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Mekong River Waters: Our is Ours, Yours is Ours Too

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China is the point of origin for over ten major trans-boundary rivers[1] and shares 110 rivers and lakes which flow into 18 downstream countries.[2] China has 14 land neighbours out of which 13 are riparian neighbours.[3] This upper riparian position gives it immense strategic power. It has not entered into a single water sharing agreement.[4] After saturating exploitation of its internal rivers, China has shifted focus towards the trans-boundary rivers. Despite the environmental backlash faced after the construction of the Three Gorges Dam on the Yellow River, it is going ahead with a new phase of construction of mega dams.[5] It has planned or constructed dams on the Mekong, the Brahmaputra, the Arun, the Indus, the Sutlej, the Irtysh, the Illy, the Amur, and the Salween.[6]

This issue brief is the first of a three part series which will analyze China's water relations with various Asian sub-regions–the South-East Asian, the South Asian, and the North-West Asian.

China and the South-East Asian Nations

The Mekong river is the longest river in South-East Asia and the twelfth longest in the world.[7] The Lankang Jiang (as it is known in China) originates in the Tanggula Shan Mountains of Tibet, and flows through the eastern part of the Tibet Autonomous Region and the Yunnan province before forming the international border between Myanmar and Laos and then a large part of the border between Laos and Thailand. After that, the river flows through Laos, Cambodia, and Vietnam before draining into the South China Sea. The river is often divided into the Upper Mekong and the Lower Mekong basins based on their distinctive geographical features–the narrow stream formed by glacial melt in the Upper basin which gets swollen by the rains that the tropical rainforests in the Lower basin receive.[8]

China forms a mere 18 per cent of the flow contribution to the river, Myanmar an even smaller 2 per cent. Laos contributes a substantial 35 per cent while Thailand,

Cambodia and Vietnam contribute 18, 18 and 11 per cent, respectively.[9] However, information about water flow alone gives an incomplete picture. 'Asia's rice bowl', the lower riparian nations depend on the nutrient rich sediments from the upper course to maintain soil fertility.[10] For instance, half the sediment in central Cambodia comes from China.[11] The Lower basin is so fertile that in some places, it can sustain seven crops in a year! The annual flood pulse is also critical for flushing out salt intrusions in the delta, an important safeguard against the negative impact of climate change.[12] Apart from agriculture, the region supports the world's largest inland fisheries, accounting for over a quarter of global freshwater catch.[13] Over a third of these species migrate more than 1,000 kilometers along the river to feed and breed.[14] Disruption in water flow can permanently destroy entire species.

Total water withdrawal in the Mekong river basin is estimated at 62 km^3, or 13 per cent of the Mekong's average annual discharge, of which Vietnam accounts for approximately 52 per cent, Thailand 29 per cent, China 9 per cent, Lao People´s Democratic Republic 5 per cent, Cambodia 3 per cent, and Myanmar 2 per cent.[15] Irrigation withdrawal accounts for 56 km^3 or 90.5 per cent of the total.[16]

In Laos and Cambodia, the populations are almost entirely dependent on the Mekong for their livelihood.[17] In Vietnam, the Mekong delta is one of the two major populated regions and supports a large portion of the population. It is especially vulnerable to changes in water flow, susceptible to salt water intrusions in the dry season and floods in the high season. Even though Thailand is relatively less dependent on the Mekong than the other lower riparian nations, a third of its population is still directly dependent on it.[18] The population in China on the other hand, is largely concentrated in the coastal areas, with the Mekong basin occupying only a fraction of its area and home to a relatively small population.[19] The distribution of population across the river basin also reflects this dependence imbalance, the average population density varying from just over 50 inhabitants per km^2 in the Upper basin to almost 100 inhabitants per km^2 in the Lower basin.[20]

Hydropower Development

Regional geography is such that the two upper riparian states which are least dependent on the Mekong for survival have the most hydropower potential.[21]

China has already constructed a cascade of dams on the Lankang Jiang. The completed ones are the Dachaoshan (2003), Manwan (2007), Jinghong (2009), Xiaowan (2010), Gongguoqiao (2012) and Nuozhadu (2012).[22] Apart from these six large dams, several more are in various stages of planning and construction.[23] Laos is currently building two dams in Xayaburi and Don Sahong, and it is estimated that there are another seven in various stages of planning.[24] Dams have been built or are planned on tributaries of the Mekong in Myanmar, Thailand, Cambodia, and Vietnam.[25] The Xayaburi dam is only the first of eleven dams being planned on the lower Mekong.[26]

Map 1: Major dams on the River Mekong

Source: 'Mainstream Dams: An Engineer's Dream, a Fisher's Curse', *Watershed*, Vol 12 No 3, November 2008, available at http://www.terraper.org/web/sites/default/files/key-issues-content/1305096681_en.pdf; accessed on 19 April 2017; Updated by author.

Over the past decade, China has consistently been adding more hydropower capacity every year than the rest of the world combined.[27] By 2015, its installed capacity had reached 320 GW. This ambitious scaling up of capacity is a necessity to sustain its industrial growth. It is estimated that by 2050, around 3.3 TW will be required to grow China's economy and GDP per capita.[28] This seems excessive but upon further scrutiny, 3.3 TW is roughly 2.5 kW per capita, substantially lower than the 3.4 kW per capita being consumed by the US as early as 2010.[29] In light of China's ambitions of becoming a global power and its intended nationally determined contributions to the UNFCC, it is unlikely to reduce the pace of 'green' hydropower capacity building.

Mountainous, landlocked Laos has economic compulsions of its own. One of the poorest nations in tension-ridden South-East Asia, it has catapulted itself into a high growth phase, jumping from a per capita GDP of mere US$ 319.5 in 2002 to US $ 1818.4 in 2015,[30] largely on the back of its hydropower and mining sectors. Despite this growth, it continues to be heavily reliant on foreign aid.[31] Less than 5 per cent of the land is suitable for subsistence agriculture, which nevertheless provides around 80 per cent of employment.[32] It still falls below the UN median for lower middle income countries and lacks self-reliance in a politically fraught environment. Endowed with the highest per capita water supply of Asia,[33] it intends to produce enough hydropower to become the 'Battery of Southeast Asia'.[34] It plans to sell most of the electricity generated to its richer, more industrialized neighbours. For instance, according to the 2011 Xayaburi Power Purchasing Agreement between the Xayaburi Power Company Ltd. and the Electricity Generating Authority of Thailand (EGAT), Thailand's electricity utility has agreed to purchase 95 per cent of the dam's electricity.[35]

China's Policy on River Water Sharing Agreements

Since 1949, China has not entered into a single river sharing agreement.[36] In 1997, when the UN Watercourses Convention was adopted, it was one of the three countries which voted against it.[37] The Convention aims to promote 'equitable and sustainable management of Transboundary Rivers and lakes around the world',[38] providing a legal framework for the non-navigable uses of watercourses. The Treaty has provisions like regular sharing of hydrological data, obligation to not cause significant harm to other nations among others.[39]

China has entered into multiple bilateral and multilateral treaties regarding rivers. For instance, Laos, Myanmar, Thailand, and China signed the 'Commercial Navigation on the Lancang-Mekong River Navigation' in 2001; China, Thailand, Laos, Vietnam, and Myanmar entered into an 'Agreement on Providing the Hydrological Data During Flood Season' regarding the Mekong river in 2002.[40] It has entered into agreements with Russia regarding flood prevention, navigation, hydropower, etc. China has entered into multiple treaties with Kazakhstan regarding management and protection of trans-boundary rivers.[41] However, it is critical to note that all of these deal with a limited aspect of river coordination like flood control or navigation. China has not entered into any legally binding water sharing agreement even though it projects itself.

Impact of Hydropower Development

There has been consistent opposition to hydropower development along the Mekong river but individual nations have continued to expand development to further personal interests. China and Laos have created considerable political fault lines in the region by pursuing their aggressive hydropower development projects at the cost of other nations. However, it is important to note that the scale of their ambitions differ vastly. China has already completed hydropower dams which can generate 16.4 GW of power on the Lankang Jiang whereas the controversial Xayaburi dam being constructed by Laos has a capacity of 1.28 GW.[42] The promotion of dams as a renewable source of energy has compounded the problem. They get touted as 'green' sources, strongly encouraged by international frameworks like the UNFCC but the environmental impact, human dislocation, and the potential of changes in river flow due to climate change are often

not factored into the cost of the dam. For instance, reservoirs of various proposed dams along the Mekong will flood over half of all riverbank fields, many cultivated by subsistence farmers.[43] Another criticism by environmentalists is that even when Environmental Impact Assessment reports are prepared, they focus on the impact of a single dam cumulative impact of all the dams is not assessed.[44]

The six major dams in China alone have the capacity to store over 23 km^3 of water, 28 per cent of the annual river flow at the border of China and Laos.[45] Despite China's arguments about the limited impact of its dams due to the small contribution (16 per cent) to the total flow, it forms 100 per cent of the discharge at the China-Laos border and 60 per cent as far south as Vientiane.[46] Further, the dry season flows from the upper reaches of the river constitute an important part of the flow. For instance, in April, glacier melt constitutes 45 per cent of the river flow as far downstream as Cambodia.[47]

As already discussed, the annual pulse from the Upper Mekong plays a critical role in maintaining soil fertility, keeping salinity in check, and sustaining biodiversity. Increased variability in the flow regime can already be witnessed—a smaller annual pulse, later annual flood crest, and increased instances of floods and droughts have all become a reality.[48] China's dams have already reduced sediment flow to around half of earlier levels and the proposed dams on the Lower Mekong are expected to reduce this by another half.[49] This reduction in nutrient rich sediment will affect the fertility of soil, which in turn will impact the agricultural produce in a negative manner.[50] The impact of reduced sediment flow is likely to get compounded by rising sea levels due to climate change. Almost 70 per cent of arable land in the delta can potentially get submerged by the end of the century.[51] In 2016, Vietnam witnessed the lowest recorded levels of water in the Mekong in the past 100 years.[52] Cambodia and Thailand also witnessed extreme water shortages. The situation was so dire that China allowed more water to flow downstream from its dams, acting along expected lines in blaming climate change and not accepting the role of its mega dams in creating the situation.[53]

The Mekong river supports the second highest biodiversity in the world, after the Amazon. The annual freshwater fishery capture of over 2.3 million tonnes has an estimated commercial value of US$ 2 billion/year.[54] Inclusion of secondary industries such as fish processing, markets, equipment sales, and boat building takes the total value of the Mekong's fisheries to somewhere between US$ 5.6 billion and US$ 9.4 billion.[55] This does not include the large population practicing sustainable fishing. Damming will block the migration of fish species across the length of the river. This change in their natural habitat is estimated to reduce the fish species by 26 to 42 per cent, leading to potential annual losses of over US$ 500 million.[56] It will adversely affect the livelihood and food security of a largely poor population. An average person in the region consumes around 60 kilograms of freshwater fish per year, more than 18 times than in Europe.[57] There is just not enough arable land to produce food that can provide equivalent nutrition to this population.[58]

Potential Engagement

There are multiple regional groupings and forums including some especially set up for river water cooperation, but there has only been limited progress on this front despite decades of collaboration.

The earliest of these was the Committee for the Coordination of Investigations of the Lower Mekong Basin set up in1957. One of the earliest trans-boundary river agreements in the post Second World War reorganization, it was endorsed by the United Nations as a 'model for the world'.[59] It was set up by Cambodia, Lao PDR, Thailand, and Vietnam on the recommendations of the Economic Commission for Asia and Far East (ECAFE). The ECAFE, set up to facilitate redevelopment after the Second World War, highlighted the benefits of a co-operative regime to promote funding for the development of hydropower and irrigation in the Mekong basin. The Mekong River Committee enjoys strong international support, and has received funding from the Global Environmental Facility supported by World Bank, France, the US, and Japan among others.[60] The strategic influence that these

donations could generate was a dominant motive in the early years. France wanted to continue its influence over erstwhile colonies while the US was keen on countering a communist China.[61] Political differences led to Cambodia leaving the body for a few years.

After years of difficult negotiations, the four nations finally signed the Mekong Agreement in 1995. Under it, they pledged to 'ensure that the Mekong water is developed in the most efficient manner that mutually benefits all Member Countries and minimizes harmful effects on people and the environment in the Lower Mekong Basin."[62] While it only has the character of a non-binding treaty, it accepts the principle of sustainable development. It has facilitated positive developments like joint basin planning and an Integrated Water Resources Management Strategy which facilitate long-term planning of the development of the lower Mekong.[63] The Agreement has suffered from various limitations. The consultation process has been skipped by nations planning dams, especially Laos. The weak protests by affected nations have meant little due to the lack of a binding commitment or implementation mechanism. Most importantly, China and Myanmar continue to only play a limited role. They have both been dialogue partners since 1996 and there has been incremental cooperation since then but they are unlikely to become complete partners due to diverging interests and the strong US shadow over the Committee. In an attempt to promote flood control, China has been sharing water level data for the flood season since 1993, but this has been criticized as farcical since it is the dry season flow from Lankang which is crucial to the Lower basin's ecology.[64] It has also been suffering from internal dissonance–donations have dropped sharply and there is anger against Laos for political bullying.[65]

There are multiple other initiatives–all aimed at facilitating greater coordination within the region. Some of these include the US led Lower Mekong Initiative which has the four lower riparian nations as well as the US; Asian Development Bank's Greater Mekong Sub region (GMS) Cooperation; Japan's Forum of Comprehensive Development of Indochina, Quadripartite Economic Cooperation, the Association of South East Asian Nations, and the most recent addition and the most promising of the lot, China initiated Lankang Mekong Cooperation Mechanism.

China's Policy Shift

In March 2016, Vietnam experienced a severe drought, its rice plantations experiencing dangerously high levels of salinity.[66] It formally requested China to release water from Yunnan.[67] China agreed to release water from the Jinghong hydropower station although it was careful to blame the El Nino and not attribute the disaster to its own dam building activities.[68]

In the same year, China also shared hydrological data from two dams–the Manwan and Jinghong.[69]

In 2016, China set up the Lancang-Mekong Cooperation mechanism 'to provide political guidance and a roadmap for sub-regional cooperation between China and the five Southeast Asian nations of Cambodia, Laos, Myanmar, Thailand, and Vietnam.'[70] Under the LMC, the Chinese Foreign Ministry spokesperson Lu Kang promised that 'the Chinese side will enhance communication and coordination with relevant countries on water resources management and disaster response to carry out practical cooperation, which we hope will better benefit people living along the Lancang-Mekong River.'[71]

After years of staying away from or at best, playing a marginal role in coordination, China's curious volte face must be examined.

China has been in 'damage control' mode to avoid the criticism it has been experiencing from environmental groups and the lower riparian nations.[72] For instance, it faced criticism when lower Mekong experienced reduced fish catches and historically low water levels after the Xiaowan dam became operational.[73]

China has been taking steps to improve its image since it needs to continue marginally good relations with the region which forms the backbone of the Chinese Belt and Road initiative. Barring Vietnam, it is also one of the few regions where Chinese intervention in the region is viewed favourably.[74]

There is another economic angle to this situation. The companies constructing dams across the Mekong

are mostly Chinese and China needs to ensure that their commercial interests are protected.

More importantly, the LMC mechanism is disappointing when analyzed further. The 'practical cooperation' envisaged is essentially to use this new body as a vehicle for Chinese investments in the region. China has offered concessional loans of US$ 1.54 billion and credit lines of up to US$ 10 billion to fund infrastructure and improve connectivity in Cambodia, Laos, Myanmar, Thailand, Vietnam, and China.[75] Out of this, US$ 5 billion will be specifically dedicated to industrial production capacity cooperation between Yunnan and the five South-East Asian countries.[76]

There is also a strategic angle to this investment and newfound bonhomie. The Ministry of Foreign Affairs for the People's Republic of China has approvingly noted that at the second ministerial meet, all 'ministers hoped that the LMC can dovetail with China's "Belt and Road" initiative and complement and promote other sub-regional cooperation mechanisms so as to make unique contributions to improving people's welfare in the region.'[77]

This follows the old Chinese pattern of creating a 'false impression of cooperative riparian relations'[78] using tools like bilateral agreements regarding selling of hydrological data, commercial cooperation or joint research initiatives while rejecting the core concept of water sharing.[79]

Conclusion

The future of the Mekong river and its dependents continues to remain uncertain. Despite increasing evidence of the negative impact of river damming, China and the other nations refuse to move towards sustainable development in the Mekong river basin. China is trying to create an impression of a softened, more cooperative stance regarding the Mekong river to protect its various interests in the South-East Asian region. However, in line with past trends, it is merely trying to white-wash reality while protecting its commercial interests. It would be delusional to hold out hope for a joint water sharing agreement for the Mekong which recognizes the principle of equitable distribution based on the limited policy changes that China has volunteered to make in 2016.

The India-China river water systems need evaluation and the next Issue Brief will address the issue in detail.

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