

FACT's Social Assessment for CEPF Grant "Strengthening community advocacy in the 3S Basin"

Indigenous People and the Expected Impacts of the Mekong Mainstream Dams

An estimated 6 million Cambodian people live in the Mekong River Basin, including 36 minority groups, comprising 4% of the total Cambodian population. Many of these groups and their cultures and traditions are indigenous to the region. The extensive impacts of the 3S Basin and Lower Mekong dams on livelihoods and natural resources in the basin areas will have disproportionate effects on the lives, well-being, and cultural integrity of indigenous and ethnic minority groups in each of the Lower Mekong Basin countries.

The Cambodian fishers and affected communities, in particular the minority and indigenous groups in the areas that will be affected by large dams in Laos and Cambodia already experience considerable disadvantage, including high levels of poverty, lack of infrastructure and access to government services, creating a situation of structural marginalization and a lack of education, healthcare, opportunities, political participation and representation.

Areas predicted to be heavily affected by the mainstream dams include Cambodian fishing communities and ethnic minorities and indigenous people in Stung Treng, Kratie, Kampong Cham, Kandal, Prey Veng and Tonle Sap (for details, please see table below). These groups are heavily dependent on access to natural resources and wild products, including aquatic species, for their food, nutrition, livelihoods and survival, and have low levels of occupational or income source diversity. The loss of fisheries and resulting threats to food security and risks of wasting, stunting and other poverty and nutrition related diseases are thus higher, and the human rights impacts likely to be disproportionately felt by these groups. For example, the Cham (Muslim Khmer) near Stung Treng in Cambodia are almost completely dependent on fisheries for their livelihoods, and have developed complex knowledge and skills around fisheries together with a semi-nomadic lifestyle. Losses to fisheries would result in severe food shortages for these groups, as well as major impacts on lifestyle, traditional knowledge, and cultural systems.

Table 1: Ethnic minorities (including Indigenous People) living in the provinces targeted by the project

Stung Treng	Kratie	Kampong Cham	Kandal	Prey Veng	Tonle Sap
Kuy	Kuy	Cham	Cham	Cham	Cham
Phnong	Phnong	Vietnamese	Vietnamese	Vietnamese	Vietnamese
Tampuan	Mel				
Jarai	Thmoan				
Kreung	Kraol				
Brao	Stieng				
Kavet	Khaonh				
Kachok					
Stieng					
Kraol					
Mel					
Thmoan					
Khaonh					
Somray					
Pear					
Sa'ong					
Ch'ung					
Lao					
Cham					
Vietnamese					

Note: Members of the Lao, Cham and Vietnamese ethnic minorities are not considered Indigenous People.

Communities who have been deprived access to lands and resources and traditional livelihoods have been removed or replaced without the consultation or participation of affected groups, or concern to ensure cultural integrity or identity is preserved. The likelihood that economic benefits from development of the Xayaburi and other dams will accrue in any significant way to indigenous and minority groups is lessened by the lack of participation by these groups in decision-making and existing development policies that are not tailored to the specific needs of diverse peoples. The SEA study predicts that the projects will result in increased inequality and poverty among affected communities, particularly during the 29-year concession period when most economic benefits will flow to the project developers and financiers.

Free, Prior and Informed Consent with Indigenous People in the Project Areas

People living along the Mekong River and in 3S Basin have been consulted in meaningful ways regarding their concerns with the plans to build the dams in 3S Basin and Mekong and their demands to developers and decision makers. During the project design stage, the concerned communities have been consulted through FACT and its NGO partners' direct visits to the project areas, bi-monthly meetings of Rivers Coalition in Cambodia (RCC), study tours/exchange visits to other affected communities in Cambodia, advocacy campaigns against hydropower development, public forums and round-table discussions at both national and provincial. Free, prior and informed consent has not occurred with indigenous people solely for the purposes of this grant proposal. Rather, it has taken place as part of a broader engagement with them, in terms of understanding the concerns people have as well as their demands, so that FACT can promote these in its activities. Before starting to implement its activities FACT in partnership with its partners especially My Village (MVi), 3S Rivers Protection Network (3SPN) and other RCC members will launch a dissemination workshop at provincial level to officially announce to the public, in particular the affected communities and indigenous people, about the project which is going to be started soon. The objective of the dissemination workshop is also necessary important to collect concerns, requests and demands from the affected communities and indigenous people regarding the project implementation in coming future.

As many of the communities we work with have indigenous people, FACT and its partners will at times work directly with the communities living in the 3S Basin and along the Mekong River through conducting the communities-based and evident-based researches on the large-scale proposed or under construction hydropower projects and their impacts on social, environment, livelihoods, and culture with well documentary and eventually with dissemination of the findings through its regular meeting mandate, public forums, training workshops, advocacy campaigns, and media to the other affected communities in project area. The findings from the evident-based researches will help us (RCC members), affected communities and indigenous people stand in a strong position and find common voice to advocate against the hydropower development.

None of these activities is expected to have any negative impacts on local or indigenous communities but only positive ones, by strengthening community voice. Nevertheless, before working in any community containing indigenous people, FACT and its partners will undertake a process of free, prior and informed consultation, which introduces the project aims and specific activities to community members (including both women and men) in their own language, and seeks their consent to participate. If consent is given, a record will be kept, which will be available for CEPF to review during future monitoring of the project. If consent to participate in project activities is not given, FACT and its partners will respect this, and select another community to work in.

Measures to avoid negative impacts to the Cambodian fishers and affected communities, in particular Indigenous People in the Project Areas

FACT and other project's partners included 3SPN, My Village, Community Economic Development and Nak Akphivath Sahakum will initially seek to introduce ourselves to the head of community fisheries, community-based organizations, the village headman and/or respected representatives of the community

leadership and discuss issues ranging from livelihood and environmental concerns to perceptions of community change (positive and negative) using an open and flexible process. Subsequent to this initial discussion, field researchers proceed by engaging in open-ended discussions with small groups of villagers or individuals. In Cambodia, the sensitivity of hydropower changes on a regular basis depending on the project, the positions local authorities, and the changing political and free speech environments. In these contexts, FACT will often carry out long individual interviews in the privacy of homes in order to reach a comfort level of the interviewee, in which they can express their hopes for the future and their concerns with current development plans. Perspectives attributed to these interviewees are recorded, but unless otherwise requested by the people themselves, interviews are conducted under a condition of anonymity given the sensitivities surrounding hydropower development in Laos and Cambodia. FACT recognizes the methodology is based on first-hand accounts and narratives, and does not claim the data is statistically representative. However, we are confident that over time, our on-the-ground documentation provides an accurate indication of broader concerns within the community. As we are not sufficiently equipped to visit the project sites on a very regular basis, we also rely upon our most trusted partners who work in targeted villages along the Mekong River to consult with villagers and seek to verify the findings with others who are also working in these communities when possible.

Grievance mechanism

The project is designed to strengthen and empower hydropower/fisher activists, including the strengthening of indigenous elders, who are generally responsible for the resolution of issues in their communities. There will be permanent quarterly meetings of the affected communities and fisher network members, including indigenous groups, at which grievances can be raised.

FACT will be evaluated by indigenous communities, during which time, any issues or problems will be raised as well.

Moreover, the contact details of the project team, key partner organizations' personnel and the CEPF Regional Implementation Team at IUCN will be given to participating communities and fisher network members in the target areas, so they may contact them in case of any grievances. If grievances arise, we will work with the community members involved, with participation from other organizations where appropriate, to resolve conflicts and reach mutual agreements between all parties. Any grievances raised will be brought to the attention of CEPF and the RIT within 30 days, together with a plan for remedial action.