

**SUMMARY RECORD**  
OF THE FIFTH MEETING OF THE JOINT COMMITTEE ON COORDINATION OF  
COMMERCIAL NAVIGATION ON THE LANCANG – MEKONG RIVER  
AMONG CHINA, LAOS, MYANMAR and THAILAND  
6-8 MARCH 2006, CHAMPASAK PROVINCE, LAOS

1. The 5<sup>th</sup> Meeting of the Joint Committee on Coordination of Commercial Navigation on the Lancang – Mekong River (JCCCN) among China, Laos, Myanmar and Thailand was held in Champasak Province, Laos on 6-8 March 2006.
2. The Meeting was attended by the Delegations of the four contracting Parties namely Laos, China, Myanmar and Thailand. The list of delegates appears in Annex A.
3. The Chinese delegation was headed by Mr. Hu Xing Deputy Director General of the Department of Communications of Yunnan Province and also Deputy Chief Member of the JCCCN Chinese Committee. The Lao Delegation was headed by Mr. Lattanamany KHOUNNYVONG, Director General of Transport Department, Ministry of Communication, Transport, Post and Construction and also Chief Member of the Lao JCCCN Committee. The Myanmar Delegation was headed by Mr. Soe MYINT, Director General, Directorate of Water Resources and Improvement of River Systems, Ministry of Transport, and also Chief Member of the Myanmar JCCCN Committee. The Thai Delegation was headed by Sub. Lt. Preecha PHETWONG, Deputy Director General of Marine Department, Ministry of Transport, and also Chief Member of the Thai JCCCN Committee.
4. H.E Mr. Sonexay SIPHANDONE, Vice Governor of Champasak province delivered an opening and welcoming Remarks on behalf of the Lao Government and Ministry of Communication, Transport, Post and Construction. In his remarks, he noted the implementation of Quadripartite Agreement on JCCCN has now been much progressed. However, some issues are still pending and need to be quickly solved. He strongly does hope that this meeting would have a good success in deliberating and discussing all pending issues as proposed in the Agenda in order to expedite for full implementation of the Agreement (See Annex B).
5. As chairman of the 5<sup>th</sup> JCCCN Meeting, Mr. Lattanamany KHOUNNYVONG made his welcoming statement. He notified that Lao Government has approved to sign the Draft rule on Port Charges and Inspection Fees, for Navigation Channel. Improvement in Khon Phi Luang Rapid, Lao Government has also approved to improve it because boundary demarcation based on the Siam-French Treaty and map scale of 1/25,000 had been agreed in principle and the navigational channel improvement area is in the territory water of Laos and it does not concern with boundary demarcation but before starting the construction, data collection and photography in that area must be taken to serve as a proof in case of dispute occurs. Lao Government has also agreed in principle to allow transport of Liquefied Petroleum Gas and Petroleum Products in Lancang – Mekong River, but it must be fulfilled the required conditions. (See Annex C)
6. The Agenda of the meeting appears as Annex D. The Meeting was well conducted in a cordial and amicable atmosphere. The proceedings of the Meeting are summarized as follows:

## **I. THE PROGRESS OF NAVIGATIONAL IMPROVEMENT PROJECT AND REPORT ON COMPILING OF NAVIGATION CHART ON THE UPPER MEKONG RIVER**

7. China briefed the meeting on the progress of the mapping of navigation chart which is underway with completed survey of all rapids. The navigation chart was expected to be completed and ready for dissemination to Contracting Parties by the end of June 2006. The meeting requested China to forward the completed navigation chart to Contracting Parties at its opportune time for the chart would be used as the basis for implementing the maintenance project of each country.
8. In response to the meeting proposal, Chinese side informed that the follow-up monitoring system of the environmental impact assessment of the Navigation Channel Improvement Project on the Upper Mekong River has been conducted, and the result shows no negative impacts. The meeting called for China to report the result of the assessment to each member in an appropriate time.
9. Laos informed the meeting that the Lao Government had approved the improvement of Khon Phi Luang Rapid since the area for improvement was in Lao territorial water. The meeting also noted that the working group meeting of Lao-Thai Joint Boundary Commission (JBC) on demarcation was held in concurrent with the 5<sup>th</sup> JCCCN in Vientiane with a view to considering the terms of reference of the demarcation. The meeting agreed to adhere to the outcome of the JBC meeting before commencing the improvement work. Laos proposed to jointly undertake data collection and photography in the area with Thailand as this would serve as a proof in case dispute occurs. The meeting noted that technical preparations had been made by China for the improvement work.
10. The meeting was of the view that, in order to improve other shoals and rapids namely the Lower Wan Seng, Lower Tang Pan, Moong Pa Liao and Golden Triangle, the navigation chart and resurveying are needed. In response to the meeting proposal the Chinese side expressed its willingness to undertake the preliminary technical work with Thailand and try to apply for funding for conducting preliminary technical work with Thailand. Thailand will bring this matter back for domestic consultations and possible funding for the joint preliminary technical work.

## **II. DISCUSSION OF THE DRAFT RULES ON PORT CHARGES AND INSPECTION FEES ON THE LANCANG MEKONG RIVER**

11. The Meeting considered and agreed with the Amending Draft Rules on Port Charges and Inspection Fees for Commercial Navigation on the Lancang-Mekong River proposed by China except Article 5. The meeting agreed that contracting parties will further study and communicate through the JCCCN mechanism by fax letter, e-mail, etc. to achieve the common agreement before the 6<sup>th</sup> JCCCN Meeting. Amending Draft Rules on Port Charges and Inspection Fees for Commercial Navigation on the Lancang-Mekong River proposed by China appears in Annex F.
12. China informed that there is increase of port charges and inspections fees collected by Thai ports which China received complaint by their ship owners.

China provided the report on the said charges and fees to Thailand. Thailand responded that it would forward the complaint to the relevant authorities for consideration. In this regard, China reminded the meeting the Summary Record of the 3<sup>rd</sup> JCCCN Meeting stated that the checking points and inspections currently practiced in each Contracting Party should be minimized or at least be maintained as they are until the Draft Rules on Charges and Fees are implemented.

### **III. DISCUSSION ON THE TRIAL TRANSPORT OF LIQUEFIED PETROLEUM GAS (LPG) AND PETROLEUM PRODUCT (PP)**

13. China informed the meeting that it planned to start the trial transportation of LPG and petroleum products of 150 tons or less during May – December 2006 with the frequency of not more than eight trips per month. Contracting Parties were invited to nominate two officials respectively to take part in the first trial transportation, the report on experience after trial transportation will be prepared and circulated to Contracting Parties. The meeting discussed and suggested that possible measures should be set to ensure safe navigation and to prevent environmental impact of the trial transportation. The commencement of the trial transportation will be conducted after confirmation by all contracting parties.
14. China was requested to revise the proposed safety measures submitted during the 4<sup>th</sup> JCCCN to reflect the specific conditions of the Lancang-Mekong River. Lao informed the meeting that Lao's government approved the Trial Transportation of Liquefied Petroleum Gas (LPG) and Petroleum Products, but it must be fulfilled the following conditions: it must be the light petroleum gas such as gasoline, and diesel but not oil; it must have protection system from oil spill and leakage if accident occurs; management method, safe and environmental measures must have technical standards as those applying in Yangtze River, and loading and unloading of Petroleum Products must have a specific port. In addition to these, before carrying out the transport of Petroleum products, rescue team must be established in order to make immediate rescue when accident occurs and bank protection and soil erosion must also be taken into account by creating investigation project using revenue from transportation of Petroleum Products. Since Laos has limited personnel and lack of equipment, there is needed an assistance from China on these issues.
15. Thailand informed the meeting that since the environmental issue is of great concern to several interested parties, therefore, domestic consultations are needed prior to its participation in this trial transportation. Thailand welcomed China's proposal that the Rescue Team of China and Thailand will be established for emergency responses. The technical consultation on this issue will be conducted.
16. The meeting agreed that the river bank erosion (collapse) is not only caused by navigation but there are other factors to be considered. In response to Laos proposal on the river bank protection, China informed the meeting that so far there is no fund available for such project.

#### **IV. DISCUSSION ON MAINTENANCE AND AIDS TO NAVIGATION**

17. The Meeting agreed that the maintenance of navigation channel and aids to navigation are very crucial for the safety of navigation. Each Contracting party should be responsible for maintenance and management of navigation-aiding facilities in the section of waterways in its territory. Since Laos and Myanmar expressed their difficulties in getting funds for the maintenance and proposed to China and Thailand for assistance. The meeting agreed with the proposal for seeking the possible source of funding by China and Thailand to establish the maintenance fund with possible support and cooperation from Laos and Myanmar. In this regard, China will propose estimated budget for the maintenance fund for the consideration of Thailand and other Contracting parties.
18. The meeting expressed their appreciation for the Chinese contribution to facilitate the navigation by installing more tidal gauges for ensuring safe navigation.

#### **V. JOINT INSPECTION BETWEEN LAOS AND MYANMAR**

19. Laos informed the meeting that they are now ready for the Joint Inspection between Lao PDR and Myanmar and now waiting for further responses from Myanmar.

#### **VI. OTHER MATTERS**

20. China informed the Meeting that the Chinese-Myanmar boundary rapid improvement project has been included in the EIA report for the Navigation Channel Improvement Project on the Upper Mekong River and its implementation will be bilaterally discussed between China and Myanmar, in accordance with the navigability improvement regulation stated in the Agreement on Commercial Navigation on the Lancang-Mekong River among the four countries. The improvement project will be commenced from the second half of March to the second half of May 2006.
21. China also informed the meeting that seafarer's passports in accordance with Article 11 of the main Agreement would be used in replacing the Sino-Myanmar and Sino-Laos Border Pass starting from the first of August 2006. During the transitional period of six months from the first of August either documents can be used. The contracting parties should inform the authorities concerned accordingly. The sample of new seafarer's passport was shown during this meeting.
22. The Chinese side specially stated at the meeting that two incidents of attack by gunshots to its vessels when navigating through Myanmar and Lao territorial water respectively, and showed great concern on the safety of the Chinese vessels and the life of crewmembers. The Chinese side also stressed the protection of the Chinese vessels and the life of the crewmembers are of great importance, and believed that such incidents shouldn't happen again. Laos expressed its regrets to the incident and informed the meeting that the incident in Lao territorial water was only the catapult shot. Laos also requested that Chinese vessels when passing Lao villages should reduce speed so as not to bother

villagers. Myanmar also expressed regret the incident in Myanmar and will inform the local authorities to avoid such incident.

23. Laos informed the meeting that some Chinese vessels still not call at the Lao designated ports that violated navigation regulation and requested that all vessels shall strictly adhere to the navigation regulation t. Laos also pointed out that some Chinese vessels still navigate at night which is not safe. Laos requested China to inform the seafarers to comply with the navigation regulation. Myanmar also requested China to advise all Chinese vessels to call Wan Pong port for inspection purposes at least one time during their voyages.
24. Myanmar and Laos informed the Meeting of their designated open ports at Wan Pong Port for Myanmar side and Muangmom and Xieng Kok for the Lao side.
25. The Chinese, Myanmar and Thai Delegations expressed their deep appreciation to the Government of Laos, particularly the Ministry of Communication, Transport, Post and Construction for the excellent arrangements made for hosting this meeting as well as for the warm hospitality extended to the Delegations.

## **VII. DATE AND VENUE OF THE NEXT MEETING**

26. The Meeting agreed that the venue and the date for the 6<sup>th</sup> JCCCN Meeting would be in Myanmar in March 2007.

Done in four originals in English in Champasak Province, Laos on 7 March, 2006

(Hu Xing)  
Head of the Delegation of  
the People's Republic of China

(Lattanamany KHOUNNYVONG)  
Head of the Delegation of  
the Lao People's Democratic Republic

(Soe MYINT)  
Head of the Delegation of  
the Union of Myanmar

(Sub.Lt. Preecha PHETWONG)  
Head of the Delegation of  
the Kingdom of Thailand