

The Fourteenth Session of the Intergovernmental Meeting
on the Acid Deposition Monitoring Network in East Asia
26-27 November 2012, Yangon, Myanmar

**IMPLEMENTATION OF THE INSTRUMENT FOR STRENGTHENING THE
ACID DEPOSITION MONITORING NETWORK IN EAST ASIA (EANET)**

I. INTRODUCTION

1. The Twelfth Session of the Intergovernmental Meeting (IG12) on the Acid Deposition Monitoring Network in East Asia (EANET) held in November 2010 in Niigata, Japan adopted the Instrument for Strengthening the Acid Deposition Monitoring Network in East Asia (EANET) by the DECISION 1/IG.12 and decided that the Instrument will become operational on the date on which all participating countries have signed it, or on 1st January 2012, whichever is earlier.
2. At the IG12, 7 participating countries, namely Cambodia, Japan, Mongolia, Myanmar, Philippines, Republic of Korea, and Thailand signed the Instrument for Strengthening the Acid Deposition Monitoring Network in East Asia (EANET) during the High Level Segment. It was urged during the IG12 that other participating countries shall also sign the Instrument as soon as possible considering the ownership of the countries on the EANET.
3. This document is prepared to provide update on the implementation of the Instrument for Strengthening the Acid Deposition Monitoring Network in East Asia (EANET) since the Thirteenth Session of the Intergovernmental Meeting (IG13) on the EANET held on 30 November – 1 December 2011 in Hanoi, Vietnam.
4. This document was discussed at the Eleventh Session of the Working Group on Future Development of EANET (WGFD11) held on 7-8 August 2012 in Chonburi, Thailand and was revised taking account of discussion made at the WGFD11 for submission to the Fourteenth Session of the Intergovernmental Meeting (IG14) on the EANET to be held on 26-27 November 2012 for its consideration, discussion, guidance, and decision as appropriate.
5. Major points of discussion at the WGFD11 included the followings;
 - (i) It was emphasized that the signing of the Instrument by the two remaining countries is the highest priority. It was suggested that the Secretariat should do its best efforts to facilitate such signing before the IG14.
 - (ii) The Secretariat informed the Session that Indonesia expresses its regret for not being able to attend the WGFD11 due to on-going internal consultation on the Instrument.

- (iii) Russia provided an update on the progress of the internal process for the signing of the Instrument which is awaited for the approval of the Prime Minister.
- (iv) Some participating countries expressed their preference to Option 3 for the nature of involvement of the participating countries that are unable to sign the Instrument but with the possibility to extend the grace period. Others preferred that the decision on the length of the grace period and how countries which have not signed the Instrument will be treated after the grace period should be made at the later stage. However, it was suggested to propose the three Options to the IG14 for discussion and consideration.
- (v) It was suggested to shorten the preamble part of the Draft Resolution and to delete the operational paragraph 5.
- (vi) It was suggested that the resolution should be used in the most effective manner to accelerate the national process for signature.
- (vii) Regarding the issue of renaming of the IG, SAC and STM, most of the participating countries expressed their preference to Option 1.

II. SIGNING OF THE INSTRUMENT AFTER THE IG12

6. After the IG12, the Secretariat made a follow-up on the signing of the Instrument with the six remaining participating countries not yet signing the Instrument during the High Level Segment of the IG12. Until the WGFD11 four more participating countries, namely China, Lao PDR, Malaysia and Vietnam, have signed the Instrument. Their signed pages of the Instrument are presented in Annex.
7. At the IG13 in 2011, the Session decided to issue a resolution to encourage the countries not yet able to sign the Instrument to do so as soon as possible and invited the countries that have not been able to sign the Instrument to continue participating in the EANET activities before they could sign through written communication with the Secretariat.
8. Accordingly, the Secretariat communicated with the remaining two participating countries, namely Indonesia and Russia, on 24 May 2012 to invite them to continue participating in the EANET activities before they could sign the Instrument by express their willingness through written communication with the Secretariat prior to the IG14 and to consider signing the Instrument as early as possible.
9. Russia sent an official letter on 26 July 2012, as presented in Annex, expressing its unconditional willingness to continue participating in the joint activities of the EANET and is making all possible efforts to ensure the promotion of the Instrument to be signed at the national level and will inform the EANET Secretariat on the reconciliation progress. However, Russia later signed the Instrument on 1 September 2012, as presented in Annex.

10. Indonesia sent an official letter on 7 August 2012, as presented in Annex, extending its government strong commitment to maintain firm interest to participate in the joint activities of the EANET and is seeking necessary process for the possibility of signing the Instrument in due course.
11. As of this date, 12 out of 13 participating countries have signed the Instrument, except Indonesia.

III. DRAFT RESOLUTION TO ENCOURAGE THE COUNTRIES NOT YET ABLE TO SIGN THE INSTRUMENT TO DO SO AS SOON AS POSSIBLE

12. In accordance with the decision of the IG13, the Secretariat has prepared a draft resolution to encourage the countries not yet able to sign the Instrument to do so as soon as possible for the consideration by the IG14, as presented in the document EANET/IG 14/7/2.

IV. OPERATION OF THE INSTRUMENT

13. Although not all participating countries of the EANET have signed the Instrument, the Instrument was operational since 1 January 2012 in accordance with the DECISION 1/IG.12 which decided that “the Instrument will become operational on the date on which all participating countries have signed it, or on 1 January 2012, whichever is earlier”.

Secretariat and Network Center

14. The Regional Resource Centre for Asia and the Pacific (RRC.AP) at the Asian Institute of Technology (AIT) in Pathumthani, Thailand and the Asia Center for Air Pollution Research (ACAP) in Niigata, Japan have continued to serve as the Secretariat and the Network Center (NC) for the EANET and have carried out their tasks as stipulated in Item 11 and Item 13 of the Instrument, respectively, and in accordance with the Medium Term Plan (MTP) for the EANET (2011-2015) adopted at the IG12 in 2010 and the Work Program and Budget of the EANET in 2012 adopted at the IG13 in 2011.

Implementation of the EANET Activities under the Instrument

15. Since the operation of the Instrument on 1 January 2012, the Secretariat and the NC together with the participating countries have carried out the EANET activities as stipulated in Item 4 to Item 9 of the Instrument, respectively. The EANET activities include monitoring and reporting, assessment, research activities, education and training, public awareness, and exchange of information following the MTP for the EANET (2011-2015) and the Work Program and Budget of the EANET in 2012 a. The progress of the implementation of the EANET activities is reported in the Report on the Progress of the EANET since the IG13 (EANET/IG 14/4/1) as presented in

Agenda Item 4 of the IG14.

EANET Meetings

16. The Twelfth Session of the Scientific Advisory Committee (SAC12), the Senior Technical Managers' Meeting (STM13), and meetings of other subsidiary bodies in 2012 were organized by the Secretariat and the NC and the IG14 is being organized here today and tomorrow in accordance with the Work Program and Budget of the EANET in 2012.

Financial Arrangement

17. Financial arrangement of the EANET since the operation of the Instrument on 1 January 2012 has been made in accordance with the Item 14 of the Instrument, as follows,

Voluntary Financial Contribution from the Participating Countries

18. In accordance with the Procedures and Guidelines for Voluntary Financial Contributions to the EANET for 2011-2013 adopted at the IG12 in 2010, the Secretariat sent letters to inform all National Focal Points (NFPs) of the EANET of the estimated financial contributions of the participating countries both for the Secretariat budget and the NC core budget in 2012 as indicated in the Work Program and Budget of the EANET in 2012 and in the Procedures and Guidelines for Voluntary Financial Contributions to EANET for 2011-2013. The participating countries were requested to make voluntary financial contribution accordingly.
19. As of this date, the participating countries that have made voluntary financial contributions to the EANET in 2012 include,
 - Cambodia (US\$66.30), Lao PDR (US\$50.00), Malaysia (US\$5,449.00), Mongolia (US\$50.00), Philippines (US\$1,941.50), Republic of Korea (US\$48,920.00), Thailand (US\$4,520.80), and Vietnam (US\$950) for a total of US\$ 61,947.50 for the 2012 Secretariat budget,
 - Cambodia (US\$59.00), Japan (US\$109,483.00), Lao PDR (US\$50.00), Mongolia (US\$50.00, less US\$2.50 for AIT overhead charge), Thailand (US\$4,051.00), and Vietnam (US\$1,450.00) for a total of US\$115,140.50 for the NC core budget, and
 - Japan (US\$77,965.00) for the NC additional budget.

Procedures and Guidelines for the Transfer of Financial Contributions

20. The Secretariat and the NC have developed procedures and guidelines for the transfer of financial contribution as a part of the revised Guidelines on Administrative and Financial Management for the Secretariat and the Network Center (EANET/IG 14/9) for consideration and approval at the IG14 under Agenda Item 9.

V. RENAMING THE SESSION OF THE INTERGOVERNMENTAL MEETING (IG) AND SUBSIDIARY BODIES

21. At the IG13, it was suggested that the issue of renaming the IG should be discussed at the IG14 considering the operation of the Instrument on 1 January 2012.
22. Accordingly, the Secretariat has prepared a paper on the issue of renaming the IG and subsidiary bodies for consideration, discussion, guidance, and decision as appropriate at the IG14 as presented in the document EANET/IG 14/7/3.

VI. NATURE OF INVOLVEMENT OF THE PARTICIPATING COUNTRIES THAT ARE UNABLE TO SIGN THE INSTRUMENT

23. In accordance with the DECISION 1/IG.12 adopted at the IG12 in 2010, the Tenth Session of the Working Group on Future Development of the EANET (WGFD10) and the IG13 discussed and considered the nature of involvement of the countries that are unable to sign the Instrument. However, conclusion still could not be reached. There are still different views among the participating countries, as follows,
 - It was pointed out that there should not be any distinctions between countries that signed and have not signed, considering all the countries that didn't sign expressed their willingness to continue their EANET activities.
 - There was a view that since the Instrument is not legally binding and contribution is voluntary in nature, countries that are not yet able to sign could still enjoy or provided the same privileges as before in order to maintain the solidarity of the network/framework.
 - It was reminded that the EANET is a voluntary framework of cooperation. For the time being, the distinction between countries that signed and that have not signed the Instrument should not be undertaken. It was suggested that the involvement of all the participating countries into the decision making procedure is necessary at the current stage. The distinction could only hinder the solidarity of the EANET as a framework.
 - On the other hand, it was suggested that there should be some distinction between those countries signed and not signed, such as on financial contribution, observer status, etc.
 - Considering the responsibilities and the benefits issues, specific distinction might be necessary in the future.
 - It was suggested that the countries that have not signed the Instrument could consider some similar examples, such as bilateral project documents which were signed as non-legally binding documents.

- After the Instrument takes an effect, all the EANET decision including the IG's should be consistent with the Instrument. In this regard, countries not sign the Instrument should be regarded as observer countries and should be given rights and responsibilities accordingly, unless the Instrument is revised otherwise. Observer countries may continue monitoring activities and attend the IG, the SAC, the Task Force but they may not serve as bureau members and may not have a right to vote. Moreover, the administrative and operational costs of the Secretariat and the NC defined in Item 14 of the Instrument may not include any costs arising by inviting observer countries and doing collaborative researches with observer countries
 - If the countries that are not able to sign will be treated differently, the data reporting and other activities of the EANET would possibly be affected. Thus, the concern was raised about the possible distinction in the future.
 - It was suggested to set some grace period for the countries that are not able to sign the Instrument.
 - It was clarified that countries that are unable to sign could contribute financially to the EANET.
24. The following options are proposed for consideration, discussion, guidance, and decision as appropriate at the IG14.

Option 1: There is no distinction between countries that signed and not signed the Instrument. The distinction could only hinder the solidarity of the EANET as a network. Countries that are not yet able to sign could still enjoy or provided the same privileges as others that signed the Instrument in order to maintain the solidarity of the network.

Option 2: There are some distinctions between those countries that signed and not signed the Instrument, considering the responsibilities and benefit issues. The distinctions could include,

- Countries not yet signed the Instrument should be regarded as observer countries and should be given rights and responsibilities accordingly.
- Observer countries may continue monitoring and other EANET activities and attend the IG, the SAC, and other subsidiary bodies but they may not serve as bureau members and may not have a right to vote, and
- The administrative and operational costs of the Secretariat and the NC defined in Item 14 of the Instrument may not include any costs, such as those arising by inviting observer countries and doing collaborative researches with observer countries, unless they contribute financially to the EANET.

Option 3: The same as Option 2 except that a grace period will be given to countries not yet signed the Instrument until, for example, 1 January 2014, during which they will be provided the same privileges as others that signed the Instrument.

VII. ACTIONS REQUIRED

25. The IG14 is invited to review the implementation of the Instrument for Strengthening the Acid Deposition Monitoring Network in East Asia (EANET) and may wish to discuss, consider, provide guidance, and making decision as appropriate on the following,
- (i) the nature of involvement of the countries that are unable to sign the Instrument, based on 3 options presented in paragraph 23,
 - (ii) the draft resolution to encourage the country(ies) not yet able to sign the Instrument to do so as soon as possible, as presented in the document EANET/IG 14/7/2, and
 - (iii) the issue of renaming the IG and other subsidiary bodies, as presented in the document EANET/IG 14/7/3.

Annex

Instrument for Strengthening the Acid Deposition Monitoring Network in East Asia

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Signature Mrs. Xiaozhi SONG

Title Deputy Director General

Government Organization Ministry of Environmental Protection

The People's Republic of China

Date June 15, 2011

Instrument for Strengthening the Acid Deposition Monitoring Network in East Asia

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Signature Dr. AKOM TOUNALOM

Title Vice Minister

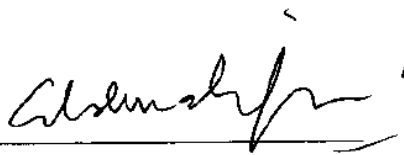
Government Organization Ministry of Natural Resources and Environment

Lao People's Democratic Republic

Date 30 March 2012

Instrument for Strengthening the Acid Deposition Monitoring Network in East Asia

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Signature Datuk Dr Abd Rahim bin Hj Nik

Title Deputy Secretary General (Environment)

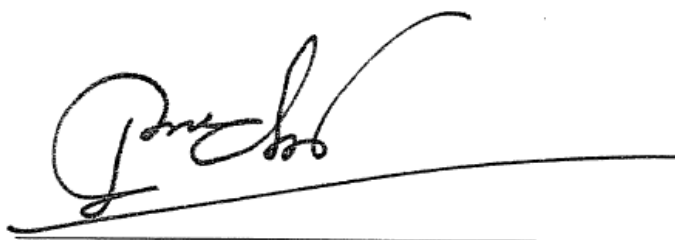
Government Organization Ministry of Natural Resources and Environment

Malaysia

Date 23 April 2012

Instrument for Strengthening the Acid Deposition Monitoring Network in East Asia

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A handwritten signature in black ink, appearing to read 'Pham Khoi', is written above a solid horizontal line.

H.E. Mr. Pham Khoi Nguyen

Minister for Natural Resources and Environment

Ministry of Natural Resources and Environment

Socialist Republic of Viet Nam

Date 30 May 2011

МИНИСТЕРСТВО ПРИРОДНЫХ РЕСУРСОВ
И ЭКОЛОГИИ РОССИЙСКОЙ ФЕДЕРАЦИИ



MINISTRY OF NATURAL RESOURCES
OF THE RUSSIAN FEDERATION

ФЕДЕРАЛЬНАЯ СЛУЖБА
ПО ГИДРОМЕТЕОРОЛОГИИ
И МОНИТОРИНГУ ОКРУЖАЮЩЕЙ
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26.07.2012 № 10-90-99/103.4

To the EANET Secretariat

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Asian Institute of Technology (AIT)

P.O. Box 4, KlongLuang

Pathumthani 12120, Thailand

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In accordance with the decision of the 13-th session of the Intergovernmental Meeting of Acid Deposition Monitoring Network in East Asia (EANET) the Federal Service for Hydrometeorology and Environmental Monitoring (Roshydromet) would like to inform the EANET Secretariat that Russia expresses its unconditional willingness to continue participating in the joint activities of EANET.

Noting the great importance of international research in the field of air pollution and acid deposition in East Asia as well as the significance of the cooperation development for environmental quality management Roshydromet is making all possible efforts to ensure the promotion of this international treaty to be signed at the national level and will inform the EANET Secretariat on the reconciliation progress.

Sincerely yours,

LA. Shumakov

Deputy Head of Roshydromet

МИНИСТЕРСТВО ПРИРОДНЫХ РЕСУРСОВ
И ЭКОЛОГИИ РОССИЙСКОЙ ФЕДЕРАЦИИ



MINISTRY OF NATURAL RESOURCES
OF THE RUSSIAN FEDERATION

ФЕДЕРАЛЬНАЯ СЛУЖБА
ПО ГИДРОМЕТЕОРОЛОГИИ
И МОНИТОРИНГУ ОКРУЖАЮЩЕЙ
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№

27.09.2012, № 80-90-42/234M

To the EANET Secretariat
UNEP RRC.AP

Asian Institute of Technology (AIT)
P.O. Box 4, KlongLuang
Pathumthani 12120, Thailand
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Dear Sirs,

We would like to inform you that Head of the Federal Service for Hydrometeorology and Environmental Monitoring (Roshydromet) Dr. A. Frolov signed the Instrument for strengthening the "acid deposition monitoring network in East Asia (EANET) on behalf of the Government of the Russian Federation on September 1, 2012.

Roshydromet was authorized to sign the "Instrument" on behalf of the Government of the Russian Federation by the Prime Minister of the Russian Federation Mr. Dmitry Medvedev (order № 1601-p. dated September 1, 2012).

Please find attached a copy of the signature sheet of the Russian side.

The signature sheet will be officially presented by the Head of the Russian delegation to the EANET Secretariat at the opening ceremony of the forthcoming Session of the Intergovernmental Meeting on EANET in Myanmar in November 2012.

We are looking forward to our further fruitful cooperation.

Sincerely yours,

I.A. Shumakov
Acting Head of Roshydromet

Encl.: A copy of the signature sheet of the Russian Federation

Instrument for Strengthening the Acid Deposition Monitoring Network in East Asia

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Dr. Alexander V. FROLOV

Head,

Federal Service for Hydrometeorology and Environmental Monitoring

On behalf of the Government of the Russian Federation

Russian Federation

Date *01.09.2012*



**KEMENTERIAN LINGKUNGAN HIDUP
REPUBLIK INDONESIA**

JALAN D.I. PANJAITAN, KEBON NANAS, JAKARTA 13410, INDONESIA • KOTAK POS 7777 JAT 13000
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7 August 2012

Our Ref. : B- 199 E /Dep.III-4/LH/PPPLH/08/2012
Attachment : -
Subject : The Government of the Republic
Indonesia's Participation to the EANET

EANET Secretariat
UNEP RRC AP
Asian Institute of Technology (AIT)
P.O Box 4, KlongLUang
Pathumthani 12120, Thailand

Dear Dr. Supat Wangwongwatana,

Recognizing the successful programs and strong commitment of EANET at creating common understanding on acid deposition problems in order to prevent and reduce adverse impacts on the environment which caused by acid deposition in East Asia, and acknowledging the strong relations between Indonesia and EANET that has been closely cooperate to conduct acid deposition monitoring since the establishment of EANET, we would like to extend our government strong commitment to maintain firm interest to participate in the joint activities of EANET.

Realizing the above immense role of EANET, we would also like to inform the EANET Secretariat of our government effort to seek necessary process for the possibility of signing the Instrument in due course. All of the progress will duly be informed to the EANET Secretariat.

Director for Climate Change
Mitigation and Atmospheric
Function Preservation,

Ir. Sulistyowati, MM
NIP. 19590416 199203 2 001

CC:
Deputy Minister for Environment Degradation Control and Climate Change,
Ministry of Environment (as report)