

It is clear that the problems of terrorist attacks on civil aviation is an international problem, for which there must be a vigorous and concerted international response. These senseless, desperate acts respect no borders and no citizens are immune from the threat.

In devising further international measures to suppress acts of hijacking and other unlawful acts against the safety of civil aviation, it will be important to bear in mind that a framework of valuable international co-operation has already been put in place. It is on this framework that we must build. In this regard, General Assembly Resolution 2645 (XXV) of November 25, 1970, relating to aerial hijacking or interference with civil aviation, explicitly condemns, without exception whatsoever, all acts of aerial hijacking and the exploitation of unlawful seizure of aircraft for the purpose of taking hostages. This approach, whereby acts of aerial hijacking are to be condemned and to be made punishable without exception and regardless of the motive of the perpetrator, has been translated into several important conventions adopted by the United Nations.

I refer in particular to the 1970 Hague Convention for the Suppression of Unlawful Seizure of Aircraft and the 1971 Montreal Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation. At the foundation of the legal obligations created by these conventions lies the principle "prosecute or extradite". Article 7 of both conventions obliges the State in whose territory the alleged offender is found to either prosecute him or extradite him to another state having jurisdiction for the purpose of prosecution. The objective of these conventions is to ensure that the offender who commits the crime in one country and seeks refuge in another is not able to escape punishment. Moreover, under Articles 2 and 3 of the Hague and Montreal Conventions, respectively, contracting States undertake to make the offence punishable by severe penalties.

The 1970 Hague and 1971 Montreal Conventions, as well as the 1963 Tokyo Convention on Offences and Certain Other Acts Committed on Board Aircraft, have received wide acceptance in all regions of the world by a broad cross-section of States embracing a variety of political philosophies. We have noted that 88 States have now either acceded to or ratified the Tokyo Convention, 79 States are now parties to the Hague Convention and 75 States have acceded to or ratified the Montreal Convention. These figures indicate an increasing degree of cooperation within the international community in seeking to ensure that offenders will receive severe punishment for their acts and we understand that further States will shortly join the growing list of signatories to these conventions, drawn from all regions of the world. The international community is gradually closing the door on the hijacker; it is becoming for him an increasingly hostile world in which to operate. There are, however, still important gaps in the application of these conventions which can encourage further acts of aerial hijacking. It was for this reason that the Canadian delegation to the 22nd Assembly of the International Civil Aviation Organization (ICAO), held in Montreal from September 13 to October 5, 1977, recommended to the Legal Commission of States Resolution A 21-9 regarding the requested to bring again to the attention of States Resolution A 21-9 regarding expeditious ratification of conventions relating to unlawful interference and that the Council be requested to study ways and means of obtaining widest possible application of those conventions. Canada was gratified that this recommendation was unanimously approved by the Legal Commission and looks forward in the near future to a detailed study of this matter.