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## **Saving the Mighty Mekong: The Case for Additional US Engagement with the Mekong Sub-region**

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*The Mekong River has provided food, agriculture, and employment for millions of people in Southeast Asia for thousands of years. This storied history may well be coming to an end following decades of harmful Chinese damming practices, a regional overreliance on hydropower, and climate change. Severe drought, water shortages, and major biodiversity loss have led to a marked decrease in agriculture and fishing yields, which could lead to an economic downturn and/or food shortages if the current situation continues. It is in the best interest of the US to aid in mitigating these risks. Such efforts would support US goals regarding environmental protection and sustainable energy, and also provide an opportunity for US-Southeast Asian cooperation that the region will be more receptive to; as it will not require states to “choose” between China and the US.*

### **Introduction**

The Mekong River is one of the world’s great rivers, which has long provided food and income for millions of people within Southeast Asia. The Mekong is 5,000 miles long, beginning in China’s Tibetan Plateau and ending in the Mekong Delta. Flowing through six countries: China, Myanmar, Thailand, Laos, Cambodia, and Vietnam; the Mekong’s incredible biodiversity provides essential natural resources for the nearly 65 million people that depend on it in the Lower Mekong River Basin (Mekong River Commission (MRC), 2023). While the Mekong has provided for the people that live near it for thousands of years, climate change and harmful damming practices have resulted in severe drought, water shortages, and major biodiversity loss (Eyler & Carr, 2021). Beyond the threat posed to regional ecology, losing access to the vital resources of the Mekong could have significant effects on the security and development of impacted states. Mitigating the impacts of dams along the Mekong will require significant focus and investment from regional actors and intergovernmental organizations. It is crucial that the United States assist in these efforts, not only to fulfill our promises to fighting

climate change, but also to ensure that we can protect our own interests in Southeast Asia. The Biden administration has stated their desire to improve relations with Southeast Asian states through increased trade, investment, and diplomatic engagement (The White House, 2022). Investing in the Mekong allows the US to improve its relations with Southeast Asian states through engagement that ASEAN will be more receptive to (Stromseth, 2019; Polling & Natalegawa, 2023). Focusing US engagement with Southeast Asia in an area other than defense allows the US to communicate that they are interested in working with Southeast Asia in ways other than competition with China and are willing to work with ASEAN on issues that will significantly impact Southeast Asian populations.

### **An Overview of the Problem**

The massive increase in occurrences of drought is one of the biggest issues facing the Mekong sub-region due to its impacts on agriculture, fishing, and local economies. Over the last four years the Mekong has experienced a severe drought that has resulted in the lowest water levels in more than 100 years (Hunt, 2022). When the annual monsoon rains failed to arrive, dry conditions and extreme weather occurred. This severe drought has had a predictable, but still devastating, effect on the populations that rely on the flooding for food, fresh water, crops, and income. Fish catches in the region are down 80%, as the rising water levels serve as a biological cue for fish to spawn and complete patterns of migration (Lovgren, 2019; Eyler, 2019; Keo & Lipes, 2020). This significantly reduced fish catch is worsened by the lack of water to grow crops, like rice and other staple foods. This has the potential to lead to a food shortage crisis, especially as these disruptions to water flow and droughts become more common.

When attempting to determine the root cause of these worsening periods of drought, two main culprits arise. The first of these is climate change. The cumulative effects of climate change can be felt around the world, but this is a particularly salient issue for those within Southeast Asia (Kummu & Sarkkula, 2008). Within the Mekong region climate change has been responsible for more intense and shorter wet seasons, frequent extreme weather events, and longer periods of drought. While climate change is certainly an issue of great concern for policy makers, many scholars argue that the far bigger issue for countries along the Mekong is the improper damming practices undertaken by China and other upstream states.

China began building dams along the Mekong in 1990, causing concern from those downstream that they could potentially use these dams to restrict water going into Southeast Asia. There are currently a total of 11 mega-dams along the Mekong in China, and numerous other smaller dams along tributaries (Eyler, Weatherby, & Kwan, 2020). These dams have the capacity to hold as much water as the Chesapeake Bay, meaning that China can store massive amounts of water coming from the Mekong (or Lancang, as it's called in Chinese) that cannot be used downstream. While China has long attempted to deny any such restrictions of water, satellite imagery and physical gauge evidence provided by the Mekong River Commission shows clear evidence that goes against the prevailing Chinese narrative (Basist & Williams, 2020).

The Mekong River Delta has experienced record setting levels of drought since 2019, resulting in the worst river conditions for more than 60 years in some communities (Hunt, 2022). The Mekong River Commission conducted a study into the dams along the Upper Mekong, confirming long-held suspicions about Chinese water management policy (Eyler, Weatherby, & Kwan, 2020). This study provided significant amounts of data concerning the amount of water restriction, when restrictions took place, and for how long China restricted water from being accessed by its downstream neighbors (Eyler, Weatherby, & Kwan, 2020). The report's most significant finding is that in 2019 the upper region of the Mekong within China received high to average levels of precipitation, yet the hydroelectric dams continued to restrict record-high levels of water even as Thailand, Cambodia, and Vietnam experienced an unprecedented wet season drought. This restricted water was then used to produce hydropower for Chinese consumers (Basist & Williams, 2020). When looking at the data provided by the Eyes on Earth Study, it becomes clear that if Chinese hydropower dams had not restricted such high levels of water, the downstream countries would have experienced average water levels within the Lower Mekong (Eyler, Weatherby, & Kwan, 2020). While scholars had been speculating as much for years, the definitive proof provided by the Mekong River Commission shed much needed light on just how significant harmful damming practices are in an area already struggling from the ecological impacts of climate change. Despite this discovery, China's seeming apathy and inability to change its damming practices in the years since has only resulted in the problem increasing in severity (Bhandari., 2023).

In 2020, amidst an extreme drought within the Lower Mekong River Delta, Chinese Foreign Minister Wang Yi stated that the main reason for the drought was a lack of rain, a problem that China suffered from as well (Funaioleand & Hart, 2020). With this statement from China, the governments of Thailand, Laos, Cambodia, and

Vietnam enacted policies to manage problems arising from the drought. With fish catches down nearly 80% and many within the area without access to fresh water at the height of the drought, the governments of Southeast Asia were forced to dedicate resources to fight growing food insecurity and competition over limited amounts of water. This high level of dishonesty and misinformation is not unusual for the Chinese government, as they have been famously secretive over the location and practices of these hydropower dams since their inception (Fawthrop, 2020). While China has justified their actions as merely exercising their right to exploit their own natural resources, by reserving so much water they are preventing the countries downstream from using their own natural resources. Knowing that the downstream countries are less developed and possess less international influence, there is little that can be done without stronger actors working together.

While this is already a complicated issue, the issue over use of the Mekong becomes even more complex when you consider how important hydropower is to the region. As states around the world begin to realize the cumulative impact that climate change is having on our environment, finding renewable sources of energy is becoming increasingly important. Countries like China, who produce large amounts of carbon emissions, have been steadily working to develop scientific and policy solutions to climate change. Given that China has a number of large rivers, using hydropower dams is an effective way to produce massive amounts of power, while also reducing emissions and moving China closer to their goal of becoming carbon neutral (Xie, 2021). As China becomes more urbanized and expands domestic manufacturing, the country will need increased amounts of power. Purchasing this power from their own hydroelectric dams makes economic sense and has the additional benefit of being a more carbon neutral form of energy production than burning coal (Columbia University, 2021). Given the number of people and the increasingly large demand for power within China, hydropower is a far more effective solution than solar or wind, making the creation of these dams a rational decision for Chinese policy makers (Chik, 2023). While this decision may be in the best interests of the Chinese government, it has severely negative impacts on the other states along the Mekong.

This paper will now examine the situation within each of the nations along the Mekong, in order to determine areas of vulnerability and identify potential areas of mitigation for the US and other interested parties.

## **Myanmar**

The case of Myanmar is significantly outlier from the rest of the Mekong region. The ongoing Civil War has thrown the entire nation into chaos, with ethnic armies and National Unity Government (NUG) backed militias fighting the military junta's forces. The fighting within Myanmar has had significant impacts on ASEAN as a whole, which has struggled to reach consensus on a potential solution for the conflict. The Mekong River Commission (MRC) has cited the instability created by the ongoing Civil War as a major contributor to stalled discussions regarding environmental rules and regulations (Yee, 2023). Along Myanmar's borders with Laos, Thailand, and China, concerns over instability and the spread of conflict are high (Purba, 2023). These concerns began long before the Civil War broke out, due to high levels of transnational crime and illicit business within Myanmar's Northern Shan state (International Crisis Group, 2023). These illicit activities help fund the military junta, making it incredibly unlikely that they will end anytime soon. While any assistance provided by ASEAN, the US, and the international community would take a very different form for Myanmar than any other state along the Mekong, halting the conflict and bringing peace to Myanmar will improve the stability of Southeast Asia as a whole.

## **Laos**

Laos is one of the poorest states in Southeast Asia, facing slow economic growth and a growing debt crisis. In an attempt to fix its domestic economic problems, the Lao government has embarked upon an endeavor to become the "battery of Southeast Asia" (Sasipornkarn, 2021). The Lao government has made plans for the construction of nine hydroelectric dams along the Mekong, believing that energy exports can provide an opportunity for economic growth and job creation for the struggling Lao populace. The construction of these dams has been very controversial, both due to their impact on local Laotian communities, and due to the broader environmental impacts caused by further restricting the flow of the Mekong. Of the nine planned dams, two have finished construction, four are currently under construction, and the three others are currently having their plans reviewed by the Mekong River Commission (MRC) (Strangio, 2021). The MRC is a consortium made up of the Mekong states, which provides consultations and evaluates construction proposals along the Mekong. The MRC rejected the most recent report from Laos regarding the benefits and harms of its newest project. The reason for this rejection was that Laos had provided insufficient evidence that the economic benefits of this dam will outweigh the environmental harms (Strangio, 2021). Laotian

dams already produce more energy that the state can use, and while energy sales have increased following regional recovery from the COVID-19 pandemic, the construction of seven additional dams will produce far more energy than can be reasonably expected to be used or sold.

While Laos has received investment from other ASEAN states, its greatest investor by far is China. Laotian debt to China has increased dramatically since 2013, with the Lao government borrowing billions from Beijing to fund infrastructure projects as part of the Chinese Belt and Road Initiative (BRI). Lao hydroelectric dams are being constructed using the money borrowed from China, under the misguided belief that exporting hydropower can successfully carry Laos out of the unfolding economic crisis it is currently facing (Chandran, 2023). While China granted Laos short-term relief in the form of deferred repayments from 2020-2022, Lao still owes a debt equivalent to nearly 122% of its GDP to Beijing (Chandran, 2023). It is critical for the Lao government to identify alternative sectors to invest in, in order to create profitable industries that will spur economic growth and allow the government to repay its debts.

Laos has made their desire for alternative sources of investment clear, though they have historically been wary of looking towards the US due to US human rights and democracy promotion and Vietnam War legacy issues (Dolven & Lum, 2022). Investments from the US and its allies can aid Laos in developing new industries, particularly those without an outsized environmental impact. If Laos is committed to remaining an energy exporter, identifying alternative sources of energy production is critical for those who rely on the Mekong for agriculture and fishing.

### **Thailand**

Thailand plays a key role in determining the future of the Mekong River. Over the last several years, many working within the Thai government and in environmental NGOs have pushed to stop the construction of new dams along the Mekong, and push for more transparency from the Chinese government (Thongnoi, 2021). Thailand has also been pushing for the development of alternative energy sources to reduce regional dependency on hydropower. The Royal Thai government plans to gradually increase their energy production levels under the National Energy Plan (NEP) 2022, a combination of five separate plans that could potentially lead to \$4.2 billion in investment to the country (International Trade Administration, 2022). Thailand has the potential to radically refocus its energy production towards renewable sources due to its high levels of solar

irradiation and abundance of bioenergy, projecting that by 2037 solar energy will account for 50% of overall energy production in Thailand (Fallin, Lee, & Poling, 2023). As the largest consumer of hydropower in Southeast Asia, if Thailand chooses to pursue alternative sources of energy production, it will impact the entire region.

Following the election of Thai Prime Minister Srettha Thavasin in August 2023, researchers within and outside Thailand are worried that Srettha will put an end to conservation efforts out of a desire to increase international investment and overall economic growth in Thailand (Phakdeewanich, 2023; Deetes, 2023). This concern is supported by the September 2023 signing of a deal between the Energy Generating Authority of Thailand (EGAT), China Datang Overseas Investment Co, and Gulf Energy Development PCL confirming the construction of the Pak Beng hydropower dam (Deetes, 2023). The current administration's focus on economic growth over environmental impacts is worrying, but can be mitigated if investment in alternative renewable energy sources can be made more attractive.

Although Thailand is a US ally, it has grown increasingly close to China. The US should work to ensure that it can improve its relationship with the Thai government in a way that does not suggest that Thailand need "choose" between working with the US over China. By providing assistance in key Thai industries, the US can ensure that Thailand's own economic interests can be pursued without threatening regional security.

### **Cambodia**

The Mekong's yearly flooding begins in Cambodia's Tonle Sap Lake (Fawthrop, 2020). In a typical flood season the Tonle Sap expands from approximately 2,500 km<sup>2</sup> to approximately 12,000 km<sup>2</sup> and the water depth goes from less than 1 m to 6-9.5 m (Lamberts, 2013). While most of the year the Tonle Sap is a tributary of the Mekong, early on in the wet season the flow of the Tonle Sap is reversed due to high water levels and flow in the Mekong. The water that then comes into the Tonle Sap from the Mekong accumulates in the lake and floodplain, causing massive flooding (Lamberts, 2013). This river flow reversal then transfers silt and sediment from upstream into the Mekong Basin, which can then be used to grow crops and maintain the high levels of regional biodiversity (Fawthrop, 2020; Lin & Qi, 2017). Just as importantly, this massive expansion of the Tonle Sap turns the area into the world's largest in-land fishery, which provides an essential source of food and income for the people that live there. There are an estimated 2.5 million fishermen in the Tonle Sap, who rely on the lake as the "region's

rice bowl” (Eyler, nd). Beyond those communities in close geographic proximity to the Tonle Sap, there are also large numbers of seasonal migrants who come to the area to assist in fishing and other seasonal industries that are created by the flooding (Lamberts, 2013; Eyler, 2019).

Damming and significant periods of drought have resulted in a change in flood patterns along the Mekong. Dams along the Mekong have resulted in silt levels dropping throughout the region, making it significantly more difficult to grow crops. These agricultural difficulties are compounded due to decreases in fish catches. Food insecurity is a growing issue throughout the Mekong sub-region, but particularly in Cambodia, where communities are heavily reliant upon fishing. Cambodia’s leadership initially working to mitigate the negative impacts on communities around the Tonle Sap, deciding in 2020 to halt construction of its hydropower dams at Sambor and Stung Treng for the next 10 years (Thul, 2020). The decision was made in order to switch to more reliable sources of power that would not continue to harm the Mekong. While this seemed like a step in the right direction, studies determining the impact of the Stung Treng dam restarted in 2022 following an agreement between authorities and the wealthy Royal Group Company (Flynn & Pry, 2022). Such a decision is not likely to be reversed, as the new Cambodian Prime Minister Hun Manet made it very clear that post-pandemic economic recovery is one of his main goals (Sam, 2023; Khmer Times, 2023). Aiding in Cambodia’s economic development through investment would provide the US and its allies with an excellent opportunity to ensure that the livelihoods of local communities are protected, while also providing an alternative to Chinese investment.

### **Vietnam**

Vietnam’s four main economic sectors—agriculture, textiles, electronics, and energy—are all at risk due to decreases in water supply. The Mekong delta region of Vietnam is the center of production for these four key industries, as all of them rely upon consistent sources of water as an element of production (Fallon, Sawdon, Tien, & Ketelsen, 2023). Vietnam is a growing economy that is becoming increasingly reliant on manufacturing electronics and textile production as a source of income for much of its population. As with the rest of the Mekong sub-region, Vietnam utilizes hydropower as one of its main sources of energy (Fallon, Sawdon, Tien, & Ketelsen, 2023). While hydropower plants have resulted in a growing energy sector, decreased water and sediment levels have the potential to significantly impact the supply chains of other sectors of industry given insufficient reservoir levels throughout the country (Fallon, Sawdon, Tien, & Ketelsen,

2023). Long periods of drought would thus have significant economic implications, particularly in the industrial delta region. Given Vietnam's industrial specializations, it is becoming increasingly necessary for them to diversify their energy sector away from hydropower and look towards developing manufacturing practices that will not have an outsized environmental impact. Earlier this year the US and Vietnam elevated their relations to a Comprehensive Strategic Partnership, with the US pledging to aid in Vietnam's continued development (The White House, 2023). As part of this pledge the US International Development Financial Corporation (DFC) promises to continue to finance private sector projects related to Vietnam's infrastructure, climate, and energy efficiency, with a particular focus on the Mekong Delta region (The White House, 2023). While it is still too soon to determine the effectiveness of these new investments, agreements such as this are incredibly promising.

### **US Responses**

This paper will now go through two recent initiatives undertaken by the US regarding mitigating the impact of harmful damming practices along the Mekong.

Vice President Kamala Harris has announced a number of initiatives focused on strengthening US relations with the Mekong sub-region in areas such as clean energy transitions, building climate resilience, and promoting sustainable development. These initiatives are part of the Biden Administration's larger climate-focused economic goals via the Partnership for Global Infrastructure and Investment (PGII) and the Indo-Pacific Economic Framework (IPEF) (The White House, 2022). While many of the initiatives announced were specific to Thailand, the programs that they would create regarding Thai energy systems, agriculture, supply chains, and economic development can serve as a blueprint for future initiatives with other Southeast Asian states (The White House, 2022). As of late 2022 Vice President Harris had dedicated \$20 million of new funding for the aforementioned initiatives, almost doubling the previous 2019 US investment in regional energy projects through JUMPP (Mcperson, 2022; The White House, 2022).

The Japan-US Mekong Power Partnership (JUMPP) is a great opportunity for international investment in regional power capabilities. JUMPP was created to promote the development of a sustainable energy sector, create quality energy infrastructure, and promote private sector input and investment (Mekong-US Partnership, 2021). Additionally, JUMPP identifies ideal locations for cross-border infrastructure and matches resource concentrations with demand centers (Mekong-US Partnership, 2021).

JUMPP also has been conducting feasibility studies, environmental impact assessments, and evaluates existing capabilities of Mekong countries using international standards (Mekong-US Partnership, 2021). This is incredibly beneficial, as JUMPP has been helping to determine the most effective areas for future investment, the best areas for regional coordination, and potential private partners who can provide economic investment. In April of 2023, JUMPP released the Japan-US Mekong Power Partnership Action Plan, a document outlining cooperative projects and activities focusing on developing wind and solar power, grid integration, power market analysis, and peer-to-peer exchanges (Mekong - US Partnership, 2023). JUMPP is just one example of the many projects currently undertaken by the Mekong-U.S. Partnership, a U.S. Department of State program that promotes peace, security, prosperity, and sustainable development in the Mekong sub-region. This partnership is part of the larger cooperative efforts between the U.S. and ASEAN, supporting and implementing the ASEAN Community Vision for sustainable regional development (Mekong - US Partnership, 2021).

While the work that has already been done regarding mitigating the impacts of damming practices and climate change along the Mekong is commendable, continued support from the US and other interested parties is necessary. US policy towards the Indo-Pacific is heavily skewed towards US-China relations. While this makes sense given China's power and relative influence compared to other regional states, US policy over the last decade has left many Southeast Asian states feeling like an afterthought. If the US is serious about combating China's influence in the Indo-Pacific, it needs to seriously consider dedicating resources to improving its relationship with key regional states. As many Southeast Asian states are reliant upon China economically, the US must identify areas of engagement that all Southeast Asian states are willing to collaborate on. The environment is one of the areas where even more pro-China states like Cambodia or Laos will be willing to work with the US without fear of repercussions from China.

### **Alternative Solutions**

Given the US's competing foreign policy priorities, some may argue that the Mekong sub-region should look elsewhere for mitigating solutions to their environmental and economic problems. While such a desire is understandable, given the severity of the issue and the international influence held by China, it will be incredibly difficult for any other state or international organization to enact an effective solution without significant input from the US.

One avenue that the Mekong States may be tempted to pursue is that of International Law. The UN Convention on the Protection and use of Transboundary Watercourses and International Lakes was passed in Helsinki in 1992 to promote the sustainable management of shared water resources and avoid conflicts over water (UNECE, 2021). Under this agreement states that border the same transboundary waters must cooperate in order to promote sustainable water management, avoid pollution, share information, and assist other parties in case of environmental emergencies (UN-Water, 2021). Under the UN definition of transboundary waters, the Lancang-Mekong River would be protected if the states bordering it were party to the agreement. At this point in time none of the six states bordering the Lancang-Mekong transboundary waters are party to this treaty, so there are currently no international laws that would assist with constraining the actions of China. Having all of these countries become party to this agreement would be beneficial, as according to this agreement all states must “share information in a timely manner” and responsibly manage transboundary waters (UNECE, 2021). An argument can easily be made that China has not responsibly managed the water, negatively impacting the environment of the Mekong and the Delta Basin. Therefore, it would certainly be in the best interest of the Southeast Asian states to join this agreement, as they would have additional leverage in getting China to halt their restriction of water and assist in maintaining the fragile Mekong ecosystem.

While joining such an agreement and allowing International Law to impose a punishment on China for their damming policies along the Lancang would be beneficial for the five Southeast Asian states, it is unlikely that China would ever join such an agreement, as it would prevent them from being able to use their resources as they see fit. While it is of course possible that China may choose to join this agreement or make an external agreement or treaty with the five Mekong countries, it is impossible to know what difference this will actually make in Chinese behavior. As seen following the South China Sea arbitration with the Philippines, China does not follow international law that does not serve its own interests (Campbell & Salidjanova, 2016). Therefore, even if China were to join this agreement, there is no way of knowing if they would follow-through or if they would accept any sort of case brought against them. Furthermore, International law moves slowly in terms of negotiations, ratifications, and bringing cases to trial. If current drought conditions continue the people who rely on the Mekong for food and income will only continue to suffer and insecurity within those states will only increase. Setting a precedent under International Law can certainly be a part of the continued work towards protecting the Mekong, but it cannot be the only action taken by governments.

Efforts by regional groupings and international organizations, under the Lancang-Mekong Cooperation (LMC) and United Nations Environment Program (UNEP) respectively, appear on the surface to have made significant progress. The LMP launched in 2016 to provide the six states along the Mekong with an opportunity for open dialogue and expanded cooperation. While having an open dialogue between China and the states of the Mekong sub-region is preferable to not having any communication between states, these dialogues are largely spaces for states to share information, raise awareness, and debate best practices regarding water management and environmental protection. Very little concrete action has actually been taken, and it remains to be seen if the Five-Year Plan of the Lancang-Mekong Water Resources Cooperation will include any substantial changes in behavior from China (Ministry of Foreign Affairs of the People's Republic of China, 2022; UN.org, 2023). While spreading awareness about the societal impact of poor water management and ecological protection is key, without any enforceable agreement between states, it is impossible to know whether any actual changes in behavior will occur.

### **Conclusion**

Unsafe damming practices, climate change, and an overreliance on hydropower have resulted in significant problems facing the states along the Lancang-Mekong River. Massive Chinese hydropower dams along the upper portion of the River have resulted in a significant change in water levels and flooding patterns further downstream. The agriculture and food systems of many of these downstream countries rely on consistent flooding patterns for rice and fishing and these downstream states also rely on water from the Mekong for their own hydropower and manufacturing. A major economic downturn or food shortage crisis would pose significant political and security risks to the region and would worsen the quality of life for those living within the Mekong sub-region. With little indication of a change in behavior from China, and minimal concerted action being undertaken by international organizations, investment from the US could be the best choice for mitigating these harmful effects. The current US administration has made environmental protection and improving its relations with Southeast Asia part of its broader strategic goals. However, it appears as if many in the US have not yet made the connection between the pursuit of the US's regional goals and its global environmental goals. If the US hopes to improve its relationship with Southeast Asia, it must work to improve its reputation within the region. Southeast Asia sees US Indo-Pacific policy as overly concerned with China, leaving their states to serve as pawns in great power

competition. If the US wants to change this perception, it must ensure that it can engage with Southeast Asia in the areas that impact them most significantly. Focusing on the environment and regional energy sector is a great way for the US to increase regional engagement in a way that both Southeast Asian and domestic populations will approve of.

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