Network for Sustainable Hydropower Development in the Mekong Countries (NSHD-M)

Documentation

Training of Trainers on Transboundary Cooperation and Hydropower Development

Vientiane, Laos, 22-24 July 2014
Training team

Trainer: Aaron Wolf
Facilitator: Klaus Sattler, MRC-GIZ Cooperation Programme, Laos

Organisers

Klaus Sattler, MRC-GIZ Cooperation Programme, Laos
Liesa Sauerhammer, MRC-GIZ Cooperation Programme, Laos

Participants

Total: 16 participants
See participants list attached
# Table of contents - sequence of the workshop topics

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Introduction

The training session commenced with a welcome to all participants who introduced themselves. Thereafter, there was an introduction to the key topics for Sustainable Hydropower Development (SHD). This was followed by a clarification of the purpose of the workshop, logistic and giving an overview of the draft of Training Manual on transboundary cooperation and hydropower development.

Session 1 - Field trip to Mekong River Commission Secretariat

We visited the Mekong River Commission Secretariat to learn about Mekong river commission and sustainability in hydropower development. Presentations were given by Dr. Vithoon and Mr. Voradeth. The presentation by Dr Vitoon focused on the MRC-S in a more general way, whereas Mr Voradet gave an insight into the Initiative on Sustainable Hydropower and the process of hydropower development on the Mekong mainstream.

Session 2: Course overview

At first, a general overview of the course outline was given. The main purpose of the session was to introduce the arrangement or set up of the course and to clarify the needs of the participants. All of this was done in discussion and dialogue with and between the participants.
After that the trainer gave an overview on Summary of Transboundary water and Hydropower Issues, including

- Water for growth and development
- Water growth example in Ethiopia
- Dam Density per International River Basin
- Planned Hydropower Projects (MRC, 2009. Lower Mekong Hydropower database)
- Program in Water Conflict Management & Transformation
- Management Time Allocated to Conflict Management
- What the water we can use?

Exercise 1 - Perspective

The training showed the following pictures to participants to see and think about it
Exercise 2 - The Ugli orange case

This exercise let participants work in pairs and try to find the solutions to the Ugli orange case.

Exercise 3 - Practices on listening and speaking in pairs and getting upset

Listener: Chooses a topic and position

Speaker: Argues against the listener’s position and plays attention to what happens in their body.

This exercise showed the ‘Four Basic Needs’

1. Physical – position
2. Emotional - what can I learn values!
3. Intellectual - Intuitive (Interests)
4. Spiritual - Unity (what can I share with this person)
Session 3 - Water Conflict Management

Presentation
This presentation introduces the Water and Conflict, Water Conflict Management, scale of conflict, The Transboundary Freshwater Dispute Database, Number of Events by BAR Scale 1948-2008, and Water Myths and Water Facts. The trainer make question to participants about cause of conflict includes:

- Water quality
- Water demand
- Too much water
- To low water
- Location
- Population growth up
- And the migration

The trainer opens the video showing of basic needs on emotional and intellectual level

Exercise 1 - Physical practices

When you close your eyes what are you hearing?
Session 4 - The Benefits and Challenges of Cooperation in Trans-boundary Hydropower Development

This session was divided into 3 sub-sessions

I. Cooperation and Challenges
   • Benefits of cooperative approaches
   • Relevant concepts and factors

II. Transboundary Benefit Sharing Mechanisms
   • Concepts/ Categorizations of benefits
   • National vs. transboundary mechanisms of benefit sharing
   • International standards for benefit sharing

III. Transboundary Benefit Sharing in the Framework of the MRC
   • Provisions in the Mekong basin as a basis for transboundary benefit sharing mechanisms

Session 5 – Roles of River Basin Organisations

The Presentation on Roles of River Basin Organisations for Transboundary Hydropower Development was given by Ms. Thuy Hang Nguyen (Vietnamese) and Mr. Min Bunnara (Cambodian)

This presentation introduced River Basin Organizations (RBO), International basins of the world and number of associated treaties, Types of RBOs, Linkages of RBOs (Linkage to regional bodies and Linkage to the national level), Primary functions of RBOs and specifically on hydropower, Good cooperation framework for activities, Key factors for the success of an RBO, Mekong River Commission, 5 procedures of the MRC. The case study of Xayburi Hydropower Project was also given.

PNPCA Process for the Xayaburi Project:
Group Exercise - what should be the roles of MRC for managing transboundary hydropower development?

The participants divided to three groups to discuss the question.

**Group 1:**
Group 2:

What are the core function of RBOs in terms of transboundary water issues?

1. List the function
2. Describe each core function
3. Suggestions & recommendations

1. Function
   1. Information Sharing
   2. Flow Regime / coordination
   3. Early Warning System
   5. Financial Raising
   6. Monitoring

3. Suggestions & Recommendations for RBOs
   1. More Power / Authority
   2. More Involvement with Implementation
   3. More Professional (Knowledge, Communication)
   4. Involve more civil society
Session 6 - Water Conflict Management - Continued

Presentation

This presentation introduced

- Water Conflict Management
- Four Worlds Framework: Four Needs and Four Claims
- Types of Cooperation – a Continuum
- Criteria Invoked for Water Transformation
  - I. Overview: Basins with Boundaries
  - II. Changing Perceptions: Basins Without Boundaries
  - III: Enhancing and Sharing Benefits
- IV. Putting it all Together: Institutional Capacity

Water and the Four Worlds Framework:

<table>
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<th>FOUR WORLDS</th>
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<tbody>
<tr>
<td>adversarial</td>
<td>Rights</td>
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<tr>
<td>Reflexive</td>
<td>Needs</td>
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<td>Integrative</td>
<td>Benefits</td>
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<td>Action</td>
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<td>Emotional</td>
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<td>Knowing</td>
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<td>Spiritual</td>
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</table>

Conflicts and disputes brought on by competing interests (not necessarily too little water)

They are made worse by:
- misperceptions
- entrenched thinking
- miscommunication

Conflicts and disputes can be managed by:
- Focusing on interests and values, not positions (rights to needs to benefits to equity)
- Focus on process and relationships
- Institutions matter

Most important skill: **LISTEN!**

Examples:
- **Issue: Water Allocations**
  Positions: Israel – water allocations, Palestinians – water rights
  Interests: Israel wants to problem-solve, Palestine wants history recognized
  Values: Respect, sovereignty
  Solution: “Rightful Allocations”

- **Issue: Transboundary EIA**
  Positions: 3 countries in favor, 1 against
  Interests: Lack of capacity
  Values: Equity, Respect
  Solution: Capacity-building workshops

- **Issue: Shared Data**
  Positions: All need basin model, Azerbaijan & Armenia will not collaborate
  Interests: 2 countries have territorial dispute; both have relations with Georgia
  Values: Sovereignty, healthy environment
Solution: Crafted policy of “parallel bilateralism” to map and manage quality hotspots through 3rd party

- Issue: Upstream Dam

Positions: Tajikistan – want to build, Uzbekistan – against

Interests: Power for heating (winter) and export, water for irrigation (summer)

Values: Respect, sovereignty, economic growth

Solution: Smaller dam, payment for storage, natural gas upstream, water downstream, use of regulating dam

- Characteristics of Cultural Differences

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<th>Equality</th>
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<td>Direct Communications</td>
<td>Indirect Communications</td>
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<td>Individual</td>
<td>Group</td>
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<tr>
<td>Task</td>
<td>Relationship</td>
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<td>Risk</td>
<td>Caution</td>
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</table>

**Figure 9: Characteristics of Cultural Differences**

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**Session 7 – International River Cooperation and Transboundary Benefit Sharing**

The session was held by the two participants Ms. Amy from China and Mr. Try from Cambodia.

Key contents

- To get international good practice for international cooperation
- To highlight important of transboundary international river benefit sharing

Key successes in BSM are:

- Committed politicians/legislators
- Strongly anchored in the legal framework
- Licensing authorities must have a clear understanding of BS
• BS must be part of the licensing procedure through all stages
• Clearly stated in the licensing conditions
• Municipalities must have the necessary capabilities to administer the benefits on behalf of the population

Group discussion
The participants were divided into 3 groups. Each group should discuss one of the three questions:

1. What **legal instruments** may be considered to introduce BSM for transboundary river basin cooperation?
2. What **measures** may be considered relating to the **size** and **scale** of hydropower projects in transboundary tributaries?
3. What **measures** may be considered for **transparency**, **dispute avoidance** and **settlement** for transboundary river basin cooperation?

**Group 1:**

![Legal Instruments]

- Policies
- Guidelines
- Rules/Regulations
- Laws/Sub-decrees/Principles
- Agreements
- Contracts

**Group 2:**

![Size, Scale, Benefit Sharing]

1. **Guideline**
2. **Procedure**
   - Benefit Sharing
Group 3:

A Video on Water Conflict Management from Chieng Mai dam was shown
After watching the video the participants were divided into 3 groups. Each group was given 2 stakeholder groups and should identify for each stakeholder group the

- Position
- Interest
- Value
- Solution

**Group 1:** Conflict between hill farmers and paddy farmers

![Image of handwritten notes on conflicts between hill and paddy farmers]

- Hill: Agriculture, Agent Water for Irrigation (paddy), Landscapes, Domestic use, Culture, Tourism
- Paddy: Agriculture, Agent Water for Irrigation (paddy), Domestic use, Corporation (Helping system)

Not sufficient water. How can they share water?
Group 2: Conflict between resort owners and paddy farmers
Group 3: Conflict between dam developer and affected people
Session 8 – Transformal listening

Exercise
An exercise was conducted where one person was talking and explaining their problem and the other person should listen. It was also again an exercise on perceptions and interpretations. The exercise finally showed that people will listen when they have been listened to.

A video was shown on 2 mothers from Israel and Palestine trying to listen to each other but often failing and shouting.

Presentation on listening skills

- Active Listening
  - Paying Attention
  - Eliciting
  - Reflecting
- Transformative Listening
  - Space
  - Tracking
  - Offer without insisting
  - Check for completeness
- Most will listen once listened to
- Transformation dissipates anger, allows for empathy
- Helps understand interests behind positions (anger masks pain or vulnerability)

Exercise – speaking and listening
Practice in pairs:
- Speaker: talk about problem
- Listener: practices on listening the skill
Exercise – speaking and listening

- Speaker- talk about problem
- Listener- practices on listening the skill

Session 9 – The Pandal River Basin Scenario

Fictitious Case Scenario: The Pandal Basin


Objective: Practicing negotiation.

Step 1: Think about the basin 20 years from now to the future: how would the basin look like if the negotiations are successful and the basin is developed in a sustainable way?

- Clean environment
- Stable development
- Good economy
- Happy people
- Stable economy
- Green ecology
- Energy-economy development

Step 2: Think about the basin 20 years from now to the future: how would the basin look like if the negotiations are not successful and the basin is not developed in a sustainable way?

- Conflict
- Poverty
- Water pollution
- Imbalanced development
- Inequity
- No forest and birds

Step 3: write down the 2 highest concerns for your country and put them on the basin map
Step 4: write down 2 projects most important for your country and put them on the basin map where you want to implement them.
Step 5: Negotiations between the 5 countries representatives

The negotiations were first facilitated by Aaron Wolf, then the 2 participants Dr. Phouvin from Laos and Dr. Rittirong from Thailand took over and continued the facilitation. The 2 facilitators almost disappeared and let the 5 countries on their own. Soon there was a lot of chaos and no progress in negotiations. After a while the facilitators revealed that they had been quite on purpose in order to show the importance of good facilitation.

Dr. Phouvin from Laos and Dr. Rittirong then led a group discussion on 2 questions

Group discussion 1: what tools and skills are useful for successful negotiation?
In training of negotiation, what tools/skills are useful?

Identify the step-by-step of useful?

The negotiation process:
1. **Team Preparation Step**
   - Agreed the activities

   1. Share vision
   2. Share concern
   3. Provide information - MAP
   4. **Decision Support System**
   5. Identify the impact of the project

   **Actor**
   - Active listening
   - Seek for understanding
   - Asking question
   - Summarize the key issues/plan
   - Common need and different need
   - **Flexibility**
   - Clear voice / strong voice

   **Participants/stakeholders**
   - Key questions/need
   - Filtering
Group discussion 2: what tools and skills make a good facilitator?

The workshop was then closed with a wrap-up, going through the objectives written down on day 1 and see what could be achieved, and a verbal feedback round.
Workshop photos
## Agenda

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<th>Session Title and Content</th>
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<th>Methods</th>
<th>Resources</th>
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<tr>
<td>08.00-08.30</td>
<td>- Registration, settling in</td>
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</table>
| 8.30-10.15 | **I. Introduction**  
  a. Skills building questionnaire  
  b. Group introductions  
    i. Hierarchy vs. community  
    ii. Setting the stage/mood  
  c. Group brainstorm  
    i. Ground rules  
    ii. Goals & expectations  
    iii. Measures of success  
    iv. Agenda                                                                 | - Establish interactive mode  
  - Teach by doing  
  - Provide information and the flow of the course  
  - Understand participants’ expectations of the course and early explain what expectations may and may not be covered in the training | - Interactive style both doing and showing  
  - Different methods for different styles  
  - UGLI orange, if time                                                                 | - Two flipboards, pens  
  - Name tent cards  
  - Copies of workbook  
  - Thomas-Kilman conflict styles                                                                 |                                                                           |
| 09:10      | Depart for Mekong River Commission Secretariat                                                                                                                                                                            |                                                                                                                                             |                                                                                                                                      |                                                                           |
| 09.30-12.00| Mekong River Commission Secretariat  
  - Provide opportunity to meet professionals working in the field  
  - Understand workings of an international RBO  
  - Identify resources for future teaching                                                                                                                                                                                                 |                                                                                                                                             |                                                                                                                                      |                                                                           |
| 12.00-13.00| Lunch Break                                                                                                                                                                                                                 |                                                                                                                                             |                                                                                                                                      |                                                                           |
| 13.00-14.45| **Course overview**: Summary of Transboundary Waters & Hydropower Issues  
  - Offer background and bring everyone up to speed                                                                                                                                                                         |                                                                                                                                             | - Powerpoint with interactive exercises                                                                                          | - Computer projector with PPT                                               |
II. Styles of Conflict Management: Working with Stakeholders
   a. Stakeholders & Meeting Design
      i. Strategies for hearing everyone
      ii. Group dynamics along continuum
   b. An introduction to listening
   c. Getting to “yes”
      i. Rational world - People, interests, options and criteria
      ii. Emotional world - ARIA, the four paths in negotiations
      iii. Universal “four worlds” construct - Process of transformation
   d. Exploring allocation
   e. Active listening
      i. A shared vision
      ii. Seating

Facilitator’s role

- Learn about the four-fold matrix we're going to be exploring throughout the workshop
- Offer basic information about water conflict and the world as well as emerging water issues, including an introduction to water conflict management
- Introduce different approaches for understanding roles in conflict transformation. Begin thinking about how we bring oneself - our perceptions, experiences, and understandings - to work with larger groups

- Mix of lecture, short films and interactive discussions

- Projector with speakers and web access

Day 2: Introducing Collaborative Approaches

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<td>- Review of previous day</td>
<td>- To answer and clarify unclear issues/topic</td>
<td>- Open discussion</td>
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</table>
### III. Transboundary Water Issues
- Water allocation
- Principles in international law
- Protocols & RBO’s
- Institutional and critical perspectives on shared rivers
- Others

- To explain and enhance participants’ understanding on transboundary water issues
- Group work to answer questions and report back
- Brief presentation
- Discussion
- Village exercise

### IV. Tools for Conflict Management
- Reframing
- Concept mapping

Other tools selected by group

- Be able to put tools into place to help with collaborative dialogue.
- Interactive discussions
- Role play
- Film: Upstream-Downstream

### Day 3: Introducing Facilitation Process and Tools

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<td>10.15-</td>
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<tr>
<td>10.30-</td>
<td>Break</td>
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<tr>
<td>12.00-</td>
<td>Lunch Break</td>
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<td>13.00-</td>
<td>Tools for Conflict Management (cont.)</td>
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<tr>
<td>08.30</td>
<td>8.30-10.15</td>
<td>V. Pandal River Exercise-Part I: Stakeholder Identification</td>
<td>- Figure out stakeholders within each country, and what their positions, interests, and values might be</td>
<td>- Role play and out-of-role discussions - Pandal maps, pens, sticky notes, tent cards for roles</td>
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<td>10.15-10.30</td>
<td>Break</td>
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<tr>
<td>10.30-12.00</td>
<td>6. Pandal River Exercise-Part II: Country Positions, Interests, and Values</td>
<td>- Practice developing country positions while accurately representing stakeholder interests</td>
<td>- Role play and out-of-role discussions</td>
<td>- Rearrange tables to L-shape</td>
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<td></td>
<td>12.00-13.00</td>
<td>Lunch Break</td>
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<tr>
<td>13.00-14.45</td>
<td>VII. Pandal River Exercise-Part III: Identifying Shared Benefits</td>
<td>- Practice principles of negotiation, facilitation - Allow trainers to mentor while negotiating</td>
<td>- Role play and out-of-role discussions</td>
<td>- As above</td>
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<td>14.45-15.00</td>
<td>Break</td>
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<td>15.00-17.00</td>
<td>VIII. Learning from the experience in the room</td>
<td>a. Sharing success and failure</td>
<td>- To summarize and review approaches presented in workshop</td>
<td>- Facilitated discussion</td>
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<td>x. Closing a Meeting</td>
<td>a. Accomplishments b. Next steps</td>
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<td>17.00-17.30</td>
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### List of Participants

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<th>Mr/Ms</th>
<th>First name</th>
<th>Last name</th>
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<tr>
<td>1</td>
<td>Vietnamese</td>
<td>Ms</td>
<td>Thuy Hang</td>
<td>Nguyen</td>
<td>Institute of Water Resources Planning</td>
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<tr>
<td>2</td>
<td>Cambodia</td>
<td>Mr</td>
<td>Thuon</td>
<td>Try</td>
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<tr>
<td>3</td>
<td>Vietnamese</td>
<td>Mr</td>
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<tr>
<td>4</td>
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<td>Ms</td>
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<td>Cambodian</td>
<td>Mr</td>
<td>Bunnara</td>
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<td>Fauna and Flora International Cambodia</td>
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<td>7</td>
<td>Thai</td>
<td>Mr</td>
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