

**57th CONFERENCE OF
DIRECTORS GENERAL OF CIVIL AVIATION
ASIA AND PACIFIC REGIONS**

*Incheon, Republic of Korea
4 – 8 July 2022*

AGENDA ITEM 11: OTHER BUSINESS

**PROPOSAL FOR DISCUSSION ON THE ESTABLISHMENT OF
APCAC (ASIA PACIFIC CIVIL AVIATION COMMISSION)**

Presented by the Republic of Korea

SUMMARY

DGCAs are strongly recommended to support the plan to establish the APCAC for the enhanced common interest of the region through better cooperation and communications.

PROPOSAL FOR DISCUSSION ON THE ESTABLISHMENT OF APCAC (ASIA PACIFIC CIVIL AVIATION COMMISSION)

1. BACKGROUND

1.1 The Asia Pacific region's aviation industry has continued to grow. There has been some difficulties due to the COVID-19 Pandemic, but the situation is steadily recovering.

1.2 The need for world aviation's joint response and cooperation is increasing for the aviation recovery, response to climate change in the aviation sector, and the continuous improvement of aviation safety, security and etc.

1.3 Other regions have closely consulted on these international aviation issues and strengthened cooperation with member states of the region and ICAO through AFCAC, ECAC, LACAC, ACAO, whereas the APAC region does not have such a consultation mechanism.

1.4 Moreover, in the Asia Pacific region, there are 39 ICAO member states, and the level of development in the aviation sector also differs widely among the member countries, which increases the need for closer consultations.

1.5 Based on these characteristics, it is necessary to establish a more systematic and regular consultation mechanism for regional aviation cooperation as well as for strengthening cooperation with ICAO and other civil aviation commissions on other continents.

2. PROBLEMS WITH THE CURRENT MECHANISM

2.1 Other regions have mechanisms to discuss together for the common good, such as discussing and making decisions on important issues through the regional civil aviation commissions such as ECAC, AFCAC, LACAC, and ACAO. In the Asia Pacific region alone, without such a permanent consultative body, major discussions have been held through the Asia Pacific DGCA Meeting once a year, but there are limitations compared to the Civil Aviation Commission. Above all, there are many difficulties in the effective implementations of the discussion results.

2.2 In addition, the Civil Aviation Commission shares and consults with ICAO on regional aviation issues through close consultations with the ICAO Council President, Secretary General, and Council Representatives. However, it is difficult to properly reflect the opinions of the Asia Pacific region in the ICAO Council and other discussion processes, as the annual meeting of the Asia Pacific DGCA meeting alone does not have a sufficient consultative function.

3. PREREQUISITES FOR DISCUSSION ON ESTABLISHMENT OF THE ASIA PACIFIC CIVIL AVIATION COMMISSION

3.1 There have been discussions about the establishment of the APCAC before, but an agreement could not be reached due to various differences of opinion. The most sensitive and sharp disagreement was the argument for alternately taking over the existing 7 Council memberships of the Asia Pacific region in a rotation group method.

3.2 In fact, as the current seven Asia Pacific member states have become members due to their own efforts and are continuing their terms of office, rotating with other member states is something that cannot be agreed upon.

3.3 However, it can be confirmed from the past long-term election results that it is practically impossible for countries in the Asia Pacific region that want to become Council Member States, to be newly elected as Council members through elections, without increasing the number of Council members.

3.4 Therefore, in order to be newly elected as a Member State of the Council from the Asia Pacific region, it is only possible to increase the number of Council members, as in the past.

3.5 Fortunately, the 2016 Assembly decided to increase the number of Council Memberships by four and ICAO member states are currently in the process of ratification. As of June 20, 2022, seventy of States have ratified, and therefore it is expected that a total of forty Council members will be elected at the General Assembly in 2025 at the earliest.

3.6 Therefore, in the Asia Pacific region, it is most important to work together to secure at least one of the four increasing memberships so that the member states of the Asia Pacific region can advance to the Council.

3.7 Africa (AFCAC) with 54 member countries has 8 members, Europe (ECAC) with 44 member countries has 8 members, Latin America (LACAC) with 22 member countries has 8 members, and the Middle East (ACAO) with 22 member countries has 2 members in the ICAO Council. On the other hand, Asia Pacific, with 39 member countries, has only 7 members.

3.8 Considering the proportion of that of the Asia Pacific region in the world aviation industry, the number of Asia Pacific member states of the total ICAO member states, and the portion of Asia Pacific region's financial contribution to the ICAO budget, the Asia Pacific region's representation in the ICAO Council should be expanded, which is supported by many other countries.

3.9 In relation to this expansion of ICAO representation, the following three prior agreements are required within the Asia Pacific region.

3.10 First, the status of the existing 7 member countries was secured through their own efforts, so they should be recognized as vested interests.

3.11 Second, a new council member from Asia Pacific region should be based on a future secured additional membership out of increasing 4 memberships, only if it is secured.

3.12 Third, which sub-region or country in the Asia Pacific region should be a candidate for a new member state of the Council should be discussed and decided only after the Asia Pacific region secures one of the four increasing memberships.

3.13 As in the past, if we start discussing about rotating the existing 7 member states' places with other member countries, or about the issue of which sub-region or country should take the additional member seats from the beginning, the discussion of establishing the APCAC itself will be difficult to achieve, similar to the past experience.

3.14 Therefore, an agreement is needed to work together first to enhance the common interest of the entire Asia Pacific region and to discuss how to select new Council candidates after that.

3.15 However, in order to secure one membership out of 4, the establishment of a Civil Aviation Commission and joint response through it is absolutely necessary in the Asia Pacific region, like other regions.

3.16 Regarding the establishment of the Civil Aviation Commission in the Asia Pacific region, the Republic of Korea (ROK) has sought advice from the ICAO Council President, Secretary General, former and current Asia Pacific Regional Office Directors, Asia Pacific Council Representatives, other regional Council Members, and some Asia Pacific Civil Aviation Directors General. Most of them recognized and supported ROK plan to establish the Civil Aviation Commission of the Asia Pacific region and strongly recommended ROK to pursue it in spite of any difficulties arising. Examples of these might be when an opposition from some member states arise or no consensus is made, then the plan should be firstly pursued with supporting states only.

3.17 In particular, when ROK consulted with some Council representatives from Latin America, Europe and Middle East respectively regarding the functions and activities of LACAC, ECAC and ACAO, they said that they are closely working with them and member states of each region are benefiting greatly from those commissions, especially securing support for candidates from their region for the Council election.

3.18 In line with this, they all emphasized that the establishment of the APCAC is essential in order to enhance the common interests of the Asia Pacific region, especially in order for the Asia Pacific region to secure additional memberships in the Council from increasing 4 memberships

3.19 Based on the results of these discussions, ROK intends to discuss the establishment of the APCAC with Directors General at the 57th Asia Pacific DGCA Meeting, held in Seoul on July 4-8, 2022.

3.20 What ROK wants to discuss at this DGCA meeting are i) to share an understanding of what positive effects are expected of establishing the APCAC, ii) to share the view that it is better for the Asia Pacific region to do it than not to establish it, and iii) to agree the part that needs more detailed discussion to be considered sufficiently during the preparation process of the establishment.

4. CHARACTERISTICS OF THE ASIA PACIFIC CIVIL AVIATION COMMISSION

4.1 It is expected that it will be difficult for all member countries in the Asia Pacific region to reach a consensus on the establishment of the Asia Pacific Civil Aviation Commission. Therefore the establishment will be pursued with the countries who support, and the APCAC will be started as a rather loose organization whose decisions will be implemented under the premise of the approval of the member countries rather than immediately binding the implementation of the participating countries.

4.2 It is understood that the nature of the Civil Aviation Commission is somewhat different for each regional group, in part due to their relationship with their own higher organizational bodies, such as African Union, Arab League, and European Commission. The AFCAC is quite binding on the decision, whereas the ECAC focuses on consultation and the agreement needs to be approved by the governments of the member countries.

4.3 Although it is difficult to make a single decision due to the diversity of the Asia Pacific region, it is necessary to basically aim to promote common cooperation through increased communication and gradually reduce the gaps in the opinions, thereby leading to mutually beneficial outcomes.

4.4 Regarding the Executive bodies of AFCAC, ECAC, and other commissions, there are one chairman, multiple vice-chairs, and a Steering Committee comprising 10~20 members. To secure a balanced representation of sub-regions according to the diversity of the Asia Pacific region, one vice-chairman is assigned to each sub-region, such as Northeast Asia, Southeast Asia, Southwest Asia, and the Pacific (PASO), and the steering committee also reflects the representativeness of each sub-region in a balanced way.

4.5 In relation to the preparation of financial resources for the operation of the Secretariat of the Civil Aviation Commission, the burden is to be minimized for member states below a certain standard, such as exempting membership fees, for which specific standards and measures will be specified through discussion in the working-level Task Force to be formed later.

5. FORMATION AND OPERATION OF A WORKING-LEVEL TASK FORCE FOR THE ESTABLISHMENT OF THE ASIA PACIFIC CIVIL AVIATION COMMISSION

5.1 Establishing the Asia Pacific Civil Aviation Commission requires a lot of practical discussion and preparation, therefore it is necessary to set up a Task Force. Since the TF's chairperson needs to have a thorough understanding of the work of ICAO and how the ICAO works and must lead consultations between ICAO, regional office, and regional member states. Therefore, ROK proposes that an Asia Pacific Council Representative should be the chairperson, and the TF members are to be composed of the Asia Pacific Council representatives (among countries who wish to) and representatives of countries wishing to participate in the TF (Director or Deputy Director General level).

5.2 The status of activities of the TF is developed through close communication with countries agreeing to the establishment of the APCAC, and progress is reported at the annual DGCA meeting.

6. ACTIONS BY THE CONFERENCE

6.1 Participating Directors General are invited to:

- 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.

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