



Water Knowledge #1

# Hydropower Resettlement in the Mekong Region

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## Introduction: The resettlement dilemma

The number of people displaced by hydropower dam construction has been growing steadily as more dams are constructed on the Mekong mainstream and its tributaries. More dams are proposed because the governments of Mekong countries regard them as a means to tackle poverty and stimulate economic growth (MRC, 2009).

Many scholars argue that resettlement does little or nothing to improve the lives of affected people, regularly leaving them worse off than before dam construction (McCully, 1996; WCD, 2000; Delang and Toro, 2011; The Guardian, 2015; Chamberlain, 2007; Lawrence, 2007; Baird *et al.* 2015; Evrard and Goudineau, 2004).

The number of forcibly resettled people around the world is increasing. The World Bank estimates that nearly 40-80 million people have been displaced worldwide due to the reservoirs created by large dams (WCD, 2000). Looking at the Mekong region, in China alone the Three Gorges Dam, the world's largest hydropower project, displaced more than 1.2 million people (The Guardian, 2015). At the other end of the scale, Ty *et al.* (2013) report that the A Luoi dam, a fairly small dam on the A Sap River in Vietnam displaced 218 households (about 872 villagers), mostly ethnic minorities. Larger dams like the Son La dam in Vietnam displaced 16,206 households (Ha, 2011). The Nam Theun 2 Dam in Laos – currently its largest – dislocated about 6,200 indigenous people living on the Nakai Plateau (IRN, 2007). About 4,800 people from 11 villages were forced to move when the Theun Hinboun Dam in Laos was built. They were moved to three host villages along the Nam Phiat and Nam Ngoy Rivers (Imhof, 2008). The Pak Mun Dam, a run-of-river dam, displaced 248 households (WCD, 2000). The Lower Sesan 2 (LSS2) Dam in Stung Treng, Cambodia displaced over 5,000 people (Earthrights, 2014).

Dams cause involuntary resettlement of mostly ethnic minorities and remain a serious threat to their livelihoods and well-being (Ha, 2011; Baird and Shoemaker, 2007; McCully, 1996; Delang and Toro, 2011; Chamberlain, 2007; Lawrence, 2007; Imhof, 2008; IRN, 2007; World Bank, 2015a; Baird *et al.* 2015, Keophoxay 2013, Trung 2013, The Guardian 2015, Yin 2013, Borin 2013, Scudder 2005, Cernea 2008, McCully 2001, Picciotto *et al.* 2001; WCD, 2000; Goldsmith and Hildyard, 1984). In early 2015, the World Bank admitted major shortcomings of their resettlement policy in dam-affected areas around the world. World Bank Group President, Jim Yong Kim said: “We took a hard look at ourselves on resettlement and what we found caused me deep concern. We found several major problems. One is that we haven’t done a good enough job in overseeing projects involving resettlement and two, we haven’t implemented those plans well enough; and three, we haven’t put in place strong tracking systems to make sure that our policies were being followed. We must and will do better” (World Bank, 2015a).

Dam expert Thayer Scudder (2005: 1), one of 12 Commissioners on the World Commission on Dams (WCD), said dams have adverse impacts on the ecology and on people.

*Large dams are flawed for many reasons. Benefits are overstated and costs are understated. Especially serious are the adverse environmental impacts on world river basins, impacts that tend to be irreversible when dams are built on mainstems and large tributaries. Implementation continues to impoverish the majority of those who must be resettled from reservoir basins and project works and adversely affects millions of people who live below dams and whose living depends on natural flood regimes.*

The impacts of resettlement can be long-lasting. Focussing on the communities resettled by Thailand's Pak Mun Dam, Kiguchi (2016) finds the negative impacts of resettlement still remained over the 25 years since the dam was built. Dam affected people have permanently lost all or most of their farmland and fishing sites. They have constantly suffered from low rice harvests. Declining fishery resources have damaged their yearly income. Many children were forced to leave school to work in Bangkok.

"The project's original plan indicated 262 households would be displaced in the project area. However, a study by the World Commission on Dams in 2000 revealed that 912 households have actually been displaced and a further 780 households have lost all or part of their land as a result of the dam project. Inadequate surveys during the project planning stage, in other words, underestimated the compensation cost and therefore overstated the economic appeal of the dam project" (Kiguchi, 2016).

## Reframing resettlement in the Mekong region

The framing of resettlement has evolved over time and is differently conceptualized. Scudder and Colson (1986) and Scudder (2005) use the term 'dam-induced resettlement' which divides resettlement into four graded stages:

**Stage 1: planning and recruitment:** identify affected people who are going to be moved and get them involved in the planning and decision-making on development opportunities for settlers and hosts, not focusing on compensation and income restoration.

**Stage2: adjustment and coping:** deals with the multifaceted dimensions of stress and depression of settlers; considering them as active agents who can implement development opportunities and participate in communal facilities.

**Stage3: community formulation and economic development:** the majority of settlers are able to improve their living standards through children's education and participation in communal facilities construction.

**Stage4: handing over and incorporation:** a very difficult and complicated process of sustainable development dealing with the current and next generation of settlers.

Scudder recognized that the application of his stages in real world cases can vary depending on socio-physical and political contexts and the dynamic nature of resettlement (Scudder 2005).

Cernea (2004) introduced a model called 'Impoverishment Risks and Reconstruction' (IRR) in 1996 and later revised it, not to identify graded stages of resettlement but to help in the analysis and prediction of risks in relation to forced displacement. He emphasized 'impoverishment risks' and the importance of reconstructing the livelihoods of displaced peoples who face landlessness, joblessness, homelessness, marginalization, food insecurity, loss of access to common property resources, increased morbidity and mortality, and community disarticulation. Later, Cernea (2008) proposed an analytical framework to compensate for post-displacement reconstruction offering these recommendations:

- Compensation alone cannot prevent the impoverishment of resettled peoples and cannot restore and improve their livelihoods.
- Additional financing is needed for direct investment in resettlement.



- Compensation levels must be increased. Financial resources are available in most cases for investing in development, but allocation of money depends on the political will of governments and project owners.
- Opposition to displacement and unfair compensation is growing in many countries and political opposition does influence allocation levels.
- Mechanisms for benefit-sharing and transfer are known and effective and these mechanisms can be adjusted to different country and economic sector conditions. The introduction of benefit-sharing rules requires legislative enactment for robust application.

Bartolome *et al.* (2000:1) frames resettlement saying, “displacement and resettlement are critical issues covering human rights, governance and accountability, participation and self-determination in development, the complexities of resettlement goals, options and strategies, and relevant legal and policy instruments.” The World Bank (2015a) refers to resettlement as, “two distinct but related processes. Displacement is a process by which development projects cause people to lose land or other assets or access to resources. This may result in physical dislocation, loss of income or other adverse impacts. Resettlement or rehabilitation is a process by which those adversely affected are assisted in their efforts to improve or at least restore their incomes and living standards.”

Evrard and Goudineau (2004) argue that resettlement often brings about tragic social consequences and is regarded as a social and cultural issue more than a technical challenge. They say resettlement can create unplanned migrations, which could be called ‘resettlement-induced forms of mobility’. Resettlement in Laos, they argue, refers to refers to “...a double process: *detritorialization*, which not only means leaving a territory, but for many villagers also entails changing their whole traditional way of life (ecological, cultural, technical); and *reterritorialization*, which implies not only settling in a new environment but also accepting and integrating into the cultural references that are bound up with it” (p.938).

Chamberlain (2007) described resettlement in the Mekong Region as a controversial issue insofar as poverty reduction is concerned, especially in the Lao context. Resettlement is an external factor pressing more people into poverty, over which the affected have no control over the process. Similarly, Baird and Shoemaker (2005) use the term ‘internal resettlement’ and give as an example the moving of ethnic minorities from highland areas to lowland areas, from remote areas to sites near major roads, or new ‘host’ villages. Later, Baird and Shoemaker (2007) framed resettlement as ‘voluntary’ or ‘involuntary’, with the latter being seen as problematic and the former as relatively benign. Both voluntary and involuntary forms must be critically scrutinized within development circles, especially in the context of dam resettlement plans and programmes.

Some scholars frame resettlement as a detrimental and non-transparent process that needs a more critical view and participation from affected people in resettlement processes (Trung, 2013; Delang and Toro, 2011; Baird and Shoemaker, 2007; Herbertson, 2012; IRN, 2003; Lawrence, 2007). Baird (2009) introduces the concept of ‘compensation +1’, which takes a long-term perspective on impact and compensation issues. This approach makes dam-affected people full project shareholders, ensures that local people have secure land rights after being relocated, that plans are formalized and appropriately implemented, compensation payments are timely, and grievance procedures are established”.

Some scholars conceptualize resettlement through a governance lens, social justice and benefit-sharing (Suhardiman *et al.* 2014; Asian Development Bank, 2009; Middleton *et al.* 2009; Badenoch *et al.* 2014; Lebel *et al.* 2014; Dore and Lebel, 2010; Men *et al.* 2014; Kura, 2014; Singer, 2014; CPWF, 2013; Cernea, 2008; Prachvuthy *et al.* 2014). Affected people must have a share in the benefits of dam development in relation to their livelihood options and strategies (Suhardiman *et al.* 2014). Lebel *et al.* (2014) found that large dams generate both positive and negative impacts. To share the benefits with those affected, they suggested that income from hydropower sales could be shared with residents of hydropower watersheds to help offset the adverse impacts of construction and operation. They propose four models for benefit-sharing: resettlement compensation, corporate social responsibility, community development funds, and payment for ecosystem services.

From government viewpoints, resettlement has been framed and reframed based on international standards such as the World Bank and Asian Development Bank regulations for resettlement programmes (Keophoxay, 2013; Thi, 2013; Ha, 2011; Kimkong, 2013; World Bank, 2015b; Borin, 2013; Dao, 2010). For example, the Thai government has been reluctant to adopt the World Bank's regulations for the Pak Mun dam-affected area (Bartolome *et al.* 2010). The Bank's resettlement regulations were partially adopted for compensation and development activities (EGAT representative pers. comm., December 2014). There are gaps, however, between international standards and national laws that make the application of international regulations difficult. This is because each Mekong country has its own national policy, environmental legislation, political and bureaucratic systems, regulations, and an active or inactive civil society and local practices (Suhardiman *et al.* 2014).

Framing resettlement is complicated and problematic and no matter how it is conceptualized. Women and ethnic minorities have had an especially difficult time pulling themselves out of project-induced poverty (Baird, 2013; Finley-Brook and Thomas, 2010; King *et al.* 2007; Gleick, 2009).

## Gaps between international standards and local practices: More than mixed results

Resettlement processes and outcomes in the Mekong region show mixed results (Suhardiman *et al.* 2014) and there are gaps between international standards and national and local practices (Lebel *et al.* 2014; Baird *et al.* 2015; Keophoxay, 2013; Thi, 2013; Ha, 2011; Trung 2013).

In Cambodia, owners and operators of the Lower Sesan 2 dam followed regulations on the resettlement process, but the government lacks money, equipment and human resources to implement mechanisms at the provincial level (Kimkong, 2013). Keophoxay (2013) studied the case of the Theun Hinboun Expansion resettlement site at Keosankham in Laos. The Lao Government and the power company have tried to follow the World Bank's safeguards by setting up a development plan for a compensation package including details of the resettlement process, livelihood improvement, and re-establishment of the community. The resettled communities received assistance in the first three years in the form of agricultural land, seeds, rice, materials, health care and education. Their lives seem better than before relocation, but there are remaining challenges such as poor agricultural land. Only some affected people are better off and the poorest among them cannot adapt to the new resettlement area.



Dalasavong *et al.* (2015) found that resettled people affected by the Nam Mang 3 Dam experienced both positive and negative outcomes as a result of the resettlement programmes. On the one hand, they gained better access to compensation and some were able to re-establish a way of life in the new area and were welcomed by friendly host villagers, but basic services including transportation infrastructure and land for a burial ground were not provided. Baird *et al.* (2015) assessed the implementation of downstream impacts caused by the Nam Theun 2 Dam. They found that even though the Lao Government has an official, independent 'panel of experts' to supervise and monitor resettlement plans and implementation in downstream areas, resettlement policies and practices still have critical problems regarding monitoring and mitigating impacts due to termination of the programme and lack of ongoing external financial support.

Thi (2013) found that compensation for dam-affected was inadequate for populations affected by Vietnam's Bien Dien and Huong Binh hydropower projects. The compensation package provided land and physical assets, while water, a key factor affecting livelihoods, has been neglected. In contrast, Dao (2010) found that resettlement planning, compensation and rehabilitation procedures in Vietnam have improved. Affected people have adapted to the resettled environment and participate in some stages of the resettlement process such as housing policy. Problems remain, however, including a large gap between policies and planning and implementation processes. Implementers do not fully accept all resettlement policies. Ha (2011) points out two significant gaps between Vietnamese and international policies in the supervision of the Son La resettlement projects. For example, international standards requires a country to have external organizations independently supervise resettlement, but this is not required in Vietnamese resettlement projects.

Le's (2013) research addressed the problem of resettlement implementation which does not comply with plans. For example, compensation for land and assets does not meet regulations and policies. Compensation rates for land and assets are considered unreasonable. Affected people received compensation for the year 2014 but the calculation of the land price was based on a lower 2011 rate. In Myanmar, Ty *et al.* (2013) found that while resettlement plans could improve land acquisition, implementation measures on land management to improve productivity are poorly supported.

Thien (2013) studied the resettlement of the Se San and Sre Pok hydropower dams within a framework of compensation and resettlement. He found that while affected people have been provided improved infrastructure facilities - for example schools, clean water, electricity, and a health care centre - these people still faced a decline in their water resources for domestic use and agriculture, and loss of aquatic resources during the dry season.

In Thailand, Lebel *et al.* (2014) reported that benefit-sharing around the Sirikit Dam in Thailand included payments for environmental services, but faced institutional challenges. Affected people and local communities struggled to adjust their livelihood strategies, and the government was unable to restore livelihoods to pre-dam levels.

## Resettlement tracking systems not well established

A major problem of resettlement policy and implementation noted by the World Bank is the lack of effective tracking systems to monitor whether a resettlement plan is following the international guidelines and regulations (World Bank 2015a). The literature includes only a few studies discussing resettlement tracking in the Mekong Region.

International Rivers Network (IRN 2003) noted that there was no independent grievance mechanism for resettlement around China's Three Gorges Dam development regarding fair compensation, land access, or livelihoods restoration for millions of resettled people. Heggelund (2006) claims that resettlement for the Three Gorge Dam resulted in local government corruption with funds diverted to government officials rather than going to displaced peoples.

Lebel *et al.* (2014) looked at institutional challenges around resettlement issues and found a hierarchy of area-based administrative bodies within ministries which make monitoring less effective. Suhardiman *et al.* (2014) point out that procedural justice is often lacking as affected people do not participate in the policy process of hydropower investments. Dalasavong *et al.* (2015) show there is no tracking system if resettlement activities have been effectively and sustainably implemented. Many affected people are worse off while some are better off. Tracking must be improved if international agencies are to conduct appropriate internal resettlement initiatives that are sensitive to the complicated and multifaceted socio-economic and cultural backgrounds of resettled groups, especially ethnic minorities (Baird and Shoemaker, 2005).

Researchers have noted violations of international standards at the implementation level. For example, at the Xayaburi Dam (in Laos) there is no compliance system (Herbertson, 2013). Trung (2013) investigated the Yali Falls Dam on the Se San River in Vietnam and found that even though local communities and authorities participated in the resettlement planning and compensation process, the quality of participation was low and the voices of poor and ethnic people were not heard.

## Conclusions

There are critical gaps between policy and implementation including non-compliance with international resettlement regulations, lack of effective tracking systems to monitor implementation, lack of meaningful engagement of displaced people in the resettlement planning process and implementation, and limited financial and other resources. These problems lead to ineffective, insufficient and unsustainable resettlement. To resolve these issues, resettlement tracking systems must be established and transparently overseen by independent organizations with the genuine participation of resettled people.





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# Water Knowledge

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