



STANDING COMMITTEE ON FOREIGN AFFAIRS AND DEFENCE

Review Report on the Protocol Relating to an Amendment to Article 50(a) of the Convention on International Civil Aviation and the Protocol Relating to an Amendment to Article 56 of the Convention on International Civil Aviation



PARLIAMENT OF THE REPUBLIC OF FIJI
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Acronyms

ANC	Air Navigation Commission
ICAO	International Civil Aviation Organisation
SARP	Standards and Recommended Practices
SDGs	Sustainable Development Goals
SIDS	Small Island Developing States

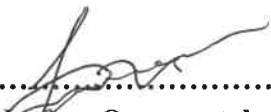
Chairperson's Foreword

The Standing Committee on Foreign Affairs and Defence presents this Review Report of the Protocol Relating to an Amendment to Article 50(a) of the Convention on International Civil Aviation, and the Protocol Relating to an Amendment to Article 56 of the Convention on International Civil Aviation. These instruments were referred to the Committee by the Speaker of Parliament on 5 November 2025 for consideration in accordance with Standing Order 130.

During its review, the Committee examined the written analysis tabled in Parliament and further consulted the Ministry of Tourism and Civil Aviation together with the Ministry of Foreign Affairs and External Trade. The Committee noted that the proposed amendments are administrative and procedural in nature, aimed at expanding the membership of the International Civil Aviation Organisation (ICAO) Council and the Air Navigation Commission (ANC) to reflect the significant growth in ICAO's global membership which now stands at 193 States. Both Ministries expressed full support for Fiji's ratification of the Protocols, highlighting the benefits of enhanced global representation and improved participation in international aviation governance processes.

The Committee is satisfied that the amendments do not pose any financial or legal obligations on Fiji. The Committee further concurs that their ratification will strengthen global aviation governance, enhance the representation of Small Island Developing States, and support Fiji's commitments to sustainable aviation. Accordingly, the Committee recommends that Parliament approves the ratification of both Protocols without reservation.

On behalf of the Standing Committee on Foreign Affairs and Defence, I wish to thank the members of the Committee for compiling this bipartisan report and I submit this report to the Parliament.

.....

Hon. Lenora Qereqeretabua
Chairperson

Recommendations

The Committee recommends to Parliament that Fiji ratifies the:

- i. Protocol Relating to an Amendment to Article 50(a) of the Convention on International Civil Aviation without reservation; and the
- ii. Protocol Relating to an Amendment to Article 56 of the Convention on International Civil Aviation without reservation.

1.0 Committee Remit and Composition

Under Standing Order 109(2)(e) the Committee is mandated to investigate matters related to Fiji's relations with other countries, development aid, foreign direct investment, oversight of the military, and relations with multi-lateral organisations. The members of the Standing Committee on Foreign Affairs and Defence are as follows:



Hon. Lenora Qereqeretabua
Chairperson
Deputy Speaker of Parliament
Assistant Minister for Foreign Affairs



Hon. Rinesh Sharma
Deputy Chairperson



Hon. Ratu Isikeli Tuiwailevu
Member
Assistant Minister for iTaukei Affairs, Heritage and Arts



Hon. Penioni Ravunawa
Member
Assistant Minister for Health and Medical Services



Hon. Virendra Lal Member



Hon. Taito Rokomatu
Member

1.1 Committee Secretariat Team

Supporting the Committee in its work is a group of dedicated Parliament Officers serving as the Committee Secretariat. These officers are appointed and delegated by the Secretary-General to Parliament by Standing Order 15(3)(i). The Secretariat officers are as follows:

- Ms. Tirisiane Logavatu – Senior Committee Clerk
- Mrs. Elesi Tabuyaqona – Deputy Committee Clerk

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2.0 Background and Terms of Reference

2.1 Review of Treaty

- 2.1.1 On 5 November 2025, the Acting Attorney-General moved a motion to refer the Protocol Relating to an Amendment to Article 50(a) of the Convention on International Civil Aviation (“Convention”) and the Protocol Relating to an Amendment to Article 56 of the Convention to the Committee for review. In compliance with Standing Order 130(2), the Speaker of Parliament (“Speaker”) received copies of the respective treaties and written analysis. Subsequently, pursuant to Standing Order 130(3), the Speaker referred the Protocol Relating to an Amendment to Article 50(a) of the Convention on International Civil Aviation and the Protocol Relating to an Amendment to Article 56 of the Convention on International Civil Aviation to the Standing Committee on Foreign Affairs and Defence for consideration and review, and the Committee to table a Report to Parliament no later than 30 days from the date of referral.
- 2.1.2 The Committee is responsible for reviewing matters concerning Fiji’s international relations, development assistance, foreign direct investment, national security oversight, and engagement with multilateral organisations.

2.2 Procedure and Program

Initial Reading of the Protocols

- 2.2.1 The Committee commenced its review by considering the written analysis. During its deliberations, the Committee identified the relevant ministries to be consulted regarding the implications of Fiji’s potential ratification of the Protocols, including anticipated benefits, obligations, and impacts on Fiji’s civil aviation sector and international engagement.

Consultations

- 2.2.2 Given that the amendments constitute administrative changes, the Committee agreed to invite the Ministry of Tourism and Civil Aviation and the Ministry of Foreign Affairs and External Trade to provide written submissions on the Protocols under review for consideration.
- 2.2.3 A summary of the submission is provided in a later part of this report, under the heading ‘Committee’s Deliberation and Analysis’. Copies of the written submission can be obtained from the online Appendices of the report, which can be accessed from the Parliament website: www.parliament.gov.fj

3.0 Protocols Relating to Amendments to the Convention on International Civil Aviation

3.1 Introduction

- 3.1.1 Fiji ratified the Convention on International Civil Aviation (Chicago Convention) on 5 March 1973, with the Convention entering into force for Fiji on 4 April 1973¹. The Convention provides the framework for regulating international air transport and established the International Civil Aviation Organisation (ICAO), a specialised agency of the United Nations. All States that are party to the Convention are members of ICAO. The aims and objectives of ICAO are to develop the principles and techniques of international air navigation and to foster the planning and growth of international air transport.

The ICAO Council, a permanent governing body elected by the Assembly for a three-year term, is responsible for a range of key functions. These include managing ICAO's finances, appointing and defining the roles of the Air Transport Committee, selecting members of the Air Navigation Commission, and adopting international Standards and Recommended Practices (SARPs) for inclusion in the Convention's Annexes.

The Air Navigation Commission (ANC) considers and recommends Standards and Recommended Practices (SARPs) and Procedures for Air Navigation Services (PANS) for adoption or approval by the ICAO Council. The Commission consists of members with recognised expertise in aeronautics, as required under the Chicago Convention. Although nominated by ICAO Member States and appointed by the Council, ANC Commissioners serve in an independent capacity and do not represent national or regional interests. They apply their technical knowledge for the benefit of the global civil aviation community.

- 3.1.2 The Protocol Relating to the Amendments to Article 50(a) and Article 56 of the Convention proposes the expansion of the ICAO Council and ANC membership respectively. Both Protocols were signed on 6 October 2016 at an Assembly of the ICAO in Montreal. The Protocols amend the Convention, and their purpose is to expand the membership of two ICAO bodies, that of the Council and Air Navigation Commission. Amendments to Article 50(a) of the Convention provide for an increase in membership of the ICAO Council from 36 to 40, and amendments to Article 56 of the Convention provide for an increase in membership of the ANC from 19 to 21.
- 3.1.3 Article 50(a) of the Convention sets out the composition of the ICAO Council. Since the Convention entered into force on 4 April 1947, the Council's membership—initially twenty-

¹ Status of Fiji with regards to International Law instruments. Available at:
https://www.icao.int/secretariat/legal/Status%20of%20individual%20States/fiji_en.pdf

one (21) members—has been expanded on four occasions to reflect the growth of ICAO’s overall membership:

- (i) 1961 – increased to twenty-seven (27) members;
- (ii) 1971 – increased to thirty (30) members;
- (iii) 1974 – increased to thirty-three (33) members; and
- (iv) 1990 – increased to thirty-six (36) members.

The most recent increase in 1990 was adopted when the ICAO had 162 member states. Since then, the size, structure, and economic significance of international air transport have evolved substantially, with civil aviation now serving as a major driver of economic development and tourism for many countries. The ICAO’s membership has since grown to 193 states.

The written analysis highlights that the current composition of the Council is no longer adequate to ensure broad and equitable representation of the 193 member states. In this regard, the ICAO Assembly has urged states to ratify the amendment to Article 50(a) as a matter of priority, to increase the size of the Council from thirty-six (36) to forty (40) members.

- 3.1.4 Article 56 of the Convention sets out the composition of the Air Navigation Commission. Since the Convention entered into force on 4 April 1947, the ANC membership – initially stood at twelve (12) members – have expanded on two occasions to reflect the growth of the ICAO’s overall membership:

- (i) 1971 – increased to fifteen (15) members; and
- (ii) 1989 – increased to nineteen (19) members.

The most recent increase in 1989 was adopted when the ICAO had 162 members. Since then, the ICAO membership has increased to 193 states.

The written analysis highlights that the current membership of the ANC is no longer adequate to ensure broad and equitable representation of the 193 states. Thus, the ICAO Assembly recommends for the urgent ratification of the amendment to Article 56 of the Convention, to increase the size of the ANC from nineteen (19) to twenty-one (21) members.

3.2 Entry into force

- 3.2.1 Both amendments will come into force once 128 of the ICAO Assembly’s 193 member states ratify the relevant Protocol. As of October 2025, 114 states have ratified the Protocol Relating to an Amendment to Article 50(a) of the Convention, and 120 states have ratified the Protocol Relating to an Amendment to Article 56 of the Convention.

3.3 Impact of the Protocols

- 3.3.1 The amendments to Articles 50(a) and Article 56 of the Convention will expand ICAO's Council by four members and the ANC by two members respectively. Both bodies can accommodate the additional memberships without requiring significant structural changes. The amendments carry no financial impact for Fiji, as they do not involve additional subscription fees or related costs.

4.0 Committee Deliberation and Analysis

4.1 Written Submissions

The Committee received written submissions from the Ministry of Tourism and Civil Aviation and the Ministry of Foreign Affairs and External Trade.

Ministry of Tourism and Civil Aviation

- 4.1.1 The Ministry of Tourism and Civil Aviation expressed strong support for Fiji's ratification of the Protocols amending Articles 50(a) and 56 of the Convention.
- 4.1.2 The Ministry explained that the amendment to Article 50(a) aims to modernise the ICAO Council, noting that despite ICAO's membership growing from 162 to 193 States since 1990, the number of Council seats has remained fixed at 36. The Council currently consists of three groups representing States based on air transport importance, aviation service contributions, and geographic balance, with members elected every three years at the ICAO Assembly.

The Ministry emphasised that increasing Council seats from 36 to 40 would address longstanding under-representation and ensure more equitable global participation in ICAO decision-making. Ratification carries key strategic, economic and diplomatic benefits for Fiji, including enhancing Fiji's global standing, strengthening Pacific regional and SIDS advocacy, and supporting Fiji's aviation-dependent economy by ensuring its unique challenges are reflected in ICAO policies. Ratification also aligns with the SDGs—particularly Goals 9 and 13—and entails no additional financial or legal obligations for Fiji.

- 4.1.3 The Ministry explained that the amendment to Article 56 seeks to expand the membership of the ICAO ANC from 19 to 21 members. The ANC is ICAO's principal technical advisory body, responsible for developing and reviewing Standards and Recommended Practices (SARPs) across 17 of the 19 Annexes, which underpin global aviation safety, air navigation, and environmental protection. Despite ICAO's membership increasing from 162 to 193 States, the ANC has not expanded since 1989. The proposed increase aims to improve technical diversity, geographic balance, and representation of developing countries and small island developing States (SIDS).

The Ministry further highlighted that the aviation sector has transformed significantly since 1944, with air transport now central to global trade, tourism, humanitarian operations, and climate adaptation. The ANC plays a critical role in shaping standards for air traffic management, communication and navigation systems, meteorology, unmanned aircraft systems, cybersecurity, and sustainable aviation fuels. Given the increasing complexity of global aviation, broader technical representation is essential to ensure that the needs of all Member States—particularly developing and small island States—are reflected in ICAO’s standard-setting processes.

The Ministry outlined several benefits of ratifying the Protocol, including improved global representation for SIDS, strengthened aviation safety and compliance for Fiji, enhanced economic and connectivity outcomes, and increased access to ICAO’s technical cooperation and capacity-building initiatives. Ratification also supports national and regional resilience priorities and reinforces Fiji’s leadership in multilateralism and sustainable aviation.

Ministry of Foreign Affairs and External Trade

4.1.4 The Ministry of Foreign Affairs and External Trade expressed full support for expanding ICAO’s governing bodies—specifically increasing the Council membership from 36 to 40 under Article 50(a) and ANC membership from 19 to 21 under Article 56.

4.1.5 The Ministry noted that these amendments follow ICAO’s practice of periodically reviewing membership to ensure equitable and proportionate representation in line with the growth in global membership, consistent with approaches used in other international organisations.

The Ministry highlighted that the expansions create future opportunities for Fiji to secure a seat on either the Council or the Commission, strengthening the country’s leadership role and ensuring stronger representation of Pacific interests in global civil aviation discussions.

The Ministry also confirmed that the amendments impose no legal or financial obligations on Government, as they simply expand representation within ICAO’s existing governance structures.

4.1.7 Overall, both ministries emphasised that ratifying the Protocols amending Article 50(a) and Article 56 is a strategic step that strengthens Fiji’s role in promoting inclusive, safe and sustainable air navigation governance and demonstrates Fiji’s ongoing commitment to fair and modernised international aviation systems.

4.2 Committee Analysis

The Committee notes that the Ministry of Tourism and Civil Aviation, together with the Ministry of Foreign Affairs and External Trade, strongly support Fiji's ratification of the Protocols amending Articles 50(a) and 56 of the Convention.

The Committee observes that the amendment to Article 50(a) modernises the ICAO Council by increasing its seats from 36 to 40, addressing longstanding under-representation despite ICAO's membership rising to 193 States. This expansion ensures fairer global participation and strengthens Fiji's diplomatic and economic interests by amplifying Pacific and SIDS priorities within ICAO. Ratification carries no additional financial or legal implications for Fiji.

For Article 56, the Committee notes that the proposal to expand the Air Navigation Commission from 19 to 21 members updates a body that has not been expanded since 1989, despite major growth in ICAO membership and rapid transformation of the aviation sector. The enhanced technical representation will better reflect diverse State needs—particularly developing and small island States—and support improved standard-setting across critical areas such as air traffic management, navigation systems, cybersecurity, and sustainable aviation fuels. The Committee highlights that ratification would support Fiji's aviation safety, economic resilience, and access to technical cooperation, while non-ratification risks reduced influence and missed capacity-building opportunities.

The Committee further notes the Ministry of Foreign Affairs and External Trade's support for both amendments, recognising that periodic expansion ensures equitable representation consistent with international practice. The Ministry emphasised that the amendments also create future opportunities for Fiji to pursue positions on ICAO's governing bodies and strengthen Pacific representation. It confirmed that the amendments impose no financial or legal burden on Government.

The Committee noted that failing to ratify the Protocols would reduce Fiji's influence in global aviation governance, weaken the representation of Pacific interests, and undermine regional solidarity. It may also diminish Fiji's leadership role, limit access to technical assistance and cooperation, and hinder the country's ability to advocate effectively for Pacific aviation priorities.

Overall, the Committee concludes that ratifying both Protocols offers clear strategic, technical, and diplomatic benefits for Fiji and the wider Pacific region, while ensuring continued alignment with international aviation governance standards.

5.0 Sustainable Development Goals (SDG)

The Committee recognises that while the amendments themselves are structural, their effect of improving the representativeness and technical expertise of ICAO's governing bodies enables the organisation to more effectively pursue its strategic objectives, which are directly linked to 15 of the 17 SDGs²:

- **Climate Action and Environmental Protection (SDG 13 - Climate Action):** The ANC, with its increased technical expertise, can more robustly develop environmental SARPs and guidance. Furthermore, Fiji has outlined several initiatives supporting ICAO's global climate objectives. First, it has developed a State Action Plan to reduce CO₂ emissions from international aviation in line with the goal of achieving net-zero emissions by 2050³. Second, Fiji has committed to the global target of reducing aviation CO₂ emissions by 5 percent by 2030 through increased adoption of Sustainable Aviation Fuels and other cleaner energy sources. Finally, Fiji Airports is advancing SDG 13 by investing in climate-resilient infrastructure and pursuing its own pathway to net-zero emissions by 2050⁴.
- **Economic Growth and Connectivity (SDG 8 - Decent Work and Economic Growth & SDG 9 - Industry, Innovation, and Infrastructure):** A larger and more representative ICAO Council can operate more efficiently, fostering the development of robust policies and standards that support safe, orderly international air transport and enhance economic opportunities and connectivity, particularly for landlocked developing countries (LLDCs) and Small Island Developing States (SIDS).
- **Improved Governance (SDG 16 - Peace, Justice, and Strong Institutions):** By providing more inclusive and balanced representation, the amendments strengthen ICAO as a UN specialised agency, contributing to more effective, accountable, and inclusive institutions at all levels.

² ICAO and the Sustainable Development Goals. Available at: <https://www.icao.int/icao-and-united-nations-sustainable-development-goals#:~:text=Page%20Content,Bodies%20to%20support%20related%20targets>.

³ Fiji's State Action Plan on CO₂ Emissions Reductions from International Aviation. Available at: https://www.icao.int/sites/default/files/sp-files/environmental-protection/Documents/ActionPlan_FIJI-STATE-ACTION-PLAN_2024.pdf

⁴ Fiji Airports Carbon Management Policy. Available at: https://airportsfiji.com/includes/CARBON%20MANAGEMENT%20POLICY_FINAL.pdf

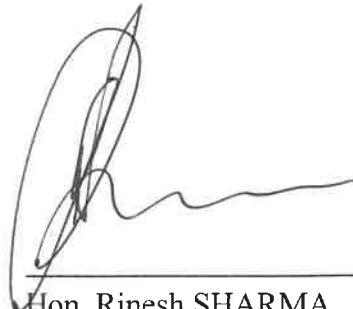
6.0 Conclusion

Overall, the Committee concludes that ratifying both Protocols demonstrates Fiji's continued commitment to inclusive, safe, and sustainable international aviation systems. The amendments support more equitable global decision-making, reinforce Fiji's leadership within the Pacific, and complement national and regional efforts to advance aviation safety, connectivity, and climate resilience. The Committee therefore commends the Protocols to Parliament for ratification.

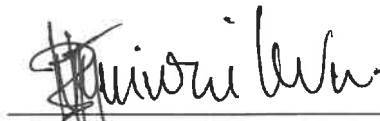
7.0 Committee Members' Signatures



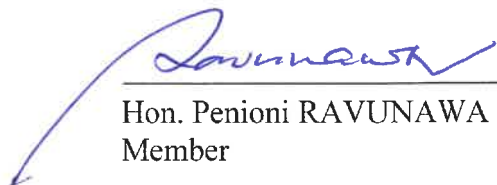
Hon. Lenora QEREQERETABUA
Chairperson



Hon. Rinesh SHARMA
Deputy Chairperson



Hon. Isikeli TUIWAILEVU
Member



Hon. Penioni RAVUNAWA
Member



Hon. Virendra LAL
Member



Hon. Talito ROKOMATU
Member

8.0 Annexure

Published evidence

Written evidence, transcripts, and supporting documents can be viewed on the Parliament website at the following link:

<https://www.parliament.gov.fj/committees/standing-committee-on-foreign-affairs-and-defence/>