

faulting states, the Special Sub-Committee was able to agree that the subject entrusted to it by the ICAO Council (i.e. of preparing an international convention) was "ripe" for consideration by the ICAO Legal Committee which, as recommended by the Special Sub-Committee was scheduled to meet in Montreal in January, 1973. The Special Sub-Committee's report contained the draft texts of provisions for two-stage action: first, a "commission of experts" convened to determine whether an accused State had contributed to a threat to the safety of civil aviation; secondly, machinery (proposed by Canada, the U.S.A., Netherlands and Britain) for taking joint action after a determination of fault had been made under stage one.

Since the Cuban Government did not wish to assume any multilateral obligations with respect to the hijacking of aircraft, Canada proposed in 1969 that the two countries negotiate a bilateral hijacking agreement that would provide for the extradition or prosecution of hijackers and for the expeditious return of hijacked aircraft, crew and passengers. Following a first round of negotiations held in Havana in February, 1971, Canada submitted to the Cuban Government in March, 1972, a revised draft agreement, and invited it to send a delegation to Ottawa for the second round of negotiations. In early December, the Cuban Foreign Minister gave the Canadian embassy in Havana a new draft text to serve as the basis of further negotiations. An official of the Department then went to Havana to assist in obtaining clarification from Cuban officials of a number of details in the new text and in setting the stage for sending a Canadian delegation to Havana early in 1973 for the final round of negotiations.

### **Multinational enterprises**

As the result of a Canadian initiative started in 1971, the 1972 session of the United Nations General Assembly requested the United Nations Commission on International Trade Law (UNCITRAL) to include in its terms of reference an examination of the legal problems presented by the operations of multinational enterprises.

### **Outer space law**

At the April, 1972 session in Geneva of the United Nations Outer Space Committee's Legal Sub-Committee, the Canadian delegation tabled a Draft Convention on the Registration of Objects Launched into Outer Space providing for the establishment of an international system for registering all objects launched into outer space. In 1968, France had also tabled a draft convention but the emphasis in their draft had been on national registers rather than on an international register.

At the Legal Sub-Committee session, the Canadian and French delegations were able to combine their separate drafts into a joint paper which was given detailed consideration by a wording group of the whole. Although the U.S.A. and U.S.S.R. were not enthusiastic about the idea of compulsory registration system, they were co-operative. Accordingly, although no agreement was reached on some details of the joint draft, most of the important principles were accepted. For example, while it was not possible to reach agreement on the type of detailed information to be provided to the Secretary-General of the United Nations, there was no objection to the principle of furnishing information on objects launched into outer space. As authorized by the United Nations General Assembly at its fall session, the Legal Sub-Committee will pursue work on the Draft Convention at its 1973 session as a matter of high priority.

### **International humanitarian law in armed conflicts**

The Legal Bureau has been working closely with the Judge Advocate General's Office of the Department of National Defence and the Canadian Red Cross Society in different stages of diplomatic activity, under the auspices of the International Committee of the Red Cross (ICRC), which it is hoped will lead to the adoption of protocols adapting the four Geneva conventions of August 12, 1949, for the protection of war victims to the realities of contemporary armed conflict situations.