



Mekong River Commission

For Sustainable Development

Procedures for Water Use Monitoring

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Mekong River Commission
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CONTENT

Preamble

- 1. Definitions**
- 2. Objectives**
- 3. Principles**
- 4. Water Use Monitoring**
 - 4.1 Scope**
 - 4.2 Monitoring System**
 - 4.3 Institutional Arrangements**
 - 4.3.1 MRC Joint Committee**
 - 4.3.2 MRC Secretariat**
 - 4.3.3 National Mekong Committees**
- 5. Final Provisions**
 - 5.1 Amendment and Modification**
 - 5.2 Entry into Force**

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PREAMBLE

Reaffirming the political will to continue to cooperate and promote in a constructive and mutually beneficial manner in the utilization and development of the Mekong River Basin and water related resources as recognized in the Agreement on the Cooperation for the Sustainable Development of the Mekong River Basin, signed at Chiang Rai, Thailand on 5 April 1995, hereinafter referred to as “the Mekong Agreement”;

Pursuant to the MRC Council’s Resolution on the Water Utilization Program of 18th October 1999, and confirmation of the establishment of the Technical Drafting Group 3 for the Procedures for Water Use Monitoring, hereinafter referred to as “the Procedures”, by the MRC Joint Committee (JC);

Recognizing that the reasonable and equitable use of water resources will not be possible if water uses are not monitored;

We hereby approve the following:

1. Definitions

Water Use/Utilization: For the purpose of the present Procedures, it means any use of water which may have a significant impact to the water quality or flows regime of the mainstream of the Mekong River System by any member State. The Joint Committee may review and revise this definition from time-to-time as required for effective implementation of the Procedures.

Inter-Basin Water Diversion: The diversion of water from the mainstream or a tributary of the Mekong river system into another basin.

Water Use Monitoring System: The water use monitoring system of the MRC (Monitoring System) is the system established by the MRC and member States to monitor water use in the Mekong Basin and inter-basin diversion into another basin. The components of the Monitoring System and its management/operation are stipulated in 4.2.

2. Objectives

The objectives of the Procedures are:

- 2.1 To provide a comprehensive and adaptive framework and process to support effective implementation of the intra-basin water use monitoring and the monitoring of inter-basin diversions.

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- 2.2 To promote better understanding and cooperation among the member States through transparency and confidence in the water use monitoring system.

3. Principles

In conformity with the provisions of the Mekong Agreement, the water use monitoring shall be governed by the following principles:

- a. Efficiency;
- b. Coordination;
- c. Transparency;
- d. Cost effective;
- e. Dynamism;
- f. Adjustability; and
- g. Mutual benefit.

4. Water Use Monitoring

4.1. Scope

The water uses to be monitored under the Procedures include intra-basin water uses and inter-basin water diversions.

4.2. Monitoring System

The Monitoring System consists of three components:

- Physical equipment and related structures, which are normally located in and managed/owned by the respective State;
- Various technological procedures; and
- Related personnel/institutions/organizations.

Details of these components shall be determined by a technical support team.

4.3. Institutional Arrangements

Operation and management of the Monitoring System shall involve the MRC JC, the MRC Secretariat and the National Mekong Committees (NMCs), with respective roles/functions/responsibilities as follows:

4.3.1. MRC Joint Committee

In addition to those stipulated in the Rules of Procedures of the MRC JC and other relevant rules/procedures approved by the MRC Council, the roles and responsibilities of the MRC JC for water use monitoring shall include, but not limited to:

- a) Establishing and/or strengthening and maintaining the Monitoring System in cooperation with member States;
- b) Ensuring the effectiveness and efficiency of the Monitoring System;
- c) Ensuring the accuracy and transparency of the Monitoring System, including field inspections when necessary;
- d) Improving continuously the Monitoring System in a manner that is coordinated with other MRC procedures and consistent with the relevant MRC standards;
- e) Reviewing and recommending any amendment to the Procedures if necessary.

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The MRC JC may delegate all or some responsibilities to a technical support team.

4.3.2. MRC Secretariat

The roles and responsibilities of the MRC Secretariat for water use monitoring shall include carrying out the directives of the MRC JC and supporting and cooperating with the NMCs in the implementation of the Procedures.

In addition to duties and responsibilities stipulated in the Mekong Agreement, and assigned to it by the MRC Council and the MRC JC and in other relevant rules/procedures, the roles and responsibilities of the MRC Secretariat are to assist the MRC JC, or implement as delegated by the MRC JC, duties and responsibilities mentioned in 4.3.1, but specifically as follows:

- preparing reports relevant to water use monitoring, including the annual report that documents water use monitoring results, appropriateness and effectiveness of the Water Use Monitoring Procedures, and status of the Monitoring System;
- assisting the NMCs financially and technically in strengthening the water use monitoring system, including field visits as required;
- making recommendations to the MRC JC on technical and other matters, including improvements, related to the Procedures; and
- providing technical advice and, when required, legal advice to support the implementation of the Procedures.

4.3.3. National Mekong Committees

The roles and responsibilities of the NMCs for water use monitoring shall include, but not limited to:

- cooperating with the MRC JC in establishing, maintaining and strengthening the Monitoring System in their respective countries;
- supplying water use data for monitoring purposes; and
- engaging and assisting the line agencies in the country to implement the Procedures.

5. Final Provisions

5.1. Amendment and Modification

Any amendment or modification to the Procedures shall be approved by the MRC Council.

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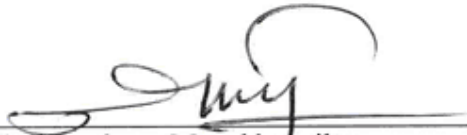
5.2. Entry into Force

The Procedures shall take effect on the date of the approval of the MRC Council Members.

Approved by the MRC Council on the thirtieth day of November of the year two thousand and three at its Tenth Meeting held in Phnom Penh, Cambodia.



H.E. Mr. Lim Kean Hor
MRC Council Member for the Kingdom of Cambodia



H.E. Mr. Somphong Mongkhonvilay
MRC Council Member for the Lao People's Democratic Republic



H.E. Prof/Dr. Prinya Nutalaya
For the MRC Council Member for the Kingdom of Thailand



H.E. Dr. Pham Hong Giang
Alternate Member of the MRC Council for the Socialist Republic of Viet Nam

