing initiatives – e.g. TEI National Water Dialogues, and participates in events led by FER/TERRA.

There are clear opportunities for partnership around specific projects and activities that are being led by NGOs, that BDP could become involved in more proactively.

### **7.5.3 Dialogue and Consultation**

A number of organizations could assist in all of these dialogue and consultation activities including – the regional UN bodies (UNESCAP, UNDP and UNEP), universities, NHRC and organizations such as TEI.

### **7.5.4 Civil Society led Opportunities**

The TNMC and civil society organizations are equally confident that stakeholder participation and consultation can be led by local stakeholders themselves, and that there is no need for TNMC and MRCS to be in the lead role. By giving civil society this kind of space the MRC would gain credibility but there would still be an expectation that by doing so, the MRC would take on board the concerns of civil society and become more proactive.

### **7.5.5 Public Consultation and Dialogue**

The legal requirements for public consultation are clear in Thailand. It can be expected that over the coming year, interest in Mekong water resources issues particularly regarding mainstream dams will intensify. The lack of available information on dam development in Thailand and on Thailand's role in the region is a raw issue that the MRC will certainly need to address. In many ways, the MRC's credibility is on the line and it will be judged by how it performs in Thailand. It is expected that the TNMC will be able to coordinate with government agencies, even though currently there is a great deal of confusion as to the relative roles and responsibilities of government agencies regarding mainstream dam development.

Public consultation on these kinds of issues will happen with or without the BDP but it is important that these events are properly prepared, with good information available in advance, and with participants fully aware of the process in which they are involved.

### **7.5.6 Advisory Bodies**

A number of options for Advisory Bodies have been discussed during the consultancy. These could be established to provide general advice across the board to the MRC, or based on specific MRC programmes. The management of these bodies could also be independent of the MRC. But ultimately their effectiveness and value will be seen in the extent to which the MRC is accountable and responsive.

**There is a clear recommendation for a Technical Advisory Body on Social Development & Stakeholder Participation to be established in Thailand.**

These are areas that are of paramount importance in Thailand, and areas that all parties recognize need strengthening. The question for the MRC will be whether such a body should be established exclusively for Thailand, or whether it should be established at the regional level and/or within each of the MRC countries.

### **7.5.7 People's MRC**

The potential for establishing a civil society-led MRC is strongest in Thailand, with the TNMC and many organizations recommending such a move themselves. Already several Mekong based networks are active – and while many of the individual members are active in several of the networks, there is still not one mechanism for bringing all the actors together. For such a mechanism to have influence with the state and the MRC itself, there needs to be good representation from a broad base of stakeholders.

The MRC could certainly play a role in facilitating the dialogue between the likely organizers, but the full organization will need to be led by civil society organizations themselves. The main attraction will lie in the MRC opening up an avenue to senior decision making and senior level strategic planning.

### **7.5.8 Regional Visioning Exercises**

The expectation of civil society in Thailand is that there is greater stakeholder participation in shaping the long-term vision of the Mekong. Rather than engaging in dialogues on specific projects –at the impact assessment stage when there are already likely to be entrenched views and tensions between stakeholder – the interest is in more focus on strategic visioning for river basins, (eg Chi, Mun and Mekong), and at examining issues such as regional energy development options. Again, by leading such exercises, or at least playing a prominent role, the MRC will be able to enhance its profile and credibility.



## 8. VIET NAM

### 8.1 Introduction and Overview

Viet Nam has a long history of promoting IWRM. However challenges remain both in terms of the national policy and institutional context, and also in terms of establishing effective river basin institutions. Initially 3 river basin committees were established in the country (for the Mekong (Cuu Long), the Dong Nai and Red (Thai Binh) but their performance has been subject to some critical scrutiny recently (see Molle and Hoanh 2008). Coordination between government agencies, particularly between MONRE and MARD has also been a longstanding issue and is now being addressed in revised strategies on river basin management. This has resulted in clearer roles and functions of river basin and water resources management. Viet Nam also have decree on river basin management, revised law on water resources, strategy on water resources management. Despite the facts, the process of establishing IWRM in Viet Nam is thus very much ongoing. The Viet Nam National Mekong Committee can be considered as a River Basin Committee in the country. Besides, there are also other forms of river basin committees in Viet Nam: river basin council, river basin planning management committee, river basin environment committee.

Viet Nam is changing in regards to stakeholder participation beyond the water sector. As well as **a large number of academic institutions and research centres, and International NGOs that have been active in the country for at least a decade, there is a relatively new phenomenon of local NGOs and grassroots organizations.**

Civil society is emerging in Viet Nam, with new local organizations being formed within the last three years. These organizations are not well known within the MRC and it was only possible to hold interviews with two of these new organisations during this mission. But they represent an important group of stakeholders – politically astute to be able to engage with a broad range of stakeholders and facilitate dialogue, and technical capable, being involved in a range of research efforts. They tend to have good regional and international networks, and good relations with international donors.

Given the relatively small number of Vietnamese organizations – whether NGOs or academic institutions – they tend to be well connected to local stakeholders, as well as regional and international partners. As such they are well-placed to support more extensive stakeholder participation whether in consultation or assessment. Many of these organizations have direct

experience facilitating stakeholder dialogues and providing input into policy making processes.

An important mechanism for exploring greater degree of stakeholder participation from civil society is to be found in the coordination mechanisms that donors and INGOs have established. INGOs are well established in Viet Nam working closely with government agencies at different levels, and working closely with international donors. There are a number of important coordination mechanisms that have been established to assist coordination of NGO efforts, to provide insight and advice to policy-making processes, and to support donor harmonization efforts.

**Equally there are a number of government-led coordination mechanisms that bring government agencies, NGOs and international donors to ensure more effective aid delivery, and to provide information generation opportunities around specific issues of interest.**

VNMC has very strong links with some key well respected Vietnamese academic and research institutions, able to draw on a range of technical experience and influence. But the experience of engaging directly with a broad range of NGO stakeholders is rather limited, despite a clearly stated enthusiasm to do so.

**One of the challenges facing the VNMC is that many of the key local actors are based in the Mekong Delta or the Central Highlands and were largely inaccessible during this assignment.**

## **8.2 Summary of Assignment in Viet Nam**

The main emphasis on the analysis in Viet Nam was on identifying new potential ways of working, and broadening the possibility of partners for the MRC. The stakeholder analysis in Viet Nam involved a limited number of direct interviewees over one week, specifically targeting the kinds of stakeholders that have had only limited engagement with the MRC. These included new local organizations and also representatives of the development NGO community. A national roundtable was also held for the main government members of the VNMC, as well as some of the main partners from academia and research institutes, as well as representatives of INGOs. It is clearly acknowledged that the team was not able to engage with the large number of organizations active in Viet Nam and the large number of organizations that have collaborated in different ways with the VNMC.

### **8.2.1 Summary of Viet Nam civil society organizations**

*Summary of Viet Nam civil society organization are presented in Annex IV (for internal use only).*

## **8.3 National Planning IWRM & Stakeholder Participation in Viet Nam**

### **8.3.1 National Development Planning**

The main national planning mechanisms are socio-economic and sector development plans (Poppe 2004). The Central government identifies visions and strategies over a 10-year period (for example from 2001-2010). This strategic direction is the basis for the Ministry of Planning along with line ministries and provincial agencies to develop a Ten Year National Socio-economic Development Plan, from which line ministries develop their own Ten Year Sectoral Development Plan. These Ten Year master plans are the basis for Five Year Socio-economic Development Plans - which is a medium term plan prepared by the line ministries and the provinces, for achieving the strategic objectives of the Ten Year Master Plan. Districts also prepare their plans on socio-economic development in compliance with the provincial plans. The Provincial Department for Planning and Investment is in charge of facilitating this process of local planning.

At the local level, the Provincial People's Committee (PPC) is the central planning and implementation unit. The PPC is responsible for provincial development planning and ensuring coordination between the line agencies. Under this provincial planning framework districts prepare their own annual work plans.

### **8.3.2 Water Resources**

The Law on Water Resources (1999) established Vietnam's framework for instituting IWRM and approach to stakeholder participation. According to Trang (2005) it presents a river basin approach to water resource management 'which involves all stakeholders at national level and aims to strengthen coordination between provinces among a river basin at local level' (p. 2). But for some observers this interest in stakeholder participation is primarily in terms of the coordination of sectoral stakeholders of government agencies and establishing the overall authority of MONRE (see Molle and Hoanh 2008). The role of broader stakeholders in the process is less clear.

Institutional changes in 2007 mean that Ministry of Natural Resources and Environment (MONRE) has overall responsibility for water resources

management and oversees the VNMC and the Water Resource Management Agency (WRMA). In this structure WRMA has responsibility for state management on water resources including water resource planning in river basins which includes water resource planning for the river basins, including water use concept for the main river, water resource plan for each field, and water resource protection and natural hazards preventions.

In the division of responsibilities between MONRE and Ministry of Agriculture and Rural Development (MARD), MONRE oversees MARD to set up river basin planning. MONRE is a licensing authority for water use – but water supply and irrigation are under MARD. Additionally hydropower is under the jurisdiction of Ministry of Industry – but MONRE controls authorization.

**The Decree on Integrated River Basin Management (December 2008) establishes River Basin Committees and River Basin Management Bodies, and stipulates the creation of river basin plans** – to include framework plans (Gooch 2008), water allocation plans, water resources protection plans and disaster mitigation plans. This Decree is a move to overcome some of the earlier challenges facing RBOs that had been established in 3 main rivers. Earlier reviews had suggested that these organizations had not been as effective as planned (Gooch 2008), had not met regularly and had not developed a strategic road map. This is attributed to their location in either Hanoi or Ho Chi Minh City. The scale of these river basins, working across ministerial and provincial boundaries perhaps makes them unwieldy. In an attempt to address these issues for example, the ADB is now supporting the development of a simpler RBO committee structure in Vu Gia-Thu Bon river basin in Quang Nam (Howell-Alipalo 2007).

Under the Decree the following existing institutions are to be strengthened for river basin management:

- Cuu Long (Mekong) River Basin Planning Management Board;
- Dong Nai River Basin Planning Management Board;
- Vu Gia – Thu Bon River Basin Planning Management Board;
- Vu Gia – Thu Bon River Basin Management Committee;
- Cau River Basin Environmental Management Committee;
- Srepok River Basin Council;
- Viet Nam National Mekong Committee.

The role of stakeholder participation in river basin management has some history. The Vietnam Water Resources Strategy (2020) (Decision 81/2006/QĐ-TTg on 14 April 2006) recognizes the need for improved stakeholder engagement and public participation. The Water Resources Strategy affirms the rights of all organizations and individuals to 'exploit and use water resources....and also the responsibility to protect and develop water resources in a sustainable manner' and identifies as a solution, '*To conduct communication and education, raise public awareness and encourage participation of communities*'. It also highlights the importance of scientifically-based information and analysis.

Under this strategy MONRE takes overall strategic lead with the Ministry of Planning and Investment and the Ministry of Finance take the lead and coordinate with MONRE in allocating budgets. The National Water Resources Council (first established in 1999) and chaired by a Deputy of Prime Ministry and Permanent Office is MONRE brings together members from different ministries and provincial authorities and is responsible for advising the government and Prime Minister and for ensuring effective coordination between concerned ministries and authorities. The main focus on participation is ensuring coordination between various government agencies, and as yet there is no obvious participation from civil society.

Provincial People's Committee is a key state actor at the local level, responsible for overall planning and coordinating with various provincial departments. At provincial level responsibility for water resource management is spread among different government agencies:

- Department for Natural Resources and Environment (DONRE) –has responsibility for water resource management in general, licensing authority, water resource monitoring.
- Department of Agriculture and Rural Development (DARD) have responsibility for water supply and irrigation works.
- Department of Planning and Investment has responsibility for appraising financial projects.
- Department of Industry has responsibility for hydropower development.
- Other provincial actors involved in water management include Department of Science and Technology (DOSTE) and Department of Health, Irrigation Division, Centre for Fresh Water and Sanitation (DARD), Agriculture, fisheries and forestry fall under DARD.

- At provincial level under MONRE, Division of Natural Resources and Environment, Division of Environment (EIA, water pollution) and Division of Land Use and Planning (land management).
- At district level – Department of Economy (under the District People’s Committee) responsible for water supply and irrigation works management, the Irrigation Work Exploiting Company,(under Department of Agriculture and Rural Development)the Water Use Complex in the district, communes which deal with irrigation works, irrigation works construction companies (private sector), hydropower construction companies (joint-stock, private companies for small hydropower projects).

Wetland management has also received attention from the government. Vietnam has been a signatory to the Ramsar Convention since 1989. While there is no specific legislation related to wetland management the Decision No 04/2004/QĐ-BTNMT approved an action plan for conservation and sustainable development of wetlands for the period 2004 – 2010.

### **8.3.3 Civil Society**

Under the guidance of the Vietnamese state a number of mass organizations operate, principally the Vietnamese Women’s Union, the Farmers’ Union, the Youth Union and the Patriotic Front. The Decree 29 on Grassroots Democracy in 1998, with the follow up Decree 79 in 2003 created the opportunity for local groups to be established and to participate in local development in four key areas – sharing information, providing comments, participation in decision-making and monitoring (UN et al 2004). These often address local development needs and are seen as partners to the state, allowing for greater reach to local areas, being more innovative, adaptive and cheaper than state agencies. With the state moving away from provision of some services, the potential value of NGOs has been more readily acknowledged. The number of these kinds of organizations is growing, with the majority appearing to focus on education, raising awareness and disseminating information, and on local development issues such as agriculture, savings etc. However there are also a number of groups addressing environmental and water resources issues (Aschoff 2008).

*Participation from the VN NGO perspective  
From Plan in VN (2007 p. 5)*

An example of application of participatory principles in order to influence national policy can be found in the series of Participatory Poverty

Assessments (PPAs) that were carried out by international NGOs (Oxfam, Save the Children, ActionAid) in partnership with national and provincial government agencies, donors, and local people. The intention was that these assessments would create an integrated assessment of the factors leading to poverty and thereby provide a mechanism for identifying solutions that would meet poor people's needs. In 1999, four large-scale Provincial PPAs were carried out on the initiative of the World Bank, as a part of its 2000 World Development Report. Later on, for the early draft of the Comprehensive Poverty Reduction and Growth Strategy (CPRGS), consultations in six Provinces were organised to get feedback from the poor. In 2003, the consultations were expanded into 12 Provinces throughout Vietnam with the objective of providing feedback from the poor people in the implementation of the CPRGS.

A perspective on local participation is provided by PLAN in Viet Nam (2007 p. 5)

*The Grassroots Democracy Decree was originally introduced in Vietnam in 1998. The Decree emanates from Ho Chi Minh's saying "the people know, the people discuss, the people do and the people monitor". It contains some specific indications of how consultations with the people are to be carried out; through large meetings, through direct contact, and by requesting written comments. The Decree can be seen as a reflection of the government's aim to promote people's rights at the village and Commune level. However, after nearly eight years of its promulgation, there have been limited results in implementation. This is linked in part to lack of understanding of officials at Commune and village level in terms of the policies they are assigned to disseminate<sup>4</sup>. In addition officials have claimed to need more guidance on the Grassroots Decree. In PPAs<sup>5</sup> carried out by the World Bank, the officials also claimed that the villagers were uninterested in the issues as an explanation to their low attendance at meetings. Although these statements were partly corroborated by the villagers, they also added that they perceived the chances of their voices being heard as unlikely.*

### **8.3.4 Water User Groups**

The principle of Participatory Irrigation Management (PIM) has been adopted by policy in Vietnam. There are examples of NGO supported projects working with farmers and government agencies in establishing PIM and water user groups. However, the performance, as elsewhere in the world, is somewhat mixed.

### **8.3.5 Universities and Research Centres**

Universities play an active role in national and local development in Vietnam, include in water resources. The Water Resources University is based in Hanoi but also has a campus in Ho Chi Minh City, with more than 1000 graduates each year (Trang 2005).The Vietnam Water Resources Institute houses a Participatory Irrigation Management Centre.

#### 8.4 Discussion of Issues Arising from Stakeholder Analysis

The MRC has developed strong working partnerships with a wide range of Vietnamese academic institutions. This has clearly produced considerable benefits.

There is also an active civil society comprising international NGOs as well as an emerging Vietnamese civil society with a small number of organizations with a specialist interest in water resource management. These present huge potential for future partnerships, particularly in terms of strengthening more local level stakeholder participation, consultation and dialogue.

While stakeholder participation is clearly shaped by the policy and institutional context of Viet Nam, many civil society organizations consider the situation to be providing increasing space for engagement in a whole range of issues. For INGOs and donor agencies, promoting civil society by building the capacity of local organizations is a cornerstone of their support to national development. **There is good experience of participatory processes contributing to national development policy, for example as seen in the contribution of the PPA process since the late 1990s informing the Poverty Reduction Strategy Papers (PRSPs).** The recognition of the importance of participation and the opportunities that now exist is illustrated by the establishment of the NGO Resource Centre Working Group on Public Participation.

This trend represents a great opportunity for the MRC to strengthen its own engagement in Viet Nam. At the moment the MRC is not well known among civil society and there has not been any significant direct contact between NGOs and VNMC. This is understandable given the rapid pace of change in Viet Nam. But it is important

Water resources management and IWRM have been on the political and national development agendas in Viet Nam for well over a decade with numerous agencies becoming involved. Much of this effort has focused on the national level policy context and establishment of large scale river basin



institutions. Stakeholder participation does not seem to have been well addressed.

**Water resources issues and the Mekong has re-appeared on the national development agenda with growing concern over potential impacts of climate change, particularly in the Mekong Delta. It may prove to be that climate change is a more effective organizing theme for civil society stakeholders to come together around the kinds of issues that are priorities for the MRC in Viet Nam.**

#### 8.4.1 Viet Nam Opportunities – Willing, Able & Allowed

##### 8.4.1.a. From MRC perspective

Willing	Able	Allowed
<p>Agreed to revise membership of National Working Group and Sub Area Working Group to involve broader stakeholder participation</p> <p>Record of working with other organizations in technical areas, and has also established linkages with CNMC and LNMC to address cross-border issues</p>	<p>There is limited knowledge of the broader context of civil society in Viet Nam</p> <p>MRC is located away from the Mekong basin – thus making it difficult but not impossible to have the regular contacts and strengthen relationships with some of the local partners</p> <p>MRC has good working links with research institutes, universities and associations such as VACNE, REED and NISTPASS</p> <p>MRC is not visible or well known in existing civil society networks. Building relationships and understanding is</p>	<p>There are no obvious institutional barriers to working with registered organizations including some of the more recently established Viet Nam NGOs</p> <p>Existing coordination mechanisms could be open to the VNMC to build linkages and raise the profile</p>

	starting from ground zero	
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#### 8.4.1.b. From civil society perspective

<b>Willing</b>	<b>Able</b>	<b>Allowed</b>
<p>Generally willing to engage with MRC</p> <p>Generally supportive of seeing a strong MRC playing a more proactive role as generating information and facilitation - in national water resources and at the regional level</p>	<p>Generally not aware of the MRC structure, functions, roles and responsibilities – so not able to engage easily at present</p> <p>Mixed technical capacity. Some established research-based organizations (often with a relationship with MRC) have strong technical capacity in some areas.</p> <p>NGOs have strong capacity in facilitation, dialogue, networking and social development</p> <p>Generally limited capacity in IWRM – but stronger in related areas.</p> <p>Key area of capacity in facilitation and dialogue – also key areas for strengthening within the MRC</p>	<p>No institutional barriers to engaging with the MRC</p> <p>A recognized role for civil society in assisting the government in implementing policy.</p> <p>History of engaging in policy debates, and in facilitating dialogue among diverse stakeholders at national and local levels.</p>

### 8.5 Recommendations (Viet Nam)

The MRC is well known within a limited group of stakeholders with whom there have been close working relations for a number of years. These are

largely research institutes that themselves have close links to the state. But there is also a large NGO community that includes INGOs and a growing number of local NGOs and grassroots associations. So far there has been only limited, rather ad hoc engagement with this important group of stakeholders. The most pressing initial challenge is to build a relationship with these kinds of organizations, and in order to do so, to be able to present the MRC's role, functions and structure in a clear and comprehensible manner, as the basis for discussing future engagement. While many organizations are based in Hanoi much of this activity is based at the local level, particularly in the Mekong Delta.

### **8.5.1 Relationship Building and Communications**

While the VNMC has a long history of collaboration with a number of well established research organizations and universities, there is no such history with NGOs. This is of course partly due to the relatively recent emergence of NGOs in Viet Nam. But as a result, the MRC is not well known in Viet Nam and not readily identified as a key stakeholder in water resources and development.

There are some relatively straightforward steps that the VNMC could follow:

- VNMC should develop its own database of civil society organizations. Much of the information is readily available from NGO coordination mechanisms and from some of the larger organizations.
- Begin a sustained effort at stakeholder analysis at national and Sub-Area level. Such an effort should be led by the VNMC itself.

### **8.5.2 Building Relationships with key stakeholders**

Currently the VNMC and some of the newer key stakeholders simply do not know each other well enough. There are many areas of common interest and potential for collaboration and partnership. The starting point for building relationships would be in getting to know each other better, by presenting and explaining each other's work and identifying points of common interest.

This would require the VNMC to be proactive in visiting key stakeholders, in making presentations on the MRC, and in preparing communications materials. Equally the VNMC could gain a great deal from being more directly involved at a programme manager level in the various coordination and planning events on issues not directly related to IWRM but yet still relevant.

### **8.5.3 Restructure the National Working Group and the Sub-Area Working Group**

During the consultancy there was broad agreement to revise the structure of the National and Sub Area Working Groups. This may take some time and it is therefore recommended that MRC begins with a round of relationship building with key civil society organizations, and in order to prepare for this, develops some basic communications materials explaining the MRC, MRCS, VNMC and BDP – roles and functions, and spells out the space for stakeholder participation in BDP working groups and activities.

### **8.5.4 Engagement with existing networks**

VNMC should request presentation of BDP work to NGO coordinating bodies and consider more regular engagement in these bodies – to discuss how existing efforts of these working groups could contribute to.

### **8.5.5 National Advisory Body**

There are several organizations in Viet Nam that could provide technical advice within the framework of a National Advisory Body. Many of these organizations are known but it is also recommended that the VNMC reach out to the new NGOs in Viet Nam (e.g. VRN/WARECOD, CODE, PAN Nature) and also build a link with the NGO Working Group on Public Participation to further develop the opportunities for strengthening stakeholder participation in Viet Nam.

### **8.5.6 National Technical Working Group**

Currently there is no national mechanism for bringing a broad base of stakeholders together around issues of IWRM. However, there is certainly interest in such a body. But the MRC's remit is somewhat limited in Viet Nam to the Mekong basin, and there is a risk of encroaching on other institutions' territory.

Climate change has very recently appeared as an area of real concern for all stakeholders. This is very much related to water resource issues, and to the Mekong Delta that is predicted to be vulnerable to dramatic impacts from climate change. **The potential for establishing a national working group that is framed around climate change and the Mekong Delta, and in so doing, opens up space for debate around water resource management (and agriculture, migration, poverty reduction) should be explored.**

## SECTION III: Regional Stakeholders

### 9. REGIONAL STAKEHOLDERS

#### 9.1 Introduction

The most consistent engagement with civil society has occurred with international and regional organizations. Consequently these organizations tend to be well known to the MRC. For the international organizations their ways of working are similar to MRC and it perhaps appears most natural for the MRC to engage with such similar organizations.

At the regional level there are also a number of INGOs and NGOs that are active advocacy groups, often working with networks of national organizations and grassroots groups.

In this section we provide a brief overview of a sample of these regional organizations that include international research and development organizations, international NGOs (national programmes of these NGOs are covered in the national sections of this report), and universities with a regional remit and that are involved in regional projects and networks, and also regional projects.

#### 9.1.2 Inventory of Mekong Basin & water resources related stakeholders in the Lower Mekong Basin at local, national and regional levels

*Summary of CSOs in the LMB at local, national and regional levels are presented in Annex VI (for MRC's internal use only)*

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