

Government Response to the Standing Committee Report on the Convention on the Unification of Certain Rules for International Carriage by Air [Montreal Convention] tabled by the Hon. Attorney-General and Minister for Finance, Public Enterprises, Public Service and Communications in his capacity Minister responsible for Civil Aviation on 22 May 2015

Excerpted from Letter dated 15 May 2015:

Response:

4. Recommendations 1 – 3 (inclusive) is supported and endorsed by the Fijian Government. The Fijian Government will work closely with airlines involved in the international carriage of passengers and inform the public of their rights under the Montreal Convention.
5. Recommendation 4 is supported and endorsed by the Fijian Government. Moreover, the Fijian Government has invited and has received submissions from Fiji Airways and the Fiji Airways Flight Attendants Bargaining Unit with regards to their views on the Essential National Industries (Employment) Decree 2011. These submissions are currently being considered in light of the view of labour laws in Fiji.
6. Recommendation 5 is noted. By way of a background, the Montreal Protocol 2014 (**‘Protocol’**) is an amendment to the Convention on Offences and Certain Other Acts Committed On Board Aircraft (**‘Tokyo Convention’**), which governs offences and other acts that occur on board aircraft inflight. The Protocol makes important changes to the Tokyo Convention to serve as an effective deterrent to unruly behavior.
7. The Protocol was adopted on 4 April 2014 at the International Air Law Conference held under the auspices of the International Civil Aviation Organization in Montreal and is open for the (*Sic*) signature by states who participated. Although the Fijian Government had signed the protocol during its participation at the International Air Conference, there are no immediate plans at this stage for the ratification of the Protocol as it has yet to come into force. The Protocol requires twenty-two instruments of ratification, acceptance, approval or accessions with the depositary to come into force and currently there are 28 signatories to the Protocol with 1 ratification and 0 accessions.
8. The Fijian Government is currently closely monitoring the decision of other states in this matter and will need to thoroughly evaluate the implications of such ratification, before any decision on the same is made.