

# Chapter 7

## A State of Knowledge of the Salween River: An Overview of Civil Society Research



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### 7.1 Introduction

The Salween is a transboundary river supporting the livelihoods of more than ten million people in the basin (Johnston et al. 2017). Known by many names (see Lamb, Chap. 2, this volume)—*Gyalmo Ngulchu* in the Tibetan region where it originates, *Nu Jiang* in Yunnan, *Salawin* in Thailand, *Nam Khone* in Myanmar's (Burma) Shan State, and *Thanlwin* more generally throughout the country of

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Myanmar—the river represents a multifaceted resource of cultural, ecological, historical and political values for residents who introduced those many names. This chapter highlights some of the many plans and ways of knowing the ‘Salween River,’ specifically highlighting a history of civil society research.<sup>1</sup>

As part of this review, we recognize both the values of and threats to this significant river system. At present, one of the biggest threats is the more than 20 large hydropower dam projects planned for the river across the basin countries of China, Myanmar, and Thailand. There are also a range of development and extraction activities ongoing and planned for the basin. Alongside this development attention, there is an identified need for information and baseline study, with the basin being referred to as “data-poor” (Salmivaara et al. 2013) and lacking baseline bio-physical information (Salween University Network Meeting 2016).

In this context, we argue that it is worth recognizing that much of what we do know of the values of and the threats to the Salween River Basin, its peoples, and ecologies, has been documented through civil society research, in the form of reports, films, and advocacy documents. Thus, here we review this extensive civil society scholarship alongside existing plans and policies for the development of the Salween basin, to provide an overview of the multiple knowledges of the basin, and to identify key knowledge gaps in support of a more inclusive, informed, and accountable water governance for the basin.<sup>2</sup> We also consider the different types of action linked to these efforts, and perhaps more importantly, how this research has actively engendered more inclusive and participatory ways of basin governance.

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<sup>1</sup>The authors, the majority of whom identify as members of “civil society,” recognize that civil society is not a homogenous entity and that there are many different actors and interests in this sphere. For instance, there are qualitative differences and distinct goals among different civil society actors, from locally embedded organizations, sometimes having no formal organizational structure, as well as locally embedded CSOs, as contrasted with typically larger and more formally organized and at times professionalized NGOs or international NGOs. We also recognize that there is a complicated trustee relationship between NGO and community which has been critiqued in academic work.

<sup>2</sup>One of the motivations for this “State of Knowledge” chapter stems from the persistence in academic work, particularly recent work on Myanmar, that appears dismissive of so-called ‘civil society’ or ‘activist’ work. While the authors do not believe that there is necessarily a clear, hard line to divide academic and activist scholarship—both rely in many instances on first-person accounts of environmental change and dispossession—we do hope that presenting this overview will provoke ideas for improved collaboration that includes researchers within the basin, rather than solely on consultant-led knowledge production that is many times instrumentalized for particular development interests.

## 7.2 Values and Existing Threats in the Salween River Basin

Many civil society groups have been observing for decades the state of the values, the basin's development, and the impacts of conflicts and poor governance of the Salween River (see Table 7.1: Civil Society knowledge production on the Salween River and the people and cultures within the basin). As we understand it, moving towards accountable and inclusive water governance of the Salween River starts with the way we understand its multifaceted values in addition to threats. While there is a recent increase in attention to the Salween, particularly in Myanmar since the 2010–11 political move toward democratic rule, much of what we know of the Salween has been documented prior to that by civil society organizations (CSOs) and non-governmental organizations (NGOs) in the region. This work was carried out at the personal and political risk of civil society groups and researchers.

**Table 7.1** Civil society knowledge production on the Salween River and the people and cultures within the basin (English Language; list is illustrative, not exhaustive)

Author/organization	Date	Title of report	Location
Salween Watch	Ongoing	Current Status of Dams on the Salween River	Basin-wide
TERRA	1999	The Salween – My River, My Natural Belonging	Thailand
EarthRights International	2001	Fatally Flawed: The Tasang Dam on the Salween River	Myanmar
SEARIN and CSDS, et al.	2004	Salween Under Threat	Basin-wide
Karen Rivers Watch	2004	Damming at Gunpoint: Burma Army Atrocities pave the way for Salween Dams in Karen State	Myanmar
Committee of Researchers of the Salween Sgaw Karen	2005	Thai Baan Research at the Salween	Thailand-Myanmar border
Shan Sapawa Environmental Organisation	2006	Warning Signs: An Update on Plans to Dam the Salween in Burma's Shan State	Myanmar
TERRA, local villagers, and experts	2007	Salween: Source of Life and Livelihoods	Thailand-Myanmar border
Mon Youth Progressive Organization	2007	In the Balance: Salween Dams Threaten Downstream Communities in Burma	Myanmar
Kesan, local villagers and experts	2008	Khoe Kay: Biodiversity in Peril	Thai-Myanmar border
Karenni Development Research Group	2011	Report: Stop the Dam Offensive Against the Karenni	Myanmar

(continued)

**Table 7.1** (continued)

Author/organization	Date	Title of report	Location
REAM, TERRA, MEENet	2013	Regional Conference on the Value of the Thanlwin/Salween River: Ecosystem Resources Conservation and Management Report	Myanmar
TERRA	2014	Proceedings: Regional Conference on the “Value of the Thanlwin/ Salween River: Ecosystem Resource Conservation and Management”	Myanmar
Paung Ku, REAM, TERRA, and MEENet Network Partners	2015	The Salween Basin Darebauk River Bank	Myanmar
KESAN	2017	Salween Peace Park	Myanmar

Source Created by the authors

Since at least the 1990s, groups in the country then more commonly referred to as ‘Burma’, provided continuing insights into critical human rights abuses that were not necessarily covered by academic documents, or at least, not from a local perspective. Many groups were not working in the national centers, but in the ethnic states and at the political boundary zones. They were mainly focused on issues of development, displacement and human rights. Thailand, despite its small share of only five per cent of the overall basin population, is active in civil society research where local NGOs are carrying out action research on the Salween River-border (Committee of Researchers of the Salween Sgaw Karen 2005; Chantavong/ Longcharoen 2007). Ongoing work in China has successfully mobilized broad attention to the river’s challenges with a wide significance, not least because what happens in China “will have ripple effects far beyond national boundary lines” (Xiaogang et al. 2018: 2). This work in China, Myanmar, and Thailand, as well as further international research, has documented an ongoing exclusion of people’s participation in decision-making processes and governance of the Salween, particularly related to marginalized groups, including ethnic minorities.

### 7.2.1 *Livelihood Values*

In assessing this body of Salween Civil Society Research, livelihood values are paramount. Mr. Nu Chamnankririprai, a village researcher in Thailand who participated in local research, explained, “*Engineers may see only water, rocks, and sand. But we see our fishing grounds, riverbank gardens, and our lives.*” In Thailand, village researchers like Mr. Nu are working with academics and NGOs and have identified 18 ecological systems specific to the Salween and a rich diversity of fish species that are a source of food and livelihoods income to those living along the river (Committee of Researchers of the Salween Sgaw Karen 2005).

In Myanmar, the river sustains fisheries, which provide a key source of dietary protein, and also supports floodplain agriculture and farmlands. Recent research by young people in Shan State has emphasized not only the significance of water access to remote villages along the Salween, but also the important gender dimension in the context of proposed water and natural resources developments in Shan State (Mong Pan Youth 2017).

In Karen State, local communities have documented effective local livelihoods and governance mechanisms for the river. They propose that a better representation of the Salween River values would be peace and conservation, as proposed in the Salween Peace Park, rather than conflict or exclusive development (KESAN 2017). In one case, a community living along the Salween, outside the city of Hpa An, conducted research around water access and governance. Their report on the situation shows the range of values documented within the research on water management of Daw Lar Lake, highlighting that the value of the lake is not measured solely by its economic productivity. It is also based on a holistic set of practices, “embracing religious, cultural, economic, and customary legal systems which are interconnected with the rich biodiversity of the lake’s watershed” (KESAN 2018: 2).

Similarly, in Yunnan, research on local governance and values continues (Green Watershed 2017) and the Salween is now part of the China Nu River Gorge National Park. However, unlike the Salween Peace Park proposal, the role of local indigenous people in the creation and management this National Park is not clear. In China, while there is continuing research on the river from a technical or academic perspective, one point of critique is that there exists very little work outside of civil society reports, that has brought ethnic residents’ concerns into formal and informal conversations about decision-making and development of the river.

### **7.2.2 Biodiversity Values**

The work by civil society has also emphasized how the river serves important biodiversity functions across the basin. In China, the Nu is part of the Three Parallel Rivers World Heritage Site, which UNESCO calls “an epicentre of Chinese biodiversity” and one of the richest temperate regions of the world (UNESCO 2003). In Thailand, the river flows through the Salween National Park and Salween Wildlife Sanctuary, supporting wildlife biodiversity located along a 120 km long stretch of the border between Thailand and Myanmar. Downstream of this stretch there are two wildlife sanctuaries in Karen State and moreover, at the Khoe Kay river bend the river supports many endemic species, of which 42 are IUCN Red Listed species (KESAN 2008). Also significant is the unique Thousand Islands area in Shan State that not only supports rare species but is home to rare limestone formations (Action for Shan State Rivers 2016).

### ***7.2.3 Values in Addition to Threats***

The values of the river are diverse (and this summary is not exhaustive); they are also necessary to understand for effective and accountable water governance. As discussed at the 2018 Salween Research Workshop, in understanding a river system “the temptation is to start with threats” (Salween Studies 2018) rather than values. However, values are what define these threats and highlight what is at stake. It is mapping out these values by various civil society actors over past decades that elucidates the significance of the existing plans and threats to these cultural, livelihood, and biodiversity conservation values of the Salween.

Civil society actors have, then, been documenting the many values of the Salween across the basin since at least the 1990s. This work continues to focus on the exclusion of meaningful participation in decision-making processes and governance of the Salween, particularly concerning marginalized groups, including ethnic minorities.

### ***7.2.4 Threats to the Salween***

The threats at present stem from a range of competing development and governance pressures that tend to overlook or misunderstand the multifaceted values of the river. The threats include over 20 large hydroelectric dams proposed for the mainstream of the Salween River, with investments from the national governments of Myanmar, Thailand, and China alongside private firms in the pursuit of energy development in particular. Chapter 3, this volume, with details of all planned projects, presents the best available information of the proposed hydropower projects on the Salween mainstream, while also recognizing that the status of each project is not necessarily available to the public. How these projects would proceed is unclear, with anticipated effects to the lives and values of those who depend on the river and live in the basin. This concerns also the “potentially triggering disastrous earthquakes and dam breaks in this seismically active region” (International Rivers 2012). As such, this development is not proceeding without contestations over governance and decision-making.

While recent proposals are significant and represent an increase in the number of projects and electricity generation, it is also worth noting that a longer history of hydropower development planning in the river basin dates back to at least the 1970s (Paoletto/Uitto 1996; TERRA 2014a) where plans were developed for energy production and water transfer. In the 1980s, plans of establishing a Salween River Committee between Thailand and Myanmar were presented in the context of proposed Salween water diversion projects that would supply water to Thailand (TERRA 2014b). This history is important to note because many of the present-day plans rely on earlier planning schemes and technical reports.

### 7.3 Conflict and Peace

In Myanmar, while natural resource use is critically tied to the ongoing peace process, the Government of Myanmar has made plans to build eight projects on the Salween mainstream in Myanmar. Four of these eight dams—the Kunlong, Nongpa, Man Taung, and Mongton—are located in Shan State, while the Hatgyi and Ywathit dams are located in Karen<sup>3</sup> and Karenni States respectively (Salween Watch 2014, 2016). Two projects, Dagwin and Weigyi, were proposed along the stretch of the Salween that forms the political border between Thailand and Myanmar.<sup>4</sup> An important component of the projects proposed for the lower Salween basin is that much of the electricity generated would be sold abroad to China or Thailand; again, these would not be used to meet Myanmar's need for domestic power, despite electricity shortages in Myanmar itself.

The most significant recent development update in the Myanmar context is the pronouncement from Shan State. In July 2016, the State Minister for Finance and Planning announced that projects were suspended pending cost-benefit field analyses (Chan Mya Htwe 2016). This follows work by civil society organizations on the ground who have called attention to the lack of public participation in the decision-making and public consultations around the Mongton dam project (SHRF 2015; SWAN 2015). In a seeming reversal, however, in February 2018 the Union government allowed permission to Chinese surveyors from China Three Gorges Corporation to visit the dam site (China Three Gorges Letter to the Electricity and Energy Ministry, Feb 2018), underlining that even if some of the concerns civil society research shows are taken up, the decisions on these projects are very much in flux.

Of concern for these development plans in Myanmar are the lack of adequate processes and procedures for environmental assessments, and lack of available information about the plans and planning processes. For example, there are very few specific details in the public domain about the Mongton dam in Shan State, which if built would be the tallest dam in Asia.<sup>5</sup> While Myanmar's Environmental Conservation Law outlines Environmental Impact Assessment (EIA) procedures (Htoo 2016), the recent EIA experience with the Mongton dam has highlighted how hydropower development planning in Myanmar is discussed and decided behind closed doors, involving no or very little public participation. This holds despite the recent attempts at an EIA for the project and the significant media coverage attracted by the problematic EIA process. Here, it is worth noting that media has been a very important avenue for highlighting the findings from these various

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<sup>3</sup>Karen State is also known as Kayin State. The latter name was designated by the Myanmar military Government in 1989.

<sup>4</sup>The 2017 SEA of the Myanmar Hydropower Sector Final Report, p. 37, fn 31, notes that these two projects are now cancelled.

<sup>5</sup>The *Asia Times* (11 Feb 2018) reports that the Myanmar government has asked that the project be “split in two”.

research efforts. This is significant, compared to, for instance, documentation by the scientific community (journal articles) which are not necessarily formatted to reach public audiences or they lack links with or understanding of media.

In addition, in Myanmar subnational governance (and conflict) continues to be a pressing issue across the country, not only in terms of resource governance, but regarding broader political participation for the country's ethnic minorities as well (Burke et al. 2017). Forty-two of 50 large hydropower projects recently proposed in the country are located in ethnic states (Burke et al. 2017: 40). CSOs and NGOs have gone far to demonstrate the relationship between conflict and hydropower development and resource extraction, and as noted, work on displacement and human rights has been ongoing (Table 7.1). More recent work by 26 groups in Shan State has highlighted that the energy from Mongton dam will be sold to China, while local residents bear the costs, as seen in their letter to Daw Aung Sang Su Kyi in August 2016,

We wish to remind you that the Salween river basin has been a conflict area for decades . . . Pushing ahead with these unpopular dams will inevitably lead to more Burma Army militarization, increased conflict, and ongoing atrocities. (Action for Shan State Rivers et al. 2016)

It is not only in Shan state, but in Karen State that there are serious concerns about ongoing conflict and development (KHRG/KRW 2018; see also, Middleton et al., Chap. 3, this volume).

## 7.4 Threats and Challenges of Governance

In Yunnan Province, China, different kinds of water governance challenges have arisen with the creation of the Nu River area national park. With the approval of the Nu River Gorge National Park, the Yunnan Provincial Government declared, in January 2016, that all small hydropower projects on the Nu River would be stopped (China News 2016). The final draft of China's 13th Five Year Plan (2016–2020), released in November 2016, excluded Nu River dam plans in hydropower development. Many take this as a sign that hydropower projects have been halted, particularly in the national park areas (Jing 2016). This is far from certain, however, as it comes after controversy in the early 2000s when the government halted all Nu-Salween projects due to lack of assessment and public outcry, but then re-opened the proposals.

In terms of Thailand's recent developments, while the Thai military government has not made any recent announcements on the construction of Salween dams, it has announced the revival of plans for a water diversion scheme to draw water from the Salween and Moei Rivers to central Thailand (Deetes 2016). Of note in Thailand are the recent administrative court cases brought about by Thai citizens against Thai companies investing abroad, such as the international arm of the Electricity Generating Authority of Thailand, EGATi, to hold them accountable to



their ‘extraterritorial obligations,’ and recognize local community rights to rivers and resources (Deetes 2017; TERRA 2013). One notable outcome was the resolution, passed by the Thai Government in May 2016, to regulate Thailand’s out-bound investments in line with UN Guiding Principles on Business and Human Rights, and to ensure that the private companies respect the fundamental rights of communities.<sup>6</sup> These efforts to hold governments and companies accountable is important work that can have impacts beyond national borders.

In summary, a range of threats and opportunities face the Salween River. Civil society actors have been documenting local values of the Salween across the basin as well as cataloguing and following the development of the threats. Among them is the inconsistency between the need of developing hydropower in the rural parts of Myanmar for domestic needs and the proposals of selling hydropower to Thailand and China. Accountable and peaceful national governance of the Lower Salween in Myanmar remains a particular challenge with Thailand’s evident plans of proceeding with investments abroad.

## 7.5 Linking Civil Society Actions and Improving Decision-Making for the Salween

There are important questions about the role of/for civil society research and action on the Salween in a changing context, where values, threats, and governance processes of the river are constantly in flux. In assessing past work there are multiple instances where we identify improved decision-making and governance processes in China, Thailand, and Myanmar, even if there is still room for increased accountability and participation of residents in the basin.

Local research and media advocacy in early 2000s in China resulted in serious reconsideration and temporary halting of the large hydropower projects planned for the upper Salween. The activity was led by civil society actors in collaboration with the broader public, responding to the fact that the planning process had been proceeding without impact assessment and consultation.

In Myanmar, recent actions and reporting from Shan State around the inadequacies of the Mongton dam consultations in 2017 has invoked a new set of governance processes at multiple levels. These actions in Shan State are reminiscent of research and action around the Hatgyi dam assessments and consultations in 2009–2011 in Thailand and Myanmar (ERI 2018).

In the Hatgyi case, civil society actors in Thailand and Myanmar not only documented local research in the lead up to the consultations and proposals, but also were in strong positions to work with the National Human Rights Commission of Thailand (NHRCT) to restructure the EIA research documentation and processes

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<sup>6</sup>Work to see enforcement of this 2016 Cabinet Resolution is ongoing (Suk 2017).

of consultation. In 2012, for instance, “the NHRCT concluded that the dam would cause transboundary impacts to Thai communities on the Salween and those relying on the river for fisheries and other resources” (ERI 2018: 2). In addition, developers were required to consult communities not only in Thailand, as the initial process had done, but focus on both sides of the river.

In the Hatgyi case, we saw the work by civil society actors, including local residents, effectively raising the profile of a flawed EIA and consultation process, and show that such a move is one step towards more inclusive discussion of the river-border (Lamb 2014).

This raises an important point linked to the outcomes and processes of civil society work on the Salween to date. Much of this work by civil society actors over the past three decades has been about documenting impacts, and increasing the levels of meaningful participation by a range of actors in decision-making, including affected residents. Meaningful participation and improved accountability can shape outcomes and decisions about hydropower development. If concerns of local residents are included and taken seriously, this could shape outcomes in ways that are more supportive of the lives and livelihoods of people in the basin in the long term. This work in many ways is concerned beyond individual hydropower projects, to consider decisions about people’s lives and right to self-determination more generally. This is underlined by comments at the 2018 International Day of Action for Rivers along the Salween, including those by Pati Saw Cher Tu Plor, head of an Internally Displaced Persons Camp:

We need peace and freedom, as these are the only way to bring us equality and to ensure our community’s rights to natural resources and land are respected. (as quoted in ERI 2018: 3)

Again, this work can be done and is evidenced, in a range of ways described above—from making change in the terms of a consultation (e.g., Mongton, Hatgyi consultations), to presenting policy advice (e.g., KESAN’s proposals for Salween Peace Park), and sometimes seen in governments and companies reconsidering and halting large hydropower projects (e.g., halting Upper Salween dam development).

## **7.6 Coming Together: Bridging Epistemologies and Policies**

While research on the Salween River Basin is proliferating, it is worth highlighting that much of what we do know of the Salween River Basin, its peoples, and its ecologies has been documented through civil society. With increased research attention to the Salween, the work of civil society groups and potential collaboration across NGOs, CSOs, academics, and governments is increasingly important for improved research and decision-making. Also essential is understanding this history of civil society work to document and re-frame development of the Salween, by putting its people and ecologies at the center of the analysis.

However, as we have illustrated here, much of the civil society research on the Salween in China, Myanmar and Thailand has been done on a case-by-case or community basis, or within a national framework for a national audience. There still remains a need and a space for cross-cutting and cross-border collaborative research and documentation.

In the service of expanding basin-wide collaboration, between and across activists, academics, and others, the idea of a “Salween Friendship Partnership” was floated at the January 2016 Salween University Network meeting. The “Salween Friendship Partnership” would bring together civil society actors, academics, community members, and other interested individuals across borders to emphasize transboundary cooperation and highlight economic, cultural, social, and political values of the Salween. In addition to the “Salween Friendship Partnership,” academics and policy makers have discussed some ways how their work might support or complement one another to further highlight that there is a wealth of local research about the Salween. This book is one such collaborations that has emerged through these discussions. We hope for further, more dynamic collaborations moving forward.

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