

*Air Transport*

[English]

**QUESTION PASSED AS ORDER FOR RETURN**

**Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council):** Madam Speaker, if question No. 2,385 could be made an order for return, this return would be tabled immediately.

[Text]

DOT—GRANTS TO OTHER THAN FEDERAL AIRPORTS

Question No. 2,385—**Mr. Herbert:**

During the past five years, did airports administered by provincial or municipal authorities receive operating or capital grants from the Department of Transport and, if so, which airports?

Return tabled.

[English]

**Mr. Collenette:** I ask, Madam Speaker, that the remaining questions be allowed to stand.

**Madam Speaker:** The questions enumerated by the parliamentary secretary have been answered. Is it the pleasure of the House that the remaining questions stand?

**Some hon. Members:** Agreed.**GOVERNMENT ORDERS**

[English]

**PROHIBITION OF INTERNATIONAL AIR SERVICES ACT**

MEASURE TO REGULATE CERTAIN ASPECTS OF AIR TRANSPORT

**Hon. Mark MacGuigan (Secretary of State for External Affairs)** moved that Bill S-7, to provide for the prohibition of certain international air services, be read the second time and, by unanimous consent, referred to a Committee of the Whole.

He said: Madam Speaker, the objective of the bill before us is to implement in a concrete and practical way the government's commitment to combat aerial hijacking, a particularly prevalent form of international terrorism. The bill is a direct result of the Declaration on Hijacking made at the Bonn summit in July, 1978. The Prime Minister (Mr. Trudeau) was personally instrumental in the final formulation of the text of that important declaration, which was jointly issued by the seven heads of state and government of the Federal Republic of Germany, France, Italy, Japan, the United Kingdom, the United States and Canada. The text is not long, but to save time I will not read it.

The obligation to extradite or prosecute hijackers has a firm basis in international law. It is, for example, an essential operative provision in the 1970 Hague Convention for the Suppression of the Unlawful Seizure of Aircraft, to which Canada and over 100 other states are parties. However, the difficulty the international community faces in combatting hijacking, and indeed various other forms of terrorism, is not

the absence of international agreements defining offences and setting out appropriate penalties. The difficulty is, rather, the reluctance of governments to face up to their obligations when it comes to taking appropriate legal action against alleged offenders. Indeed, as recent events bear witness, some governments, for political reasons even condone, if not openly support, the activities of the wrongdoers.

It is this kind of culpability or attitude on the part of governments that the declaration is directed against. The severing of air links with the offending state, or defaulting state, to use the language of the bill, is intended to act as a kind of sanction to induce compliance with international obligations. In addition, the severing of air links can be seen, in appropriate circumstances, as a gesture whereby Canada dissociates itself from governments which are not prepared to take all necessary steps to deal with terrorists.

Clause 3 of the bill provides for determination of default by the Secretary of State for External Affairs. Such determination would be the result of close consultation with the other six governments which would each be monitoring and assessing the follow-up to any given hijacking incident. This activity would be undertaken primarily by the embassies of the seven governments in the country or countries involved in the hijacking. Based on the advice of the Secretary of State for External Affairs and the Minister of Transport, the governor in council would then be in a position to determine what prohibitive action, if any, is appropriate in the circumstances. Hon. members will see in Clause 3(1) of the bill the range of possibilities that are open in this regard. In exceptionally serious cases it is conceivable that all six prohibitions would be invoked.

The bill also provides for amendment or repeal of an order of prohibition as well as for penalties for air carriers which fail to comply with the order.

The government considers it desirable to enact specific legislation for implementation of the Bonn declaration even though existing powers would permit some measures of the kind of action required by the declaration. Because of the often fast-moving and unpredictable nature of hijacking incidents, the government should have available a procedure that is clearly established in advance and can be implemented on short notice.

As hon. members will see, the bill is brief and uncomplicated. It provides for drastic measures, but we believe that in situations which often involve loss of life and the taking of innocent hostages, drastic measures are called for.

The essential element to be considered here is the obligation to extradite or prosecute hijackers. We are convinced that unless governments act resolutely to deal with hijackers, such incidents of terrorism will increase. We also believe that terrorists would largely be ineffective were it not for the support or acquiescence of some governments, achieved by intimidation. The Bonn declaration has put the world on notice that the Government of Canada, and the six other governments involved, will not stand idly by while international law is flouted and terrorism condoned and encouraged.