

# DIGEST

## CHINA

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### China's Major Move forward for the “Community of Shared Future” of the Lancang-Mekong Water

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#### 1. Introduction

On March 14, 2016, Chinese Minister of Water Resources Lei Chen declared that the Jinghong Hydropower Station in southwest China's Yunan Province has begun discharging 2,000 cubic meters of water on a daily basis until April 10, in order to help overcome the drought and saltwater intrusion in some Vietnamese provinces in the Mekong Delta.<sup>1</sup> In fact, other countries in the Mekong Delta can also benefit from the water. China's discharge of water in the Mekong River is a significant step to promote a cooperative mechanism among Lancang-Mekong countries for a “Community of Shared Future of Peace and Prosperity.”<sup>2</sup>

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<sup>1</sup> *Vietnamese expert hails China's water discharge in Mekong River cooperative move*, XINHUANET, Mar. 18' 2016, available at [http://europe.chinadaily.com.cn/world/2016-03/18/content\\_23951290.htm](http://europe.chinadaily.com.cn/world/2016-03/18/content_23951290.htm) (last visited on Apr. 6, 2016).

<sup>2</sup> On March 23, 2016, the Heads of Cambodia, China, Lao, Myanmar, Thailand, and VietNam, published the Sanya Declaration of the First Lancang-Mekong Cooperation (LMC) Leaders' Meeting, pledge the aim of “building a community of shared future of peace and prosperity” and establishing LMC as an example of a new type of international relations, featuring win-win cooperation. See *Sanya Declaration of the First Lancang-Mekong Cooperation (LMC) Leaders' Meeting*, XINHUANET, Mar. 23, 2016, available at [http://news.xinhuanet.com/english/2016-03/23/c\\_135216951.htm](http://news.xinhuanet.com/english/2016-03/23/c_135216951.htm) (last visited on Apr. 6, 2016).

## 2. The Upstream Dilemma of China in Lancang-Mekong Basin

“International river basin is defined as an area extending over two or more states determined by the watershed limits of the system of waters, including surface and underground waters, flowing into a common terminus.”<sup>3</sup> From the China Tibetan Plateau, the Lancang-Mekong River runs through China, Myanmar, Laos, Thailand, Cambodia and Vietnam. As the world’s 12th-longest river, its estimated length is 4,350 km, draining an area of 795,000 square kilometers, discharging 457 cubic kilometers of water annually.<sup>4</sup> Although continued economic growth has led to significant improvement in living standards in recent years, many of the 60 million people in the Mekong Delta still live in poverty.<sup>5</sup> So they face urgent developmental challenges.

As the upstream country of the River, China is obviously the most important part of the basin. Although only 16 percent of the total discharge originates from the upper Lancang River, China’s discharge amounts to most of the lower Mekong River mainstream flow in Laos and Thailand and contributes to almost 45 percent of the average flow in Cambodia.<sup>6</sup> Moreover, about 35 percent of the spring flows and over 55 percent of the sediment flux originates from its upper territory.<sup>7</sup> The Lancang-Mekong also carries an enormous volume of excess water during the wet season, resulting in severe flooding and substantial damage almost every year; a serious reduction in flow often leads to drought conditions during the dry season. If China decides to draw water in the dry seasons, it inadvertently affects the Lower Mekong Basin (“LMB”) countries. Taking advantage of being the world’s largest and fastest in growth for hydropower infrastructures, China can expand its dam

<sup>3</sup> N. Shapiro-Libai, *Development of International River Basins: Regulation of Riparian Competition*, 45 INDIANA L. J. 19–55 (1969).

<sup>4</sup> Mekong River Commission, State of the Basin Report 2010, MRC, Vientiane, Laos, April 2010, available at <http://www.mrcmekong.org/assets/Publications/basin-reports/MRC-SOB-report-2010full-report.pdf> (last visited on Apr. 6, 2016).

<sup>5</sup> UNEP, *The Mekong River - Survival for Millions*, Vital Water Graphics An Overview of the State of the World’s Fresh and Marine Waters (2008), available at <http://www.grida.no/publications/vg/water2/page/3263.aspx> (last visited on Apr. 6, 2016).

<sup>6</sup> E. Goh, *China in the Mekong River basin: the regional security implications of resource development on the Lancang Jiang*, RSIS Working papers 069/04 Nanyang Technological University, available at [https://dr.ntu.edu.sg/bitstream/handle/10220/4469/RSIS-WORKPAPER\\_73.pdf?sequence=1&isAllowed=y](https://dr.ntu.edu.sg/bitstream/handle/10220/4469/RSIS-WORKPAPER_73.pdf?sequence=1&isAllowed=y) (last visited on Apr. 6, 2016).

<sup>7</sup> R. Johnston & M. Kummu, *Water Resource Models in the Mekong Basin: A Review*, 26 WATER RES. MGMT. 429-55 (2012). See also S. Landberg, *Sustainable Development of Water Resources in the Mekong River Basin: Legal and Policy Implications of Dams in the Regional Context*, 5 J. EAST ASIA & INT’L L. 235-59 (2012)