

The Council also decided to refer the question to a special sub-committee of the Legal Committee to consider elaborating a new, more extensive international convention and to the Air Navigation Commission and the Air Transport Committee to consider technical means of preventing hijacking. The two latter bodies subsequently took up the question and eventually made a number of recommendations which were duly transmitted to member states of the Organization.

Second Convention

The Legal Sub-Committee on Unlawful Seizure of Aircraft, composed of representatives of Britain, Canada, Argentina, Colombia, Denmark, France, India, Israel, Japan, Nigeria, Switzerland, Tunisia, and the United States, held two sessions in February and September-October of this year at ICAO headquarters in Montreal. At the conclusion of the second session, a report was issued which included the accepted text of a draft Convention on Unlawful Seizure of Aircraft. The main provisions of this draft treaty are concerned with: (a) the creation of an offence of unlawful seizure, the definition of which is specifically spelled out; (b) the extension of national jurisdiction over offences committed on board to the state of registration of the aircraft and to the state where a hijacked aircraft lands and the alleged offender leaves the aircraft; (c) the taking into custody of the alleged offender and the obligation either to extradite him or submit the case to competent national authorities for their decision as to whether legal proceedings should be initiated against him; and (d) including the offence in all extradition treaties between contracting states or, where such states do not make extradition conditional on treaties, stipulating that the offence must be recognized as a case for extradition as between themselves.

The Sub-Committee Report was transmitted by ICAO to the governments of all member states for their comments. The parent Legal Committee of ICAO, which is a committee of the whole, will meet in March 1970 to consider the draft convention in the light of the observations that will have been received. After the Legal Committee has approved an official text, it is expected that ICAO will convene a diplomatic conference in the autumn of 1970 to adopt the new treaty and open it for signature and ratification.

As a consequence of discussions at the first session of the Sub-Committee on interim measures, the Council adopted an important resolution on April 10, 1969. (1) The resolution stated that the Council had decided to give immediate and continuing attention to future acts of unlawful interference with international civil aviation (a broad term, which includes unlawful seizure and armed attacks against civil airliners on the ground) and its facilities through establishment of a special committee. This 11-nation committee, consisting of representatives from Australia, Britain, Colombia, France, Guatemala, Indonesia, Lebanon, Nigeria, Senegal, Spain and the United States, is to develop preventive measures and

(1) See Appendix A.