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Legal pluralism and the logic of hydropower development in the Mekong region

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Key Message

The research brings to light the logic of hydropower development and unravels its consequences for the overall shaping of water governance rules in the Mekong region. International efforts to promote sustainable hydropower development should be based on or accompanied with thorough understanding of the existing decision-making landscapes and governing reality at local, national, and regional level as well as their inter-level connections.

Summary

This research highlights the dynamics of hydropower decision-making processes in Lao PDR. It shows how hydropower decision making is governed by different sets of rules embedded in multiple, often conflicting legal frameworks and illustrates how legal pluralism can function, by design or by default, as the state's structural/legal means to pursue the country's development objectives. It highlights the current state of legal pluralism as a representation of the existing governing reality in the country. Focusing on legal pluralism within the formal context of state law, the work synthesizes the underlying logic governing hydropower development in the country. We show that if this underlying logic fails to be

taken into account, the introduction of international policy measures to promote sustainable hydropower development will continue to have little significance in directing hydropower development in Laos and the Mekong region.