

In view of the recent wave of aircraft hijackings and destruction of civil airliners, the Canadian Government has strongly supported the calling at the request of the United States, on an urgent basis, of a special meeting of the ICAO Council, the permanent body of the organization, the headquarters of which is in Montreal. Accordingly, the Government welcomes the decision of the President of the Council to convene a council session on September 18 to give immediate consideration as to what action should be taken by the organization to deal with the serious threats to international air safety posed by the increasing number and gravity of hijackings and attacks against civil aircraft.

The Government is sending a high-level delegation with specialist advisers from the Department of Transport and the Department of External Affairs to take part in the ICAO Council at the September 18 meeting.

Following up the Canadian initiative on linking bilateral air agreements to international conventions on unlawful interference with civil aviation at the extraordinary assembly of ICAO held in Montreal in June, the Canadian representatives will be putting forward specific proposals for action by the Council regarding sanctions against countries which do not act effectively against hijackers. In particular, the Council will be asked to take up the question of all member states of the 119-member organization incorporating a new provision in all their bilateral air agreements which provide the framework for virtually all scheduled international air transport around the world.

This provision would stipulate that the state in which a hijacked aircraft lands must immediately release all crew, passengers and baggage on board and immediately return the plane and cargo to the airline. It would also require that the hijacker be taken into custody and either extradited - generally to the State of registration of the aircraft - or prosecuted for crimes connected with the hijacking. If the landing state refused to comply with these obligations, all other states with air services to or from that state would have the legal right to cut off these services on short notice and in effect quickly institute an aerial blockade against the offending state. Under current international air law, such action would be illegal since bilateral air agreements do not normally permit cutting off air services except after twelve months notification. This special provision would apply to other types of unlawful interference with civil aviation as well as hijacking.