

11th Meeting of the Regional Coordination Mechanisms Task Force

Bangkok, Thailand
26th – 27th July 2023

Asia Pacific Civil Aviation Commission (APCAC) Feasibility Study – Part II

(Presented by the Part II working group)

Executive Summary

The 57th DGCA Conference tasked the Regional Coordination Mechanisms Task Force (RCM TF) to assess the feasibility of establishing an Asia-Pacific Regional Civil Aviation Commission (APCAC). The RCM TF has approached this task in three parts:

- Part I: Information-gathering about a Civil Aviation Commission (CAC).
- Part II: Identifying the problem and opportunities.
- Part III: Assessment of the feasibility of an APCAC.

This report focusses on Part II: the challenges and opportunities the region faces, and thus the nature of the problem or problems the Asia-Pacific region is facing.

The challenges and opportunities the Asia-Pacific region faces largely stem from changes occurring in civil aviation now, and in the medium- to long-term. Growth in aviation activity, environmental pressures, rapid changes in technology all present challenges and opportunities for aviation.

This report has identified **five options** for the region to address these challenges, each of which responds differently to the challenges and opportunities; and each of which would require different levels of commitment for the States within the Asia-Pacific region.

Action: The RCM TF is invited to:

- a. **Discuss** the contents of this paper;
- b. **Agree** on the list of challenges that the region is facing that are detailed in Section B; and
- c. **Agree** on the available options that have been proposed to address these challenges in Section C.

Introduction

1. The 57th DGCA Conference tasked the RCM TF to examine the feasibility of establishing an Asia-Pacific Civil Aviation Commission (APCAC). Two papers were presented to the 57th DGCA proposing that an APCAC be established. Consensus to support the proposals was not reached.
2. The RCM TF determined to undertake its work in three parts:
 - Part I: Information-gathering about a Civil Aviation Commission (CAC).
 - Part II: Identifying the problem and opportunities.
 - Part III: Assessment of the feasibility of an APCAC.
3. This report relates to **Part II: Identifying the problem and opportunities**. It was prepared by a working group led by New Zealand, with representatives from Fiji, Japan, the Republic of Korea, Singapore and the United States of America.
4. This report:
 - Identifies the challenges facing the Asia-Pacific (APAC) region.
 - Discusses the options that could be adopted to address those challenges.
 - Notes some of the existing coordination mechanisms used by the region.

Note: Part II does not explicitly explore problems and opportunities relating directly to the possible establishment of an APCAC. Instead, it looks at the current frameworks to enhance civil aviation collaboration and coordination across the APAC region. Information from Part II will feed into Part III — the feasibility study — which will examine the feasibility of establishing an APCAC.

Section A: Background

5. At the 54th Asia Pacific Directors-General of Civil Aviation Conference (DGCA/54) in Ulaanbaatar, Mongolia, in August 2017, the APCAC Task Force (APCAC TF) presented a progress report on the feasibility of the potential establishment of a Civil Aviation Commission for the APAC region. This report determined that there was insufficient basis to establish an APCAC.
6. Accordingly, the Conference agreed to conclude the APCAC feasibility study and establish a new Task Force to focus exclusively on strengthening and evolving existing regional mechanisms for regional cooperation, towards capability- and capacity-building and technical assistance. The Regional Coordination Mechanisms Task Force (RCM TF) was established to undertake this work.
7. At the DGCA/57 in Incheon, Republic of Korea in July 2022, there were two discussion papers tabled in relation to a renewed proposal for the establishment of an APCAC (DP/11a/4 and DP/11a/3). While acknowledging these discussion papers, the Conference entrusted the RCM TF to examine the feasibility of an APCAC as part of its work programme and report on progress to the next DGCA Conference, to be held in Dhaka, Bangladesh in October 2023.
8. This paper comprises three sections:
 - **Section A:** provides background and contextual information including the history of this work and an overview of the APAC region.
 - **Section B:** describes the challenges faced by the region and identifies a range of opportunities that may emerge if the challenges are addressed.
 - **Section C:** describes some of the options that could be adopted to address the challenges.

An overview of the ICAO Asia-Pacific region

9. The APAC region consists of 39 ICAO Member States and 13 Territories. It has liaisons with two Special Administrative Regions of China and has 49 Flight Information Regions. The APAC region is significantly different to other ICAO regions, being the most populous and geographically vast region.
10. The diversity of the APAC region is prominent and reflected in various ways. This includes:
 - a. APAC States have different political and judicial systems;
 - b. There is significant diversity in economic size and development of States, such as differences in GDP;

- c. The region is linguistically and culturally diverse;
- d. States are subject to geographical differences – some are isolated, whereas others are densely populated. In addition, the region is home to both landlocked and small island developing States; and
- e. There are different levels of size, complexity, and maturity in States' aviation systems.

11. These differences are both a strength and a weakness. Both ICAO and APAC States have recognised that this diversity can pose challenges. The attainment of a safe, secure, and environmentally sustainable aviation system across the region requires close collaboration and coordination amongst States, the aviation industry, and safety and security partners.

Section B: Challenges facing the APAC region

12. Aviation across the globe is changing in many ways and the challenges resulting from those changes are complex. These challenges range from those related to post-pandemic sector recovery and economic growth, to those associated with the environment, security, and technological advances.

13. The challenges faced specifically by the APAC region can be summarised as follows:

a. **The APAC region is one of the fastest-growing aviation economies in the world, although this growth is not even across the region. As the sector grows and changes, that creates challenges that relate to:**

- i. Ensuring the region moves forward as a whole and that less-advanced States are provided adequate assistance to make sure they are not left behind.
- ii. Ensuring there is adequate infrastructure investment in aviation safety and security facilities and technology.
- iii. Ensuring the region can enable a timely response to sector demands and advancements in relation to emerging technologies, which are moving much faster than anticipated.

b. **Concerns about the environmental impacts of aviation are growing. As the sector responds, such as by adopting the use of sustainable aviation fuels, new electric propulsion systems, etc., the challenges emerge as:**

- i. Ensuring the region can contribute to ICAO's long-term global aspirational goal (LTAG) for international aviation of net-zero carbon emissions by 2050.
- ii. Adequately regulating areas of emission-reducing innovations (such as electric propulsion systems) that challenge the status quo.
- iii. Implementing the Carbon Offsetting Reduction Scheme for International Aviation (CORSIA) across the region.
- iv. Increasing the production and development of sustainable aviation fuels and clean energy and encouraging usage of these products across the region.

c. **Building two types of capacity and capability will be a challenge:**

- i. First, in relation to the technical capability and capacity to establish, operate and maintain **aviation services** as the sector rapidly grows and evolves at different rates and in different ways across the APAC region.
- ii. Second, in relation to having the necessary **regulatory capability** (safety, security, environmental, economic) to oversee the sector and ensure its ongoing safety and secure operation in a harmonised way.

14. These challenges are complicated by the diversity of the region, and the specific interests of individual States. Consequently, an additional challenge is faced:

- d. **Finding ways of enabling cooperation and collaboration on matters of common interest, and representing these to ICAO, whilst also enabling States to represent their own individual views as may be appropriate.**

Opportunities

15. If these challenges are appropriately addressed, the region can take advantage of various opportunities that will enhance aviation safety and security. These opportunities can be summarised as follows:

16. There is an opportunity for the APAC region to enhance its collaboration and coordination to assist with mitigating challenges. This will:

- a. Allow the region to work further towards harmonised goals and initiatives, thus improving the cohesiveness across the region.
- b. Allow for more systematic approaches to be adopted in relation to improving safety, security, and environmental issues.
- c. Likely establish a bridge between States and enhance state-to-state relationships, as well as relationships with ICAO and industry bodies. This will further contribute to a more harmonised regional and global aviation system, regardless of political arrangements and different rates of growth across the region.
- d. Likely assist with the need for increased response and cooperation for the recovery of the aviation sector from COVID-19, response to climate change in the aviation sector, and the continuous improvement of aviation safety and security.

- e. Encourage advocacy and support at a regional level of common positions of APAC Member States at international fora relating to civil aviation.

17. There is an opportunity for the region to embrace the diversity of States and draw on differences as a strength, not a weakness, to further enhance collaboration, coordination, and innovation. This will:

- a. Encourage richer thinking, more diverse ideas, and different approaches to aviation issues by recognising differences amongst States.
- b. Encourage creativity and innovative solutions when dealing with new technologies that go against the status quo.
- c. Result in better decision-making that will likely accommodate for the different rates of growth and development across States.

18. There is an opportunity to make sure there are effective assistance and capacity-building mechanisms in place to improve aviation safety and security across the region and ensure that no country is left behind. This will:

- a. Ensure that the regional mechanisms in place are linked to regional priorities and are achieving what they are meant to do.
- b. Likely encourage greater uptake and utilisation of mechanisms by States.

Section C: Options to address the challenges and leverage the opportunities

19. The APAC region has already established several civil aviation collaboration and coordination mechanisms. These mechanisms generally have a technical focus (e.g., on areas such as air navigation or certification processes) as opposed to a strategic focus. **Annex 1** provides examples of existing collaboration and coordination mechanisms.
20. As evidenced by the challenges summarised in Section B, the issues confronting aviation are changing and sit alongside those that have previously been addressed through traditional mechanisms. Increasingly, there are matters of policy that reflect the emergence of complex issues (e.g., environmental protection requirements).
21. While the role of the existing mechanisms remains important, there is a need to look ahead and think about the emerging issues the region will face. We should also acknowledge that these emerging issues will not necessarily have an “even” impact on the region (in other words, some matters will be more important at a sub-regional level than a whole-of-region level).
22. There are **five broad options** that the region could adopt to effectively address the challenges and leverage the opportunities discussed in Section B. These can be summarised as:
 - a. **Maintaining the status quo.** This would see the region continue to operate as it currently does and would not make any changes to the existing framework. It is extremely likely that, under this option, the challenges identified would remain prevalent.
 - b. **Enhancing existing mechanisms.** This approach would mean revising the existing mechanisms (where appropriate) to enable them to address the issues emerging from the challenges and opportunities faced by the region.

For example, the annual Directors General of Civil Aviation (DGCA) Conference could be revised to focus on emerging issues such as the environment, new technologies (e.g., SAFs), in addition to (or instead of) the current standing items related to air navigation. The DGCA could be used to establish whole-of-region positions, with States being able to “opt in” (or out) of those positions. The DGCA could then present these positions through jointly sponsored papers at meetings such as the triennial ICAO Assembly.

c. **Introduce new collaboration and coordination mechanisms that specifically address the new and emerging issues.**

New coordination mechanisms that stand alongside the existing Planning and Implementation Regional Groups (PIRGs), Regional Aviation Safety Groups (RASGs), Regional Aviation Security Coordination Forums (RASCFs), etc. could be established. These new coordination mechanisms would have a policy, operational and technical focus, and use the DGCA as a vehicle for States to club around issues and represent positions to other ICAO fora.

For example, a Regional Aviation Environmental Sustainability Group (RAESG) concept could be established, and tasked to consider from policy, operational and technical perspectives (via sub-groups), issues emerge, such as the DGCA, specific recommendations that States within the region could opt to support collectively, via regional State sub-groupings.

d. **Establish a sub-regional Civil Aviation Commission(s).** This option would see States with strong common interests from within the APAC region form a 'sub-regional' aviation commission and work together on common interests. Those States that decided to club together would fund, support, and manage the commission independently of other APAC region Member States.

All other regional coordination and collaboration mechanisms would continue.

e. **Establish an Asia-Pacific Civil Aviation Commission.** This option would result in the establishment of an Asia-Pacific Civil Aviation Commission that includes all current APAC region Member States. Within this option are further choices, including the degree to which the decisions of the Commission would be binding on the Member States, the processes that would be in place for States to express their own views at ICAO forums when they do not agree with the position adopted by the Commission, the mechanisms for funding, and support, and the physical location of a Commission such that no States feel unduly "left out".

23. Of the options identified, maintaining the status quo (**option a**) would seem least viable. The Asia-Pacific, like almost every other ICAO region, faces unique challenges in the near-, medium- and long-term. The existing mechanisms for coordination and collaboration at technical and operational level have their place. They may need revision, and some realignment to retain their usefulness. However, the existing mechanisms do not seem appropriate for addressing the challenges and emerging issues at a regional

or sub-regional level — particularly if policy questions are to be considered, alongside operational and technical matters.

24. Policy questions will often require engagement from different parts of a State's government (e.g., a number of regional National Aviation Authorities do not lead aviation environmental matters on behalf of their State).

25. A full APCAC (**option e**) also has significant issues associated with it. Specifically, if a full APCAC was established, there are significant issues to be resolved as to how binding the position of a Commission on any specific issue would be for member States. In essence, a full Commission would, at one extreme, require States to give up some independence, and defer to the position a Commission establishes on specific issues.

26. Given the issues identified in the challenges and opportunities sections above, **options b through d**, either individually, or in some combination, will likely better position the region to:

- a. Make better use of existing regional mechanisms for collaboration and coordination;
- b. Move forward in a consistent and effective way, inclusive of all Member States;
- c. Appropriately address new and challenging areas within the aviation sector, such as concerns relating to the environment, and the uptake of emerging technologies across the region;
- d. Build significant capability and capacity to ensure a safe and secure aviation system; and
- e. Embrace diversity to encourage innovation and creative solutions to a range of technical and strategic issues that are becoming more prevalent across the region.

Annex 1: Examples of existing regional coordination and collaboration mechanisms

28. To help achieve regional priorities and enhance collaboration and coordination, the region has a large range of existing mechanisms in place to assist.

Note: The table below is not intended to be exhaustive, but rather captures key bodies that are used for regional collaboration and coordination purposes.

Mechanism	Objective
Directors General of Civil Aviation (DGCA) Conference	<p>The Conference of Directors General of Civil Aviation Asia and Pacific Regions (more commonly known as the DGCA Conference) is an annual meeting with rotational hosting responsibilities. The aim of the conference is to supplement ICAO processes by bringing APAC Directors General together to discuss strategic and policy matters affecting aviation safety and security across the region.</p> <p>The DGCA Conference gives the opportunity for all member States to be represented.</p>
Regional Coordination Mechanisms Task Force (RCM TF)	<p>Following the conclusion of the first APCAC feasibility study that was prepared in 2016-2017, the 54th DGCA Conference (Ulaanbaatar, Mongolia, 2017) agreed to establish a new Taskforce to focus exclusively on strengthening and evolving existing regional mechanisms for regional cooperation, towards capability and capacity building and technical assistance. The TF was reconvened in the second half of 2022 to resume its work after a pause due to the pandemic.</p>
Regional Aviation Safety Group – Asia Pacific (RASG-APAC)	<p>RASG-APAC was endorsed at the 47th DGCA Conference (Macao, China, 2010) as a focal point to ensure harmonisation and coordination of efforts aimed at reducing aviation safety risks for the APAC region¹.</p>
Asia-Pacific Air Navigation Planning and Implementation	<p>APANPIRG was established in 1991 by the ICAO Council, and seeks to:</p> <ul style="list-style-type: none"> • ensure continuous and coherent development of the Asia/Pacific Regional Air Navigation Plan and other relevant regional

¹ [Annual Safety Report Asia Pacific Region 2017 \(icao.int\)](https://www.icao.int/annual-safety-report/asia-pacific-region-2017)

Regional Group (APANPIRG)	<p>documentation in a manner that is harmonized with adjacent regions, consistent with ICAO SARPs and Global Air Navigation Plan (Doc 9750) and reflecting global requirements.</p> <ul style="list-style-type: none"> • facilitate the implementation of air navigation systems and services as identified in the Asia/Pacific Regional Air Navigation Plan with due observance to the primacy of air safety, regularity, and efficiency; and • identify and address specific deficiencies in the air navigation field.
ICAO APAC Regional Office	<p>The primary role of the ICAO APAC Regional Office is to foster the planning and implementation by States of the following ICAO provisions: International Standards and Recommended Practices (SARPs), Procedures for Air Navigation Services (PANS), and Regional Air Navigation Planning, for the safety, security, and efficiency of air transport. The Regional Office also provides many secretariat services for other mechanisms (such as DGCA and RCM TF).</p>
Existing State-to-State multilateral relationships and bilateral mechanisms	<p>Established by States on a case-by-case basis.</p>
State-to-ICAO relationships	<p>Established between States and ICAO on a case-by-case basis.</p>
APAC Ministerial Conference	<p>Established to provide a forum for Ministers and their representatives to discuss and decide strategies for managing future safety and air navigation enhancements within the region. The first conference was held in Beijing, China in 2018, with the second conference set to be held in New Delhi, India in late 2023.</p>
TRAINAIR Plus Programme	<p>Aims to assist with achieving the ICAO goal of improving the safety and efficiency of air transport through the establishment, maintenance and monitoring of high standards of training and competency of aviation personnel on a world-wide basis and in a cost-effective manner.</p>
ASEAN Air Transport Meetings	<p>Made up of South East Asian States, and comprises of various sub-working groups under the wider ASEAN Air Transport Working Group. These sub-groups include:</p> <ul style="list-style-type: none"> • ASEAN Air Transport Economic Cooperation Sub-Working Group

	<ul style="list-style-type: none"> • ASEAN Air Transport Technical Cooperation Sub-Working Group • ASEAN Air Transport Sectoral Negotiations • ASEAN Transport Search and Rescue Forum
COSCAPs	<p>The Cooperative Development of Operational Safety and Continuing Airworthiness Programmes (COSCAPs) are designed to enhance the safety and efficiency of air transport through the establishment of a self-sustaining sub-regional cooperative entity providing technical services in safety oversight to Member States.</p> <p>COSCAPs are implemented by ICAO and comprise DGCA's of participating States, ICAO representatives, and other organisations.</p>