REPORT
OF
COMMITTEE B

ASSEMBLY — SEVENTEENTH SESSION (Extraordinary)
Montreal, 16-30 June 1970

Approved by Committee B of the Assembly
and issued by authority of the Secretary General

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COMMITTEE B

REPORT

Table of Contents

Report of the Committee .................................................. 1
General .............................................................................................................. 1
Agenda and Working Arrangements .................................................. 1
Conduct of Business .......................................................................................... 1
Sub-item b): Consideration of arrangements under which those responsible for criminal actions endangering civil air transport can be brought to justice ............................................. 2
Topic B.I - Convention on Offences and Certain Acts Committed on Board Aircraft (Tokyo, 1963) ........................................ 2
Topic B.II - Measures recommended for adoption to alleviate the consequences of unlawful seizure ............................................. 5
Topic B.III - Draft Convention on Unlawful Seizure of Aircraft ..... 7
- Expeditious ratification ............................................................................ 7
- Reports to the Council ................................................................................ 11
- Simplification of convention-making procedures .................................... 12
Topic B.IV - Proposed new convention on acts of unlawful interference against international civil aviation ....... 15
Topic B.V - National Laws ........................................................................... 20
Topic B.VI - Extradition ................................................................................ 21
Topic B.VII - The linking of bilateral air agreements to ICAO international conventions relating to unlawful interference with civil aviation ............................................................................. 23
List of Working Papers presented to the Committee (Attachment A) .... 27
COMMITTEE B

FINAL REPORT

General

1. Committee B held 13 meetings between 16 June and 27 June inclusive.

2. At its first meeting the Committee elected Dr. C. Gómez Jara (Spain) as Chairman. Mr. B. Thomazios (Malaysia) was elected as Vice-Chairman at the ninth meeting.

3. The meetings of the Committee were attended by the representatives of those Contracting States, non-Contracting States and international organizations which were registered for the Assembly Session.

4. The President of the Council, Mr. W. Binaghi, and the Director in charge of Co-ordination for the Assembly, Mr. G.R. Besse, attended some meetings of the Committee.

5. The Secretary of the Committee was Dr. Gerald F. FitzGerald, Senior Legal Officer, assisted by Mr. D.S. Bhatti, Legal Officer. Also assisting on an ad hoc basis were Dr. G. Bonilla and Dr. M. Milde, Legal Officers.

Agenda and Working Arrangements

6. Sub-item b) of the Assembly Agenda, referred to Committee B by the Plenary, was considered.

7. The documents and working papers considered by the Committee are listed at Attachment A at the end of this Report.

Conduct of Business

8. The Committee carried out all of its work in full session and open meetings.

9. The action taken by the Committee in respect of each topic discussed by it is reported on separately in the paragraphs that follow.
Sub-item b): consideration of arrangements under which those responsible for criminal actions endangering civil air transport can be brought to justice

B.I - Convention on Offences and Certain Other Acts Committed on Board Aircraft (Tokyo, 1963)

B.I:1 The Committee discussed Topic B.I under Sub-item b) at its first, second and fourth meetings, and had as its basic documentation WP/4, Addendum No. 2, para. 3(c); WP/8 Revised, page 16, Annex III; WP/11, para. 9(A)(1); WP/15; WP/22; WP/24, para. 4; WP/30, para. 1; WP/39, Topic B.I; and WP/46.

B.I:2 A number of Delegates made statements on the rapid progress being made in their respective States (Australia, Barbados, Belgium, France, Greece, Ireland, Republic of Korea, Romania, South Yemen, Tanzania, United Arab Republic) towards early ratification of or accession to the Tokyo Convention. The Delegate of the People's Republic of Bulgaria stressed the fact that although his country was not a party to the Tokyo Convention, it nevertheless in practice applied fully the principles incorporated in Article 11 of that Convention.

B.I:3 The Committee next proceeded on the basis of a proposal formally moved by the Delegate of the United States of America, seconded by the Delegate of Switzerland, recommending the adoption of a resolution as presented in A17-WP/22 with the addition of a further resolving clause inviting States, even before ratification of or adherence to the Tokyo Convention, to give immediate effect to the principles of Article 11 of that Convention. There was a general expression of support for the proposal, although the Delegates of Tunisia, Senegal and Guatemala indicated their preference to take up each of the working papers referred to above in sequential order. Certain editorial changes were suggested by the Delegate of Canada and the Delegate of Italy (addition of the words "of civil aircraft" after the words "unlawful seizure" in the first "Noting" clause, and the deletion of the phrase "in recent months" therein) and supported by the Delegate of the Republic of Korea, which were accepted by the sponsor of the resolution.

B.I:4 Further suggestions for modifications in the text of the resolution were made. Thus, the Delegate of Colombia suggested that the additional resolving clause suggested by the United States of America should be expanded to stress that it was a repetition of an invitation addressed to States in Resolution A16-37 and that a further clause be added to the resolution indicating that assurances had been given by various Delegates present with regard to the imminent ratification of, or adherence to, the Tokyo Convention by their Governments. The Delegate of Mexico suggested that a further resolving clause be added urging Contracting States to keep the Council of ICAO informed on the action taken by them with a view to becoming parties to the said Convention. At the suggestion of the Chairman, the Committee agreed to entrust the task of preparing a revised draft resolution on the subject to the Secretariat, which was to take into account the various suggestions made thus far, it being understood that the Committee would have an opportunity later to reconsider the revised text.
B.I:5 At the Committee's second meeting, the Delegate of Ecuador, seconded by the Delegates of Colombia and Argentina, proposed that the first resolving clause of the draft resolution should reflect the fact that the problem of unlawful seizure concerned not only civil aircraft but also military aircraft engaged in civil air transport. There was general sympathy for the objective, but misgivings were expressed against any interpretation to be given the Tokyo Convention by the adoption of certain suggestions made to meet the problem raised by the Delegate of Ecuador. After much discussion, the Delegate of Canada, who had originally proposed the insertion of the words "of civil aircraft" in the first resolving clause, expressed his willingness to have the word "civil" struck out therein, but felt that such a modification should be reflected in all the other clauses of the resolution. The Delegates of the United States and Ecuador supported the modification suggested, while opposition was expressed on the ground, among others, that this might open the door to the interpretation that military aircraft were in fact to be included. The proposal for the modification (namely, deleting the word "civil" before "aircraft" whenever occurring in the resolution) having been put to the vote, was carried by 40 votes in favour to 8 opposed, and 23 abstentions.

B.I:6 The revised draft resolution, mentioned in paragraph B.I:4 above, was presented by the Secretariat (A/7-WP/56) for consideration at the fourth meeting, the Chairman pointing out that, as decided earlier, the word "civil" before "aircraft" should be deleted whenever occurring in the resolution.

B.I:7 The Delegate of Colombia suggested that the third preambulary clause of the revised draft resolution in A/7-WP/56 should appear as a "Noting" clause, thus giving it greater emphasis, and was supported by the Delegates of Argentina and Norway. The Delegate of Romania, however, proposed that the third preambulatory clause should be combined with the second "Noting" clause. This was seconded by the Delegates of Colombia and Argentina. The Delegate of Brazil proposed, seconded by the Delegate of Mexico, that the second "Noting" clause be replaced by the following:-

"Agreeing that the accession and implementation of the principles of the Tokyo Convention universally will make a first contribution to the elimination of the crime of unlawful seizure of aircraft".

B.I:8 The proposal made by Brazil was put to the vote first and failed by 12 votes for, 37 against and 24 abstentions.

The proposal made by Romania was then carried by 47 in favour and none against

B.I:9 The draft resolution thus amended is reproduced below and recommended for adoption by the Assembly.
"RESOLUTION B/1:

Wider acceptance of the Tokyo Convention on Offences and Certain Other Acts Committed on Board Aircraft (Tokyo, 1963)

WHEREAS the safety and freedom of transit of passengers and crew must be a paramount consideration of all States following the unlawful seizure of an aircraft;

WHEREAS the Tokyo Convention on Offences and Certain Other Acts Committed on Board Aircraft undertakes to assure the safety of passengers and crew following the unlawful seizure of an aircraft; and

WHEREAS it is desirable that Article 11 of the Tokyo Convention become a universally accepted international standard for the treatment to be accorded passengers and crews following the unlawful seizure of an aircraft;

THE ASSEMBLY:

NOTING the spread of instances of unlawful seizure of aircraft throughout the world, and

NOTING that statements made by a number of States represented at the Assembly have indicated that such States will shortly become parties to the Tokyo Convention, but that a comparatively small number of States have become parties to the said Convention despite two separate previous requests for accession to that Convention by the Assembly and by the United Nations General Assembly;

(1) URGES again that all States become parties to the Tokyo Convention as soon as possible;

(2) URGES Contracting States to inform the ICAO Council of the action taken by them with a view to becoming parties to the Tokyo Convention;

(3) INVITES States again, even before ratification of, or adherence to, the Tokyo Convention, to give effect to the principles of Article 11 of that Convention."

* Renumbered A17-2.
B.II - Measures recommended for adoption to alleviate the consequences of unlawful seizure

B.II:1 Following its consideration of Topic B.I, Committee B took up, as part of the documentation covering Topic B.II, A17-WP/18, Section E.1, consisting of a draft resolution submitted to the Assembly by the United States of America. The United States explained that the first two paragraphs of Section E.1 reproduced the contents of Article 11 of the Tokyo Convention on Offences and Certain Other Acts Committed on Board Aircraft, and that although they repeated the measures contained in that Article, this was desirable and even necessary that it was intended to have specific measures for immediate application to this serious problem.

B.II:2 The Committee decided to accept the first two paragraphs of the American proposal, adding the words "as soon as practicable" after the word "return" in the first paragraph to bring it into line with the relevant text of the Tokyo Convention.

B.II:3 Paragraphs 3 and 4 were approved without any substantive changes.

B.II:4 Paragraph 5 concerning the notification to be given by the State that has taken into custody the alleged offender was redrafted (see A17-WP/63) so as to include, among the States to be notified, in addition to the State of nationality of that person, the State of registration of the aircraft and, if advisable, any other interested States. It was also agreed that this notification should be given immediately.

B.II:5 A new draft of paragraph 6 was re-submitted by the United States Delegation (see A17-WP/67) and was approved without any changes. Paragraph 7 of the document was also approved without any changes.

B.II:6 On a suggestion of the Delegation of Guatemala, the words "and any other competent bodies" were added at the end of paragraph 8.

B.II:7 Paragraph 9 was redrafted by the United States (see A17-WP/68). A proposal by Jordan to replace the words "dry-leased" by "leased" was adopted by 14 votes in favour, 13 against and 37 abstentions. The final text, thus amended, was put to a vote and approved by 14 votes in favour, 4 against and 15 abstentions.

B.II:8 The draft Resolution recommended for adoption by the Assembly is the following:

"*RESOLUTION B/2:

Measures recommended for adoption to alleviate the consequences of an unlawful seizure

WHEREAS it is desirable that measures be recommended for adoption by States in order to alleviate the consequences of an unlawful seizure of aircraft;

* This resolution was amended by the Plenary. For the final text, see Resolution A17-5.
THE ASSEMBLY RECOMMENDS THAT:

(1) States should take all appropriate measures to restore control of an unlawfully diverted aircraft to its lawful commander or to preserve his control of the aircraft and to return, as soon as practicable, the aircraft and its cargo to the persons lawfully entitled to possession;

(2) States should permit the passengers and crew of an unlawfully diverted aircraft to continue their journey on the same aircraft without delay or as soon as arrangements can be made for other transportation in the event the unlawfully diverted aircraft is unserviceable;

(3) States should develop and utilize measures for the safety and care of passengers and crew of unlawfully diverted aircraft until their journey can be continued;

(4) States should adopt measures for the notification to the States of registry of an unlawfully diverted aircraft when such aircraft has landed in their territory;

(5) When a State has taken into custody any person suspected of committing an unlawful diversion of an aircraft in flight, it should immediately notify the State of nationality of that person, the State of registration of the aircraft and, if it considers it advisable, any other interested States of the fact that such person is in custody;

(6) The State of registry of an unlawfully diverted aircraft, the State of nationality of a person taken into custody on suspicion of having committed the unlawful diversion, and any other interested State should supply expeditiously to the State of landing any relevant information which is available regarding the person taken into custody;

(7) Without prejudice to its obligations under paragraphs 1 and 2 hereof, the State of landing, in accordance with its national law, should inquire into the aeronautical aspects of the act of unlawful diversion and dispatch its findings to the State of registry and to the Council of the International Civil Aviation Organization as soon as it is possible to do so;

(8) The State of registry of an aircraft which has been unlawfully diverted should, in accordance with its national law, forward, as soon as practicable, a report on the aeronautical aspects of the incident to the Council of the International Civil Aviation Organization for analysis and evaluation by the Committee on Unlawful Interference and other competent bodies;

(9) In situations in which an aircraft is leased to, and operated by, a carrier of a State other than the State of registry, the State of the carrier should have the same rights and responsibilities recommended herein for the State of registry.
B.III - Draft Convention on Unlawful Seizure of Aircraft

B.III:1 The Committee discussed Topic B.III under Sub-item b) at its fourth, fifth, sixth, seventh, eighth and tenth meetings and had as its basic documentation WP/4, Addendum No. 2; WP/6 Revised, paras. 2.1-2.2 and pages 11-15; WP/11, para. 9(A)(ii); WP/13, para. B.1; WP/15, page 4; WP/21; WP/24, para. 4; WP/30, para. 1; WP/33; WP/46, para. 6; WP/67; WP/68; WP/73, WP/75, WP/76, WP/83, WP/86 and WP/89.

Expeditious ratification

B.III:2 The Delegate of the United States of America presented A17-WP/21 and proposed that the Committee recommend to the Plenary the adoption of the draft resolution in it, with one drafting change: the substitution of "concentrating its efforts on changes which would strengthen its deterrent effect" for "limiting changes to those which would strengthen its deterrent effect" in the penultimate clause. This proposal was seconded by the Delegation of Austria and several others. In the discussion that followed several amendments to the text of the resolution were suggested by various Delegations and accepted by the United States Delegation. These were:

1. The deletion of "civil" before "aircraft" wherever it appeared in the text; (suggested by the Delegate of Italy for consistency with Resolution B/1 which had been adopted by the Committee on the basis of A17-WP/22; the Delegate of the People's Republic of the Congo recorded a reservation on this amendment on the ground that the Assembly was bound by the Chicago Convention, whose provisions are applicable only to "civil aircraft").

2. The replacement of the second "WHEREAS" clause by:

"WHEREAS the Legal Committee of this Organization has completed a draft international convention to deal with the problem of unlawful seizure of aircraft, and" (suggested by the Delegate of Japan, who pointed out that the description of the draft convention in the original text was not strictly accurate, going further than Articles 7 and 8 of the draft convention it paraphrased.)

3. The substitution of "to consider" for "to give final approval to" in the third "WHEREAS" clause (suggested by the Delegate of Austria on the ground that the draft convention prepared by the Legal Committee would be the basis of the work of the diplomatic conference but would not necessarily be the text finally approved.)

4. The deletion of the phrase "in recent months" in the first "NOTING" clause (suggested by the Delegate of Iraq for consistency with Resolution B/1 adopted by the Committee on the basis of A17-WP/22).
(5) The deletion of the words "embodying the above-mentioned provisions" in the second "NOTING" clause (suggested by the Delegate of Iraq as consequential upon the revision of the second "WHEREAS" clause).

(6) Revision of the penultimate clause to read:

"CALLS UPON Contracting States to attend the diplomatic conference and make every reasonable effort at that conference to agree on a convention based upon the draft convention prepared by the Legal Committee; and". (This was the result of suggestions by the Delegates of the Kingdom of the Netherlands and Lebanon, as well as of the amendment made in the third "WHEREAS" clause.)

B.III:3 It was agreed that a revised text embodying the foregoing changes would be issued by the Secretariat for consideration by the Committee. The text as redrafted was issued in A17-WP/73 and was considered by the Committee at its sixth and seventh meetings.

B.III:4 On a proposal by the Delegate of Ecuador, the Committee decided, by a vote of 43 to 8 with 17 abstentions, to omit the word "civil" appearing in square brackets in the first preambulary and second operative clauses of the redrafted resolution. The first two preambulary and first two operative clauses of the redraft were approved with this change.

B.III:5 There was considerable discussion on the third preambulary clause, the Delegate of Yugoslavia proposing that the words "to which all States having civil aviation should be invited" be added after "the diplomatic conference" at the end of the first line. The Delegates of the Czechoslovak Socialist Republic, Algeria, the United Arab Republic, Romania, Zambia and Iraq made statements in support of the proposal, emphasizing the desirability of having the fullest possible participation in the forthcoming diplomatic conference.

B.III:6 The Delegate of the United States of America pointed out that the question of participation at that diplomatic conference was under consideration by the Council, to which the Assembly delegated responsibility in such matters. He therefore suggested that it would be preferable for the present Assembly not to become involved with that aspect of the question. The Delegate of Zambia contended that it was incumbent on this Assembly to give the Council instructions. The Delegate of the United Kingdom commented that it would be inappropriate to include, in a factual statement of the nature appearing as the third preambulary clause, anything which purported to say what should or should not be done.

B.III:7 The Committee finally decided, on the proposal of the Delegate of Argentina and by a vote of 32 to 8 with 1 abstention, to postpone further discussion of the third preambulary clause. The Delegate of the Federal Republic of Germany requested that the Delegate of Yugoslavia present his proposed amendment in writing. (This was done in A17-WP/76).
B.III:8 There was considerable discussion on the third operative clause of the redrafted resolution. The Delegate of the Czechoslovak Socialist Republic proposed the substitution of "work done by the Legal Committee" for "draft convention prepared by the Legal Committee", because some of the decisions of the Legal Committee had been taken by only slight majorities and because it was probable that valuable suggestions would be forthcoming from States who were invited to comment on the draft convention. The Delegate of Yugoslavia proposed the substitution of "all States having civil aviation" for "Contracting States". In this latter connection, the Delegate of Argentina proposed that "Contracting" be deleted: This would mean that the paragraph would be appropriate no matter what the Committee might decide in respect of the third preambulory clause.

B.III:9 The Delegate of Canada indicated that the Committee should concentrate on the legal questions that it had still to consider instead of continuing the debate on what was clearly a political matter. He moved that the debate should be adjourned and that the questions of what States should be invited to participate in the diplomatic conference at The Hague and what States should be allowed to become Contracting Parties to the convention expected to result from it should be referred to the Executive Committee of the Assembly. This proposal was seconded by the Australian, Brazilian and a number of other Delegations. After an extensive procedural debate on whether the Canadian proposal was a privileged motion under Rule 42 of the Standing Rules of Procedure of the Assembly, the Chairman put to the vote the question whether the Canadian motion should be given priority: 36 Delegations voted in the affirmative, 7 in the negative, with 2 abstentions. A vote was then taken on the substance of the Canadian motion and it was carried by 38 votes to 12 with 4 abstentions. In view of this vote the Committee accepted the third "WHEREAS" clause of the resolution in the form appearing in A17-WP/73.

B.III:10 After this, the Delegate of Argentina withdrew the proposal he had made for the deletion of the word "Contracting" in the first operative clause of the resolution.

B.III:11 The Chairman having ruled that the amendment proposed by the Delegate of the Czechoslovak Socialist Republic to the first operative clause of the draft resolution - the substitution of "based upon the work of the Legal Committee" for "based upon the draft convention prepared by the Legal Committee" - was not covered by the Canadian motion, the Committee returned to it. The Delegate of France opposed the proposal and favoured the adoption of the Legal Committee's draft with the absolute minimum of changes and while recognizing that the diplomatic conference was sovereign, preferred a recommendation from the Assembly tending to concentrate attention on the draft prepared by the Legal Committee. On the vote, the Czechoslovak amendment was rejected by 25 votes to 9 with 5 abstentions. The Committee then accepted the first operative clause in the form appearing in A17-WP/73.

B.III:12 In view of the vote taken, the Delegate of the Polish People's Republic wished to record his view, previously expressed, together with some other Delegations, during the Legal Committee meeting in LC-WD/744-5 and embodied in the Legal Committee's Report (Doc 8865-LC/159, Part II, para. 18, page 25) that the draft convention prepared by the Legal Committee did not adequately deal with the question of extradition of the perpetrator of the offence of unlawful seizure and reserved his Government's right to raise the issue at the diplomatic conference.
B.III:13 On the proposal of the Delegate of the Czechoslovak Socialist Republic, the Committee agreed to substitute the words "give consent to be bound by" for "ratify" in the last line of the second operative clause.

B.III:14 The draft resolution as amended is reproduced below and recommended for adoption by the Assembly.

"*RESOLUTION B/3:

Expeditious ratification of the convention on unlawful seizure of aircraft

WHEREAS the unlawful seizure of aircraft poses a grave menace to the safe operation of international civil air services and undermines the confidence of the peoples of the world in the safety of international civil aviation;

WHEREAS the Legal Committee of the Organization has completed a draft international convention to deal with the problem of unlawful seizure of aircraft, and

WHEREAS a diplomatic conference will convene on December 1, 1970, to consider that draft convention;

THE ASSEMBLY:

NOTING the spread of instances of unlawful seizure throughout the world, and

NOTING the urgent need for an international convention as a means of dealing more effectively with the unlawful seizure of aircraft;

(1) CALLS UPON Contracting States to attend the diplomatic conference and to make every reasonable effort at such conference to agree on a convention based upon the draft convention prepared by the Legal Committee, and

(2) CALLS UPON all States invited to the diplomatic conference thereafter to give consent to be bound by such convention with all possible expedition."

* This resolution was amended by the Plenary. For the final text, see Resolution A17-3."
Reports to the Council

B.III:15 The Delegate of the United States of America presented to the Committee the draft resolution appearing in A/7-WP/15 at page 4. The draft resolution was formally seconded by the Delegate of Austria and by several others.

B.III:16 The Delegates of Colombia and of the Czechoslovak Socialist Republic had difficulties with the operative clause of the resolution. They pointed out that the recent session of the Legal Committee had given careful consideration to this question and had decided not to include in the draft convention provisions concerning furnishing of information noting that the matter might come up for decision at the diplomatic conference. They considered that it would be preferable to leave this question open for the decision by the diplomatic conference.

B.III:17 After an extended discussion the Chairman asked the Committee to express itself on the substance of the resolution, as embodied in the operative clause, indicating that if the vote was affirmative, it would still be possible to consider changes of wording. The vote was 24 to 17 in favour of the substance of the resolution, with 8 abstentions. The Chairman ruled out of order, as affecting the substance, an amendment suggested by the Delegate of the Czechoslovak Socialist Republic having the effect of deleting the reference to the Council in the operative clause.

B.III:18 Without a recorded vote the Committee adopted the proposal of the Delegate of Austria to substitute, in the third line of the operative clause the words "States parties to the future convention" for "the Contracting Parties".

B.III:19 The Delegates of Iraq and Ecuador proposed to delete the word "civil" before "aircraft" in the first and fourth "WHEREAS" clauses and in the operative clause. The Delegates of Venezuela, Mexico, Austria and the Philippines opposed this proposal and, on vote, the proposal was defeated by 6 votes in favour, 17 opposed with 1 abstention.

B.III:20 The Delegate of Senegal made a proposal to delete the second and third "WHEREAS" clauses and in the operative clause to delete the word "Contracting" in the first line and to insert after the word "States" the words "which will be invited to the conference of governments to agree" and finally to delete in the operative clause the words "including legal proceedings taken against the offender". The Delegate of France made a similar proposal, namely to put a full stop in the operative clause after the words "civil aircraft" and to delete the words "including legal proceedings taken against the offender".

B.III:21 A vote was taken on the proposal to delete the words "including legal proceedings taken against the offender" and it was carried with 26 votes in favour against 11. The Committee agreed, without a recorded vote, to delete the third "WHEREAS" clause. The proposal to delete the second "WHEREAS" clause was defeated with 14 votes in favour and 15 against. The Committee agreed, without a recorded vote, to delete in the first line of the operative clause the word "Contracting" and to insert after the word "States" the words "which will be invited to the conference of governments to agree".

B.III:22 The draft resolution as amended by the Committee is reproduced below and recommended for adoption by the Assembly.
"RESOLUTION B/4:

Reports to the Council

WHEREAS the unlawful seizure of civil aircraft poses a grave menace to the safe operation of international civil air services and undermines the confidence of the peoples of the world in the safety of international civil aviation;

WHEREAS reporting by the Contracting States of relevant information regarding the circumstances in which unlawful seizure of aircraft has taken place will be of great value to the Organization in analysing the effectiveness of aviation security and safety measures in such cases;

WHEREAS the draft convention on unlawful seizure drawn up by the Legal Committee has left open for the diplomatic conference the question whether Contracting parties should be requested to report to the Council relevant information regarding unlawful seizure of civil aircraft;

THE ASSEMBLY CALLS UPON the States which will be invited to the diplomatic conference to agree to a provision in the draft convention which would require States parties to the future convention to report to the Council as rapidly as possible all relevant information regarding the unlawful seizure of civil aircraft."

Simplification of convention-making procedures

B.III:23 The IATA Observer presented, towards the end of the fourth meeting, the recommendations set out in A17-WP/332 (and amplified in a booklet entitled "Proposed Simplification of Convention-Making Procedures") urging the Committee to adopt certain measures aimed at expediting ratification of the draft convention on unlawful seizure of aircraft. The IATA suggestion was supported by the Delegates of Jordan and Venezuela. While expressing sympathy with the objective of the proposal, the Delegates of Belgium, Colombia, The Czechoslovak Socialist Republic, France, Italy, Japan, Mexico and the People's Republic of Congo expressed reservations about the recommendations on the...
grounds, amongst others, (i) that their inclusion in a convention would not speed up its ratification because as provisions contained in that convention they could come into force only on ratification, (ii) that the measures would be incompatible with the constitutional procedures for ratification of treaties in force in certain States, and (iii) that it was premature to consider them in connection with the draft convention on unlawful seizure of aircraft, since they should first be considered in the context of the amendment of the Chicago Convention. Further discussion was suspended after a formal objection by the Delegate of the People's Republic of Congo to continuing without a specific written text.

B.III:24 Discussion continued at the eighth meeting when the IATA suggestion was brought up in the form of a resolution (A17-WP/75) and was formally proposed by the Delegates of Austria and Guatemala, the IATA Observer explaining, in response to a question raised by the Delegate of Italy, that the specified periods mentioned in sub-clauses I and II of the first clause were meant to be different. For instance, the obligation in regard to seeking approval in accordance with the constitutional processes in force in a State would involve a period of six months, while the requirement to give notice to ICAO in case of impossibility of becoming a party to the convention, would involve a period of, say, 18 to 24 months. Answering possible objections, the IATA Observer explained that only signatory States would be bound by the obligation, and that as to the consequences of non-ratification after the expiry of the prescribed period, the matter would be decided only after the study envisaged in the resolution had been carried out. The IATA Observer added that the grave danger created for aviation by acts of unlawful seizure justified a bold step towards achieving a rapid ratification of the draft convention on preventing such acts.

B.III:25 The draft resolution was considered clause by clause, and several suggestions were made, of which some merely editorial and others in the interest of clarification were accepted without opposition (the replacement of the first "it" in the first line of the "Noting" clause, sub-clause II, by "State" (suggested by the Delegate of Tanzania), the replacement of "implement" in the same sub-clause by "become parties to" (suggested by the Chairman in order to assuage the misgivings expressed by the Delegate of Lebanon, and the substitution of the words "the specified period" by the words "a specified period" (suggested by the IATA Observer).

B.III:26 The Delegate of Cameroon proposed the substitution of "an invitation" for "a requirement" at the beginning of sub-clauses I and II, but after the IATA Observer had emphasized that the intent of his Association was that the Convention should contain those requirements, the Chairman ruled that the proposal could not be considered since the first clause merely noted something that had been presented by IATA. The Delegates of Algeria and the People's Republic of Congo contended that the adoption of the resolution by the Assembly would imply tacit approval of IATA's submission, and the latter proposed that the first clause should simply read:

"NOTES the recommendation submitted by IATA in A17-WP/33 under paragraph 4(b)" (Supported by the Delegates of Afghanistan, Algeria and Cameroon, the motion was put to the vote but failed by 18 votes for, 20 against and 1 abstention.)
B.III:27 The Delegate of Senegal proposed, seconded by the Delegates of the People's Republic of Congo and Sierra Leone, the deletion of the second clause on the ground that it was not appropriate for the ICAO Assembly to send to Contracting States for study a document produced by an outside organization. The proposal failed to be carried by 13 votes to 18, with 1 abstention. Another proposal in respect of the same clause made by the Delegate of Italy, namely to add the words "for study" after the words "Member States" was accepted without opposition, and the clause, as amended, was adopted by 32 votes to 5.

B.III:28 In regard to the third clause, there were several proposals, namely deletion of the rest of the sentence after the words "first December, 1970" (Argentina), deletion of all the words after "the above recommendation" (United States of America), the replacement of the words "in the light of" by "taking into account" (Jamaica), and the replacement of the entire clause by a request addressed to governments meeting at The Hague "to examine the draft Convention on Unlawful Seizure of Aircraft in order to undertake to have the Convention ratified within a specified time" (Belgium - this last proposal was later withdrawn after some Delegates stated that on constitutional grounds their governments would be unable to consider such a clause and would oblige them to vote against adoption of the resolution). Eventually, the Delegate of Italy, seconded by the Delegates of Tunisia and Senegal, proposed that the clause be deleted in full. The proposal was carried by 30 to 4, with 2 abstentions.

B.III:29 The Delegate of the People's Republic of Congo next proposed that the fourth clause should be amended to read:

"REQUESTS the ICAO Council, through the appropriate body, to give further consideration to this subject matter in connection with future development of draft international conventions on air law". (The amended clause was adopted by 37 votes for and none against.)

B.III:30 The draft resolution as amended (A/17-WP/86) was adopted as a whole at the ninth meeting by 31 votes to 5, with 3 abstentions. It is reproduced below and is recommended for adoption by the Assembly.

"RESOLUTION B/5:

Proposed simplification of convention-making procedures

THE ASSEMBLY:

(1) NOTES the recommendation submitted by IATA in A17-WP/33 under paragraph (b) to the effect that the proposed convention on unlawful seizure of aircraft should contain:

* Renumbered A17-22.
(a) a requirement for the signatory States to submit it within a specified period to the appropriate authority in each State, for ratification, parliamentary approval, or whatever other constitutional process is required in the State concerned to bring the convention into effect;

(b) a requirement to give notice to ICAO if States found it impossible to become parties to the convention within a specified period, and

(2) REQUESTS the Secretariat to circulate to Member States for study Al7-WP/33 and the more detailed document made available by IATA on proposed simplification of convention-making procedures, and

(3) REQUESTS the ICAO Council, through the appropriate body, to give further consideration to this subject matter in connection with future development of draft international conventions on air law.

B.IV - Proposed new convention on acts of unlawful interference against international civil aviation

B.IV:1 The Committee discussed Topic B.IV under Sub-item b) at its eleventh and twelfth meetings, and had as its basic documentation WP/4, Addendum No. 2, para. 4(a); WP/8 Revised, para. 2.3, Annex I (para. 7), Annex II (paras. 1-14); WP/11, para. 2(A) (iii), para. 9(A)(iii) and (iv); WP/13, Item B.2-5; WP/15, para. 5 and pages 3-4; WP/19; WP/27, Annex A; WP/28; WP/29; WP/30; para. 2; WP/44; WP/45; WP/46, para. 6; WP/99; WP/112; and WP/113.

B.IV:2 The Delegate of the United Kingdom, one of the twelve sponsors (Argentina, Ethiopia, Guatemala, Ireland, Japan, the Kingdom of the Netherlands, New Zealand, Spain, Switzerland, the United Kingdom, the United States of America and Zambia) of the draft resolution as in Al7-WP/99, presented the said working paper saying that the discussions at the Assembly had revealed a number of legal problems that had to be solved when dealing with violence or attacks against international civil aviation in addition to the acts covered by the draft convention on unlawful seizure of aircraft, and that the task should be entrusted to the Legal Committee which should be directed to prepare a new draft convention on the subject. The matters for consideration of the Legal Committee, enumerated under the last resolving clause of the draft resolution, merited close study by that Committee but were not meant to be all-inclusive.

B.IV:3 Strong support for the draft resolution was expressed by various Delegates, while the Delegate of Pakistan referred to Al7-WP/113 which was closely related to the draft resolution under examination and the Delegate of Lebanon to Al7-WP/112 in which his Government had suggested that the carriage of arms and war material by civil aircraft at the same time as civil passengers should be prohibited.*

* As amended by the Plenary.
B.IV:4 At the Chairman's suggestion it was agreed to consider the question in three parts: (i) the need for study by the Legal Committee of the problem of acts of violence against international civil aviation other than those covered by the draft convention on unlawful seizure of aircraft; (ii) instructions to the Legal Committee, including the terms of reference, on preparing a draft convention on the subject; and (iii) the decision as to when the Legal Committee should meet.*

B.IV:5 On being put to vote, the Committee agreed to refer to the Legal Committee the matter mentioned in (i) above by 57 votes for, none opposed and 1 recorded abstention.

B.IV:6 On the question of the instructions to, and "terms of reference" for, the Legal Committee, the following amendments to the last resolving clause in Al7-WP/99 were proposed:

The clause as a whole

1. Replace by the following:

"DIRECTS the Legal Committee, in preparing the draft convention, to take into account the views expressed at the Assembly."

(Proposed by the Delegate of Chile and seconded by the Delegate of Cameroon.)

Introductory words

2. Add the following words after "DIRECTS":

"the Council to request"

(Proposed by the Delegate of the People's Republic of Congo and seconded by the Delegate of Tunisia.)

Point 1

3. Replace by the following:

"Acts of unlawful interference against the safety of aircraft on the ground or in flight, of airports, of installations and all air navigation facilities"

(Proposed by the Delegate of Ghana and seconded by the Delegate of Pakistan.)

* As amended by the Plenary.
4. Replace by the following:

"Acts of violence against aircraft, crew and passengers not covered by the draft convention on unlawful seizure, and acts of violence against aircraft on the ground, airports and air navigation facilities"

(Proposed by the Delegate of Lebanon and seconded by the Delegate of Pakistan.)

5. Replace the words "acts of violence" by "acts of unlawful interference".

(Proposed by the Delegate of the United Arab Republic and seconded by several Delegates.)

6. Replace by the following:

"All acts of unlawful interference against the safety of international civil aviation other than those covered by the convention on unlawful seizure of aircraft"

(Proposed by the Delegate of Iraq and seconded by the Delegate of Senegal.)

Point 2

7. Delete point 2.

(Proposed by the Delegate of Iraq and seconded by the Delegates of Algeria and the United Arab Republic.*)

Point 7

8. Delete the words "in accordance with extradition treaties and national laws" (Proposed by the Delegate of Brazil and seconded by the Delegate of Senegal).

9. Replace as follows:

"7. the means of application of bilateral agreements on extradition" (Proposed by the Delegate of Senegal and seconded by the Delegate of Tunisia.)

Addition of new points

10. Add the following:

"the question of information" (Proposed by the Delegate of Brazil and seconded by the Delegate of Colombia.)

* As amended by the Plenary.
11. Add the following:

"To recommend measures and sanctions to be taken against States which fail to comply with their obligations under the proposed new convention."

(Proposed by the Delegate of Sierra Leone and seconded by the Delegate of Lebanon.)

12. Add the following:

"the desirability of prohibiting the carriage of arms and other war material and such other goods as may act as an incentive for commission of acts of violence" (Proposed by the Delegate of Lebanon and seconded by the Delegates of Indonesia and Iraq. The Delegates of Belgium and Switzerland, while of a different opinion on the manner in which the problem in amendment number 12, presented by the Delegate of Lebanon, should be dealt with, expressed the importance which they attached to this question.)

The amendments mentioned in paragraph B.IV:6 above were proposed and discussed for a considerable period during the two meetings of the Committee on Topic B.IV, and, with a view to systematic presentation, are not given in the chronological order of their submission to the Committee. During the course of the discussion at the twelfth meeting, the amendment proposed by the Delegate of the United Arab Republic (see item 5 in para. B.IV:6) met with general approval, including that of most of the sponsors of the draft resolution in WP/99, and was adopted for incorporation in the draft resolution.

The Committee having agreed to proceed to vote on the various amendments which had been proposed and duly seconded, the Chairman called for a vote on the proposal of the Delegate of Chile, as shown under 1 of paragraph B.IV:6 above. The motion was carried by 25 votes for, 19 against, and one abstention. The Chairman stated that it was no longer necessary to proceed to vote on the rest of the amendments proposed in regard to the last resolving clause of the draft resolution under consideration, and the Committee so agreed.

The Delegate of France proposed, seconded by the Delegates of Portugal and Cameroon, to replace, in the second line of the first "DIRECTS" clause of the draft resolution, the phrase "in order to prepare", by the phrase "in order to undertake a study with a view to preparing". On being put to vote the motion failed by 12 votes to 28, with 2 abstentions.

In order to bring the draft resolution in line with the amendment proposed by the United Arab Republic and adopted by the Committee, the Delegate of the United Kingdom proposed that the words "acts of violence" wherever occurring in the draft resolution should be replaced by the words "acts of unlawful interference". The proposal was seconded by several Delegates and was adopted without vote.
B.IV:11. The draft resolution was put to the vote as a whole and was adopted by 48 votes to none against, with no abstentions.

B.IV:12. The draft resolution as amended is reproduced below and recommended for adoption by the Assembly.

"*RESOLUTION B/6:

Proposed convention on acts of unlawful interference against international civil aviation

WHEREAS acts of unlawful interference directed against international civil aviation jeopardize the safety of persons and property, seriously affect the operation of international air services and undermine the confidence of the peoples of the world in the safety of civil aviation;

THE ASSEMBLY:

CONSIDERING that the occurrence of such acts is a matter of grave concern;

CONSIDERING that for the purpose of deterring such acts, there is a need to provide for appropriate measures to facilitate prosecution of those who commit them; and

CONSIDERING that it is necessary to adopt provisions additional to those of international agreements in force;

(1) DIRECTS the Council of ICAO to convene the Legal Committee, if possible not later than November 1970, in order to prepare, as the matter of first priority on its Work Programme, a draft convention on acts of unlawful interference against international civil aviation (other than those covered by the draft convention on unlawful seizure of aircraft) with a view to adoption of the convention at a diplomatic conference as soon as practicable and if possible not later than the summer of the Northern Hemisphere in 1971;

(2) DIRECTS the Legal Committee, in preparing the draft convention, to take into account the opinions expressed at this Assembly.

* Renumbered A17-20.
B.V  - National Laws

B.V:1 The Delegate of the United States of America presented, and proposed for approval, the draft resolution appearing in the document presented by his country (A/17-WP/20) on the legislative measures to be adopted by the various States for the repression of crimes relating to international civil aviation.

B.V:2 Some Delegations stated that their countries had promulgated or were in the process of drafting laws in this regard. In some cases, copies of these laws had been made available to the Assembly.

B.V:3 On the proposal of the Delegation of Argentina, the Committee decided to consider, in the first place, the last operative clause beginning with "URGES Contracting States...", since the Committee considered that once the questions of substance had been solved, it would be easier to deal with the remainder of the draft resolution. In this regard, the Delegate of Senegal made a proposal, which he later amended, that, in both cases, no reference be made to the imposition of severe penalties under national laws.

B.V:4 Since there was opposition in the Committee to the Senegalese proposal for amendment on the ground that this amendment would greatly diminish the value of the urgent recommendation made to States by the draft resolution, the Delegate of Senegal withdrew his proposal with respect to the final paragraph of the United States proposal and that paragraph was approved in its original form by a vote of 42 in favour, none against, with two declared abstentions.

B.V:5 The first WHEREAS clause was approved without objection.

B.V:6 Various proposals were made concerning the second WHEREAS clause, thus a proposal of Argentina to delete the sentence from the words "and through vigorous efforts" a proposal of France not to refer to the words "and punished" and "and punishment"; a proposal of the Netherlands to delete the reference to "Contracting" with respect to States. The Delegate of the United States having proposed that the text be amended by deleting what followed the words "are tried", all of the Delegations which had proposed amendments withdrew them in favour of the new United States draft which was approved by a vote of 60 in favour, none against and no declared abstention.

B.V:7 With regard to the paragraph beginning with the word "NOTING", the Committee approved, by a vote of 12 in favour, one against and no declared abstention, a proposal of Denmark to replace the words "specifically directed to the" by the words "dealing with all cases of". The text, as thus amended, was approved by a vote of 44 in favour, none against, with no abstentions.

B.V:8 The resolution as a whole, amended as indicated above, was approved by 56 votes in favour, none against, with no declared abstentions. That being so, the consideration of Topic B.V: National Laws of the order of business was finished.
The text of the resolution as thus adopted and recommended for approval by the Assembly is as follows:

"RESOLUTION B/7:

Criminal laws relating to the unlawful seizure of civil aircraft

WHEREAS the unlawful seizure of civil aircraft and other forms of unlawful interference with international civil aviation and its facilities pose a grave menace to the safe operation of international civil air services and undermine the confidence of the people of the world in the safety of international civil aviation;

WHEREAS deterrence of such acts can be greatly facilitated through the enactment by Contracting States of national criminal laws providing severe penalties for such acts, and through vigorous efforts by Contracting States to assure that the perpetrators of such acts are tried.

THE ASSEMBLY:

NOTING that not all Contracting States have national criminal laws dealing with all cases of unlawful seizure of civil aircraft and other forms of unlawful interference with international civil aviation and its facilities,

URGES Contracting States which have not already done so to enact, with all possible expedition, national criminal laws carrying severe penalties for the unlawful seizure of civil aircraft and other forms of unlawful interference with international civil aviation and its facilities."

extradition

The Committee discussed Topic B.VI at its tenth meeting and had as its basic documentation WP/15; WP/19 and Addendum No. 1 thereto and WP/40.

The Delegate of Brazil introduced WP/40 presented by his Delegation and emphasized that Article 8 of the Draft Convention on Unlawful Seizure of Aircraft and Article 13 of the Tokyo Convention did not solve the problem of extradition. He then formally proposed that the Committee recommend to the Plenary the adoption of the draft resolution in Attachment 1 to WP/40. This proposal was seconded by the Delegates of Argentina, Portugal and Spain.

The Chairman opened discussion on the two resolving clauses of the draft resolution. There was considerable discussion on the draft: the Delegate of Denmark,

* This resolution was amended by the Plenary. For the final text, see Resolution A17-6.
dealing with Resolving Clause No. 2, thought that extradition was a general problem of
criminal law which was not specific for unlawful seizure of aircraft; the Delegate
of the People's Republic of the Congo considered the first resolving clause meaningless
and ambiguous; this view was shared by the Delegate of Iraq. The Delegate of Lebanon
thought that the Draft Convention prepared by the Legal Committee contained, in
Article 8, an acceptable compromise formula and that any other proposal would
complicate the work of the diplomatic conference; this view was shared by the
Delegates of Denmark, the Kingdom of the Netherlands, Switzerland, Tunisia, Algeria,
United Kingdom, Iraq and the Observer of ICPO (Interpol).

B.VI:4 By a vote of 6 in favour, 21 opposed with 2 abstentions, the Committee
rejected the first resolving clause. The Delegate of Brazil did not press the second
clause for voting and the draft resolution was not adopted.

B.VI:5 The Delegate of the United States of America thought it important to
reemphasize that the existing bilateral and multilateral agreements on extradition
should be strengthened by making attacks against civil aircraft an extraditable
offence. He introduced the draft resolution on page 3 of WP/15 of which he proposed
for adoption the first "WHEREAS" clause and the "CALLS UPON" clause, the rest of the
text to be disregarded. This proposal was seconded by several Delegates.

B.VI:6 The Delegate of Iraq proposed to delete, in the third line of the operative
clause the words "civil aircraft" and to replace them by "international civil aviation".
The Delegate of the United States accepted this amendment. The Delegate of the Kingdom
of the Netherlands proposed to delete, in the first line of the operative clause, the
word "bilateral" because there were several multilateral arrangements on extradition;
this was supported by the Delegate of the United Arab Republic. The Delegate of the
United States of America accepted the amendment.

B.VI:7 The "WHEREAS" clause was adopted by 50 votes without opposition and with
no abstentions. The operative clause was adopted by 51 votes, without opposition and
with no abstentions. The resolution as a whole was adopted unanimously without a
recorded vote.

B.VI:8 The Delegate of Cuba explained the position of his country on the question
of extradition as expressed in Articles 2, 3, 4, 5 and 6, paragraph 2 of the Law No. 1226
of 16 September 1969.

B.VI:9 The draft resolution as adopted by the Committee is reproduced below and
recommended for adoption by the Assembly.

"RESOLUTION B/8:

Strengthening of existing arrangements for extradition

WHEREAS acts which unlawfully interfere with international civil aviation:
jeopardize the safety thereof, seriously affect the operation of
international air services and undermine the confidence of the peoples
of the world in the safety of international civil aviation;

* Renumbered A17-7.
THE ASSEMBLY CALLS UPON Contracting States to strengthen existing arrangements for the extradition of persons making criminal attacks on international civil aviation by the necessary provision in law or treaty to make such attacks extraditable."

B.VII - The linking of bilateral air agreements to ICAO international conventions relating to unlawful interference with civil aviation

B.VII:1 The Committee discussed Topic B.VII under Sub-item b) at its twelfth meeting and had as its basic documentation WP/49 and WP/87 presented by the Delegation of Canada.

B.VII:2 In proposing the adoption of the draft resolution set forth in WP/87, the Delegate of Canada explained that the major objective of WP/49 and of the draft resolution was to encourage the examination, by the appropriate body, of a possible new approach towards securing the enforcement of international obligations under ICAO conventions relating to unlawful interference with civil aviation. Scheduled international air transport being generally based on bilateral agreements, his Delegation believed that directly linking such agreements to the appropriate ICAO conventions might be an effective method of providing for a system of penalties which might be invoked against States which had failed to implement their obligations under conventions to which they were parties. He thought that there was merit in directing that a thorough study be made by an appropriate ICAO body of the question of annexing to all existing and future bilateral air agreements between ICAO Member States a special clause setting out the appropriate provisions of ICAO conventions, which dealt with unlawful interference. The intention would be that, in the event a State failed to implement its international obligations under the special clause, the other party to the bilateral air agreement would have the right to suspend operation of such air agreement on short notice. He recognized the complexity of the question and expressed the view that thorough consideration by a body of experts was necessary.

B.VII:3 The proposal of the Delegate of Canada was seconded by several Delegations. The Observer of IFALPA supported the draft resolution and said that all new and dynamic proposals should be given full consideration.

B.VII:4 The Delegate of the United States of America considered that the Canadian draft embraced a most interesting but indeed most complex programme. He shared the concern of the Canadian Delegation on the means of providing the most effective measures to combat unlawful interference with international civil aviation. He believed, that several important elements were involved: (a) for the action to be effective it would have to require concerted action by substantially all States to suspend all air services to the offending State; (b) the best means to achieve this end would be through a multilateral convention which would be binding on all States, and (c) a bilateral approach would involve a substantial number of administrative burdens and in the end could be relatively ineffective. He hoped that if the Assembly were to decide that a study be made on this question, the above-mentioned considerations would be taken into account.
B.VII:5 The Delegate of Tunisia said that the Canadian proposal was constructive, that the result of the study should not be prejudged and that therefore it was appropriate to study the proposal. The Delegate of Iraq was of the view that since the resolution did not deal with substantive issues and since it raised complex problems, it was all the more logical, rational and reasonable for the Organization to study the subject further.

B.VII:6 The Delegate of Denmark expressed doubts that ICAO would be able to contribute effectively in this field in which the commercial interests were paramount. ICAO never interfered in the field of bilateral air agreements and it should not do so in the future. The Delegate of Australia considered the proposal to be very interesting and thought-provoking, but had doubts about the efficacy of the studies; he shared the doubts of the Delegate of the United States of America; he also thought that the proposal would place an additional heavy load on the Council and that the Legal Committee would not be the appropriate body to handle all aspects of the matter. He considered the proposal premature. The Delegate of Tanzania shared the views of the Delegate of Australia.

B.VII:7 The Delegate of Canada appreciated the comments made by other Delegations. He agreed that the substance of the question was complex and presented difficulties, but this was exactly the reason why the matter should be studied.

B.VII:8 The Canadian draft resolution was adopted by 31 votes in favour, none opposed, with 12 abstentions. It is reproduced below and is recommended for adoption by the Assembly.

*RESOLUTION B/9:

Circulation of paper on the linking of bilateral air agreements to ICAO international conventions relating to unlawful interference with civil aviation

THE ASSEMBLY:

RECOGNIZING that scheduled international air transport is generally regulated by bilateral air agreements between States;

CONSCIOUS of the great contribution that the Tokyo Convention on Offences and Certain Other Acts Committed on Board Aircraft and future International Civil Aviation Organization conventions relating to unlawful interference with international civil aviation can make towards preventing and deterring such acts;

* Renumbered A17-23.
(1) NOTES the "Canadian discussion paper on linking bilateral air agreements to ICAO international conventions relating to unlawful interference with civil aviation" contained in A17-WP/49;

(2) REQUESTS the Secretariat to circulate it to Member States for study; and

(3) REQUESTS the Council to refer it to the appropriate body for thorough consideration of the subject matter, in connection with the development of international law to deal with acts of unlawful interference with international civil aviation."
<table>
<thead>
<tr>
<th>Number</th>
<th>Title</th>
<th>Presenter</th>
</tr>
</thead>
<tbody>
<tr>
<td>A17-WP/4</td>
<td>Sub-item b) of the item on the Provisional Agenda</td>
<td>Presented by the Secretary General</td>
</tr>
<tr>
<td></td>
<td>+ Add. No. 1</td>
<td>Comments of Austria</td>
</tr>
<tr>
<td></td>
<td>+ Add. No. 2</td>
<td>Comments of the United Kingdom</td>
</tr>
<tr>
<td>A17-WP/8</td>
<td>Statement concerning unlawful attacks against civil aircraft</td>
<td>Presented by the IITF</td>
</tr>
<tr>
<td>A17-WP/11</td>
<td>Legal aspects of the prevention of armed aggression against civil airline aircraft</td>
<td>Presented by IATA</td>
</tr>
<tr>
<td>A17-WP/13</td>
<td>Action Programme proposed by Israel</td>
<td>Presented by Israel</td>
</tr>
<tr>
<td>A17-WP/15</td>
<td>International Agreements</td>
<td>Presented by the United States of America</td>
</tr>
<tr>
<td>A17-WP/18</td>
<td>Measures which the Assembly should adopt to assure adequate security</td>
<td>Presented by the United States of America</td>
</tr>
<tr>
<td></td>
<td>(Section E, paras. 1-9)</td>
<td></td>
</tr>
<tr>
<td>A17-WP/19</td>
<td>Topics for discussion</td>
<td>Presented by Brazil</td>
</tr>
<tr>
<td></td>
<td>+ Add. No. 1</td>
<td></td>
</tr>
<tr>
<td>A17-WP/20</td>
<td>National legislation punishing unlawful interference</td>
<td>Presented by the United States of America</td>
</tr>
<tr>
<td>A17-WP/21</td>
<td>Expeditious ratification of the Hijacking Convention</td>
<td>Presented by the United States of America</td>
</tr>
<tr>
<td>A17-WP/22</td>
<td>Continuing ratification of the Tokyo Convention</td>
<td>Presented by the United States of America</td>
</tr>
<tr>
<td>A17-WP/24</td>
<td>The role of ICAO on hijacking</td>
<td>Presented by the Republic of Korea</td>
</tr>
<tr>
<td></td>
<td>+ Corr. in E. only</td>
<td></td>
</tr>
<tr>
<td>A17-WP/27</td>
<td>Suggested measures for adoption by the Seventeenth Assembly</td>
<td>Presented by Switzerland</td>
</tr>
<tr>
<td>A17-WP/29</td>
<td>Proposal for an International Convention on Violence against Aircraft</td>
<td>Presented by the United Kingdom</td>
</tr>
<tr>
<td>A17-WP/30</td>
<td>Legal measures</td>
<td>Presented by IFAIPALPA</td>
</tr>
<tr>
<td>A17-WP/33</td>
<td>Expeditious ratification of the Convention on Unlawful Seizure of Aircraft</td>
<td>Presented by IATA</td>
</tr>
</tbody>
</table>
- Memorandum on Swedish penalties, etc., referring to sabotage in aircraft (Presented by Sweden)

- Bill concerning amendments to the Netherlands Criminal Code (Presented by the Kingdom of the Netherlands)

- Working Papers, or parts thereof (up to and including Al7-WP/39) for consideration by Committee B (Presented by the Secretariat)

- Legislative and co-operative action to be taken by States to prevent unlawful interference in civil aviation (Presented by Brazil)

- Preparation of a new Supplementary International Convention Concerning Acts of Unlawful Interference in Civil Aviation (Presented by Switzerland)

- Preparation of a Draft Convention to Depress Terrorism Directed at International Civil Aviation. Ban on the carriage of arms, munitions or implements of war to any belligerent State or war zone in any civil aircraft which is also carrying civilian passengers (Presented by Belgium)

- International Agreements (Presented by New Zealand)

- Canadian Discussion Paper on linking bilateral air agreements to ICAO International Conventions Relating to Unlawful Interference with Civil Aviation (Presented by Canada)

- Draft resolution prepared by the Secretariat on the basis of the discussions at the first meeting of Committee B on 16 June 1970.

- National legislation (Presented by Delegation of the Socialist Federal Republic of Yugoslavia)

- Redraft of paragraph 5 of Section I. E of Al7-WP/18 prepared on the basis of discussions at the third meeting of Committee B

- Redraft of paragraph 6 of Section I. E of Al7-WP/18 (Presented by the United States of America)

- Redraft of paragraph 9 of Section I. E of Al7-WP/18 (Presented by the United States of America)

- Redraft of resolution found in Al7-WP/21 prepared by the Secretariat on the basis of the discussions at the fifth meeting of Committee B

- Draft text for the Report on Sub-item b): Topic B.I (Presented by the Secretariat)
A17-WP/75  - Draft resolution presented by IATA
A17-WP/76  - Amendment to draft resolution in A17-WP/73 (Presented by Yugoslavia)
A17-WP/80  - Amendments to draft resolution found in A17-WP/73 (Presented by Yugoslavia)
A17-WP/82  - Amendment to draft resolution in A17-WP/73 (Presented by Japan)
A17-WP/83  - Draft text for the Report on Sub-item b): Topic B.III (Presented by the Secretariat)
A17-WP/86  - Redraft of Resolution found in A17-WP/75 prepared by the Secretariat on the basis of the discussions at the eighth meeting of Committee B
A17-WP/87  - Draft resolution (Presented by Canada)
A17-WP/88  - Unlawful seizure of aircraft: ICAO's Draft Convention (Presented by the International Chamber of Commerce)
A17-WP/89  - Draft text for the Report on Sub-item b): Topic B.III (continued) (Presented by the Secretariat)
A17-WP/99  - Draft resolution (Presented by: Argentina, Ethiopia, Guatemala, Ireland, Japan, the Kingdom of the Netherlands, New Zealand, Spain, Switzerland, the United Kingdom, the United States of America and Zambia)
A17-WP/103  - National legislation concerning punishment of perpetrators of unlawful seizure of civil aircraft and the like (Presented by Japan)
A17-WP/111  - Draft text for the Report on Sub-item b): Topic B.VI (Presented by the Secretariat)
A17-WP/112  - Provision to prohibit the carriage of arms and other war material by civil aircraft in conjunction with passengers (Presented by Lebanon)
A17-WP/113  - Proposal for a draft Convention to provide for the protection of airports, other ground installations and aircraft on the ground against acts of violence (Presented by Pakistan)
A17-WP/114  - Australian Crimes (Aircraft) Act 1963 (Presented by Australia)
<table>
<thead>
<tr>
<th>Document Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>A17-WP/123</td>
<td>Draft text for the Report on Sub-item b): Topic B.IV (Presented by the Secretariat)</td>
</tr>
<tr>
<td>A17-WP/129</td>
<td>Bill to punish hijacking and loading of explosives in aircraft (Presented by the Philippines)</td>
</tr>
<tr>
<td>A17-WP/133</td>
<td>Draft text for the General Section of the Report on Sub-item b) (Presented by the Secretariat)</td>
</tr>
<tr>
<td>A17-WP/134</td>
<td>Text of Law No. 1226 (Presented by the Republic of Cuba)</td>
</tr>
<tr>
<td>A17-WP/143</td>
<td>Draft text for the Report on Sub-item b): Topic B.VII (Presented by the Secretariat)</td>
</tr>
</tbody>
</table>

- END -
The following summary gives the status, and also describes in general terms the contents of the various series of technical publications issued by the International Civil Aviation Organization. It does not include specialized publications that do not fall specifically within one of the series, such as the ICAO Aeronautical Chart Catalogue or the Meteorological Tables for International Air Navigation.

INTERNATIONAL STANDARDS AND RECOMMENDED PRACTICES are adopted by the Council in accordance with Articles 54, 37 and 90 of the Convention on International Civil Aviation and are designated, for convenience, as Annexes to the Convention. The uniform application by Contracting States of the specifications comprised in the International Standards is recognized as necessary for the safety or regularity of international air navigation while the uniform application of the specifications in the Recommended Practices is regarded as desirable in the interest of safety, regularity or efficiency of international air navigation. Knowledge of any differences between the national regulations or practices of a State and those established by an International Standard is essential to the safety or regularity of international air navigation. In the event of non-compliance with an International Standard, a State has, in fact, an obligation, under Article 38 of the Convention, to notify the Council of any differences. Knowledge of differences from Recommended Practices may also be important for the safety of air navigation and, although the Convention does not impose any obligation with regard thereto, the Council has invited Contracting States to notify such differences in addition to those relating to International Standards.

PROCEDURES FOR AIR NAVIGATION SERVICES (PANS) are approved by the Council for world-wide application. They comprise, for the most part, operating procedures regarded as not yet having attained a sufficient degree of maturity for adoption as International Standards and Recommended Practices, as well as material of a more permanent character which is considered too detailed for incorporation in an Annex, or is susceptible to frequent amendment, for which the processes of the Convention would be too cumbersome. As in the case of Recommended Practices, the Council has invited Contracting States to notify any differences between their national practices and the PANS when the knowledge of such differences is important for the safety of air navigation.

REGIONAL SUPPLEMENTARY PROCEDURES (SUPPS) have a status similar to that of PANS in that they are approved by the Council, but only for application in the respective regions. They are prepared in consolidated form, since certain of the procedures apply to overlapping regions or are common to two or more regions.

The following publications are prepared by authority of the Secretary General in accordance with the principles and policies approved by the Council.

ICAO FIELD MANUALS derive their status from the International Standards, Recommended Practices and PANS from which they are compiled. They are prepared primarily for the use of personnel engaged in operations in the field, as a service to those Contracting States who do not find it practicable, for various reasons, to prepare them for their own use.

TECHNICAL MANUALS provide guidance and information in amplification of the International Standards, Recommended Practices and PANS, the implementation of which they are designed to facilitate.

AIR NAVIGATION PLANS detail requirements for facilities and services for international air navigation in the respective ICAO Air Navigation Regions. They are prepared on the authority of the Secretary General on the basis of recommendations of regional air navigation meetings and of the Council action thereon. The plans are amended periodically to reflect changes in requirements and in the status of implementation of the recommended facilities and services.

ICAO CIRCULARS make available specialized information of interest to Contracting States. This includes studies on technical subjects as well as texts of Provisional Acceptable Means of Compliance.
DOCUMENTATION RELATED TO THE ASSEMBLY OF ICAO

ASSEMBLY - SEVENTEENTH SESSION (Extraordinary)
(Montreal, 16-30 June 1970)

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Report of the Executive Committee.
(Doc 8892, A17-EX) ......................... U.S.$0.50

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Report of Committee B.
(Doc 8891, A17-Committee B) ............... U.S.$0.75

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