

COMPILATION OF COMMENTS OF PARTICIPATING COUNTRIES (AND LAW DIVISION OF UNEP) TO CHINA'S COMMENTS TO REVISION OF DRAFT TEXT FOR SUPPLEMENTARY DOCUMENT (ANNEX) TO EANET INSTRUMENT

Section	Draft Text for Supplementary Document (Annex) to EANET Instrument submitted to WG2021-2	China's Proposal/Comments at WG2021-2* (*different texts from original document are highlighted in yellow)	Comments of Participating Countries* (and Law Division of UNEP*) (in chronological order based on submission time) *Original submission of PCs are available in the Repository ** provided in a separate attachment
Preamble	<p>The Participating Countries to this Annex,</p> <p><i>Being</i> Participating Countries to the Instrument for Strengthening the Acid Deposition Monitoring Network in East Asia (EANET),</p> <p><i>Recognizing</i> the negative effects of air pollution and regional air pollution, and the consequential phenomena due to the concentration of pollutant gases, acid rain, or acid deposition;</p> <p><i>Mindful</i> of the environmental, economic, and social costs of air pollution and the retarding effect of such costs on sustainable development;</p> <p><i>Aware</i> that the potential for air pollution increase and its regional effects will accumulate in the absence of national and regional measures to abate and prevent such potential;</p> <p><i>Recalling</i> Sustainable Development Goal 3 that refers to the need by 2030 to substantially reduce the number of deaths and illnesses from hazardous chemicals and air, water, and soil pollution and contamination;</p> <p><i>Underlying</i> the importance of studying and monitoring air pollution and regional air pollution;</p> <p><i>Emphasizing</i> the need to seek solutions for the problems identified with respect to air pollution and regional air pollution;</p>	No Preamble	<p>RUSSIA: The excluding preamble is a non-crucial option for ANNEX, however, any international protocols under the Conventions or Treaties have similar “background and encouraging introduction” explaining the reasons of supplementary documents. We think to keep a preamble is better.</p> <p>JAPAN: Japan proposes a short version as below; “<i>The Participating Countries has agreed as follows to determine the expanded scope of the EANET based on the Item 2 of the Instrument.</i>”</p> <p>MALAYSIA: A preamble is necessary to reflect the necessity of the Annex when read together with the INSTRUMENT. At the minimum, a shorted version of the preamble demonstrating clearly the AIM of the Annex should be included for such an important document.</p>

	<p><i>Recalling</i> UNEA resolution 1/7 of 24 June 2014 entitled, “Strengthening the role of the United Nations Environment Programme in promoting air quality” that encouraged Governments to take action across sectors to improve air quality that included implementing nationally determined air quality standards, establishing emissions standards for air pollution; and to make air quality data more easily accessible and understandable to the public;</p> <p><i>Noting</i> UNEA resolution 3/8 of 6 December 2017 that urged States to take action in the areas of (a) monitoring; (b) setting ambitious air quality standards; (c) to put in place policies and measures to prevent and reduce air pollution from their significant sources; (d) to create awareness at the local, subnational and national levels and within the private sector of the negative environmental, health and socio-economic impacts of pollution; and (e) to develop national and subnational emissions inventories.</p> <p><i>Further noting</i> that resolution UNEA resolution 3/8 also stressed the need to further share existing knowledge by engaging in regional cooperation;</p> <p><i>Determined</i> to extend their willingness to continue the activities of the EANET as set out in the Instrument;</p> <p>Have agreed as follows:</p>		
Item 1	<p>For the purposes of this Annex:</p> <ol style="list-style-type: none"> 1. “Instrument” means the Instrument for Strengthening the Acid Deposition Monitoring Network in East Asia (EANET). 2. “Participating Countries” means, unless the text otherwise indicates, Participating Countries to this Annex. 3. “Secretariat” means the Secretariat of the 	<ol style="list-style-type: none"> 1. “Atmospheric environment related substances” in this Annex means the related substances effecting the atmospheric environment. 	<p>RUSSIA: In Item 1 we prefer the term “air pollution” than “atmospheric environment related substances” (which generally covers too wide list of chemical and physical matters including climate and its changes), however, the term of “air pollution” might be extended to the “air pollution substances” with following modification of its definition.</p>

	<p>Instrument, and "Network Center" means the Network Center of the Instrument".</p> <p>4. "Air pollution" means the introduction or release by humans, directly or indirectly, into the atmosphere of substances contributing to deleterious effects extending beyond the State of origin of such a nature as to endanger human life and health and the Earth's natural environment.</p> <p>5. "IG" means the Intergovernmental Meeting established by Item 10 of the Instrument.</p>		<p>REPUBLIC OF KOREA: We think "Atmospheric environment related substances" can cover broader range of activities than "air pollution".</p> <p>PHILIPPINES:</p> <ul style="list-style-type: none"> • As per DENR Administrative Order (DAO) 2000 – 81, "Air Pollution" means any alteration of the physical, chemical and biological properties of the atmosphere, or any discharge thereto of any liquid, gaseous or solid substances that will or is likely to create or to render the air resources of the country harmful, detrimental, or injurious to public health, safety or welfare or which will adversely affect their utilization for domestic, commercial, industrial, agricultural, recreational, or other legitimate purposes." • May we suggest defining also the parameters that will be included in the EANET-Air Pollution. • In the same DAO 2000 – 81, "Air pollutant" means any matter found in the atmosphere other than oxygen, nitrogen, water. • vapor, carbon dioxide, and the inert gases all in their natural or normal concentrations, that is detrimental to health or the environment, which includes but not limited to smoke, dust, soot, cinder, fly ash, solid particles of any kind, gases, fumes, chemical mists, contaminated steam and radioactive substances. • Please include definition of Non-core and Expanded Activities such as "Atmospheric environment related substances", which is included in this study. Environment related substances may not be limited to air quality but also water quality, inland, soils, and vegetation quality. <p>JAPAN:</p> <p>- 2. is necessary, while replace the word "" Annex" to "Instrument".</p>
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			<p>- It would be better to keep 1,3 and 5.</p> <p>- 4 : Japan is agreeable on either of original draft or alternative proposed by China - “Atmospheric environment related substances” if Chinese alternative has been agreed, relevant texts shall be changed, such as in Attachment</p> <p>-2: The Annex will be adopted by IG, so that no procedures will not be available to define ‘Participation’. So that it would be natural to read PC as defined as the Instrument.</p> <p>-4: Japan is agreeable on either of original draft or alternative proposed by China - “Atmospheric environment related substances” if Chinese alternative has been agreed, relevant texts shall be changed, such as in Attachment</p> <p><u>MALAYSIA:</u></p> <ul style="list-style-type: none"> • Item 1 should be maintained in its entirety to give clarity for these crucial terms used. This document will become a reference (by different individuals/officers) within various EANET related national organizations for the foreseeable future. Therefore, to allow for a continuing consistent understanding of the Instrument, Item 1 should be maintained. • Conforming to UNEA Resolution 1/7 of 24 June 2014 and UNEA Resolution 3/8 of 6 December 2017, usage of the term “Air Pollution” should be maintained. More so if EANET data definitions is to be consistent globally.
Item 2	<ol style="list-style-type: none"> 1. The categories of air pollution-related substances and areas of work to be covered in accordance with this decision/document are indicated in Attachment 1 to indicate the expanded scope of the EANET. 2. Actual activities for the expanded scope shall be identified by and implemented pursuant to a decision of the IG. 3. Funding of activities under the Annex shall be 	<ol style="list-style-type: none"> 1. The categories of atmospheric environment related substances and areas of work to be covered in accordance with this decision/document are indicated in Attachment to indicate the current and expanded scope of the EANET. 2. Actual activities including non-core activities for the scope of the EANET shall be identified 	<p><u>RUSSIA:</u> In Item 2 we don’t need to repeat or to mix regulations by IG of both types (core and non-core) activities. We prefer the text of Draft document rather than those in the comments of China. However, the content of Table in Attachments might be modified to eliminate the uncertain understanding what kind of substances and related activities could be under the provision by the Annex (Supplementary document).</p>

	<p>pursuant to a decision of the IG and shall be from the non-core budget unless decided differently by IG.</p>	<p>by and implemented pursuant to a decision of the IG.</p> <p>3. Funding of activities including non-core activities under the Annex shall be pursuant to a decision of the IG.¹</p>	<p>PHILIPPINES: To allow participating countries to decide on the target substances that they will monitor depending on their capacity. Target substances shall not be uniformed in all participating countries due to some issues such as funding, manpower and lack of instruments.</p> <p>JAPAN:</p> <ul style="list-style-type: none"> • (proposed revised text on para 1,2, and, 3. See the attached document) • Existing scope can be funded by both core and non core. So this para should refer only the additional scope. <p>MALAYSIA:</p> <ul style="list-style-type: none"> • Usage of the term “Air Pollution” to be maintained. Addition of current scope in Item 2 (1) will add ambiguity which could potentially lead to confusion. • The original terms used, “Actual activities for the expanded scope” clearly reflects the intended meaning. • The clarity of the original terms used is clear and definite.
Item 3	<p>1. The provisions of Item 2 (Objectives and Scope), Item 3 (Principles), Item 4 (Monitoring and Reporting), Item 5 (Assessment), Item 6 (Research Activities), Item 8 (Public Awareness), Item 9 (Exchange of Information), Item 10 (Intergovernmental Meeting), Item 12 (Scientific Advisory Committee), and Item 13 (Network Center) of the Instrument shall apply <i>mutatis mutandis</i> to the Annex. References in those Items to “acid deposition” shall include air pollution as addressed in Items 1 and 2 of the Annex and caused by the target/air pollution substances identified in Attachment 1.</p> <p>2. On monitoring and reporting (Item 4 of the Instrument), Item 4, paragraphs 1, 5, 6, and 7</p>	<p>1. The provisions of Item 2 (Objectives and Scope), Item 3 (Principles), Item 4 (Monitoring and Reporting), Item 5 (Assessment), Item 6 (Research Activities), Item 8 (Public Awareness), Item 9 (Exchange of Information), Item 10 (Intergovernmental Meeting), Item 12 (Scientific Advisory Committee), and Item 13 (Network Center) of the Instrument shall apply <i>mutatis mutandis</i> to the Annex. References in those Items to “acid deposition” shall be replaced by “atmospheric environment related substances” as addressed in Items 1 and 2 of the Annex and caused by the atmospheric environment related substances identified in Attachment.</p>	<p>RUSSIA:</p> <ul style="list-style-type: none"> • In Item 3 the point 3 of Chinese comments a periodic Assessment is defined to be too extensive and uncertain with relation to the data to be provided by EANET itself. However, using the principle of <i>mutatis mutandis</i> the titles of assessment reports could be elaborated. • The point 4 of Item 3 in comment of China is not acceptable for document which supposed to ensure implementing the number of research activities. The stating as “need to be discussed further” is a wording of reports by SAC or IG, but not for long-term document. • The point 6 of Item 3 in comment of China try to change “parent” document (Instrument) both in title

¹ The text...” and shall be from the non-core budget unless decided differently by IG” from the original document was deleted.

<p>shall apply <i>mutatis mutandis</i> to the Annex.</p> <p>3. Items 7 (Education and Training), 11 (Secretariat), 14 (Financial Arrangement), 15 (Revisions or Modifications), 16 (End of Participation), and 17 (Participation of other countries) of the Instrument shall apply <i>mutatis mutandis</i> to this Annex.</p> <p>4. The tasks, roles, and responsibilities of the Secretariat and the Network Center, as well as any subsidiary bodies established under the Instrument, shall <i>mutatis mutandis</i> apply to the Annex.</p>	<p>2. On monitoring and reporting (Item 4 of the Instrument), paragraphs 1, 5, 6, and 7 shall apply <i>mutatis mutandis</i> to the Annex. Participating countries can, as appropriate, decide on a discretionary basis to apply Item 4, paragraphs 2, 3, and 4.</p> <p>3. On Assessment (Item 5 of the Instrument), paragraph 2 shall be revised as “Periodic assessment reports on the state of atmospheric environment related substances in East Asia will be prepared based on the data reports acknowledged by participating countries, disseminated and made available to the public.”</p> <p>4. On Research Activities (Item 6 of the Instrument), paragraphs 1 shall be revised as “The Participating Countries will promote studies issues related to atmospheric environment related substances. In areas where there is still no general consensus on scientific research including emission inventories, modeling, and human health effects, research activities beyond methodology and capacity building need to be discussed further and agreed upon by participating countries.”</p> <p>5. Items 7 (Education and Training), 11 (Secretariat), 14 (Financial Arrangement), 15 (Revisions or Modifications), 16 (End of Participation), and 17 (Participation of other countries) of the Instrument shall apply <i>mutatis mutandis</i> to this Annex.</p> <p>6. The title of Exchange of Information (Item 9 of the Instrument), shall be revised as “Information Exchange and Technical Cooperation”. The content of the Item shall be revised as “The Participating Countries will promote and cooperate in the exchange of information related to atmospheric environment related substances including</p>	<p>and in content. We need to avoid the modification of the Instrument by ANNEX (Supplementary doc). If such topics are important from the point of view by country it is possible to initiate a new (next) supplement document addressed to mentioned “technical cooperation” and “technology transfer” which are mostly refer to mitigation measures.</p> <p>REPUBLIC OF KOREA:</p> <ul style="list-style-type: none"> • When it comes to paragraph 2, the Secretariat’s proposal is preferred. • We support the paragraph 3,4, and 6 which are proposed by China <p>PHILIPPINES: May we inquire the frequency of the periodic assessment because we may be able to link our annual National Air Quality Status Report (NAQSR) to?</p> <p>JAPAN:</p> <ul style="list-style-type: none"> • Item3, 4. of China’s comment is not necessary. Because every research activities need IG approval and detail contents of research activity can be considered individually by IG. • (proposed revised text on para 2 and 3. See the attached document) <p>MALAYSIA:</p> <ul style="list-style-type: none"> • Usage of the term “Air Pollution” to be maintained. • As discussed, and agreed in the previous IG meeting, Malaysia agrees that no revision of the original Instrument be made, but the expansion of scope can be done in the form of ANNEX.
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		<p>scientific, technological, technical, socio-economic, legal information as well as information on administrative measures. EANET shall facilitate support for pilot projects as well as clean air technology cooperation and transfer.”</p> <p>7. The tasks, roles, and responsibilities of the Secretariat and the Network Center, as well as any subsidiary bodies established under the Instrument, shall mutatis mutandis apply to the Annex.</p>	
Item 4	The IG can review and revise this Annex as appropriate, based on proposals from any Participating Country.	1. The IG may review and revise this Annex as appropriate, based on proposals from any participating country together considering the assessment of the Medium-term Plan.	<p><u>PHILIPPINES:</u></p> <ul style="list-style-type: none"> • Can we provide a definite time interval wherein the IG will review the Annex? • For example, “The IG may review and update this Annex every year or as necessary...etc.” <p><u>JAPAN:</u> <i>(proposed revised text on item 4. See the attached document)</i></p> <p><u>MALAYSIA:</u> The MTP is a consequent of the ANNEX, and therefore should not have bearing upon the ANNEX.</p>
Attachment	See below. A	See below: B	<p><u>PHILIPPINES:</u></p> <ul style="list-style-type: none"> • We can reconstruct the table to indicate which are the “Current” and “Expanded” • Maybe we can review overlapping activities against Vienna Convention (if any). Or focus on the relationship between tropospheric ozone and acid deposition. • Can we also provide information on how • Items 4, 5, 7, 8, 9 will be carried out, and Item 8 will be partly applied <p><u>JAPAN:</u></p> <ul style="list-style-type: none"> • Japan thinks that revision of this Attachment is not necessary.

			<ul style="list-style-type: none">• Japan is agreeable on China’s comment on DSS and it can be added to reflect the China comment (<i>a revision of text provide in the footnote, see the attachment.</i>) <p><u>MALAYSIA:</u></p> <ul style="list-style-type: none">• In principle, Malaysia agrees for activities of expanded scope of EANET to focus/covering on research activities and capacity building/education/training with no obligation on monitoring and reporting.• Original Expanded Scope allows for steady integration of “CO, NMVOC, Black Carbon and Methane” into the “Monitoring and Reporting”, if the need is had been identified by Research Activities suggested. Items like Black Carbon might have far reaching Climate Change and health related consequences based upon latest research material available. Methane is a well-known Greenhouse Gas. Therefore performing research with regard to these substances within the EANET framework will allow for accommodation of these data in the future EANET database, if found necessary.• Though dust storms can be categorized under the “PM” category, Malaysia will have no issues with it being considered separately given its health effects may be different to the other particulates under the PM category.
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A. Original Text Supplementary Document (Annex) to EANET Instrument submitted to WG2021-2

Attachment: The Expanded Scope of the EANET²³

Target Substances		Item 4 Monitoring and Reporting	Item 5 Assessment	Item 6 Research Activities	Item 7 Education and Training	Item 8 Public Awareness	Item 9 Exchange of Information
SO ₂		*	*	*	*	*	*
NO _x		*	*	*	*	*	*
NH ₃		*	*	*	*	*	*
PM (mass)	PM _{2.5}	*	*	*	*	*	*
	PM ₁₀	*	*	*	*	*	*
	TSP	*	*	*	*	*	*
Tropospheric Ozone		*	*	*	*	*	*
PM (inorganic ions, metallic elements, and organic aerosols)		*	*	*	*	*	*
Precipitation Chemistry (ions, pH, EC)		*	*	*	*	*	*
CO		-	-	X	X	X	X
NMVOC		-	-	X	X	X	X
CH ₄		-	-	X	X	X	X
Black carbon		-	-	X	X	X	X

Notes :

*: The scope has already been covered by the Instrument

X: The additional scope as defined by this Annex

-: Not applicable

² Japan proposed new set of table: the expanded scope of the EANET

³ Japan suggested defining the expanded scope with air pollution related substances and the work area using the same terms employed in the Instrument, not using new term of activities. This is because: i) it would be complicated to develop new definition of the new terms, ii) similar terms as used in the Instrument would be more familiar for the Participating Countries and (iii) using the exiting terms is more convenient in preparing the programme work and budget documents and other documents in order to keep the consistency.

B. China's Proposal of Comments*

Attachment: The Current and Expanded Scope of the EANET⁴

Target Substances		Item 4 Monitoring and Reporting	Item 5 Assessment	Item 6 Research Activities	Item 7 Education and Training	Item 8 Public Awareness	Item 9 Information Exchange and Technical Cooperation
SO ₂		√	√	*	√	√	√
NO _x		*	√	*	√	√	√
NH ₃		√	√	*	√	√	√
PM	PM _{2.5}	√	√	*	√	√	√
	PM ₁₀	√	√	*	√	√	√
	TSP	√	√	*	√	√	√
Tropospheric Ozone		√	√	*	√	√	√
PM (chemical component: inorganic ions, metallic elements, and organic aerosols)		-	-	*	√	√	√
Precipitation Chemistry (ions, pH, EC)		√	√	*	√	√	√
CO		√	√	*	√	√	√
NMVOC		-	-	*	√	√	√
DSS (Dust and Sand Storms)		√	√	*	√	√	√

Note:⁵

√ Applicable

- Not Applicable

* Partly Applicable

⁴ Black carbon is removed in China's proposal

⁵ The Note is prepared in different manner from the original draft text submitted to WG2021-2