World Academy of Science, Engineering and Technology
International Journal of Environmental and Ecological Engineering
Vol:15, No:08, 2021

Accessing the 'No-Harm' Principle of Protection of the Mekong River's Environment

Authors : Hang Thuy Tran, Hanh Hong Pham, Ha Thanh Hoa

Abstract : From 2009 up to now, the water quantity and water quality of the Mekong River, located in the South of Vietnam, have been significantly reduced. The phenomenon happened as a result of climate change and human activities. The Mekong River is an international source of water, flowing across the borders of 6 countries, with Vietnam downstream. Activities to block the flow or build dams to construct hydroelectricity or diversion in upstream countries are either the direct cause or the risk of further deterioration of the water quality and quantity of the Mekong River, as evidenced by two phenomena which are a saline intrusion and transboundary water pollution. The protection of the crucial source of water is done through bilateral and multilateral cooperation mechanisms, notably the Mekong River Commission, established by members of the Agreement on the Cooperation for the Sustainable Development of the Mekong River Basin 1995. In this document, under Article 7, the 'no-harm' principle requires member states to take appropriate measures to prevent causing substantial damage to other member states. This principle has been practiced through the work of a number of committees established by the commission. However, the content of the rules is undetailed, lacks an implementation monitoring mechanism, and has an unreasonable dispute solution. With such difficulties, the provisions in the principle of no-harm are not adequate to protect the Mekong River's water resources in the current context.

Keywords : no-harm principle, transboundary water pollution, Mekong Commission, international source of water
Conference Title : ICEPCP 2021 : International Conference on Environmental Pollution Control and Prevention
Conference Location : Kuala Lumpur, Malaysia
Conference Dates : August 23-24, 2021