Ben Boer, Philip Hirsch, Fleur Johns, Ben Saul and Natalia Scurrah

# The Mekong

A Socio-Legal Approach to River Basin Development









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The Mekong: A Socio-legal Approach to River Basin Development Ben Boer, Philip Hirsch, Fleur Johns, Ben Saul, Natalia Scurrah, 2015-12-22 An international river basin is an ecological system an economic thoroughfare a geographical area a font of life and livelihoods a geopolitical network and often a cultural icon It is also a socio legal phenomenon This book is the first detailed study of an international river basin from a socio legal perspective The Mekong River Basin which sustains approximately 70 million people across Cambodia China Laos Myanmar Thailand and Vietnam provides a prime example of the socio legal complexities of governing a transboundary river and its tributaries. The book applies its socio legal analysis to bring a fresh approach to understanding conflicts surrounding water governance in the Mekong River Basin The authors describe the wide range of uses being made of legal doctrine and legal argument in ongoing disputes surrounding hydropower development in the Basin putting to rest lingering caricatures of a single ASEAN way of navigating conflict They call into question some of the common assumptions concerning the relationship between law and development The book also sheds light on important questions concerning the global hybridization or crossover of public and private power and its ramifications for water governance With current debates and looming conflicts over water governance globally and over shared rivers in particular these issues could not be more pressing The Mekong Delta System Fabrice G. Renaud, Claudia Kuenzer, 2012-06-01 This book about the Mekong Delta presents a unique collection of state of the art contributions by international experts from different scientific disciplines about the characteristics and pressing water related challenges of the Mekong Delta in Vietnam The Mekong Delta belongs to one of the areas which are to expect the largest challenges concerning environmental change and climate change induced sea level rise The Delta acts as the rice bowl of Southeast Asia and is home to over 17 Million people who need to cope with ecologic as well as socio economic changes linked to the rapid economic development of the country Annual floods severe droughts salt water intrusion degrading water quality tropical cyclones hydrologic changes due to hydropower projects in the upstream of the Mekong coastal erosion and the loss of biodiversity are some of the problems in the region Heterogeneous resource management responsibilities and the fact that the Mekong and thus also the Delta is influenced by six countries aggravate the situation Integrated water resources management and fostered cooperation and information exchange are pressing needs for the sustainable development of the Delta Managing Water Resources in Large River Basins William Young, Nagaraja Rao Harshadeep, 2021-05-07 Management of water resources in large rivers basins typically differs in important ways from management in smaller basins While in smaller basins the focus of water resources management may be on project implementation irrigation and drainage management water use efficiency and flood operations in larger basins because of the greater complexity and competing interests there is often a greater need for long term strategic river basin planning across sectors and jurisdictions and considering social environmental and economic outcomes This puts a focus on

sustainable development including consumptive water use and non consumptive water uses such as inland navigation and hydropower It also requires the consideration of hard or technical issues data modeling infrastructure as well as soft issues of governance including legal frameworks policies institutions and political economy Rapidly evolving technologies could play a significant role in managing large basins This Special Issue of Water traverses these hard and soft aspects of managing water resources in large river basins through a series of diverse case studies from across the globe that demonstrate recent advances in both technical and governance innovations in river basin management Southeast Asia and the Civil Society Gaze Gabi Waibel, Judith Ehlert, Hart N. Feuer, 2013-11-20 As developing countries with recent histories of isolation and extreme poverty followed by restoration and reform both Cambodia and Vietnam have seen new opportunities and demands for non state actors to engage in and manage the effects of rapid socio economic transformation This book examines how in both countries civil society actors and the state manage their relationship to one another in an environment that is continuously shaped and re constructed by changing legislation collaboration and negotiation advocacy and protest and social control Further it explores the countries divergent experiences whilst also uncovering the underlying basis and drivers of civil society activity that are shared by Cambodia and Vietnam Crucially this book engages with the contested nature of civil society and how it is socially constructed through research and development activities by looking at contemporary discourses and manifestations of civil society in the two countries including national and community level organisations associations and networks that operate in a variety of sectors such as gender the environment and health Drawing on extensive fieldwork conducted in Cambodia and Vietnam this book will be of huge interest to students and scholars of Southeast Asian studies Southeast Asian politics development studies and civil society The context of REDD+ in the Lao People's Democratic Republic: Drivers, agents and institutions Guillaume Lestrelin, Michael Trockenbrodt, Khamla Phanvilay, Sithong Thongmanivong, Thoumthone Vongvisouk, Pham Thu Thuy, Jean-Christophe Castella, 2013-01-01 This report explores the drivers both direct and indirect of deforestation and forest degradation and discusses the political economic and social opportunities and constraints that will influence the design and implementation of REDD in Laos The government of Laos has long sought to curb deforestation and forest degradation and the country is receiving considerable international attention and support to implement REDD However agricultural expansion the development of industrial tree plantations and large hydropower mining and infrastructure projects continue to result in deforestation with shifting cultivation and selective logging legal and illegal largely blamed for forest degradation At the same time indirect drivers of deforestation and forest degradation are rooted in a national agenda of economic growth characterized by incentives for foreign and domestic investment in forest management and timber harvesting As a result Laos is becoming an important resource frontier for transnational capital and large scale land and natural resource investments The consequent intensification of competition for resources poses a challenge not only for forest governance but also for the development of REDD policies and initiatives In

an examination of the institutions and policies defining Laos forestry sector and REDD the report reflects on lessons to be learned from past forestry and economic development policies The government of Laos has demonstrated strong political interest in REDD but REDD implementation faces major obstacles particularly unclear carbon rights and weak governance with the latter attributable to poor local capacity weak coordination among stakeholders and minimal involvement by local communities and civil society. The report makes several recommendations for achieving effective efficient and equitable outcomes of REDD in Laos capacity building of administrative and technical staff especially at the subnational level clarification and harmonization of land use planning and land allocation processes and stronger monitoring and law enforcement in areas under high threat of deforestation and forest degradation Furthermore an accountable and transparent mechanism for sharing the benefits of REDD across levels and fully accountable consultation processes must be implemented with the participation of not only elite and powerful actors such as domestic and foreign businesses but also local groups and civil society Following the Proper Channels Bennett L. Bearden, 2018-02-12 In Following the Proper Channels Tributaries in the Mekong Legal Regime Bennett Bearden offers in depth policy and legal analyses of the marginalization of tributaries in the context of the 1995 Agreement on the Cooperation for the Sustainable Development of the Mekong River Basin law of international watercourses hydrosovereignty and the national economic development interests of the Mekong riparians As a problem based study enlightening conclusions are made based on the increasingly state centric nature of water resources management in the Mekong region through pursuit of national agendas in the unilateral and bilateral development of tributaries The overarching legal and hydropolicy issue is whether states can simultaneously pursue hydrosovereignty on tributaries and ensure the Mekong legal regime s efficacy to achieve holistic water resources management and basin wide governance Water Rights and Social Justice in the Mekong Region Kate Lazarus, Bernadette P. Resurreccion, Nga Dao, Nathan Badenoch, 2012-06-25 The Mekong Region has come to represent many of the important water governance challenges faced more broadly by the mainland Southeast Asian region This book focuses on the complex nature of water rights and social justice in the Mekong region The chapters delve into the diverse social political and cultural dynamics that shape the various realities and scales of water governance in the region in an effort to bring to the forefront some of the local nuances required in the formulation of a larger vision of justice in water governance It is hoped that this contextualized analysis will deepen our understanding of the potential of and constraints on water rights in the region particularly in relation to the need to realize social justice The authors show how vitally important it is that water governance is democratized to allow a more equitable sharing of water resources and counteract the pressures of economic growth that may pose risks to social welfare and environmental sustainability A Procedural Framework for Transboundary Water Management in the Mekong River Basin Qi Gao, 2014-03-13 In A Procedural Framework for Transboundary Water Management in the Mekong River Basin Shared Mekong for a Common Future Qi Gao explores

procedural implications of integrated water resources management and its application in the Mekong River Basin As a problem based study enlightening conclusions are made based on the increasingly polycentric nature of transboundary cooperation in the Mekong region The procedural requirements in the Mekong context both the ideal and practical scenarios are considered combined with selected case studies Qi Gao convincingly asserts the necessity to enhance decision making processes and suggests procedural legal mechanisms to institutionalize sustainability concepts in transboundary cooperation Integrated Water Resources Management-based Basin Development Strategy for the Lower Mekong Basin ,2011

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Participation in Mekong River Basin Development ,1998 **Protected Areas and Development in the Lower Mekong Region** International Centre For Environmental Management Staff, 2003 Opportunities and Challenges for the Greater Mekong Subregion Charles Samuel Johnston, Xin Chen, 2020-01-29 The Mekong River is a vital and valuable resource with huge development potential for the six states through which it flows Given the significant asymmetry of power between those states however there is a real risk that some might utilise it to the detriment of others Without a sense of regional belonging it is difficult to imagine that these states and their constituent communities will take regional imperatives to heart participate in joint regulatory frameworks or adopt behaviours for upstream downstream and lateral cooperation over the appropriation and use of their shared resources How effectively has closer interdependence of the Mekong countries accommodated the development of a political social cultural space conducive to the growth of a regional we ness among not only political elites but also the general public The contributors to this volume approach this question from a range of directions including the impacts of tourism regional development programmes the Mekong Power Grid and Sino US rivalry This edited volume presents valuable insights for scholars of international relations Asian studies development studies environment studies policy studies and human geography The Governance Regime of the Mekong River Basin Rémy Kinna, Alistair Rieu-Clarke, 2017-05-08 Entry into force of the UN Watercourses Convention in August 2014 and the opening of the UNECE Water Convention to all states in March 2016 are significant milestones in international water law A comparative analysis of these two global water conventions and the 1995 Mekong Agreement reveals that all three instruments are generally compatible Nonetheless the international legal principles and processes set forth in the two conventions can render the Mekong Agreement more up to date robust and practical The Governance Regime of the Mekong River Basin Can the Global Water Conventions Strengthen the 1995 Mekong Agreement contends that strengthening the Agreement would be timely given the increasing pressures associated with the rapid hydropower development within the basin and the gradually emerging disputes therein Due to these fast moving developments Kinna and Rieu Clarke strongly recommend that the Mekong states should seriously consider joining both conventions in order to buttress and clarify key provisions of the 1995 Mekong Agreement Review of Protected Areas and Development in the Lower Mekong Region International Centre For Environmental Management Staff, 2003

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