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Contacts:

International Rivers Ame Trandem +66 868 82 24 26 (Thailand)
Fisheries Action Coalition Team Youk Senglong +85 523 99 20 44 (Cambodia)
Center for Social Research and Development Lam Thi Thu Suu +84 543 83 77 14 (Vietnam)
(See below for additional international contacts at all participating organizations)

AUSTRIAN FIRM VIOLATES ETHICS GUIDELINES IN DESTRUCTIVE MEKONG DAM PROJECT, REPORTED TO HOME GOVERNMENT

APRIL 9, 2014, VIENNA — In a formal complaint filed today, communities and civil society groups reported that Austrian engineering giant Andritz AG's involvement in a controversial dam on the Mekong River violates international standards on ethical corporate conduct. Andritz supplies the key operating technology for the Xayaburi Dam in Laos, which poses serious environmental and human rights risks affecting hundreds of thousands of people in Laos, Thailand, Cambodia, and Vietnam.

The complaint asks Andritz to conduct impact assessments, work with the project developer and the Government of Laos to prevent and mitigate impacts, adopt policies to prevent harm in future projects, and help to provide an effective remedy for populations affected by the Xayaburi Dam. Fishery and environmental experts have concluded that Xayaburi and other mainstream Mekong dams risk driving many already impoverished families along the river into poverty and malnutrition.

"The Mekong River is our life", said Ormbun Thipsuna, representative of the Northeastern Community Network in 7 Provinces of the Mekong River Basin in Thailand. "We are very concerned about the Xayaburi dam destroying our lands and livelihoods." The dam is expected to impede fish migration, causing negative impacts on Thailand and Cambodia's riverine fishing communities and the extinction of species found only in the Mekong, such as the Mekong giant catfish. "The Xayaburi Dam will harm the fish our people depend on to survive, in particular the 1.5 million Cambodians living in Tonle Sap," said Om Savath, Director of the Fisheries Action Coalition Team of Cambodia.

The dam will also likely block the flow of nutrient-rich sediment to Vietnam's ecologically fragile Mekong Delta, which supports a thriving rice farming industry. The Xayaburi Dam is the first of eleven planned hydropower projects on the still-undammed Lower Mekong River. "The Mekong mainstream dams will dramatically affect the soil fertility essential to rice farming communities in the Delta," said Lam Thi Thu Suu, of the Center for Social Research and Development (CSR) in Vietnam, "We're asking Andritz to do its part to prevent this threat to our food security and livelihoods."

As the holder of a \$300 million contract to supply custom-built parts that will power the Xayaburi Dam, Andritz has significant leverage to improve the design of the project. Yet, according to Jonathan Kaufman, EarthRights International's Legal Advocacy Coordinator, "There's no evidence that Andritz has taken any steps to deal with the impacts of its actions." The OECD Guidelines for Multinational Enterprises – an internationally recognized code of conduct that Austria has officially endorsed – state that companies are expected to use the influence they have to prevent and address serious human rights and environmental harms.

Today's complaint was addressed to Austria's National Contact Point for the OECD Guidelines, which is tasked with providing mediation services when communities believe that an Austrian company is violating the Guidelines. The complaint was jointly filed by the Northeastern Community

Network in 7 Provinces of the Mekong River Basin and the Community Resources Centre of Thailand, the Fisheries Action Coalition Team (FACT) and Samreth Law Group of Cambodia, the Center for Social Research and Development (CSRSD) and the Law and Policy of Sustainable Development Research Center (LPSD) of Vietnam, ECA Watch Austria and International Rivers, with EarthRights International (ERI) serving as a legal consultant.

According to the complainants, Andritz's unethical conduct doesn't stop with Xayaburi. The company supplies key parts and helps to run a number of highly controversial projects, such as Turkey's Ilisu Dam, the Belo Monte Dam in Brazil, and the United Fiber System pulp mill in Kalimantan, Indonesia. "We hope this complaint will help us to engage Andritz in a productive dialogue," said Thomas Wenidoppler, the Director of ECA Watch Austria. "As one of the few companies that can provide the technology for these mega-projects, they have the influence and ability to change the Xayaburi project and the entire sector by developing policies and procedures to prevent serious environmental and human rights abuses."

Additional Contacts:

<i>Community Resource Centre</i>	Sor Rattanamane Polkla +66 817 72 58 34 (Thailand)
<i>EarthRights International</i>	Jonathan Kaufman + 1 202 466 5188 x113 (U.S.);
<i>ECA Watch Austria</i>	Thomas Wenidoppler +43 (0)1 812 57 30 (Austria)
<i>Law and Public of Sustainable Development Research Center</i>	Bách Dặng Dinh +84 989 099 918 (Vietnam)
<i>Northeastern Community Network in 7 Provinces</i>	Ormbun Thipsuna +66 898 416 528 (Thailand)
<i>Samreth Law Group</i>	Ith Mathoura + 855 23-996-958 (Cambodia)

Centre for Social Research and Development (CSRSD) is a Vietnamese local NGO, which works to protect the natural environment, in particular, Vietnam's water resources and river systems. We also work to support poor and vulnerable communities, many of whom depend on the rivers for their quality of life and their livelihood. We work closely with local communities, supporting them with information, training, advocacy services and practical assistance. We also make recommendations to government and business, based on our research project findings. <http://csrd.vn/>.

The Community Resources Centre (CRC) is a non-governmental organization that commits to protect and promote the Human Rights, Community Right and Environmental Rights. CRC is a watchdog on the implementation of ICCPR, ICESCR and International Laws in Thailand and Mekong Region. The CRC is located in Bangkok, Thailand which was founded in 2010. Everyone can visit CRC weblog to see and follow CRC activity by <http://crtthai.blogspot.com/>.

EarthRights International (ERI) is a nongovernmental, nonprofit organization that combines the power of law and the power of people in defense of human rights and the environment, which we define as "earth rights." We specialize in fact-finding, legal actions against perpetrators of earth rights abuses, training grassroots and community leaders, and advocacy campaigns, and have offices in Southeast Asia, the United States and Peru. More information on ERI is available at <http://www.earthrights.org>.

ECA Watch Austria was founded in the late 1990s as a platform of Austrian environmental and human rights organisations aiming for the reform of the Austrian export credit agency OeKB and was established as an independent environmental and human rights organisation in 2008. ECA Watch Austria also functions as a learning and advocacy platform for Austrian NGOs concerning more general issues of ethical finance as well as the financialisation of nature, such as food speculation, land grab, or the financialisation of resource extraction.

The Fisheries Action Coalition Team (Fact) of Cambodia is a coalition of eight non-governmental organizations (NGOs) working in collaboration with 38 NGO partners on fisheries and environmental issues around the Tonle Sap Lake, the Mekong River and the coastal provinces of Cambodia. FACT works on issues that affect the livelihood of local fishing communities, addressing a wide range of fishery resource conflicts in both inland and marine fisheries.

International Rivers works to stop destructive dams, improve decision-making processes in the water and energy sectors, and promote water and energy solutions for a just and sustainable world. Since 1994 International Rivers has been working to protect the Mekong River Basin. As an active member of the Save the Mekong Coalition, International Rivers works with partners in the region to advocate against destructive dams on the Mekong River and promote more sensible options for meeting the region's energy and development needs.

The Law and Policy of Sustainable Development Research Center (LPSD) is one of the first NGOs in Vietnam to focus on law and policy research, with a goal of promoting sustainable development to ensure economic growth, social development, and environmental protection. We are developing public interest lawyers collaboration in Vietnam to protect legal rights of communities and people by national, regional and international legal framework. More information on LPSD is available at <http://www.lpsd.org/eng/>

The Northeast Community Network of 7 Provinces of the Mekong River Basin ("ComNet Mekong") comprises 64 founding subdistricts in 7 provinces along the Mekong including Loei, Nong Khai, Buengkan, Nakhon Phanom, Mukdahan, Amnat Chareon and Ubon Ratchathani. The objectives of ComNet Mekong are to protect community rights in natural resource management – in particular land, water and minerals; build collaboration on sustainable environmental and natural resource management; monitor and respond to disasters; empower community organizations and networks to monitor threats to human security; promote participatory community based research; promote participatory water governance among communities in Thailand and the Mekong region; and publish and share information regarding the activities of network members.

Samreth Law Group is a public interest law firm based in Cambodia. Samreth provides advice and representation to individuals and communities involved in land and other natural resource disputes or other matters of a public interest nature. Samreth aims to establish public interest legal advocacy as a viable component of the legal profession in Cambodia, and to instil a culture in which legal norms are valued and implemented.