



Statements and Speeches

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KOREAN AIRLINE INCIDENT ISSUE AT UN SECURITY COUNCIL (2)

Second statement by the Honourable Gérard Pelletier, Permanent Representative, Ambassador for the Permanent Mission of Canada to the United Nations, to the Security Council, New York, September 12, 1983.

Mr. President: On behalf of the government of Canada, I am grateful to the Council for this further opportunity to participate in this emergency debate. It has been ten days since I last addressed this Council on behalf of my government to express the horror and outrage that is felt in Canada and to propose a series of actions for Council consideration in dealing with the deliberate destruction of a Korean 747 airliner.

In a long-delayed statement, the Soviet government has finally acknowledged that its fighter aircraft did indeed "stop" with missiles this defenceless civilian aircraft. The grudging condolences expressed to the families of the bereaved by the Soviet government are far from adequate. Where is any sense or expression of remorse? When will the government of the Soviet Union accept responsibility for the consequences of its shocking act? Vain attempts to evade responsibility by blaming others, inadequate and implausible explanations and the absence of any offer of help or assistance to the victims' families, all mark the Soviet retreat into paranoia.

In Madrid on September 7, Soviet Foreign Minister Gromyko stated, and I quote, "The borders of the Soviet Union are sacred." We are not here, Mr. President, to quarrel about the inviolability of Soviet frontiers, but we cannot and will not accept that the lives of innocent civilians should be so viciously subordinated to this assertion of Soviet sovereignty. We find the Soviet 1982 law most disturbing. It violates internationally agreed upon rules for interception. Could this tragedy be repeated should another civilian airliner innocently stray into Soviet air space? The Soviet Union has left no doubt about its intention. The international community must make every effort to avoid such a tragic repetition. Borders may or may not be sacred, but the lives of innocent civilians are unquestionably so. May I remind the Soviet government of President Podgorny's comments on the fiftieth anniversary of Soviet civil aviation in 1973. Again I quote, "It is well said that civil aviation needs a clear sky. Our attitude in this regard is fundamental and unswerving. We set human life and well-being above everything else." Why I ask, has the government of the Soviet Union repudiated these noble concepts.

Canada, an aggrieved party in these events, still has not received a satisfactory official response from the Soviet government to our demand for an explanation of the circumstances surrounding the tragic death of the Canadians on board.

The government of Canada maintains its position that the USSR must explain fully its part in this disaster. We have provided ample time and opportunity to do so. On September 6, the Canadian Deputy Prime Minister and Secretary of State for External Affairs, the Honourable Allan J. MacEachen, again called for a full and impartial international investigation. I repeat that call here today. Allegations

about weather conditions, the lights of the KAL 747 and the actions of the Soviet fighter aircraft can only be answered by such an international investigation. Then the international community will be in a position to review and to consider improvements to the rules, regulations and practices of international civil aviation, to prevent any recurrence.

To impress upon the Soviet authorities the gravity and determination with which we view this matter, the Canadian government announced its decision to suspend, for a period of 60 days, the rights of Aeroflot to the use of Montreal's Mirabel airport for its scheduled and charter flights. Canada has also suspended further consideration of arrangements for Soviet use of Gander airport. We hope these actions, together with those of other nations, will prompt a review by the Soviet authorities of the merits of continuing to evade their responsibility for the deaths of Canadians and of so many other innocent passengers. Canada's actions reflect not only the views of the Canadian government but of Canadians everywhere. The Canadian public has been outraged by this barbarous act. In the face of continuing Soviet prevarication, the growing groundswell of Canadian opinion demands a full and complete accounting. We welcome actions by other countries similar to those taken by Canada in an effort to hasten that day of accounting.

The Canadian government has formally reserved all its rights in international law to compensation from the Soviet Union for the loss of Canadian lives. On September 8, 1983, Canada officially notified the Soviet Union of this fact and is now proceeding to prepare its claim for presentation to the Soviet authorities. All justifications provided thus far by the Soviet Union do not alter the fact that it acted illegally in shooting down the civil airliner. That wrongful act in itself gives rise under international law to a responsibility on the part of the Soviet Union to provide appropriate compensation.

Furthermore, Canada believes that the Soviet government should, as well, assist the bereaved families in humanitarian fashion; for example, in a co-ordinated international search for remains of the deceased, in the organization of memorial services for them and in providing whatever information and documentation that can be of comfort and utility to the families of the victims.

We count on members of the Security Council to deal effectively with this issue that touches on agreed principles, procedures and rules of civilian aviation which affect the safety of us all. We would note that failure to do so could prove to be a backward step, particularly at this time when members of the Council have been informally exploring ways to improve its effectiveness — a process that Canada strongly endorses.

It is not enough to look back in anger and sorrow; the international community must move forward together. The most fitting monument which we can construct to the memory of these innocent victims is one of safer international civil aviation procedures which will forever prevent a repetition of this tragedy. To this end, Canada has supported the call for a special session of the International Civil Aviation Organization (ICAO) Council. Safer civil aviation procedures and a better definition of the relation between civil and military procedures will surely benefit everyone. We, therefore, expect positive, constructive results from the forthcoming deliberations within ICAO. Canada will work actively to this end.

The draft resolution before us recognizes the plight of the bereaved, the right to compensation and the

need for a full and adequate explanation of the incident. It reaffirms the relevant principles of international law. The resolution both deplores this tragedy and calls on the international community to strengthen the safety of international civil aviation through the ICAO. It invites the Secretary-General to conduct a thorough investigation with the full co-operation of all states, which is intended to include, of course, the Soviet Union. The thrust and content of this resolution thereby reflect the concerns and objectives of the Canadian government. We have listened carefully to all the speakers in this debate and we believe that the resolution reflects equally the comments of other concerned countries. This is not a rhetorical resolution; it is intended to be, and in our judgment it is, positive and balanced.

My government believes the resolution before us merits the support of all members of the Security Council and the wider international community.

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