

**INTERNATIONAL CIVIL AVIATION ORGANIZATION****FIRST MEETING OF THE APAC CIVIL AVIATION COMMISSION
TASK FORCE***Bangkok, Thailand, 22 to 23 June 2015***Agenda Item 3: Adoption of the Terms of Reference****SUGGESTION TO ENHANCE THE TERMS OF REFERENCE OF
THE APCAC TASK FORCE**

(Presented by Malaysia)

SUMMARY

Malaysia while supportive of the proposal of carrying out a study of the feasibility for the establishment of an Asia Pacific Civil Aviation Commission (APCAC), would like to propose that an analysis of *alternative solutions to a civil aviation commission* could also be included in the TOR of the APCAC Task Force. Such an all-encompassing approach would complete and improve the feasibility study being undertaken on the establishment of an APCAC, and enable the tabling of more rigorous final recommendations/proposals to the 53rd DGCA Conference (2016) for endorsement of the way forward.

1. INTRODUCTION

1.1 Pursuant to the acceptance in principle by the 51st APAC DGCA Conference held in Hong Kong China from 24 to 27 November 2014 for the establishment of a Task Force to study the feasibility for setting up the Asia Pacific Civil Aviation Commission, the ICAO APAC Regional Office is convening the 1st Meeting of the Asia Pacific Civil Aviation Commission Task Force.

1.2 WP/3 of APCACTF/1 to be presented by the ICAO Secretariat proposes the draft Terms of Reference of the APCAC Task Force. In Attachment A of APCACTF/1—WP/3, the proposed broad principles describing the scope of work of the Task Force are:

- 1) Carrying out studies of the feasibility for the establishment of the Civil Aviation Commission;
- 2) Prepare a draft of the Constitution, Objectives & Functions, Relation with ICAO and other international organizations, structure and Procedures, and Financial Matters.

2. DISCUSSION

2.1 The consideration of a Regional Civil Aviation Commission for the Asia Pacific Region has been discussed at various DGCA Conferences. Generally there have been two schools of thought on the way forward. One of which is to examine the feasibility as well as the value of the formation of a Civil Aviation Commission, which is adequately covered by the proposed scope of work as proposed in the aforementioned Para 1.2.

2.2 However in these same DGCA Conferences forum, there have also been some thoughts expressed to explore other alternatives, one example of which is extrapolated in WP/7 of the APCACTF/1, which proposes that instead of an APCAC, effort should be made to enhance or strengthen the existing Asia Pacific civil aviation coordination framework to meet the same objective of developing the Asia Pacific air transport system.

2.3 Considering the aforementioned divergence of thoughts and approach it is suggested that the proposed terms of reference of the APCACTF could be amended to also include the matter of *alternative solutions to a civil aviation commission*. Amongst pertinent considerations (but not limited to) include:

- Is enhancing the existing platforms/forums an option vis-à-vis the establishment of a CAC in achieving same objectives?
- What is the added advantage/strength of a CAC framework over the alternative of enhancing the existing APAC civil aviation coordination framework?
- In cognizance of the effort and financial implications involved in the establishment a CAC, is there a more economic option which would satisfy the same need of intensifying coordination and regional cooperation, while implementing regional actions/initiatives for safety and regulation as set out in the GASP, GANP and Seamless ATM plans?

2.4 Considering that from a global perspective, the Asia Pacific Region is expected to experience the highest air traffic growth rate over the foreseeable future, the do-nothing approach is not an option. Some form of insightful institutional transformation or enhancement is essential. Therefore, Malaysia while supportive of the idea of carrying out a feasibility study for the establishment of the Civil Aviation Commission, would like to propose that the idea of *alternative solutions to a civil aviation commission* could also be given due consideration and analysed, so as to complement and complete the feasibility study being undertaken on the establishment of an APCAC. Such a thorough and comprehensive approach would enable the tabling of better final recommendations/proposals to 53rd DGCA Conference (2016) for endorsement of the way forward.

3. ACTION BY THE MEETING

3.1 The meeting is invited to:

- a) note the information contained in this paper; and
- b) discuss and amend the proposed Terms of Reference of the APCAC Task Force to include also ‘an analysis of alternative solutions to a civil aviation commission’.