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DIPLOMATIC CONFERENCE TO ADOPT NEW INSTRUMENT
PROPOSED BY CANADA FOR THE SUPPRESSION OF UNLAWFUL
ACTS OF VIOLENCE AT AIRPORTS

The Secretary of State for External Affairs, the Right Honourable Joe Clark, today announced the convening of a Diplomatic Conference, to be held at the Headquarters of the International Civil Aviation Organization (ICAO) in Montreal from 9 to 24 February 1988.

The Conference is the result of a Canadian proposal, adopted by the 26th Assembly of ICAO in September 1986, to develop a new legal instrument designed to eliminate safe havens for perpetrators of unlawful acts of violence at airports serving international civil aviation. The Canadian government took this initiative after the tragic attacks at the Rome and Vienna airports in December 1985, in accordance with its policy of contributing to international efforts to develop additional measures to combat terrorism.

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Secretary of State
for
External Affairs

Secrétaire d'État
aux
Affaires extérieures

Canada

The Minister of State for Transport, the Honourable Monique Vézina, who will be the chairperson of the Canadian delegation, stated that "the new instrument which this Conference is being convened to adopt will be a significant addition to the existing network of international agreements against terrorism, notably the 1971 Montreal Convention which applies to attacks against aircraft. Its adoption should also serve to underscore the important role of ICAO in the protection of civil aviation against unlawful interference."

BRIEFING NOTE

INTERNATIONAL CONFERENCE ON AIR LAW: DRAFT PROTOCOL ON UNLAWFUL ACTS OF VIOLENCE AT AIRPORTS MONTREAL, FEBRUARY 9-24, 1988

In early 1986 Canada proposed the development, in the International Civil Aviation Organization (ICAO), of an international legal instrument aimed at deterring and punishing the perpetrators of unlawful acts of violence at airports. Terrorists choose airports as targets because of their international character: at large international airports in particular, the interests of many States can be directly and seriously affected by terrorist attacks. Moreover, there is no international legal regime for dealing with the prosecution and punishment of the perpetrators of these attacks.

However, such an international regime already exists for attacks against aircraft and is embodied in the Hague and Montreal Conventions, which seek to ensure that those who are responsible do not go unpunished, particularly by escaping from the territory of the State where the attack was carried out. These conventions oblige a State where an alleged offender is found to submit the case to its competent authorities for the purpose of prosecution or to extradite him to another State with jurisdiction over the offence. The Canadian proposal therefore sought to extend this "extradite or prosecute" regime to unlawful acts of violence at airports, thus complementing the Hague-Montreal system.

The draft instrument to be considered by the Diplomatic Conference is drafted in the form of a Protocol to the 1971 Montreal Convention, to which Canada and 135 other countries are already parties. Hence, while it only contains provisions that are particular to airports, it includes by reference a comprehensive set of internationally agreed measures based on the "extradite or prosecute" principle common to all previous anti-terrorist conventions. Like them, it is designed to eliminate safe havens for terrorists, to increase international cooperation in the prevention and repression of terrorist acts and thereby to deter their perpetrators.