

**AGREEMENT  
BETWEEN THE MINISTRY OF  
WATER RESOURCES OF THE  
PEOPLE'S REPUBLIC OF CHINA AND  
THE MEKONG RIVER COMMISSION  
ON THE PROVISION OF HYDROLOGICAL  
INFORMATION OF THE  
LANCANG/MEKONG RIVER IN  
FLOOD SEASON BY MWR  
TO MRC SECRETARIAT**

The Ministry of Water Resources (MWR) of the People's Republic of China and the Mekong River Commission (MRC), hereinafter referred to as the "parties",

Recognizing that timely and reliable hydrological information in flood season is crucial to effective and scientific decision making in flood management and mitigation in the Lancang/Mekong River;

Recalling the Memorandum of Understanding on the Provision of Hydrological Information by China to

the Mekong Secretariat for Flood Forecasting Operation of the Lower Mekong Basin signed on 15 July 1993 in Kunming;

Based on the spirit of the fifth Dialogue Meeting between the Mekong River Commission and the P. R. China and the Union of Myanmar on 20 July 2000 and on the agreed Minutes between the Delegation of P. R. China and the Technical Team from the Mekong River Commission Secretariat on the Provision of Hydrological Information of Lancang/Mekong River in Flood Season by the Chinese Government to the Mekong River Commission;

Willing to strengthen the existing friendly relations and traditional cooperation between the People's Republic of China and the MRC's member countries, namely the Kingdom of Cambodia, Lao People's Democratic Republic, Kingdom of Thailand and the Socialist Republic of Vietnam,

HAVE AGREED AS FOLLOWS:

#### Article 1

#### Definitions

For the purpose of the present Agreement, unless otherwise stated, it shall be understood that the fol-

lowing meanings shall apply:

**Mekong River Commission (MRC):** an international governmental organization established by the Governments of the Kingdom of Cambodia, Lao People's Democratic Republic, Kingdom of Thailand and Socialist Republic of Vietnam, under the 1995 Agreement on the Cooperation for the Sustainable Development of the Mekong River Basin.

**Hydrological information of Lancang/Mekong River in flood season:** hydrological information (water level and rainfall) provided by China to the Mekong River Commission Secretariat for the purpose of flood mitigation in the downstream countries of the Mekong (from June 15 to October 15).

**Hydrological stations providing hydrological information of Lancang River in flood season:** the two Chinese hydrological stations along Lancang River, namely Yunjinghong Station and Man'an Station, which will provide hydrological information to MRC Secretariat in flood season.

**Joint Working Group:** comprising experts and officials appointed as members of the Joint Working Group by MWR of China and Mekong River Commission.

Close to real time data: daily data of water level and rainfall from the previous day plus the 7:00 am Beijing time reading from the current day, the transmission of which should reach the MRC Secretariat by 8:00 am Beijing time.

## Article 2

### China's Undertakings

In accordance with the relevant laws, regulations, provisions and standards as well as the actual situation of the two hydrological stations providing hydrological information of Lancang River in flood season, the Joint Working Group will propose a technical implementation plan (hereinafter referred to as the "Implementation Plan") including data acquisition, transmission, data receiving and processing and database management, etc. of the two hydrological stations. After two parties have reviewed and accepted the Implementation Plan, the Chinese side will provide hydrological information to MRC Secretariat in line with the specifications listed in the Implementation Plan.

The Chinese side will also provide two-year historical hydrological information from the two hydro-

logical stations in order for MRC to conduct model calibration.

The Chinese side will ensure that the hydrological information provided under the present Agreement is as close to real time data as possible, and suitable for the timely flood forecasting operations of the MRC Secretariat.

### Article 3 MRC's Undertakings

The MRC side agrees to provide the following equipment to the Chinese side for improving and modernizing the two hydrological stations on the Lancang River in order to ensure timely provision of hydrological information of Lancang/Mekong River in flood season to MRC Secretariat:

- Water level and rainfall auto-monitoring equipment and discharge monitoring equipment;
- Necessary communication equipment for data transmission;
- Data storage equipment and software (data-base server, software for receiving, processing and transmitting data)
- Other necessary equipment agreed upon by the

parties.

#### Article 4 Joint Working Group

A Joint Working Group will be established consisting of five experts and officials each appointed by China and MRC, with the following mission:

1. to develop the Implementation Plan;
2. to review and define particular details of the needed equipment and cost estimation;
3. to review and formulate the installation, operation and maintenance plan of monitoring and transmitting equipment;
4. to review and specify annual cost of operation, maintenance and management of the two hydrological stations;
5. to draft and revise the training plan.

The parties will inform each other about the composition of the Joint Working Group from each side within one month after the Agreement taking into effect so that the Joint Working Group can commence its work as soon as possible.

The parties can engage additional experts to take part in meetings of the Joint Working Group based on

the specific requirements of the Implementation Plan.

#### Article 5

#### Management of Provision of Hydrological Information

The Chinese side will take full responsibility for daily management of the hydrological equipment provided by MRC in accordance with the Implementation Plan. MRC can deploy related staff to provide consulting services for provision of hydrological information including checking of the veracity of data provided, after consulting with and gaining agreement of the Chinese side.

#### Article 6

#### Facilitation of the Implementation

In order to facilitate the implementation of the Agreement, the parties, in accordance with the existing laws and regulations of the People's Republic of China and the 1995 Agreement of MRC, will provide the necessary facilities to the members of the Joint Working Group to allow entry to, exit from and stay in China and MRC member countries during the period of their assignment and for bringing into and taking out of China of equipment, machinery and other materials or their procurement in China

as well as for currency payment

## Article 7

### Financial Arrangement

1. The MRC side will bear the cost of yearly operation, maintenance and management of the two Chinese hydrological stations provided under this Agreement, such as operation and repair of equipment, communication cost for providing hydrological information in flood season and training expenses of technicians, during the period of providing hydrological information by the two stations to MRC. The annual operation, maintenance and management cost is to be discussed and agreed upon by the Joint Working Group.

2. The Chinese side will bear the cost of the civil engineering work and the construction of basic survey facilities for improving the capacity of the two hydrological stations provided under this Agreement.

## Article 8

### Settlement of Disputes

Differences between the parties arising out of interpretation or application of the present Agreement, or of any question affecting the provision of hydrological information in flood season, shall be resolved

through friendly consultation.

## Article 9

### Final Provision

The present Agreement shall enter into force on the date of signature by the duly authorized representatives of both parties and shall remain valid for a period of five years.

The present Agreement may be renewed, amended, modified, suspended or terminated by mutual agreement of the parties.

Signed at Phnom Penh on April 1st 2002, in duplicate in the Chinese language and the English language, both texts being equally authentic.

For Ministry of Water  
Resources People's  
Republic of China

For Mekong River  
Commission

董哲仁

