

The Working Group Meeting on Reviewing the Scope of Instrument for the EANET
Acid Deposition Monitoring Network in East Asia
1-2 July 2020, Virtual Meeting

REPORT OF THE SESSION

I. INTRODUCTION

1. The Working Group Meeting on Reviewing the Scope of Instrument for the Acid Deposition Monitoring Network in East Asia (EANET) was held virtually on 1-2 July 2020.
2. Representatives of the Participating Countries, namely Cambodia, China, Indonesia, Japan, Lao PDR, Malaysia, Mongolia, Myanmar, Philippines, Republic of Korea, Russia, Thailand, and Viet Nam participated in the meeting. The Secretariat and the Network Center (NC) for the EANET also attended the meeting. In addition, representatives of the United Nations Environment Programme (UNEP), Asia Center for Air Pollution Research (ACAP); Regional Resource Centre for Asia and the Pacific, Asian Institute of Technology (RRC.AP/AIT) and resource persons attended the meeting as well. The List of Participants is attached to this Report as Annex.

II. OPENING OF THE SESSION (AGENDA ITEM 1)

3. Dr. Dechen Tsering, Regional Director and Representative, United Nations Environment Programme for Asia & the Pacific delivered the Opening Remarks. Dr. Tsering congratulated all participants for their contribution to the Working Group Meeting on Drafting the Medium Term Plan (MTP) for the EANET (2021-2025). Dr. Tsering informed that the Working Group Meeting on Reviewing the Scope of Instrument for Strengthening the EANET aims to discuss objectives and the scope of expansion of the Instrument, and the possibility, options, and consequences of how to address air pollution. She emphasized that discussion in this meeting will be focusing on the legal aspects of the Instrument linked with the Guidelines on the Administrative and Financial Management for the Secretariat and the NC.
4. Dr. Shiro Hatakeyama, Director General, Asia Center for Air Pollution Research, delivered the Welcome Remarks. Dr. Hatakeyama mentioned that the IG21 had requested the Secretariat and the NC to organize the Working Group Meeting to review the Instrument for Strengthening the EANET. He invited the participants to review, make comments, and provide recommendations, as appropriate. He emphasized that results from the WG Meeting would be indispensable for formulating the MTP for the next five years.

III. ELECTION OF OFFICERS (AGENDA ITEM 2)

5. The Session elected Ms. Siwaporn Rungsiyanon, Director of Transboundary Air Pollution Section, Pollution Control Department, Ministry of Natural Resources and Environment, Thailand, as the Chairperson; Mr. Zhou Jun, Deputy Director of Asian, African and Latin American Affairs Division, Department of International Cooperation, Ministry of Ecology and

Environment, China, as the Vice-Chairperson; and Dr. Batbayar Jadamba, Director, Environmental Monitoring Division, National Agency for Meteorology and Environmental Monitoring, Mongolia, as the Rapporteur.

IV. ADOPTION OF THE AGENDA (AGENDA ITEM 3)

6. The Session considered and adopted the Provisional Agenda (EANET WG 2/3/1), Annotated Agenda (EANET WG 2/3/2), and Draft Program (EANET WG 2/3/3) proposed by the Secretariat and the NC.

V. CONSIDERATION ON THE FOLLOWING ISSUES: (1) LEGAL NOTE ON REVIEWING THE SCOPE OF INSTRUMENT FOR STRENGTHENING THE ACID DEPOSITION MONITORING NETWORK IN EAST ASIA (EANET); (2) ADDRESSING AIR POLLUTION WITHIN THE EANET FRAMEWORK; (3) REVISION OF GUIDELINES ON THE ADMINISTRATIVE AND FINANCIAL MANAGEMENT FOR THE SECRETARIAT AND THE NETWORK CENTER (DRAFT) (AGENDA ITEM 4)

7. The Secretariat delivered the presentations on Agenda item 4.1: Legal Note on Reviewing The Scope of Instrument for Strengthening the Acid Deposition Monitoring Network in East Asia (EANET) (EANET WG 2/4/1) and on Agenda item 4.2: Addressing Air Pollution within the EANET Framework (EANET WG 2/4/2). Subsequently, the Secretariat and the NC jointly delivered the presentation on Agenda item 4.3: Revision of the Guidelines on the Administrative and Financial Management for the Secretariat and the Network Center (Draft) (EANET WG 2/4/3).
 - Legal Note On Reviewing the Scope Of the Instrument for Strengthening the Acid Deposition Monitoring Network in East Asia (EANET) (EANET WG 2/4/1/) serves as a reference document for the Participating Countries in reviewing the scope of the Instrument. It provides a review of the content of the Instrument and options for the EANET on expanding the scope of the Instrument.
 - Addressing Air Pollution Within the EANET Framework (EANET WG 2/4/2/) serves as a reference document for the Participating Countries to review the legislative framework of related regional and global initiatives and to analyze the building blocks of legal documents in relation with the possible expansion of the scope of the Instrument.
 - The draft Revision of the Guidelines on the Administrative and Financial Management for the Secretariat and the Network Center (EANET WG 2/4/3) focuses on revising the Financial Arrangement for the Secretariat and the NC to include the project fund mechanism.
8. At the Meeting, Japan requested to present their submitted proposal of *Categorization of the Activities*. After approved by the Chairperson, Japan presented it at the Meeting.
9. The Session was invited to review, discuss, and provide guidance, as appropriate.

10. The major discussion included:

- i. The Chairperson recalled that the mandate of the Working Group Meeting on Reviewing the Scope of Instrument is to discuss the objectives and scope expansion of the Instrument, the possibility, options, and consequences of how to address air pollution with a view to it being addressed in the Instrument.
- ii. The Legal Expert Resource Person responded to Japan's questions regarding the Annex option to expanding the scope the Instrument as provided in the Legal Note (EANET WG 2/4/1) submitted before the WG Meeting (received by the Secretariat on 22 June 2020) (responses were submitted as meeting documents before the WG Meeting).
- iii. It was clarified that activities of the draft Medium Term Plans for the EANET (2021-2025) were developed based on the Proposed Ideas of the Participating Countries for the Next Medium Term Plan for the EANET (2021-2025) (EANET/IG 21/6) that summarized the proposed ideas from the Participating Countries including some activities that beyond the current scope. Therefore, the IG21 requested to further discuss proposed activities during the WG Meetings and requested the Secretariat and the NC to prepare the two versions of draft MTP (2021-2025) by referring to the current scope and possible future scope.
- iv. It was suggested that a Protocol (*in reference to the Annex, as mentioned in the Legal Note/ Document WG 2/4/1*) could allow flexibility to all countries to implement activities beyond the scope of Instrument, and that a Protocol is generally linked in substance to the parent agreement to clarify, amend, or supplement the parent agreement for focusing specific purpose to greater detail.
- v. It was recommended by the Legal Expert Resource Person that according to the Item 2 of the Instrument, the scope of the Instrument could be expanded, allowing activities beyond the scope of the Instrument to take place, as long as decided by the IG.
- vi. Some Participating Countries affirmed their interest in the expansion of the scope of the Instrument but requested for more work to be done on the definition of air pollution and the expansion of scope.
- vii. It was suggested to have an additional option (maybe option 6) that avoid legal formalities.
- viii. A Participating Country mentioned the preference for option 5 to create a new legally binding document on air pollution. However, some other Participating Countries argued that option 5, a legally binding additional document, would be very difficult to obtain approval at national level.
- ix. The Legal Expert Resource Person clarified that the current Instrument itself is not legally binding. It provides a guidance for the EANET to collaborate on working on issues related to acid deposition. In this matter, any additional text should be understood within this context.
- x. A Participating Country proposed that the participating countries need to reach the consensus on what extent the scope of the Instrument will be expanded, hence decide the possible options e.g. Instrument modification/revising or Annex etc.

- xi. It was suggested to survey the level of ambition of the Participating Countries related to air pollution and air quality monitoring in relation to the expansion of scope of Instrument.
- xii. A Participating Country clarified that the change of the name of the EANET is just a suggestion in a view to being more relevant with changing priorities at the international levels such as the linkage between air pollution and climate change and the EANET to be aligned more with air pollution and climate change organizations and associated international agenda. However, this remained flexible with preference of Participating Countries. In this concern, most Participating Countries noticed that what matters most at the moment is the continued motivation of Participating Countries to support major continued activities of the EANET.
- xiii. Responding to a question from Myanmar submitted to the Secretariat before the Meeting (received on 2 July 2020), it was clarified that the project fund is different from the core budget of the EANET. It would be an additional fund beyond the core budget and is not mandatory for the Participating Countries. It depends on the willingness of each Participating Country to contribute and participate in the project fund activities. The budget for the project fund activities would be assessed annually, depending on proposed projects and the availability of funding, and subjected to approval by the IG.
- xiv. It was clarified that, as of now, there was no draft legal document prepared by the Secretariat concerning the expansion of the scope of the Instrument. The two documents (WG 2/4/1 and WG 2/4/2) presented in the WG Meeting are reference documents concerning the Instrument, but not the documents concerning the expansion of the scope of the Instrument. In line with that, it was requested, if later such documents will be prepared, that the Secretariat possibly provide a short document including a description of an agreement of Participating Countries to enable them to be translated by the Participating Countries in advance.
- xv. It was pointed out that the terms *air pollution* and *air quality* are used in the documents interchangeably. Since both terms have slightly different meanings and utilization depending on the different understanding and interpretation by Participating Countries, it was requested to clarify these terms, in particular, while discussing expansion of the scope of the Instrument.
- xvi. Some Participating Countries mentioned their preference towards the inclusion of air quality monitoring related activities (such as the inclusion of PM2.5 and Ozone) in the next draft of the MTP (2021-2025) to tackle domestic air pollution problems and join the international effort to mitigate the effects of air pollution.
- xvii. It was emphasized the importance of considering the scope of the Instrument as the basis for the cooperation among the Participating Countries of the EANET.
- xviii. The Secretariat will provide, after the WG Meeting, Revision of Guidelines on the Administrative and Financial Management for the Secretariat and the Network Center (Draft) (EANET/WG 2/4/3) with track changes mode to show the proposed revisions to the Revised Guidelines on the Administrative and Financial Management for the Secretariat and the Network Center (EANET/ IG 19/6_rev1) adopted by the IG19 in 2017.

- xix. It was emphasized the importance of understanding the Participating Countries needs of activities to achieve common understanding among the Participating Countries on the expansion of the scope of the Instrument. It was requested that Participating Countries categorize the activities (in consultation with national scientists, if required) into activities within the activities of the current scope and activities beyond the scope, so that the activities or the projects which are within the current scope could be implemented without going through the expansion related procedure.
 - xx. It was suggested that a simplified version of the draft MTP (2021-2025) would be useful by focusing on less activities/projects.
 - xxi. It was clarified that two drafts of the MTPs (2021-2025) by referring to the current scope of activities and possible future scope of activities had been developed based on activities proposed by the Participating Countries. Therefore, the Participating Countries are requested and encouraged to provide comments to the Secretariat and the NC to modify these drafts to fit their expectations.
 - xxii. Japan suggested creating a matrix table allowing the countries to categorize the activities identified in the draft MTPs according to related themes, indicate whether they should be included or not in the current scope of Instrument, the related budget, and the necessity of expansion of the Instrument to achieve them. The analysis will assist Participating Countries to assess the benefits of activities, cluster the activities according to themes and priorities, and the necessity to expand the scope of Instrument to accommodate any activities. By following the suggestion from Japan, the Session requested the Secretariat and the NC to prepare the Matrix of Categorization of Activities for Further Development of MTP (2021-2025) for Participating Countries to complete.
11. It was recommended that the second draft of MTP (2021-2025) would be a merge of the two versions of draft MTP (2021-2025) of current and possible future scope. The Secretariat and the NC will prepare the 2nd draft of the MTP (2021-2025) with inputs received during and after the WG Meetings. In addition, it was suggested to add transition actions/activities to the implementation of the MTP (2021-2025).
12. The Session acknowledged the reference documents on Legal Note on Reviewing the Scope of Instrument for Strengthening the Acid Deposition Monitoring Network in East Asia, the presentation on Addressing Air Pollution within the EANET Framework and the Revision of Guidelines on the Administrative and Financial Management for the Secretariat and the Network Center (Draft).
13. The Session summarized that no objection was made by the Participating Countries regarding the expansion of the scope of the Instrument. Therefore, the Session requested the Secretariat and the NC to work on necessary preparation to support this.

VI. WRAP-UP AND NEXT STEPS (AGENDA ITEM 5)

14. The Secretariat delivered the presentation of Proposed Next Steps after the Working Group Meeting on Reviewing the Scope of Instrument for the EANET (EANET WG 2/5_rev1).
15. The presentation focused on the timeline of Finalization of the Report of the Session of the WG Meeting on Drafting MTP for the EANET (2021-2025) (29-30 June 2020) and WG Meeting on Reviewing the Scope of the Instrument for the EANET (1-2 July 2020), Proposed dates of EANET Key Meetings in 2020 and Timeline of Development of the MTP for the EANET (2021-2025) from the IG21 to the IG22:
 - Finalization of the Report of the Session:
 - 10 July 2020 : The Secretariat will circulate the draft Report of the Session of the WG Meeting on Drafting MTP for the EANET (2021-2025) and WG Meeting on Reviewing the Scope of the Instrument for the EANET,
 - 10-17 July 2020 : Participating Countries will submit their comments on:
 - a. Report of the Session
 - b. First draft MTPs (2021-2025) - current scope and possible future scope.
 - 24 July 2020 : The Secretariat will circulate the final Report of the Session
 - Proposed dates of EANET Key Meetings in 2020 (*through the online platform, from 13:00-16:00 (UTC+07, Bangkok time) each day*):
 - The SAC20: 23-24 September 2020
 - The Working Group Meeting on Drafting MTP and Reviewing the Scope of Instrument for the EANET (Session 2): 20-22 October 2020, with a possible additional date on 26 October 2020
 - The IG22: 25-26 November 2020
 - Timeline of Development of Draft MTP for the EANET (2021-2025) from the IG21 to the IG22: the detailed chart of the Timeline is available on the meeting document Proposed Next Steps after the Working Group Meeting on Reviewing the Scope of Instrument for the EANET (Revision 2) (EANET/ WG 2/5_rev2).
16. The Session was invited to review, discuss, and provide guidance, as appropriate.
17. The major discussion included:
 - i. The matrix proposed by Japan to which the Secretariat and the NC will list all activities from the activities on the draft MTP (2021-2025) and where Participating Countries will classify the activities identified in the draft MTP (2021-2025) according to related themes, indicating whether they should be included or not in the current scope of Instrument, the related budget, and the necessity of expansion of the Instrument to achieve them. The matrix will be circulated to Participating Countries

after the WG Meeting or before the 14 August 2020, allowing the SAC members to discuss inputs from the Participating Countries. It will also be sent to Participating Countries with the Preliminary 2nd draft of the MTP (2021-2025) and be available for discussions by the SAC on 23-24 September 2020.

VII. CLOSING OF THE SESSION (AGENDA ITEM 6)

18. The Session expressed its gratitude to the Chairperson, Vice-Chairperson, the Rapporteur, the participants, the representatives from international organizations, and resource persons for their efforts, cooperation, and contribution to the Session.
19. The Chairperson appreciated the participants, the Secretariat, and the NC for their contributions, declared the Working Group Meeting on Reviewing the Scope of Instrument for the EANET officially closed.

Annex

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