

EarthRights International Mekong School: Promoting Public Participation in Mekong Basin Development

EarthRights International

EARTHRIGHTS INTERNATIONAL (ERI) combines the power of law and the power of people in defense of human rights and the environment—our earth rights. It specializes in fact-finding, legal actions against perpetrators of earth rights abuses, training for grassroots and community leaders and advocacy campaigns. Through these strategies, ERI seeks to end earth rights abuses, to provide real solutions for real people, and to promote and protect earth rights.

The roots of ERI were initially in the Thai-Burma border region, where it worked on the ground with indigenous peoples, refugees, and villagers since 1995.¹

Its strong presence along the Thai-Burma border, as well as in the United States and the Amazon reflect the core of ERI's mission to link grassroots and international movements working at the nexus of human rights and the environment. Specifically, its strategy includes the recognition that fundamental, sustainable change can only occur when local people gain the skills and education necessary to plan and enact their own agenda.

With a diverse staff comprised of human rights lawyers, activists, grassroots human rights investigators, teachers and community leaders, ERI uses human rights strategies and laws to address various issues including

environmental protection, women's rights, corporate accountability, labor rights, and environmental health.

ERI founded the first EarthRights School in 1998 in Thailand for young leaders from Burma/Myanmar seeking to free their country from an oppressive military regime and corporate exploitation of natural resources. The program was established for local communities in Burma/Myanmar and in exile along the Thai-Burmese border who sought more knowledge and skills to effectively participate in documenting abuses, international advocacy, and community organizing. Based upon the successful model of the Burma School, EarthRights International's Mekong School was founded in 2006 to address the growing needs of civil society advocates in the Mekong region.

Context for a Mekong School

The Asian Development Bank (ADB) has proposed a Mekong Power Grid that spans the Mekong region, including China, Burma/Myanmar, Lao PDR, Thailand, Cambodia, and Vietnam. Key parts of the Mekong power grid include water diversion projects and large dams whose environmental, social, and economic impacts are felt not just in the areas near the dams, but also downstream all the way along the river system.

In addition, since March 2006, hydropower companies from Thailand, China, Vietnam, Lao PDR, Malaysia and Russia have proposed eleven big hydropower dams for the Mekong River's lower mainstream. There is already widespread concern among riverbank communities and the general public about the severe consequences these dams will have.

The Mekong River is host to the world's largest inland fishery. The commercial fish catch is currently worth US\$3 billion annually. Not only are these fisheries an important source of income for local fishers, which include many of the region's poorest people, but they are also vital in ensuring regional food security. Between half and four fifths of the animal protein consumed by the sixty million people in the lower Mekong basin come from the river's fisheries.

Building dams on the river's mainstream will block the major fish migrations that account for up to 70% of the commercial catch. Scientific opinion agrees on the importance of the Mekong's migratory fisheries, the impact of the dams on them, and the non-existence of measures to mitigate these impacts.

Previous large water development projects in Southeast Asia have suffered from a lack of transparency and a lack of participation by affected local and indigenous communities. It is imperative that future projects include the voices of these communities at every stage of the decision-making process.

Mekong School

EarthRights International's Mekong School is a training program for civil society advocates from the Mekong Region (Yunnan/China, Burma/Myanmar, Lao PDR, Thailand, Cambodia and Vietnam) whose work focuses on human rights and the environment. It brings together activists from the six Mekong countries to investigate the negative impacts of large-scale development projects, and campaign for greater public participation and transparency in regional development planning. It aims to build a cohesive group of activists from each of the Mekong countries who have the intercultural skills, substantive knowledge and experience to voice their individual and collective concerns about large-scale development projects and related human rights, transparency and participation issues within the Mekong basin. The Mekong School is a response to the situation in the Mekong region by equipping grassroots activists from the Mekong basin with the skills to protect and promote earth rights threatened by hydropower and other development initiatives.

To this end, the Mekong School aims to help students:

- To develop an understanding of the impacts of hydropower dams and other large-scale development projects, as well as the views and approaches of various stakeholders in hydro-development
- To understand and analyze the methods communities have utilized for greater protection of human rights and the environment
- To develop practical skills in research, advocacy and campaign work; and
- To develop strong relationships, networks and concrete campaign plans for implementation upon graduation and the students' return to their respective countries.

The beneficiaries of the program are not just the individual students who participate in the training, but also their community members who are or will be affected by large-scale development projects. The ideal candidates

are individuals who have been active on environmental, human rights, or community development issues, who are enthusiastic about partnering with other activists from the region and who have the capacity to become effective community leaders and/or advocates. Young indigenous activists are preferred where possible.

Each year, Mekong School students complete field research projects in their respective countries and use their findings to identify ways in which the destructive impact of development projects on human rights and the environment can be mitigated through increased public participation and stronger accountability and transparency mechanisms. This research forms the basis of the student's future campaign plans in the region. To coordinate their plans, the students have established a Mekong School Alumni Group, whose mission and goals are highlighted below.

Mekong School Curriculum

The seven-month Mekong School curriculum focuses on the impacts of large-scale infrastructure projects, particularly hydropower dams, and how citizens are engaged in advocating for more equitable development in the Mekong region. At the school, students investigate community complaints regarding negative impacts from development projects funded by the ADB, World Bank, and private sources. Through a series of field visits, students examine the threats posed by various projects, such as the series of hydropower dams currently planned and under construction along the mainstream of the Mekong and its tributaries, to migratory fish stocks, local livelihoods, and regional food security. Finally, program graduates focus on ways in which they can join together as alumni to advocate for policy reform with the ultimate goal of promoting greater public participation and transparency in development planning in the Mekong region.

Experiential learning and field visits are combined with the student-centered and participatory classroom lessons to create a truly interactive curriculum. A specific feature of the experiential learning curriculum is the Dam Case Studies course, in which students are instructed by people involved in movements against controversial dam projects throughout the region. Other types of participatory activities are role-plays, debates and group discussions. Although English is the medium of instruction, students spend one hour each morning teaching their national and indigenous languages to the group, focusing on one regional Mekong language each week.

Students are also guided through a field research process where they identify a large-scale development project that has had or may potentially have a destructive impact on local livelihoods and the environment, such as a large dam project. Students then develop and implement a field research project in their home country, analyze and write a report focusing on the human rights and environmental impacts of that problem. They use their field research to develop an advocacy plan and campaign strategy to effect positive change on the issue. The issue may concern a range of fundamental rights, such as the right to information, the right to participate in development projects affecting local livelihoods, freedom of expression, the right to food security, the right to adequate health care, etc. Students make public presentations highlighting the findings of their research, their recommendations to stakeholders and their proposed advocacy plans.

Mekong School Courses in Detail

A closer look at some of the specific courses offered at the Mekong School is instructive in understanding the student-centered, participatory and experiential nature of the curriculum. The first is a course taught by Toshiyuki Doi of Mekong Watch entitled “Understanding the Asian Development Bank” in which students learn how to use the bank’s accountability mechanisms to address adverse impacts on local communities. Through a three-day seminar, the instructor provides students with an overall understanding of the ADB, its policies and practices, how to use its safeguard mechanisms, and the ADB’s plans for the Mekong region.

To understand how local people and the environment might have been affected by these plans the students took an in-depth look at the case of ADB’s Highway One project in Cambodia. Highway One community leaders, Ms. Phin Vanna and Ms. Sin Chhin, traveled from Cambodia to Chiang Mai to present at the Mekong School how their community was affected by the Highway One project, how they organized to demand fair compensation and an end to corruption. The presentation allowed students to gain a first-hand perspective on a campaign against an ADB-funded project and to pinpoint what strategies might be useful in other parts of the Mekong region.

The Highway One community leaders then joined the Mekong School on a trip to a community affected by the ADB-funded Mae Moh Power Plant in Lampang Province of Northern Thailand. Estimates suggest that since the

implementation of the project, three hundred villagers may have lost their lives as a direct result of pollution from the plant, thousands may have suffered from respiratory problems, and over 300,000 people may have been displaced from their homes. During the visit, local leader Ms. Malinee was joined by a number of her neighbors, who described what they have endured and highlighted their attempts to pressure the ADB and local and national government offices for compensation and relocation from the affected area.

Ms. Phin Vanna and Ms. Sin Chhin from Cambodia had the opportunity to exchange experiences, campaign strategies, and words of encouragement with Mae Moh community leaders with the assistance of Mekong School Cambodian alumni Keat Kunthea, who provided Thai-to-Khmer translation for the duration of the trip. Mekong School students were quite moved to learn of the similarities in suffering caused by the two projects, and to witness the strength of the local leaders as they shared strategies, lessons learned, and vows of solidarity between their respective Thai and Cambodian communities.

The second course exemplifies the Mekong School's experiential learning style through a week-long visit to the Salween River, where students learn from villagers who will be affected by the proposed Salween Dams on the Thai-Burmese border. In preparation for the trip each year, Mekong School 2006 Burmese alumni Nang Shining gives a presentation based on her fieldwork on the Salween Dams, and Ms. Ta Lai Laza of the Karenni environmental group shows the video documentary she made entitled "Damming the Yin Tha Lay." The powerful documentary shows the potentially catastrophic impacts of the Salween Dams on the Yin Tha Lay, a small indigenous community threatened with extinction should the project move ahead.

During the trip, students have an opportunity to stay with villagers in several different communities, all of which will be impacted by the dams if they are constructed. Through community meetings and personal conversations, students gain detailed information about the social and environmental impacts of the Salween dam projects, with particular emphasis on the problems faced by stateless people. Without citizenship, undocumented community members fear relocation in the wake of the dams back into the unstable war zones they previously fled, with no provisions for compensation or security. Lack of citizenship also prevents the communities from fully joining in the worldwide campaign against the Salween Dams, for fear

of reprisals and lack of legal representation. The trip includes a town meeting in the local mosque in the riverside community of Mae Sam Laep, where Christian, Muslim, and Buddhist representatives discuss their efforts to transcend ethnic and religious differences to work together to secure citizenship and equal rights for their community members and to oppose the dam projects.

In 2009, Mekong School students joined a public forum in the Salween community of Sop Moei where for the first time members of affected communities were given a chance to express their concerns regarding the proposed dam projects to the Electricity Generating Authority of Thailand (EGAT) and government representatives. The villagers spoke passionately in their Karen language about how the projects would affect their lives. In attending the meeting, Mekong School students gained the opportunity to observe the strategies employed by stakeholders on both sides of the dam debate.

Upon their return to Chiang Mai, Mekong School students and alumni marked the International Day of Action against the Salween Dams by circulating on-line petitions and joining in a demonstration in front of the consulates of several countries in Chiang Mai to protest overseas investment in development projects in Burma/Myanmar.

Mekong School Alumni Program

Now, four years into the program, Mekong School alumni represent a wide range of communities along the Mekong, from its origins on the Tibetan plateau to the Mekong Delta, where the river completes its 4,350 kilometer journey and flows into the South China Sea. Mekong School alumni speak a cumulative total of twenty-three regional languages (Brao, Burmese, Cambodian, Chinese, Jarai, Kavet, Khmer Krom, Khmu, Krueng, Lao, Lisu, Mon, Naxi, Palaung, Phu Thai, Pumi, Shan, Tai Lue, Tampuen, Thai, Tibetan, and Vietnamese), and are committed to the shared goal of strengthening environmental promotion and protection in the Mekong region.

The Mekong School Alumni Program was formed by program graduates upon completion of the inaugural year of the Mekong School with the mission to collaborate to monitor destructive development projects and strengthen environmental and human rights protection in the Mekong basin countries. The alumni group developed the overall campaign theme

of increasing the participation of affected communities and civil society in regional development process. A closer look at the work of alumni Zhang Chun Shan (China 2007) and Nov Piseth (Vietnam 2008) provides an example of the variety of work the alumni engage in both before and after attendance at the Mekong School.

Zhang Chun Shan

Mr. Zhang Chun Shan is a farmer and grassroots environmental activist from the Pumi ethnic group in Northwestern Yunnan. He single-handedly conducted a fact-finding mission into the work of Sino-America Yunnan Hande Biotechnology Co. Ltd., and in July 2003, successfully brought a lawsuit against the company for smuggling, and illegally purchasing and processing endangered wild plants. He received an award at a ceremony sponsored by WildAid China in the Great Hall of the People in Beijing in 2005, and has since been active in anti-dam campaigning along the Jing Sha (Upper Yangtze) and Lan Cang (Mekong) Rivers.

Zhang Chun Shan approached the Mekong School Coordinator at a meeting of environmental non-governmental organizations (NGOs) in Kunming, and expressed a strong desire to join the Mekong School. He vowed that, although he had little formal education and no knowledge of the English language, his motivation to gain the knowledge and skills to take his work to a higher level was sufficiently strong to see him through the successful completion of the program. For over a year, he spent every waking hour intensively studying English language, human rights law, and environmental advocacy strategies. He graduated at the top of the class, giving an outstanding oral presentation of his fieldwork research, and delivering a graduation speech that won a standing ovation.

Upon graduation, Zhang Chun Shan worked with the Mekong School Alumni Coordinator to write a series of proposals, through which he succeeded in setting up the Three River Guardians, China's first grassroots NGO aiming to address the negative impacts of large-scale hydropower projects along the Nu (Salween), Jinsha (Upper Yangtze) and Lancang (Mekong) Rivers. Three Rivers Guardians ensures that communities learn about the environmental issues. The Three Rivers Guardians and its grassroots network will monitor hydropower dam construction in Yunnan province, using legal frameworks to ensure that community and environmental rights are protected.

Nov Piseth

Nov Piseth is a young human rights lawyer who came to the Mekong School from the Community Legal Education Center in Phnom Penh, where he engaged in policy advocacy and lobbying activities, conducted legal research, represented clients, and monitored high profile cases related to land disputes. As a student at the Mekong School, Piseth completed an excellent two-month fieldwork project, in which he conducted first-hand interviews with community members to document the environmental and social impacts of World Bank-funded airport expansion project in Sihanoukville, Cambodia. In conducting his research, Piseth showed a strong capacity for using his knowledge and experience in human rights law to analyze the complex factors at play within the project context, and effectively drew upon local peoples' concerns around compensation, loss of livelihood, and environmental destruction to develop policy recommendations to address the adverse impacts of the project.

Upon completion of his field work project, Piseth attended a meeting in Ho Chi Minh City, where he presented the information he had gathered to the Chairperson of the World Bank Inspection Panel, highlighting the adverse impacts the airport expansion project has had on the local community. Piseth spoke about the community members' concerns regarding land confiscation and compensation for nearly an hour, and the inspection panel members asked many questions in return. Afterwards, they complimented Piseth on the thoroughness of the facts he presented, and indicated that he had a very strong case. Piseth has now applied for a Mekong alumni small grant to work directly with the community to file a formal petition. Upon receiving the petition, the World Bank's Office of the Compliance Advisor/Ombudsman (CAO) will meet to assess the validity of the complaint, and should they accept that the project indeed violates World Bank safeguard policies, they will send representatives to investigate. Should the investigation affirm the facts that Piseth presented, the project will be re-evaluated, and changes will be made to ensure the community members are treated fairly and receive just compensation. This is an example of the real-life impacts of Mekong School students' investigative work.

Upon graduation from the Mekong School, the Land and Livelihoods Unit of the United Nations Office of the High Commissioner for Human Rights in Phnom Penh hired Piseth. He has continued to enhance his

professional skills through membership in EarthRights International's Mekong Legal Advocacy Institute (MLAI), a series of trainings to provide Mekong region lawyers a forum to share experiences and enhance their knowledge while strengthening efforts to protect and enhance environmental conservation and human rights. The trainings provide advanced training in areas not addressed in traditional legal education such as corporate and International Financial Institution accountability, forced labor and relocation, wildlife trafficking, and environmental impact assessment.

Initiated in 2009, the Mekong Legal Advocacy Institute intends to introduce new legal and advocacy strategies that promote earth rights, and provide the region with a growing network of strong legal advocates and activists who contribute to the growth of a rights-based culture throughout the Mekong region. This will be an intensive, long-term effort, with support and advanced training for alumni and an expanding network of dedicated litigators.

Cross-Border Campaign Initiatives

In addition to individual work, the Mekong School Alumni have collaborated to organize several joint campaigns to oppose potentially destructive development projects in the region. The largest of these is the broad-based Save the Mekong Coalition, in which alumni from all previous four annual programs and six Mekong countries have participated.

The Save the Mekong Coalition was formed in response to the growing public concern about the impacts on regional food security from a series of dams currently planned on the mainstream of the Mekong River. Since March 2009, Mekong School Alumni have assisted in collecting signatures and personal messages from concerned citizens through a postcard and online petition urging regional leaders to consider the adverse impacts that mainstream Mekong dams will have on the region's food security. At this point, over 23,000 people from within the Mekong region and around the world have signed the "Save the Mekong" petition.

The petition, written in seven languages, was hand-delivered to Thailand's Prime Minister Abhisit Vejjajiva on 18 June 2009 in Bangkok, and sent to other government leaders within the region. Mekong School alumni from five countries traveled to Bangkok, where two alumni met the Prime Minister, and the larger group joined the press conference that followed.

The event was widely covered in local media, including popular Thai television news channels and English, Thai, Vietnamese, and Khmer language newspapers.

As a next step, at the ASEAN People's Forum in October 2009, Save the Mekong campaigners announced the submission of the Save the Mekong petition to the Prime Ministers of Lao PDR, Vietnam and Cambodia, calling for a halt to dams on the mainstream of the Mekong River. The Salween Watch Coalition, headed by an EarthRights Burma School Alumni, also presented a letter protesting against dams on the Salween River, which was presented to Heads of State during the 15th ASEAN summit. Over a dozen EarthRights Alumni and current students from Burma/Myanmar, Thailand, Lao PDR, Cambodia and Vietnam who have been heavily involved in this campaign since its inception were in attendance at the forum.

The Mekong Alumni launched a website (<http://mekongalumni.net>) that they designed and maintained to provide information on their activities.

Concluding Statement

The Mekong Alumni play a central role in ensuring the Mekong School remains responsive to the needs of regional civil society movements by assisting in the recruitment of new candidates, and returning to the school each year as instructors and mentors of the next generations of students, who will in turn strengthen the network and become strong allies in future advocacy initiatives. Through this participatory process, EarthRights International's Mekong and Burma School alumni form an ever-expanding group of committed activists and skilled campaigners, who are dedicated to working together to promote human rights and environmental protection in the region.

Endnote

¹Additional information on EarthRights International can be found in its website: www.earthrights.org.