



**H.E. Hun Sen,
The Prime Minister of the Kingdom of Cambodia**

**H.E. Thongsing Thammavong,
The Prime Minister of the Lao People's Democratic Republic**

**H.E. Nguyen Tan Dung,
The Prime Minister of the Socialist Republic of Vietnam**

**H.E. Yingluck Shinawatra,
The Prime Minister of the Kingdom of Thailand**

11 March 2013

Your Excellencies:

As a coalition of civil society organizations, concerned citizens, and scientists from the Lower Mekong River Basin and internationally, we have closely monitored the proposed Mekong mainstream dams for over four years. We are concerned that construction of the first of these projects, the Xayaburi Dam, is jeopardizing the future health of the river.

The Xayaburi Dam has set a dangerous precedent that disregards the rules of regional cooperation and threatens the livelihoods of millions of people. Although the project's developers claim that the dam will not have transboundary impacts, the scientific evidence produced by the Mekong River Commission (MRC) Secretariat and other independent experts points to the contrary. The Xayaburi Dam and other proposed Mekong mainstream dams are expected to cause significant, adverse harm to food security, economic development, and environmental sustainability inside Laos and throughout the Mekong region. The full extent of the impacts remains unknown, yet construction is already underway.

Under the 1995 Mekong Agreement and international law, the governments of Cambodia, Laos, Thailand, and Vietnam are committed to seek agreement on all proposed Mekong mainstream hydropower projects. Through the MRC's Procedures for Notification, Prior Consultation and Agreement (PNPCA), the Cambodian and Vietnamese governments have raised concerns that the Xayaburi Dam will have significant transboundary impacts on their own territories. Both governments requested a delay in construction, so that a transboundary impact assessment could be carried out. The project developers refused to conduct this study, instead deciding to gamble on unproven and controversial technologies. For example, the developers are relying on a fish passage design that has never been used successfully on any tropical river. Leading Mekong

fisheries scientists believe the technology will fail. If the fish passage fails, millions of people in all four countries will bear the true costs of the dam.

The Xayaburi Dam has also generated unprecedented public opposition, because the developers are proceeding in a way that disregards the project's high economic, social, and environmental risks. The project's impact assessments were of poor quality and were not disclosed in time to allow meaningful public consultations.

We kindly request your help in protecting the Mekong River and the people of the region. We believe that a more cautious approach is urgently needed, which reflects the tremendous economic, social, and environmental risks posed by the Mekong mainstream dams. Alternatives exist that provide safer and more efficient ways to meet the region's growing energy demand.

We request Your Excellencies' assistance to:

- **Disclose the Xayaburi Dam's final design:** The project developers have not disclosed the dam's final design to the Mekong governments or the public. Construction should be halted while the MRC evaluates the dam's compliance with the MRC's design guidelines for mainstream dams.
- **Ensure adequate time to study the project's impacts:** In accordance with the 1995 Mekong Agreement and international law, the MRC governments have a right and duty to evaluate the project's transboundary impacts and seek agreement on how to proceed, before construction begins. The governments should delay construction while a transboundary impact assessment is carried out, and while the MRC Council's joint impact study agreed in December 2011 is completed.
- **Resolve ambiguities in the PNPCA before proposing further dams:** The four governments should commit not to consider any other proposed Mekong mainstream dams, until after the MRC's PNPCA has been reviewed and its problems resolved. If the Xayaburi Dam is approved, it should be treated as a "test case" that is jointly monitored for several years before other projects are considered.
- **Conduct a genuine process of regional consultation:** Public consultations with directly affected communities are still needed, so that these people have an opportunity to provide input into the decision on whether to build the Mekong mainstream dams.
- **Call for third party mediation:** Because the PNPCA has failed to reach regional agreement on whether to build the Xayaburi Dam, we believe that third party mediation is urgently needed, as provided in Article 35 of the 1995 Mekong Agreement.
- **Explore development alternatives that will keep the Lower Mekong River flowing freely:** The four governments should assess all available options before committing to any long-term use of the Mekong River. Opportunities may also exist to provide financial incentives for governments to forego mainstream dam development, so that a fairer and more equitable PNPCA process can take place.

We believe in the shared, sustainable development of the Mekong River and in finding “win-win” solutions, but this depends on effective regional cooperation. As the first of eleven dams proposed on the Lower Mekong River, the Xayaburi Dam sets a precedent for future cooperation. We thank Your Excellencies for your urgent attention to this matter, so that the abundant natural resources of the Mekong can help sustain present and future generations.

Your Excellencies, please accept our highest regards.

Respectfully,

The Save the Mekong Coalition

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