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MEMORANDUM

NATIONAL SECURITY COUNCIL

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(4531)

INFORMATION

June 13, 1972

MEMORANDUM FOR HENRY KISSINGER

FROM: Melvin H. Levine *m2*

SUBJECT: International Efforts to Stop Air Piracy

The following is to bring you up to date on recent activities generated by the newest acts of air piracy.

The Lod Airport massacre along with the recent hijackings of a Czech airliner to West Germany (by 9 Czechs who killed the pilot) and of a Western Airlines jet to Algeria (by two Americans with \$500,000 in "ransom money") have touched off renewed international efforts to stop air piracy. The International Federation of Air Line Pilots Associations (IFALPA) has warned that it will stop world air service on June 19 unless effective action against air piracy is taken. Our own pilots (American Air Line Pilots Association) have endorsed IFALPA's stance. In addition to tightening up existing domestic procedures for screening airline passengers, we are seeking more effective international action to prevent hijacking.

Security Council Action. The pilots associations have called for Security Council consideration of the hijacking problem. However, this is the wrong forum for serious action because the Arab-Israeli question could too easily polarize the Council, and, in any case, the veto will preclude anything but the blandest of resolutions. We are in fact asking the Soviets to go along with a toothless consensus resolution. If they do, which is still problematical, we will still have to get other countries like the PRC and France on board.

Action on Air Piracy Conventions. More significant action could come in the International Civil Aviation Organization (ICAO) whose Council is now meeting in Montreal. We are seeking to use the present climate to gain support for a sanctions convention -- an old objective -- which would, among other things, provide for the suspension of commercial airline services to states which fail to extradite or prosecute certain air pirates. Until now, the USSR and France have opposed such sanctions, which are strongly favored by the airline unions.

We are also mounting a diplomatic campaign seeking wider adherence to two existing conventions:

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The 1970 Hague Convention requiring the extradition or prosecution of hijackers has been signed by 81 states. We are encouraging states to ratify rapidly. We ourselves have done so, and we should soon have implementing legislation.

The 1971 Montreal Convention seeks extradition or prosecution of all airline saboteurs. So far, it has only 39 signatories. State is speeding up our own request for Senate advice and consent (not yet submitted).

The Algeria Case. The Algerian Government is taking its time deciding what to do with the authors of the June 3 hijacking of a Western Airlines jet to Algiers. The hijackers (whose extradition or prosecution we have requested) remain in custody there, along with \$500,000 in ransom money, which the Algerians have promised to return. The Algerians have complained to us about the international pressure they feel we have brought to bear on them. In fact, we did not instigate the Air Line Pilots boycott threat (as the Algerians suspect), but impatience with Algerian procrastination -- which could encourage other hijackers -- is running high in the U. S. Government, and State has instructed low-key approaches in a number of capitals to see if third country intercession with Algiers might be possible. This will set back the evolution of bilateral relations, but that is a storm that will just have to be weathered.

Overall responsibility for air piracy matters has been assigned by the President to the Department of Transportation which is working closely with State. Over here, Frank Carlucci of OMB is coordinator for these matters with Ehrlichman, Flanigan and ourselves.

Hal Saunders concurs with this memorandum.

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