

No. 171600-107

Department of Justice
RECORDS

MAY 12, 1970

Title HI JACKING

SUBJECT: GENERAL CORRESPONDENCE

From JUSTICE

MR.

Agent

Cross Reference

DEPARTMENT OF JUSTICE

FILE RETIREMENT

<input checked="" type="checkbox"/>	SCHEDULED FOR DESTRUCTION
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FILE NUMBER

171600-107

AUTHORITY CITED			
YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>
DATE			

MASTER CARD CHECKED	
YES	<input type="checkbox"/>
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T.B. 654568 April 28, 1966.	
Sec. 2	Sub.Sec. 1

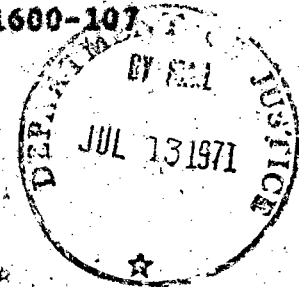
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DATE OF TRANSFER TO MANUSCRIPT DIVISION OF P.A.C.
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171600-107



JUL 12 1971

Mr. John T. Keenan,
General Counsel,
Canadian Air Line Pilots Association,
9675 Cote de Liesse Road,
Montreal 760, Canada

Dear Mr. Keenan:

I acknowledge your letter of June 14th concerning hijacking of aircraft.

I can advise you confidentially that I have now obtained approval of my Colleagues in Cabinet to introduce legislation in this regard and, in fact, the legislation has been drafted. It is my intention to introduce the legislation at a very early date after Parliament reconvenes in September.

I might also add that in preparing the legislation the Hague Convention was borne in mind. In accordance with the usual practice I cannot supply you with a draft of the legislation prior to its being shown to Members of Parliament by the introduction of the Bill in the House of Commons. I can say, however, that I am certain it will meet the approval of the Canadian Air Line Pilots Association.

Yours sincerely,

Original Signé par
Original Signed by

John N. Turner

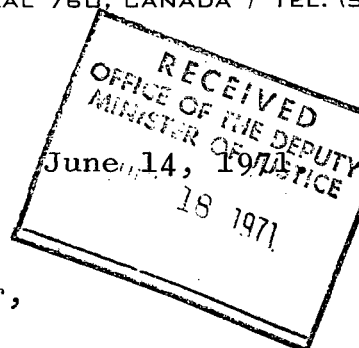
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CANADIAN AIR LINE PILOTS ASSOCIATION

HEADQUARTERS / 9675 COTE DE LIESSE ROAD / MONTREAL 760, CANADA / TEL. (514) 631-1895

PLEASE PREPARE REPLY
FOR THE MINISTER'S SIGNATURE



Minister's Office Bureau du Ministre	
JUL 15 1971	
MIN.	
Ex. Asst.	
S. Asst.	
SB. Asst.	
Sec. Gen.	
Sec. Asst.	

The Honourable John N. Turner,
Minister of Justice,
House of Commons,
Ottawa, Ontario.

Dear Mr. Turner:

In answer to a recent question on the Order Paper in the House of Commons, you stated that studies are well advanced concerning amendments to the Criminal Code making the hijacking of planes a crime.

Would it be possible for you to indicate to us what is the present standing of these amendments, what are the terms or provisions of the proposals, and whether we can expect their introduction in Parliament in the very near future.

As you know, the Canadian Air Line Pilots Association considers this legislation to be of primary importance, not only because it will rectify what has now become a glaring omission in our Criminal Code, but also because its enactment may be considered necessary in order to enable Canada to ratify the Hague Convention for the Suppression of Acts of Unlawful

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- 2 -

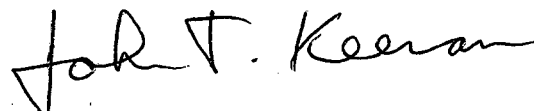
The Honourable John N. Turner

June 14, 1971

Seizure of Aircraft. We thus urge the Government of Canada to act with the utmost dispatch in dealing with this urgent problem.

Thank you for your collaboration in this matter.

Yours sincerely,

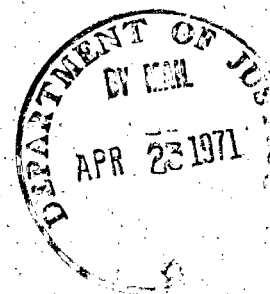
A handwritten signature in dark ink, appearing to read "John T. Keenan". The signature is fluid and cursive, with the first name "John" and last name "Keenan" clearly distinguishable.

John T. Keenan,
General Counsel.

PS:np

171600-107

APR 21 1971



The National Council of Women of Canada,
270 MacLaren Street,
Ottawa 4, Ontario.

ATTENTION: Miss S. M. Steadman,
Parliamentary and Governmental
Liaison Officer.

Dear Miss Steadman:

Thank you for your letter of March 31st
1971 dealing with Canada's participation in the various
undertakings of the International Civil Aviation Organi-
zation relating to international air safety.

I am pleased to note your approval of
Canada's participation thus far and wish to assure you
that we shall endeavour to cooperate fully in present
and future efforts of ICAO in this regard.

Yours sincerely,

Original
Original

John N. Turner.

[Handwritten signature]
19/4/71

THE NATIONAL COUNCIL OF WOMEN OF CANADA

LE CONSEIL NATIONAL DES FEMMES DU CANADA

PRESIDENT:

MRS. JOHN HNATYSHYN
324 SASKATCHEWAN CRESCENT W.
SASKATOON, SASK.

HON. CORRESPONDING SECRETARY:

MRS. R. B. HALE
HEAD OFFICE

270 MacLaren Street

(613) 233-4953

100-1188AR STREET

OTTAWA 4, ONTARIO

Minister's Office
Bureau du Ministre

APR 2 1971

MIN.

Ex. Asst. ☒

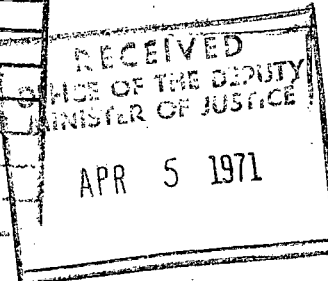
SP. Asst. ☐

SP. Asst. ☐

Pri. - Sec. ☐

Const. Sec. ☐

March 31, 1971.



*please prepare
reply JWS sig*

Honourable John Turner, P.C., M.P.,
Minister of Justice,
House of Commons,
Ottawa.

Dear Mr. Turner:

Officers and members of The National Council of Women of Canada commend the initiative of Canadian representatives on the Special Legal sub-committee of the International Civil Aviation Organization, and the support given by Canada to ICAO and United Nations conferences in respect to unlawful interference in air travel and the suppression of unlawful seizure of aircraft.

Notwithstanding the degree of confidence created by Canada's signature to the Tokyo Convention and the Hague Convention, general concern has increased since the recent hijacking of an aircraft from Manila to China.

There is a sense of urgency for acceleration in inter-governmental consultations by the Justice Department, Ministry of Transport and External Affairs Legal Division in respect to jurisdiction over hijackers and the international involvements related to extradition. This sense of urgency is intensified by lack of any effective deterrent to the hijacker or to the State detaining aircraft, crew or passengers.

It is our understanding that Canada and the United States support effective sanctions.

It is hoped that consultations will not relax until negotiations are completed to bring about an acceptable international instrument embodying essentials in the United States proposal calling for "joint suspension of international civil air transport services to and from any State detaining passengers, crew or aircraft for "international blackmail purposes" or failing to extradite or prosecute persons committing acts of unlawful seizure for international blackmail purposes."

....2

2.

A statement of Council concern will go forward by today's mail to the Minister of Transport and Secretary of State for External Affairs.

Information concerning continuing developments in this area would be appreciated as well as an indication of the results of the Special sub-committee of ICAO scheduled to meet shortly.

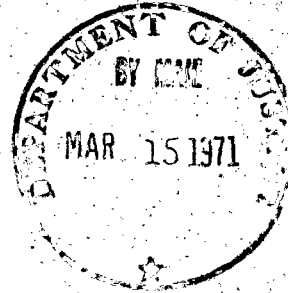
Yours sincerely,

A handwritten signature in cursive script, appearing to read "Miss Steadman".

(Miss) S.M. Steadman
Parliamentary and Governmental
Liaison Officer.

PNS:hs

c.c. Mrs. Murray,
ref. letter 27961



Ottawa 4,
March 15, 1971.

171600-107

Dear Mr. Johnston:

I have been directed to acknowledge receipt of your letter to the Minister of March 2, 1971, and to say that your views with respect to the Patterson deportation case have been noted.

Yours truly,

(Mica) FAURIE SPRAGUE

J.A. Scollin,
Director,
Criminal Law Section.

Mr. Jim Johnston,
c/o Brynnor Mines,
Hendrix Lake,
British Columbia.

J. de la...

Miss P. SPRAGUE

1/2 Brynnao Munnis,
Hendrix Lake B.C.

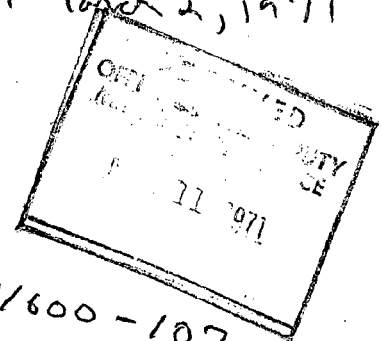
27961

FOR REPLY BY THE DEPARTMENT

Mr John Turner,
M.P.,
Parliament Building
Ottawa, Ont.

Minister's Office Bureau du Ministre	
MAR 8 1971	
MIN.	
Ex. Asst.	<input checked="" type="checkbox"/>
SP. Asst.	
SP. Asst.	
Pri. Sec.	
Const. Sec.	

March 2, 1971



17/600-107

Dear Sir:

I am ~~writing~~ writing to protest the callous action of the immigration department in Vancouver with regard to the deportation of a Mr Patterson. The news media reported that Mr Patterson was deported without representation from his lawyers. I hope you will take action to rectify this situation.

views

Sincerely,
Jim Johnston

DEPARTMENT OF JUSTICE
MEMORANDUM

File over
Apr. 7

171600-107

Mr. Sarakon -

Mr. Christie asked
if you reply to
Mrs. Steadman's letter
pending reply directly
to the Deputy Minister
and a copy to
himself.

Thanks. *JS*

000012

MINISTER OF JUSTICE AND
ATTORNEY GENERAL OF CANADA



MINISTRE DE LA JUSTICE ET
PROCUREUR GÉNÉRAL DU CANADA

The National Council of Women of Canada,
270 MacLaren Street,
Ottawa 4, Ontario.

ATTENTION: Miss S. M. Steadman,
Parliamentary and Governmental
Liaison Officer.

Dear Miss Steadman:

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I am pleased to note your approval of Canada's participation thus far and wish to assure you that we shall endeavour to cooperate fully in present and future efforts of ICAO in this regard.

Yours sincerely,

John N. Turner.

(613) 233-4953

100-1166-11 STREET

OTTAWA 4, ONTARIO

270 MacLaren Street

PRESIDENT:

MRS. JOHN HNATYSHYN
324 SASKATCHEWAN CRESCENT W.
SASKATOON, SASK.

HON. CORRESPONDING SECRETARY:

MRS. R. B. HALE
HEAD OFFICEMinister's Office
Bureau du Ministre

APR 2 1971

March 31, 1971.

MIN.

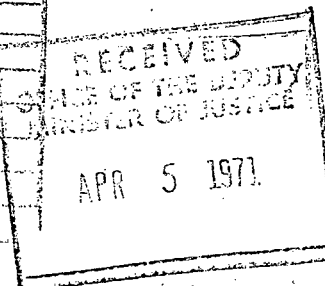
Ex. Asst. ☒

SP. Asst.

SP. Asst.

P.A. Sec.

Const. Sec.



Honourable John Turner, P.C., M.P.,
Minister of Justice,
House of Commons,
Ottawa.

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....2

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Yours sincerely,



(Miss) S.M. Steadman
Parliamentary and Governmental
Liaison Officer.

MR. SOROKAN

Document disclosed under the Access to Information Act -
Document divulgué en vertu de la Loi sur l'accès à l'information



Canadian TRANSPORT
Commission

Commission canadienne
des TRANSPORTS

Advisory and International
Law Section

RECEIVED

OCT 21 1970

RECU

Section de la Consultation et du
Droit International

RECEIVED

OCT 21 1970
YOUR FILE No.

DEPARTMENT OF
JUSTICE - OTTAWA

OUR FILE No.
Notre dossier

15-3-15

17160-107

275 Slater Street
Ottawa 4, Ontario

October 19, 1970

Mr. P. Sorokan
Advisory & International Law Section
Department of Justice
Ottawa 4, Ontario

Dear Mr. Sorokan:

Re: Hijacking

Attached for your information and such action as
you may consider appropriate is a suggestion offered by Mr.
J.N. Milne of Oakville. I understand that Mr. Milne is
Managing Director, Institute of Canadian Advertisers, Suite
401, 8 King Street, East, Toronto, Ontario.

Yours very truly,

N.C. Norton
Legal Services

Attachment

Advisory and International
Law Section

RECEIVED

OCT 26 1970

RECU

Section de la Consultation et du
Droit International

ENTERED

Rec'd 1:45 p.m.
OCT 26 1970 J.O.

15 ENNISBURG DRIVE E.

ORRVILLE, ONTARIO

OCTOBER 7, 1970

HIGH TREASON

Dear Sir

THIS IDEA MAY BE FATUOUS,
BUT ON THE OTHER HAND IT
MIGHT SPARK ANOTHER.

WOULD IT BE POSSIBLE TO
INCLUDE A CANISTER OF SOMETYPE
OF ANAESTHETIC GAS ON ETRN
PLANE WHICH COULD BE EASILY
RELEASED BY THE FORWARD CREW
AND WHICH WOULD KNOCK OUT ALL
OUT, CREW AND PASSENGERS
INCLUDED, FOR A GIVEN PERIOD.
OR COULD A GAS BE INTRODUCED
INTO THE CRAFT AT A REFUELING
POINT (WHICH ALL SEEM TO HAVE
TO GO THROUGH) AND AGAIN KNOCK OUT
EVERYONE LONG ENOUGH FOR GROUND (600)

CROW OR GUARDS TO GET ABOARD
AND EFFECT CAPTURE?

Sincerely



J.N. Milne/

(Copy sent to NORAN NORTON, OTTAWA)

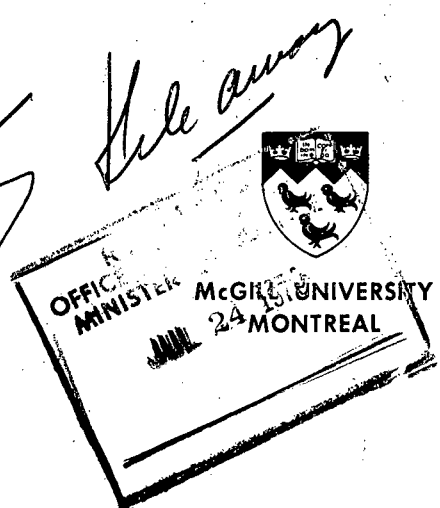
Mr. Christie

21353
*has att.
for*

Minister's Office Bureau du Ministre	
JUL 23 1970	
MIN.	
Ex. Ass.	
CHANCELLOR DAN HALL	
St. 250 PEEL STREET	
SP. MONTREAL 2, QUEBEC	
SP. ASST.	
Pri. Sec.	
Const. Sec.	

INSTITUTE
OF
AIR AND SPACE LAW

- 1) JNT to note
- 2) DHC to note
- 3) file



July 20th, 1970

Honorable John Turner, M.P.
Minister of Justice
Ottawa 4
ONTARIO

17/600-107

Dear Mr. Turner:

I am writing to thank you for your letter of June 9th concerning the problem of Hijacking of Aircraft. I have just completed my Provisional Report to the Institut de Droit International on this subject, and as soon as it is published, officially, as it should be in another month or two, I will arrange to send you a copy. I have found your own comments to be very helpful in dealing with the subject that is enormously difficult because of all the international political complications.

Sincerely yours,

(Edward McWhinney) Q.C.
Professor of Law and Director

EMcW/rg

ENTERED

cc: (Mr. T.B. Smith ✓)

Filed

19/4/20

PS/GO

File No. 171600-107

Ottawa 4,

Dear Mr. Shaw:

I acknowledge and thank you for your letter of May 14th, together with a copy of the paper which your organization has submitted to the International Civil Aviation Organization for its Extraordinary Assembly this month. I am pleased to inform you that your paper, which has been distributed by the International Civil Aviation Organization as Working Paper 11, has been carefully studied by this Department.

I understand that the Canadian delegation to the said Assembly, on which my Department will be represented, will be making or supporting a number of the proposals in your paper. I am sure you will understand and appreciate, however, that it may be necessary, with regard to some of your proposals, for our delegation to reserve its position, for the reason that the policy implications have not yet been thoroughly considered. For example, one of the problems in renouncing all attacks against civil aircraft during wartime, would be the possibility of an unscrupulous enemy taking advantage of this renunciation, and using civilian aircraft for the purpose of carrying military goods or Armed Forces.

With regard to the meeting which I had with Captain C.H. Simpson, and other members of the Canadian Airline Pilots Association, I should like to inform you that I received representations:

- (a) that hijacking of aircraft be made a specific offence carrying with it severe punishment; and

... 2

Mr. R. R. Shaw,
Assistant Director General - Technical,
International Air Transport Association,
1155 Mansfield Street,
Montreal 118, Quebec.

- 2 -

- (b) that it be unlawful for persons to take offensive weapons or explosives aboard civil aircraft without disclosure to, and permission of the owner or operator of the aircraft.

At the time of the meeting, which took place on May 5th, I indicated to Mr. Simpson and the others present that I was sympathetic to these representations, and would be prepared to recommend to my colleagues in Cabinet that they be acted upon.

On May 6th, I made the following statement in the House of Commons:

"Mr. Speaker, yesterday I had a meeting with the president and vice-president of the Canadian Association of Airline Pilots. After listening to them I stated that I would take this matter up with my colleagues, the Secretary of State for External Affairs and the Minister of Transport. I also stated that I felt it would be advantageous to set forth a specific crime in the Criminal Code attaching a criminal sanction to the unlawful interference with aircraft in flight making it a crime within the domestic law of Canada. This would have to be buttressed by whatever the Minister of Transport could obtain in adding a highjacking clause to bilateral air agreements and by what we could obtain by way of putting such a crime under the list of extraditable offences within the meaning of our extradition treaties."

I wish to thank you for communicating to me your views in connection with this most serious subject and I want to assure you that I share your concern over the tensions in the Middle East area and elsewhere.

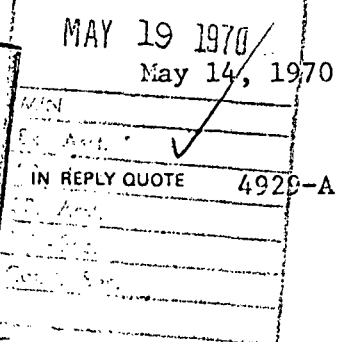
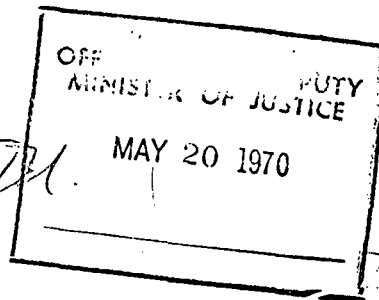
Yours sincerely,

John N. Turner.

(1948)

International Air Transport Association

1155 MANSFIELD STREET, MONTREAL 113, P.Q. CANADA (HEAD OFFICE)
Bureau du Minist. MONTREAL
TELEPHONE (514) 866-1011 • TELEX 05-267627 • CABLES: IATA-MONTREAL



Gen. Sorensen
Att for Draft ech.

Hon. John N. Turner,
Minister of Justice and Attorney General,
Department of Justice,
Ottawa, Ontario.

Dear Mr. Turner

171600-107

I have heard through our good friends in the Canadian Air Line Pilots Association that they had a very satisfactory audience with you on the subject of hijacking and other forms of armed aggression against civil aircraft, and I understand that you may be preparing to make some form of policy statement in the House towards the end of this month.

2. In this connection I thought you might care to have a paper which IATA has submitted to ICAO for their Extraordinary Assembly in June. As you may know, IATA only has the status of an Observer in ICAO meetings and therefore cannot put definite proposals on the floor. This has to be done by a Member Government and we would greatly welcome any initiative that Canada could take on the proposals in our paper.

3. I particularly draw your attention to the proposal marked on Pages 3 and 4 of our paper. We feel that a Convention along these lines may do a great deal of relieve the tensions in the Middle East area. At present the Israelis are desperately afraid of further attacks against El Al aircraft and the Arabs are equally afraid of further Israeli reprisals along the lines of the Beirut attack. We believe that a carefully arranged mutual renunciation of these acts is entirely feasible if we can arrange through private contacts to have both parties announce their adherence simultaneously.

Yours sincerely,

R.R. Shaw
Asst. Director General - Technical

Att: Legal aspects of the prevention of armed
aggression against civil airline aircraft

cc: Mr. R.M. Kidd, CALPA

/ar

ENTERED

Rec'd. 2:10
JUN - 8 1970 *g P. m.*

000022

ICAO 17TH SESSION (EXTRAORDINARY) ASSEMBLY, MONTREAL, JUNE 1970

LEGAL ASPECTS OF THE PREVENTION OF ARMED AGGRESSION
AGAINST CIVIL AIRLINE AIRCRAFT

(PRESENTED BY IATA)

INTRODUCTION

1. INTERNATIONAL CIVIL AVIATION CONSTITUTES ONE OF THE MAIN INSTRUMENTS OF INTERNATIONAL COMMERCE AND TOURISM. THE GROWTH OF INTERNATIONAL COMMERCE AND THE DEVELOPMENT OF PERSONAL CONTACTS THROUGH TOURISM HAVE MADE AND WILL CONTINUE TO MAKE A VERY SIGNIFICANT CONTRIBUTION TO THE PEACEFUL PROGRESS OF HUMANITY. INTERNATIONAL CIVIL AVIATION REMAINS ONE OF THE GREATEST ACHIEVEMENTS OF INTERGOVERNMENTAL COOPERATION AND AS SUCH, CONTRIBUTES SIGNIFICANTLY TO WORLD DEVELOPMENT AND WORLD PEACE.
2. THE RECENT PROLIFERATION OF POSSIBLE HIJACKINGS AND OTHER ARMED AGGRESSIONS AGAINST CIVIL AIRCRAFT, BOTH AIRBORNE AND ON THE GROUND, HAS DISRUPTED THE INTERNATIONAL AIR TRANSPORT SYSTEM, ENDANGERED THE LIVES OF THOUSANDS OF CITIZENS AND HAS REPERCUSSIONS ON THE NATIONAL ECONOMY OF ENTIRE COUNTRIES. THE SERIOUSNESS OF THE ISSUE THEREFORE WARRANTS IMMEDIATE ATTENTION AND ACTION FROM GOVERNMENTS, AIRPORTS AND AIRLINES. THE EFFORTS OF THOSE ENGAGED IN THE SECURITY ASPECT OF THIS PROBLEM MUST BE SUPPORTED BY ADEQUATE GOVERNMENTAL ACTION.
3. IN THIS CONTEXT, IT SHOULD BE NOTED THAT RIGID SECURITY IN THE HANDLING OF PASSENGERS, MAIL AND CARGO AT THE POINT OF EMBARKATION MUST INEVITABLY IMPOSE SOME RESTRICTIONS ON THE FREE MOVEMENT OF TRAFFIC. ALTHOUGH THE TWO ARE NOT ENTIRELY INCOMPATIBLE, THERE IS A DEGREE OF CONFLICT BETWEEN GOOD SECURITY AND GOOD FACILITATION.
4. THE AIRLINES THEREFORE MUST URGE GOVERNMENTS TO TAKE ALL POSSIBLE ACTIONS IN AREAS AWAY FROM THE AIRPORT TO DETECT AND DETER THE HOLDING OF UNAUTHORIZED ARMS AND EXPLOSIVES BY INDIVIDUALS OR GROUPS. IT IS BELIEVED THAT THIS IS A BASIC GOVERNMENT RESPONSIBILITY WHICH THE CITIZENS OF ANY COUNTRY, WORKING IN THE AIRLINES AND TRAVELLING ON THE AIRLINES, ARE ENTITLED TO HAVE FULFILLED TO THE MAXIMUM EXTENT POSSIBLE.
5. IF GOVERNMENTS DO NOT SERIOUSLY ENGAGE IN THIS PART OF SECURITY, THE AIRLINES AND AIRPORT AUTHORITIES ARE NOT EXACTLY DEFENCELESS, BUT THEIR TASK IS MADE MUCH MORE DIFFICULT.

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- 2 -

6. STATES ARE THE KEEPERS OF INTERNATIONAL AND INTERNAL ORDER. IT IS THEIR DUTY TO FULFIL THIS OBLIGATION. THEY MUST TAKE ANY AND ALL APPROPRIATE MEASURES TO MAINTAIN THIS ORDER AT ALL LEVELS. STATES MUST THEREFORE DISCOURAGE ANY ACT WHICH ENDANGERS THE LIVES OF INNOCENT PERSONS, WHICH CAN RESULT IN THE DESTROYING OF PROPERTY AND WHICH MAY DISRUPT PEACEFUL INTERNATIONAL COOPERATION. IT FOLLOWS THAT, IN ORDER TO FULFIL COMPLETELY THIS OBLIGATION, STATES MUST TAKE ALL APPROPRIATE MEASURES TO DISCOURAGE ACTS OF ARMED AGGRESSIONS AGAINST AIRCRAFT.
7. THE LEGISLATOR, WHETHER NATIONAL OR INTERNATIONAL, MUST THEREFORE ENSURE AS EARLY AS POSSIBLE, TIME BEING OF THE ESSENCE, THAT PERPETRATORS OF SUCH CRIMES AGAINST HUMANITY WILL BE PUNISHED. IN DOING SO, THE LEGISLATOR WILL HAVE TO TAKE INTO ACCOUNT THE DISTINCTIVE FEATURES OF THE OFFENCE AND ITS INTERNATIONAL CHARACTER. PUBLICITY MUST ALSO BE GIVEN TO THE ACTION TAKEN SO THAT INDIVIDUALS WILL NO LONGER HOPE TO GO UNPUNISHED IF THEY COMMIT ANY ACT OF ARMED AGGRESSION AGAINST CIVIL AIRCRAFT.
8. THE PREVENTION OF SUCH CRIMES IS TO BE SOUGHT ON A UNIVERSAL LEVEL. INTERNATIONAL LEGISLATION MUST BE ADOPTED IN THIS RESPECT. IT WILL ALSO BE NECESSARY TO COMPLEMENT THESE RULES BY ENACTING NATIONAL LEGISLATION WHICH WILL COVER EACH AND EVERY ANGLE OF THE PROBLEM AND WHICH WILL ENSURE, AS FAR AS POSSIBLE, THE PREVENTION OF SUCH ACTS AND EFFECTIVE PUNISHMENT IN ANY CASE WHICH OCCURS.
9. THE FOLLOWING IS A LIST OF LEGAL MEASURES WHICH WILL NEED TO BE CONSIDERED IN THIS RESPECT.

LEGAL ASPECTS

A. INTERNATIONAL LEGISLATION

1. THE CONVENTION ON OFFENCES AND CERTAIN ACTS COMMITTED ON BOARD AIRCRAFT, SIGNED AT TOKYO ON 14 SEPTEMBER 1963, AND IN FORCE SINCE THE 4TH OF DECEMBER 1969, OFFERS, ESPECIALLY IN ITS ARTICLES 11 AND 13, A PARTIAL ANSWER TO THE PROBLEM OF UNLAWFUL INTERFERENCE, SEIZURE OR OTHER WRONGFUL EXERCISE OR CONTROL OF AIRCRAFT. IT CONSTITUTES AN IMPORTANT FIRST STEP TOWARD THE SOLUTION OF AT LEAST ONE FORM OF ARMED INTERFERENCE WITH CIVIL AVIATION. YET, IT HAS BEEN ACCEDED TO OR RATIFIED BY ONLY 24 STATES OF THE 119 ICAO MEMBERS. TAKING INTO ACCOUNT THE SCARCITY OF INTERNATIONAL RULES ON THIS SUBJECT AND THE NECESSITY TO TAKE EVERY APPROPRIATE MEASURE TO ENSURE THE SAFETY AND REGULARITY OF INTERNATIONAL CIVIL AVIATION, STATES SHOULD BE URGED TO ACCEDE TO OR RATIFY THE TOKYO CONVENTION.
2. A DIPLOMATIC CONFERENCE WILL BE HELD IN THE HAGUE FROM 1ST DECEMBER TO 16TH DECEMBER 1970 TO ESTABLISH, AS AN INSTRUMENT OF INTERNATIONAL AGREEMENT, A DRAFT CONVENTION ON UNLAWFUL SEIZURE OF AIRCRAFT PREPARED BY THE ICAO LEGAL COMMITTEE. THIS CONVENTION, IF APPROVED BY THE DIPLOMATIC CONFERENCE, WILL CONSTITUTE THE FIRST SET OF INTERNATIONAL RULES DEALING SPECIFICALLY WITH THE PROBLEM

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- 3 -

OF FORCIBLE DIVERSION OF AIRCRAFT IN FLIGHT. IT DEFINES UNLAWFUL SEIZURE OF AN AIRCRAFT IN FLIGHT AS AN OFFENCE AND PROVIDES FOR THE PROSECUTION AND PUNISHMENT OF THE OFFENDERS. IT ALSO IMPOSES UPON ANY CONTRACTING STATE IN WHICH AN OFFENDER IS FOUND THE OBLIGATION TO DETAIN HIM, PENDING A DECISION OF THE PARTIES TO PROSECUTE HIM OR TO RESPOND TO A REQUEST FOR HIS EXTRADITION. IN VIEW OF THE SERIOUSNESS OF THE PROBLEM, IT IS HOPED THAT THIS CONVENTION WILL HAVE THE WIDEST POSSIBLE SUPPORT AND THAT STATES WILL ENDEAVOUR TO SPEED UP THE LENGTHY AND TIME-CONSUMING RATIFICATION PROCESS AND WILL BECOME PARTIES TO THIS CONVENTION AT THE EARLIEST POSSIBLE DATE.

3. THE ABOVE-MENTIONED CONVENTION PROVIDES AN ANSWER TO ONLY ONE FORM OF ARMED INTERFERENCE WITH INTERNATIONAL CIVIL AVIATION. IF A SOLUTION IS TO BE FOUND TO THIS CONTINUING AND INCREASING THREAT TO THE SAFETY OF THE TRAVELLING PUBLIC AND OF THE INTERNATIONAL AIR TRANSPORT INDUSTRY, EVERY ANGLE OF THE PROBLEM WILL HAVE TO BE COVERED AND EVERY FORM OF ARMED AGGRESSION SUBJECTED TO THE MOST STRINGENT LEGISLATION. IT IS THEREFORE URGENT TO DEVELOP INTERNATIONAL LEGISLATION MAKING ANY FORM OF ARMED ATTACKS ON CIVIL AIRCRAFT ON THE GROUND AND THE PLACING ON BOARD AIRCRAFT, OR THE SHIPPING ON AIRCRAFT OF UNAUTHORIZED EXPLOSIVE DEVICES OR OTHER DANGEROUS GOODS INTENDED TO CAUSE DAMAGE TO THE AIRCRAFT, ITS CREW, ITS PASSENGERS, CARGO OR MAIL, AN INTERNATIONAL OFFENCE. THIS LEGISLATION SHOULD, MOREOVER, PROVIDE FOR THE PROSECUTION OF THE OFFENDERS AND THEIR ACCOMPLICES AND SHOULD CARRY SEVERE PENALTIES COMMENSURATE WITH THE GRAVITY OF SUCH OFFENCES.

4. CIVILIZED NATIONS OF THE WORLD HAVE ACCEPTED, EVEN IN TIME OF WAR, TO LIMIT THEIR SOVEREIGNTY BY FOREGOING CERTAIN UNCIVILIZED PRACTICES. THE HAGUE CONFERENCE OF 1899 AND THE HAGUE REGULATIONS OF 1907 HAVE LIMITED THE RIGHT OF THE BELLIGERENTS TO ADOPT MEANS OF INJURING THE ENEMY, SUCH AS THE USE OF POISONS AND POISONED WEAPONS⁽¹⁾. REFERENCE CAN ALSO BE MADE TO THE GENEVA CONVENTION RELATIVE TO THE PROTECTION OF CIVILIAN PERSONS IN TIME OF WAR, SIGNED ON AUGUST 12, 1949. IN VIEW OF THESE

(1) ARTICLE 5 OF THE TREATY OF WASHINGTON OF 1922 PROHIBITS "THE USE IN WAR OF ASPHYXIATING, POISONOUS OR OTHER GASES AND ALL ANALAGOUS LIQUIDS, MATERIALS OR DEVICES." THIS TREATY WAS NOT RATIFIED BY ANY OF THE FIVE GREAT POWERS, AND ON JUNE 17, 1925, A PROTOCOL WAS SIGNED BY TWENTY-NINE STATES, INCLUDING THE UNITED STATES, GERMANY, ITALY, JAPAN, FRANCE AND THE UNITED KINGDOM.

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- 4 -

PRECEDENTS, STATES SHOULD CONSIDER THE POSSIBILITY OF ADOPTING A CONVENTION CONCEIVED AS A RENUNCIATION BY THE SIGNATORY STATES OF ALL FORMS OF ATTACKS AND OF SABOTAGE AGAINST CIVIL AIRCRAFT AND OF THEIR PASSENGERS AS AN INSTRUMENT OF GOVERNMENT POLICY, BOTH IN PEACETIME AND IN WARTIME. THIS RENUNCIATION WOULD INCLUDE:

- (i) ATTACKS ON CIVIL AIRCRAFT BY THE ARMED FORCES OF THE COUNTRY CONCERNED;
- (ii) ATTACKS ON CIVIL AIRCRAFT OR ON THEIR PASSENGERS BY AGENTS OF THE GOVERNMENT;
- (iii) SABOTAGE OF CIVIL AIRCRAFT BY ARMED FORCES OR AGENTS OF THE GOVERNMENT.

B. NATIONAL LEGISLATION

IN ORDER TO IMPLEMENT AND GIVE EFFECT TO THE PROVISIONS OF THE EXISTING INTERNATIONAL CONVENTIONS AND TO PROVIDE FOR IMPLEMENTATION OF INTERNATIONAL CONVENTIONS TO BE CONCLUDED ON THIS SUBJECT, EACH STATE SHOULD ENACT APPROPRIATE NATIONAL LEGISLATION AND STRENGTHEN THEIR EXISTING AGREEMENTS AGAINST THREATS AND ACTS OF VIOLENCE AGAINST CIVIL AIRCRAFT. MOREOVER, IN VIEW OF THE URGENCY OF THE PROBLEM AND OF THE LENGTHY AND TIME-CONSUMING PROCESS OF RATIFICATION OF ANY INTERNATIONAL INSTRUMENT, STATES WILL HAVE TO ACT ON THE NATIONAL LEVEL AND ENACT APPROPRIATE LEGISLATION THAT WILL REDUCE AND ELIMINATE THIS CONSTANT THREAT TO THE SAFETY OF THE TRAVELLING PUBLIC AND OF INTERNATIONAL CIVIL AVIATION. THE FOLLOWING POINTS WILL NEED CONSIDERATION:

- (i) STATES, AS PROVIDED FOR IN THE DRAFT CONVENTION ON UNLAWFUL SEIZURE OF AIRCRAFT, HAVE THE OBLIGATION, WHEN CONCLUDING EXTRADITION TREATIES AMONG THEMSELVES, TO INCLUDE THE OFFENCE AS AN EXTRADITABLE ONE. AS REGARDS EXISTING TREATIES, THE OFFENCE SHALL BE DEEMED TO BE AN EXTRADITABLE ONE. STATES SHOULD ALSO UNDERTAKE THIS OBLIGATION EVEN WHERE IT HAS NOT BEEN IMPOSED UPON THEM IN AN INTERNATIONAL AGREEMENT.
- (ii) STATES SHOULD, WHERE NECESSARY, ENACT APPROPRIATE LEGISLATION GOVERNING THE PUNISHMENT OF THE OFFENCE OF UNLAWFUL SEIZURE OF AIRCRAFT AND SPECIFYING THE NATURE OF THIS PUNISHMENT. THERE IS NO DOUBT THAT THIS PROBLEM WILL BE SOLVED ONLY WHEN THE PERPETRATORS OF THESE ACTS FACE THE CERTAINTY OF SEVERE PUNISHMENT FOR THEIR ACTIVITIES. IT IS ALSO IMPORTANT THAT SUCH PUNISHMENT BE WIDELY PUBLICIZED.

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(iii)

IN ORDER TO ENSURE THE SAFETY AND REGULARITY OF INTERNATIONAL AIR TRANSPORT AND TO PUT AN END TO THE ESCALATION OF ARMED INTERFERENCES WITH SCHEDULED AIRLINE OPERATIONS, PREVENTIVE MEASURES, SUCH AS A SEARCH OF PASSENGERS FOR WEAPONS AND EXPLOSIVES, NEED TO BE INSTITUTED. STATES WILL THEREFORE HAVE TO ENACT THE NECESSARY NATIONAL LEGISLATION TO AUTHORIZE THE TAKING OF APPROPRIATE PREVENTIVE MEASURES BY CARRIERS, BY LAW ENFORCEMENT AGENCIES AND BY OTHER SECURITY ORGANIZATIONS. UNDER MOST NATIONAL LEGISLATION, THE CARRIERS LACK SUFFICIENT AUTHORITY TO SEARCH BOARDING PASSENGERS. THERE ARE, OF COURSE, REGULATIONS AUTHORIZING A CARRIER TO REFUSE TRANSPORTATION TO A PASSENGER, WHEN, IN THE OPINION OF THE CARRIER, SUCH TRANSPORTATION WOULD OR MIGHT ENDANGER SAFETY OF FLIGHT. THIS CONSTITUTES, HOWEVER, A RELATED AUTHORITY -- AND THE POSITION OF THE CARRIERS AND OF THE LAW ENFORCEMENT AGENCIES SHOULD BE BETTER DEFINED.

(iv)

THE SAME REMARKS WOULD ALSO APPLY TO A SEARCH OF CARGO AND MAIL ABOVE A CERTAIN SIZE SO AS TO PREVENT CENSORSHIP OF LETTERS.

(v)

IN ELABORATING AND DRAWING UP NATIONAL LEGISLATION ON ARMED INTERFERENCE WITH INTERNATIONAL CIVIL AVIATION, STATES SHOULD CONSIDER THE DISTINCTIVE FEATURES OF SUCH OFFENCES AND THE VARIOUS FORMS THEY CAN TAKE. EACH ELEMENT OF THE OFFENCE NEEDS CAREFUL STUDY SO AS TO AVOID LOOPHOLES WHICH MIGHT WEAKEN THE WHOLE SYSTEM. IN THIS CONTEXT, STATES SHOULD THEREFORE ENACT NATIONAL LEGISLATION MAKING IT AN OFFENCE TO CARRY UNAUTHORIZED WEAPONS OR EXPLOSIVES ON BOARD A CIVIL AIRCRAFT.

PS/go

File No. 171600-107

Ottawa 4, JUN 17 1970



Mr. Ian E. McPherson,
General Counsel,
Air Canada,
Place Ville Marie,
Montreal 2, Canada.

Dear Mr. McPherson:

I acknowledge and thank you for your letter of June 3, 1970, and note that you concur with representations which I received from the Canadian Air Line Pilots Association.

- (a) that hijacking of aircraft be made a specific offence carrying with it severe punishment; and
- (b) that it be unlawful for persons to take offensive weapons or explosives aboard civil aircraft without disclosure to and permission of the owner or operator of the aircraft.

Your other comments, including your reference to a possible ambiguity in the Criminal Code, are being considered by officers of my Department from whom you shall be hearing in due course.

Yours sincerely,

Original Signed per
Original Signed by

John N. Turner.

D/HC
MINISTER OF JUSTICE

MEMORANDUM

June 8/70.

A SN: 2 Dept for draft reply JNT seg

① Copy of this letter sent to
✓ Peter Sorokan, as requested
by him.

② ✓ pref para 1.
Letter from Charles Simpson
to him. of May 12 (I believe
should be May 15) with
Peter Sorokan already.
(Was not recorded in mail
book)

File.

AIR CANADA

PLACE VILLE MARIE, MONTREAL 2, CANADA

IAN E. McPHERSON
GENERAL COUNSEL
CONSEILLER JURIDIQUE GENERAL

June 3, 1970

The Hon. J.N. Turner
Minister of Justice & Attorney General
Justice Building
Wellington Street
Ottawa, Ontario

Dear Mr. Turner:

This refers to our conversation during the meeting of the Association of Canadian General Counsel in Windsor on May 15th and the representations that the Canadian Air Line Pilots Association had made to you regarding unlawful interference in the operation of aircraft. I have since received a copy of the letter of Charles H. Simpson, President of CALPA, to you of May 12th and CALPA has asked that we support its position.

Although we are of the opinion that the Canadian law technically covers the offences involved in a hijacking, we recognize that prosecution may be facilitated by specifically establishing hijacking as an offence and we therefore are in favour of an appropriate amendment to the Criminal Code.

The proposal of CALPA that the carrying of weapons or explosives on board an aircraft be added to the Criminal Code also has merit, for although again the Canadian law covers the subject generally it may be better to specifically identify the acts as crimes. I think your Department is aware, however, that in drafting legislation to this effect it should not be so restrictive that it would compromise the carrying of such material for legitimate purposes, e.g. sporting guns and explosives for industrial use.

In reviewing these aspects of the Criminal Code consideration should also be given to the provisions governing search, particularly without warrant. The provisions thereof appear to be adequate with respect to prohibited or restricted weapons, although I am not entirely satisfied as to the right to search aircraft. However, although the Code establishes a

Mr. Christie
THIS FILE WAS SENT TO YOU

ON Apr 2-70

FILES SEC

Minister's Office
Bureau du Ministre

JUN 8 1970

AMINL

Ex. Asst. ✓

SEP. Asst.

RECEIVED
DEPUTY
MINISTER OF JUSTICE
JUN 9 1970

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ENTERED

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The Hon. J.N. Turner

- 2 -

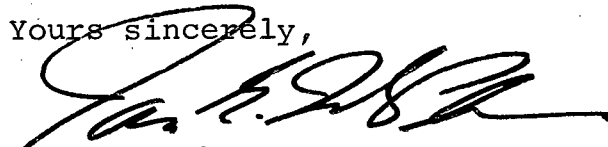
June 3, 1970

number of offences relating to explosives and other dangerous substances it does not appear to give the same general authority regarding search without warrant with respect thereto. It is felt that the curtailment of hijacking and other offences relating to aircraft would be furthered if the right to search was clearly established.

In talking to you I mentioned a possible ambiguity in the Code that came to light in the prosecution that followed the hijacking of an Air Canada Viscount in September, 1968. It involved interpretation of Section 5 A and Section 419 and was brought to the attention of your Department in a letter that I wrote to Mr. P. Sorokan on December 15, 1969. I attached to that letter certain relevant documents and would respectfully refer you to that correspondence rather than reiterate the details herein.

To conclude, I would like to say that we have always received excellent cooperation from your Department in this matter and currently we are working closely with it and other Government officials in the development of appropriate international law. We are, of course, most encouraged by your personal interest.

Yours sincerely,



Ian E. McPherson.

179220

APR 22 1970

Mr. Charles H. Simpson,
President,
Canadian Air Line Pilots Association,
Room 125, Air Cargo Building,
Montreal International Airport,
Montreal, P.Q.

Dear Mr. Simpson:

I acknowledge your letter of April 7th concerning the proposed amendment to the criminal law whereby unlawful seizure and other acts of illegal interference with an aircraft would be made a specific crime.

I should be glad to meet with members of the Canadian Air Line Pilots Association May 5th at 3:30 p.m. in Room 312 of the West Block.

Yours sincerely,

Original Signed by
Original Signed by

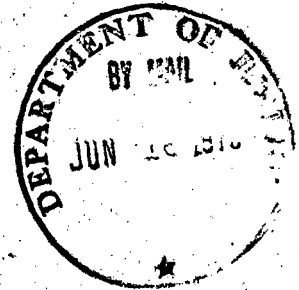
John A. Turner

*Apr 22 - copy of this, as well as
incoming ltr. sent to J.A.
Turner*

000032

PS/go
File No. 171600-107

Ottawa 4, JUN 18 1970



Dear Mr. Shaw:

I acknowledge and thank you for your letter of May 14th, together with a copy of the paper which your organization has submitted to the International Civil Aviation Organization for its Extraordinary Assembly this month. I am pleased to inform you that your paper, which has been distributed by the International Civil Aviation Organization as Working Paper 11, has been carefully studied by this Department.

I understand that the Canadian delegation to the said Assembly, on which my Department will be represented, will be making or supporting a number of the proposals in your paper. I am sure you will understand and appreciate, however, that it may be necessary, with regard to some of your proposals, for our delegation to reserve its position, for the reason that the policy implications have not yet been thoroughly considered. For example, one of the problems in renouncing all attacks against civil aircraft during wartime, would be the possibility of an unscrupulous enemy taking advantage of this renunciation, and using civilian aircraft for the purpose of carrying military goods or Armed Forces.

With regard to the meeting which I had with Captain C.H. Simpson, and other members of the Canadian Airline Pilots Association, I should like to inform you that I received representations:

- (a) that hijacking of aircraft be made a specific offence carrying with it severe punishment; and

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Mr. R. R. Shaw,
Assistant Director General - Technical,
International Air Transport Association,
1155 Mansfield Street,
Montreal 118, Quebec.

- 2 -

- (b) that it be unlawful for persons to take offensive weapons or explosives aboard civil aircraft without disclosure to, and permission of the owner or operator of the aircraft.

At the time of the meeting, which took place on May 5th, I indicated to Mr. Simpson and the others present that I was sympathetic to these representations, and would be prepared to recommend to my colleagues in Cabinet that they be acted upon.

On May 6th, I made the following statement in the House of Commons:

"Mr. Speaker, yesterday I had a meeting with the president and vice-president of the Canadian Association of Airline Pilots. After listening to them I stated that I would take this matter up with my colleagues, the Secretary of State for External Affairs and the Minister of Transport. I also stated that I felt it would be advantageous to set forth a specific crime in the Criminal Code attaching a criminal sanction to the unlawful interference with aircraft in flight making it a crime within the domestic law of Canada. This would have to be buttressed by whatever the Minister of Transport could obtain in adding a highjacking clause to bilateral air agreements and by what we could obtain by way of putting such a crime under the list of extraditable offences within the meaning of our extradition treaties.

I wish to thank you for communicating to me your views in connection with this most serious subject and I want to assure you that I share your concern over the tensions in the Middle East area and elsewhere.

Yours sincerely,
Original Signed by
Original Signed by

John W. Turner.

DEPARTMENT OF JUSTICE

June 15, 1970

MEMORANDUM FOR: DEPUTY MINISTER

FROM: D.H. Christie

The International Air Transport Association has written the Minister concerning a convention which they are promoting, the most significant aspect of which would be a renunciation by the signatory states of all forms of attack and sabotage against civil aircraft both in peacetime and in wartime.

The renunciation in respect of peacetime does not give me any difficulty, but renunciation in wartime is an entirely different matter. I wonder how much international support IATA would receive for this proposal having regard to the very many ways in which civil aircraft could be effectively used to support the military during a war.

There will be a meeting of IACO in Montreal this week and IATA's paper has been distributed to those who will be attending that meeting. A delegation from the Canadian Government will be there which will include a representative of this Department. Before Canada commits itself in any way we should have some idea of the reception that the IATA proposals receive at the meeting.

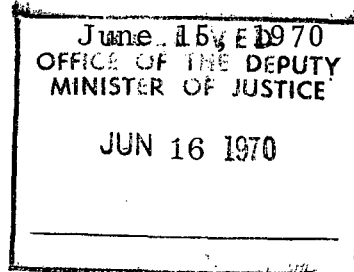
Draft reply for the Minister's signature attached which was prepared by Mr. Sorokan who will be at the IACO meeting.

Encls.

D.H.C.

DEPARTMENT OF JUSTICE

MEMORANDUM FOR: DEPUTY MINISTER
FROM: D.H. Christie



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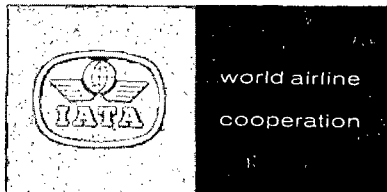
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Draft reply for the Minister's signature attached which was prepared by Mr. Sorokan who will be at the IACO meeting.

Encls.

D.H.C. *[Signature]*

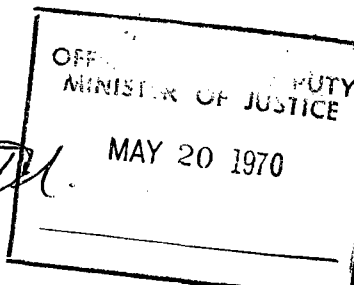
(1979)



International Air Transport Association

1155 MANSFIELD STREET, MONTREAL 118, P.Q. CANADA (HEAD OFFICE)
Bureau du Ministre
TELEPHONE (514) 866-1011 • TELEX 05-267827 • CABLES: IATA-MONTREAL

Gen. Sorochan
Att for draftsch.



MAY 19 1970	
May 14, 1970	
MIN.	
Ex. Asst.	<input checked="" type="checkbox"/>
SIN REPLY QUOTE	4929-A
SP. Asst.	
Pr. Sec.	
Const. Sec.	

Hon. John N. Turner,
Minister of Justice and Attorney General,
Department of Justice,
Ottawa, Ontario.

Dear Mr. Turner

171600-107

I have heard through our good friends in the Canadian Air Line Pilots Association that they had a very satisfactory audience with you on the subject of hijacking and other forms of armed aggression against civil aircraft, and I understand that you may be preparing to make some form of policy statement in the House towards the end of this month.

2. In this connection I thought you might care to have a paper which IATA has submitted to ICAO for their Extraordinary Assembly in June. As you may know, IATA only has the status of an Observer in ICAO meetings and therefore cannot put definite proposals on the floor. This has to be done by a Member Government and we would greatly welcome any initiative that Canada could take on the proposals in our paper.

3. I particularly draw your attention to the proposal marked on Pages 3 and 4 of our paper. We feel that a Convention along these lines may do a great deal of relieve the tensions in the Middle East area. At present the Israelis are desperately afraid of further attacks against El Al aircraft and the Arabs are equally afraid of further Israeli reprisals along the lines of the Beirut attack. We believe that a carefully arranged mutual renunciation of these acts is entirely feasible if we can arrange through private contacts to have both parties announce their adherence simultaneously.

Yours sincerely,

R.R. Shaw
Asst. Director General - Technical

Att: Legal aspects of the prevention of armed
aggression against civil airline aircraft

cc: Mr. R.M. Kidd, CALPA

/ar

ENTERED

Rec'd. 2:10
JUN - 8 1970
G.O.m.

000037

ICAO 17TH SESSION (EXTRAORDINARY) ASSEMBLY, MONTREAL, JUNE 1970

LEGAL ASPECTS OF THE PREVENTION OF ARMED AGGRESSION
AGAINST CIVIL AIRLINE AIRCRAFT

(PRESENTED BY IATA)

INTRODUCTION

1. INTERNATIONAL CIVIL AVIATION CONSTITUTES ONE OF THE MAIN INSTRUMENTS OF INTERNATIONAL COMMERCE AND TOURISM. THE GROWTH OF INTERNATIONAL COMMERCE AND THE DEVELOPMENT OF PERSONAL CONTACTS THROUGH TOURISM HAVE MADE AND WILL CONTINUE TO MAKE A VERY SIGNIFICANT CONTRIBUTION TO THE PEACEFUL PROGRESS OF HUMANITY. INTERNATIONAL CIVIL AVIATION REMAINS ONE OF THE GREATEST ACHIEVEMENTS OF INTERGOVERNMENTAL COOPERATION AND AS SUCH, CONTRIBUTES SIGNIFICANTLY TO WORLD DEVELOPMENT AND WORLD PEACE.
2. THE RECENT PROLIFERATION OF POSSIBLE HIJACKINGS AND OTHER ARMED AGGRESSIONS AGAINST CIVIL AIRCRAFT, BOTH AIRBORNE AND ON THE GROUND, HAS DISRUPTED THE INTERNATIONAL AIR TRANSPORT SYSTEM, ENDANGERED THE LIVES OF THOUSANDS OF CITIZENS AND HAS REPERCUSSIONS ON THE NATIONAL ECONOMY OF ENTIRE COUNTRIES. THE SERIOUSNESS OF THE ISSUE THEREFORE WARRANTS IMMEDIATE ATTENTION AND ACTION FROM GOVERNMENTS, AIRPORTS AND AIRLINES. THE EFFORTS OF THOSE ENGAGED IN THE SECURITY ASPECT OF THIS PROBLEM MUST BE SUPPORTED BY ADEQUATE GOVERNMENTAL ACTION.
3. IN THIS CONTEXT, IT SHOULD BE NOTED THAT RIGID SECURITY IN THE HANDLING OF PASSENGERS, MAIL AND CARGO AT THE POINT OF EMBARKATION MUST INEVITABLY IMPOSE SOME RESTRICTIONS ON THE FREE MOVEMENT OF TRAFFIC. ALTHOUGH THE TWO ARE NOT ENTIRELY INCOMPATIBLE, THERE IS A DEGREE OF CONFLICT BETWEEN GOOD SECURITY AND GOOD FACILITATION.
4. THE AIRLINES THEREFORE MUST URGE GOVERNMENTS TO TAKE ALL POSSIBLE ACTIONS IN AREAS AWAY FROM THE AIRPORT TO DETECT AND DETER THE HOLDING OF UNAUTHORIZED ARMS AND EXPLOSIVES BY INDIVIDUALS OR GROUPS. IT IS BELIEVED THAT THIS IS A BASIC GOVERNMENT RESPONSIBILITY WHICH THE CITIZENS OF ANY COUNTRY, WORKING IN THE AIRLINES AND TRAVELLING ON THE AIRLINES, ARE ENTITLED TO HAVE FULFILLED TO THE MAXIMUM EXTENT POSSIBLE.
5. IF GOVERNMENTS DO NOT SERIOUSLY ENGAGE IN THIS PART OF SECURITY, THE AIRLINES AND AIRPORT AUTHORITIES ARE NOT EXACTLY DEFENCELESS, BUT THEIR TASK IS MADE MUCH MORE DIFFICULT.

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6. STATES ARE THE KEEPERS OF INTERNATIONAL AND INTERNAL ORDER. IT IS THEIR DUTY TO FULFIL THIS OBLIGATION. THEY MUST TAKE ANY AND ALL APPROPRIATE MEASURES TO MAINTAIN THIS ORDER AT ALL LEVELS. STATES MUST THEREFORE DISCOURAGE ANY ACT WHICH ENDANGERS THE LIVES OF INNOCENT PERSONS, WHICH CAN RESULT IN THE DESTROYING OF PROPERTY AND WHICH MAY DISRUPT PEACEFUL INTERNATIONAL COOPERATION. IT FOLLOWS THAT, IN ORDER TO FULFIL COMPLETELY THIS OBLIGATION, STATES MUST TAKE ALL APPROPRIATE MEASURES TO DISCOURAGE ACTS OF ARMED AGGRESSIONS AGAINST AIRCRAFT.
7. THE LEGISLATOR, WHETHER NATIONAL OR INTERNATIONAL, MUST THEREFORE ENSURE AS EARLY AS POSSIBLE, TIME BEING OF THE ESSENCE, THAT PERPETRATORS OF SUCH CRIMES AGAINST HUMANITY WILL BE PUNISHED. IN DOING SO, THE LEGISLATOR WILL HAVE TO TAKE INTO ACCOUNT THE DISTINCTIVE FEATURES OF THE OFFENCE AND ITS INTERNATIONAL CHARACTER. PUBLICITY MUST ALSO BE GIVEN TO THE ACTION TAKEN SO THAT INDIVIDUALS WILL NO LONGER HOPE TO GO UNPUNISHED IF THEY COMMIT ANY ACT OF ARMED AGGRESSION AGAINST CIVIL AIRCRAFT.
8. THE PREVENTION OF SUCH CRIMES IS TO BE SOUGHT ON A UNIVERSAL LEVEL. INTERNATIONAL LEGISLATION MUST BE ADOPTED IN THIS RESPECT. IT WILL ALSO BE NECESSARY TO COMPLEMENT THESE RULES BY ENACTING NATIONAL LEGISLATION WHICH WILL COVER EACH AND EVERY ANGLE OF THE PROBLEM AND WHICH WILL ENSURE, AS FAR AS POSSIBLE, THE PREVENTION OF SUCH ACTS AND EFFECTIVE PUNISHMENT IN ANY CASE WHICH OCCURS.
9. THE FOLLOWING IS A LIST OF LEGAL MEASURES WHICH WILL NEED TO BE CONSIDERED IN THIS RESPECT.

LEGAL ASPECTS

A. INTERNATIONAL LEGISLATION

1. THE CONVENTION ON OFFENCES AND CERTAIN ACTS COMMITTED ON BOARD AIRCRAFT, SIGNED AT TOKYO ON 14 SEPTEMBER 1963, AND IN FORCE SINCE THE 4TH OF DECEMBER 1969, OFFERS, ESPECIALLY IN ITS ARTICLES 11 AND 13, A PARTIAL ANSWER TO THE PROBLEM OF UNLAWFUL INTERFERENCE, SEIZURE OR OTHER WRONGFUL EXERCISE OR CONTROL OF AIRCRAFT. IT CONSTITUTES AN IMPORTANT FIRST STEP TOWARD THE SOLUTION OF AT LEAST ONE FORM OF ARMED INTERFERENCE WITH CIVIL AVIATION. YET, IT HAS BEEN ACCEDED TO OR RATIFIED BY ONLY 24 STATES OF THE 119 ICAO MEMBERS. TAKING INTO ACCOUNT THE SCARCITY OF INTERNATIONAL RULES ON THIS SUBJECT AND THE NECESSITY TO TAKE EVERY APPROPRIATE MEASURE TO ENSURE THE SAFETY AND REGULARITY OF INTERNATIONAL CIVIL AVIATION, STATES SHOULD BE URGED TO ACCEDE TO OR RATIFY THE TOKYO CONVENTION.
2. A DIPLOMATIC CONFERENCE WILL BE HELD IN THE HAGUE FROM 1ST DECEMBER TO 16TH DECEMBER 1970 TO ESTABLISH, AS AN INSTRUMENT OF INTERNATIONAL AGREEMENT, A DRAFT CONVENTION ON UNLAWFUL SEIZURE OF AIRCRAFT PREPARED BY THE ICAO LEGAL COMMITTEE. THIS CONVENTION, IF APPROVED BY THE DIPLOMATIC CONFERENCE, WILL CONSTITUTE THE FIRST SET OF INTERNATIONAL RULES DEALING SPECIFICALLY WITH THE PROBLEM

- 3 -

OF FORCIBLE DIVERSION OF AIRCRAFT IN FLIGHT. IT DEFINES UNLAWFUL SEIZURE OF AN AIRCRAFT IN FLIGHT AS AN OFFENCE AND PROVIDES FOR THE PROSECUTION AND PUNISHMENT OF THE OFFENDERS. IT ALSO IMPOSES UPON ANY CONTRACTING STATE IN WHICH AN OFFENDER IS FOUND THE OBLIGATION TO DETAIN HIM, PENDING A DECISION OF THE PARTIES TO PROSECUTE HIM OR TO RESPOND TO A REQUEST FOR HIS EXTRADITION. IN VIEW OF THE SERIOUSNESS OF THE PROBLEM, IT IS HOPED THAT THIS CONVENTION WILL HAVE THE WIDEST POSSIBLE SUPPORT AND THAT STATES WILL ENDEAVOUR TO SPEED UP THE LENGTHY AND TIME-CONSUMING RATIFICATION PROCESS AND WILL BECOME PARTIES TO THIS CONVENTION AT THE EARLIEST POSSIBLE DATE.

3. THE ABOVE-MENTIONED CONVENTION PROVIDES AN ANSWER TO ONLY ONE FORM OF ARMED INTERFERENCE WITH INTERNATIONAL CIVIL AVIATION. IF A SOLUTION IS TO BE FOUND TO THIS CONTINUING AND INCREASING THREAT TO THE SAFETY OF THE TRAVELLING PUBLIC AND OF THE INTERNATIONAL AIR TRANSPORT INDUSTRY, EVERY ANGLE OF THE PROBLEM WILL HAVE TO BE COVERED AND EVERY FORM OF ARMED AGGRESSION SUBJECTED TO THE MOST STRINGENT LEGISLATION. IT IS THEREFORE URGENT TO DEVELOP INTERNATIONAL LEGISLATION MAKING ANY FORM OF ARMED ATTACKS ON CIVIL AIRCRAFT ON THE GROUND AND THE PLACING ON BOARD AIRCRAFT, OR THE SHIPPING ON AIRCRAFT OF UNAUTHORIZED EXPLOSIVE DEVICES OR OTHER DANGEROUS GOODS INTENDED TO CAUSE DAMAGE TO THE AIRCRAFT, ITS CREW, ITS PASSENGERS, CARGO OR MAIL, AN INTERNATIONAL OFFENCE. THIS LEGISLATION SHOULD, MOREOVER, PROVIDE FOR THE PROSECUTION OF THE OFFENDERS AND THEIR ACCOMPLICES AND SHOULD CARRY SEVERE PENALTIES COMMENSURATE WITH THE GRAVITY OF SUCH OFFENCES.

4. CIVILIZED NATIONS OF THE WORLD HAVE ACCEPTED, EVEN IN TIME OF WAR, TO LIMIT THEIR SOVEREIGNTY BY FOREGOING CERTAIN UNCIVILIZED PRACTICES. THE HAGUE CONFERENCE OF 1899 AND THE HAGUE REGULATIONS OF 1907 HAVE LIMITED THE RIGHT OF THE BELLIGERENTS TO ADOPT MEANS OF INJURING THE ENEMY, SUCH AS THE USE OF POISONS AND POISONED WEAPONS(1). REFERENCE CAN ALSO BE MADE TO THE GENEVA CONVENTION RELATIVE TO THE PROTECTION OF CIVILIAN PERSONS IN TIME OF WAR, SIGNED ON AUGUST 12, 1949. IN VIEW OF THESE

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PRECEDENTS, STATES SHOULD CONSIDER THE POSSIBILITY OF ADOPTING A CONVENTION CONCEIVED AS A RENUNCIATION BY THE SIGNATORY STATES OF ALL FORMS OF ATTACKS AND OF SABOTAGE AGAINST CIVIL AIRCRAFT AND OF THEIR PASSENGERS AS AN INSTRUMENT OF GOVERNMENT POLICY, BOTH IN PEACETIME AND IN WARTIME. THIS RENUNCIATION WOULD INCLUDE:

- (i) ATTACKS ON CIVIL AIRCRAFT BY THE ARMED FORCES OF THE COUNTRY CONCERNED;
- (ii) ATTACKS ON CIVIL AIRCRAFT OR ON THEIR PASSENGERS BY AGENTS OF THE GOVERNMENT;
- (iii) SABOTAGE OF CIVIL AIRCRAFT BY ARMED FORCES OR AGENTS OF THE GOVERNMENT.

B. NATIONAL LEGISLATION

IN ORDER TO IMPLEMENT AND GIVE EFFECT TO THE PROVISIONS OF THE EXISTING INTERNATIONAL CONVENTIONS AND TO PROVIDE FOR IMPLEMENTATION OF INTERNATIONAL CONVENTIONS TO BE CONCLUDED ON THIS SUBJECT, EACH STATE SHOULD ENACT APPROPRIATE NATIONAL LEGISLATION AND STRENGTHEN THEIR EXISTING AGREEMENTS AGAINST THREATS AND ACTS OF VIOLENCE AGAINST CIVIL AIRCRAFT. MOREOVER, IN VIEW OF THE URGENCY OF THE PROBLEM AND OF THE LENGTHY AND TIME-CONSUMING PROCESS OF RATIFICATION OF ANY INTERNATIONAL INSTRUMENT, STATES WILL HAVE TO ACT ON THE NATIONAL LEVEL AND ENACT APPROPRIATE LEGISLATION THAT WILL REDUCE AND ELIMINATE THIS CONSTANT THREAT TO THE SAFETY OF THE TRAVELLING PUBLIC AND OF INTERNATIONAL CIVIL AVIATION. THE FOLLOWING POINTS WILL NEED CONSIDERATION:

- (i) STATES, AS PROVIDED FOR IN THE DRAFT CONVENTION ON UNLAWFUL SEIZURE OF AIRCRAFT, HAVE THE OBLIGATION, WHEN CONCLUDING EXTRADITION TREATIES AMONG THEMSELVES, TO INCLUDE THE OFFENCE AS AN EXTRADITABLE ONE. AS REGARDS EXISTING TREATIES, THE OFFENCE SHALL BE DEEMED TO BE AN EXTRADITABLE ONE. STATES SHOULD ALSO UNDERTAKE THIS OBLIGATION EVEN WHERE IT HAS NOT BEEN IMPOSED UPON THEM IN AN INTERNATIONAL AGREEMENT.
- (ii) STATES SHOULD, WHERE NECESSARY, ENACT APPROPRIATE LEGISLATION GOVERNING THE PUNISHMENT OF THE OFFENCE OF UNLAWFUL SEIZURE OF AIRCRAFT AND SPECIFYING THE NATURE OF THIS PUNISHMENT. THERE IS NO DOUBT THAT THIS PROBLEM WILL BE SOLVED ONLY WHEN THE PERPETRATORS OF THESE ACTS FACE THE CERTAINTY OF SEVERE PUNISHMENT FOR THEIR ACTIVITIES. IT IS ALSO IMPORTANT THAT SUCH PUNISHMENT BE WIDELY PUBLICIZED.

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- 5 -

(iii)

IN ORDER TO ENSURE THE SAFETY AND REGULARITY OF INTERNATIONAL AIR TRANSPORT AND TO PUT AN END TO THE ESCALATION OF ARMED INTERFERENCES WITH SCHEDULED AIRLINE OPERATIONS, PREVENTIVE MEASURES, SUCH AS A SEARCH OF PASSENGERS FOR WEAPONS AND EXPLOSIVES, NEED TO BE INSTITUTED. STATES WILL THEREFORE HAVE TO ENACT THE NECESSARY NATIONAL LEGISLATION TO AUTHORIZE THE TAKING OF APPROPRIATE PREVENTIVE MEASURES BY CARRIERS, BY LAW ENFORCEMENT AGENCIES AND BY OTHER SECURITY ORGANIZATIONS. UNDER MOST NATIONAL LEGISLATION, THE CARRIERS LACK SUFFICIENT AUTHORITY TO SEARCH BOARDING PASSENGERS. THERE ARE, OF COURSE, REGULATIONS AUTHORIZING A CARRIER TO REFUSE TRANSPORTATION TO A PASSENGER, WHEN, IN THE OPINION OF THE CARRIER, SUCH TRANSPORTATION WOULD OR MIGHT ENDANGER SAFETY OF FLIGHT. THIS CONSTITUTES, HOWEVER, A RELATED AUTHORITY -- AND THE POSITION OF THE CARRIERS AND OF THE LAW ENFORCEMENT AGENCIES SHOULD BE BETTER DEFINED.

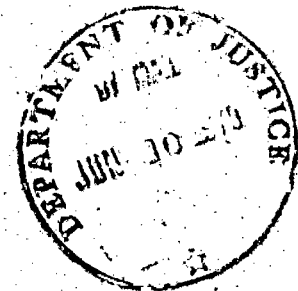
(iv)

THE SAME REMARKS WOULD ALSO APPLY TO A SEARCH OF CARGO AND MAIL ABOVE A CERTAIN SIZE SO AS TO PREVENT CENSORSHIP OF LETTERS.

(v)

IN ELABORATING AND DRAWING UP NATIONAL LEGISLATION ON ARMED INTERFERENCE WITH INTERNATIONAL CIVIL AVIATION, STATES SHOULD CONSIDER THE DISTINCTIVE FEATURES OF SUCH OFFENCES AND THE VARIOUS FORMS THEY CAN TAKE. EACH ELEMENT OF THE OFFENCE NEEDS CAREFUL STUDY SO AS TO AVOID LOOPHOLES WHICH MIGHT WEAKEN THE WHOLE SYSTEM. IN THIS CONTEXT, STATES SHOULD THEREFORE ENACT NATIONAL LEGISLATION MAKING IT AN OFFENCE TO CARRY UNAUTHORIZED WEAPONS OR EXPLOSIVES ON BOARD A CIVIL AIRCRAFT.

JUN 9 1970



Mr. Edward McWhinney, Q.C.,
Professor of Law and Director
Institute of Air and Space Law,
McGill University,
3644 Peel St.,
Montreal 2, Quebec

Dear Professor McWhinney:

I acknowledge your letter of May 13th concerning the hijacking of aircraft.

I have to advise that on May 5th I met with the President of the Canadian Air Lines Pilots Association, Captain C.H. Simpson and other members of the Association at which time I received representations:

- (a) that hijacking of aircraft be made a specific offence carrying with it severe punishment; and
- (b) that it be made unlawful for persons to take offensive weapons or explosives aboard civil aircraft without disclosure to and permission of the owner or operator of the aircraft.

I indicated to Mr. Simpson and the others present that I was sympathetic to these representations and would be prepared to recommend to my Colleagues in Cabinet that they be acted upon. After the meeting there was a short press conference at which I repeated the substance of what I had said to the members of CALPA during the meeting. There is no official text of the remarks which I made.

If there is any further information you require please let me know.

Yours sincerely,

Original Signed per
Official Signed by

John N. Turner

✓
INSTITUTE
OF
AIR AND SPACE LAW

DHe
**PLEASE PREPARE REPLY
FOR THE MINISTER'S SIGNATURE**

Minister's Office
Bureau du Ministre
MAY 19 1970
Min.
Ex. Asst.
Asst.
MONTREAL
Sp. Asst.
Pri. Sec.
Const. Sec.

CHANCELLOR DAY HALL
3644 PEEL STREET
MONTREAL 2, QUEBEC
CANADA

May 13, 1970

The Hon. John Turner, M.P.
Minister of Justice
Ottawa

FILED
DEPUTY
MAY 20 1970

Dear Mr. Turner:

171600-107

The Institut de Droit International, of which I am a member, -- at present the only member from Canada, has elected me as Chairman-rapporteur of a special Commission on the illegal diversion of aircraft. The Commission includes distinguished jurists from many different countries and also one Judge of the World Court. It is charged with the duty of preparing a report on the existing international law governing illegal diversion of aircraft and, if it thinks this sensible, with the preparation of a draft convention on the subject.

You will remember that previous draft conventions suggested by the Institut have been quickly adopted as formal international treaties. I may mention here the recent Vienna Convention on the Law of Treaties which was preceded by an Institut draft convention, elaborated in the Institut by members who were, in many cases, later to become delegates at diplomatic conferences that produced the final Vienna text.

I have seen in the press, several days ago, some references by you to possible amendment of the Criminal Code to incorporate specific reference to hijacking. I would be pleased to have the text of any remarks made by you and also to be kept informed of the progress of the matter. In a preliminary report already made for the Institut de Droit International, I have included reference to legislation by various foreign countries on the subject of hijacking.

With very best wishes.

Sincerely yours,

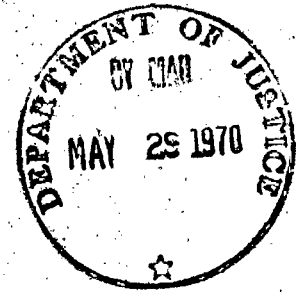
Edward McWhinney
(Edward McWhinney), O.C.
Professor of Law and Director

ENTERED

EMcW:dj

000044

DHC/MJ



Ottawa 4,
May 28, 1970

171600-107

Dear Mr. Lefrançois:

Your letter of May 18th addressed to the Minister of Justice concerning the Canadian Air Line Pilots Association has been passed to me for reply.

The Minister has noted that you are supporting CALPA's recommendations and as he indicated to Mr. Simpson those recommendations are under active consideration in this Department.

Yours truly,

P. H. CHRISTIE

Assistant Deputy
Attorney General

Mr. Roland G. Lefrançois,
President,
Nordair,
Montreal International Airport,
Dorval, Quebec

✓
NORDAIR

MONTREAL INTERNATIONAL AIRPORT, DORVAL, QUE. TEL.: MONTREAL 636-3511 TELEX: 01-2187

171600-107



Ministère de la Justice
Bureau du Ministre

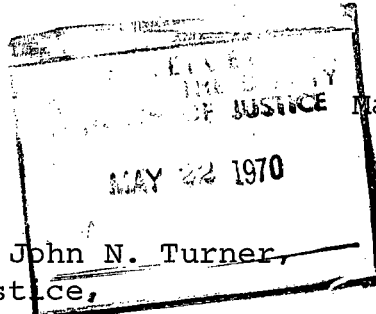
May 18, 1970

MIN.

Ex. Asst. ✓

Sec. Asst.

Tp. Asst.



→ DHE pr attn & ach.
The Honourable John N. Turner,
Minister of Justice,
House of Commons,
Ottawa, Canada.

Dear Sir:

Mr. Charles H. Simpson, President of Canadian Air Line Pilots Association, has informed us of their effort to combat the international wave of hijacking and of their meeting with you to recommend additions to the Criminal Code specifically defining the crime.

I wish to assure you that we are fully supporting CALPA's campaign in this connection and we do hope that it will be found possible to include in the Criminal Code provisions that could be used to fight and eventually eliminate entirely international hijacking of aircraft.

We are sending copy of this letter to CALPA to inform them of our support.

Yours truly,

Roland G. Lefrançois,
President

RGL/fr

ENTERED

c.c. to Mrs. Murray - Ref. letter 19220



OTTAWA 4,
May 22, 1970

171600-107

Dear Sir:

I have been directed to acknowledge your letter of May 7, 1970 addressed to the Minister of Justice and the newspaper articles enclosed therewith.

The article with respect to air crimes has been read with considerable interest. Needless to say, it is a matter of deep concern to the Minister. I should like to refer you to the Minister's reply to a question in the House relating to amendments to the Criminal Code covering seizure of aircraft, which appears in the House of Commons Debates for Wednesday, May 6, 1970 at pages 6634-5. The Minister stated:

"Mr. Speaker, yesterday I had a meeting with the president and vice-president of the Canadian Association of Airline Pilots. After listening to them I stated that I would take this matter up with my colleagues, the Secretary of State for External Affairs and the Minister of Transport. I also stated that I felt it would be advantageous to set forth a specific crime in the Criminal Code attaching a criminal sanction to the unlawful interference with aircraft in flight making it a crime within the domestic law of Canada. This would have to be buttressed by whatever the Minister of Transport could obtain in adding a hijacking clause to bilateral air agreements and by what we could obtain by way of putting such a crime under the list of extraditable offences within the meaning of our extradition treaties."

Mr. Charles Anthony,
GD,
PICKERING, Ontario.

Your comments with respect to the offence of kidnapping and with respect to strikes by Post Office workers have been noted.

Yours truly,

A handwritten signature in dark ink, appearing to read "J.E. Hodges". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

J.E. Hodges,
For Director,
Criminal Law Section.

Mr. Hodges
Mr. Bentley
Hon. John Turner, PC, MP,
House of Commons, Ottawa.

FOR REPLY BY THE DEPARTMENT
Dear Sir,

17/600-107

GD, Pickering, Ont.
Minister's Office,
Bureau du Ministre
MAY 11 1970
MIN.
Ex. Asst.
SP. Asst.
SP. Asst.

RECEIVED DUTY
OFFICE OF THE DEPUTY
MINISTER OF DEFENCE
MAY 11 1970

25 years ago I did not know if my wife would get an army pension or not, nor did I know if I would survive the war. We fought Hitler & Co. to make the world safe for democracy. WE did our best at any rate. It is too bad that Russia has turned fascist and now causes all the trouble in the world.

But for Russia, the lunatic fringe and the communists would not hijack planes to Cuba and set the bad example for others to hijack planes or sabotage them as the Arabs are doing.

Years ago I seem to recall stories about Barbary Pirates and the fact that every country catching a pirate would hang him. Surely in this more "civilized?" era, air piracy should be categorized like the sea piracy of old? Why should be hold back on the strictest laws to combat it, particularly now when air traffic is so widespread and hijacking can result in tremendous losses of lives and property?

The enclosed article in today's paper puts the case very well. I suggest we pass a law and get other nations to do likewise, to either extradite hijackers and those who attack aircraft, or have them tried in countries where the death penalty is mandated for such a crime. The penalty for this in any state should be execution.

Similarly, with kidnappers: whether political, as in S. America, or merely for ransom: death and extradition should be mandatory and execution the penalty. Where hostages are held and they demand release of prisoners in order to set hostages free, all states should then ~~xxxxxxx~~ advise kidnappers that unless hostages are freed, those sought to be released would be executed. Unless the nations enforce strict laws, hijacking and kidnapping will continue.

From the sublime to the ridiculous: if the postal workers demand more money (and it may be justified) let them negotiate or arbitrate: if they strike, it should be taken as treason and strikers treated accordingly. Anyone striking against the Government should be prosecuted. NO employee should be hired without signing an undertaking not to strike but to arbitrate. Let's avoid national chaos as well as international anarchy.

Yours truly,

Charles Anthony
Charles Anthony
a

THE TELEGRAM

An independent newspaper founded in 1876 by J. Ross Robertson, George McCullagh, president and publisher, 1948-52.

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JOHN BASSETT,	Chairman and Publisher
D. S. PERIGOE,	President
J. F. BASSETT,	Vice-President
A. H. AGNEW,	Vice-President and Editor-in-chief

TORONTO, THURSDAY, MAY 7, 1970

Amend the Code for air crimes

The first step in curbing air piracy is for individual nations to make the seizure of aircraft and carrying weapons aboard planes indictable crimes.

This is what the Canadian Airline Pilots Association has asked Ottawa to do. Justice Minister John Turner has responded positively to the association's brief, and it is hoped the legislation will be processed quickly. Air crimes are now multiplying by the hundreds.

Canada's record in this field hasn't been too helpful. As a member of the International Civil Aviation Organization, this country should have been among the first to ratify the ICAO Tokyo convention on crimes committed aboard aircraft. We're still remiss in this regard.

We have powerful company on this issue, the U.S., but the American failure to ratify doesn't sanction ours.

Our situation is something like Austria's. Yesterday a Czech uranium plant executive hijacked a company plane to Austria, knifing the pilot in the pro-

cess. The hijacker has been charged by Austrian authorities simply with "blackmailing the crew" and possession of illegal arms.

That would be about the size of the charges if such an incident occurred in this country.

We have a tendency to hide behind pious resolutions, like that of the U.N. General Assembly last December, which called for the return of hijacked planes, passengers and crews and punishment of the hijackers.

But the U.N. declaration is just a pious hope. It provides no sanctions for offending countries.

The pilots are justifiably angry over the apathy of governments regarding air crimes because of the enormous hazards accompanying them.

The fact is that passengers are subject to the same high risks, and governmental diffidence about passing stringent laws to lessen them is a failure in obligation also to them.

Without the backing of law, the pilots are sometimes forced to become "world policemen," to use

the term of the president of the International Airline Pilots Association.

Some months ago, a shoot-out occurred aboard an Ethiopian jetliner flying over southern Europe in which two aerial bandits were slain by security guards.

It is basic policy for pilots to comply with the will of hijackers, but they also take steps when the opportunity is there. That is too much of an obligation to expect of them. The risks involved in any mid-air gun battle are too high to justify such action by any responsible airline.

That leaves solutions and remedies to air crimes up to governments. Even a resolution by the International Civil Aviation Organization has no teeth unless backed by the law of each affiliated country.

That is why it is imperative for Canada to act within its own jurisdiction. We pride ourselves on being responsible members of the international community. We will deserve this reputation only if we set an example of amending our Criminal Code to make crimes in the air specific offenses.

000050

8 THE TELEGRAM, Toronto, Thurs., May 7, 1970

Man hurt in Montreal post office blast

MONTREAL — (CP-UPI) last night by a timebomb
— A man was injured late blast which shattered win-

dows in an east-end post office about midnight.

Jacques Denis, 39, was only slightly injured by the force of the blast which knocked him down as he was passing by the substa-

Customers in one nearby restaurant had to duck flying glass.

The blast was among scattered incidents in post offices yesterday.

One downtown substation was hit by a Molotov cocktail and several trucks near the main branch were damaged.

The Molotov cocktail exploded after it was thrown through a window in the afternoon but caused little damage.

About 11 trucks had their tires slashed and windows smashed.

Postal operations have been marred since Feb. 3 when drivers of G. Lapalme Inc. began rotating strikes after the com

it would not seek



000051