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Australian Government

Department of Infrastructure, Transport,
Regional Development, Communications and the Arts

Examination of the feasibility of an Asia Pacific Civil Aviation Commission

Final report on Part I: Information gathering on a Civil Aviation
Commission

Work group led by Australia with Bangladesh, China, Nepal and Sri
Lanka

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How we addressed your comments from RCM TF/10

- This final report takes into account your feedback from RCM TF/10 by:
 - including a new section on the four CAC's **achievements, challenges and future strategic directions**
 - providing additional information on **how each CAC interacts with ICAO and ICAO's regional offices** and the **funding arrangements** of the CACs
 - adding information on how the CAC's **engage with regional civil aviation stakeholders** and greater detail on **how the CACs work with each other to achieve their strategic objectives**
 - further considering **pre-conditions and assumptions**, including the formality of a CAC being a treaty-level institution or something less formal, as well as its scope.

ACAO's achievements, challenges and future strategic directions

- In 2022, the Secretary General of ICAO, Mr Juan Carlos Salazar, highlighted ACAO's recent successes as:
 - the diverse joint efforts between ICAO and ACAO, in **organising seminars, workshops, and training courses, which led to measurable improvements in SARPs implementation in Arab States across all of ICAO's Strategic Objectives.**
 - joint activities supporting the implementation of ICAO's Global Plans, through the implementation of regional collaboration frameworks.
 - ACAO's activities within the framework of the MID Recovery Plan Task Force, and the related EUR/NAT actions to support the implementation of the ICAO Council Aviation Recovery Task Force (CART) recommendations.
- Mr Salazar noted the challenges and economic potential for the Arab States and ACAO as including:
 - managing the recovery of aviation traffic.
 - decreasing air transport carbon dioxide emissions.
 - making the aviation sector more resilient to future public health outbreaks and other crises.
- ACAO has also achieved a number of strategic goals within ICAO, such as:
 - having all Member States nominated by ACAO to the ICAO Council elected at both the 40th and 41st ICAO Assemblies.
 - either co-sponsoring papers or having papers submitted by a Member State on behalf of ACAO's members, **seeking to influence the development within ICAO** of: a model to address the needs of the air cargo sector; cybersecurity culture strategy; and, updating of the Global Air Navigation Plan, among other things.

AFCAC's achievements, challenges and future strategic directions

- In 2013, the then AFCAC Secretary General, Ms Iyabo Sosina, noted that AFCAC had succeeded in assisting many Member States in **addressing and resolving their Safety Oversight Deficiencies and Significant Safety Concerns**. This has contributed to ensuring they continuously meet their safety oversight obligations in accordance with ICAO SARPs.
- Ms Sosina also noted AFCAC's key successes have stemmed from its ability to **work at the continental level** with various regions and Member States in Africa, and to **coordinate projects and programs** from stakeholders, including those from ICAO or funded by the EU.
- At the 40th and 41st ICAO Assemblies AFCAC **co-sponsored or submitted on behalf of its Member States a significant number of papers to inform ICAO of progress in the continent towards improving its civil aviation sector, to highlight Africa's need for additional assistance in a range of areas from ICAO and other stakeholders, and to advocate for Africa's interests and needs.**

ECAC's achievements, challenges and future strategic directions

- In 2021, Ms Ingrid Cherfils, ECAC President, noted some of ECAC's achievements as follows:
 - Eight ECAC Member States elected to the ICAO Council, and the election of Mr Salvatore Sciacchitano, former ECAC Executive Secretary, as ICAO Council President.
 - The **coordination of common European positions and papers** to the ICAO Assembly, ICAO Council, Panels and Working Groups and other ICAO forums.
 - **Regular meetings, signing of cooperation agreements and exchange of ideas and information** with other regional organisations and bilateral partners.
 - **Implementing capacity building projects** in Africa, the Middle East, and Eastern and Central Asia on behalf of the EU.
 - **Providing coordination and support** for Member States during the COVID-19 pandemic.
- At the 41st ICAO Assembly eight ECAC Member States were elected to the ICAO Council and ECAC **presented working papers seeking common positions** on topics such as building a resilient framework for future outbreaks, developing a framework for cybersecurity, access to persons with disability, and environmental issues, among other topics.
- ECAC has prepared a policy statement on its strategy for the future, which includes:
 - **Providing an opportunity for free and open discussion** between its Member States on key strategic issues, without binding implications.
 - **Supporting coordination** between ECAC Member States, notably during the case of a crisis situation or in extraordinary circumstances.
 - Supporting Member States through **working groups** which elaborate measures, recommendations, guidelines and good practices, perform analyses and draft position papers and policies, taking into account the need to prevent overlaps and duplication with other European aviation organisations.

LACAC's achievements, challenges and future strategic directions

- According to a paper presented by Uruguay at the 41st ICAO Assembly, cosponsored by some LACAC Member States, LACAC plays an important role in **concluding strategic agreements to promote capacity building** in Latin America. This includes arranging for access to training and coaching provided by States that are more advanced in aviation.
- Uruguay urged States that are more advanced in aviation to **channel assistance through regional civil aviation organisations**, such as LACAC, and encouraged the adoption of regional and interregional capacity building and training agreements.
- At the 40th and 41st ICAO Assemblies all Member States nominated by LACAC to the ICAO Council were elected.
- At the 41st Assembly, LACAC Member States either co-sponsored papers or had submitted papers with the support of some or all LACAC Member States, **seeking to influence** the development of: regional capacity building arrangements, GAsEP development, risk-based decision-making in safety oversight, cross-cutting issues between the GANP and GASP, and the translation of the GANP into all languages of ICAO.

ACAO's interactions with ICAO and ICAO's regional offices

- ACAO and ICAO have a **joint cooperation program**, currently covering 2023–25.
- ACAO and the ICAO MID Regional Office hold **regular meetings to develop closer coordination and joint cooperation**.
- In 2022 ACAO reported that it has been **improving its coordination** with the ICAO MID Regional Office and that the improvement has been both **quantitative** (as demonstrated by an increase in joint activities) and **qualitative**, with cooperation being driven by a **common strategic objective** to contribute to the achievement of the GANP, GASP and GAsEP and regionally to safety enhancement initiatives (SEIs) under RASG and PIRG.

AFCAC's interactions with ICAO and ICAO's regional offices

- AFCAC **collaborates closely** with the two ICAO Regional Offices in Africa:
 - the Eastern and Southern African Office (ESAF); and,
 - the Western and Central African Office (WACAF).
- Further to their **cooperation agreement**, this includes holding an **annual coordination meeting** between AFCAC, ESAF and WACAF to:
 - review programs of work;
 - align programs, events and meetings; and,
 - to develop synergies to complement assistance to be provided to States in implementing ICAO SARPs and global/regional priorities and targets while addressing current and emerging challenges.

ECAC's interactions with ICAO and ICAO's regional offices

- ECAC **cooperates closely** with the ICAO EUR/NAT Regional Office, which includes inviting the EUR/NAT Regional Director to present the latest developments taking place in the ICAO EUR region at meetings of ECAC Directors General.
- Other examples of close cooperation include:
 - ECAC and the ICAO EUR/NAT Regional Office jointly organising security seminars.
 - EUR/NAT security experts are regularly invited to attend the ECAC Security Forum. On a reciprocal basis, ECAC security experts are invited to AVSEC events organised by EUR/NAT.
 - ECAC is implementing, in partnership with EASA, a project that aims at upgrading the safety and security standards in the Eastern Partnership countries and Central Asia (involving some non- ECAC countries that are part of the EUR/NAT region) and offers the opportunity for similar cooperation through the participation of EUR/NAT experts in workshops organised by ECAC.

LACAC's interactions with ICAO and ICAO's regional offices

- LACAC **coordinates regional capacity building efforts** in Latin America, along with the ICAO South American (SAM) Regional Office and the ICAO North American, Central American and Caribbean (NACC) Regional Office. One of LACAC's main activities is to **conclude agreements with States and organisations in other regions to provide opportunities for Latin American States to access training.**
- LACAC is one CAC that has clearly indicated that it has challenges in its engagement with ICAO. LACAC has called on ICAO to increase its cooperation with it through a more effective, better planned, and tangible coordination such as by establishing suitable procedures for communications, delivery of information, teamwork, and consultation mechanisms.

CACs cooperating to achieve their strategic objectives

- The CACs have MOUs with each other and work closely with the AU, EU, LAS, the United Nations, civil aviation organisations, and industry.
- The MOUs between the CACs extend to:
 - information exchanges; cooperation through exchanging letters and documents; mutual visits and executive visits; invitations to attend meetings and consultations and coordination; identification of joint projects; and, training.
- In September 2022 the secretariats of the CACs met to discuss issues related to reciprocal support for working papers and for the election of the Council at the 41st ICAO Assembly.
- In February 2023 the leaders of the four CACs met to:
 - strengthen the relationship and cooperation among them;
 - agree on actions that support a safe, secure, and sustainable development of air transport; and,
 - reiterate their commitment to the ratification of the two 2016 Protocols amending the Chicago Convention.

Other additional information

- ACAO, AFCAC, and LACAC, were created by treaty-level instruments. This creates legal rights and obligations for Member States and is binding on them. ECAC was established as an **intergovernmental organisation** of less-than-treaty status.
- While the CACs each have a technical advisory and coordinating role, AFCAC has been given a political and regulatory role by its Member States to implement the Yamoussoukro Decision on air liberalisation in Africa and the SAATM.
- Funding-wise, in addition to the CACs' ordinary sources of revenue, specific projects may be funded by one or more Member States or international organisations. For example, ECAC was funded by the EU to support programs of work in Africa, the Arabian Peninsula, and Central and Eastern Europe to improve cargo security.

Preconditions & operating assumptions

- Noting that the CACs were initially related to the regional and political concerns of the 1950s and 1960s, the preconditions and assumptions underpinning an APCAC would be related today to the **contemporary needs of States in our region**.
- How those needs could be addressed through an APCAC include consideration of:
 - What level of status an APCAC could be given? E.g. Something of less-than-treaty status.
 - The extent to which it would be a technical advisory body or a coordinating forum to promote collaboration.
 - The desirability of **promoting the needs of States in the Asia Pacific region collectively through common regional positions** through the ICAO Assembly, ICAO Council, and panels and working groups, particularly given the existing four CACs promote common positions in these forums, to the exclusion of our region.
 - The need for **regional coordination on capability and capacity building and training** in cooperation and coordination with the ICAO Asia Pacific Regional Office.
 - The capacity and mechanisms for **finding existing areas of common needs among States in our region, agreement on common existing positions, and future consensus building**.

Next steps

- **For endorsement** as the final report for Part I: Information gathering on a Civil Aviation Commission.