

Working Draft as of 23 June 2015

**FRAMEWORK ON THE ARRANGEMENTS OF
THE SECRETARIAT FOR THE ACID DEPOSITION MONITORING NETWORK IN EAST ASIA
(EANET)
BETWEEN
THE UNITED NATIONS ENVIRONMENT PROGRAMME (UNEP)
AND
ACID DEPOSITION MONITORING NETWORK IN EAST ASIA (EANET)**

The Acid Deposition Monitoring Network in East Asia (hereinafter referred to as "EANET"), represented by the Chairperson of the Intergovernmental meeting of the EANET [on behalf of the 13 participating countries], and the United Nations Environment Programme (hereinafter referred to as "UNEP"), represented by the Executive Director:

WHEREAS UNEP is the leading organization within the United Nations system in the field of environment and has as a major area of focus of its global mandate, the conservation, protection, enhancement and support of nature and natural resources, including biological diversity, worldwide;

WHEREAS EANET is a regional intergovernmental cooperative initiative to create a common recognition of the state of the acid deposition problems in East Asia, to provide useful inputs for policy makers at local, national and regional levels aimed at preventing or reducing adverse impacts on the environment caused by acid deposition, and to contribute to cooperation on the issues related to acid deposition among the Participating Countries. Currently, 13 countries participate in the EANET, namely: Cambodia, the People's Republic of China, Indonesia, Japan, Lao People's Democratic Republic, Malaysia, Mongolia, Union of Myanmar, Philippines, Republic of Korea, Russian Federation, Thailand and Viet Nam;

WHEREAS EANET was formally established in 2001 by *the Joint Announcement on the Implementation of the EANET* along with *the Tentative Design of the EANET* at the Second Session of the Intergovernmental Meeting (IG2); and was further enhanced by *the Instrument for Strengthening the Acid Deposition Monitoring Network in East Asia* signed by all the participating countries of the EANET;

WHEREAS pursuant to IG15 decision (Decision 1/IG.15), reconfirming UNEP as the Secretariat for the EANET and requesting UNEP to modify the 2002 Framework on the Establishment of the Secretariat of the Acid Deposition Monitoring Network in East Asia (EANET), which defines the conditions for UNEP providing the Secretariat of EANET through RRC.AP

This Framework represents the complete shared recognition of UNEP providing the Secretariat functions in line with the IG15 decision (Decision 1/IG.15) and supersedes the Framework on the Establishment of the Secretariat of the Acid Deposition Monitoring Network in East Asia (EANET) dated 3 July 2002.

NOW, THEREFORE, UNEP and EANET have decided on the following recognition:

1. UNEP will continue assuming the role of the Secretariat under the following recognition:

- (i) UNEP will fulfill the Secretariat function following the decision of the Intergovernmental Meeting of EANET (hereinafter referred to as "IG") and in consultation with the National Focal Points of the participating countries of EANET (NFP) in line with the work programmes adopted by IG;
- (ii) The Secretariat will be located at the UNEP Regional Office for Asia and the Pacific;
- (iii) The accounts of EANET will be managed through a EANET Fund specifically set up for EANET and administered in line with UN financial rules and regulations, under the guidance of the IG;
- (iv) The Coordinator of the EANET will be hired by UNEP following standard UNEP recruitment procedure with a Terms of Reference that is endorsed by the IG of EANET.
- (v) The Performance Assessment of the Coordinator will be conducted by UNEP following its standard procedure. UNEP will consult with the IG before making a final decision on performance assessment of the Coordinator; and
- (vi) In line with Decision 1/IG.15, certain services (such as logistical services) will be implemented through AIT/RRC.AP, as appropriate, under supervision of UNEP

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2. UNEP will specifically ensure that the Secretariat fulfills the following functions for the effective management of EANET and to facilitate cooperation among participating countries in a transparent manner.

- (i) Necessary administrative arrangements for the meetings of the IG , the SAC, and its subsidiary bodies;
- (ii) Necessary administrative and financial arrangements for managing the EANET;
- (iii) Communication and cooperation in administrative and policy aspects
- (iv) Consultation with National Focal Points on policy direction and other substantive issues
- (v) Promotion of capacity building and public awareness in cooperation with the Network Center(s) of EANET, hereafter referred to as NC(s)
- (vi) Communication and cooperation with the NC(s), and
- (vii) Other necessary tasks as requested by the IG.

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3. UNEP will ensure that the Secretariat is fully operational and capable of providing services including the dissemination of information and facilitating liaison and networking between the relevant government agencies and institutions.

4. UNEP will assure that the Secretariat meets the needs of the participating countries, the IG, the Scientific Advisory Committee, and other subsidiary bodies in the content of information based on their respective needs as defined by the Secretariat functions.

Parties' initials:

5. UNEP will arrange for the recruitment of a coordinator at the P4 level in line with the UN rules and regulations as the staff of the Secretariat, as defined by the Terms of Reference of the Coordinator of the Secretariat for the EANET taken note by the Extraordinary Session of the IG held in August 2014.

6. UNEP will arrange for the establishment and management of a fund for EANET, as decided by IG15 (Decision 1/IG.15), [in accordance with] [taking account of] the Procedures for Financial Contributions to the EANET Fund to Support the Activities of the Acid Deposition Monitoring Network in East Asia.

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7. The IG of EANET will approve the work programme and budget and take actions to secure necessary financial resources for the Secretariat and the implementation of the EANET activities in each calendar year.

8. UNEP will proceed with disbursements from the EANET Fund [in accordance with] [in line with] the annual work programme and budget approved by the IG of EANET and [in accordance with] [in line with] UN rules and regulations.

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9. NC(s), when communicating with the participating countries of EANET, will send a copy of all the official correspondence with them to the Secretariat, and provide the Secretariat with the verified data obtained through the EANET activities.

10. [.]

10. Alt. The IG of EANET may commission a review of the EANET Secretariat. Such a review will be undertaken as part of the review mentioned in para 15 and be implemented by UNEP and funded by the EANET Fund depending on the availability of resources.

削除: Failure to fulfill responsibilities and obligations as defined in Article 1-9 by UNEP will result in suspension of the Trust Fund and the Coordinator position. The Trust Fund shall be responsible for payment for work done only up to the suspension date. Within one month following the suspension of the Trust Fund, EANET and UNEP will commission a joint assessment on the agreement implementation and performance of the Coordinator. Results of the joint assessment will lead to resume of Trust Fund operations and/or the Coordinator position, or termination of the Framework Agreement and/or the Coordinator position

11. [Nothing in or relating to this Framework shall be deemed a waiver, express or implied, of any of the privileges or immunities of the United Nations, including its subsidiary organs.]

12. Either the IG of EANET or UNEP may modify this Framework by mutual written consent, which will be appended to the Framework and become an integral part of it.

13. In the event of problems arising out of or relating to this Framework, EANET and UNEP will use their best efforts to promptly settle such problems through direct consultation.

14. Either the IG of EANET or UNEP may terminate the implementation of the preceding provisions with a notice of 90 days. The transfer issues of the secretariat will be implemented by UNEP after the termination of the Framework.

Parties' initials:

15. This Framework will commence on the last date of signature of the [approving officials][chairperson] and reviewed/modified as necessary after 2 years, otherwise continue until 31 December 2020, unless terminated in line with paragraph 14 above. Should UNEP and EANET, or either of them, wish for extension, a written notice is required at least three months prior to the termination of the Framework.

16. This Framework was endorsed by the IGxx of the EANET and signed by the Executive Director of UNEP and the Chairperson of the IGxx of the EANET.

For United Nations Environment Programme For EANET

Name: Achim Steiner
Title: Executive Director

Name:
Title: Chairperson of the Intergovernmental meeting of the EANET [on behalf of the 13 participating countries]

Date:

Date:

Parties' initials: