

APPENDICES

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Written Responses

Ministry of Foreign
Affairs and External
Trade



Ministry of Foreign Affairs

12 November 2025

Ref: 1422/1/3

The Secretary General
Parliament of the Republic of Fiji
Parliament Complex
Constitutional Avenue

Attention: Chairperson of the Standing Committee on Foreign Affairs and Defence

Re: Written Submission – Protocols Relating to Amendments to Articles 50(a) and 56 of the Convention on International Civil Aviation (ICAO)

The Ministry is in concurrence with the two Amendments as follows:

The Ministry fully supports the expansion of the Council membership from 36 to 40 members under Article 50 (a) and the expansion of the Commission membership from 19 -21 members under Article 56.

This amendment is in line with the timeline for periodic review of membership to ensure equitable representation in proportion to the increase in ICAO membership. This amendment is consistent with the practice in other international organisations to ensure equal representation and proportionality according to sub-regional membership.

The increase in both the Council and the Commission provides Fiji with an opportunity to represent the region in the Council or Commission in the future and to further our global leadership footprint in the international arena. Such an undertaking will ensure that the voice of the Pacific is amplified in such important discussions regarding civil aviation.

In addition to the above, the amendment does not entail legal or financial implication on Government as it is merely a periodic expansion of representation in the governing bodies of ICAO.

Respectfully submitted for the standing committee consideration

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Ministry of Tourism and Civil Aviation



MINISTRY OF TOURISM AND CIVIL AVIATION

12 November 2025

The Chairperson
Standing Committee on Foreign Affairs and Defence Parliament of
the Republic of Fiji

Dear Madam,

Re: Invitation to Make a Written Submission — Protocols Relating to Amendments to
Articles 50(a) and 56 of the Convention on International Civil Aviation

1. This Memorandum refers to the letter from the Standing Committee on Foreign Affairs and Defence dated 10 November 2025, inviting the Ministry of Tourism and Civil Aviation to provide a written submission on the Protocols relating to amendments to Articles 50(a) and 56 of the Convention on International Civil Aviation.
2. In response, please find attached the Ministry's written submission providing its views and comments on the proposed amendments to Articles 50(a) and 56 of the Convention.
3. The Ministry of Tourism and Civil Aviation remains committed to supporting Fiji's obligations under the Convention on International Civil Aviation and to ensuring that national positions are aligned with the principles and objectives of the International Civil Aviation Organization (ICAO).
4. The attached submission is respectfully forwarded for the Committee's consideration.

Yours sincerely

A blue ink signature of Salaseini Daunabuna, followed by a circular blue stamp with the text "MINISTRY OF TOURISM AND CIVIL AVIATION" and "REPUBLIC OF FIJI".

Salaseini Daunabuna
Permanent Secretary



PROTOCOL RELATING TO AN AMENDMENT TO THE CONVENTION ON INTERNATIONAL CIVIL AVIATION [ARTICLE 50(a)], Signed at Montreal on 6 October 2016

1. BACKGROUND

The Protocol Relating to an Amendment to the Convention on International Civil Aviation signed in Montreal on 6 October 2016 seeks to modernize the structure of the International Civil Aviation Organization (ICAO) Council.

Since the Convention was created in 1944, the makeup of the Council (as described in Article 50(a)) has only been changed four times. The last change happened in 1990, when ICAO had 162 member countries.

At present, the International Civil Aviation Organization (ICAO) has 193 Member States, with Fiji actively participating as one of them. However, its main decision-making group called the Council still only has 36 seats. This means that even though many more countries have joined ICAO over the years, the number of countries allowed to sit on the Council and make key decisions has stayed the same.

2. COMPOSITION OF THE ICAO COUNCIL

The ICAO Council has a total of 36 seats, which are divided into three parts or groups. Each group represents countries based on different factors such as their importance in international air transport, their contribution to aviation services, or to ensure fair geographic balance among regions.

The Council members are elected every three years by all ICAO member countries during the General Assembly. At the 42nd ICAO General Assembly held this year from 23rd September to 3rd October 2025, member countries voted to choose which nations would hold the 36 Council seats for the next three-year term.

3. GLOBAL RELEVANCE

The amendment to Article 50(a) is a long-overdue update to the governance of international civil aviation, addressing under representation in a body that sets critical standards for global air transport.



The 2016 Protocol proposes increasing the number of Council seats from 36 to 40, with more representation that is aligned more closely with the current global membership and ensuring broader and more equitable participation in ICAO's decision-making processes.

4. STRATEGIC SIGNIFICANCE AND BENEFITS TO FIJI

Ratifying this Protocol holds strategic, economic, and diplomatic significance for Fiji.

1. Strengthened Global Standing:

Ratification reaffirms Fiji's commitment to multilateral cooperation and fair representation in international institutions. It positions Fiji as a constructive and forward-looking Member State that supports reforms for greater global equity and inclusivity.

2. Advancing Regional and SIDS Interests:

Fiji plays a leadership role among Pacific Island States in aviation and connectivity. Supporting this amendment enhances the region's collective voice in ICAO, enabling Pacific nations to advocate for issues that directly affect them such as high operating costs, vulnerability to climate change, limited infrastructure, and dependence on air connectivity for tourism and trade.

3. Economic and Connectivity Benefits:

Aviation is the lifeline of Fiji's economy, facilitating over 40% of tourism arrivals, enabling international trade, and supporting employment and services.

Increased representation at the ICAO Council ensures that Fiji's unique challenges and priorities such as sustainable aviation fuel adoption, regional air transport safety oversight, and airspace management are recognized and incorporated into global policy frameworks.

4. Support for Sustainable Development Goals (SDGs):

By ratifying the Protocol, Fiji strengthens its alignment with the United Nations SDGs, particularly Goal 9 (Industry, Innovation, and Infrastructure) and Goal 13 (Climate Action). Enhanced participation at the ICAO level can facilitate access to technical cooperation, capacity building and funding opportunities.



5. No Additional Financial or Legal Burden:

Ratification does not impose new financial contributions or domestic legal obligations on Fiji. It is purely a policy and governance endorsement that aligns with existing international commitments under the Chicago Convention.

5. NEGATIVE IMPLICATIONS IF FIJI DOES NOT RATIFY

Failure to ratify the Protocol could have several negative implications:

- Reduced Influence: Fiji risks appearing disengaged from global aviation governance reforms, weakening its influence in advocating for its interests within ICAO.
- Diminished Regional Solidarity: As neighbouring Pacific States move toward ratification, non-participation could signal a lack of regional alignment and undermine Fiji's leadership role.
- Missed Strategic Opportunities: Without ratification, Fiji may lose potential leverage in shaping ICAO decisions that directly affect aviation safety, security, connectivity, and sustainability in the Pacific.
- Reputational Impact: Non-ratification may be perceived internationally as reluctance to support equitable representation and modernization in global institutions.

6. CONCLUSION

Ratifying the 2016 Protocol to Amend Article 50(a) of the Convention on International Civil Aviation is in Fiji's strategic national interest. It enhances Fiji's visibility and influence within the international aviation community, promotes fair representation for the Pacific region, and strengthens our commitment to sustainable global aviation governance.

The Ministry of Tourism and Civil Aviation, therefore, strongly supports ratification of this Protocol and recommends its endorsement by the Standing Committee on Foreign Affairs and Defence.



PROTOCOL RELATING TO AN AMENDMENT TO THE CONVENTION ON INTERNATIONAL CIVIL AVIATION [ARTICLE 56]

Signed at Montreal on 6 October 2016

1. BACKGROUND

The Protocol Relating to an Amendment to Article 56 of the Convention on International Civil Aviation, signed at Montreal on 6 October 2016, seeks to increase the membership of the Air Navigation Commission (ANC) from 19 to 21 members.

The Air Navigation Commission (ANC) is the principal technical advisory body of the International Civil Aviation Organization (ICAO). It is responsible for developing and reviewing the technical provisions contained in 17 of the 19 Annexes to the Chicago Convention (1944). These Annexes set out the Standards and Recommended Practices (SARPs) that guide global aviation safety, air navigation, and environmental protection.

Since its establishment in 1947, the size of the ANC has only been amended twice, the last in 1989, when ICAO's membership stood at 162 States. Today, ICAOs membership has grown to 193 Member States worldwide, including Fiji, yet the ANC's composition has remained limited to 19 members.

The proposed expansion to 21 members aims to better reflect the growth and diversity of ICAO membership, ensuring that the ANC continues to benefit from a wider range of technical expertise, geographical balance, and representation from developing and small island States.

2. GLOBAL RELEVANCE

The aviation sector has undergone tremendous transformation since 1944. Air transport now underpins global trade, tourism, humanitarian connectivity, and climate adaptation, with safety and efficiency standards evolving rapidly due to technological advancement.



The Air Navigation Commission plays a critical role in this evolution by developing the standards that shape:

- Air traffic management and airspace safety;
- Communication, navigation, and surveillance systems (CNS);
- Meteorological and aeronautical information services; and
- New areas such as unmanned aircraft systems (UAS), cybersecurity, and sustainable aviation fuels (SAF),

As aviation becomes more complex, inclusive technical representation at ICAO's ANC is essential to ensure that the concerns and capacities of all Member States, especially developing and small island States, are properly reflected in global standards.

The Protocol's ratification threshold is 128 States. As of 1 January 2025, 105 States have ratified it.

3. STRATEGIC SIGNIFICANCE AND BENEFITS TO FIJI

The ratification of this Protocol carries strong strategic, technical, and economic significance for Fiji and the wider Pacific region.

i. **Enhancing Global Representation for Small Island Developing States (SIDS):**

Fiji's support for the ANC expansion signals our commitment to fair and balanced representation in ICAO's technical decision-making. As a Pacific SIDS, Fiji's aviation priorities—such as connectivity, safety oversight, infrastructure resilience, and climate adaptation—differ markedly from those of larger economies. Increasing ANC membership improves the likelihood that SIDS' technical realities will be reflected in ICAO's standard-setting work.

ii. **Strengthening Fiji's Aviation Safety and Compliance:**

Fiji's aviation system depends heavily on the implementation of ICAO's SARPs. Greater representation on the ANC provides opportunities to influence global standards in areas directly affecting Fiji, such as air traffic management in oceanic regions, aviation meteorology, and navigation safety in remote island environments. This can lead to more context appropriate and cost-effective standards, reducing compliance burdens for small States.



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iii. **Economic and Connectivity Gains:**

Air transport is vital to Fiji's economy, particularly tourism, which contributes around 40% of GDP, and to the movement of goods, medical supplies, and disaster relief. Ratifying the Protocol strengthens Fiji's engagement in ICAO, ensuring that international aviation developments such as digital air navigation systems and sustainable aviation fuel initiatives are inclusive of the Pacific context, helping to sustain reliable, affordable, and environmentally sustainable air connectivity.

iv. **Access to Technical Cooperation and Capacity-Building:**

Fiji has benefitted from ICAO's training and assistance programmes, including through the Pacific Small Island Developing States (PSIDS) initiatives. Ratifying this Protocol reinforces Fiji's commitment to international collaboration, enhancing eligibility for technical cooperation projects, scholarships, and knowledge exchange.

Support for National and Regional Resilience Goals:

A stronger voice in ICAO's technical forums supports Fiji's broader national interests under the Fiji National Sustainable Development Plan and the Pacific Regional Aviation Safety Office (PASO) framework—both of which emphasize safe, resilient, and sustainable air transport.

vi. **Symbol of Leadership and Multilateral Commitment:**

Fiji has earned recognition as a regional leader in climate diplomacy and sustainable development. Supporting this amendment further demonstrates Fiji's belief in multilateralism, technical equity, and the modernization of international institutions.

4. ADVERSE IMPLICATIONS IF FIJI DOES NOT RATIFY

Failing to ratify the Protocol may have several negative outcomes for Fiji and the Pacific region:

● **Reduced Influence in Technical Policy Development:**

Without endorsement, Fiji's ability to shape global technical standards that affect regional aviation safety, environmental sustainability, and infrastructure may be diminished.



● **Limited Representation of Pacific Concerns:**

If SIDS are underrepresented at the technical level, decisions on airspace design, surveillance requirements, or emissions targets may not fully consider Pacific realities, leading to costly and impractical implementation challenges.

● **Erosion of Fiji's Leadership Role:**

As other Pacific and developing States ratify the Protocol, Fiji's nonparticipation could be perceived as reluctance to support global modernization efforts, weakening our reputation as a responsible and engaged aviation State.

● **Missed Opportunities for Capacity Building:**

Ratification aligns Fiji with ICAO's reform agenda and may influence future eligibility for technical assistance and cooperative programmes. Nonratification risks losing these potential benefits.

5. CONCLUSION

Ratifying the 2016 Protocol to Amend Article 56 of the Convention on International Civil Aviation represents a strategic and forward-looking step for Fiji. It advances our national interest in ensuring inclusive, safe, and sustainable air navigation systems, strengthens Pacific representation in international aviation governance, and reaffirms Fiji's commitment to fairness, technical excellence, and global cooperation.

The Ministry of Tourism and Civil Aviation therefore strongly supports the ratification of this Protocol and recommends its endorsement by the Standing Committee on Foreign Affairs and Defence.