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DIRECTORS GENERAL OF CIVIL AVIATION
ASIA AND PACIFIC REGIONS

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AGENDA ITEM 9:   UPDATES

REGIONAL COOPERATION MECHANISMS TASK FORCE – EXAMINATION OF THE FEASIBILITY OF AN APCAC: PROGRESS REPORT

(Presented by RCM Task Force)

SUMMARY

This paper provides an update on the progress of the examination of the feasibility of an Asia Pacific Civil Aviation Commission (APCAC).

The paper outlines details of the four current CACs in other regions including their key operating characteristics, priorities, and organisational structures.

The paper then looks at aviation-related challenges and opportunities of the Asia Pacific region, the options available and the associated preconditions to address these challenges and realise the opportunities.

REGIONAL COOPERATION MECHANISMS TASK FORCE – EXAMINATION OF THE FEASIBILITY OF AN APCAC: PROGRESS REPORT

1.   INTRODUCTION

1.1   The 57th Conference of Directors General of Civil Aviation Asia and Pacific Regions (DGCA) has tasked the Task Force to Strengthen and Evolve Existing Regional Mechanisms for Regional Cooperation, towards Capability and Capacity Building and Technical Assistance (RCM TF) to examine the feasibility of an Asia Pacific Civil Aviation Commission (APCAC) (see **Annex A**).

1.2   This paper provides an update of preliminary findings, options and their associated preconditions in relation to the examination of the feasibility of an APCAC.

1.3   The examination of the feasibility of an APCAC consists of three parts (see **Annex B** for the full methodology):

a) Part I examines the different types of civil aviation commissions (CACs) which are currently in place. It looks at their objectives, responsibilities, organisational structures including CACs' relationship with ICAO, resourcing, and activities. It considers the types of preconditions that inform the feasibility of an APCAC. The Part I report is in **Annex C**. This work was prepared by a working group led by Australia with representatives from Bangladesh, China, Nepal and Sri Lanka.

b) Part II builds on the work undertaken in Part I and identifies current challenges and opportunities in relation to civil aviation regional coordination across the Asia Pacific (APAC) region. It proposes three broad options that may address these challenges and realise these opportunities, each requiring different levels of commitment from States. This work is being undertaken by a working group led by New Zealand, with representatives from Fiji, Japan, the Republic of Korea, Singapore and the United States of America.

c) Part III assesses the extent to which an APCAC will address the challenges and opportunities as identified in Part II. It assesses the benefits and costs associated with a CAC, and the different options for how challenges and costs may be reduced. It will then compare the benefits and costs of a CAC against alternate arrangements which may be available for improving regional cooperation and coordination issues and representation internationally. This work will be led by Singapore with representatives from China, Hong Kong China, Japan, Malaysia, New Zealand, the Republic of Korea and the United States of America.

2.   PART I: INFORMATION GATHERING ON A CAC

2.1   Other regional CACs are broadly advisory bodies, and their activities and objectives are determined by their Member States. The work of CACs covers strategic policy and technical cooperation and coordination activities that have a strong element of developing regional positions and priorities and advocating for these across ICAO's forums. In addition, the CACs each may provide services to their Member States that include:

a) research and advisory related activities

b) the management of key civil aviation relationships at the regional level

c) capability and capacity development and training

d) the promotion of information exchange and promoting the implementation of ICAO SARPs.

2.2   The use of CACs as a forum to address regional strategic policy challenges and to promote regional solutions, responses and priorities is now amplified by the four CACs engaging more closely on matters of mutual importance, to the exclusion of the Asia Pacific region. These matters have recently included issues related to reciprocal support for working papers and for the election of the Council at the 41st ICAO Assembly; strengthening the relationship and cooperation among them; agreeing on actions that support a safe, secure, and sustainable development of air transport; and, reiterating their commitment to the ratification of the two 2016 Protocols amending the Chicago Convention.

2.3   As noted in earlier work undertaken by the APCAC Task Force, some CACs have reported that they experienced challenges related to consensus building in controversial matters and resourcing. These challenges are similar to those of many international and regional organisations.

2.4   Each CAC reports on their achievements to their Member States on a regular basis, such as at CACs' plenary sessions. CACs have reported achievements against regional civil aviation objectives and strategic objectives within ICAO covering areas such as: the election of Member States to the ICAO Council; endorsing or presenting papers on behalf of Member States at ICAO Assemblies to influence or shape the direction of ICAO's priorities and resource allocation; the organisation of seminars, workshops and training with ICAO leading to improvements in SARPs implementation for Member States across all of ICAO's Strategic Objectives; and, capacity building projects and agreements.

2.5   While the four CACs have structures, objectives, activities and responsibilities that share features that are common among them, their implementation reflects the specific priorities and needs of their respective regions and Member States. Nevertheless, the establishment and operation of the CACs help set out key elements and the options that can inform the examination of the feasibility of an APCAC. These variables range from whether the CAC is established under a treaty or is an intergovernmental organisation, the mandate of the CAC, the extent and level of representation, and the extent of participation on any given topic, among other things (see **Annex C** for the full Part I report).

2.6   As demonstrated by discussions at DGCA and the request for the RCM TF to examine the feasibility of an APCAC, States in the Asia Pacific 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.

2.7   These are the types of preconditions that had led to the formation of other CACs.

3.   PART II: ADDRESSING THE CHALLENGES OF THE REGION AND REALISING THE OPPORTUNITIES

3.1   Part II of the feasibility study identifies the challenges faced by the APAC region and potential opportunities that may emerge if these challenges are addressed. Additionally, Part II sets out the objectives that the region is seeking to achieve through better coordination and collaboration and the options that may address challenges and achieve these objectives.

3.2   The final report of Part II is subject to endorsement by the RCM TF, however, given the advanced nature of the work, preliminary insights and findings are included here to better inform the DGCA of the progress of the work of the RCM TF in examining the feasibility of an APCAC and to facilitate the final phase of the work of the Task Force.

3.3   On a preliminary basis, Part II has identified a range of complex challenges facing the region. At a high-level, these challenges include (but are not limited to):

   a) Enabling and maintaining a safe and secure regional aviation system;

   b) Implementing decisions and commitments made at a regional and global level, and ensuring that no State is left behind;

   c) The speed at which the aviation system within the APAC region is growing, and ensuing that States are able to keep up with this growth;

   d) Building and maintaining appropriate capacity and capability across the region;

   e) Addressing the rapid advancement of emerging technologies into the aviation system; and

   f) Concerns relating to the environmental impacts of aviation, and the new mechanisms in place to address these concerns (such as the emergence of sustainable aviation fuels and new electric propulsion systems).

3.4   Part II of the feasibility study will also provide observations on how the APAC region is seeking to increase its ability to address challenges and prioritise actions in the region through:

   a) Promoting the implementation of ICAO strategic objectives, including standards and recommended practices (SARPs) consistently throughout the region;

   b) Using the strengths of the States within the region to enable and enhance the benefits all States derive from civil aviation;

   c) While maximising the benefits of aviation for all States in the region, ensuring that the differing needs of individual States within the region are addressed through the collaboration and coordination mechanisms used to achieve a) and b);

   d) Influencing ICAO to address to the needs and priorities of the region and shaping the development of global civil aviation matters consistent with the region's agreed needs.

4.   OPTIONS AND PRECONDITIONS ON THE FEASIBILITY OF AN APCAC

4.1   Noting the insights and key findings from Parts I and II, we have identified a range of options which would inform the conclusion of the APCAC feasibility study. Each of these options requires a different level of commitment from States. The three main types of options are:

4.2   *Maintaining the status quo*. This region will continue to operate as it currently does and would not make any changes to the existing framework. This option is clearly not tenable given the challenges faced by the region.

4.3   *Strengthening existing mechanisms.* There are significant opportunities to enhance existing mechanisms, to enable them to address existing issues and emerging issues from the challenges and opportunities faced by the region. All States/Administrations would be required to commit to these enhancements through active and regular participation and commitment of resources where appropriate.

4.4   *Developing new mechanisms*. New mechanisms can be developed that stand alongside existing enhanced mechanisms. One example of such a mechanism could be the formation of an APCAC. The region must agree to the establishment of these new mechanisms including commitments to fully participate, resource, and formalise such mechanisms as necessary.

5.   ACTION BY THE CONFERENCE

5.1   The Conference is invited to:

a) note the preliminary insights and findings of the work done by the RCM TF in examining the feasibility of an Asia Pacific Civil Aviation Commission (APCAC); and

b) endorse options outlined in paragraphs 4.3 and 4.4 above which will be considered in the final phase of the work to examine the feasibility of an APCAC.

— END —

Annex A: Action Item 57/63 of the DGCA/57

Agenda Item 11: Other Business		
DP/11a/4 DP/11a/3	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 Item 57/61 and Action Item 57/62; b) the Regional Cooperation Mechanisms (RCM) Task Force is resuming its work (reference Action 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; 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. [emphasis added]**

Annex B: Proposed Approach on Examination of the Feasibility of an Asia Pacific Civil Aviation Commission (APCAC)

ISSUE

The 57th DGCA Conference has asked the Regional Cooperation Mechanisms Taskforce as part of its Work Program to examine the feasibility of an APCAC and report on progress to the next DGCA Conference.

INFORMATION GATHERING ON A CIVIL AVIATION COMMISSION

- Examine the different types of CACs currently in place i.e. ECAC, AFCAC, LACAC, ACAO.

- Look at their objectives, responsibilities, organisational structures (including relationship with ICAO), funding, and activities.

- Consider the pre-conditions and operating assumptions that would inform the feasibility of an APCAC, for example:
    - Inclusivity in terms of participation
    - Cost/Benefits and funding/resources (including any staffing/secondments) required
    - Basis of APCAC agreements e.g. consensus on agreed regional issues
    - Any legal obligations and liabilities for a state depending on APCAC format.

IDENTIFYING THE PROBLEM AND OPPORTUNITIES

- Building on work already undertaken by RCM TF, identify current issues and opportunities with regards to civil aviation regional coordination across APAC

- Seek agreement from states on current issues with regional coordination and the objectives of any proposed CAC e.g.
    - Obtaining regional agreement on a regional aviation safety plan, regional air navigation plan and regional aviation security plan;
    - Obtaining agreement on regional approach to other ICAO aviation objectives e.g. aviation facilitation, aviation environment or economic development;
    - Obtaining regional agreement on aviation policies, proposals and initiatives we wish to pursue as a regional bloc with ICAO (e.g. for endorsement at the ICAO Assembly);
    - Technical assistance and capacity building for APAC States.

ASSESSMENT OF FEASIBILITY OF AN APCAC

- Assess the extent to which a CAC will address the issues and opportunities agreed by states, and the benefits this will have.

- Assess the challenges and costs associated with a CAC including:

    - Building consensus across a diverse region with States in different stages of aviation development
    - Role of industry in the CAC
    - Funding any Secretariat, staffing, secondments, office, etc.

- Assess the different options for how such challenges and costs may be reduced e.g.

- Options for a more streamlined and focused CAC, rather than a more structured Ministerial/secretariat style of CAC as established in other regions.
- Setting realistic objectives and focuses on areas where there is already consensus and support of member states

- Compare the benefits and costs of a CAC, with alternative arrangements which may be available for improving regional cooperation, coordination issues and representation internationally.

<u>SUMMARY</u>

- Having covered the matters raised above, prepare a report for consideration by the DGCA on the feasibility of an APCAC.

Annex C: Asia Pacific Civil Aviation Commission Feasibility Study – Part I

Regional Cooperation Mechanisms Task Force
Asia Pacific Civil Aviation Commission Feasibility Study – Part I
(Presented by the Part I working group)

Executive Summary

The 57th Conference of Directors General of Civil Aviation Asia and Pacific Regions (DGCA) has tasked the Task Force to Strengthen and Evolve Existing Regional Mechanisms for Regional Cooperation, towards Capability and Capacity Building and Technical Assistance (RCM TF) to examine the feasibility of an Asia Pacific 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 challenges and opportunities.
- Part III: Assessment of the feasibility of an APCAC.

This report relates to Part I: Information gathering on a CAC. It was prepared by a working group led by Australia with representatives from Bangladesh, China, Nepal and Sri Lanka.

This report covers:

- examining the different types of CACs currently in place
- looking at their:
  - establishment, history and membership
  - objectives
  - activities and responsibilities
  - achievements, challenges and future strategic directions
  - organisational structures
  - relationship with the International Civil Aviation Organization (ICAO), ICAO regional offices, other organisations and stakeholders, and with each other
  - resourcing
- having regard to the above information, considering the preconditions that would inform the consideration of an APCAC's feasibility.

While the four CACs have structures, objectives, activities and responsibilities that share features that are common among them, their implementation reflects the specific priorities and needs of their respective regions and Member States.

As demonstrated by discussions at DGCA and the request for the RCM TF to examine the feasibility of an APCAC, States in the Asia Pacific region are increasingly in alignment on:

- acknowledgement that the status quo does not suit the needs of the region
- 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
- 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.

These are the types of preconditions that had led to the formation of other CACs.

Introduction

This report builds upon earlier work done by the Asia Pacific Civil Aviation Commission Task Force (APCACTF) to examine the feasibility of an APCAC. That earlier work, presented at DGCA 53, provided an overview of the role, operations, benefits and challenges of the African Civil Aviation Commission (AFCAC), the Arab Civil Aviation Commission (ACAO, also known as the Arab Civil Aviation Commission), the European Civil Aviation Conference (ECAC), and the Latin American Civil Aviation Commission (LACAC).[1]

The APCACTF found that:

- CACs seek to facilitate cooperation and coordination among States on civil aviation matters, to provide support and guidance, and aim to collaborate with other organisations, CACs and ICAO, for the purpose of assisting States' continued improvement of their civil aviation systems.

- CACs have varying additional roles, based on the distinct cultures and systems each CAC operates in, which may include: coordinating harmonisation of Member States' policies and regulations; establishing common approaches to issues; facilitating training; implementing agreed common aviation policies (such as to liberalise air markets); and to facilitate discussions between Directors-General of Member States.

- CACs hold various forums or plenaries, on a regular basis, that are assisted by an elected executive body to develop and carry out the work of the CAC, in addition to a secretariat.

- Member States make some level of financial contribution to the CACs to cover their operating costs, and additional support may come from other organisations as necessary and agreed to.

- Some CACs actively contribute to ICAO meetings on behalf of Member States, and have a memorandum of understanding (MOU) with ICAO to share information and data, establish themselves as a regional safety oversight office, or to build consensus to improve consultation and cooperation mechanisms to improve Member State participation in, and access to, ICAO.

- Some CACs have reported that their challenges include securing sufficient resources from Member States – both in terms of financial and personnel – as well as achieving appropriate and sufficient attendance at meetings. To an extent, some of this can be mitigated by maintaining effective cooperation and coordination with other groups, such as ICAO regional offices.

Characteristics of Civil Aviation Commissions

This section provides an overview of the different CACs – ACAO, AFCAC, ECAC and LACAC – in terms of their: establishment, history and membership; objectives; activities and responsibilities; achievements, challenges and future strategic directions; organisational structures; relationship with other organisations (including ICAO and its regional offices); and resourcing.

Establishment, history and membership

The history of each CAC, or the regional civil aviation organisation it replaced, dates back over 50 years – ECAC to 1955,[2] the Civil Aviation Council of Arab States was established in 1967 and was the forerunner to ACAO (established in 1996),[3] AFCAC to 1969,[4] and LACAC to the early 1970s.[5] They were each established to improve coordination and cooperation of civil aviation activities in a given region, as well as to undertake joint action.[6] The CACs are advisory bodies – recommendations and advice are subject to the approval of each Member State's government.

ACAO, AFCAC and ECAC were established as a result of work undertaken in a broader political regional organisation. ACAO is affiliated to the League of Arab States (LAS, also known as the Arab League),[7] AFCAC is a specialised institution of the African Union (AU),[8] and ECAC was established in response to

recommendations made by the Council of Europe.[9] LACAC was founded in the context of common traditions, political and economic problems, and legal systems, and membership of the Organization of American States.[10]

The CACs are independent and have legal capacity, however, the type of instrument that created them varies. ACAO,[11] AFCAC,[12] and LACAC,[13] were created by treaty-level instruments. This creates legal rights and obligations for the Member States and is binding on them under international law. ECAC was established as an intergovernmental organisation of less-than-treaty status.[14]

Among other things, this determines aspects of how the organisation is managed, including how their establishing instruments can be changed over time. The *ECAC Constitution* may be amended in a plenary session by an absolute majority of all Member States.[15] The *ACAO Agreement*, *AFCAC Constitution* and *LACAC Statute* may only be amended according to the provisions of the relevant treaty, which includes the ratification of those amendments in accordance with each Member State's respective constitutional procedures and a minimum number of ratifications for the amendment to enter into force. For example, the *AFCAC Constitution* may be amended following consideration by the plenary and recommendations by the executive and would enter into force after ratification by 15 African States. Amendments to the *LACAC Statute* require a two-thirds majority of the Member States.

ACAO's members must be members of the LAS and its working language is Arabic.[16] AFCAC's membership is open to all African states – with its working languages those of the AU: African languages, Arabic, English, French and Portuguese.[17] ECAC's membership is open to any European State that will actively further ECAC's objectives and comply with its constitution.[18] Its working languages are English and French. LACAC's membership is restricted to the states of South America, Central America (including Panama), Mexico and the Caribbean, with its working languages being Spanish, Portuguese and English.[19] Some States may be members of multiple CACs, for example, African members of ACAO may also be members of AFCAC.

Each CAC has a dedicated headquarters for its secretariat which provides a location for its executive and plenary to meet. ACAO is based in Rabat, Morocco; AFCAC in Dakar, Senegal; ECAC in Paris, France; and, LACAC in Lima, Peru.

Objectives

As advisory bodies, the objectives of the CAC's can be broadly summarised as promoting cooperation and coordination among Member States in civil aviation. CAC's objectives include:

- developing and securing the safety, security, and environmental protection of civil aviation regionally through capability and capacity building and by promoting the implementation of ICAO Standards and Recommended Practices (SARPs)
- developing positions, solutions and responses to regional civil aviation matters
- promoting regional policy positions and solutions globally
- strengthening regional engagement with ICAO and other actors in civil aviation (e.g. industry)
- guaranteeing regional representation in ICAO and in other international forums
- acting as a regional civil aviation think-tank
- serving as a centre of expertise for its Member States.

The extent to which any given CAC focuses on these types of objectives is determined by the establishing instrument of the CAC and the priorities of the CAC, as set from time to time in plenary sessions by its Member States.

Activities and responsibilities

Each CAC has its own responsibilities and has developed its own program of activities to achieve its objectives. There are a range of activities and responsibilities, however, which are common to CACs in their capacity as advisory bodies, and which they perform in full, in part or aspects of, as per the priorities and needs of their Member States. These include:

- conducting research and preparing studies on economic, regulatory, legal, technical and security aspects of civil aviation and making recommendations
- coordinating Member States' positions in relation to ICAO activities, e.g. for ICAO Assemblies
- contributing to the works of various ICAO panels and working groups
- monitoring changes in civil aviation and considering Member States' options to respond
- promoting implementation of SARPs and regional air navigation plans
- coordinating or developing capability and capacity building and training initiatives
- managing relationships with other civil aviation actors, including ICAO and other CACs, and civil aviation authorities, and industry
- promoting information sharing among Member States, such as statistical data and best practice.

While the CACs generally perform an advisory role, AFCAC has been given a broader political and regulatory role by its Member States. AFCAC is responsible for implementing the Yamoussoukro Decision (YD) on air liberalisation in Africa and the Single African Air Transport Market (SAATM).[20] This includes economic regulatory functions such as rule-making, providing opinions on disputes, and in some cases the ability to investigate and fine Member States for non-compliance with the SAATM's rules.[21] As the executing agency it also advocates for the SAATM, including for reforms.

Achievements, challenges and future strategic directions

As discussed in the APCACTF's earlier report, presented at DGCA 53,[22] CACs had reported that their challenges included securing sufficient resources from Member States – both in terms of financial and personnel – as well as achieving appropriate and sufficient attendance at meetings. To an extent, some of this has been mitigated for some CACs by maintaining effective cooperation and coordination with other groups, such as ICAO and its regional offices. However, some CACs have found coordinating and cooperating with ICAO easier than others.

Since that earlier study, despite the impacts of the COVID-19 pandemic, each CAC has reported successes reflecting achievements in addressing the challenges of their Member States in improving civil aviation and for their regions. Each CAC has a longer-term strategic plan to continue to provide benefits to its Member States and to address their challenges and that of their wider region.[23] While each CAC has been focusing on the short-term challenges of the recovery from the impacts of the COVID-19 pandemic, many have resumed pursing longer-term goals including around the continued safe development of air transport and environmental issues.

ACAO

At ACAO's 27th General Assembly in May 2022, the Secretary General of ICAO, Mr Juan Carlos Salazar, highlighted that the working relationship between ACAO and the ICAO Regional Offices, in particular the Cairo and Paris Offices, had been continuously improving.[24] Mr Salazar also noted ACAO's recent successes in terms of:

- 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 such as the MENA Regional Safety Oversight Organisation, and the MENA AIG Regional Coordination Mechanism.
- how active ACAO has been 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 identified that before the COVID-19 pandemic, Arab States, and especially those in the ICAO Middle Eastern Region, were reshaping global long-haul markets while managing the world's fastest growing air passenger and cargo traffic for almost ten years running. Mr Salazar noted the challenges and economic potential for the Arab States and ACAO as including the management of the recovery of aviation traffic, the need to decrease air transport carbon dioxide emissions, and to make the aviation sector more resilient to future public health outbreaks and other crises.

ACAO has also achieved strategic goals within ICAO. This includes having all Member States nominated by ACAO to the ICAO Council elected at both the 40th ICAO Assembly in 2019 and the 41st ICAO Assembly in 2022. At the 41st Assembly, ACAO either co-sponsored papers, or had papers submitted by a Member State on behalf of its members, seeking to influence the development of: a model to address the needs of the air cargo sector;[25] cybersecurity culture strategy;[26] and, updating of the Global Air Navigation Plan,[27] among other things.

AFCAC

AFCAC's key successes have stemmed from its ability to work at the continental level with various regions and Member States in Africa,[28] and to coordinate projects and programs from various stakeholders, including those from ICAO or funded by the EU. In an information paper to the 41st ICAO Assembly,[29] AFCAC identified that it, working with the AU, had been 'indispensable in bringing together the RSOO, RECs and COSCAPs for the purpose of implementation' of the EU-Aviation safety in Africa project.[30] AFCAC also identified that it continues 'to provide support towards achieving the strategic objectives as well as monitoring and evaluation of the progress of the project…'.

In 2013, the then Secretary General of AFCAC, Ms Iyabo Sosina,[31] outlined AFCAC's challenges as including time and limited resources to address the issues facing air transport in Africa specifically in the areas of safety and the implementation of the YD for liberalising air transport in Africa. The Secretary General also noted that AFCAC had succeeded in assisting many States in addressing and resolving their Safety Oversight Deficiencies and Significant Safety Concerns. This has ensured that they continuously meet their safety oversight obligations in accordance with ICAO SARPs.

In 2022 the Chairman of the Board of the Cabo Verde CAA identified the benefits of AFCAC, in the context of aviation data, as convening workshops, developing tools to improve aviation data collection, analysis, and usage that meets African needs, and in promoting the SAATM.[32]

AFCAC has also achieved strategic goals within ICAO. At the 40th ICAO Assembly in 2019 and the 41st ICAO Assembly in 2022 AFCAC co-sponsored or submitted on behalf of its Member States 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 in areas such as the way the USAP-CMA program is implemented,[33] a practical way forward on the legal and institutional aspects of CNS systems,[34] CORSIA,[35] and the LTAG,[36] among other topics.

ECAC

At ECAC's 39th Triennial Session, Ms Ingrid Cherfils, ECAC President, presented the President's Triennial Report for 2019–21,[37] noting ECAC's main achievements as follows:

- Elections to the ICAO Council 2019 – with eight ECAC Member States elected to the ICAO Council, as well as the election of Mr Salvatore Sciacchitano, former ECAC Executive Secretary, to the position of ICAO Council President.
- Contribution of ECAC Member States to ICAO activities – including the coordination of common European positions and papers to the ICAO 40th Assembly, ICAO Council, and other forums.
- Legal and administrative separation from ICAO – see below.
- Relations with other regional organisations and ECAC's bilateral partners – including regular meetings, signing of cooperation agreements and exchange of ideas and information.
- Relations with the European aviation organisations – including 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.
- ECAC has prepared a policy statement on its strategy for the future,[38] which includes:
- Providing an opportunity for free and open discussion between its Member States on key strategic issues, without binding implications.
- Supporting the coordination between ECAC Member States, notably during the case of a crisis situation or in extraordinary circumstances.
- Supporting Member States though 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.

ECAC's work programme for 2022-2024 retains its three current strategic priorities: safety and accident investigations, security and facilitation, and environment.[39] It focuses on the following domains: safety and accident investigations; uncrewed aircraft systems; security and facilitation; environment; economic matters; legal matters; and, external relations. ECAC also has a specific 2022–2024 work program for external relations with these objectives:[40]

- Aim: To promote European positions and priorities internationally. Objectives are to ensure:
  - o European positions, priorities and good practices are well represented and influence the outcome of major international events.
  - o close coordination with the European representatives on the ICAO Council.
- Aim: To strengthen cooperation with existing partners within and beyond Europe by:
  - o close cooperation with the EU and with European organisations.
  - o close coordination with ICAO.
  - o effective relationships with regional aviation organisations (e.g. ACAO, AFCAC, LACAC, WAEMU, ECOWAS) and promote European priorities.
  - o relationships with bilateral partners and promote European priorities.
- Aim: To strengthen cooperation with industry and other stakeholders. Objective:
  - o To consolidate cooperation with the air transport stakeholders (industry, NGOs, consumers organisations) on areas of common interest.

At the 41st ICAO Assembly eight ECAC Member States were elected to the ICAO Council and ECAC presented a number of 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.

LACAC

According to a paper presented by Uruguay at the 41st ICAO Assembly,[41] cosponsored by some LACAC Member States, LACAC plays an important role in concluding strategic agreements to promote capacity building in Latin America. One of the pillars of such agreements is regional and interregional cooperation in arranging for access to training and coaching provided by States that are more advanced in aviation. In presenting the paper, 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.

LACAC has, in its 2020–2023 Strategic Plan,[42] outlined three key strategic objectives, as follows:

- Strengthen coordination between civil aviation authorities and other actors in the aviation sector and promote the work of technical groups to enable the sustainable development of the sector in Latin America.
- Guarantee regional representation in ICAO and in other international forums.
- Develop a strategic management model for institutional strengthening that guarantees its permanence.

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.[43] LACAC has also indicated coordination meetings are required to clearly define forms and mechanisms of mutual cooperation through a joint work program and to assess costs and resources, so that regional bodies may support ICAO without affecting the administrative autonomy of each body. [44]

LACAC has also achieved strategic goals within ICAO. This includes having all Member States nominated by LACAC to the ICAO Council elected at both the 40th ICAO Assembly in 2019 and the 41st ICAO Assembly in 2022. 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.

Organisational structures

Each CAC is made up of a plenary, an executive, and a secretariat, and may be aided by committees.

The plenary is made up of representatives of Member States responsible for civil aviation e.g. Directors-General of Civil Aviation. The plenary establishes the work program, committees and budget of the CAC for a given period, as well as other activities, rules and procedures as appropriate. ACAO's and LACAC's plenary meet every 2 years and AFCAC's and ECAC's every 3 years. Extraordinary sessions may be held. The plenary also elects the leadership for the executive.

The executive steers the business of the CACs between plenaries. The executive can be configured in a variety of ways, usually with a President and a number of Vice-Presidents, who may act as focal points for specific fields of activity of the CAC. The executive implements the recommendations and resolutions of the plenary and oversees preparation of CAC projects and activities.

The secretariat prepares the projects and work of the CAC, including to oversee the financial and administrative work of the CAC. ECAC requires all members of its secretariat to hold the nationality of a Member State of ECAC.[45] Committees established by the plenary may consist of experts in civil aviation meeting regularly and reporting back to the plenary as instructed.

Relationships with other organisations (including ICAO and ICAO Regional Offices)

All CACs are empowered to form relationships with other organisations. All CACs have a cooperation agreement with ICAO, and a MOU with each other.

ICAO's relationship with CACs

ICAO Assemblies have issued resolutions on the *Relationship between ICAO and Regional Civil Aviation Bodies* (Resolution A27–17, see Attachment A), and *Cooperation with regional organizations and regional civil aviation bodies* (Resolution A37–21, see Attachment B), which also encourages the establishment of regional civil aviation bodies.

ICAO's *Policy on Regional Cooperation* is to enhance its cooperation with regional civil aviation bodies. ICAO expects its Regional Offices to be the vehicles for this engagement and 'should take into account in their inputs to strategic planning the regional needs and opportunities for cooperation with regional civil aviation bodies, regional organizations and other stakeholders, with the view to assisting States in ensuring harmonization in adherence to ICAO policy.'[46]

Cooperation agreements between ICAO and each CAC include measures regarding both ICAO and its Regional Offices such as regular dialogue, consultation and information sharing, joint capacity-building initiatives and participation in reciprocal meetings.[47]

While pursuing the same objectives for a safe, secure and sustainable air transport system, the role of the CACs is different from that played by ICAO Regional Offices. The CACs reflects the specific needs and ambitions expressed by their Member States, whereas the ICAO Regional Offices pursue the regional implementation of ICAO's objectives that are defined globally.[48]

LACAC has observed that, from its perspective, 'regional civil aviation bodies have taken on many of the tasks related to air transport, incorporating into their respective strategic plans issues related to regulations, economic aspects, market access, cargo services, ownership, air carrier control, consumer protection, competition, etc. This is because ICAO has focused more on air navigation, security, and safety...'[49]

ACAO's relationship with ICAO and other organisations

ACAO states it has a strong relationship with ICAO and ACAO assists its Member States adopt and implement SARPs.[50] ACAO and ICAO exchange draft programs of action and invitations to attend each other's General Assemblies and cooperates closely with the LAS and other stakeholders.[51]

As noted above, ICAO has highlighted that the relationship of its ICAO Middle East (MID) Regional Office in Cairo and regional office in Paris with ACAO has been continuously improving. ACAO and ICAO have a joint cooperation program, currently covering the 2023–25 period.[52] This covers Ministerial meetings attended by ICAO; ACAO attending regional ICAO meetings, such as for the Middle East Air Navigation Committee and DGCA; organising workshops together; establishing a regional safety oversight organisation together; and holding joint seminars and symposiums.

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.[53]

AFCAC's relationship with ICAO and other organisations

AFCAC works in close cooperation with the different AU Organs, ICAO, the United Nations Economic Commission for Africa, as well as with other governmental and non-governmental international organisations, and civil aviation service providers on civil aviation matters of mutual interest.[54]

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.[55] Attendees also include regional aviation organisations.

ECAC's relationship with ICAO and other organisations

ECAC has a unique relationship with ICAO, given that ECAC was initially established as a conference organised by ICAO, which included the provision of secretariat services.[56] At its 221st Session, the ICAO Council was informed that the transition period leading to the legal and administrative separation of ECAC from ICAO ended on 31 August 2020,[57] confirming that from that date ECAC no longer required certain administrative services from ICAO.

This followed a report from ICAO's Evaluation and Audit Office (EAO) observing that: 'The ECAC Secretariat, which is co-located with the EUR/NAT Regional Office, does not have its own legal personality, and relies entirely on its relationship with ICAO. This has given rise to many significant legal, financial and reputational risks for ICAO'.[58] These risks included ECAC staff, who were employed by ICAO, not reporting to ICAO's Secretary-General, and grant agreements being signed by European civil aviation regulators on behalf of ECAC, rather than by ECAC itself.[59]

ECAC continues to cooperate closely with the ICAO EUR/NAT Regional Office. In addition to measures outlined above, such close cooperation 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. ECAC reports that this contribution allows for discussion on the initiatives taken by both organisations, with the aim of complementing one another and avoiding overlaps.[60]

ECAC has noted examples of close cooperation with the ICAO EUR/NAT Regional Office, such as:[61]

- 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.
- A closer relationship has been established with an exchange of information on health matters. ECAC workshops on health matters in civil aviation have offered the opportunity to exchange and share knowledge and good practice on ICAO's Collaborative Arrangement for the Prevention and Management of Public Health Events in Civil Aviation (CAPSCA), with the participation of an expert from the ICAO EUR/NAT Office.

ECAC has established and maintained cooperative relationships with many non-ECAC States and organisations through cooperation agreements. For example, ECAC holds high-level meetings once or twice yearly with the US covering areas such as aviation safety, security and the environment, with the Department of State, the Department of Transportation, the TSA and the FAA.[62]

LACAC's relationship with ICAO and other organisations

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 form agreements with States and organisations in other regions to provide training opportunities for Latin American States.[63]

Specific examples of the ways LACAC coordinates with ICAO regional offices includes:[64]

- a single LACAC/ICAO AVSEC/FAL regional group was established, which is developing guidelines on procedures for Member States and establishing regional policies. LACAC and ICAO have jointly organised seminars and workshops for providing information and training to States in the areas of air navigation, security, and air transport.
- In the area of safety, based on an agreement between LACAC and ICAO, the Regional Safety System (SRVSOP) was established, which has contributed to the harmonisation of standards and provided support to its Member States. Likewise, the LACAC Secretariat has supported ICAO in the convening of various events on air transport.

LACAC has a range of agreements with other organisations, including ACAO, AFCAC, and ECAC, as well as the civil aviation agencies of the USA, Singapore, Qatar, China, Mexico, the UAE and others.[65]

Relationship between the CACs

The CACs have MOUs with each other and work closely with a variety of organisations, such as the AU, EU, LAS, the United Nations, and civil aviation organisations.

The MOUs between the CACs extend to:[66]

- information exchanges
- cooperation through exchanging letters and documents
- mutual visits and executive visits
- invitations to attend meetings and consultations and coordination, when necessary
- identification of joint projects
- training.

In September 2022 the secretariats of the four CACs met to discuss issues related to reciprocal support for working papers and for the election of the Council at the 41st ICAO Assembly.[67]

In February 2023 the leaders of the four CACs met to:[68]

- strengthen the relationship and cooperation among them
- agree on actions that support a safe, secure, and sustainable development of air transport
- reiterate their commitment to the ratification of the two 2016 Protocols amending the Chicago Convention.

Other examples of the CACs working closely together include:

- ECAC-ACAO-AFCAC held a joint seminar on "Innovation and Cybersecurity" in January 2020
- AFCAC and ECAC held a joint environment workshop on the ICAO LTAG in November 2022

- • ECAC and AFCAC organised a joint regional workshop on testing and certification of security equipment in November 2022.

Resourcing

While the CACs have not publicly released their budgets, information is available on how member contributions are calculated and funding sources for most CACs. In some circumstances, information about member contributions and budgets can be gleaned from other sources.

ACAO

According to the *ACAO Agreement*, the revenues of ACAO consist of:

- • the contributions of Member States
- • income from its services and activities as a specialised Arab institution of expertise; and,
- • grants, wills, donations and aid accepted by the decision of the General Assembly.[69]

ACAO has its own budget separate from the LAS. While the *ACAO Agreement* appears to be silent on what happens to voting rights after non-payment of contributions, this could be dealt with through resolutions of the General Assembly instead.

AFCAC

Under Article 17 of the *AFCAC Constitution*,[70] the regular budget of AFCAC is funded by member contributions in accordance with a scale of assessment determined by the Plenary. Supplemental budgets of AFCAC may be made available to meet extra and/or special budgetary needs of AFCAC – the Plenary determines the contributions of members to such special budgets. AFCAC may receive grants, donations, and proceeds for its activities as approved by the Bureau (the executive).

A public tender with a terms of reference for the recruitment of an external audit firm to AFCAC, to conduct an audit of AFCAC's finances for the 2018–2020 triennium, stated that:

> 'The budget of the Commission on the average is USD$3 500 000 for a triennium which comprises of at least 55% on cost of Salary and Benefits; 11% missions to States and attending Regional and International meetings and hosting various meetings requiring translation and Interpretation Services.'[71]

According to South Africa's Estimates of National Expenditure 2023,[72] the Parliament of South Africa has appropriated R6.4 million (about USD$350,000 as at March 2023) for the purposes of contributing to AFCAC in 2023/24 (this may be a mix of ordinary, special and voluntary contributions). In 2019/20, the Parliament of South Africa appropriated R7.7 million (about USD$535,367 as at December 2019) for AFCAC-related purposes.

Article 18 of the *AFCAC Constitution* provides that any Member State that fails to honour its financial commitments to the Commission for a period of 2 years or more forfeits the right to vote in the Plenary or nominate candidates for any elective or other post within AFCAC.[73] After 3 years of non-payment that Member State will also have its nationals deprived of the rights, privileges, benefits and advantages usually accorded to Member States.

ECAC

Under Article 14 of the *ECAC Constitution*,[74] the costs attributable to the activities of ECAC are the responsibility of Member States, and are apportioned among them in proportion to the number of units of their contribution to ICAO for the year in which any payment is to be made. Member States' contributions are payable in advance to ECAC in euros and interest is payable on contributions that are more than one year in arrears.

In addition to the ECAC regular budget, ECAC also funds its projects through individual Member State funds and EU funds.[75] France funded a project, and provided experts, to support the West African Economic and Monetary Union in establishing and managing an aviation security audit program, and to increase involvement in ECAC security activities. EU funds were used to support programs of work in Africa, the Middle East, and Central/Eastern Europe to improve cargo security.

The *ECAC Constitution* does not appear to have a provision to remove voting rights from Member States who do not meet their financial obligations, however, this may be dealt with through a different mechanism or instrument instead e.g. resolutions of the plenary.

LACAC

LACAC has financial autonomy and is managed by ICAO's Technical Cooperation Project RLA/06/801, through which a record is kept of all expenses that the Secretariat reports through quarterly and annually audits. Audits dating back to 2017 are available online.[76] The contributions of Member States total about USD$325,000 per year each.

Under the *Management Services Agreement between ICAO and LACAC (2007)*,[77] LACAC has managerial and financial autonomy under a management services agreement with ICAO. ICAO is contracted to oversee the coordination of work, hiring of secretariat personnel, and financial and accounting management, among other things.

Conclusion: Preconditions for informing an APCAC's feasibility

While the preconditions for the CACs initially related to regional political concerns of the 1950s and 1960s, the work of CACs today centres on strategic policy and technical cooperation and coordination activities that have a strong element of advocating regional positions and priorities across ICAO's forums.

In addition, the CACs each may provide:

- research and advisory related activities
- the management of key civil aviation relationships at the regional level
- capability and capacity development and training
- the promotion of information exchange and promoting the implementation of ICAO SARPs.

The use of CACs as a forum to address regional strategic policy challenges and to promote regional solutions, responses and priorities is now amplified by the four CACs engaging more closely on matters of mutual importance, to the exclusion of the Asia Pacific. While this is a recent development, it indicates the willingness of the CACs, on behalf of their Member States, to engage and coordinate more closely with each other on matters of mutual concern.

As noted in earlier work undertaken by the APCACTF, while some CACs have reported that they experienced challenges related to consensus building in controversial matters and resourcing, these challenges are similar to those of many international and regional organisations. Each CAC also reports on their achievements to their Member States on a regular basis, such as at CACs' plenary sessions, which recently have included achieving regional civil aviation objectives and strategic objectives within ICAO.

While the four CACs have structures, objectives, activities and responsibilities that share features that are common among them, their implementation reflects the specific priorities and needs of their respective regions and Member States. Nevertheless, the establishment and operation of the CACs

help set out key elements and the range of options that can inform the examination of the feasibility of an APCAC, including:

- what type of instrument establishes the CAC – from treaty-level institutions to a less formal intergovernmental organisation, committee or conference established under an existing or new instrument, or using an existing process or forum
- the extent to which the CAC is an advisory body or whether it has a broader mandate
- the establishment of arrangements to find common regional needs, including consensus building
- how closely Member States and their CAC cooperate and collaborate to better respond to regional aviation challenges and to agree positions to be advocated by Member States collectively, including in preparing papers for global and regional forums e.g. ICAO Assemblies
- the extent and level of representation – e.g. officials, DGCAs, Ministerial etc
- the extent to which Member States participate in any given topic raised in the CAC (e.g. LACAC appears to allow subgroups of Member States to work on issues relevant to them)
- whether the CAC coordinates or offers capacity and capability building and training in the region
- the type of funding arrangements being fair and equitable e.g. use of ICAO scale of assessment
- engaging with ICAO and regional offices to provide support and coordination activities
- replacing, supplementing or complementing existing regional cooperation mechanisms and avoiding duplication.

As demonstrated by discussions at DGCA and the request for the RCM TF to examine the feasibility of an APCAC, States in the Asia Pacific region are increasingly in alignment on:

- acknowledgement that the status quo does not suit the needs of the region
- 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
- 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.

These are the types of preconditions that had led to the formation of other CACs.

Attachment A – ICAO Assembly Resolution A27–17: Relationship between ICAO and Regional Civil Aviation Bodies

Whereas in Resolution A10-5 the Assembly established a policy framework to govern relations, including financial arrangements, between ICAO and the European Civil Aviation Conference (ECAC);

Whereas in Resolution A18-21 the Assembly, inter alia, invited the Council to extend such policy and arrangements to other regional civil aviation bodies and in Resolution A21-8 invited regional bodies to consider inviting to their meetings States not members of the body in question;

Whereas pursuant to Resolutions A10-5 and A18-21 ICAO has established a close and beneficial relationship with ECAC, the African Civil Aviation Commission (AFCAC) and the Latin American Civil Aviation Commission (LACAC), which has furthered the universal aims and objectives of the Convention on International Civil Aviation and facilitated the development of regional fora within which States can cooperate and coordinate on air transport issues of common concern;

Whereas the financial arrangements incorporated in A10-5 should be modified to take account of changes in circumstances since their adoption, the growth and development of the regional bodies and to allow those bodies to assume full responsibility for their own financial affairs;

Whereas the continued viability and operation of regional bodies serves the interests of international civil aviation;

The Assembly:

1. Resolves that:

> a) the Organization supports the work and activities of any existing or future regional civil aviation bodies wherever such support is requested by the regional body concerned and duly approved, taking into account the resources of ICAO and the implementation of its Work Programme;

> b) any financial support to regional civil aviation bodies by the Organization, such as in continued provision of Secretariat services, should be approved by the Assembly as part of the Organization's Regular Programme budgets and identified in the Budget as support for regional bodies.

2. Directs the Council:

> a) to conclude with each regional civil aviation body appropriate working arrangements that reflect the above principles and ensure a close working relationship, including cooperation and coordination, harmonization of Work Programmes to avoid unnecessary duplication and attendance at certain of each others' meetings, as agreed;

> b) to incorporate in such working arrangements, wherever practicable and so agreed, provision for cost sharing of common facilities and services to Member States; and

> c) to give sympathetic consideration to requests by regional bodies for assistance in air transport matters of regional interest.

3. Invites regional civil aviation bodies, pursuant to their rules of procedure, to give sympathetic consideration to the possibility of inviting ICAO Contracting States not members of the regional body in question to participate as observers in its meetings.

4. Declares that the present resolution supersedes Resolution A10-5, Resolving Clause 1 a) of Resolution A18-21 and Resolution A21-8.

Attachment B – ICAO Assembly Resolution 37–27: Cooperation with regional organizations and regional civil aviation bodies

Whereas Resolution A1-10, which was adopted at the first Assembly in 1947 and is still applicable, authorizes the Council to make appropriate arrangements with public international organizations whose activities affect international civil aviation, through informal working arrangements, wherever practicable;

Whereas Resolution A27-17, pertaining to the relationship between ICAO and the regional civil aviation bodies states, inter alia, that ICAO supports the work and activities of any existing or future regional civil aviation bodies and directs the Council to conclude with each civil aviation body appropriate working arrangements;

Whereas in pursuance of these Resolutions, ICAO has developed various arrangements of cooperation with the regional civil aviation bodies;

Whereas ICAO's Policy on Regional Cooperation provides that ICAO is committed to render assistance, advice and other forms of support, to the extent possible, to Contracting States in carrying out their responsibilities pertaining to the Convention on International Civil Aviation and ICAO Strategic Objectives; and

Whereas ICAO will implement its Policy on Regional Cooperation through close partnerships with regional organizations and regional civil aviation bodies;

The Assembly:

1. Endorses ICAO's Policy and Framework on Regional Cooperation;

2. Encourages regional organizations and regional civil aviation bodies to enter into suitable arrangements with ICAO, in accordance with ICAO's Policy and Framework on Regional Cooperation;

3. Urges States to support their regional organizations and regional civil aviation bodies in entering into suitable arrangements with ICAO;

4. Encourages States to implement Standards and Recommended Practices of the Annexes to the Convention on International Civil Aviation both individually and through regional cooperation;

5. Encourages States which do not have a regional body to endeavour to form one;

6. Directs the Council to ensure, through cooperative arrangements, that both ICAO and the regional civil aviation bodies encourage States to harmonize operational regulations, requirements and procedures based on Standards and Recommended Practices;

7. Requests the Secretary General to implement the Action Plan approved by the Council to improve cooperation with regional organizations and regional civil aviation bodies;

8. Requests the Secretary General to establish a synergy between ICAO and each regional civil aviation body in accordance with arrangements as reflected by Memoranda of Cooperation concluded by them, thereby obviating duplication of work;

9. Requests the Secretary General to organize periodic meetings between ICAO and the regional civil aviation bodies and periodic examination of progress; and

10. Requests that the Council deliver to the next ordinary session of the Assembly a report on the overall implementation of ICAO's Policy on Regional Cooperation and progress made.

[1] DGCA, Asia Pacific Civil Aviation Commission (APCAC) Feasibility Study – Progress report, DGCA 53, 2016, Attachment C – Overview of other Regional Civil Aviation Commissions, pp. 14–17.

[2] ECAC (European Civil Aviation Conference), About ECAC, ECAC, 2021.

[3] ICAO (International Civil Aviation Organization), Postal History of ICAO, ICAO, 2010.

[4] Ibid.

[5] J Bogolasky, Air Transport in Latin America: The Expanding Role of the Latin American Civil Aviation Commission, 44 Journal of Air Law and Commerce (1978), pp. 75–81.

[6] Aspects of the history and the impetus behind the formation of CACs was part of the scope of the APCACTF and was reported in in DGCA, Asia Pacific Civil Aviation Commission (APCAC) Feasibility Study – Progress report, DGCA 53, 2016, Attachment C – Overview of other Regional Civil Aviation Commissions, pp. 14–17.

[7] ACAO (Arab Civil Aviation Organization), About ACAO, ACAO.

[8] AFCAC (African Civil Aviation Commission), AFCAC Constitution, AFCAC, Article 2.

[9] ECAC, The beginnings, ECAC.

[10] J Bogolasky, Air Transport in Latin America: The Expanding Role of the Latin American Civil Aviation Commission, 44 Journal of Air Law and Commerce (1978), pp. 75–81.

[11] Hassan Radhi, The Arab Organisation for Civil Aviation, 1996, 11 Arab Law Quarterly 3, pp. 285–293.

[12] AFCAC (African Civil Aviation Commission), AFCAC Constitution, AFCAC, Article 2.

[13] LACAC (Latin American Civil Aviation Commission), Statute of the Latin American Civil Aviation Commission, 1973, LACAC.

[14] ECAC, About ECAC, ECAC.

[15] ECAC, Constitution and Rules of Procedure, ECAC, Article 16. NB: While titled a constitution this is not a treaty-level instrument.

[16] Hassan Radhi, The Arab Organisation for Civil Aviation, 1996, 11 Arab Law Quarterly 3, pp. 285–293.

[17] AFCAC, AFCAC Constitution, 2009, AFCAC, Articles 5 and 24.

[18] ECAC, Constitution and Rules of Procedure, ECAC, Articles 1 and 15, and p. 15 (Criteria and Procedures to be used in considering Applications for Membership of ECAC).

[19] LACAC (Latin American Civil Aviation Commission), Statute of the Latin American Civil Aviation Commission, 1973, LACAC, Articles 2 and 26.

[20] AFCAC, About the Executing Agency of the Yamoussoukro Decision, AFCAC, 2019.

[21] African Union, Decision Relating to The Implementation of The Yamoussoukro Declaration Concerning the Liberalisation Of Access to Air Transport Markets in Africa And Annexes 2018, AFCAC, 2018.

[22] DGCA, Asia Pacific Civil Aviation Commission (APCAC) Feasibility Study – Progress report, DGCA 53, 2016, Attachment C – Overview of other Regional Civil Aviation Commissions, pp. 14–17.

[23] While each CAC has an address by its Executive and/or Secretariat to its Plenary from time to time outlining achievements, challenges and future directions, this was only available from ECAC in English for this report. A copy of LACAC's Strategic Plan was available in Spanish and machine translated into English for this report.

[24] ICAO, Introductory address by the Secretary General of the International Civil Aviation Organization, Mr. Juan Carlos Salazar, to the 27th General Assembly of the Arab Civil Aviation Organization, 19 May 2022.

[25] India, Proposal to Establish Air Cargo Multidisciplinary Digitalization Task Force, 2022.

[26] Saudi Arabia on behalf of the ACAO States, Cybersecurity Culture Strategy, 2022.

[27] Saudi Arabia on behalf of the ACAO States, Updating of the Global Air Navigation Plan, 2022.

[28] AFCAC, Goodwill message from the Secretary General of AFCAC, Ms Iyabo O. Sosina, to the 45th AFRAA Annual General Assembly (AGA), 2013.

[29] AFCAC, Implementation of The Eu-Africa Safety in Aviation (ASA) Project for Regional Safety Oversight Organizations (RSOOS) – The Current Perspective And Successes, 2022.

[30] Ibid, p. 2.

[31] AFCAC, Goodwill message from the Secretary General of AFCAC, Ms Iyabo O. Sosina, to the 45th AFRAA Annual General Assembly (AGA), 2013.

[32] AFCAC and Abraão Lima, Chairman of the Board of the Cabo Verde CAA, Spotlight #15 : Cabo Verde, 2022.

[33] AFCAC, The Need for The Enhancement of The Universal Security Audit Programme - Continuous Monitoring Approach (USAP-CMA), 2019.

[34] AFCAC, A Practical Way Forward on Legal and Institutional Aspects of Communication, Navigation and Surveillance/ATM (CNS/ATM) Systems, 2022.

[35] AFCAC, Views of the AFCAC Member States on CORSIA Implementation, 2022.

[36] AFCAC, Views of the AFCAC Member States on ICAO Long Term Aspirational Goal (LTAG), 2022.

[37] Ingrid Cherfils, ECAC President, President's Triennial Report 2019-2021, 2021.

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[39] ECAC, ECAC Work Programme for 2022–2024, 2021.

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[41] Uruguay, *Capacity Building in Latin American States with Assistance from LACAC*, 2022.

[42] LACAC, *Strategic Plan 2020–2030*, 2020. Machine translated from Spanish into English for this report.

[43] LACAC, Importance of the Participation of Regional Organizations in The Air Transport Work Programme within the Framework of ICAO, 2022.

[44] LACAC, Importance of the Participation of Regional Organizations in The Air Transport Work Programme within the Framework of ICAO, 2022.

[45] ECAC, *Constitution and Rules of Procedure*, ECAC, Article 13(2).

[46] ICAO, Policy on Regional Cooperation, 2010, p. 2, para. 2.3.

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[48] Uniting Aviation, ECAC and the ICAO EUR/NAT Office: Uniting European Aviation, ICAO.

[49] LACAC, Importance of the Participation of Regional Organisations in The Air Transport Work Programme within the Framework of ICAO, 2022.

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[52] ACAO, ACAO/ICAO Cooperation Program 2023–25, ACAO.

[53] Ibid.

[54] AFCAC, Stakeholders map, AFCAC.

[55] ICAO, Annual ICAO ESAF-WACAF/AFCAC coordination meeting with Regional Aviation Organizations and Partners, Dakar, 31 January-1 February 2023.

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[57] ICAO, Separation of the European Civil Aviation Conference (ECAC) from ICAO, ICAO Annual Report 2020.

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[61] Ibid.

[62] ECAC, ECAC in Focus, ECAC, 2021.

[63] LACAC, Capacity Building in Latin American States with Assistance From LACAC, 2022.

[64] LACAC, Importance of the Participation of Regional Organizations in The Air Transport Work Programme within the Framework of ICAO, 2022.

[65] LACAC, Agreements subscribed with Organizations and/or States that are not members, LACAC, 2022.

[66] See, for example LACAC's MOUs with ACAO, AFCAC and ECAC.

[67] LACAC, AFCAC – ACAO – ECAC – LACAC Meeting, 5 September 2022.

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