



Mekong Youth Assembly



**Mekong Youth Assembly and International Rivers  
Submission to  
John Knox, United Nations Special Rapporteur on Human Rights and the  
Environment**

The Mekong Youth Assembly and International Rivers are pleased to provide this submission to John Knox, the United Nations Special Rapporteur on Human Rights and the Environment, with observations and suggestions on the environment and the rights of the child in the context of rivers and hydropower development.

The Mekong Youth Assembly (MYA) was founded in 2013; it is a self-organized network of youth from Mekong countries. We unite to fight for greater youth and child rights, and for greater participation in all levels of decision-making processes that affect our Mekong River and our environment.

International Rivers works to protect rivers and rights, and promote real solutions for meeting water, energy and flood management needs around the globe. We work closely with a global network of dam-affected people, environmentalists, human rights advocates and experts to fight destructive river projects and promote better alternatives.

The Mekong Youth Assembly and International Rivers would like to draw your attention to the impacts of large-scale hydropower dams on the rights of the child. The environmental and human rights impacts of blocking more than half of the Earth's major rivers with dams have been devastating. The world's large dams have wiped out species; flooded huge areas of wetlands, forests and farmlands; and displaced tens of millions of people. Indigenous, tribal, and farming communities have been particularly hard hit.

The livelihoods and cultures of sixty million people in the lower Mekong Basin are intimately connected with the river's natural cycles. Boasting one of the world's most diverse and productive inland fisheries, the Mekong supplies basin residents with about 80% of their protein needs. Other important transboundary rivers in the region, such as the Salween River, are similarly critical to the food security and livelihoods of local populations.

Despite the fact that large-scale hydropower dams pose tremendous risks to regional food security, governments and developers are pushing projects forward in the Mekong, Salween and other important river basins through non-transparent and non-participatory planning and approvals processes, without conducting proper impact assessments or consulting with affected communities. In a region where human rights and environmental defenders face intimidation and violence, speaking out against the human rights and environmental impacts of dams has become increasingly dangerous.

The social and environmental impacts of large-scale hydropower dams have particularly serious consequences for children. Dam development drives the loss of access to natural resources and blocks fish migration routes, threatening the food security of some of the world's most vulnerable communities and placing children at increased risk of malnutrition. Furthermore, families frequently face relocation in the wake of large dams, which affects family stability and livelihoods and restricts access to health, education, and adequate housing, often leading to chronic poverty.

While hydropower dams are often considered “green” or carbon-neutral sources of energy, the emission of greenhouse gases (CO<sub>2</sub>, CH<sub>4</sub>, N<sub>2</sub>O) from dam reservoirs, especially those in tropical basins, can in fact contribute significantly to global warming.<sup>1</sup> Children residing in densely populated river deltas face particular risk from the interrelated impacts of climate change, declining fisheries and saltwater intrusion caused by dams upstream.

Dams are causing long-term and, in many cases, irreversible damage to riverine ecosystems, with implications for current and future generations.

We ask your support to ensure that hydropower developers and governments apply the general principles of the Convention on the Rights of the Child (CRC) in the context of decision-making and planning of hydropower dams. Governments and hydropower developers must ensure that these processes take into account the rights of the child, guarantee the procedural rights of children, and protect children's freedom of association and expression.

Specifically, we request your support in requiring governments and hydropower developers to:

- Abide by the Child Rights and Business Principles (CRBP) set out by UNICEF to ensure respect and support children's rights in relation to the environment and to land acquisition and use.
- Integrate child rights protection and promotion into broader social and environmental impact assessment processes, ensuring that procedures are in place to identify specific risks and address impacts on children.
- Engage in meaningful consultation with potentially affected communities so that risks of adverse impacts on children are identified and addressed early on.
- Recognize child-related impacts of relocation and resettlement, and ensure that every effort is made to avoid relocation. If relocation cannot be avoided, guarantee that children's rights to education, protection, health, adequate food and standard of living, and participation are taken into consideration when carrying out resettlement and providing for compensation.

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<sup>1</sup> Bridget R. Deemer et al., *Greenhouse Gas Emissions from Reservoir Water Surfaces: A New Global Synthesis*, *BioScience* (November 2016 / Vol. 66 No. 11).

- Be aware that land ownership and registries may discriminate against women and children, in particular girls, whose inheritance rights are often not registered or recognized. Apply international standards for land and property inheritance to prevent children, and especially girls, from losing inheritance and property rights.
- Ensure that relocated children and their families have adequate housing and supporting documents, as well as uninterrupted access to basic services such as schools, health clinics, water and sanitation, and transportation.
- Adopt clear procedures to prevent, identify and address any alleged child rights violations, and a formal grievance mechanism for receiving, processing, investigating and responding to reports of child rights violations.
- Allow civil society groups free access to affected communities to explain the grievance mechanism process to community members, taking local languages into consideration. Guarantee the safety of human rights and child rights defenders.

The Mekong Youth Assembly and International Rivers are deeply committed to strengthening child rights protections within the hydropower sector, and are willing to support the Committee on the Rights of the Child by sharing information on the impacts of dams on child rights, and by providing input and comments on the drafting process of a General Comment on children's rights and the environment. We look forward to discussing these matters with you further.

### **Case Study: Lower Sesan 2 Dam in the Mekong Basin, Cambodia**

The Mekong River supports the livelihoods and food security of more than 70% of the Mekong basin's inhabitants through its fisheries, riverbank gardens, ecotourism opportunities, and fertile agricultural land. The eleven large hydropower dams proposed on the Lower Mekong River's mainstream would result in a total estimated fishery loss of 26 to 42%<sup>2</sup>, placing at risk the livelihoods and food security of millions of people who depend upon the river's resources in a region where child nutritional standards are already low. According to the World Food Program, almost 40% of Cambodia children under 5 are chronically malnourished, over 28% are underweight and 10.9% are acutely malnourished.<sup>3</sup>

Cambodia's per capita consumption of inland fish is among the highest in the world and its people depend on fish for nearly three-quarters of their protein intake. A report financed by Danida, Oxfam and WWF shows how the combined effects of mainstream dams in Cambodia and population growth could reduce the country's consumption of fish from 49kg to as little as 22kg per person per year by 2030, amounting to a 55% reduction.<sup>4</sup> This will have a profound impact on child nutrition.

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<sup>2</sup> See International Centre for Environmental Management (ICEM), *SEA of Hydropower on the Mekong Mainstream* (2010) at <http://icem.com.au/portfolio-items/strategic-environmental-assessment-of-hydropower-on-the-mekong-mainstream/>.

<sup>3</sup> See World Food Programme website at <http://www.wfp.org/node/3418>.

<sup>4</sup> See Inland Fisheries Research and development Institute (IFReDI), *Food and Nutrition Security Vulnerability to Mainstream Hydropower Dam Development in Cambodia* (2013) at <https://business-humanrights.org/sites/default/files/media/cambodia-dams-and-food-security-2013.pdf>.

Located near the confluence of the Sesan and Srepok rivers in Stung Treng province, Cambodia, the Lower Sesan 2 Dam threatens the vitality and biodiversity of two of the Mekong River's most significant tributaries. A 2012 study published in the Proceedings of the National Academy of Sciences found that the Lower Sesan 2 Dam alone will cause a 9.3% drop in fish stocks basin-wide, while threatening more than fifty fish species.<sup>5</sup> These catastrophic impacts will be felt as far downstream as the Mekong Delta in Vietnam – the rice bowl of the country – and as far upstream as Laos and Thailand. In addition, approximately five thousand people, many of whom are indigenous people, have been forcibly evicted to make way for the dam's reservoir.

182 families directly affected by the Lower Sesan 2 Dam have refused relocation and have committed to staying in their old villages despite the scheduled operation of the dam and inundation of their homes in September 2017. Armed forces have cut off community access to the nearest town for social services and education. Children in these communities have not been able to attend school for two years, and teachers attempting to resume classes in village schools have been subject to intimidation. Resettled families lack access to clean water for consumption and household use. There is no grievance mechanism in place to identify and address reports of child rights violations caused by the project.

### **Case Study: Proposed Salween Dams, Myanmar**

From its headwaters in the mountains of Tibet to its estuary in Mon State, Myanmar, the Salween River sustains rich fisheries and fertile farmland that supports nearly 10 million people. The seven dams proposed on the Salween's mainstream in Myanmar threaten the livelihoods of indigenous and ethnic minority people who have already suffered decades of brutal military rule. Several of the proposed dams are located in active civil war zones, and militarization at the dam sites is escalating the abuse of local populations.

An estimated 20,000 people would be relocated to make way for the proposed Mong Ton Dam, adding to the thousands of refugees who have already been forced to abandon their homes in the area due to decades of armed conflict. Fighting has likewise forced villagers near the site of the proposed Hatgyi Dam to flee their homes in what many see as a move by the military to secure the area in preparation for dam construction. According to Charm Tong, founder of the Shan Women's Action Network, "Children in these areas cannot go to school and it is very difficult for them to access health care...this will impact the future of these children." Building these dams will destroy any hope that the thousands of children displaced by armed conflict have of returning home.

The Salween dam cascade has been planned largely in secrecy, without participation from affected communities. Little information has been made available about compensation or resettlement plans, and no mechanisms are in place to address potential child rights violations.

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<sup>5</sup> See Guy Ziv et al, "Trading-off Fish Biodiversity, Food Security, and Hydropower in the Mekong River Basin" (2013) at <http://www.pnas.org/content/109/15/5609.full>.