

The framing of Mekong as an economic region and the challenges of NGOs advocacy and civil society activists

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Abstract Over the past decades, the Mekong region has undergone dramatic ecological and economical transformation. The major transformation is the consequence of the framing of the Mekong region as an economic region drawing the six riparian states (China, Myanmar, Laos, Thailand, Cambodia and Vietnam) into an economic zone of regional cooperation and development. The subsistence-based local economy is regarded as an old-fashioned or traditional style of livelihoods that needs to be replaced by a modern economy to propel the region out of poverty. The plans for the massive hydropower dam development have been injected into the Mekong both at the Upper and Lower Mekong Basin. The water resource regime and international institutions were established to manage the undesirable externalities of the water development projects and resolve the conflicts between winners and losers over the exploitation of the shared Mekong River. However, the Mekong regime, institutions and governance has been constructed to privilege the interests of the powerful actors, preferring to promote and expand the hydropower development programme and silence the voices and concerns of less powerful actors. This paper explores the construction of the Mekong region as an economic region sustained by the Mekong Agreement and the Mekong institutions over the last decades. By challenging the dominance of Mekong hydro-development, the potential and limitation of critical NGOs and civil society will be analysed to find out how NGOs advocacy and civil society should play their roles in response to Mekong consensual governance foreclosing other alternative development visions for the Mekong region.

Mekong as an economic region

The Mekong River is the longest river and one of the most important in Southeast Asia. The river originates from the Tibetan Plateau and passes through six riparian states; China's Yunnan province, Myanmar, Laos, Thailand, Cambodia and Vietnam, before entering into the South China Sea (Osborne, 2000: 430). The Mekong River is not just the river, rather it is the heart and soul of mainland Southeast Asia (IRN, 2002). Over 60 million people depend on the river and its tributaries for food, water, transport and many other aspects of their daily lives. The Mekong River basin is recognized as a global biodiversity hotspot (Beck et al., 2012: 8). The Mekong River is second only to the Amazon River in fish species diversity. A third of the human population in the Mekong basin is involved in fishing, such that fish comprise 40–80% of people's daily protein intake, with non-fish aquatic organisms such as crabs, shrimp, clams and snails contributing an additional five percent (Ibid, 2012: 9). Any alteration on the Mekong hydrological system brought about by the hydro-development projects will cause human and environmental cost which will jeopardize the vast majority of the Mekong's inhabitants who rely on the resources for food and economic security (Pearse-Smith, 2012a: 75-76).

The economic potential of the Mekong River, especially in terms of hydropower generation, has been recognized by international development agencies

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since the 1950s. However, the Cold War conflict and the political turmoil in Southeast Asia had interrupted the plan for developing the water-related projects in the region. It was not until the late 1980s that the Mekong development vision was returned to the agenda. The end of the Cold War, the trend of globalization and regionalization and the formation of trade blocks and protectionism had changed the respective attitudes of the Mekong nations towards economic development and cooperation (Than, 1997: 43). The Mekong River has been portrayed not only as a natural watercourse forming natural boundaries between the Mekong riparian countries, but also as a zone of economic activity (Oehlers, 2006: 465). The Mekong River and its water resources have become the central focus for Mekong development in the post-Cold War period. The Mekong nations have transformed their economic development from subsistence agriculture to more diversified economies, and from centrally planned to market-based economies. Economic growth and development of the Mekong region lies in the promotion of water-related infrastructure development through the exploitation of the Mekong River and its water resources. The water-related projects will attract more capital and investment into the region essential for economic growth and development.

The official vision of Mekong economic development was formulated in 1992 when the Asian Development Bank (ADB) provided financial and technical assistance to establish the Greater Mekong Sub-region (GMS). The GMS has integrated the six Mekong countries including Yunnan's province of China, Myanmar, Thailand, Laos, Cambodia and Vietnam and expanded in 2005 to include Guangxi Zhuang Autonomous Region of China into a single economic unit emphasizing the regional market economy and the infrastructure development programmes (Glassman, 2010: 3). The ADB views the GMS as a regional economic fantasy aiming to support economic growth and development in the Mekong region (Guttal, 2003). The Mekong region is treated as a whole to create economies of scale for training, data gathering, feasibility studies etc. (Ibid, 2003). Sub-regional infrastructure development, particularly in energy, transportation, tourism, telecommunications and product development has been initiated as the way to promote the free movement of trade, investment and people across the region. The ADB's GMS has transformed the Mekong region from a region of immense environmental, social, cultural and economic wealth and diversity to a new frontier of Asian economic growth.

One of the most prominent infrastructure projects of the GMS is hydropower dam development. Hydroelectricity development is linked with the idea as the way to lift the region out of poverty. The promotion of hydropower development is premised upon “representations of ‘win-win’ integration” wherein all states and all peoples of the region will benefit equally from the development (Sneddon and Fox, 2012: 151). Driven by rapid industrialization and economic growth, demand for electricity is growing in the Mekong region (Greacen and Palettu, 2007). Responding to this demand, the governments of Laos, Cambodia and Myanmar are keen to develop their hydropower potential for electricity export and domestic consumption (Ibid, 2007). Most of the electricity produced by the hydropower projects will be exported to the neighbouring countries, particularly Thailand, China and Vietnam. Hydropower dam development is promoted as the way to facilitate economic transition of the Mekong countries from subsistence agriculture to market economies. Natural resources such as hydropower resources are being developed for regional imperatives rather than national self-sufficiency to attract capital. By promoting hydropower dam development, the Mekong countries can better exploit “complementarities” within the

region, particularly differences in resource endowment and income levels (Oehlers, 2006: 468). The wealthier countries like Thailand and China can provide investment to the less developed countries with abundant hydropower resources such as Laos and Cambodia and in return receive more power supply from their power export.

Hydropower development in the Mekong basin

The steep topography of the region makes the Mekong River an attractive place for hydropower development (Qiu, 2012). The potential of hydropower in the Mekong River basin is about 53,000 MW consisting of 23,000 MW in the upper Mekong basin (China) and 30,000 MW in lower Mekong basin (Lao PDR, Thailand, Cambodia and Vietnam) (Mekong Flows, 2012).

Despite its alluring hydroelectric potential, the Mekong River, in the eyes of water engineers and power planners, has been largely undeveloped (Middleton, Garcia and Foran, 2009). This is because the Cold War and political conflicts in the region had suspended the regional development for many decades from the 1960s to 1980s. However, the peace resumed in the region since the early 1990s has brought hydropower development back to the agenda. Over the past decades, hundreds of dams have been either already put in place or planned along the stretch of the Mekong mainstream and its tributaries. At least eight hydropower dams have already been planned or exist on the upper Mekong mainstream in China's Yunnan province. In the lower Mekong basin, at least eleven mainstream dams have been proposed for construction and more than 120 tributary dams are already in operation or are at various stages of planning and construction (Hirsch, 2010). The series of hydropower dam projects is transforming the Mekong region as a new hub for economic development and large-scale hydro-development schemes.

Hydropower development in the Upper Mekong Basin

The Mekong basin is divided into two sub-basins: the upper Mekong basin and the lower Mekong basin. The upper Mekong lies within the national territories of China and Myanmar, which cover about 30% of the area of the basin as a whole. About 15 million people live in the upper Mekong basin, mainly in the Yunnan province of China (Pearce-Smith, 2012a: 74). The steep flow of the upper Mekong through the high mountain gorges of Yunnan Province in China provides sites deemed highly suitable for the construction of dams but inhospitable to settlement (Osborne, 2004: 1-2). China has planned to build a cascade of eight dams on the upper section of the Mekong, which is known as the Lancang Jiang (or the Turbulent River) in China. The first four large-to mega-sized dams have already been constructed. The remaining four dams are at different stages of construction or planning (Cronin and Hamlin, 2012: 3). The eight dams in China are expected to yield a combined installed hydropower capacity of 15,550 MW (Sokhem, Sunada & Oishi, 2007: 506). Hydropower development in China is driven primarily by high and increasing domestic demand for electricity. A second reason is the perceived opportunities to sell electricity to Thailand and Vietnam (Greacen and Palettu, 2007: 10). The hydropower development on the Lancang River in China is the key to the 50-year 'Go West' infrastructure-development project launched in 2000 by the Beijing government to increase the power supply for China's rapid economic growth and to develop the poor western region of the country (Cronin and Hamlin, 2012: 149; Osborne, 2004: 12).

Although China has claimed that the cascade of dams on the upper Lancang will not affect the Mekong flow regime, downstream countries fear that hydro projects constructed upstream will choke off waters needed for irrigating farms and have an adverse impact on the region's fish populations (Doucette, 2012). It is difficult to predict the cumulative effects of the upper dams on the sensitive Mekong River's biodiversity. Large dams in China are massive storage reservoirs, which enable China to regulate the water flow of the Mekong by withholding or releasing the water from the dams. In the past, China was accused of using its control of upstream water for the benefit of its own shipping by releasing water when Chinese ships are scheduled to travel downstream and closing their water-gates when Thai boats are due to sail to upstream ports (Goh, 2007: 45).

This example epitomizes the advantage of China as an upstream country. There is no guarantee that China will regulate water levels according to the interests of downstream countries. Instead it may do what is in its own interests. The lower Mekong countries, especially Vietnam, have been concerned over the expansion of hydropower development on the upper half of the river. The power asymmetry between China and other downstream countries could become a source of conflict in the future. This is because China is likely to reject sharing information on dam development and close consultation with its downstream neighbours. By the time lower Mekong countries became aware of the negative impacts of China's dams, it was too late as the dams were already in operation or were nearly completed.

The impoundment of water in the eight dams along the upper Mekong River in China has major implications for downstream hydrology with the potential to exacerbate or ease both floods and droughts and impact on fisheries and other sources of income (Hirsch, 2011). Civil society groups - including NGO activists, villagers and some academics blamed China's upper dams as the real culprit for the severe regional drought in 2010 by claiming that the completed Chinese dams hold back water in order to generate the electricity (McCartan, 2010). China rejected the accusation and insisted that the situation was a result of low rainfall and high temperatures causing severe drought conditions and not its dam operations (Ibid, 2010). However, the public pressures over the 2010 drought stimulated China to engage with wider stakeholder concerns by releasing more data on dry-season flows on the Lancang River to the downstream countries in the MRC Summit in Hua Hin, Thailand, in April 2010 (Hirsch, 2010).

The pressures from civil society groups have forced China to share more data on dry and wet season flows on the upper Lancang River with the downstream countries. The unprecedented release of data from China in the 2010 MRC summit on water level was viewed by some as an encouraging step towards more transparency in Mekong governance and cooperation. However, many critics argue that Mekong governance and multilateral cooperation is still under challenge because China prefers to act unilaterally on Mekong water development. Moreover, China remains outside the formal political framework for cooperation on Mekong basin development. It holds an observer status and is not a full member of the Mekong River Commission (MRC), the intergovernmental institution set up in 1995 to facilitate the four downstream countries (Laos, Thailand, Cambodia and Vietnam) to manage and incorporate Mekong water development in sustainable and equitable ways (Osborne, 2010). The MRC lack leverage over China's dams and this has left downstream

countries in the vulnerable position to China's secretive water management (McCartan, 2010).

Hydropower development in the Lower Mekong Basin

After the Mekong River flows out of Chinese territory it forms the section of the lower Mekong basin running through four riparian countries, Laos, Thailand, Cambodia and Vietnam. The lower Mekong basin accounts for the remaining 70% of the area of the Mekong basin, which is approximately 2,500 km long (Pearce-Smith, 2012a: 74). The lower stretch of the Mekong basin is the home of over 65 million people relying on the river for fish supplies and rice production (Ibid 2012: 74). The lower Mekong is the habitat of an estimated 1,700 different species of fish providing a vital source of protein intake for millions of people (Bao et al., 2001: 9). The food security of the inhabitants of the Lower Mekong Basin depends heavily on the well-being of the Mekong River. The proposed plans to build numerous dams on the lower mainstream have raised significant concerns about the potential impact of the dams on biodiversity and fisheries due to changes in the flow regime (Cronin and Hamlin, 2012; Cronin, 2009). Mainstream dams can cause severe trans-boundary effects altering aquatic lives irreversibly. The past experiences of the series of dam construction on the upper mainstream and tributaries have shown the adverse impacts on the dynamic hydro-ecological system of the Mekong River (Lawrence, 2009). Any further dam construction on the Lower Mekong Basin will inevitably trigger resistance from the public.

Despite the high controversies over the dam construction, Laos and Cambodia announced plans in 2006 to build at least eleven hydropower dams on the lower Mekong mainstream (Osborne, 2009: 18). These planned eleven dams are located in Laos, Cambodia and Thailand: seven in Laos, two between Laos and Thailand, and two in Cambodia (Osborne, 2010). Over the last decades, dam construction has already been undertaken on the Mekong tributaries downstream but dams have not yet been built on the lower section of the Mekong mainstream. Plans to build mainstream dams on the lower Mekong had been proposed since the 1950s but the Cold War and regional disputes put development on hold in the 1960s through to the 1980s. However, the revival of the lower mainstream dams have returned onto the agenda in the early 2000s as a result of the changing geopolitics of the Mekong region (Hirsch, 2011).

The economic rise of China is the important factor in driving the development of dam building in the lower Mekong basin. The series of Chinese dams on the upper Mekong has encouraged the downstream countries to renew the building of mainstream dams on the lower Mekong. The downstream countries see no reason why they should hold back on developing a large dam while China is already building such dams on the upper mainstream (Wyrwoll, 2011). Moreover, there have been changes in the financing of hydropower schemes in the Mekong region since the Southeast Asian countries recovered from the Asian financial crisis in 1997 (Middleton, Garcia and Foran, 2009: 23-26). The new financial players, particularly China, Thailand, Malaysia, Vietnam and Russia, have entered into the region and offered new financial aid and investments to support hydropower development in the poorer downstream countries (Laos and Cambodia) (Ibid, 2009: 23-26). The new donor countries have taken decision-making on dams out of the hands of the international financial institutions and promoted bilateral investments on dam development in the less-

industrialized but resource-rich economies of Burma, Cambodia and Lao PDR (Molle et al., 2009). The new financiers help to speed up the expansion of hydropower development in the lower Mekong basin by providing engineering expertise and investment capital for a number of Mekong mainstream and tributary projects in Lao PDR and Cambodia.

However, the renewed interest in building the lower mainstream dams has been revived in conjunction with the expansion of the coalition of non-governmental organizations (NGOs) and the growing network of community-based organizations that are sceptical about the benefits of mainstream dams claimed by governments, and private donors and developers. Civil society actors have raised concerns over the implication of environmental and social safeguard policies of dam development in the Mekong region. Hydropower projects in the region have shifted from public projects towards commercial projects led, developed, built and operated by the private sector.

The new private actors hold a new determination to get the job done by pushing the construction plan to complete on schedule and they are less concerned with environmental and social mitigation programmes (Guttal and Shoemaker, 2004). The downstream governments and corporate players tend to marginalize the lengthy process of environmental and social safeguard policies previously initiated by the World Bank and Asian Development Bank (Ibid, 2004.). The private sector-led hydropower development has increasingly spurred controversies and resistance over the new proposals of dam development in the lower Mekong mainstream. The anti-dam civil society groups distrust the downstream governments and private actors in conducting environmental and social impact assessments and mitigation policies of the proposed dam development.

The controversies over the dam impacts became heated when the Lao government announced plans to build the \$3.8 billion Xayaburi Hydroelectric Power Project expecting to generate 1285 megawatts of electricity (Stone, 2011: 814). The Xayaburi project has fueled public outcry because it would be the first of eleven dams proposed to be built on the lower section of the Mekong mainstream (Ibid, 2011: 814). The opponents of the dam have raised serious concerns about the controversial Xayaburi project because if the dam is built without sufficient consideration of environmental and social impacts, it would open the floodgate for other dams to be built on the lower mainstream that could have an enormous cost in terms of the well-being of millions of people who depend on the river for their everyday livelihoods (Wyrwoll, 2011).

Although the location of the Xayaburi dam is in the Laos territory, its potential impacts can have significant cross-border effects on people and the environment in other neighbouring riparian countries. The trans-boundary impacts of the Xayaburi dam require the Lao government to submit the dam proposal for approval from Thailand, Cambodia and Vietnam through a regional decision-making process called the "Procedures for Notification, Prior Consultation and Agreement" (PNPCA), facilitated by the MRC (MRC, 2011). The Xayaburi project became the first dam ever to trigger the PNPCA process. However, the four governments have not reached an agreement on how to proceed with the project and decided to delay the construction for a further study on the trans-boundary impacts of the Xayaburi dam. Despite the decision to delay the project, the Lao government has insisted on going forward by claiming that the project has already complied with the PNPCA process and the dam

construction will not cause any significant harm to the biodiversity and local livelihoods.

At the time of writing, the Xayaburi dam has not yet be built to block the Mekong river flow. However, the preliminary construction work has rapidly moved forward including the resettlement of villagers (Muhammad Fadli Bin Nordin, 2013) .The unilateral move of the Lao government to proceed with the project has worried its neighbouring countries, especially Cambodia and Vietnam, which will be the countries most affected because of their downstream location. However, neither country has the leverage to go against the project readily. Thailand, as the project's financier, has remained quiet and not decided to withdraw the funds or cancel the power purchase agreement (Herbertson, 2012). The response of the four downstream countries towards the controversial Xayaburi project highlights that national interests still prevail over trans-boundary interests among the four riparian countries.

Moreover, the MRC has been increasingly sidelined by its own member governments making direct deals with private banks and investors for hydro-development projects. The MRC has responded to the controversial Xayaburi dam proposal by commissioning a Strategic Environmental Assessment (SEA) to estimate the dam's associated cumulative impacts, costs and benefits (Grumbine et al., 2012: 94). The SEA recommended that all lower Mekong mainstream dams, including the Xayaburi project, should defer for at least ten years for further study on social and environmental impacts (Ibid, 2012: 95). However, the Lao government has never had deliberative discussions with other stakeholders on the recommendation made by the MRC's SEA and insisted on moving forward the project as scheduled. The Xayaburi project has shown that the MRC lacks the legal teeth to enforce the member countries to respect the social and environmental security of other riparian countries and their citizens.

Mekong regime and institutions

The Mekong water resource management regime was initially developed in the midst of the Cold War conflict in Southeast Asia. The first Mekong Committee was formulated in 1957 by the financial and technical assistance of the United States and the UN Economic Commission for Asia and the Far East (ECAFE). The 1957 Mekong commission (MC) was established to lift the region out of poverty via the water development programme and to impede the communist encroachment into Southeast Asia. The main vision of the MC was to dam the Mekong River and create a series of large reservoirs along the mainstream to produce hydroelectric power, reduce flooding and increase dry season flows for irrigation and improved navigation (Browder and Ortolano, 2000). However, the plan for a massive programme of water resource development was interrupted because the geopolitical balance in the region fundamentally shifted. The military victory of North Vietnam over South Vietnam and the reunification of the country and the growing unrest by the intra-conflicts in Laos and Cambodia shattered the dream of integrated development of the Mekong River and finally the Mekong Committee collapsed in 1975 (Makim, 2002).

Although the Cold War and regional conflicts had disrupted the Mekong regime resulting in the termination of the Mekong Commission (MC), the dream of the Mekong development has never evaporated. The Mekong regime was resurrected

in 1978 to promote the development of water resources of the Lower Mekong Basin. With assistance from the United Nations' Economic and Social Commission for Asia and the Pacific (ESCAP) (ECAFE's successor), the three lower Mekong countries (Laos, Thailand and Vietnam) signed the 1978 Interim Mekong Committee (IMC) Declaration. The Interim Mekong Commission (IMC) was used because it was hoped that Cambodia would someday rejoin the Mekong regime (Browder, 2000: 241). The resurrection of the Mekong regime in the formation of the IMC reflected the inherent intention of the lower riparian states aiming to use the IMC to continue to receive the technical and financial assistance made possible by the Mekong water development programme.

In spite of the Cold War tension and intra-conflicts in the region, the dreams of the Mekong development have never vanished. The Mekong regime and its institutions provide a remarkable example of institutional resilience through the turmoil of war and tectonic shifts in the region's political economy (Ratner, 2003: 65). The end of the Cold War and the peace that was resumed in the region in the early 1990s had transformed the economic policy of the Mekong riparian states towards market-oriented economic development. A new window of opportunities had been opened for the lower Mekong countries to use water-related development projects as an engine to drive economic growth and development in the post Cold War period (Dosch and Hensengerth, 2005). The increasing economic regionalism in the area prompted the need for a new constitutional framework for sharing the Mekong water's resources.

In 1995, the governments of Laos, Thailand, Cambodia and Vietnam signed the "Agreement on the Cooperation for the Sustainable Development of the Mekong River Basin". The 1995 Mekong Agreement established the new Mekong regime institution, the Mekong River Commission (MRC) (Osborne, 2004). The MRC was created to facilitate the negotiation and bargaining process of the Mekong development to prevent regional conflicts over trans-boundary water resources. The MRC acts as an inter-governmental agency to ensure that regional cooperation will exist among the four lower Mekong countries. The peaceful and stable condition is the prerequisite for more investment and technical and financial assistance from international or private donors.

The emergence of the Mekong Agreement and the MRC in 1995 was hailed as a new era of regional peace and cooperation after the geopolitical conflicts throughout the preceding decades. The Mekong Agreement and MRC represent the unique cooperative relationship marked as the Mekong Spirit defined by mutual respect between riparian states and a willingness to engage in dialogue towards cooperative river basin management (Hirsch, and Jensen, 2006). The MRC member states agree to cooperate in all fields of sustainable development, and in the utilization, management and conservation of water and related resources in the Mekong River basin – for example, navigation, flood control, fisheries, agriculture, hydropower and environmental protection. The MRC strives for an economically prosperous, socially just and environmentally sound Mekong River basin. However, the MRC has been subjected to repeated criticism, particularly from advocacy NGOs, for not playing a more active role in relation to the environmental health of the Mekong (Osborne, 2009: 47). It is questionable to what extent the MRC can promote sustainable development in regards to the expansion of hydropower dam development in the

region. In reality, the MRC countries have sidestepped the MRC's involvement in their water development projects. To what extent the MRC can gain full commitment from its member states to enforce the Mekong governments to comply with the Agreement is one of the most important challenges of the MRC and the Mekong regime.

Mekong regime and institution and the economic construction of Mekong development

Since the late 1980s, the Mekong riparian countries have transformed their development policy from centrally planned socialist economic models to fast track, market-based, outward-looking development. The new development goal is to lift the region out of poverty by increasing economic ties to integrate the region into the wider regional and global market. The economic framing of the Mekong as a development region was constructed by defining the region as a natural economic basin linking the social, economic and physical diversities of the Mekong countries into the single development entity. Since then, the Mekong River has been converted from the "Mother of the Waters" to a "Working River" investigated and planned by international water experts, engineers and developers for the series of hydropower dam development (Sneddon and Fox, 2012). The subsistence-based economy of local livelihoods is dubbed traditional which should be replaced by modernization and large-scale investment (Pearse-Smith, 2012b). The riparian states have seen modernization as a key component of economic development and adopted the perspective that natural resources are exploitable in the pursuit of economic growth (Ibid, 2012). Modernization promoted by an infrastructure-oriented development programme is the only available option for developing the Mekong region.

However, the economic benefits of modernization and large-scale infrastructure schemes are accompanied by the negative effects of development on the integrity of the natural environment on which so many local people rely. The Mekong regime and its institution has been set up since the 1950s to engage the riparian governments, donors, private developers, NGOs and civil society in the dialogue to negotiate and bargain for sustainable development for the Mekong. The MRC has the potential to contribute to improving the trans-boundary governance of the Mekong region. However, this potential has been sidelined by its own member countries preferring to protect their sovereignties and pursue their national interests over the mutual benefits of trans-boundary interests. One of the main critiques of the MRC is the lack of legal teeth to enforce its provisions. The MRC, ultimately, is "owned" by its member states and cannot be expected to act against their agendas (Molle et al., 2009). One of the major concerns regarding the MRC's existing and potential governance role is the extent to which the MRC can mediate trans-boundary, national and civil society interests to bring sustainable development and benefits for all residents living in the Mekong region.

Moreover, the problem of Mekong governance lies in the limitations of the Mekong Agreement. The Mekong Agreement was set up to provide the general framework for cooperation among the four riparian governments to utilize the Mekong basin equitably and sustainably. However, the implementation of important aspects of the Agreement remains informal and soft (Hirsch and Jensen, 2006). There is the absence of the necessary legal backing to make the Articles of the Agreement realize their objectives (Ibid, 2006). The implementation of the provisions of the Mekong

Agreement is informal and ambiguous and subject to the interpretation of the national government of each riparian state. The Mekong Agreement and the MRC were established to reinvent the Mekong basin as a development entity providing the cooperative condition for all member governments, donors and development agencies to exploit the Mekong for large-scale investment and development. The multi-dimensional version of the Mekong basin is simplified into a one-dimensional basin, one that highlights economic aspects of the water resources and neglects crucial hydrological and ecological aspects of the Mekong identity as a drainage basin (Sneddon and Fox, 2006).

The cooperation within the framework of the MRC and Mekong Agreement is likely to sustain the construction of the Mekong as an economic development basin forgoing the biophysical process of the Mekong. The presentation of the Mekong as a development entity has privileged some powerful actors (riparian governments, private capital, international consultants, engineers and developers) and forgotten the local residents who depend on the wealth of the river's ecosystem (Bakker, 1999). The successful cooperation of Mekong development underpinned by the MRC framework and the Mekong Agreement might well result in ecological alterations and resource degradation for local people who depend upon river basins for their livelihoods. The overlooked biophysical functions of the basin and the erasure of local residents within the governance framework of the Mekong Agreement could lead to conflicts on various scales within the Mekong region which is ironically contrary to the intention of the 1995 Mekong Agreement (Sneddon and Fox, 2006).

The transformative role of NGOs advocacy and civil society

In recent years, the Mekong region has experienced the growing vibrant advocacy of NGOs and civil society activists both at national and regional levels to challenge the lopsided Mekong development. NGOs and civil society have the transformative potential to tackle the problems of regional governance and contribute to policy change. NGO advocacy and civil society have played significant roles in scrutinizing the economic framework of Mekong development emphasising water resource development projects. They have tried to assert the voices of marginalized and vulnerable people overlooked in the development process back into the development agenda and decision-making process. However, their potential has been impaired by many factors such as the closed political spaces of the Mekong states, especially in Laos and Cambodia (Hirsch, 2007; Hirsch, 2001), the problem in terms of continuity and institutionalization of the advocacy work and the unequal power relation and the dominant structure of Mekong governance depoliticizing the contested nature of hydro-politics of the Mekong development.

There is the increasing involvement of NGOs and civil society groups in the water-related governance forums organized by the MRC and its member states. However, the participation of the non-state actors is limited to the involvement of internal-stakeholders excluding the participation of local communities and critical NGOs and civil society activists. The participatory procedures of the formal inter-government forum are often held after a project has been proposed or the decision has already been made. Thus, the participation of official NGOs and civil society groups within the state-centric and top-down water governance forum becomes the process to give the green light or rubber stamp for state, international agencies and developers to

proceed with the development projects (Guttal and Shoemaker, 2004). The limited opportunities for meaningful participation have resulted in the emergence of critical NGOs and civil society localists aiming to assert the significance of the rural community and local governance as an opposition to discourses constructing the Mekong as an economic and development basin propounding economic growth, urbanization and industrialization (Dore, 2007).

The critical NGOs and civil society activists have organized the campaigns and political mobilization to protest and resist the hydro-development projects initiated by developmentalists. The oppositional style of their activities aims to look critically at the knowledge production of the conventional Mekong development and try to challenge the dominant structure of trans-boundary governance. The objective of advocacy NGOs and civil society is to open political spaces for less powerful actors to raise their voices and concerns, and create an alternative development vision for Mekong development. The critical NGOs and civil society localists tackle the problems of de-politicization of Mekong development by unfolding the political conflict inherent in knowledge production and the framing of Mekong development.

The campaigns and political actions of NGOs and civil society have gained public support, raised public consciousness and attracted media coverage. However, their activities tend to focus on a single issue on their campaign against the particular development projects or development agencies. For example, the political mobilization opposing the construction of hydropower dam development (Hirsch, 2012). The oppositional style of their advocacy work faces the risks of negation. It cannot be said the issue-oriented advocacy of NGOs and civil society can tackle the structure of Mekong development and trans-boundary governance (Ibid, 2012). Advocacy NGOs and critical civil society have the problem of up-scaling their advocacy work to tackle the state-centric and top-down development approach. Part of the problem lies in the consensus-style of Mekong governance tending to avoid the controversial issues and conflicts (Contreras, 2007). The cooperation arrangement of Mekong governance can be characterized as consensual governance preferring to find possible consensus by foreclosing politicization and evacuating dissent through the formation of Mekong cooperation and governance (Parés, 2011). The participation of NGOs and civil society actors in this consensual style of governance faces the risks of either co-option or negation (Contreras, 2007). The consensual style of Mekong governance has downgraded the transformative potential of advocacy NGOs and critical civil society.

□ To find the way out of the dilemma of co-option or negation, development NGOs and critical civil society activists need to recognize the consensus-style of Mekong governance reducing the political conflicts of the contested hydro-politics of Mekong development to the process of manipulated consensus to justify the continuation of Mekong mainstream hydro-development. They need to go beyond the traditional style of political actions and move towards more innovative and integrated approaches of political mobilization. Transformative NGOs and civil society activists need to tackle the problems of trans-boundary governance at national and regional levels simultaneously. At regional level, the continuity and institutionalization of their advocacy work is important. This can be accomplished by improving the linkage between NGOs and civil society organizations across the region and working together with universities, research centres, and academics to challenge the dominance of



consensual governance. At national level, NGOs advocacy and civil society need to gain support from domestic constituencies in their advocacy activities. Their campaigns and political action need to be legitimately represented for the Mekong people.

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