



Mekong River Commission

For Sustainable Development

Procedures for Water Quality

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Preamble

Reaffirming the political commitment and determination of the Member States to continue to cooperate in a constructive and mutually beneficial manner to utilize the waters of the Mekong River Basin in a reasonable and equitable manner in their respective territories, pursuant to all relevant factors and circumstances, in accordance with the Agreement on the Cooperation for the Sustainable Development of the Mekong River Basin, done at Chiang Rai, Thailand on 5 April 1995 (hereinafter referred to as the “Mekong Agreement”);

Pursuant to the Mekong River Commission (MRC) Council Resolution on Water Utilization Programme of 18 October 1999, and the decision of the MRC Joint Committee in August 2004 on the establishment of the Technical Drafting Group 6 for the Procedures for Water Quality;

Realizing that the sustainable development of the water resources of the Mekong River Basin will not be possible without effective management of water quality;

Emphasizing the importance of implementing the Mekong Agreement, especially those provisions relevant to water quality;

Noting that while this instrument is primarily concerned with water quality, management of quantity should also be considered in implementing the Procedures for Water Quality;

We hereby approve the following Procedures for Water Quality, hereinafter referred to as the “Procedures”:

1. Definitions

In addition to the definitions that will be included in the Technical Guidelines for Implementation of the Procedures to be prepared, reviewed and revised periodically by the MRC Joint Committee, the term “acceptable/good water quality” means water of the quality capable of meeting the beneficial uses identified by the Member States.

2. Objective

The objective of the Procedures is to establish a cooperative framework for the maintenance of acceptable/good water quality to promote the sustainable development of the Mekong River Basin.

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3. Principles

In addition to the principles stipulated in the Mekong Agreement, the Procedures shall be governed by the following guiding principles:

- cost effectiveness;
- accountability; and
- transparency.

4. Scope

The Procedures are applied to maintain the water quality of the Mekong River mainstream. Regarding the transboundary tributaries of the Mekong River Basin, the States concerned shall, based on the Mekong Agreement and the relevant provisions of the Procedures and the Guidelines thereof, make every efforts to maintain acceptable/good water quality.

5. Water Quality Management

5.1 Implementation

With a view to achieving the objective and taking into account the principles set forth in the Procedures, the Member States shall:

- 5.1.1 Make every effort to maintain acceptable/good water quality on the mainstream;
- 5.1.2 Strengthen the existing and, if necessary, establish new joint programs for monitoring and assessing the water quality of the Mekong River;
- 5.1.3 Jointly develop the Technical Guidelines for Implementation of the Procedures for Water Quality that will be endorsed by the MRC Joint Committee;
- 5.1.4 Conduct research to refine the Technical Guidelines for effective implementation of the Procedures.

5.2 Emergency Water Quality Situations

The Member States shall, individually, and where appropriate jointly, develop contingency plans for responding to any special water quality problem constituting an emergency that requires an immediate response.

In the event of any water quality emergency incident, the Member States shall, without delay and by the most expeditious means available take actions in accordance with Articles 7 and 10 of the Mekong Agreement and Rule 22 of the Rules of Procedures of the MRC Joint Committee, and other relevant procedures that may be developed under the Technical Guidelines for Implementation of the Procedures for Water Quality.

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5.3 Public Participation

The Member States shall endeavour to raise awareness and promote the participation of the public in maintaining acceptable/good water quality.

6. Institutional Arrangements

Implementation of the Procedures requires the active participation of the MRC Council, the MRC Joint Committee, the MRC Secretariat and the National Mekong Committees with their respective roles, functions, duties and responsibilities, which are as follows:

6.1 MRC Council

The functions of the MRC Council under the Procedures are in accordance with the provisions of the Mekong Agreement, its Rules of Procedures and other relevant procedures.

6.2 MRC Joint Committee

In addition to those stipulated in the Mekong Agreement and the Rules of Procedure of the MRC Joint Committee and other relevant rules and procedures approved by the MRC Council, the functions/roles/responsibilities of the MRC Joint Committee for the Procedures shall include, but are not limited to:

- 6.2.1 Strengthening, maintaining and, if necessary, establishing new water quality monitoring stations in accordance with the objective and principles of the Procedures;
- 6.2.2 Establishing a framework for water quality management within which water quality objectives can be prepared;
- 6.2.3 Coordinating with all National Mekong Committees for the effective implementation of the Procedures; and
- 6.2.4 Preparing, adopting, and reviewing and, when necessary, revising the Technical Guidelines for Implementation of the Procedures for Water Quality.

The MRC Joint Committee may delegate all or some responsibilities to a technical body formed as a permanent working group of the MRC.

6.3 MRC Secretariat

In addition to the functions, duties, and responsibilities stipulated in the Mekong Agreement and those assigned to it by the MRC Council and the MRC Joint Committee and in other relevant rules and procedures, the roles and responsibilities of the MRC Secretariat respecting the implementation of the Procedures, shall include, but are not limited to:

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- 6.3.1 Providing technical and administrative assistance to the MRC Joint Committee and the technical body in the development of a framework for water quality management;
- 6.3.2 Facilitating the work of the MRC Joint Committee, the technical body and NMCs, through coordination, logistical support, technical analyses and assessments, preparing necessary reports, including an annual report to the MRC Joint Committee on the quality of the water on the mainstream, and providing appropriate documentation relevant to the discussions in a timely manner; and
- 6.3.3 Facilitating the problem-solving and consensus-building processes required to enable the technical assessments and recommendations to be carried out successfully and in a cost-effective manner.

6.4 National Mekong Committees

The functions, roles and responsibilities of the National Mekong Committees through the direction of their MRC Council and MRC Joint Committee members and in accordance with the various provisions of the Mekong Agreement and relevant rules and procedures, shall include, but are not limited to:

- 6.4.1 Informing the relevant line agencies, local authorities and stakeholders of the Procedures to ensure their effective implementation;
- 6.4.2 Ensuring the monitoring, data gathering and reporting as required to implement the Procedures;
- 6.4.3 Being responsible in cooperation with the MRC Secretariat, for the establishment, operation and maintenance of the water quality monitoring stations and other processes necessary to report on water quality and procedures for emergency situations in each respective State;
- 6.4.4 Informing line agencies, local authorities and stakeholders concerned of the relevant plans, programs and activities to facilitate maintaining acceptable/good water quality on the mainstream; and
- 6.4.5 Facilitating the MRC Secretariat in preparing the MRC annual report on the water quality of the mainstream by providing necessary information.

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7. Final Provisions

7.1 Amendments or Modifications

Any amendment or modification to the Procedures shall be submitted by the MRC Joint Committee for approval of the MRC Council.

7.2 Entry into Force

The Procedures shall take effect among Member States on the date of the approval of the MRC Council.

These Procedures, which reflect political commitment of the MRC Member Countries, were adopted by the MRC Council on the 26 January 2011 at the Seventeenth Council Meeting held in Ho Chi Minh City, Viet Nam.

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

H.E. Mme. Khempheng Pholsena
MRC Council Member for the Lao People's Democratic Republic

H.E. Mr. Suwit Khunkitti
MRC Council Member for the Kingdom of Thailand

H.E. Mr. Pham Khoi Nguyen
MRC Council Member for the Socialist Republic of Viet Nam