

International Civil Aviation Organization



ICAO

The Eleventh Meeting of the Common aeRonautical
Virtual Private Network Operations Group (CRV
OG/11)

Bangkok, Thailand, 01-03 February 2023

Agenda Item 11: Review the progress on the next step for using the rest of CRV Pioneer State Contribution to the ICAO Managed Service Agreement (MSA)

**UPDATES ON CRV PIONEER STATES' REMAINING CONTRIBUTION TO
THE ICAO MANAGED SERVICE AGREEMENT (MSA)**

(Presented by the Secretariat)

SUMMARY

This paper presents an update on the recent development of using the balance fund of the MSA.

1. INTRODUCTION

1.1 In the CNS SG/21 meeting held from 17 to 21 July 2017, on behalf of Fiji, Hong Kong China, New Zealand, USA, and the ICAO Secretariat, USA presented WP/17 to propose a recommendation to the meeting to manage the remaining funds not used for the CRV selection process. The meeting endorsed Draft Conclusion CNS SG/21-DC6: *Amendment of the Management Service Agreement for CRV project (RAS14801)* for APANPIRG/28 adoption.

1.2 The APANPIRG/28 meeting held from 11 to 14 September 2017 adopted the **Conclusion APANPIRG/28/19: Amendment of the Management Service Agreement for CRV project (RAS14801)**.

1.3 The CRV OG and concerned States/Administrations have taken various follow-up actions for the Conclusion APANPIRG/28/19. However, the Conclusion remains one of the outstanding Conclusions up to APANPIRG/33 held in November 2022.

1.4 The CRV OG/9 meeting held from 25-27 January 2022 prepared and adopted the Revised Annex 1 to Management Service Agreement (MSA) to utilize in the remaining fund in 5 years starting from the actual date of adoption of the revised document by APANPIRG.

1.5 This paper summarized the action taken after CRV OG/9 for the abovementioned discussion.

2 DISCUSSION

2.1 The eighteen CRV Pioneer States/Administrations (*Australia, China, Hong Kong China, Macao China, Democratic People's Republic of Korea, Fiji, France, India, Japan, Malaysia, Myanmar, New Zealand, Philippines, Republic of Korea, Singapore, Sri Lanka, Thailand, and USA*)

had established **Management Service Agreement (MSA)** with ICAO Technical Cooperation Bureau (TCB) to select a common service provider for telecommunication service in the region. As a result, a common service provider was selected.

2.2 After the selection of the common service provider in 2016, a fund balance of USD 104,596 remained as on 31 March 2017. A decision was needed on the use of the remaining funds. The APANPIRG/28 meeting adopted the following Conclusion:

Conclusion APANPIRG/28/19: Amendment of the Management Service Agreement for CRV project (RAS14801)	
What: Recognizing that ICAO Technical Cooperation Bureau satisfactorily completed all the defined work items in the initial Management Service Agreement (MSA) and Project Document of RAS14801, that the required payments were settled, and that at the end of 2016, all the requirements of both parties have been fully completed and closed on record, That, i) all Pioneer States are encouraged to countersign the amended Project Document provided in Appendix D to the Report on Agenda Item 3.4 of APANPIRG/28; ii) any Pioneer State not countersigning is entitled to get its share of the remaining fund balance back, and iii) a Pioneer State for which a direct CRV connection is not considered feasible in 2017 by the selected vendor is entitled to get its initial contribution in full.	Expected impact: <input type="checkbox"/> Political / Global <input type="checkbox"/> Inter-regional <input checked="" type="checkbox"/> Economic <input type="checkbox"/> Environmental <input checked="" type="checkbox"/> Ops/Technical
Why: The initial scope of MSA was completed by ICAO TCB, which allowed for a successful evaluation process and selection of a best and final offer; a majority of Pioneer States are willing to use the rest of their initial contribution to continue to support CRV implementation.	Follow-up: <input type="checkbox"/> Required from States
When: 31-Mar-18	Status: Adopted by PIRG
Who: <input type="checkbox"/> Sub groups <input checked="" type="checkbox"/> APAC States <input checked="" type="checkbox"/> ICAO APAC RO <input type="checkbox"/> ICAO HQ <input checked="" type="checkbox"/> Other: CRV Pioneer States	

2.3 As on **31 December 2022**, the remaining fund for use are approximately **USD 88,000** (total of all remaining contributions from sixteen Pioneer States/Administrations) after refunding the remaining fund balance share to one pioneer State/Administration on request and excluding the contribution of a Pioneer State for which a direct CRV connection is not considered feasible in 2017 by the selected vendor.

2.4 The outstanding Conclusion APANPIRG/28/19 suggested **three** things to do by the Pioneer Member States:

1. all Pioneer States are encouraged to countersign the amended Project Document;
2. any Pioneer State not countersigning is entitled to get its share of the remaining fund balance back;
3. a Pioneer State for which a direct CRV connection is not considered feasible in 2017 by the selected vendor is entitled to get its initial contribution in full

2.5 The approved amended Project Document by the Conclusion **APANPIRG/28/19** was not sent for the signing of pioneer member states. However, most pioneer states expressed their interest in continuing the fund for CRV in various CRV OG meetings held afterward. Moreover, some clauses of the approved amended Project Document required modifications in 2021.

2.6 **The revised amended Project Document**, also known as **The revised Annex 1 to Management Service Agreement (MSA)**, was prepared and approved by the CRV OG/9 meeting held from 25-27 January 2022. The meeting endorsed the Draft Conclusion CRV OG/09/01: *Revised Amendment of the Management Service Agreement for CRV project (RAS14801)* for endorsement by ACSICG/9 and CNS SG/26 and adoption by the APANPIRG/33. As per *Revised Annex 1 to Management Service Agreement (MSA)*, the fund will be utilized in 5 years starting from the actual date of adoption of the revised document by APANPIRG.

2.7 To get the formal consent from the Pioneer States/Administration to utilize the remaining fund for the CRV as proposed by the CRV OG/9, the APANPIRG/33 adopted the following Conclusion APANPIRG/33/6 recommended by CNS SG/26:

Conclusion APANPIRG/33/6 (CNS SG/26/01): Revised Amendment of the Management Service Agreement for CRV project (RAS14801)	
What: Recognizing that ICAO Technical Cooperation Bureau satisfactorily completed all the defined work items in the initial Management Service Agreement (MSA) and Project Document of RAS14801, that the required payments were settled, and that at the end of 2016, all the requirements of both parties have been fully completed and closed on record, That, i) all Pioneer States are encouraged to countersign the revised amended Project Document provided in Appendix B to the APANPIRG/33 report; ii) any Pioneer State not countersigning is entitled to get its share of the remaining fund balance back. and iii) a Pioneer State for which a direct CRV connection is not considered feasible in 2017 by the selected vendor is entitled to get its initial contribution in full	Expected impact: <input type="checkbox"/> Political / Global <input type="checkbox"/> Inter-regional <input checked="" type="checkbox"/> Economic <input type="checkbox"/> Environmental <input checked="" type="checkbox"/> Ops/Technical
Why: The initial scope of MSA was completed by ICAO TCB, which allowed for a successful evaluation process and selection of a best and final offer; a majority of Pioneer States are willing to use the rest of their initial contribution to continue to support CRV implementation.	Follow-up: <input type="checkbox"/> Required from States
When: 24-Nov-22	Status: Adopted by PIRG
Who: <input checked="" type="checkbox"/> Sub groups <input checked="" type="checkbox"/> APAC States <input checked="" type="checkbox"/> ICAO APAC RO <input type="checkbox"/> ICAO HQ <input type="checkbox"/> Other:	

2.8 This Conclusion superseded the outstanding Conclusion APANPIRG/28/19: Amendment of the Management Service Agreement for CRV project (RAS14801).

2.9 ICAO Secretariat issued State Letter Ref.: T 8/2.15 –AP-CNS 00xx/23 dated **9 January 2023** and Ref.: T 8/2.15 – AP-CNS 0026/23 dated **17 January 2023** on the subject: - Revised Amendment of the Management Service Agreement for the CRV project (RAS14801) to Countersign the Revised amended Project Document or inform the intention to receive the share of the remaining fund balance to 16 pioneer states.

2.10 In response, **15** Member States countersigned the Revised amended Project Document and/or provided consent to utilize the remaining fund for the CRV. No responses were received from the **1** Member State.

2.11 As of today, the total of all remaining contributions for utilization for CRV is **USD 88,000**. The **exact remaining amount** could be shared after the response of **one State** that did not share its intention.

2.12 After finalizing of Terms of Reference for the approved task and estimated cost, if the remaining amount of is too low to utilize for agreed tasks, CRV OG may deliberate and decide on additional cost-sharing arrangements.

2.13 If it is agreed that the remaining amount is too low for approved work and there is no consensus for the remaining cost-sharing arrangement, it is proposed to refund the remaining share to all 16 pioneer States/Administrations.

3. ACTION BY THE MEETING

3.1 The meeting is invited to:

- a) note the information contained in this paper;
- b) deliberate the utilization of remaining fund of MSA; and
- c) discuss any relevant matter as appropriate.
