Examination of the Feasibility of an Asia Pacific Civil Aviation Commission

Part III – Report Outline

Section 1: Recap of Parts I and II

1.1   Impetus for the Feasibility Study

1.1.1   At DGCA/57, The Republic of Korea and Bangladesh had each presented a Discussion Paper (DGCA57/DP/11a/3-4[1]) on the proposed formation of an Asia Pacific Civil Aviation Commission (APCAC).

1.1.2   DGCA/57 noted that the feasibility of an APCAC had been studied before by the APCAC Task Force. A feasibility study had concluded in 2017 at DGCA/54 that there was insufficient basis to establish an APCAC. DGCA/54 had agreed then, to establish under Action-level item DGCA 54/25, a new Task Force (RCM Task Force) to focus exclusively on strengthening and evolving existing regional mechanisms for regional cooperation, towards capability and capacity building and technical assistance.

1.1.3   The DGCA/57 agreed to entrust the RCM TF to examine the feasibility of an APCAC as part of its work program. Please see DGCA Action Item 57/63:

> While acknowledging the Discussion Papers from the Republic of Korea and Bangladesh and noting that:
>
> a) increasing the future level of Asia Pacific membership on the ICAO Council and ratification had been responded to by the Conference in the Action-level Item 57/61 and Action-level Item 57/62;
> b) the Regional Cooperation Mechanisms (RCM) Task Force is resuming its work (reference Action-level Item 57/60) to continue its current work program;
> c) the priority for the region should be the recovery of aviation in the current circumstances;

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[1] Action Items for DGCA57/DP/11a/3, presented by Bangladesh:
   a) Urge the States/Administrations to establish the Asia-Pacific Civil Aviation Commission, on the condition that each Member State will enjoy equal rights in terms of participation and representation at the ICAO Council in Part III on a rotational basis; and
   b) Encourage the States/Administrations to ensure that the Presidency of the Commission should be on a rotational basis, with each State serving one (1) term of three (3) years.

Action Items for DGCA57/DP/11a/4, presented by Republic of Korea
   a) Support the plan to establish the Asia Pacific Civil Aviation Commission;
   b) Support the proposal that the establishment of the Asia Pacific Civil Aviation Commission be first pursued with the member countries that agree to the establishment; and
   c) Support the proposal for the composition and operation of the working level Task Force.

The Conference:

  a) encouraged Bangladesh and other States/Administrations to join the RCM Taskforce; and
  b) entrusted the RCM Taskforce as part of its work program to include examination of the feasibility of an APCAC and report on progress to the next DGCA Conference.

1.2   Priorities of the APAC Region

1.2.1 From Part I of the feasibility study (concluded in July 2023), as demonstrated by discussions at DGCA, States in the region are increasingly in alignment on:

  a) acknowledgement that the status quo does not suit the needs of the region;
  b) consideration of more structured coordination and cooperation on strategic policy and implementation support, as well as directions that could help address the needs of the region; and,
  c) commitment to examining the feasibility of a forum to address the needs of the region, including the objectives of such a forum and the resourcing required.

1.2.2 Part II of the feasibility study has identified several challenges faced by the region. In summary:

  a) Ensure States/Administrations level up capabilities, particularly in safety and security, to enable the region to move forward as a whole as one of the fastest growing aviation economies in the world.
  b) Equip the region with the necessary capabilities to enable a timely policy and regulatory response to the proliferation of emerging technology, maintaining and safe and secure aviation system.
  c) Assist States/Administrations with readiness on a case-by-case basis to address ICAO's long-term global aspirational goal (LTAG) for international aviation of net-zero carbon emissions by 2050.
  d) Continue to build technical and regulatory capacities and capabilities.
  e) Enhance regional cooperation and collaboration with finite resources.
  f) Gain ICAO's support for assisting with the region's priorities.

1.2.3 Part II has identified several opportunities arising from these challenges. They are:

  a) Enhance collaboration and coordination to assist with mitigating challenges through systematic approaches, enhanced state-to-state relationships and that with ICAO and Industry.
  b) Embrace the diversity of States and draw on differences as a strength, not a weakness through diverse thinking, innovation, and creativity.

c) Ensure effective assistance and capacity-building mechanisms in place to improve aviation safety and security across the region.

1.3   Three Options for the Examination of the Feasibility of an APCAC

1.3.1   The DGCA/58 noted the preliminary insights and findings of the work done by the RCM TF in examining the feasibility of an APCAC and endorsed the options "strengthening existing mechanisms" and "developing new mechanisms" to be considered in the final phase of the work to examine the feasibility of the APCAC. The first option (status quo) was deemed untenable by the study in view of the challenges faced by the region.

1.3.1.1   **Option 2: Existing mechanisms revised and enhanced:**
Pre-condition: All States would be required to commit to these enhancements through active and regular participation and commitment of resources.

1.3.1.2   **Option 3: New mechanisms**
Pre-condition: The region must agree to the establishment of these new mechanisms including commitments on States to fully participate, resource, and formalise such mechanisms as necessary.

Section 2: Potential Initiatives

2.1   Introduction

   a) The current landscape in the region involves two main types of mechanisms, determined by the content of discussion, level of participation and desired outcomes. These can be broadly split into **high-level** mechanisms and **domain-specific** mechanisms.

   b) **High-level** mechanisms typically involve strategic / policy level discussion and asks for a higher level of participation. The outcome is to align, at a top-level, the priorities and action-level items of the region. Examples includes the Directors-General of Civil Aviation (DGCA) Conference held yearly, the Asia Pacific Ministerial Conference for Civil Aviation, and the Asia Pacific Air Navigation Service Providers Committee (AAC).

   c) **Domain-specific** mechanism typically involve technical / operational level discussion and asks for participation of subject-matter experts. The outcome is to plan, operationalise and maintain initiatives that lead to the region's priorities. Examples include the Asia/Pacific Air Navigation Planning and Implementation Regional Group (APANPIRG), the Regional Aviation Safety Group Asia and Pacific Regions (RASG-APAC), and the various Cooperative Development of Operational Safety and Continuing Airworthiness Programmes (COSCAP).

   d) These mechanisms have served the region and has shown its usefulness. Yet, given the changing needs and priorities of the region, there is impetus to review the current shape and form of these mechanisms, how each of these mechanisms interact with one another, and to explore new mechanisms. These are detailed in the next two sub-sections.

2.2   Examples of ways to strengthen existing mechanisms

   a) Institutionalise the APAC Ministerial Conference to set priorities and focus for the region to provide political buy-in to execute the regional declarations, such as the Beijing Declaration, and the upcoming Delhi Declaration to be endorsed at the 2nd APAC Ministerial Conference in September 2024.

   b) Enhance DGCA Conference
      i. Establish a platform for APAC Directors-General (DGs) to meet and discuss priorities, and key and emerging issues at the sidelines of the DGCA Conference;
      ii. DG-level meeting with ICAO APRO to drive agenda items, topics and key issues to be discussed, ahead of each DGCA Conference
      iii. Formalise "Updates by the Montreal Group" as a regular standing agenda item at the DGCA Conference to apprise APAC DGs on key discussions held at ICAO HQ which may have implications on the APAC region; and

iv. Enhance the agenda of the DGCA Conference to have sharpened focus on key issues of regional interests, for e.g. the platform for APAC DGs could also be the channel to curate the papers or topics to be presented by States and/or APAC region as a whole, such as a regional paper to seek ICAO's support and additional resources for the APAC region.

c) Develop a regional training cooperation framework for training academies in the region to facilitate cooperation in the provision of training in key areas, leveraging on the existing ICAO TRAINAIR plus programme. A key deliverable will be an annual regional training symposium.

d) Enhance APANPIRG and RASG
   i. Review respective mechanisms' Terms of Reference, and its objectives may be carried out, and how they could interface with the other mechanisms in the ecosystem
   ii. Enhance the inter-grouping coordination of current APANPIRG-RASG coordination meeting to better help APAC States achieve the region's priorities

e) Further support the ICAO APAC Regional Office (APRO) by encouraging APAC States to provide more:
   i. Secondees to the APRO;
   ii. Subject matter experts to support ICAO's initiatives to meet the region's priorities, for e.g. the COSCAP and Combined Action Team mission; and
   iii. Voluntary funds in areas which will help achieve the region's priorities.

f) Seek additional resources for the APRO to achieve the priorities for Asia Pacific region

2.3 Examples of new mechanisms which could be adopted by the region to achieve its outcomes

a) Establish Asia Pacific Civil Aviation Commission with agreement from the region.

Section 3: Evaluation Methodology

3.1   Making reference to the work in Parts I and II, the evaluation methodology seeks to evaluate the proposed initiatives against the priorities of the region, among other considerations including the implementation process and the likelihood of success.

3.2   Proposed Evaluation Criteria

a) **Effectiveness in achieving outcomes of the region**
   - Gaining ICAO's support
   - Assistance and capacity-building to level up capabilities
   - Readiness to address future challenges
   - …

b) **Inclusiveness of the region**
   - Participation of States/Administrations involved
   - Potential of causing fragmentation in the region
   - …

c) **Ease of implementation**
   - Political will
   - Legal systems and processes
   - Time needed
   - …

d) **Cost / resources required**
   - Costs to set up – monetary, expertise / manpower to set up, determine structures
   - Costs to sustain – financial, man-hours to execute, participation
   - Determining if/how the different States / Administrations will contribute financially
   - …

Section 4: Recommendation

4.1   Based on the above evaluation, to summarise key insights and propose recommendation(s) for DGCA Conference's discussion and endorsement.