

INTERNATIONAL TERRORISM

U.S. CONGRESS. SENATE

HEARING

BEFORE THE

COMMITTEE ON FOREIGN RELATIONS

UNITED STATES SENATE

NINETY-SEVENTH CONGRESS

FIRST SESSION

ON

S. 873

A BILL TO STRENGTHEN FEDERAL PROGRAMS AND POLICIES FOR COMBATING INTERNATIONAL AND DOMESTIC TERRORISM;

THE CONVENTION ON THE PHYSICAL PROTECTION OF NUCLEAR MATERIAL (EXEC. H, 96-2);

THE INTERNATIONAL CONVENTION AGAINST THE TAKING OF HOSTAGES (EXEC. N, 96-2)

JUNE 10, 1981

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INTERNATIONAL TERRORISM

WEDNESDAY, JUNE 10, 1981

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, D.C.

The committee met, pursuant to notice, at 10:15 a.m., in room 4221, Dirksen Senate Office Building, Hon. Charles H. Percy (chairman of the committee) presiding.

Present: Senators Percy, Mathias, Glenn, and Cranston.

OPENING STATEMENT

The CHAIRMAN. The Committee on Foreign Relations meets this morning to hear administration witnesses on the subject of terrorism. We have with us Under Secretary of State Richard Kennedy, who has been designated by Secretary of State Haig to speak for the Department on this question. He is accompanied by Ambassador Anthony Quainton, Director of the Office for Combatting Terrorism in the Department of State, and by other colleagues. We will ask Secretary Kennedy to identify them when he begins his testimony.

This is the first opportunity the committee has had to discuss with the administration its announced intention to make terrorism a principal concern of its foreign policy. In welcoming the former American hostages in Iran to the White House in January, President Reagan declared:

Let terrorists be aware that when the rules of international behavior are violated, our policy will be one of swift and effective retribution.

The following day, Alexander Haig, at his first news conference as Secretary of State, made the following statement:

International terrorism will take the place of human rights in our concern because it is the ultimate abuse of human rights.

The purpose of this hearing is to begin to explore with the administration how such statements might be translated into effective policy and programs for dealing with the terrorism problem.

Senator Bentsen has introduced a bill to strengthen Federal programs and policies for combating international and domestic terrorism. Without objection, I would like to insert the bill into the record at this point.

(Text of S. 873 follows:)

97TH CONGRESS
1ST SESSION

S. 873

To strengthen Federal programs and policies for combating international and domestic terrorism.

IN THE SENATE OF THE UNITED STATES

APRIL 2 (legislative day, FEBRUARY 16), 1981

Mr. BENTSEN introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To strengthen Federal programs and policies for combating international and domestic terrorism.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 SHORT TITLE

4 SECTION 1. This Act may be cited as the "Omnibus
5 Antiterrorism Act of 1981".

6 STATEMENT OF FINDINGS AND PURPOSE

7 SEC. 2. (a) The Congress hereby finds that—

8 (1) innocent persons have been killed, injured, and
9 victimized, human rights violated, property destroyed

1 and damaged, and international commerce obstructed
2 as a result of terrorist acts;

3 (2) such acts represent an intolerable attack
4 against the fundamental right to life and security of all
5 peoples of the world;

6 (3) such acts constitute a threat to the orderly and
7 civilized functions of the international community;

8 (4) certain nations exhibit a pattern of support for
9 international terrorist acts;

10 (5) certain international airports fail to maintain
11 consistently effective security measures; and

12 (6) economic and other sanctions should be direct-
13 ed at countries which harbor, aid, abet, or assist inter-
14 national terrorists.

15 (b) It is therefore the purpose of the Act to—

16 (1) strengthen Federal capabilities in policy and
17 planning, coordination, intelligence, and response capa-
18 bility and enlist the cooperation of all other nations and
19 national and international organizations in initiatives to
20 counter international terrorist acts more effectively
21 throughout the world, while safeguarding democratic
22 values;

23 (2) promote appropriate action by the United
24 States and other governments in order to combat inter-
25 national terrorism; and

1 supported by another state (within the meaning of
2 subsection (b) of this section), irrespective of the
3 nationality of the offender; or

4 (2) is an act designated as—

5 (A) an offense under the Convention for the
6 Suppression of Unlawful Seizure of Aircraft (done
7 at The Hague, December 16, 1970);

8 (B) an offense under the Convention for the
9 Suppression of Unlawful Acts Against the Safety
10 of Civil Aviation (done at Montreal, September
11 23, 1971); or

12 (C) a crime under the Convention on the
13 Prevention and Punishment of Crimes Against In-
14 ternationally Protected Persons, including diplo-
15 matic agents (adopted by the General Assembly of
16 the United Nations at New York, December 14,
17 1973);

18 but does not include acts (i) committed by the military
19 forces of a state in the course of an armed conflict, or
20 (ii) committed by other conventional armed groups in
21 the course of operations directed against essentially
22 military objectives. The exclusion contained in clause
23 (ii) does not apply with respect to an act the purpose
24 of which is to obtain, for actual or possible use as a
25 weapon, any nuclear material, equipment, or technol-

1 ogy, or any weapon or substance whose use as a
2 weapon of war is prohibited by international law.

3 (b) For purposes of this Act, the term "state support of
4 international terrorism" means any of the following acts
5 which are committed deliberately by a state:

6 (1) Furnishing arms, explosives, or lethal sub-
7 stances to any individual, group, or organization with
8 the likelihood that they will be used in the commission
9 of any act of international terrorism.

10 (2) Planning, directing, providing training for or
11 assisting individuals or groups in the commission of
12 any act of international terrorism.

13 (3) Providing direct financial support for the com-
14 mission of any act of international terrorism.

15 (4) Providing diplomatic facilities with intent to
16 aid or abet the commission of any act of international
17 terrorism.

18 (5) Allowing the use of its territory as a sanctuary
19 from extradition or prosecution for any act of interna-
20 tional terrorism.

21 REPORT ON ACTS OF INTERNATIONAL TERRORISM

22 SEC. 4. (a) Six months after the date of enactment of
23 this Act and each year thereafter, the President shall trans-
24 mit to the President pro tempore of the Senate and the
25 Speaker of the House of Representatives a report on those

1 incidents during the preceding year he determines to be acts
2 of international terrorism, except that any such incident
3 which affects or seriously threatens to affect citizens or sig-
4 nificant interests or property of the United States shall be
5 discussed in a report transmitted to the Congress not later
6 than sixty days after the termination of such an incident.

7 (b) With respect to any such incident which affects or
8 seriously threatens to affect citizens or significant interests or
9 property of the United States, and with respect to any major
10 act of international terrorism, such reports shall include—

11 (1) a description of the incident and of the in-
12 volvement and identity of each individual, entity,
13 group, or organization involved in such incident;

14 (2) the identity of any government providing state
15 support for such acts of international terrorism, and a
16 statement setting forth the exact nature and extent of
17 such government's involvement;

18 (3) a description of the actions of any government
19 which assisted in bringing about a successful termina-
20 tion of the incident; and

21 (4) a description of the response of the United
22 States Government to such incident.

23 (c) Nothing in this section is intended to require the
24 public disclosure of information which is properly classified
25 under criteria established by Executive order or is otherwise

1 protected by law. Such information shall be provided to the
2 President pro tempore of the Senate and the Speaker of the
3 House of Representatives in a written classified report. In
4 such case, an unclassified summary of such information shall
5 be prepared and submitted to the President pro tempore of
6 the Senate and the Speaker of the House of Representatives.

7 (d) Nothing in this section is intended to require disclo-
8 sure of investigatory records compiled for law enforcement
9 purposes specifically protected by section 552(b)(7) of title 5,
10 United States Code.

11 LIST OF STATES SUPPORTING INTERNATIONAL TERRORISM

12 SEC. 5. (a) Six months after the date of enactment of
13 this Act and each year thereafter, the President shall consid-
14 er which, if any, states have demonstrated a pattern of sup-
15 port for acts of international terrorism during the preceding
16 year. If the President determines that any states have so
17 demonstrated, he shall submit a list of such states to the
18 President pro tempore of the Senate and the Speaker of the
19 House of Representatives, and set forth his reasons for listing
20 any such states. The President may at any time add to any
21 such list the name of any such state by transmitting the name
22 of such state to the President pro tempore of the Senate and
23 the Speaker of the House of Representatives together with
24 his reasons for adding the name of such state to the list. If
25 the President determines that no states have demonstrated a

1 pattern of support for acts of international terrorism, he shall
2 report the same with a detailed explanation.

3 (b) Such list shall also identify any states against which
4 sanctions have been applied pursuant to paragraph (3) of sec-
5 tion 6(a) of this Act, and any other initiatives of the United
6 States with respect to such states.

7 (c) Nothing in this section is intended to require the
8 public disclosure of information which is properly classified
9 under criteria established by Executive order, or is otherwise
10 protected by law. Such information shall be provided to the
11 President pro tempore of the Senate and the Speaker of the
12 House of Representatives in a written classified report. In
13 such case, an unclassified summary of such information shall
14 be prepared and submitted to the President pro tempore of
15 the Senate and the Speaker of the House of Representatives.

16 (d) Nothing in this section is intended to require disclo-
17 sure of investigatory records compiled for law enforcement
18 purposes specifically protected by section 552(b)(7) of title 5,
19 United States Code.

20 (e)(1) Such list shall be reviewed periodically by the
21 President. The President may propose to the Congress a re-
22 quest for removal of any state from the list. Such request
23 shall be accompanied by the reasons therefor.

24 (2) A state requested by the President to be removed
25 from such list shall be removed thirty days after the submis-

1 sion of that request to the Congress unless the Congress by
2 concurrent resolution disapproves that request.

3 PRESIDENTIAL AUTHORITY TO COMBAT INTERNATIONAL
4 TERRORIST ACTS

5 SEC. 6. (a) For the period during which a state is listed
6 pursuant to section 5, the President, in accordance with sub-
7 section (b), shall—

8 (1) prohibit the continued status in the United
9 States of nationals of such state, or other foreign na-
10 tionals sponsored by such state, as students or as other
11 nonimmigrants within the meaning of section 101
12 (a)(15) (F) or (J) of the Immigration and Nationality
13 Act; and

14 (2) prohibit the entry into the United States of na-
15 tionals of such state or other foreign nationals spon-
16 sored by such state, for the purpose of acquiring or
17 continuing their training or education; and

18 (3)(A) with respect to such state, prohibit—

19 (i) the provision of assistance under the For-
20 eign Assistance Act of 1961,

21 (ii) the making of any sale of any defense ar-
22 ticle or defense service under the Arms Export
23 Control Act, of the extension of any credit, or the
24 guarantee of any loan, with respect to such sale,

1 (iii) the delivery of assistance described in
2 clause (i) and the delivery of any defense article
3 and the performance of any defense service de-
4 scribed in clause (ii),

5 (iv) the issuance of any license and shall
6 revoke any license in effect for the export of com-
7 modities or technical data under the Export Ad-
8 ministration Act which would enhance the mili-
9 tary potential of such state or which would other-
10 wise enhance the ability of such state to support
11 acts of international terrorism, or

12 (v) the extension or maintenance of duty-free
13 treatment under title V of the Trade Act of 1974;
14 or

15 (B) take such other actions as he deems neces-
16 sary.

17 (b) In determining which of the prohibitions in para-
18 graph (3) of subsection (a) of this section should be taken, the
19 President, in consultation with Congress, shall consider—

20 (1) the potential effectiveness of suspending any
21 prohibition in inducing change in a country's policy or
22 practice of supporting acts of international terrorism;

23 (2) the potential effect of such suspension on
24 United States relations with other governments; and

1 (3) the potential effects of such suspension on
2 other national interests of the United States.

3 (c) If the President finds that the interests of national
4 security so require, he may suspend the applicability of all or
5 any part of the prohibitions listed in subsection (a) of this
6 section if the President consults with the appropriate commit-
7 tees of the Congress prior to the suspension of such prohibi-
8 tions and he prepares and transmits to the President pro tem-
9 pore of the Senate and the Speaker of the House of Repre-
10 sentatives a detailed report setting forth his reasons for such
11 suspension.

12 (d) In devising initiatives to combat international terror-
13 ist actions and to reduce state support for such actions, the
14 President shall take such other measures available to him as
15 he deems appropriate, taking into account—

16 (1) the potential effectiveness of specific sanctions
17 in inducing change in a country's policy or practice of
18 supporting acts of international terrorism;

19 (2) the likely effect of sanctions on overall United
20 States relations with such country or with other coun-
21 tries; and

22 (3) the potential effect such sanctions would have
23 on other United States national interests.

24 (e) The President shall take all appropriate diplomatic
25 measures consistent with international obligations to support

1 the effectiveness of actions taken pursuant to this authority in
2 the accomplishment of the purposes of this Act.

3 (f) The President shall promptly and fully inform the
4 President pro tempore of the Senate and the Speaker of the
5 House of Representatives of each exercise of authority grant-
6 ed under the Act.

7 (g) Nothing in this section is intended to require the
8 public disclosure of information that is properly classified
9 under criteria established by Executive order or is otherwise
10 protected by law. Such information shall be provided to the
11 President pro tempore of the Senate and to the Speaker of
12 the House of Representatives in a written classified report.
13 In such case, an unclassified summary of such information
14 shall be prepared and submitted to the President pro tempore
15 of the Senate and the Speaker of the House of Representa-
16 tives.

17 REPORT ON FEDERAL AND INTERNATIONAL CAPABILITIES
18 TO COMBAT TERRORISM

19 SEC. 7. (a) Not later than six months after the date of
20 enactment of this Act, and thereafter at two-year intervals,
21 the President shall submit to the President pro tempore of
22 the Senate and the Speaker of the House of Representatives
23 a Report on Federal and International Capabilities to
24 Combat Terrorism which shall include—

1 (1) a comprehensive and specific review of Feder-
2 al antiterrorism organization, policies, and activities;

3 (2) a description and evaluation of the effective-
4 ness of relevant Federal organizational structures,
5 planning, coordination, including with State and local
6 authorities, response capability, intelligence gathering
7 and analysis, assistance to and cooperation with United
8 States citizens and nationals abroad, and security pre-
9 paredness and security adequacy of United States dip-
10 lomatic and military installations;

11 (3) a statement and evaluation of all relevant Fed-
12 eral policies, including those with respect to responding
13 to threats, and the management of a terrorist incident;
14 and

15 (4) an assessment of the capability and effective-
16 ness of the International Civil Aviation Organization
17 and other international programs and organizations to
18 establish appropriate airport security standards and
19 combat terrorist activities.

20 (b) Nothing in this section is intended to require the
21 public disclosure of information which is properly classified
22 under criteria established by Executive order, or is otherwise
23 protected by law. Such information shall be provided to the
24 President pro tempore of the Senate and the Speaker of the
25 House of Representatives in a written classified report. In

1 such case, an unclassified summary of such information shall
2 be prepared and submitted to the President pro tempore of
3 the Senate and the Speaker of the House of Representatives.

4 INFORMATION ON FOREIGN AIRPORT SECURITY

5 SEC. 8. Section 1115 of the Federal Aviation Act of
6 1958 (49 U.S.C. 1515) relating to security standards in for-
7 eign air transportation is amended to read as follows:

8 "SECURITY STANDARDS IN FOREIGN AIR

9 TRANSPORTATION

10 "SEC. 1115. (a) The Secretary of Transportation shall
11 conduct at such intervals as the Secretary shall deem neces-
12 sary, but not less than every three years, an assessment of
13 the effectiveness of the security measures maintained at those
14 foreign airports serving United States carriers, those foreign
15 airports from which foreign air carriers serve the United
16 States, and at such other foreign airports as the Secretary
17 may deem appropriate. Such assessment shall determine the
18 extent to which such an airport effectively maintains and ad-
19 ministers security measures. The criteria utilized by the Sec-
20 retary in assessing the effectiveness of security at United
21 States airports shall be considered in making such assess-
22 ments and shall be equal to or above the standards estab-
23 lished pursuant to the Convention on International Civil Avi-
24 ation. Such assessment shall include consideration of specific
25 security programs and techniques, including but not limited

1 to, physical and personnel security programs and procedures,
2 passenger security and baggage examination, the use of elec-
3 tronic, mechanical or other detection devices, airport police
4 and security forces, and control of unauthorized access to the
5 airport aircraft, airport perimeter, passenger boarding, and
6 cargo, storage, and handling areas.

7 “(b) In addition to the information contained in the
8 report required by section 315 of this Act, the report required
9 by such section shall contain—

10 “(1) a summary of those assessments conducted
11 pursuant to subsection (a) of this section. Such sum-
12 mary shall identify the airports assessed and describe
13 any significant deficiencies and actions taken or recom-
14 mended; and

15 “(2) a description of the extent if any to which
16 specific deficiencies previously identified, if any, have
17 been eliminated.

18 “(c) When the Secretary finds that an airport does not
19 maintain and administer effective security measures at the
20 level of effectiveness specified in subsection (a) of this section,
21 he shall notify the appropriate authorities of such foreign
22 government of his finding, and recommend the steps neces-
23 sary to bring the security measures in use at that airport to
24 the acceptable level of effectiveness.

1 “(d)(1) Not later than sixty days after the notification
2 required in subsection (c) of this section and upon a determi-
3 nation by the Secretary that the foreign government has
4 failed to bring the security measures at the identified airport
5 to the level of effectiveness specified in subsection (a) of this
6 section, he—

7 “(A) shall publish in the Federal Register and
8 cause to be posted and prominently displayed at all
9 United States airports regularly serving scheduled air
10 carrier operations the identification of such airport; and

11 “(B) notwithstanding section 1102 of this Act,
12 may, with the approval of the Secretary of State, with-
13 hold, revoke, or impose conditions on the operating au-
14 thority of any carrier or foreign air carrier to engage in
15 foreign air transportation utilizing that airport.

16 “(2) The Secretary shall promptly report to the Con-
17 gress any action taken under this subsection setting forth in-
18 formation concerning the attempts he has made to secure the
19 cooperation of the nation in attaining the acceptable level of
20 effectiveness.

21 “(e) Nothing in this section is intended to require the
22 public disclosure of information that is properly classified
23 under criteria established by Executive order or is otherwise
24 protected by law. Such information shall be provided to the
25 President pro tempore of the Senate and to the Speaker of

1 the House of Representatives in a written classified report.
2 In such case, an unclassified summary of such information
3 shall be prepared and submitted to the President pro tempore
4 of the Senate and the Speaker of the House of Representa-
5 tives.”.

6 AVIATION SECURITY ASSISTANCE TO FOREIGN

7 GOVERNMENTS

8 SEC. 9. (a)(1) The Secretary of Transportation is au-
9 thorized to promote the achievement of international aviation
10 security by providing technical assistance concerning aviation
11 security to foreign governments. Such technical assistance
12 may include the conduct of surveys to analyze the level of
13 aviation security in airports and the provision of training in
14 aviation security for foreign nationals. Such training in avi-
15 ation security may be conducted either in the United States
16 or in foreign nations. The Secretary may provide for the pay-
17 ment of subsistence and expenses for travel within the United
18 States for foreign nationals receiving such aviation security
19 training in the United States.

20 (2) The Secretary may require a foreign government to
21 reimburse the United States for all, part, or none of the cost
22 of providing the technical assistance authorized under para-
23 graph (1).

1 (b) There is authorized to be appropriated to carry out
2 the provisions of this subsection an amount not to exceed
3 \$100,000 for each of the fiscal years 1982, 1983, and 1984.

4 POWER TO GRANT AUTHORITY TO ARREST AND CARRY
5 WEAPONS

6 SEC. 10. (a) Section 313 of the Federal Aviation Act of
7 1958 (49 U.S.C. 1354) is amended by redesignating subsec-
8 tion (e) as subsection (f) and by adding the following:

9 “(e) Subject to such reasonable rules and regulations as
10 he may prescribe, the Administrator is empowered to author-
11 ize, in connection with the performance of their air transpor-
12 tation security duties, persons employed by the Federal Avi-
13 ation Administration to carry firearms, and to make arrests
14 under warrant for any offense committed against the laws of
15 the United States, and without warrant for any offense
16 against the laws of the United States committed in their
17 presence or for any felony cognizable under the laws of the
18 United States if they have reasonable grounds to believe that
19 the person to be arrested has committed or is committing
20 such a felony.”.

21 (b) The table of contents of the Federal Aviation Act of
22 1958 is amended by redesignating the item relating to sec-
23 tion 313(e) as the item relating to section 313(f) and inserting
24 between the items relating to sections 313 (d) and (f) the
25 following:

1 (A) the Convention for the Suppression of
2 Unlawful Seizure of Aircraft (The Hague, Decem-
3 ber 16, 1970);

4 (B) the Convention for the Suppression of
5 Unlawful Acts Against the Safety of Civil Avi-
6 ation (Montreal, September 23, 1971);

7 (C) the Convention on the Prevention and
8 Punishment of Crimes Against Internationally
9 Protected Persons, Including Diplomatic Agents
10 (New York, December 14, 1973); and

11 (D) the Convention Against the Taking of
12 Hostages (New York, December 17, 1979).

13 IMPLEMENTATION OF MONTREAL CONVENTION

14 SEC. 12. The President shall develop standards and
15 programs to insure the full implementation of the provisions
16 of the Convention for the Suppression of Unlawful Acts
17 Against the Safety of Civil Aviation (Montreal, September
18 23, 1971).

19 AIRCRAFT SABOTAGE

20 SEC. 13. (a) Section 31 of title 18, United States Code,
21 is amended—

22 (1) by striking out “Civil Aeronautics Act of
23 1938” and inserting in lieu thereof “Federal Aviation
24 Act of 1958”;

1 (2) by striking out “and” at the end of the third
2 undesigned paragraph thereof;

3 (3) by striking out the period at the end thereof
4 and inserting in lieu thereof “; and”; and

5 (4) by adding at the end thereof the following:

6 “‘In flight’ means any time from the moment all the
7 external doors of an aircraft are closed following embarkation
8 until the moment when any such door is opened for disembarkation. In the case of a forced landing the flight shall be
9 deemed to continue until lawful authorities take over the re-
10 sponsibility for the aircraft and the persons and property
11 aboard; and

12 “‘In service’ means any time from the beginning of pre-
13 flight preparation of the aircraft by ground personnel or by
14 the crew for a specific flight until twenty-four hours after any
15 landing; the period of service shall, in any event, extend for
16 the entire period during which the aircraft is in flight.”.

17 (b) Section 32 of title 18, United States Code, is
18 amended to read as follows:

19 **“§ 32. Destruction of aircraft or aircraft facilities**

20 “Whoever willfully sets fire to, damages, destroys, dis-
21 ables, or interferes with the operation of, or makes unsuitable
22 for use any aircraft used, operated, or employed in interstate,
23 overseas, or foreign air commerce; or willfully places a de-
24 structive substance in, upon, or in proximity to any such air-
25 -

1 craft which is likely to damage, destroy, or disable any such
2 aircraft, or any part or other material used, or intended to be
3 used, in connection with the operation of such aircraft; or
4 willfully sets fire to, damages, destroys, or disables any air
5 navigation facility or interferes with the operation of such air
6 navigation facility, if any such act is likely to endanger the
7 safety of such aircraft in flight, or

8 “Whoever, with the intent to damage, destroy, or dis-
9 able any such aircraft, willfully sets fire to, damages, de-
10 stroys, or disables or places a destructive substance in, upon,
11 or in the proximity of any appliance or structure, ramp, land-
12 ing area, property, machine, or apparatus, or any facility, or
13 other material used, or intended to be used, in connection
14 with the operation, maintenance, or loading or unloading or
15 storage of any such aircraft or any cargo carried or intended
16 to be carried on any such aircraft; or

17 “Whoever willfully performs an act of violence against
18 or incapacitates any passenger or member of the crew of any
19 such aircraft if such act of violence or incapacitation is likely
20 to endanger the safety or such aircraft in service; or

21 “Whoever willfully communicates information, which he
22 knows to be false, thereby endangering the safety of any such
23 aircraft while in flight; or

24 “Whoever willfully attempts to do any of the aforesaid
25 acts—

1 shall be fined not more than \$10,000 or impris-
2 oned not more than twenty years, or both.”.

3 (c)(1) Chapter 2 of title 18, United States Code, is
4 amended by adding a new section after section 32 to read as
5 follows:

6 **“§ 32A. Offenses in violation of the Convention for the**
7 **Suppression of Unlawful Acts Against the**
8 **Safety of Civil Aviation**

9 “(a) Whoever commits an offense as defined in subsec-
10 tion (b) against or on board an aircraft registered in a state
11 other than the United States and is afterward found in this
12 country shall be fined not more than \$10,000 or imprisoned
13 not more than twenty years, or both.

14 “(b) For purposes of this section a person commits an
15 ‘offense’ when he willfully—

16 “(1) performs an act of violence against a person
17 on board an aircraft in flight if that act is likely to en-
18 danger the safety of that aircraft; or

19 “(2) destroys an aircraft in service or causes
20 damage to such an aircraft which renders it incapable
21 of flight or which is likely to endanger its safety in
22 flight; or

23 “(3) places or causes to be placed on an aircraft
24 in service, by any means whatsoever, a device or sub-
25 stance which is likely to destroy that aircraft, or to

1 cause damage to it which renders it incapable of flight,
2 or to cause damage to it which is likely to endanger its
3 safety in flight; or

4 “(4) attempts to commit, or is an accomplice of a
5 person who commits or attempts to commit, an offense
6 enumerated in this subsection.”.

7 (2) The analysis of chapter 2 of title 18 of the United
8 States Code is amended by adding after item

“32. Destruction of aircraft or aircraft facilities.”

9 the following new item:

“32A. Offenses in violation of the Convention for the Suppression of Unlawful Acts
Against the Safety of Civil Aviation.”.

10 (d) Section 101(34) of the Federal Aviation Act of 1958,
11 as amended (49 U.S.C. 1301(34)), relating to the definition of
12 the term “special aircraft jurisdiction of the United States,”;
13 is amended as follows:

14 (1) by striking out “or” at the end of subsection
15 (d)(i);

16 (2) by striking out “and” at the end of subsection
17 (d)(ii) and inserting in lieu thereof “or”; and

18 (3) by adding a new subsection (d)(iii) as follows:

19 “(iii) regarding which an offense as defined in sub-
20 section (d) or (e) of article I, section I of the (Montreal)
21 Convention for the Suppression of Unlawful Acts
22 Against the Safety of Civil Aviation is committed, pro-

1 vided the aircraft lands in the United States with an
2 alleged offender still on board; and”.

3 (e) Section 902(k) of the Federal Aviation Act of 1958
4 (49 U.S.C. 1472(k)) is amended by adding at the end thereof
5 the following:

6 “(3) Whoever, while aboard an aircraft in the special
7 aircraft jurisdiction of the United States, commits an act
8 which would be an offense under section 32 of title 18,
9 United States Code, shall be punished as provided therein.”.

10 (f)(1) Chapter 2 of title 18, United States Code, is
11 amended by adding at the end thereof the following new sec-
12 tion:

13 **“§ 36. Imparting or conveying threats**

14 “Whoever imparts or conveys or causes to be imparted
15 or conveyed any threat to do an act which would be a felony
16 prohibited by section 32 or 33 of this chapter or section 1992
17 of chapter 97 or section 2275 of chapter 111 of this title with
18 an apparent determination and will to carry the threat into
19 execution shall be fined not more than \$5,000 or imprisoned
20 not more than five years, or both.”.

21 (2) The analysis of chapter 2 of title 18 of the United
22 States Code is amended by adding at the end thereof the
23 following new item:

“36. Imparting or conveying threats.”.

1 AIRCRAFT PIRACY

2 SEC. 14. (a) Section 901 of the Federal Aviation Act of
3 1958 (49 U.S.C. 1471) is amended by adding at the end
4 thereof the following new subsections:

5 “(c) Whoever knowingly imparts or conveys or causes
6 to be imparted or conveyed false information concerning an
7 attempt or alleged attempt being made or to be made, to do
8 any act which would be a crime prohibited by subsection (i),
9 (j), (k), or (l) of section 902 of this Act, shall be subject to a
10 civil penalty of not more than \$1,000 which shall be recover-
11 able in a civil action brought in the name of the United
12 States.

13 “(d) Whoever, while aboard, or while attempting to
14 board, any aircraft in, or intended for operation in, air trans-
15 portation or intrastate air transportation, has on or about his
16 person or his property a concealed deadly or dangerous
17 weapon, which is, or would be, accessible to such person in
18 flight, except for persons who may be authorized under regu-
19 lations issued by the Administrator, shall be subject to a civil
20 penalty of not more than \$1,000 which shall be recoverable
21 in a civil action brought in the name of the United States.”.

22 (b) Subsection (a) of section 1395 of title 28, United
23 States Code, is amended by inserting before the period at the
24 end of such subsection a comma and the following: “and in
25 any proceeding to recover a civil penalty under section 35(a)

1 of title 18 or section 901(c) or 901(d) of the Federal Aviation
2 Act of 1958, all process against any defendant or witness,
3 otherwise not authorized under the Federal Rules of Civil
4 Procedure, may be served in any judicial district of the
5 United States upon an ex parte order for good cause shown’.

6 (c)(1) Section 902(m) of the Federal Aviation Act of
7 1958 (49 U.S.C. 1472(m)) is amended to read as follows:

8 “FALSE INFORMATION AND THREATS

9 “(m)(1) Whoever knowingly, willfully, and maliciously,
10 or with reckless disregard for the safety of human life, im-
11 parts or conveys or causes to be imparted or conveyed false
12 information concerning an attempt or alleged attempt being
13 made or to be made, to do any act which would be a felony
14 prohibited by subsection (i), (j), or (l)(2) of this section, shall
15 be fined not more than \$5,000 or imprisoned not more than
16 five years, or both.

17 “(2) Whoever imparts or conveys or causes to be im-
18 parted or conveyed any threat to do an act which would be a
19 felony prohibited by subsection (i), (j), or (l)(2) of this section,
20 with an apparent determination and will to carry the threat
21 into execution, shall be fined not more than \$5,000 or impris-
22 oned not more that five years, or both.”.

23 (2) The table of contents of the Federal Aviation Act of
24 1958 is amended by amending the item relating to subsection
25 (m) of section 902 to read as follows:

“(m) False information and threats.”.

1 (d) Section 903 of the Federal Aviation Act of 1958 (49
2 U.S.C. 1473) is amended by striking out “Such” at the be-
3 ginning of the second sentence of subsection (b)(1) of that
4 section, and inserting in lieu therefor “Except with respect to
5 civil penalties under section 901 (c) and (d) of this Act,
6 such”.

7 CONDITIONS FOR PRETRIAL RELEASE

8 SEC. 15. (a) Section 3146 of title 18, United States
9 Code, is amended—

10 (1) by striking out “Any” in the first sentence of
11 subsection (a) and inserting in lieu thereof “Except as
12 otherwise provided in subsection (h), any”; and

13 (2) by adding at the end thereof the following:

14 “(h)(1) No person charged with an act of terrorism shall
15 be ordered released pending trial as provided in subsection
16 (a), if the judicial officer determines that such a release would
17 pose a danger to any other person or to the community.

18 “(2) For purposes of this subsection, an ‘act of terror-
19 ism’ means any act which is violent or dangerous to human
20 life and violates a Federal criminal statute related to assassi-
21 nation, murder, sabotage, or kidnaping, and which is used as
22 a means or technique—

23 “(A) to demonstrate approval or disapproval of
24 governmental policies or practices or the lack thereof;

25 “(B) to express a view on public issues;

1 “(C) to bring to the public’s attention any issue or
2 policy;

3 “(D) to overthrow a form of law; or

4 “(E) to advocate the duty, necessity, or propriety
5 of the unlawful assaulting or killing of any officer or
6 officers (either of specific individuals or of officers gen-
7 erally) of the Government of the United States or any
8 other organized government (including law enforcement
9 officers) because of his or their official function.”.

10 (b) Section 23–1321 of title 23 of the District of Colum-
11 bia Code is amended—

12 (1) by striking out “Any” in the first sentence of
13 subsection (a) and inserting in lieu thereof “Except as
14 otherwise provided in subsection (i), any”; and

15 (2) by adding at the end thereof the following:

16 “(i)(1) For purposes of subsection (a), there is a rebutta-
17 ble presumption created that the release of any person
18 charged with an act of terrorism will not reasonably assure
19 the safety of any other person or the community.

20 “(2) For purposes of this subsection, an ‘act of terror-
21 ism’ means any act which is violent or dangerous to human
22 life and violates an Act of Congress related to assassination,
23 murder, sabotage, or kidnaping, and is used as a means or
24 technique—

1 “(A) to demonstrate approval or disapproval of
2 governmental policies or practices or the lack thereof;

3 “(B) to express a view on public issues;

4 “(C) to bring to the public’s attention any issue or
5 policy;

6 “(D) to overthrow a form of law; or

7 “(E) to advocate the duty, necessity, or propriety
8 of the unlawful assaulting or killing of any officer or
9 officers (either of specific individuals or of officers gen-
10 erally) of the Government of the United States or any
11 other organized government (including law enforcement
12 officers) because of his or their official function.”.

13 (c) Section 23–1331 is amended—

14 (1) by striking out “or” immediately after the
15 comma in paragraph (3)(D); and

16 (2) by inserting before the period at the end of
17 paragraph (3) a comma and the following: “or (F) an
18 act of terrorism as defined in section 23–1321(i)”.

The committee also has before it two treaties relating to aspects of terrorism: the International Convention Against the Taking of Hostages and the Convention on the Physical Protection of Nuclear Material. We will hear the administration's views on the agreements, as well as other legislative or international approaches to the problems.

Secretary Kennedy, we welcome you to the committee and would be pleased to hear your opening statement at this time.

STATEMENT OF RICHARD T. KENNEDY, UNDER SECRETARY OF STATE FOR MANAGEMENT, ACCOMPANIED BY: AMBASSADOR ANTHONY QUANTON, DIRECTOR, OFFICE FOR COMBATTING TERRORISM, AND CHAIRMAN, INTERDEPARTMENTAL GROUP ON TERRORISM; DAN McGOVERN AND RONALD BETTAUER, OFFICE OF LEGAL ADVISER, DEPARTMENT OF STATE; AND MARTIN J. DOWD, DIRECTOR OF SECURITY, DEPARTMENT OF ENERGY

Mr. KENNEDY. Thank you, Mr. Chairman.

Mr. Chairman, Senator Mathias, it is a distinct pleasure and we appreciate this opportunity to appear before you to discuss international terrorism and the protection of diplomats abroad, together with this administration's efforts to deal with the problems.

As you mentioned, I am accompanied by Ambassador Quanton on my left. On my right is Mr. Dan McGovern, who is from our Office of the Legal Adviser; and we also have representatives of the legal office concerned with specific matters on the conventions for you, and as well representatives of other agencies, the Nuclear Regulatory Commission and the Department of Energy, since they would of course be interested in and concerned with the convention affecting nuclear materials.

Sir, the administration welcomes the broad interest and support which has been demonstrated by the committee and the new Subcommittee on Security and Terrorism of the Judiciary Committee of the Senate. Both have shown an understanding of the worldwide menace of terrorism and the need for a clear and coherent Government response. We intend to work closely with your committee to develop an effective program.

With your permission, sir, I have a lengthy statement that I would like to insert for the record and would read only excerpts to shorten the time.

The CHAIRMAN. That will be fine.

Mr. KENNEDY. 1980 was a record year for international terrorism. There were 760 international terrorists acts, resulting in more casualties than any year since the U.S. Government began keeping statistics on terrorism in 1968; 642 people were killed in international terrorists attacks last year, 1,078 were wounded. Ten Americans were among the dead; 94 Americans were injured.

The statistics in 1980 reflect the trend over the past few years toward increasing death and injury from terrorist violence. Of the 760 acts, 278 or 38 percent were directed against Americans or American property.

So far in 1981, there has been a continuation of last year's high frequency of terrorist attacks. Preliminary statistics show that there

were 312 acts of international terrorism worldwide during the first 5 months of this year; 37 percent of those were directed against Americans or American property.

But the statistics do not adequately tell the story. They do not convey the fear and instability generated by terrorist attacks, nor do they document the enormous psychic and financial costs to free societies. Let me recall for you some of the terrorist acts involving American citizens so far this year:

In January, terrorist captivity ended for our hostages in Iran, as you mentioned earlier.

In March, terrorist hijackings in Pakistan, Honduras and Indonesia occurred, one of these the longest in aviation history. Our embassies in El Salvador and Beirut were attacked. Marine guards were injured in a bombing in Costa Rica, an American missionary was murdered in Colombia.

In April another violent attack took place against our embassy in El Salvador.

In May, the hijacking of a Turkish aircraft to Bulgaria occurred and a rocket attack was made against our embassy in Beirut.

These incidents occurred in a 5-month period which saw literally scores of additional attacks around the globe.

International terrorism is an assault on civilization itself, sir. In addition to the lives and freedom of the innocent, the rights of the individual, democratic institutions, and the rule of law all are under attack.

We cannot solve this problem without a deeper understanding of the sources and dynamics of international terrorism. At a conference in May in the Department, we brought together a group of leading academic and Government experts to discuss all aspects of the terrorist phenomenon, particularly the linkages among terrorist groups and the problem of patron state support, as well as Government responses to terrorist violence.

But academic analysis is only a first step toward realistic Government response. All governments must firmly resist terrorist blackmail and vigorously pursue the terrorists with the full force of law. Governments such as the Soviet Union, Cuba and Libya, which directly or indirectly sponsor, train, finance and arm the terrorists, must be clearly told that their behavior is unacceptable in a world seeking peace and prosperity. The international community must act together to express its unequivocal disapproval of such conduct.

This administration is taking firm and purposeful action to counter terrorism. We have publicly put terrorists on notice that they can expect no concessions from us. Governments which engage in or actively support acts of terrorism against us can expect a rapid and certain response. We will use all appropriate resources at our disposal, be they diplomatic, political, economic or military, to respond to such acts of international intimidation and extortion.

This administration has taken a number of concrete steps to enhance our ability to prevent terrorist incidents and to manage the incidents if they occur. Early in the new administration, Secretary Haig instituted an Interdepartmental Group on Terrorism and instructed it to carry out an intensive review of our counterterrorist policies and programs. Ambassador Quanton heads that group.

This review has focused upon Embassy security, contingency planning and incident management, training, and international initiatives.

First I will discuss Embassy security. Because attacks on our embassies take place with alarming frequency, we have both continued the Department's security enhancement program to address the threat of mob violence and large-scale attack against our foreign service missions, and at the same time stepped up our basic security program to deal with other threats. We are focusing expert attention on the protection of the staff at our overseas facilities. We are constructing safe havens in our embassies and consulates, improving building access control, installing nonlethal denial systems, and concentrating on other lifesaving measures.

We also are implementing programs for the protection of national security information and we have established a special office, the special program and liaison staff, within the State Department to manage all facets of this program. I recently attended a conference in Panama of security officers from all Latin American posts, at which we discussed all aspects of Embassy security in the region, including the special security enhancement program.

The Department already has conducted comprehensive security enhancement surveys at 25 most seriously threatened posts. Major construction is about to begin in San Salvador, and other construction projects have been started at a number of other posts. Further major construction work will be contracted and begun within the next several months. Since September 1980, the Department also has funded security requirements amounting to over \$20 million at some 116 of our foreign service posts.

As to contingency planning and incident management, even with the most appropriate security measures we will not be able to prevent every act of terrorism directed against us. Therefore, we have developed a system and a program of contingency planning and preparedness testing, both in Washington and in the field, to upgrade our readiness and to insure that we are not caught unaware and unprepared in a future terrorist attack.

At the conference that I mentioned in Panama, it was emphasized that these plans must be exercised at the embassies on a regular basis to be sure that they are up to date and that people are aware of their responsibilities.

In order to make certain that we are able to react effectively in a future Tehran-type or other terrorist incident, we have:

First, made certain that our embassies and consulates have contingency plans for dealing with terrorist incidents. These include hostage and hijacking plans.

We have asked all our embassies to work out special coordination and mutual help procedures with our closest allies.

We have instructed all ambassadors to review their internal defense plans, particularly command and control procedures for the use of lethal force. We have encouraged them to hold regular drills of these procedures, as I indicated.

We have authorized all our missions to inform host governments of our policy in hostage events, particularly the no-concession aspects of that policy, and to urge governments, other governments, to adopt a similar stance.

We have instituted an expanded 2-day course on coping with violence abroad. This course, which includes segments on hostage survival, bomb recognition and residential security, among other topics, is required for all State, AID, and USICA personnel assigned overseas. I would be happy to invite members of this committee or its staff to attend the course as observers if you would find it useful.

We are undertaking urgent efforts to upgrade our lookout and forged document identification procedures at our overseas posts and ports of entry. These systems were designed to screen out customs and immigration violators. We are modifying them to enable us to detect terrorists who might attempt to enter the United States.

We have also recently conducted a number of domestic and international incident management exercises which have tested our ability to respond to terrorist attacks. These realistic exercises have enhanced our confidence in our crisis management capabilities. We would be happy to brief the committee on a classified basis on these exercises and their results.

In an effort to improve management and resource utilization in the counter terrorism and security areas, the Department is considering alternative organizational arrangements. The Secretary and the Deputy Secretary already have directed that the Office for Combatting Terrorism report directly to me as the Under Secretary for Management. This means that planning and policy as reflected in the counter-terrorism office and the resources for response to threats represented in the security office will both be under a single jurisdiction.

We are now looking at ways in which we may further integrate these activities with a view to enhancing our capability to identify and respond to the terrorist threat. As our deliberations go forward in this matter, we will keep the committee fully informed.

As to international cooperation, it is clear that combating terrorism is not a task for the United States alone. The problem is too complex and universal to be dealt with by any one nation. We are committed to working with other nations to establish a peaceful and stable world order, in which we may be free from the threat of political violence. Let me outline some of the elements of our program of international initiatives to combat terrorism and comment on a few of the steps which we and like-minded nations already are taking to deter and prevent terrorist violence.

First, as the President and Secretary Haig have noted, this administration has given high priority to this task. We are making a major effort, both publicly and in traditional diplomatic channels, to demonstrate to the other nations of the world the seriousness with which the United States views this problem and its implications for peace and stability in the world. We are working with the international community to establish a consensus under international law to bring to justice all of those who commit terrorist attacks.

Within the United Nations, the United States has encouraged and supported all of the various conventions that deal with international terrorism, beginning with our 1972 initiative to develop a broad international convention against the export of terrorism. Since that time, we have worked actively for the adoption of conventions outlawing terrorist acts: The Hague Convention against hijacking, the Montreal Convention against aircraft sabotage, the New York Convention for

the Prevention and Punishment of Crimes Against Internationally Protected Persons, the Convention on Physical Protection of Nuclear Materials, and the Convention Against the Taking of Hostages.

We have encouraged all nations to become parties to these conventions. Over 100 parties already have signed on to the Hague and Montreal conventions.

Our support for these conventions demonstrates our traditional national commitment to the rule of law. Terrorist acts are criminal. They are illegitimate criminal acts and nothing less, which can be deterred through swift and appropriate judicial action. These conventions, by establishing in international law recognized norms for behavior, operate to discourage nations who would condone terrorists.

Two measures are not pending before this committee which will contribute greatly to this effort. The administration urges that the committee promptly consider and report these conventions to the Senate.

The International Convention Against the Taking of Hostages was signed by the United States in December 1979. This convention, originally an initiative of the Federal Republic of Germany, imposes binding legal obligations on states parties either to extradite or submit to their competent authorities for prosecution alleged hostage-takers found within their jurisdictions.

Although the penal codes of most countries contain provision, proscribing assault, extortion, kidnapping and other serious crimes inherent in hostage-taking, this is the first time a legal mechanism has been created to insure the punishment of offenders wherever they are found and cooperation among countries to prevent hostage-taking.

The second measure, the Convention on the Physical Protection of Nuclear Material, establishes a similar scheme to ensure that those who commit serious offenses involving nuclear material will be punished. It also provides for an increased measure of international cooperation in providing security for nuclear material.

We believe it is important for the Senate to act quickly on this convention, not only because such leadership is appropriate on a matter that was a U.S. proposal initially, but also because the convention fills a key gap in the international structure dealing with the physical protection of nuclear material from theft or other criminal misuse by terrorists or others.

The convention provides for physical security during international nuclear transport and international cooperation in recovering stolen nuclear material. Following the precedents of The Hague, Montreal and Protection of Diplomats conventions, it defines serious offenses involving nuclear material.

As a former Commissioner of the Nuclear Regulatory Commission, I can attest personally to the importance to our national interest of becoming a party to this convention.

Both conventions will require implementing legislation to enable the United States to comply with the obligations we have undertaken. The administration's proposal for implementing legislation of the Convention on the Physical Protection of Nuclear Materials was submitted to the Senate on April 7 and is currently before the Judiciary Committee. Proposed implementing legislation for the Hostages Convention will be forwarded shortly.

In addition to these two measures, we consider that implementation of the Montreal Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation is a matter of great priority. Implementing provisions are contained in two bills pending before the Senate at this time, Senate 635 and Senate 873. It is our view that these provisions should be considered separately and hopefully would be promptly enacted. We will be working with the Congress in this way.

In addition to these conventions, we are undertaking other steps to enhance the degree of international consensus and cooperation against terrorism. Recently we have consulted extensively with our Economic Summit partners on the implications of the recent rash of terrorist hijackings in light of the Bonn Anti-Hijacking Declaration of 1978 and on measures under that Declaration. We will be discussing terrorism and further joint steps to combat it with our Economic Summit partners in Ottawa later this year.

Over the next few months, we also will be working strenuously toward possible U.N. action on terrorism. The United Nations General Assembly will be considering this fall both the general problem of terrorism and the specific issue of the protection of diplomatic personnel and premises.

Through contact groups of like-minded countries, we will be seeking additional adherences to existing conventions. We also will be exploring ways to make these conventions more effective and considering whether additional conventions are needed to cover other categories of terrorist acts, such as assassinations and bombings.

In conclusion, let me once again express my appreciation for the interest of this committee and the Congress as a whole in the problem of international terrorism. We are working to find solutions, but this path will be difficult. This complex and difficult problem will not be solved by a single answer, nor indeed by a single nation.

It will require the cooperative efforts of the administration, the Congress, and the American people, and other nations before the cycle of terrorist violence, death, and destruction can be reduced. Ratification of the two international conventions and implementation of the Montreal Convention are important and urgently needed steps in this direction.

That concludes my statement, Mr. Chairman. I would be prepared to answer your questions.

[Secretary Kennedy's prepared statement follows:]

PREPARED STATEMENT OF HON. RICHARD T. KENNEDY

Mr. Chairman and members of the committee, I appreciate this opportunity to appear before you to discuss international terrorism and the protection of diplomats abroad and this Administration's efforts to deal with these problems. The Administration welcomes the broad interest and support which has been demonstrated by your Committee and the new Subcommittee on Security and Terrorism of the Judiciary Committee. Both have shown an understanding of the worldwide menace of terrorism and the need for a clear and coherent government response. We intend to work closely with your Committee to develop an effective program.

The year 1980 was a record year for international terrorism. There were 760 international terrorist acts, which resulted in more casualties than in any year since the U.S. Government began keeping statistics on terrorism in 1968; 642 people were killed in international terrorist attacks last year; 1,078 were wounded. 10 Americans were among the dead; 94 Americans were injured.

The statistics in 1980 reflect the trend over the past few years toward increasing death and injury from terrorist violence. Of the 760 acts, 278, or 38 percent, were directed against Americans or American property. So far in 1981, there has been a continuation of last year's high frequency of terrorist attacks. Preliminary statistics show that there were 312 acts of international terrorism worldwide during the first five months of 1981. 37 percent of those were directed against Americans or American property.

The statistics however do not adequately tell the story. They do not convey the fear and instability generated by terrorist attacks, nor do they document the enormous psychic and financial costs to free societies. Let me recall for you some of the terrorist acts involving American citizens so far this year:

In January, terrorist captivity ended for our hostages in Iran.

In March, terrorist hijackings in Pakistan, Honduras, and Indonesia, one of these the longest in aviation history. Our Embassies in El Salvador and Beirut attacked. Marine guards injured in a bombing in Costa Rica. An American missionary murdered in Colombia.

In April, another violent attack on our embassy in El Salvador.

In May, the hijacking of a Turkish aircraft to Bulgaria and a rocket attack on our Embassy in Beirut.

These incidents occurred in a five-month period which saw literally scores of additional attacks around the globe. There were murders, bombings, kidnappings, and attacks on diplomats and businessmen alike. Hundreds of people in addition to our own citizens have this year been taken hostage; thousands more, families and friends, have suffered during these incidents.

International terrorism is an assault on civilization itself. In addition to the lives and freedom of the innocent, the rights of the individual, democratic institutions, and the rule of law are under attack. In a real sense, terrorism strikes at our vital national interests and those of our closet friends and allies. The priority which this Administration is giving to the fight against terrorism reflects that fact.

We cannot solve this problem without a deeper understanding of the sources and dynamics of international terrorism. At a conference in May in the Department, we brought together a group of leading academic and government experts to discuss all aspects of the terrorist phenomenon, particularly the linkages among terrorist groups, the problem of patron state support, and government responses to terrorist violence. The conference helped us to sharpen our analytical tools to better understand the phenomenon and to move toward more effective ways of combatting it. A report on the conference will be published in the near future.

But academic analysis is only a first step toward a realistic government response. All governments must firmly resist terrorist blackmail and vigorously pursue the terrorists with the full force of law. Governments such as the Soviet Union, Cuba, and Libya, which directly or indirectly sponsor, train, finance, and arm the terrorists must be clearly told that their behavior is unacceptable in a world seeking peace and prosperity. The international community must act together to express its unequivocal disapproval of such conduct.

This Administration is taking firm and purposeful action to counter terrorism. We have publicly put terrorists on notice that they can expect no concessions from us. We will not pay ransom or release prisoners. We will not bargain for the release of hostages. We hope other governments will demonstrate similar firmness and we are actively encouraging them in this direction. Governments which engage in or actively support acts of terrorism against us can expect a rapid and certain response. We will use all appropriate resources at our disposal, be they diplomatic, political, economic, or military, to respond to such acts of international intimidation and extortion.

This Administration has taken a number of concrete steps to enhance our ability to prevent terrorist incidents and to manage those incidents which occur. Early in the new Administration, Secretary Haig instituted an Interdepartmental Group on Terrorism and instructed it to carry out an intensive review of our counterterrorist policies and programs. This review has focussed upon Embassy security, contingency planning and incident management, training, and international initiatives.

EMBASSY SECURITY

Because attacks on our embassies take place with alarming frequency, we have both continued the Department's Security Enhancement Program to address the threat of mob violence and large scale attack against our foreign service

missions and stepped up our security program to deal with other threats. Using the funds provided by Congress, we are focussing expert attention on the protection of the staff at our overseas facilities. We are constructing safehavens in our embassies and consulates, improving building access controls, installing non-lethal denial systems, and concentrating on other life safety measures. We are also implementing programs for the protection of national security information. We have established a special office, the Special Program and Liaison Staff, within the State Department to manage all facets of this program. Recently I attended a conference in Panama of security officers from all Latin American posts. We discussed all aspects of Embassy security in the region, including the special security enhancement program.

The Department has already conducted comprehensive security enhancement surveys at 25 most seriously threatened posts. Major construction is about to begin in San Salvador, and other construction projects have been started at a number of other posts. Further major construction work will be contracted and begun within the next several months. In addition, since September, 1980, the Department has funded security requirements amounting to over \$20 million at some 116 foreign service posts.

CONTINGENCY PLANNING AND INCIDENT MANAGEMENT

However, even with the most appropriate security measures, we will not be able to prevent every act of terrorism directed against us. We have therefore developed a systematic program of contingency planning and preparedness testing, both in Washington and in the field, to upgrade our readiness and to ensure that we are not caught unaware and unprepared in a future terrorist attack.

In order to make certain that we are able to react effectively in any future Tehran-type or other terrorist incident, we have—

Made certain that our embassies and consulates have contingency plans for dealing with terrorist incidents. These include hostage and hijacking plans.

Asked all our Embassies to work out special coordination and mutual help procedures with our closest allies.

Instructed all Ambassadors to review their internal defense plans, particularly command and control procedures for the use of lethal force. We have encouraged them to hold regular drills of these procedures.

Authorized all our missions to inform host governments of our policy in hostage events—particularly the no-concession aspects of that policy—and to urge governments to adopt a similar stance.

Instituted an expanded two-day course on "Coping with Violence Abroad". This course, which includes segments on hostage survival, bomb recognition, and residential security (among other topics), is required for all State, AID, and ICA personnel assigned overseas, and we have strongly urged other agencies whose personnel are assigned to our overseas missions to have those employees attend the course. It is designed to enable our personnel to make an individual contribution to the deterrence of terrorism through security awareness, and to prepare them for the personal trauma of victimization by terrorists should they be attacked. The course has met with a favorable reaction from those who have taken it. I would be happy to invite members of this Committee or staff to attend the course as observers should you think it useful.

We are undertaking efforts to upgrade our lookout and forged document identification procedures at our overseas posts and ports of entry. These systems were designed to screen out customs and immigration violators. We are modifying them to enable us to detect terrorists who might attempt to enter the United States.

We have also recently conducted a number of domestic and international incident management exercises which have tested our ability to respond to terrorist attacks. These realistic exercises have enhanced our confidence in our crisis management capabilities. We would be happy to brief the Committee on a classified basis on these exercises and their results.

In an effort to improve management and resource utilization in the counterterrorism and security areas the Department is considering alternative organizational arrangements. The Secretary and the Deputy Secretary already have directed that the Office for Combatting Terrorism report directly to me as the Under Secretary for Management. This means that planning and policy, as

reflected in the counter-terrorism office, and the resources for response to threats represented in the security office, will both be under single jurisdiction. We are now looking at ways in which we may further integrate these activities with a view to enhance our capability to identify and respond to the terrorist threat. As our deliberations go forward, we will keep the committee informed.

INTERNATIONAL COOPERATION

Combatting terrorism is not a task for the United States alone. The problem is too complex and universal to be dealt with by one nation. We are committed to working with other nations to establish a peaceful and stable world order, in which we may be free from the threat of political violence. Let me outline some of the elements of our program of international initiatives to combat terrorism, and comment upon a few of the steps which we and like-minded nations are already taking to deter and prevent terrorist violence.

First, as the President and Secretary Haig have noted, this Administration has given high priority to combatting international terrorism. We are making a major effort both publicly and in traditional diplomatic channels to demonstrate to the other nations of the world the seriousness with which the United States views this problem and its implications for world peace and stability. We have spoken out to condemn the practice of terror and to make clear to those who facilitate terrorism that violent attacks on innocent persons are beyond the bounds of civilized behavior and must be outlawed. We are working with the international community to establish a consensus under international law to bring to justice all those who commit terrorist attacks. Within the United Nations, the United States has encouraged and supported all the various conventions that deal with international terrorism, beginning with our 1972 initiative to develop a broad international convention against the export of terrorism. Since that time, the United States has worked actively for the adoption of conventions outlawing terrorist acts: The Hague Convention against hijacking, the Montreal Convention against aircraft sabotage, the New York Convention for the Prevention and Punishment of Crimes Against Internationally Protected Persons, the Convention on Physical Protection of Nuclear Materials, and the Convention Against the Taking of Hostages. We have encouraged all nations to become Parties to these Conventions. Over 100 countries have become Parties to both the Hague and Montreal Conventions.

Our support for these Conventions demonstrates our traditional national commitment to the rule of law. Terrorist acts are illegitimate criminal acts, which can be deterred through swift and appropriate judicial action. These Conventions, by establishing in international law recognized norms for behavior, operate to discourage nations who would condone terrorists.

Two measures are now pending before this committee which will contribute to this effort. The Administration urges that the committee promptly consider and report these conventions to the Senate. We hope for expeditious advice and consent to their ratification.

The International Convention Against the Taking of Hostages was signed by the United States in December, 1979. This Convention, originally an initiative of the Federal Republic of Germany, imposes binding legal obligations on States Parties either to extradite or submit to their competent authorities for prosecution alleged hostage-takers found within their jurisdictions. A State must comply with this obligation without regard to where the alleged hostage-taking was committed. States Parties to the Convention are obligated to cooperate in preventing hostage-taking by means of internal protective measures, exchange of information, and coordination of enforcement activities.

Although the penal codes of most countries contain provisions proscribing assault, extortion, kidnaping and other serious crimes inherent in hostage-taking, this is the first time a legal mechanism has been created to ensure the punishment of offenders wherever they are found and cooperation among countries to prevent hostage-taking.

The second measure, the Convention on the Physical Protection of Nuclear Material, established a similar scheme to ensure that those who commit serious offenses involving nuclear material will be punished. It also provides for an increased measure of international cooperation in providing security for nuclear material. This Convention was a U.S. initiative, first proposed in 1974 and successfully negotiated at meetings at International Atomic Energy Headquarters between 1977 and 1979. The United States signed the Convention on March 3, 1980,

and it was promptly submitted to the Senate for advice and consent to ratification. We believe it is important for the Senate to act quickly on the Convention, not only because such leadership is appropriate on a matter that was a U.S. proposal initially, but also because the Convention fills a key gap in the current international structure dealing with the physical protection of nuclear material from theft or other criminal misuse by terrorists for others.

The Convention provides for physical security during international nuclear transport and international cooperation in recovering stolen nuclear material. Following the precedents of The Hague, Montreal, and Protection of Diplomats Conventions, it defines serious offenses involving nuclear material. States Parties are to make these offenses punishable and subject to a system of extradition or submission for prosecution. As a former Commissioner of the Nuclear Regulatory Commission, I can attest personally to the importance to our national interest of becoming a party to this Convention.

Both conventions will require implementing legislation to enable the United States to comply with the obligations we have undertaken. The Administration's proposal for implementing legislation of the Convention on the Physical Protection of Nuclear Materials, submitted to the Senate on April 7, is currently before the Judiciary Committee. Proposed implementing legislation for the Hostages Convention will be forwarded shortly to the Congress.

In addition to these two measures, we consider that implementation of the Montreal Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation is a matter of great priority. The United States ratified this important convention in 1972, but it has not been fully implemented by appropriate amendments to U.S. law. Implementing provisions are contained in two bills pending before the Senate, S. 635 and S. 873. However, it is our view that these provisions should be considered separately, and promptly enacted. We will be working with the Congress to attain this objective.

As long as we fail to implement our obligations under the Montreal Convention, in certain limited circumstances, we would be unable to prosecute or extradite of alleged offenders whose acts were committed beyond our territorial jurisdiction. We freely undertook this obligation by ratifying the Convention and it is essential that we have the ability to comply fully with those obligations.

In addition to these conventions, we are undertaking other steps to enhance the degree of international consensus and cooperation against terrorism. Recently, we have consulted extensively with our Economic Summit partners on the implications of the recent rash of terrorist hijackings in light of the Bonn Anti-hijacking Declaration of 1978 and on measures under that Declaration of 1978 and on measures under that Declaration. We will be discussing terrorism and further joint steps to combat it with our Economic Summit partners in Ottawa later this year.

Over the next few months, we will also be working strenuously toward possible U.N. action on terrorism. The United Nations General Assembly will be considering this fall both the general problem of terrorism and the specific issue of protection of diplomatic personnel and premises. Through contact groups of like-minded countries, we will be seeking additional adherences to existing conventions. We will also be exploring ways to make these conventions more effective and considering whether additional conventions are needed to cover other categories of terrorist acts such as assassinations and bombings.

In conclusion, let me once again express my appreciation for the interest of this Committee and the Congress in the problem of international terrorism. We are working to find solutions, but the path will be difficult. This complex and difficult problem will not be solved by a single answer. It will require the cooperative efforts of the Administration, the Congress, the American people, and other nations before the cycle of terrorist violence, death and destruction can be reduced. Ratification of the two international conventions, and implementation of the Montreal Convention, are important and urgently needed contributions in this direction.

I would be happy to respond to any questions which the Committee might have.

The CHAIRMAN. Thank you very much, Secretary Kennedy, for a very fine statement.

We are very pleased to have Senator Glenn with us this morning. We will have other Senators joining us shortly. We will proceed on a 10-minute basis for our questions.

INTERNATIONAL COOPERATION

I would like to ask first, Secretary Kennedy, in your prepared testimony you indicated, quite rightly, that combating terrorism is not a task for the United States alone and that we are committed to working with other nations. We have seen leadership by the Federal Republic of Germany in this area and it is going to take a lot of international cooperation.

To what degree are other countries alarmed about this matter? Have they moved it up to the front burner? Clearly the Reagan administration has done that, both in the President's statements, Secretary Haig's statements, and in your own statements. Are other nations as concerned as we are about this matter?

I would like at this time to mention that throughout the Iranian hostage situation, we had remarkable cooperation from the world community. In fact, this committee hosted a luncheon to honor the six nations that went to extraordinary measures to be supportive of the U.S. effort.

Mr. KENNEDY. Yes, Mr. Chairman, I think that was a splendid example of the kind of attitude which we seek from all our friends and allies, like-minded nations. There is increasing attention being focused around the globe on this problem.

I think the attention which the President's statements and Secretary Haig's statements to which you referred, have had the effect of sharpening the attention of many nations on this problem. We are going to continue every effort to bring them closer to concert with us on measures that can be taken, on information that can be exchanged, all to the end that we will get a consensus and a strong unified approach to this problem.

DEFINITION OF TERRORISM

The CHAIRMAN. Perhaps we could just take a moment to define what we mean by terrorism. For instance, do you draw a distinction between acts of terrorism and the actions of revolutionary groups or liberation movements? If so, on what basis?

Mr. KENNEDY. Well, they aren't necessarily the same thing. Let me say something about terrorism. Terrorism is the use or the threat of the use of force for political purposes, in violation of domestic or international law. As such, it involves the cynical exploitation of innocent people for the purposes of political extortion and coercion.

Hostage taking, hijacking, bombing, kidnaping, and assassination are common examples of terrorist acts. Acts carried out in the course of wars, revolutions, or national liberation struggles and which involve military targets generally are not considered terrorism, the political cause used to justify the act in that case being irrelevant. The motivation is immaterial. But hostage taking or assassination in pursuit of national independence is terrorism.

The point, Senator, I think is that you certainly cannot say that every act in pursuit of national liberation is terrorism. But unfortunately, acts of terrorism are all too often the accompaniment of such incidents on both sides.

ACTS OF GOVERNMENT REPRESSION

The CHAIRMAN. Let's take one other situation. Do you classify acts of government repression such as officially sponsored mass murder, within your concept of terrorism?

Mr. KENNEDY. Such acts I think are terrorist in character. As a basic notion, we strongly condemn terrorism for whatever its motivations or reasons.

The CHAIRMAN. Let me take two specific nations that have been charged with supporting terrorism: The Soviets and Libya, and let us also take a non-state, the PLO, and see how you regard their acts.

With respect to the Soviet Union, would you outline the various ways in which the Soviet Union has provided assistance or even direction to activities of terrorist organizations in such countries as Italy, West Germany, Great Britain, and Spain? Are there specific examples of Soviet complicity in particular terrorist incidents in such countries that you are aware of?

If any of your colleagues would like to respond, we would be happy, to hear from them.

Mr. KENNEDY. Let me make a general response as to the Soviet Union. As you know, there is a very recent special national intelligence estimate on this question, which has been furnished to the committee. Obviously I cannot comment on that in an open hearing but I would simply refer it to you as a matter of interest.

SOVIET UNION SUPPORTS REVOLUTIONARY VIOLENCE

As a general proposition, it is our view that the Soviet Union is deeply engaged in the support of revolutionary violence. This is simply a basic tenet of Soviet policy, which it pursues in the interest of weakening and destabilizing societies and regimes which the Soviet Union opposes.

Revolutionary groups and movements of national liberation supported by the U.S.S.R. often have used terrorism in advancing their objectives. In addition to that, the U.S.S.R. supports a number of governments and organizations which directly aid purely terrorist groups. This support has included, either directly or indirectly, the provision of training, funds, and weapons.

The Soviets have tried to avoid involvement in specific terrorist acts so far as we can see. But in our view they cannot escape their responsibility for the terrorism carried out by their surrogates and those whom they support.

As to specific cases, let me ask Ambassador Quainton to address a couple.

The CHAIRMAN. Mr. Ambassador?

LIBYA AND THE PLO

Ambassador QUAINTON. Let me speak to the two that you specifically asked about, which I believe were Libya and the PLO.

The CHAIRMAN. Excuse me, and let me say that if anyone in the hearing room has difficulty hearing, let me suggest that you raise

your hand and I will ask the witnesses to speak louder. It is apparent that even those who are close by cannot hear you. Please pull up the microphone closer. It is very directional. If you speak right into it, I think you will be heard.

Ambassador QUAINTON. I hope I can be heard in the room.

I would just comment very briefly about Libyan support for terrorism. As you know, Mr. Chairman, the government of Colonel Qaddafi is the most prominent state sponsor of and participant in international terrorism. There is a clear and consistent pattern of Libyan aid and training to almost every major international terrorist group, ranging from the Provisional Irish Republican Army to the Popular Front for the Liberation of Palestine and every group in between.

The regime of Colonel Qaddafi has attempted to silence its critics on a number of occasions by direct assassination. In fact, during the last year there has been a systematic campaign of physical intimidation against Libyan dissidents abroad, including some 14 attacks. So there is no question but that this is a state which has been actively involved in the sponsorship of international terrorism.

With regard to the Palestine Liberation Organization—

The CHAIRMAN. Would you describe this accurately as a terrorist organization?

Ambassador QUAINTON. Mr. Chairman, there is no question that some of the groups which make up the Palestine Liberation Organization have engaged in systematic terrorism and that they continue to do so. However, we do not feel that attaching a label to the PLO is the real issue here.

POLICY OF ADMINISTRATION

What is important is the approach which the United States takes to the PLO and toward terrorism, and in both areas the policy of the administration has been very clear. We oppose terrorism carried out by all of the groups under the aegis of the Palestine liberation movement. We are working with like-minded governments, as Secretary Kennedy has indicated, to insure that those who engage in terrorism or who support it do not profit from its activity.

Let me reiterate our basic policy toward the Palestine Liberation Organization, which I am sure is well known to this committee. It is that we will not recognize or negotiate with the Palestine Liberation Organization so long as it does not recognize Israel's right to exist, does not accept Security Council resolutions 242 and 338.

In fact, we have nothing to negotiate with them so long as the PLO does not accept the right of Israel to exist and live at peace within secure and recognized boundaries. Obviously such acceptance would be inconsistent with any terrorist activities on the PLO's part.

SOVIET FINANCIAL AND TECHNICAL SUPPORT

The CHAIRMAN. To what extent has the effectiveness of the PLO both in actions against Israel and in operations elsewhere in the world been enhanced by Soviet financial and technical support?

Mr. KENNEDY. I do not think we can measure precisely this, but there is no doubt that training and the flow of weapons has helped.

The CHAIRMAN. Do we happen to know if the Soviet KGB has agents within the PLO leadership, and have some of its leaders spent prolonged periods of time in the Soviet Union, possibly in training?

Mr. KENNEDY. I am not aware of that.

The CHAIRMAN. To what extent has Libya been involved in the financing or training of terrorists that we know of, and is such support confined to communist or leftist groups or has such support been extended to new fascist or right-wing terrorist organizations as well?

LIBYA'S ACTIVITIES NOTORIOUS

Mr. KENNEDY. As Ambassador Quainton suggested, Libya's activities in this regard are notorious. The Libyans are actively engaged in providing training, weapons and financial support to a variety of groups and individual activities, some sponsored directly by them, others indirectly.

The CHAIRMAN. Is there anything the United States can do to reduce such activities on the part of the Libyans?

Mr. KENNEDY. Yes, to the extent that in fact we can increase and improve our intelligence as to their activities. Additionally, in concert with our friends, we certainly can limit the freedom with which such individuals move. But this is a very, very difficult problem. The control of movement of individuals who are embarked on terrorist missions is extremely difficult and requires the highest order of coordination. It is that sort of coordination that we are seeking to develop.

INTERNATIONAL CRIMINAL COURT FOR TERRORISTS

The CHAIRMAN. My final question before yielding to Senator Glenn is the following one. I have studied with some interest the American Bar Association proposal for the creation of an International Criminal Court for terrorists. I can understand why some people might feel that jurisdiction should not be yielded by, say, the United States to such a court, that United States citizens perhaps should not be subject to that.

However, on balance has the administration given consideration to the creation of an international criminal court? I would be happy to consider working with ABA and taking some of their ideas and some of our own and introducing legislation along this line if the administration feels that it could be legislation of which it would be supportive.

I mention that latter aspect because we are trying very hard this year to limit legislation that we give consideration to, at least on the floor, administration-backed legislation. If the administration is not prepared to back this legislation, then we probably would hold it over until next year.

Mr. KENNEDY. Senator, we are looking hard at this question again. As you rightly stated, it was initially a notion put forward by a U.S. institution, but there was not very much support internationally for it, principally on the ground, I think, that the issues dealt with are

ones affecting sovereignty. There is little indication that people want to give up sovereignty as it pertains to criminal activity.

Now, the other conventions and pieces of international agreement are aiming at precisely the same objective, that is assuring that terrorists are prosecuted. All the conventions before you, and others being considered, would cause the same sort of result, except on a national basis.

So we are looking hard at it. At this juncture I would not think the administration would wish to push forward with the legislation.

Perhaps Mr. McGovern would want to add something.

Mr. MCGOVERN. I would simply add that the extradite or prosecute provisions of the various conventions, for example, of the Montreal airplane sabotage convention and the hostage convention, we feel would insure that there was prosecution of perpetrators of terrorist acts and would avoid the problems with regard sovereignty and with regard to the procedural rights of American citizens. It would avoid the problems that might be created by the creation of an international tribunal.

The CHAIRMAN. Thank you very much.

I would like to ask if the Honorable Oswald G. Harding, president of the Senate for Jamaica, is in the room today? We would acknowledge your presence here.

[Applause.]

The CHAIRMAN. I know that both Senator Glenn and I would be very pleased to speak to you after the meeting.

Senator Glenn?

Senator GLENN. Thank you, Mr. Chairman.

UNITED STATES CONCEDED TO BLACKMAIL

Mr. Kennedy, I was disappointed in the Carter administration's lack of activity or perhaps lack of teeth in its antiterrorist program. I think when we concede to terrorists, such things as flying airplanes all over the world or whatever, we only encourage subsequent activity of a similar nature.

I think we have seen that kind of proliferation. We have not really resisted blackmail as you have indicated. I think we have conceded to blackmail in almost every case, and I think that is what has caused the proliferation of terrorism around the world, because the terrorists get away with it.

Having said that, I welcomed the opportunity this morning to see what the new administration's proposals were going to be, because the President on January 27 said, and I quote: "Let terrorists be aware that when the rules of international behavior are violated, our policy will be one of swift and effective retribution."

The next day Secretary Haig, at his very first news conference as Secretary of State said, and I quote: "International terrorism will take the place of human rights is our concern, because it is the ultimate abuse of human rights."

The administration has given little indication so far of how it will translate this new priority with respect to terrorism into real policies and programs. So I looked forward with great anticipation to your

coming here this morning and hoped that you would provide us with a definition of what you propose.

In your prepared testimony you say: "Academic analysis is only a first step toward a realistic government response." I agree with that.

Then you say: "This Administration is taking firm and purposeful action to counter terrorism. We have publicly put terrorists on notice that they can expect no concessions from us."

Then you very noticeably left out the next three sentences. Why? Those next three sentences say:

We will not pay ransom or release prisoners. We will not bargain for the release of hostages. We hope other governments will demonstrate similar firmness and we are actively encouraging them in this direction.

If you leave those out, those are to me the meat of your whole statement, all 10 or 12 pages of it.

Mr. KENNEDY. I did not leave them out purposefully, Senator. I was just trying to brief it down.

Senator GLENN. Well, you briefed down the wrong part to me, because that is the meat of your whole 18-page statement or however long it is. If we mean that, it is a real change of direction in American policy and it is a real change of leadership. If we are trying to lead the terrorist fight around the world and if we mean that, that we will not pay ransom, we will not release prisoners, we will not bargain for the release of hostages, if we mean that, then we mean that in another Tehran situation we would not bargain, we would not have third parties. That is wrong, we would be against it and that is that.

Is that your understanding of this statement?

COMMITMENT TO RESIST TERRORIST BLACKMAIL

Mr. KENNEDY. Let me just say precisely what the policy is and precisely what we are trying to get others to do, and then let me come back to the difference between dialog and bargaining:

First, there is an absolute commitment to resist terrorist blackmail.

Second, there will be no payment of ransom for the release of prisoners. There will be no negotiation on substantive demands. There will be discussion and dialog on humanitarian questions.

Senator GLENN. On what?

Mr. KENNEDY. On humanitarian questions. We will use the full range of diplomatic, economic, and military responses as are appropriate to the situation.

We will support the host government's responsibility under international law to protect American citizens, and we put that forward as a basic proposition with all nations. We are encouraging actively other governments to adopt firm policies along these exact lines.

Now, as to our not having any discussions, of course we will have discussions. After all, discussion in a hostage situation may well be the way in which, as is often the case, the hostage-takers recognize the folly of their own situation. So long as they understand there is no way out of it, then the longer one has a chance to discuss the issue, to talk with them; not the substance, but to continue discussion to find out their own interests and their own concerns, not with any intent to offer any concessions, but rather simply to carry the matter

forward, the more likely it is that the situation then reaches a resolution and a release; that happens regularly.

Senator GLENN. Good; how about aircraft hijacking?

Mr. KENNEDY. The same thing.

Senator GLENN. Will we approve international flights, if an aircraft is hijacked on the ground in this country and wants fuel to fly to Libya, as has happened in the past, will we accommodate them?

Mr. KENNEDY. We will not.

Senator GLENN. There will be no further hijacking of aircraft out of this country if we can prevent it? Once they have landed in this country that is it?

Mr. KENNEDY. That is it.

NUCLEAR BLACKMAIL

Senator GLENN. Good; that is a good change of direction, I can say that.

What about the nuclear area? That is an area in which you have had great experience when you were on the Nuclear Regulatory Commission. We have had some attempts at nuclear blackmail in the past in this country. They have fortunately all been hoaxes to date, I believe.

I think with the spread of nuclear information and weaponry around the world it is only a matter of time before we have a nuclear blackmail situation that perhaps may be real. How are we going to prevent that?

Let me add one thing before you answer that. I appreciate all of the conferences, the diplomatic things that we are doing, the conventions and so on that we are required to pass here. But I see those as being pretty much handholding with each other. They really do not do a whole lot, because practically every nation in the world has laws against that sort of thing. So we really do not need new laws and we do not need new conventions and conferences to tell each other what an awful problem this is.

What we do need are some new concrete approaches to it such as you are talking about. We need to get all nations to agree that this is the way to go. I do not think we need new conventions and conferences to do that.

So with all due respect to the importance of what you indicated you want this committee to do, I do not see any problem with that. I think we will pass those the first day they are up and before us, or at least we should; so I am quite happy to support those.

But those do not solve the problem at all, nor does the rest of your statement, which indicates the activity that we are taking with regard to our Embassies around the world. We have an average of 10 to perhaps 30 or 35 marine guards at each Embassy, at each ambassadorial post around the world. They are there just to hold things off for a very few hours until the host country gets control of the situation.

So with all of this additional training, we are still subject to host country cooperation in preventing terrorism against our Embassies. Once again, I think, while all this training is fine and we tell our Embassies to have a secure spot to jump into, which gives them a few more hours, and things like that, these all are really just band-aids on a more serious problem that we have.

ROOT CAUSES OF TERRORISM

So I do not really see where we go with conventions and things like that. Can you give us any more of your feeling on the root causes of terrorism? Is this just something that we live with? What are the root causes of terrorism that get us into this thing to begin with?

Is it organized from the Soviet Union, for instance? I will begin with that, for a direct question.

Mr. KENNEDY. It is certainly supported.

Senator GLENN. Would you please pull the microphone up closer.

Mr. KENNEDY. Certainly.

It is supported by the Soviet Union.

Senator GLENN. The whole pattern of international terrorism?

Mr. KENNEDY. Well, the whole pattern, I think that is probably an overstatement. But a substantial involvement on the part of the Soviet Union is unquestioned.

Senator GLENN. Do you think there are international terrorist groups that have no connection with the Soviet Union?

Mr. KENNEDY. I would assume there must be. But I also would assume that there are a great many which do have, if not directly, then indirectly. Much of what happens, happens through surrogates and other parties.

INFLUENCE OF SOVIET UNION

Senator GLENN. Can you tell us about some of those surrogates? How does the Soviet Union spread its influence, which then gets to money or weapons support to terrorist groups?

Mr. KENNEDY. As Ambassador Quanton mentioned a few moments ago, the Libyan case is a good example.

Senator GLENN. Did you say Libya?

Mr. KENNEDY. Yes, Libya. Surely the Cuban situation also is an example, where a great deal of support for the Cubans comes from the Soviet Union. Obviously, the Cubans in turn are providing assistance, counsel, training, advice, and weaponry to groups of all kinds in the hemisphere and elsewhere. These are examples, Senator.

Senator GLENN. How about the root causes? Let me get to that again. We did not settle that issue, either. How can we get to the root causes? What are the causes of terrorism and how can we get at them?

Mr. KENNEDY. Well, it seems to me there are rather likely two broad causes. One may as well be a kind of reaction to a world which to some is simply out of their control. To some it is a world in which the economic and social deprivation which they see affecting them can be moved against only in the most violent ways. This violence is either for the purpose of actually accomplishing some change or, if not, at least to draw attention to issues, whether they be political, social, or economic.

Senator GLENN. I hope those sirens we hear in the background are only a test.

Mr. KENNEDY. May I proceed on the assumption that it is a test, Senator? [Laughter.]

The second general possibility, it seems to me, is that these are means. Terrorist actions and activities are means of fostering political change. It results generally in an all but uncontrollable escalation of mindless, senseless violence. They are different things, but I think they are inevitably related.

A WORLD OUT OF CONTROL

Senator GLENN. I would tend to agree with you. If that is how we see the problem and the root causes of it, a world out of control, I think the likelihood of us getting the world back into control again so there will be no necessity as the terrorists see it for any violence probably is beyond our ability to accomplish, at least in a very short period of time.

So is this something we just are going to have to live with?

Mr. KENNEDY. I think certainly a measure of terrorism. After all, it has always existed. It simply has gotten a good deal worse in recent years, but it always has existed. One can go back to the lawless ages of 300 or 400 years ago. Perhaps we are seeing a return to that kind of society, God forbid.

I know some distinguished diplomats who believe that is the way it looks to them, who believe that is what is happening. But to say that we are going to have to live with some measure of this does not at the same time go to say that there are not a great many things we can do about mitigating its effects and limiting its extent. That is what we are trying to do.

Senator GLENN. My time is up. Let me ask only one additional question here.

The CHAIRMAN. Senator Glenn, if you would like to take another 10 minutes to keep your continuity, please go ahead.

Senator GLENN. Let me ask one additional question. Thank you, Mr. Chairman.

You indicated to us this morning, by including those very key sentences from your prepared testimony that you unfortunately left out in your original opening statement, by including those it indicates to me a very drastic change in what we are willing to do with regard to international terrorism, and I hope we mean this and act accordingly.

DIRECTION OF WORLD COMMUNITY

My question is: Do we have any indication so far of whether other nations are willing to follow our lead in this regard? Because that would be a change of direction for the whole world community as regards terrorism.

Mr. KENNEDY. There is increasing evidence that they are coming around to seeing the problem as we see it.

Senator GLENN. Have any other countries actually stated that they will not pay ransom and they will not give all of these concessions, to get prisoners released and that they will not bargain for the release of hostages? How many other nations have said that so far?

Ambassador QUAINTON. Senator, having dealt with many of these nations in fact and watched a lot of the recent incidents and so forth, I might respond. Very few countries have defined their policy in these

public terms. But if you look at the British response, at Princess Gate when the Iranian Embassy was seized there and their response and their clear determination to meet none of the concessions, if you look at the response of the Turkish Government, a close ally, to the recent hijacking to Bulgaria, you will see examples of the fact that many governments, the Thai and Indonesian Governments in another recent case, and it is spreading.

I will not say for a moment that every government has a policy that is as firm and clearly defined as our own. But the realization that this is the only way in which terrorism can be deterred, to adopt a firm, no concessions policy, is spreading.

MULTILATERAL APPROACH

Senator GLENN. Is there any better multilateral approach toward those nations that would harbor criminals? This also has been lacking, because some of those nations have oil that we want or the French want or somebody else wants, and so we make all sorts of excuses for why we cannot take proper action against those nations.

Do we have any unanimity among nations yet that we really will act together against those nations that harbor terrorists?

Mr. KENNEDY. Again I would have to say, not to the extent that we would like to see, but it is moving in that direction. Indeed, we are looking to some much closer consultation with them, perhaps leading to a structured conference of like-minded nations, to see what further steps actually can be taken in concert.

Senator GLENN. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Glenn.

I would pick up again on Senator Glenn's point. I think it is terribly important that we advise ahead of time what our policy is going to be, so that there is no miscalculation. And it is important that we stay with it.

DISCUSSIONS WITH TERRORISTS

You used the words that we would carry on discussions, however, with terrorists or those who, say, have seized hostages. Is there any differentiation between the use of the term "carry on discussions" or "having negotiations with"? Are they one and the same, in other words, or are they different?

Mr. KENNEDY. They are not the same thing at all, Senator. We are not negotiating with them in the sense of seeing which demands might be met as a price for the release of hostages. That is negotiation. Discussion is an opportunity to let them explore what they have in mind, what their grievances are, et cetera. But that does not lead in our view at all, nor should it, to negotiation over the release. It is a different thing.

CONSULTATION WITH CONGRESS

The CHAIRMAN. Will there be given to the Congress a commitment that, should we be faced with an emergency situation involving terrorism or the seizure of hostages, that we will have consultation as we go along? I felt that the consultation that we had, which was on almost a daily basis at some periods, in the Iranian situation was

very valuable, because there the pressure day after day to negotiate and quickly resolve that situation I think was offset by a somewhat objective view that we took, and we were bound and determined to see that there was no ransom paid.

At one time a deal was being struck that would have involved stripping the banks of all of the assets, all of the seized Iranian assets, and yet the banks would have been required to keep the uncollateralized loans out. And a loan to Iran at that point, with the war on, and so forth, an uncollateralized loan would have been written off on any good bank's books, I think.

That would have been the payment of ransom in a sense. I think we played a very significant role at that time in those discussions. And so I would hope we would have consultation closely on those matters in the future. But we fully support the policy decisions you have announced here.

I would like to ask you just a little more about the Soviet Union. To what extent have the Soviets been operating through such countries as Czechoslovakia, Cuba, and South Yemen, and in what ways?

SOVIET RESPONSIBILITY FOR INTERNATIONAL TERRORISM

Mr. KENNEDY. Again, by providing advice, providing training, providing material support in the sense of weaponry, providing financial support, and certainly by providing the psychological support which is important to a surrogate.

The CHAIRMAN. Would you describe the relationship as a surrogate relationship?

Mr. KENNEDY. Certainly in part, yes.

The CHAIRMAN. Are they undertaking this with their backing and support and doing it through others, then?

Mr. KENNEDY. Yes.

The CHAIRMAN. What credence do you give to the arguments about Soviet responsibility for international terrorism as described in what is now a very popular book written by Clare Sterling entitled "The Terror Network"?

Mr. KENNEDY. I think, if I read the book correctly, Ms. Sterling is saying something very similar to what I have said. There clearly are networks of various kinds. It is awfully hard, however. There are interrelationships among terrorist groups and they coalesce and come apart. They are a bit amorphous.

But there are relationships among them. They change from time to time in different ways. They doubtless exchange information. But to be able to say that all of those are then somehow directly linked back to the Soviet Union I think probably is overstating it, and I do not think that is what Ms. Sterling was saying.

INTELLIGENCE CAPABILITIES

The CHAIRMAN. I have just a question or two on our intelligence capabilities in this area. Do you feel that the intelligence community in the United States has devoted sufficient attention to the problem of terrorism?

Mr. KENNEDY. Let me say that in recent years the intelligence community, I think it is well known, has suffered from some pressures,

if not from neglect. But at the same time, as this issue has become more and more important, more and more resources have been devoted to it. And indeed, more effort now is being directed in this direction.

There is never in any situation all the intelligence you would like to have. This is one of the most complex and difficult areas in which to get the kind of information you want. But great effort is being devoted to that now.

And let me add, great attention is being placed on the necessity to work in concert with other nations and institutions to be sure that there is a flow of information.

The CHAIRMAN. Does the administration intend to increase even more—even though we have improved it—the devotion of resources to intelligence purposes?

Mr. KENNEDY. Yes.

The CHAIRMAN. Clearly it will do so?

Mr. KENNEDY. Yes, sir.

ADMINISTRATION POLICY ON TERRORISM

The CHAIRMAN. The next area is a little delicate in a free society, but we will mention it anyway, because we are always anxious to see that the media get out the word, for instance, the important statement that you have made today on the Reagan administration policy on terrorism. It is important that they do that.

When you are in the midst of a terrorist situation, there has been some concern that in a free society the media coverage has encouraged the use of terrorist tactics and the terrorists themselves, the abductors in the case of Iran, and the mobs, were playing more to the television cameras than they were to anything else and were using the media.

Is there any way in a free society that we can keep all of the advantages of the media disseminating the truth, but not have us used and manipulated by terrorists, or is it just a case where there is really nothing we can do about it and we have to let the chips fall where they may?

Mr. KENNEDY. Senator, I must say I do not think there is very much we can do about it, because after all that is precisely what the terrorist is aiming for in the first instance. This is not always so, but hostage taking, assaults on property, and so on, very often are aimed at getting a public response. It is inevitable. That was its purpose to a very large extent.

I do not think a free society ought to undertake or go very far in this area. I would have to say also, by the same token, that the media clearly has a responsibility, which I think in our society the media fully recognizes. One hopes that they could make their own value judgments in this regard.

ANTITERRORISM BILL

The CHAIRMAN. We talked a little bit about international initiatives. There have been some legislative proposals made. I am not sure that you are prepared to comment on them today. But an omnibus anti-terrorism bill recently has been reintroduced by Senator Heinz as S. 635 and Senator Bentsen as S. 873.

If you are familiar with that legislation, do you have any suggested modifications or changes that you would like to see in it? What other authorities are required by the President or specific agencies of Government to deal with various aspects of terrorism that may require legislation?

Mr. KENNEDY. As a matter of fact, we are studying those two pieces of legislation, to which I referred in my statement. We are looking at them carefully. We will have some thoughts that we will forward to you, but we have not completed the kind of interagency review of them yet that would allow me to make suggestions on behalf of the administration at this point.

We will be coming to you very soon. Some of the provisions, however, I would have to say give us some practical and constitutional difficulties, and we will want to discuss those as well.

We believe that states which, through their support of international terrorism have earned the condemnation of the world community, ought to be publicly identified. We believe that is an important piece of the legislation and we support it. Much of the legislation we do support, and we want to come forward with some suggestions to you in the very near future.

The CHAIRMAN. Thank you very much.

Senator Glenn.

Senator GLENN. Thank you, Mr. Chairman.

ABILITY OF TERRORIST GROUPS TO BE A THREAT

What is your feeling about the ability of a terrorist group to get enough bomb or radioactive material together to be a threat?

Mr. KENNEDY. Excuse me, Senator. I could not hear you.

Senator GLENN. What is the ability of terrorist groups to get nuclear bomb material or enough irradiated material together to be a threat?

Mr. KENNEDY. What is their capability for doing so? I think it is always possible. But with the kinds of physical protection which we try to maintain here in the United States, which we are trying to get everyone else to maintain, and which the Convention would require, I think it would be highly unlikely—never impossible, but highly unlikely.

Having said that, it is one thing to get the material. It is quite another actually to make a device which could be exploded. That is a much more difficult proposition, a very difficult one.

Senator GLENN. Well, to make a full-fledged bomb, I probably would agree with you, although I might rate the possibility of it a little bit higher than you indicated. We have had students put together what some nuclear experts—our weapons design people—have indicated were credible efforts at making a bomb.

ROTOW I AND ROTOW II HEARINGS

The Governmental Affairs Committee, on which the chairman and I both sit, held hearings on this. You may remember Rotow I and Rotow II, as we called the series of hearings, about a year apart.

Mr. KENNEDY. Yes, all too well.

Senator GLENN. All too well. I remember them too. And it was very disturbing, but it indicated that the technical aspects of putting a bomb together are not insurmountable for a well-financed terrorist group.

Mr. KENNEDY. And a highly technically competent group.

Senator GLENN. Well, I mean we assumed they could hire that technical competence.

ABILITY TO DETERMINE IF THREAT IS REAL

What do you think our ability is to determine if a nuclear blackmail threat of whatever kind, whether a bomb threat or a threat to dump radioactive material somewhere, is real?

Mr. KENNEDY. The capability is very good. Let me just make a couple of comments and then suggest that someone from the Department of Energy who is here could go into this in more detail for you.

First, there is a fairly clear ability, I think a very good ability, to determine the location and actual condition of materials in this country. I think that applies fairly broadly abroad as well. An identification of where the material is and an evaluation of a claim that a given amount of material came from a particular place can be fairly readily examined with success.

Senator GLENN. Our past efforts in this country would not indicate that kind of confidence in our ability to monitor where all this stuff goes. You will remember all too well NUMEC and Apollo, Pa., and the allegations that all of that headed for Israel, which nobody has ever really refuted.

Mr. KENNEDY. It has never actually been proven.

Senator GLENN. It has never been proven one way or the other. We have had CIA, every intelligence agency, State Department, everybody that knew anything about any of that at all, look at the problem and yet we never determined where that went, and there was enough to make a bomb out of it; well almost enough.

Mr. KENNEDY. Certainly there are limitations. I understand that.

PRESENCE OF FISSILE MATERIAL

The second thing is, if there is material, it is then possible to survey the area in which this is supposed to be occurring to determine whether fissile material is really present. The Department of Energy can speak to the NEST teams which they have for this purpose.

Senator GLENN. Would you identify yourself for the record and please use the microphone?

Mr. Dowd. I am Martin Dowd, the Director of Security in the Department of Energy.

I think, in answer to your question, Senator, the Department of Energy's program for providing the Nuclear Emergency Search Team support to the FBI, and through that mechanism the bringing together of certain very highly expert resources for evaluating threats, is a very sophisticated capability of the Government. In that sense, we have over the last 6 years accomplished the establishment of this capability to a very high degree, whereby we can evaluate the credibility of communicated nuclear threats.

Senator GLENN. Can you tell us how many threats such as that the NEST teams have investigated in the last year, say the last 5 years and then the last year?

Mr. Dowd. The actual number of communicated threats recorded since October 1970 is 65. There have been 35 in the last 5 years, and 3 such threats were reported and investigated since June 1980.

Senator GLENN. Has there been an increase in the number of nuclear threats?

DECREASE IN EXTORTION THREATS

Mr. Dowd. As a matter of fact, there has been a decrease in the number of extortion threats that we have seen.

Senator GLENN. What would you rate the NEST teams' odds of accurately predicting whether a threat is real or not? Would it be on the order of 95 percent or 50-50 or 25 percent?

Mr. Dowd. I think it probably is on the lower order of 20 percent or thereabouts.

Senator GLENN. You mean only 20 percent of the time could you accurately predict whether a nuclear threat is real or not?

Mr. Dowd. I am sorry, Senator. I misunderstood your question. I think it is the reverse. The accurate prediction of credibility of a threat, based upon analysis of threat messages, is on the order of probably 85 or 90 percent.

Senator GLENN. That still leaves a bigger margin for error than any of us would like to see.

Mr. Dowd. Yes, of course. Basically the problem there has to do with the receipt of sufficient information, for example, available technical information or intelligence upon which to base a credibility assessment.

COULD PLUTONIUM BE SMUGGLED INTO COUNTRY?

Senator GLENN. How would you know, for example, whether there had been plutonium smuggled into the country? You know, we can have pretty good information on facilities within our own country. How do you evaluate something of an international nature?

A kilogram of plutonium is about the size of a golf ball, as I understand it. Now that is not very big. It can be smuggled in and safely carried around, as I understand it. You could have it wrapped up in paper in your briefcase. As long as you do not breathe any particles off of that, then you are in good shape.

How do we know that somebody has not smuggled into the whole United States a dozen or 15 golf-ball-sized pieces which will become a threat? Is our information that good?

Mr. Dowd. I do not think there is any way at all that we can fully prevent that from occurring.

Senator GLENN. I do not think so, either. Obviously, as Mr. Kennedy points out, you have to go to the next step even if you had it and have all of the methods of combining things and so on to really make it a credible threat.

But if you brought in say plutonium oxides or something in a powder form, you are still creating quite a threat by what you may do with

it. Toss some of that in the ventilating system of the Pentagon, you would put the Pentagon out of action for an indefinite future, would you not?

Mr. KENNEDY. For some considerable time, that is right.

Senator GLENN. Like what, 1,000 years? [Laughter.]

Mr. KENNEDY. It depends on how much decontamination you can do.

LIFESPAN OF PLUTONIUM OXIDE

Senator GLENN. What is the life of plutonium oxide once it is spread around like that? What is the threat?

Mr. KENNEDY. The half-life of plutonium is about 2,000 years.

Senator GLENN. OK. So the answer, in case anybody did not hear, is the half-life of plutonium in that form is about 2,000 years.

Mr. KENNEDY. But you would start decontamination procedures, of course. And I cannot tell you how long that would take. I have no idea.

Senator GLENN. You would have a lot of people applying for transfers after that event occurred. [Laughter.]

Of course, it is not something about which we can joke lightly.

To get back to Mr. Kennedy for just a moment, what if we came up with a valid threat that someone has acquired a weapon and we think the threat is valid, and the NEST team tells you, Mr. Ambassador, that this whole thing is out of control, we think it is a valid threat.

GOVERNMENTS PLACED IN DIFFICULT POSITION

Now we have governments placed in a very difficult position. They have to reexamine the policy you just expressed of no negotiation and no concessions. I doubt that we would just stonewall a situation like that. We would be faced possibly with government then becoming far more repressive, dissidents would be cracked down on. We would be locking people up right and left to try and get over that kind of a hump.

What are we doing or are we doing anything to think out in advance with other nations what happens when the first nuclear terrorist threat is deemed to be real and valid and we have to face it?

Mr. KENNEDY. That is perhaps one of the most critical questions I think that needs to be dealt with. There is no doubt that it is a very serious question. I cannot give you the answer this morning, Senator.

Senator GLENN. OK, you cannot give us an answer this morning. But are we working on this with other nations?

Mr. KENNEDY. Yes, sir.

CONSULTATION ON COLLECTIVE ACTION

Senator GLENN. Have we had consultations on this as to what our collective action is going to be?

Mr. KENNEDY. Yes, sir, and they will be continuing.

Senator GLENN. Is it to the point where we should request a briefing on that? I would presume that any such briefing should be in closed session. Is it at the point where this committee should have such a briefing?

Mr. KENNEDY. We would be glad to come up and discuss it with you.

Senator GLENN. But my question is, Is it far enough along that you have anything to tell us?

Mr. KENNEDY. I think it is premature, but we will be in touch and keep you up to date.

Senator GLENN. OK. It is really just a matter of time until we have one of these threats that is deemed to be valid and we will have some material missing from here or there or somewhere, and they may even tell us, we have material from so and so, or such and such a place, and we have hired such and such a person, and it is a valid threat and we deem it to be a valid threat. That will be a sad day, indeed.

Mr. KENNEDY. I would hope that the day that first occasion actually arises is farther off.

INTERNATIONAL SANCTIONS

Senator GLENN. Are we thinking about international sanctions against countries that might not have certain protective devices or be willing to put their material under NPT or IAEA aegis?

Mr. KENNEDY. That is a question within the NPT.

Senator GLENN. Well, every nation has not signed NPT.

Mr. KENNEDY. That is correct. We have never taken a position, that I am aware of, that we would put such nations under sanctions. What we would do under the Nuclear Nonproliferation Act, is try to severely restrict nuclear commerce with those nations.

Senator GLENN. Well, we would under NNPA and that is what we were trying to do with NNPA, to try to get other nations to follow our lead. While it started out having a beneficial effect, I must say that I feel a little bit like a little kid with his finger in the dike that got shot in the back around here the last few days, with everything going on.

We now have nations going out and just on their own deciding they will take out facilities they do not agree with, as we are all aware the last few days. So things are not going well with NNPA. The French have gone their own merry way selling equipment, after some objections from this country. We have not really raised much fuss about that. And now Israel has taken things into their own hands, where they saw it threatened their own security.

It is not a situation that looks very promising from a nuclear standpoint. I think it is just a matter of time until some of the terrorist groups, to bring it back to that, do have a valid, they can tell us and we will deem it valid, that they do have either nuclear weapons or they have plutonium oxide that they are going to do something with or they have some material that we deem to be a valid threat. And it just moves terrorism to a whole new plateau.

Mr. KENNEDY. That is a worrisome consideration, Senator, and we are looking hard at it.

REQUEST FOR BRIEFING

Senator GLENN. Well, I think, subject to the will the chairman of course here, but I would think that we would want to leave, I would personally, I will not speak for the committee, but I personally will leave a standing request with you. When you think you have any

discussions that are of substance with any foreign nations where we are getting some agreement on how we will deal with that first nuclear terrorism threat that is deemed real, I would like to be briefed on what your progress is in that area.

Mr. KENNEDY. We will do so.

Senator GLENN. And I am sure the committee would, too.

The CHAIRMAN. I hope the inevitability of such an occurrence to which you alluded is not a reality.

HOPES THWARTED IN THE NUCLEAR FIELD

Senator GLENN. Well, I would hope so too. But I have had over the last 3 years a lot of my hopes thwarted in the nuclear field and I am not all that optimistic at the moment. We had hoped other nations would follow our lead in the NNPA and I had hoped we would put teeth into the NNPA, which we did with regard to other people, but we shot that down when we sent our fuel to India, which they now have come back with statements that show that my original assessment on that was in fact correct. They are going to do what they want, whatever.

We have now seen, instead of NPT meaning something for the 112 nations that have signed up under NPT, that now we have had a nation go in and take out facilities in another nation, which does not show much faith in NPT and I hope is not the precursor of other nations doing the same thing, India and Pakistan, the Soviets and China are just two that come to mind, particularly the Pakistan situation.

So we find nations taking things into their own hands, instead of cooperating internationally with regard to NPT and NNPA. And so it is not a very encouraging situation in which you find yourself in the responsibilities you have. And I am sure with your background in the nuclear field on NRC, you share these same concerns I have.

I hope we can work together. It is not a very encouraging situation.

Mr. KENNEDY. I do share those.

Senator GLENN. My time is up, Mr. Chairman. Thank you.

The CHAIRMAN. Thank you very much, Senator Glenn.

STATEMENT ON NUCLEAR PROLIFERATION

Mr. Kennedy, I would reinforce Senator Glenn's desire for us to be kept up to date and briefed on this matter. I would just suggest that the most powerful testimony, the most powerful sentence I have ever heard in the 15 years I have been in the Senate is the following. We were having a hearing and I believe Senator Glenn was present at that time; it was on nuclear proliferation.

David Lillienthal, who certainly can speak with authority on this, said to me:

I am glad I am as old as I am. I would not want be to the age of my children or my grandchildren. I think the world is too dangerous for them.

And it is because of the possibility of nuclear proliferation that he said that.

Senator Cranston.

Senator GLENN. Mr. Chairman, would you yield for just a moment before we proceed with Senator Cranston?

The CHAIRMAN. Yes.

Senator GLENN. I do not know whether you read this morning's editorial in this morning's Washington Post, but I take rather violent and personal exception to the fact that nobody has been concerned about this matter on the Hill.

Senator CRANSTON. I join you in that.

Senator GLENN. Some of us have been rather singlehandedly screaming about this and getting very little support out of much of the news media. It is one of those items that in my office we call a Mego item: "my eyes glaze over," because it gets so complex when you start dealing with some of these things that people tend to turn off and not really face up to the danger that can come about if we do not do some things.

Now we have not been doing them, and NNPA is something that we tried our best with. I do not know where we go with NPT and NNPA. I think now is the time that we have to fall back, perhaps with the other nuclear supplier nations, to determine whether we are now going to try to put some teeth into some of these things.

INFORMATION-GATHERING APPARATUS

So far the IAEA and NPT are basically information-gathering apparatus of one kind or another, and hopefully world opinion will focus upon violations, if there are any, and that will bring nations into line. But that does not seem to mean much these days. So I do not know whether we have to go back to try to find out if there are any more teeth that we can put into this or not. I think we have to make the effort anyway.

Thank you, Mr. Chairman.

The CHAIRMAN. Senator Cranston.

Senator CRANSTON. I would like to say first to Senator Glenn that I totally agree with you that present international procedures and policies are inadequate to deal with the proliferation problem and we have to think anew about what policies would work.

I have long believed that one of the gravest dangers facing the Middle East and indeed the rest of the world is nuclear terrorism. There is a very real possibility that nations or radical organizations who routinely employ terrorism may come into possession of nuclear weapons. This is why I have strongly supported stringent U.S. nuclear exports standards.

PROPOSAL TO REMOVE NRC LICENSING ROLE

I am this concerned about indications that Assistant Secretary Malone is prepared to recommend a proposal to remove an independent check on nuclear export licensing standards which has been performed by the Nuclear Regulatory Commission. Reportedly, the administration proposes to abolish this NRC licensing role and shift this function to the State Department. I believe such a proposal would be most unwise, would overshadow whatever other aspects of the administration's emerging nonproliferation policy that might be more positive, and would meet stiff resistance in Congress.

We have considered this issue on three separate occasions in Congress; in the 1974 Energy Reorganization Act, the 1978 Nonpro-

liferation Act, and the 1980 Reorganization Plan. Each time Congress reaffirmed our commitment to the independent NRC check on licensing standards. The NRC can make the check, not associating it with other interests that the United States may have, that the State Department might put ahead of the need to control nuclear proliferation.

CONGRESSIONAL CONCERN

Secretary Kennedy, I am aware of your personal views on this prior to your joining the Reagan administration. But I trust you will convey to your colleagues in the State Department my concern and the concern of other members of this committee and of the Senate and the House generally that such a move would be most counterproductive and would meet with firm congressional opposition.

I would like to talk now a little bit about the Israeli-Iraq situation as it relates to this matter. The Israeli raid against the Iraqi nuclear facility is a clear reaction to the danger of nuclear terrorism. The Reagan administration has condemned this preemptive strike. But I think the Reagan administration is not completely without responsibility for this event.

Some months ago Ronald Reagan stated that nuclear proliferation to radical Moslem states such as Pakistan, and implicitly Libya and Iraq, is "none of our business." And he has appointed as his chief nonproliferation policymaker a man, James Malone, who recently has made a profession of lobbying for fewer restraints on international nuclear sales.

SALES OF HIGHLY SENSITIVE WEAPONS

The administration has been at worst reluctant and at best ineffectual in coming to grips with France and Italy regarding their imprudent sales of highly sensitive weapons-applicable technology and material to Iraq. Furthermore, the Reagan administration has made very clear its unwillingness or at least its great reluctance to negotiate with adversaries on issues of force reduction and arms control. The administration has tabled the entire strategic arms limitation process with the Soviet Union.

So the message to Israel from the United States, what was it? The message to Israel was that if Israel viewed Iraq's nuclear program as a threat to Israel's survival, the sole responsibility for dealing with this terrorist threat rested with Israel and with Israel alone.

This is why I believe that for the Reagan administration to be viewed as genuinely serious about dealing with terrorism in all of its aspects it must strengthen, not weaken, its commitment to firm nonproliferation standards, independently administered by the NRC, it must show a willingness to negotiate arms reductions with our Soviet adversaries, and it must show a greater understanding when others act in self-defense against looming terrorist threats.

The CHAIRMAN. Do you have any questions, Senator Cranston?

Senator CRANSTON. No; I do not, Mr. Chairman.

PEACEFUL NUCLEAR EXPLOSION

The CHAIRMAN. Senator Cranston, I share your concerns. But I would only point out, as I did at the time of India's so-called peaceful nuclear explosion, that the incentive then was very great for Pakistan to develop a similar capability. One thing feeds on another. No country today ever can develop or retain atomic bombs without having their adversaries, and the strongest advocates for that adversary, obtaining nuclear power, pushing ahead and in any way they can get it, go get it.

The ball starts someplace. In the case of Pakistan I think it started with India, and I think they had to take into account, as I tried to point out to them in New Delhi at the time, that they had to face the fact that all that vast power they had in conventional force would be overcome, because a bomb is a bomb, and the incentive would be very great to have Pakistan move ahead.

I have seen no lack of resolve on the part of the Reagan administration to prevent that proliferation. It is simply that we have failed for 4 years now, using the tactics that we have used:

ADMINISTRATION REQUESTS NEW APPROACH

The administration has simply asked, and it is the reason I support it, for a new approach, a new ability to get more leverage to work with them and not have them feel as though they are totally isolated in the world, when we have moved from a position of being a friend and ally to one now of having really no direct communication in this area.

So it is a complicated matter and I share Senator Cranston's concern overall. But I cannot accept the fact that the Reagan administration is indifferent to this problem. So we would like to have very close consultation on what we do with it. We are all very much concerned about it.

Secretary Kennedy, in the event that a host country does not respond adequately to an attack upon an American Embassy, what options are available to our Government to cope with such a deteriorating situation? I want to commend the administration for the actions that you have taken in 25 sensitive diplomatic posts. I think we have materially strengthened our security and materially improved our position in countries where we could be vulnerable.

Would you respond to that particular question?

Mr. KENNEDY. Well, of course that is the first step. We would put every bit of pressure that we can to be certain that the host government understands its full responsibilities and complies with them in providing security.

But we do not make the assumption that it is all going to work. It is for that reason that we have undertaken the security enhancement program. Also, we are mindful that the security enhancement program cannot prevent terrorist acts or attacks on Embassies or personnel, but only can protect people for a time. It can protect people and national security information only for a time.

In the event that the host government either tacitly approves of, or acquiesces in, or just is incompetent to deal with an attack upon

our facility, at that point our objective is to get our people out and to protect our national security information. There are obviously limits to which we can go. In the last analysis we have to depend upon the local authorities. There is no way in which we can do otherwise.

However, this does not mean to say that we would stand totally idly by. In the event evacuation means could be brought to bear, we would then bring them to bear.

The CHAIRMAN. Would it be desirable to develop contingency plans with host countries where terrorist attacks might take place, that would be implemented automatically if a terrorist attack is made or hostages are taken?

Mr. KENNEDY. Our regional security officers do that sort of thing.

The CHAIRMAN. They do?

Mr. KENNEDY. Yes.

The CHAIRMAN. Fine.

CONVENTION ON THE PHYSICAL PROTECTION OF NUCLEAR WEAPONS

We have talked about legislative proposals. I would like to just conclude on some international initiatives. We have alluded to some of them. The Convention on the Physical Protection of Nuclear Material is an interest of Senator Glenn, I know.

How many countries have signed the convention? How many have ratified it? If you do not have those figures with you today, we can put those in the record.

Mr. KENNEDY. Through March of 1980, 30 have signed and 2 have ratified.

The CHAIRMAN. And what kind of legislation would be required to implement this convention in the United States?

Mr. KENNEDY. Mr. Ron Bettauer will outline the provisions for you.

The CHAIRMAN. Mr. Bettauer?

Mr. BETTAUER. Mr. Chairman, the administration resubmitted implementing legislation to the Senate on April 7, to implement this convention. The implementing legislation deals with the criminal law provisions contained in the convention. The convention requires us to make certain acts offenses under our domestic law and set up a system of prosecution or submission for extradition. That is what is in our proposal, which we understand is before the Judiciary Committee. We hope that prompt action will be taken there on that measure.

INTERNATIONAL CONVENTION AGAINST THE TAKING OF HOSTAGES

The CHAIRMAN. Would you describe for this committee the origin of the West German proposal which resulted in the International Convention Against the Taking of Hostages?

Mr. McGOVERN. It was pursuant to a proposal by the Federal Republic of Germany, which was strongly supported by the United States, that the United Nations General Assembly adopted Resolution 31/103 in 1976. That resolution established an ad hoc committee of 35 member states, including the United States, to draft an International Convention Against the Taking of Hostages.

After meeting in 1977, 1978, and early 1979, the ad hoc committee was able to forward a nearly completed draft convention to the 34th session of the U.N. General Assembly for consideration of the Sixth Committee, that is to say the Legal Committee. A working group of the Sixth Committee resolved the remaining issues in a manner that permitted the consensus adoption of the convention by the full Sixth Committee on December 7, 1979, and by the General Assembly 10 days later.

The CHAIRMAN. Could you describe generally the nature of the legislation that would be required to implement this convention in the United States?

Mr. McGOVERN. Yes, Senator. Let me take a moment, please, to find that, please. [Pause.]

The hostages convention will require amendment of the Federal kidnaping law. Title 18, section 1201, now prohibits kidnaping when the victim is transported in interstate commerce or is an internationally protected person or when the offense is committed in the special maritime territorial or aircraft jurisdiction of the United States. The proposed implementing legislation would add hostage-taking and attempted hostage-taking as defined in the hostages convention to section 1201 of title 18.

It also would provide for extraterritorial jurisdiction over hostage-taking offenses in the same manner that extraterritorial jurisdiction now is authorized in cases involving internationally protected persons.

The CHAIRMAN. Thank you.

Could you give us an evaluation, either now or for the record, of Senator Moynihan's proposal for dealing with future Iranian-type situations? This is S. Res. 44.

Mr. KENNEDY. May we provide that for the record, Senator?

The CHAIRMAN. Yes, I would appreciate that. We would keep the record open for that purpose.

[The material referred to follows:]

DEPARTMENT OF STATE,
Washington, D.C., June 19, 1981.

HON. CHARLES H. PERCY,
Committee on Foreign Relations,
U.S. Senate.

DEAR MR. CHAIRMAN: I have been asked to respond to your letter of March 10 to Secretary Haig requesting the views of the Department of State on S. Res. 44, "Relating to the convening of an international conference to amend certain international agreements concerning the privileges and immunities of diplomatic and consular agents", submitted by Senator Moynihan on January 29, 1981. This Resolution represents a proposed response to the illegal actions committed by the Iranian Government in seizing and holding hostage United States diplomatic mission personnel from November 4, 1979 until January 20, 1981.

The Resolution recommends the convening of an international conference for the purpose of considering amendment of the Optional Protocols on the Settlement of Disputes of the Vienna Convention on Diplomatic Relations of 1961 and the Vienna Convention on Consular Relations of 1963. The Resolution proposes that the Protocols be amended so as to require parties to the Conventions to break diplomatic relations with any country which violates the provisions of the Conventions relating to the inviolability of persons of diplomatic agents and consular officers and the inviolability of the premises of diplomatic or consular missions. These countries would also be required to declare the diplomatic and consular agents of the offending country *persona non grata* in their territory once the country whose rights have been violated makes application to the International Court of Justice for settlement of the dispute created by the violation and the Court decides that such violation has occurred.

The Department of State is supportive of any constructive efforts to develop measures within the structure of international law which will work towards the elimination or substantial reduction of the type of despicable actions which only recently took place in Iran in clear and direct violation of the Vienna Conventions. However, the convening of an international conference by the United States for the primary purpose of amending the Protocols so as to require the breaking of diplomatic relations with an offending country and the declaring of that country's diplomatic representatives *persona non grata* would not achieve that result. There is not at this time sufficient international support for any regime of automatic sanctions against states which fail to uphold their obligations under the Vienna Conventions.

On the other hand, an international conference organized under United Nations auspices for the purpose of reviewing overall implementation of the Vienna Convention on Diplomatic Relations and a similar conference, if required, to review the Vienna Convention on Consular Relations could be utilized for the purpose of determining those areas in which the Conventions could be strengthened, with particular emphasis on improving the ability of States party to the Conventions to protect their rights and those of other States abiding by the Convention's provisions. Before any such conference is called, however, an opportunity to explore with U.S. allies the relative merits of specific sanctions, such as those contained in S. Res. 44, would be essential.

The Office of Management and Budget advises that from the standpoint of the Administration's program, there is no objection to submission of this report.

Sincerely,

RICHARD FAIRBANKS,
Assistant Secretary for Congressional Relations.

The CHAIRMAN. Senator Glenn, may I inquire how much more time you would like?

Senator GLENN. Oh, about 10 minutes or so, perhaps one more round.

The CHAIRMAN. I would like to speak for a few moments with the president of the Jamaican Senate and then I am due at Blair House in a few moments for lunch. And I would then turn the hearing over to you.

Senator GLENN. Thank you, Mr. Chairman.

The CHAIRMAN. Before I leave, I want to thank our witnesses very much indeed for their testimony today. It has been extraordinarily valuable and helpful to us.

Mr. KENNEDY. Thank you, Senator.

ADMINISTRATION'S NONPROLIFERATION POLICY

Senator GLENN [presiding]. In your capacity now, will you be part of the new administration's thinking on nonproliferation policy?

Mr. KENNEDY. Senator, the Secretary has asked me to participate in the deliberations that are ongoing, simply reflecting my long experience, I guess, with the subject and with all of the people in the Government and out who have long been associated with it.

Senator GLENN. The easier rules for the reprocessing and the use of plutonium which it has been indicated the administration might go to, it seems to me opens up a whole new area of concern in your particular field. In the Nuclear Nonproliferation Act, we tried in that and in other legislation, too, such as the Symington amendment and the Glenn amendment on the Arms Export Control Act, to control the reprocessing, the spread of reprocessing capability and uranium enrichment capability, both of which are a key toward controlling weaponry.

INTERNATIONAL NUCLEAR FUEL AUTHORITY

It seems to me if we go toward less controls on reprocessing and are more free with our uranium enrichment selling around the world, we are making your job near impossible. I had hoped with the NNPA that, through what we called INFA [International Nuclear Fuel Authority], we would have a guaranteed political multinational fuel supply we could sell into it, the Europeans could sell into it, anybody could sell into it. It would become a guaranteed fuel supply for nations that had a legitimate concern about their electric generating needs, but who had no business having reprocessing and uranium enriching facilities unless they wanted to make a bomb.

The Carter administration chose to do absolutely nothing about implementing INFA. We said we were going to wait until the international nuclear fuel cycle evaluation got done. So we did nothing then. And the new administration is indicating that it apparently has no plan to go ahead with INFA either.

I saw that as a rather key part of the NNPA, and I only go through this because I think it feeds very definitely into your area and your concern, because the more reprocessing plants, the more uranium enriching plants we have around the world, we are just hastening that day when one of these NEST teams goes out and comes back to you with a report that this is for real.

What role will you play in the administration's making of the policy that will cover NNPA and INFA? You will be just an advisor, is that correct?

Mr. KENNEDY. Essentially, that is correct.

Senator GLENN. Well, I hope you carry back our concerns about this. I think we could have done a lot better job than we have done on this. We have had some voices crying in the wilderness at this end of the avenue, I am afraid.

Mr. KENNEDY. I understand the nature of your concerns, Senator, and I will carry them back with me.

NUCLEAR AGREEMENT WITH EGYPT NOT SIGNED

Senator GLENN. Over the weekend there was a report that a nuclear agreement with Egypt had been finally signed or agreed to. Do you have any information on that?

Mr. KENNEDY. That was an incorrect report.

Senator GLENN. It is not correct?

Mr. KENNEDY. The cooperation agreement with Egypt is fairly far down the track in terms of its drafting. But as I understand the situation currently, there are several changes that had to be incorporated in the text and these changes are in the process or at least I think they have been initialed. Therefore, it is coming close to the time in the relatively near future when the administration will be sending the agreement up for consideration of the Senate. But it has not been finished yet.

NUCLEAR WEAPONS FREE ZONE

Senator GLENN. A long time ago, the Shah of Iran at the United Nations suggested a nuclear weapons free zone in the Mideast. I

supported it at that time and made my own proposals along that line a couple of years later, and suggested it again, that we get into such negotiations, at the time we passed the Nuclear Non-Proliferation Act.

Israel, post its Iraq raid, has made a similar suggestion as I understand it. Do you think that is possible at this time and point in history?

Mr. KENNEDY. That there be such a free zone?

Senator GLENN. Yes; a nuclear weapons free zone.

Mr. KENNEDY. I cannot make a judgment at this time whether that is possible. Clearly, there are a great many nations who would have to subscribe to such a notion, not only nations in the region but nations outside it as well whose interests in one way or another would be affected. Clearly it is an issue which needs discussion and consideration.

Senator GLENN. And we would come back to the problem of whether all would be willing to sign such things as the NPT and agree to IAEA safeguards full-scope and so on, which they have not been willing to do up to now.

Incidentally, earlier I mentioned the loss from NUMEC at Apollo, Pa., and we did not know where that went. I believe staff gave me a note that that was estimated to be 190 kilograms of highly enriched uranium. If we had people capable of making bombs with just moderate sophistication, probably 9 to 10 kilograms could probably come close to making a bomb. And if they were really people of high sophistication, it might be enough for as many as 20 bombs.

That stretches it a little bit, but would you concur that that is about the order of what we are talking about?

Mr. KENNEDY. I think it would take more material than that. I guess I would cut that number substantially. But it is a substantial number nevertheless.

MATERIAL UNACCOUNTED FOR

Senator GLENN. Yes. The point is it is a substantial number and that is just the material that was missing from one plant in this country that we never were able to track down. We have MUF [material unaccounted for] data from all of the different plants and there are regular audits made on all of that. But there still is missing material, and most of it, of course, is in the pipes and the process and so on.

But there still are occasions when the levels of MUF material go above anything you would like to see. So there is the potential for quite a black market or quite a bit of material floating around the world unaccounted for, that we hope still is all in the proper hands.

Mr. KENNEDY. Senator, I would have to say that in all of the occasions that I can recall of substantial MUF, careful investigation reduced those numbers drastically. Then there were in all cases reasonable explanations, where additional chemical testing and various other kinds of testing might well have turned up the rest of it or at least accounted for it.

It is a chemical process, you know. As a consequence there is always going to be material unaccounted for. That should not be taken, though, to imply its loss.

Senator GLENN. I have no more questions. Does any of the staff members have questions that they wish to ask?

[No response.]

Senator GLENN. Is there anything else that any of you gentlemen at the table would like to add?

[No response.]

Senator GLENN. Then I thank you all for being here this morning. I appreciate your efforts on keeping us informed and hope we can keep up with these procedures.

The committee will stand adjourned.

[Whereupon, at 12 noon, the committee adjourned, subject to call of the Chair.]

APPENDIX



National
Foreign
Assessment
Center

Patterns of International Terrorism: 1980

A Research Paper

*Information available as of 31 December 1980
has been used in the preparation of this report.*

Comments and queries on this paper are welcome
and may be directed to:

Director of Public Affairs
Central Intelligence Agency
Washington, D. C. 20505
(703) 351-7676

For information on obtaining additional copies,
see the inside of front cover.

Terrorism

The threat or use of violence for political purposes by individuals or groups, whether acting for, or in opposition to, established governmental authority, when such actions are intended to shock or intimidate a target group wider than the immediate victims.

**International
Terrorism**

Terrorism conducted with the support of a foreign government or organization and/or directed against foreign nationals, institutions, or governments. Terrorism has involved groups seeking to overthrow specific regimes (for example, Yugoslavia and El Salvador), to rectify national or group grievances (for example, the Palestinians), or to undermine international order as an end in itself (for example, the Japanese Red Army).

These definitions elaborate and clarify the definition of international terrorism used in our previous studies of the phenomenon, but they do not change in any way the criteria used for selecting incidents included in the data base for these studies.

**Patterns of
International Terrorism:
1980**

Overview

International terrorism resulted in more casualties in 1980 than in any year since the analysis of statistics related to terrorism began in 1968. The total number of events last year was also high—second only to 1978.¹

Established patterns of striking at targets in industrialized democracies and attacking symbols of Western power continued into 1980. Americans remained the primary targets of international terrorism, with nearly two out of every five incidents involving US citizens or property.

Terrorist events aimed at causing casualties, especially assassinations, increased over previous years. Over 30 percent of the attacks in 1980 resulted in at least one casualty.

Last year marked the first year that a large number of deadly terrorist attacks were carried out by national governments. The Libyan Government's assassination campaign against dissidents living in Europe and the exchange of terrorist attacks on diplomats in the Middle East were the most noteworthy examples of government-sponsored terrorism.

There was a sharp increase in right-wing terrorist activity in Europe. The attacks at the Munich Oktoberfest and at the railroad station in Bologna, Italy, rank among the worst terrorist incidents ever recorded.

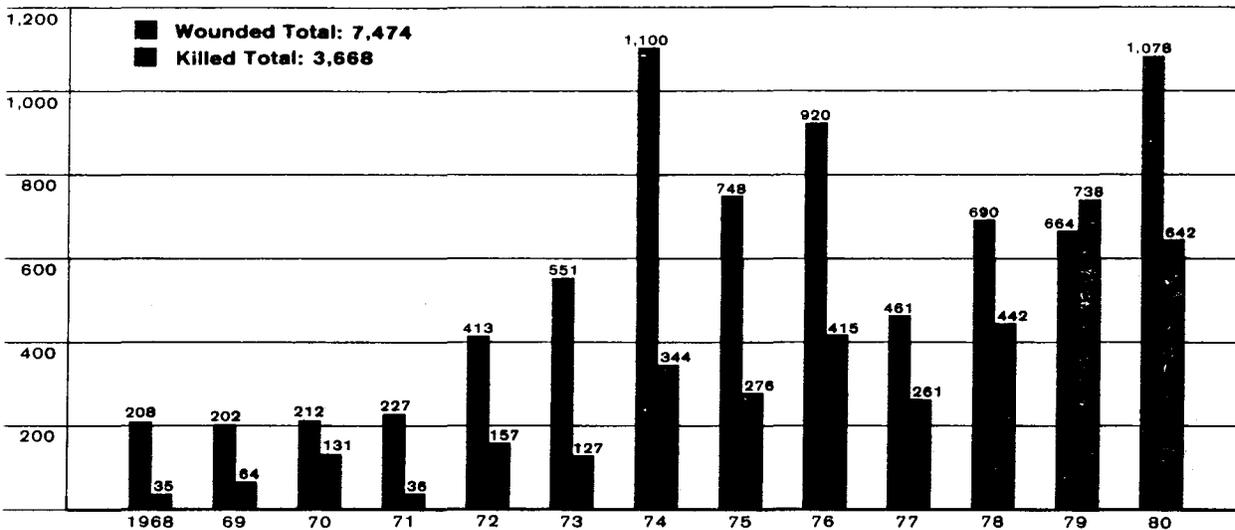
On the positive side, incidents involving hostages and barricade incidents were more successfully countered in 1980, as governments became better equipped to deal with such situations. Two prominent hostage-takings—the Iranian Embassy in London and a skyjacking in Turkey—were countered successfully by military force, and another two in Latin America were resolved by careful negotiations.

¹ The statistics in this report are based on a computerized file of international terrorist events from 1968 through 1980. New events have been added for all years as we have expanded the sources from which we draw data in order to correct for a previous overemphasis on US sources and as we have completed the validation of previously acquired and coded information. The terrorist event file is now complete and current, and the statistics in this publication replace all statistics in our previous surveys. The only trend reported earlier that is significantly changed by the addition of new material is that the percentage of terrorist events involving Americans since 1968 is reduced from 41 percent to 38 percent. All other reported percentages and rank orders remain about the same.

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Figure 1
Deaths and Injuries Due to International Terrorist Attacks*, 1968-80



*Casualty figures are particularly susceptible to fluctuations due to inclusion of especially bloody incidents.

Patterns of International Terrorism: 1980

Trends

Both the number of international terrorist casualties (figure 1) and incidents (table 1 and figure 2) were higher in 1980 than in 1979. Although there were fewer victims killed than in 1979 and fewer wounded than in 1974, there were more total casualties in 1980 than during any previous year since our data base was begun in 1968.

The number of terrorist incidents apparently aimed at causing casualties—most notably assassination attempts—increased dramatically in 1980. Assassinations and attempted assassinations have increased steadily since 1975; in 1980 almost twice as many such incidents took place as in any previous year. The high number of assassinations in 1980 is due, in part, to well-planned assassination campaigns by:

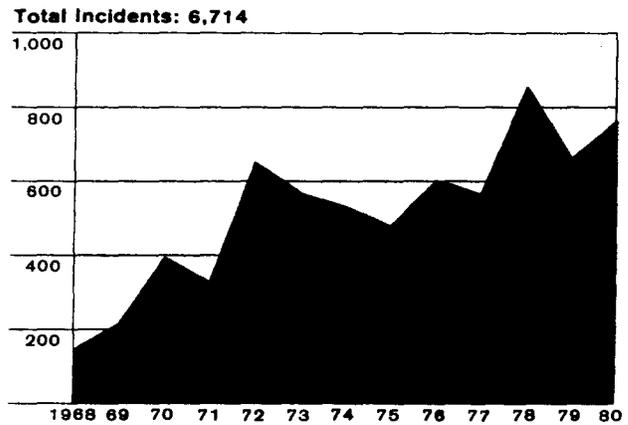
- The Muslim Brotherhood against the Soviet military in Syria.
- The Libyan Government against expatriates residing in Europe.
- Iran and Iraq, each targeting the other's diplomats in Europe and the Middle East.
- The Armenian terrorists against Turkish diplomats worldwide.

As has been noted in our previous surveys, however, most terrorist incidents do not cause casualties, and only one-fourth of all attacks between 1968 and 1980 resulted in death or personal injury.²

Terrorists continue to prefer to conduct their operations in the industrialized democracies (figure 3). Over 30 percent of the incidents took place in Western Europe alone, both by indigenous organizations against foreign targets and by foreign-based groups. About 20 percent of the incidents occurred in Latin America and another 20 percent in the Middle East.

² Of the 5,955 international terrorist incidents recorded between 1968 and 1979, 673 incidents (11 percent) involved deaths and 867 (15 percent) involved injuries. These proportions are up slightly in 1980. Of the 760 incidents recorded, 122 (16 percent) involved deaths and 145 (19 percent) involved injuries.

Figure 2
International Terrorist Incidents, 1968-80



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There were 278 attacks on Americans in 1980—the second highest of any year since 1968—and 34 of these incidents caused casualties. Ten Americans, including six in El Salvador, two in Turkey, one in the Philippines, and one on the West Bank, were killed in international terrorist attacks, and 94 Americans were wounded. Damage to US property was recorded in 97 incidents (34 percent).

Between 1968 and 1979 most of the attacks directed against Americans occurred in Latin America and the Middle East (table 2 and figure 4). This pattern did not change in 1980. Thirty-three percent of all attacks

Table 1

Geographic Distribution of International Terrorist Incidents, 1968-80

	1968	1969	1970	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	Total *
Total	142 (2.1)	214 (3.2)	391 (5.8)	324 (4.8)	648 (9.7)	564 (8.4)	528 (7.9)	475 (7.1)	599 (8.9)	562 (8.4)	850 (12.7)	657 (9.8)	760 (11.3)	6,714
North America	42	10	28	46	19	42	53	83	60	59	78	63	90	673 (10.0)
Latin America	47	82	163	102	113	122	140	74	143	73	112	97	178	1,446 (21.5)
Western Europe	24	41	86	53	239	243	188	170	252	263	245	198	204	2,206 (32.9)
USSR/Eastern Europe	3	1	3	10	2	3	2	3	6	6	10	6	7	62 (0.9)
Sub-Saharan Africa	1	9	15	6	6	11	14	27	18	31	27	24	29	218 (3.2)
Middle East and North Africa	20	36	61	60	71	89	82	88	92	87	302	199	195	1,382 (20.6)
Asia	1	22	28	40	153	30	22	22	23	21	31	56	46	495 (7.4)
Pacific	1	6	2	3	3	2	1	4	0	7	21	3	3	56 (0.8)
Other	3	7	5	4	42	22	26	4	5	15	24	11	8	176 (2.6)

* Figures in parentheses are percentages of the totals.

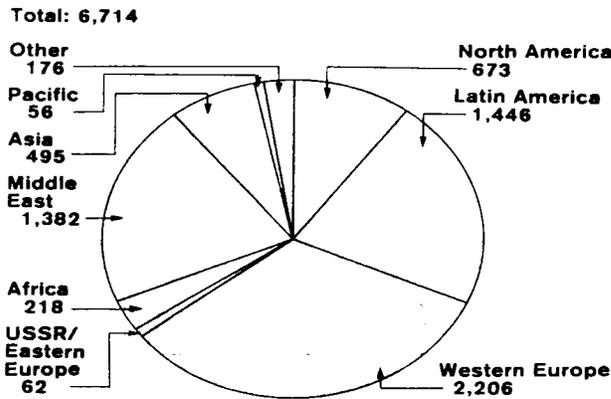
Table 2

Locations of Terrorist Attacks on US Citizens or Property, 1968-80, by Category

	North America	Latin America	Western Europe	USSR/Eastern Europe	Sub-Saharan Africa	Middle East/North Africa	Asia	Pacific	Other	Total
Total	282	854	691	29	76	692	245	32	48	2,949
Kidnaping	2	92	3	0	22	27	7	0	1	154
Barricade-hostage	3	10	4	0	0	12	1	0	0	30
Letter bombing	13	6	2	0	2	4	26	0	2	55
Incendiary bombing	42	78	212	1	3	91	27	6	3	463
Explosive bombing	146	334	260	4	8	236	69	4	20	1,081
Armed attack	0	32	13	0	8	26	11	0	0	90
Hijacking *	27	6	14	0	0	6	9	0	4	66
Assassination	5	37	6	0	7	26	11	0	1	93
Sabotage	0	1	1	0	2	6	0	0	0	10
Threat	36	167	139	22	13	194	51	20	2	644
Theft, break-in	1	38	6	0	7	9	1	0	0	62
Conspiracy	4	8	4	0	0	8	3	1	3	31
Hoax	0	5	8	0	0	3	10	0	1	27
Other actions	0	6	15	1	1	15	8	0	4	50
Sniping	1	29	2	1	0	25	8	1	0	67
Shootout with police	0	4	0	0	0	0	0	0	0	4
Arms smuggling	0	0	2	0	0	3	0	0	7	12

* Includes hijackings by means of air or land transport.

Figure 3
Geographic Distribution of International
Terrorist Attacks, 1968-80



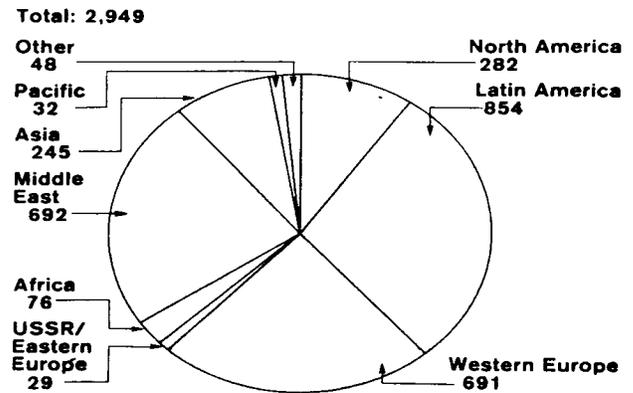
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against Americans occurred in Latin America and 20 percent occurred in the Middle East (figure 5). Attacks against Americans in 1980 were recorded in at least 51 countries; most of the attacks occurred in El Salvador, Turkey, the Philippines, West Germany, and Colombia.

Between 1968 and 1980, US and Canadian nationals were the most victimized; West Europeans were the second most frequent targets (figure 6). US businessmen and diplomats—especially individuals who are symbols of Western power and wealth—are still the primary targets, with at least 38 percent of all events involving US citizens or property (table 3).³ Although businessmen have been the most frequent victims in past years, they were second only to US diplomats in 1980. One hundred and twelve attacks were directed against US diplomats—more than in any previous year. Most of these attacks occurred in Latin

³ The reporting on international terrorist incidents involving Americans is unquestionably more complete than incidents involving nationals of other countries. This is almost unavoidable in collecting terrorist data and should be considered in any analysis.

Figure 4
Geographic Distribution of International
Terrorist Attacks Directed Against US Targets,
1968-80



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America, with one-quarter resulting in damage to US property. About 30 percent of these incidents were telephone or letter threats received at US embassies or consulates. While these threats resulted in no direct damage or casualties, each was disruptive. They caused increased security efforts, personnel alerts, and absorbed time in searching for bombs or evacuating buildings.

Other countries whose nationals have been prominent victims are Israel, the United Kingdom, West Germany, France, Turkey and the Soviet Union. In 1980, the pattern of victims was somewhat different than in previous years. The US remained the primary target, but the order of the other major victims was different. The installations and citizens of the USSR were the second most frequent target followed by those of Turkey, Iraq, France, Iran, and Israel.

Gutted van in which three US nuns and a missionary were riding when kidnaped and assassinated by terrorists in El Salvador.



Wide World ©

Table 3

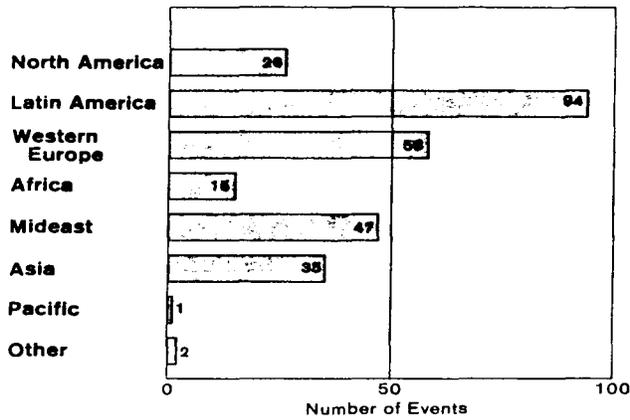
International Terrorist Attacks on US Citizens or Property, 1968-80, by Category

	1968	1969	1970	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	Total *
Total	68 (2.4)	124 (4.3)	262 (9.1)	243 (8.5)	248 (8.7)	225 (7.9)	197 (6.9)	179 (6.3)	227 (7.9)	193 (6.7)	386 (13.5)	241 (8.4)	271 (9.5)	2,864
Diplomatic officials or property	21	26	96	97	92	78	27	23	38	42	63	90	112	805 (28.1)
Military officials or property	6	15	44	45	28	29	22	30	63	58	48	38	30	456 (15.9)
Other US Government officials or property	30	37	63	34	43	10	18	20	6	9	23	16	35	344 (12.0)
Business facilities or executives	8	37	38	57	57	89	108	72	90	60	151	68	66	901 (31.5)
Private citizens	3	9	21	10	28	19	22	34	30	24	101	29	27	357 (12.5)

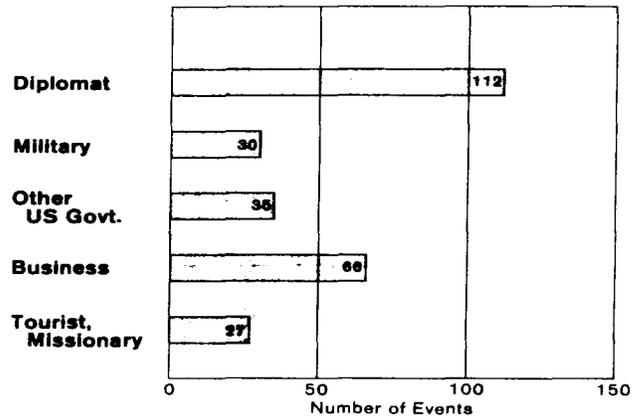
* Figures in parentheses are percentages of the total accounted for by each category.

Figure 5
International Terrorist Attacks on US Personnel and Facilities, 1980

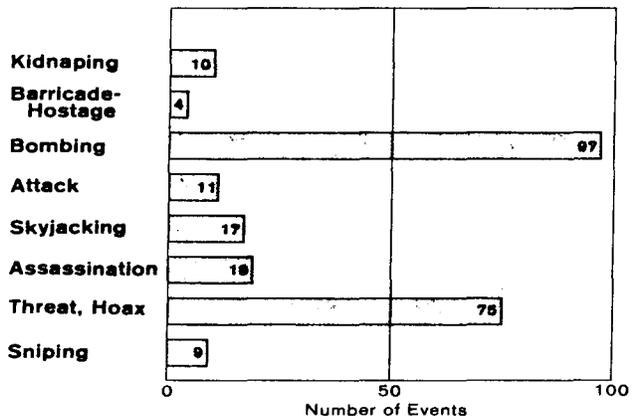
Location of Event



Type of Victim



Type of Attack



Nationality of Terrorist

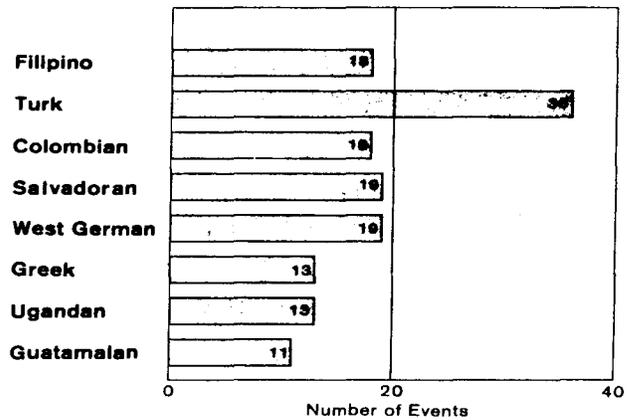
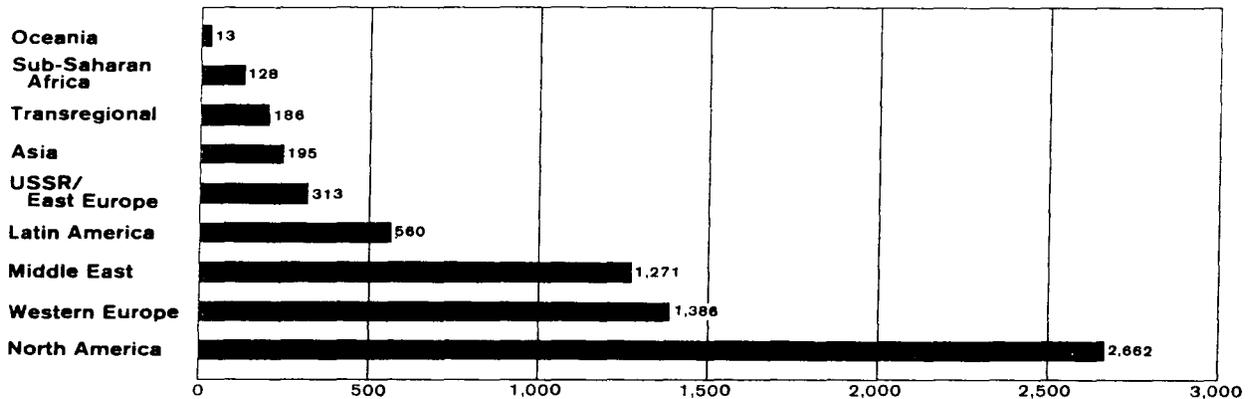


Figure 6
Nationality of Victims of International Terrorist Attacks, 1968-80

Total Incidents: 6,714



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Despite the publicity given to occasional sophisticated operations, most terrorist attacks continue to be simple in conception and operation (tables 4 and 5). During the 13-year period from 1968 through 1980, bombings were by far the preferred type of attack, accounting for nearly 45 percent of all terrorist operations. Our records for the period, however, also document over 400 kidnappings, about 450 assassinations, and over 100 barricade and hostage situations.

The categories of attacks in 1980 were similar to previous years. Bombings were still the most favored operation. The most noteworthy change was the dramatic rise in the number of assassinations and skyjackings. The security precautions designed to make smuggling of traditional weapons on board airliners more difficult failed to deter skyjackings in 1980. Skyjackers effectively used threats, hoaxes, or nonmetallic weapons, with the result that skyjackings increased for the second consecutive year.

Terrorist Events With Deaths or Injuries

Analyses of the incidents that caused casualties highlight the dangers and broad psychological impact of international terrorism. They provoke a response from governments, attention from the world media, and almost always involve a well-trained and experienced terrorist organization.

Our records show 1,435 terrorist incidents between 1968 and 1980 that caused at least one casualty. The number of such attacks has generally increased each year since 1968 (figure 7). In 1980, there were 213 of these incidents—far more than any in previous years. Bombings and assassinations accounted for over 65 percent of all incidents with casualties. Each of the other categories of attacks—kidnapings, barricade and hostage situations, and skyjackings—accounted for only a small portion of the casualties. Most of the attacks with casualties occurred in Western Europe and the Middle East. US citizens remained the most

Table 4

**Geographic Distribution of International Terrorist Incidents,
1968-80, by Category of Attack**

	North America	Latin America	Western Europe	USSR/ Eastern Europe	Sub- Saharan Africa	Middle East/North Africa	Asia	Pacific	Other	Total
Total	674 (10.0)	1,446 (21.5)	2,206 (32.9)	62 (0.9)	218 (3.2)	1,382 (20.6)	495 (7.4)	56 (0.8)	176 (2.6)	6,714
Kidnaping	5	203	47	0	61	57	25	1	2	401
Barricade-hostage	8	51	38	2	2	33	4	0	1	139
Letter bombing	26	17	200	0	15	32	131	0	49	470
Incendiary bombing	85	101	390	3	6	113	36	7	12	753
Explosive bombing	325	496	859	16	28	489	96	16	46	2,371
Armed attack	4	54	52	1	23	122	21	0	1	278
Hijacking *	29	35	30	3	11	38	21	0	6	173
Assassination	29	94	140	2	27	111	34	3	3	443
Sabotage	2	3	8	0	2	8	1	0	0	24
Exotic pollution	0	0	21	0	0	1	0	0	0	22
Threat	99	228	275	29	21	240	78	27	11	1,008
Theft, break-in	4	56	19	1	7	17	3	0	0	107
Conspiracy	9	17	36	1	4	30	9	1	14	121
Hoax	18	10	10	0	1	6	11	0	2	58
Other actions	12	10	39	1	5	22	13	0	14	116
Sniping	17	63	15	1	3	42	10	1	0	152
Shootout with police	0	8	6	0	0	1	0	0	1	16
Arms smuggling	2	0	20	2	2	20	2	0	14	62

* Includes hijackings by means of air, sea, or land transport.

victimized of any nationality, but the percentage of events with US victims dropped from 38 percent for all incidents to 28 percent of all incidents with casualties. Citizens of the United Kingdom and Israel were also prominent victims of events with casualties.

There have been 416 attacks involving American citizens during the 13-year statistic-keeping period. US businessmen have been the primary targets of these attacks. Attacks against Americans resulting in casualties have occurred in at least 50 countries over the reporting period, with the most events taking place in Argentina, Iran, and the Philippines. Our records show that over 140 different terrorist groups have claimed responsibility for these attacks. Palestinian groups, such as the Popular Front for the Liberation of Palestine or Black September, along with the Argentine Montoneros and the Iranian groups have committed

more attacks against American citizens resulting in casualties than any other groups.

The overall pattern of international terrorist attacks in 1980 involving casualties is generally similar to previous years—that is, assassinations with small arms accounted for over 40 percent, and explosive bombings for 35 percent of the total incidents. Most of the attacks occurred in the Middle East and Western Europe. The most active groups in the attacks with casualties in 1980 were Iranian Government operations, Armenian terrorist groups, and the Muslim Brotherhood in Syria. The order of the most victimized nationalities was slightly different from that of previous years; the most numerous victims were Americans, Israelis, Soviets, Turks, Iraqis, and Libyans, in that order. In 1979 the most victimized nationalities were Americans, British, and French. In 1978, the US and British were the main victims.

Table 5

**International Terrorist Incidents,
1968-80, by Category of Attack**

	1968	1969	1970	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	Total ^a
Total	142 (2.1)	214 (3.2)	391 (5.8)	324 (4.8)	648 (9.7)	564 (8.4)	528 (7.9)	475 (7.1)	599 (8.9)	562 (8.4)	850 (12.7)	657 (9.8)	760 (11.3)	6,714
Kidnaping	1	6	43	30	16	45	43	57	34	40	39	30	17	401 (6.0)
Barricade-hostage	1	0	8	1	4	13	13	16	6	11	19	16	31	139 (2.1)
Letter bombing	3	4	5	1	306	58	18	5	15	17	12	23	3	470 (7.0)
Incendiary bombing	12	25	56	46	22	47	48	42	119	110	128	53	45	753 (11.2)
Explosive bombing	79	115	119	129	148	168	274	232	216	210	235	219	227	2,371 (35.3)
Armed attacks	12	13	8	9	13	16	31	21	21	21	40	22	51	278 (4.1)
Hijacking ^b	3	12	24	10	16	7	10	5	6	9	6	29	36	173 (2.6)
Assassination	7	12	22	13	16	25	16	23	53	33	54	61	107	442 (6.6)
Sabotage	1	2	0	4	4	3	4	1	2	0	0	3	0	24 (0.4)
Exotic pollution	0	0	0	0	0	1	0	0	0	0	17	3	1	22 (0.3)
Threat	12	12	61	53	77	132	32	34	81	67	234	96	117	1,008 (15.0)
Theft, break-in	3	7	22	10	5	3	10	8	6	2	13	4	14	107 (1.6)
Conspiracy	4	4	7	2	3	21	14	9	7	6	16	13	15	121 (1.8)
Hoax	0	0	2	1	0	0	0	0	2	0	0	5	48	58 (0.9)
Other actions	0	0	4	8	8	3	9	10	7	11	17	20	20	117 (1.7)
Sniping	3	2	7	3	6	4	3	10	18	12	17	44	23	152 (2.3)
Shootout with police	0	0	1	0	0	2	0	1	3	6	0	0	3	16 (0.2)
Arms smuggling	1	0	2	4	4	16	3	1	3	7	3	16	2	62 (0.9)

^a Figures in parentheses are percentages of the total accounted for by each category of attack.

^b Includes hijackings by means of air, sea, or land transport.

State-Sponsored International Terrorism

Nations support terrorist groups or engage in terrorist activity for a variety of reasons, ranging from the need to carry out their own policies in foreign countries to the desire to establish or strengthen regional or global influence.

Despite increased state support for international conventions and agreements designed to reduce international terrorism, a number of Third World nations are unwilling to back sanctions against states that support international terrorist groups or engage directly in international terrorist attacks.

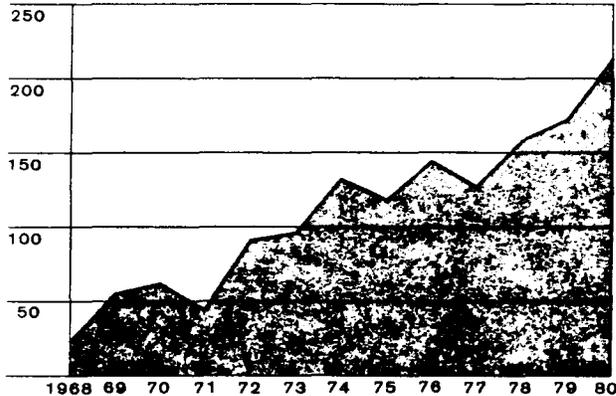
Our files contain records of almost a hundred terrorist attacks conducted directly by national governments. They occurred in every year since 1972, but the majority of them took place in 1980. Almost half were

assassinations or attempted assassinations. These state-sponsored attacks were more lethal than other terrorist incidents, with over 42 percent of them resulting in casualties. At least 33 victims were injured and another 40 killed in these 100 events. Most of them occurred in the Middle East, were carried out by Middle East nations, and were directed against citizens of other Middle East countries. They were almost always directed against diplomats.

Soviet Union. The Soviets are deeply engaged in support of revolutionary violence, which is a fundamental element of Leninist ideology. Such violence frequently entails acts of international terrorism. The ostensible position of the Soviets that they oppose terrorism while supporting so-called national liberation movements is further compromised by Moscow's close relationship

Figure 7
International Terrorist Incidents That Caused Casualties, 1968-80

Total Incidents: 1,435



584209 4-81

with and aid to a number of governments and organizations which are direct supporters of purely terrorist groups. In the Middle East, for example, the Soviets sell large quantities of arms to Libya—knowing that Libya is a major supporter of terrorist groups—and they back a number of Palestinian groups that have conducted terrorist operations. In Latin America, Moscow relies heavily on Cuba—which provides guerrilla and terrorist groups with training, arms, sanctuary, and advice—to advance Soviet interests. In other parts of the world, particularly Africa, the Soviets have long supported guerrilla movements and national liberation organizations that occasionally engage in terrorism.

Libya. The government of Colonel Qadhafi is the most prominent state sponsor of and participant in international terrorism. Despite Qadhafi's repeated public pronouncements that he does not support terrorist groups, there has been a clear and consistent pattern of Libyan aid to almost every major international terrorist group, from the Provisional Irish Republican Army

(PIRA) to the Popular Front for the Liberation of Palestine (PFLP).

One of Qadhafi's stated policies is to silence the Libyan students suspected of opposition activity and Libyan expatriates who have criticized his regime. Early in 1980, he warned Libyan exiles that they should return home, or they would be punished in place. During the remainder of the year, Qadhafi's assassination teams carried out his threats. Our records list 14 attacks by Libyan assassination teams in Europe and the United States. They occurred in seven countries and resulted in 11 Libyan exiles murdered and one wounded. The murder on 19 April 1980 of a well-known Libyan businessman in Rome and the assassination on 25 April last year of a Libyan lawyer in London are two examples of this assassination campaign.

Libya's support for terrorism includes financing for terrorist operations, weapons procurement and supply, the use of training camps and Libyan advisers for guerrilla training, and the use of Libyan diplomatic facilities abroad as support bases for terrorist operations. Libya has trained terrorists from Latin America, Western Europe, the Middle East, and East Asia. Qadhafi's major goals involve the Middle East and Africa, particularly the destruction of Israel, the advancement of the Palestinian cause, and the overthrow of conservative and moderate Arab states. Most of his efforts, therefore, are directed toward aiding Middle Eastern terrorism. His second concern is to be recognized as a champion of national liberation movements, especially those of an Islamic cast.

South Yemen. The Government of the People's Democratic Republic of Yemen provides camps and other training facilities for a number of international terrorist groups. The PFLP maintains a major terrorist training camp there, and members of many different terrorist groups have all benefited from the PFLP training facilities.

In addition to supporting international terrorism through its training camps, South Yemen has in the past provided a refuge for airline hijackers.

Our records from 1968 to 1980 suggest that the Government of South Yemen has not participated directly in international terrorist attacks and show that South Yemeni citizens have been involved in only a few incidents since 1968.

Iraq. During the past two years, the Iraqi Government has reduced its support for most terrorist groups. During the mid-1970s various West European terrorist groups reportedly received Iraqi aid, including training and logistical support. Iraq also provides assistance to some radical Palestinian organizations, including the Arab Liberation Front (ALF).

In 1980, the Iraqi Government conducted terrorist attacks against Iranian diplomats in Europe and the Middle East. These attacks resulted in the deaths of several Iranian diplomats.

Syria. As a major supporter of the Palestine Liberation Organization (PLO), Syria has played an increasingly important role in Palestinian activities. It has backed radical elements within the PLO, including the PFLP, the PFLP-General Command, and the Democratic Front for the Liberation of Palestine. The Syrian Government also created Sa'iqa, whose Eagles of the Palestinian Revolution have been involved in terrorist attacks.

Syrian intelligence services and Syrian diplomatic facilities abroad have been used to support various terrorist campaigns against the enemies of the Syrian regime, including Jordanian officials.

Iran. Despite its radical, anti-Western policies, the Tehran government is not presently an active supporter of groups practicing international terrorism. Many groups currently seek Iranian support, but internal political upheavals, socioeconomic problems, and the war with Iraq now seem to be Tehran's main preoccupations.

In 1980, however, the Iranian Government itself initiated numerous acts of international terrorism. Our records list international terrorist attacks carried out by Iranian nationals last year—at least half of which were directly carried out by Iranian Government officials. These attacks occurred in Europe, the Middle East, and the United States. They included armed



PFLP terrorist training somewhere in the Middle East.

attacks on Iraqi diplomatic facilities and assassinations of Iraqi citizens. Most prominently, the taking of the US hostages in Tehran was a clear act of international terrorism, violating all norms of diplomatic behavior; this incident clearly was approved by the Iranian Government.

Cuba. Havana openly advocates armed revolution as the only means for leftist forces to gain power in Latin America, and the Cubans have played an important role in facilitating the movement of men and weapons into the region. Havana provides direct support in the form of training, arms, safe havens, and advice to a wide variety of guerrilla groups. Many of these groups engage in terrorist operations.

Right-Wing Terrorism

Most right-wing terrorism falls in the category of domestic violence and is not dealt with in this paper. When the attacks cross international boundaries or involve foreign victims such as the Bologna or Munich bombings, however, they are included in the records on international terrorism.

Right-wing terrorism is difficult to categorize and analyze, because it is perpetrated anonymously by groups with few or no articulated goals. Very little information is available on the type and frequency of

Clearing the debris after the bomb attack at the Bologna railroad station.



Wide World ©

the attacks, the group structure, or the personalities involved. Unlike publicity-seeking left-wing terrorist groups who tend to select targets that provide the greatest political impact, right-wing groups tend to be motivated by desire to terrorize or destroy specific enemies. These groups seldom indulge in such spectacular incidents as hostage-taking or hijackings; instead, they most often conduct assassinations and bombings. Some of the bombing attacks, however, have resulted in mass casualties and thus generated intense publicity.

The bombing of the train station in Bologna, Italy, and the explosion during Munich's Oktoberfest produced more casualties than any previous terrorist attacks in Western Europe.

Outlook

Although individual terrorist attacks rely heavily upon the element of surprise, general patterns of terrorist behavior are more predictable. There will be exceptions, but we expect certain trends evident in 1980 to carry over into 1981:

- The increase in casualties and casualty-producing incidents—particularly in light of the dramatic rise of assassinations—is especially significant. Although,

mass casualty operations have been rare, terrorists may now believe that some casualties are necessary to generate the amount of publicity formerly evoked by less bloody operations.

- The vast majority of incidents will continue to be simple in conception and implementation, posing little risk to the perpetrators. Although added security precautions at sensitive facilities and paramilitary rescue squads may deter spectacular confrontational attacks, these measures clearly cannot protect all potential targets from simple hit-and-run operations.
- Regional patterns of victimization and location of operations are likely to remain virtually unchanged. Representatives of affluent countries, particularly US Government officials and business executives, will continue to be attractive targets. Latin America and the Middle East again are likely to be the main trouble spots.
- West German terrorists, having suffered reversals during the past three years, are likely to feel greater pressure to engage in operations in order to remind their domestic and international sympathizers that they remain revolutionary leaders.

- Most terrorist activity by right-wing groups will remain domestic in nature and thus will not be reflected in our statistics. Because rightist groups are often willing to engage in mass-casualty attacks, however, and because their operations are often effective, their activities will pose a significant danger to public order in many countries. We expect right-wing terrorist activity to increase in 1981.
- 1980 marked the first time a large number of terrorist assassinations were directly sponsored by governments. These attacks proved to be an efficient, low-cost method of achieving limited goals. Some Third World nations, especially Middle Eastern countries, are likely to continue this practice. Most notably, Iran and Iraq probably will continue their war of terrorism, and Syria is also likely to engage in terrorist attacks.
- The Palestinian groups continue to have a terrorist capability. Some rejectionist groups may seek to embarrass PLO leader Arafat and the moderate elements of the PLO by renewing their terrorist attacks against Western democracies. If progress is not made on resolving the Palestinian problem, Arafat will find it increasingly difficult to restrain extremist Palestinian groups from conducting international terrorist attacks.
- The Armenian Secret Army's assassination campaign against Turkish diplomats is likely to continue next year at an even greater pace. In addition to the Turks, Armenian terrorists may include Western, especially US, diplomats among their targets.
- International terrorism is a tactic of leftist insurgents in El Salvador and will continue to be a factor affecting political stability in El Salvador as well as Guatemala and, perhaps, Honduras.
- On the positive side, hostage situations were more successfully opposed in 1980, as more governments became better able to deal with hostage-takings. Improved training and equipment will probably enable governments to be even more effective in dealing with hostage situations in the future.
- The development and implementation of more effective international countermeasures will continue to be impeded by differing perspectives among nations, and by a reluctance on the part of many states to commit themselves to a course of action that might invite retribution—either by terrorist groups or by states sympathetic to the terrorists' cause.

Appendix A

Major International Terrorist Groups

This appendix describes the activities of the major international terrorist groups whether they carried out international terrorist attacks in 1980 or not.

Groups such as the Provisional Irish Republican Army (PIRA) and the Basque Fatherland and Liberty Movement (ETA) primarily conduct operations against domestic targets, but they are also active in the international arena. The PIRA has conducted more international terrorist attacks than any other single terrorist group. They routinely attack the British military in Europe. The ETA has not been as active internationally as the PIRA, but they conducted a campaign of terrorism against French nationals in the Basque area of Spain. Some of the attacks described in this section are not included in the statistical totals in this paper because they did not involve more than one nation, but they do provide insight into the activities of these major groups.

Western Europe

Although PIRA was not as active in 1980 as in previous years, the group was able to attack symbols of the British Government and the Crown. The PIRA assassinated a British Army colonel and attempted to kill two other British soldiers stationed in Bielefeld, West Germany. The PIRA also tried to increase pressure on the British by attempting a mass casualty attack. They exploded a bomb on a crowded commuter train as it passed through a tunnel near Belfast, but three people were killed and 10 to 15 were injured.

Attempting to expand their tactics beyond violence, seven PIRA members in Northern Ireland's Maze Prison conducted a two-month hunger strike which captured the headlines in British newspapers. After weeks of negotiations, the British Government refused to grant political status to the prisoners, the PIRA's major demand. As several prisoners neared death, however, the British issued a statement proposing improvements in prison conditions. Perhaps realizing it was the best they could hope to achieve, the PIRA leaders called a halt to the strike. Although the hunger strike received a great deal of attention, it failed to bring about a change in the status of PIRA prisoners



*Iranian Embassy in London
after British commandos ended
six-day siege.*

UPI

and apparently did little else to affect British policy in Northern Ireland.

The most publicized terrorist attack in the United Kingdom did not involve the PIRA or any other well-established group but was conducted by unknown Arab terrorists from Iran. The event is most notable for the successful counterterrorist attack by the British military.

On 30 April, five armed men seized the Iranian Embassy in London. After capturing 26 hostages, they demanded the release of 91 prisoners and autonomy for

an Arab province in Iran. They also demanded an aircraft to fly them to an undisclosed location. The terrorists released seven of the hostages and allowed two deadlines to pass without carrying out their threats. On 5 May, however, the terrorists killed two hostages, precipitating the British Government's decision to mount an assault on the Embassy. The Army's antiterrorist commandos stormed the building and rescued the remaining hostages, killing three terrorists and capturing two others. This successful operation was viewed as a major accomplishment by governments that have invested in costly training and elaborate contingency planning for antiterrorist strike forces.

On the European continent, the ETA,⁴ the Marxist-Leninist-oriented Basque separatist organization, assassinated dozens of police and military officers. They also carried out numerous damaging attacks against a company that is building a controversial nuclear power station in the Basque region. For the first eight months of 1980 the ETA confined itself mainly to killing policemen and alleged informers. Toward the end of the year, it expanded its assassination campaign to include civil servants and military officers. Despite widespread terrorist activities designed to build popular support and to provoke repressive measures from Madrid, the ETA campaign in 1980 was largely unsuccessful. Popular support in the Basque region continued to erode and the government resisted the provocation. During the year, Spanish ultrarightists conducted sporadic attacks against Basque targets because of what they saw as a lack of firm government response to ETA terrorism.

Mainly because of the government's efficient countermeasures, West German terrorists of both the left and right carried out only a few international terrorist attacks during the year. The one major exception and one of the bloodiest attacks recorded in West German history was the bombing by right-wing terrorists at the Munich Oktoberfest. The explosive device could have killed hundreds of people had it not exploded prematurely while being emplaced in a crowded area. Instead, only 12 people were killed and another 200 injured. The terrorist handling the bomb was killed.

⁴ The ETA consists of the ETA-Political/Military and the ETA-Military. The ETA-M has carried out most of the terrorist attacks in recent years.

In Italy, both leftist and rightist terrorism continued in 1980, almost completely confined to domestic violence. The Red Brigades, although somewhat hampered by government actions, attacked symbols of the Italian establishment, including executives, a prominent newspaperman, a doctor from the prison system, and many policemen and civil servants. On 13 December, the Red Brigades abducted a high-ranking magistrate in the Ministry of Justice, claiming their goal was to force the government to close the maximum security prison at Asinara that held some members of the Red Brigades. This was the first time in approximately two years that the government faced the choice between possibly sacrificing the life of an official or giving in to the terrorists' demand. After weeks of uncertainty, a number of newspapers scorned the government's ban on publicity and printed several communiques explaining the terrorists' demands. The magistrate ultimately was released unharmed. This incident gave the Red Brigades more publicity than any event since the Moro kidnaping and assassination.

Although right-wing terrorism in Italy has been overshadowed by that of far-leftist groups for the past few years, it has continued to be active; the Italian Government credits almost one-half of all casualties from terrorism in Italy to right-wing groups. One of these groups—the neofascist Revolutionary Armed Nuclei—first claimed and then denied responsibility for the most lethal incident in 1980, a bomb attack at the Bologna railroad station on 2 August. Holiday travelers crowded the station and the explosion killed over 80 people and injured at least 200. Although right-wing terrorist groups are small and offer little real threat to the Italian Government, they are perfectly willing to cause mass casualties in their single-minded intent to destroy their perceived enemies. These groups are, therefore, particularly disruptive and dangerous.

Despite the imposition of martial law in all of Turkey's 67 provinces during the latter part of the year, the Secret Army for the Liberation of Armenia, the Dev Yol, and the Marxist-Leninist Armed Propaganda Unit (MLAPU) succeeded in generating mass publicity with a series of international terrorist attacks that

Dominican Republic Embassy in Bogota during 61-day siege by M-19 terrorists.



Wide World ©

caused the deaths of two US servicemen. The Armenian terrorists appeared well trained, well equipped, and efficient as they conducted an assassination campaign against Turkish diplomats worldwide. These attacks occurred in Switzerland, Italy, Greece, France, the United States, and Australia. The Armenians also exploded bombs at Turkish facilities in Europe, the Middle East, and the United States.

The Dev Yol conducted numerous attacks in Turkey against both Turkish and US personnel and facilities. In November, they assassinated a US Air Force sergeant at his home in Adana, Turkey.

The MLAPU assassinated a US Navy chief petty officer and an El Al airport manager and carried out numerous attacks against Turkish and American facilities in Turkey.

Middle East

The US diplomatic hostages continued to be held by Iran through 1980. This operation differed from previous embassy seizures in several significant ways. In Tehran, the captors had the support of the government, which defied all rules of customary and codified international legal practice.

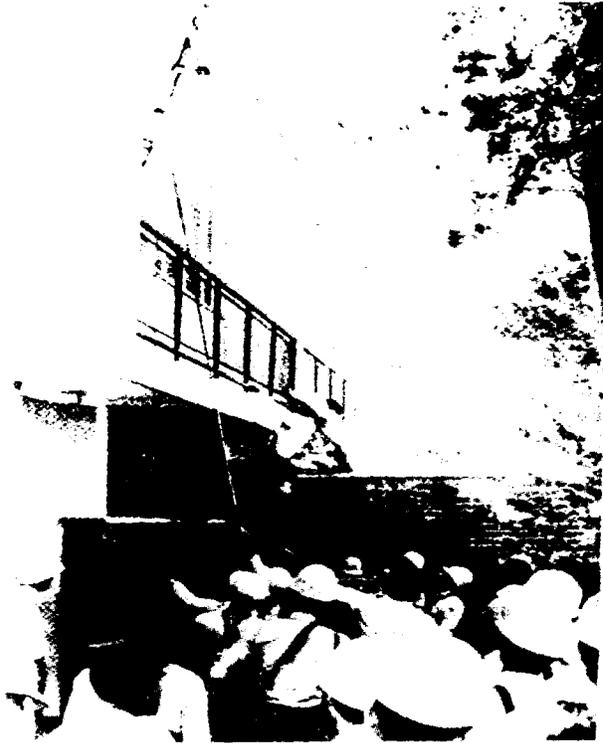
In Syria, the Muslim Brotherhood (MB) conducted an active and lethal assassination campaign against So-

viet military advisers during the first part of 1980. The MB is a Muslim fundamentalist group that attacked Soviet targets to express a general dislike of the Soviet Union and the Assad regime and specific opposition to the Soviet invasion of Afghanistan.

Palestinian terrorist actions in 1980 did not reach the level experienced during the 1970s. The Iran-Iraq war divided the Arab world, diverting attention from the Palestinian issue and greatly complicating the PLO's attempts at diplomacy. The Syrian and Libyan Governments, along with many rejectionist Palestinian groups, attempted to pressure Arafat into curtailing his diplomacy and keeping his distance from moderate Arab states.

Fatah, the largest group in the PLO, while presumably waiting for the results of Arafat's diplomatic initiatives, restricted its international terrorist attacks to Middle East countries. Fatah also continued to train groups that often use terrorism and maintained contacts with supporters abroad.

Other Palestinian groups met with mixed success. The Palestinian Front for the Liberation of Palestine-General Command and the Black June Organization continued operations against Israel and carried out attacks in other Middle East countries, especially



Police attempt to oust occupiers of the Spanish Embassy in Guatemala.

Wide World ©

Lebanon. The PFLP was relatively inactive after its leader, George Habbash, was incapacitated following surgery in September.

Latin America

In Colombia the 19th of April Movement (M-19) conducted one of the most publicized terrorist attacks of 1980. On 27 February, armed members of M-19 shot their way into the Dominican Republic Embassy in Bogota. They timed the attack to coincide with a diplomatic reception. After taking 57 people hostage, including the ambassadors of 11 countries, the terrorists demanded the release of 311 prisoners, a \$50 million ransom, and safe passage out of the country. During the course of the protracted negotiations, the terrorists freed a majority of hostages and vastly scaled down their demands. They finally accepted safe pas-

sage to Cuba and a \$2 million private ransom. The entire incident lasted 61 days and illustrated the success of careful, patient negotiation by responsible governments in a hostage situation.

In El Salvador, at least 10,000 people were reported killed by left- and right-wing groups as the nation's domestic strife spread. El Salvador also ranks high among countries affected by international terrorism. The primary targets of attacks in El Salvador included embassies and private facilities from other Central American countries, the United States, and Israel. Several diplomats and business officials were also assassinated. One example of the attacks on embassies was the attack on 11 January 1980 on the Panamanian Embassy in San Salvador, when members of the 28 February Popular League (LP-28) stormed the embassy. They held seven hostages, including the Ambassadors of Panama and Costa Rica, and demanded the release of seven LP-28 members imprisoned in San Salvador. After three days of negotiating, the incident ended on 14 January when the Salvadoran Government bowed to the demands of the terrorists and released the prisoners. The embassy seizure ended with the safe release of the hostages. In addition the US Embassy was seriously damaged by a People's Revolutionary Army (ERP) rocket attack on 16 September 1980.

In Guatemala, international terrorist attacks followed a similar pattern. Leftist terrorist groups attacked facilities of a few foreign countries and kidnaped foreign nationals. The most significant of these incidents occurred on 31 January 1980. Peasants, sponsored and transported by Guatemalan leftist groups, entered the Spanish Embassy and demanded to see the Ambassador. Once inside, they seized hostages, but were unable to make their demands known because Guatemalan police swiftly attacked them. Fire that broke out during the attack caused chaos among terrorists, hostages, and police. Of the more than 30 terrorists and hostages in the embassy, the only survivors were the Spanish Ambassador and one of the attackers. The surviving attacker was kidnaped a few days later and was subsequently killed.

Appendix B

Antiterrorist Measures

The Private Sector

In 1980, multinational corporations continued to search for defensive methods tailored to their own needs. A number of private security firms joined those specializing in executive protection programs, risk analysis, and armored vehicle service. Several victimized corporations hired consultants to advise executives on how to cope with political violence. Specialized consultants were also employed to conduct ransom negotiations and handle payoffs to terrorist groups.

Regional Cooperation

In 1980, cooperation in combating terrorism was a topic of discussion among European countries. In November, the North Atlantic Assembly adopted a resolution on terrorism that urged member governments and parliaments of the North Atlantic Alliance to exchange information on terrorist-related groups. It also sought cooperation on joint measures against subversive groups that may be directly responsible for terrorism or that may be providing financial or logistical support or training for international terrorists. In December, the 15 NATO foreign ministers adopted a Declaration on Terrorism and the US hostages in Iran. That declaration vigorously condemned terrorist acts as particularly odious, regardless of their cause or objectives. The foreign ministers agreed that there is a need for close intergovernmental cooperation and for effective measures to prevent and combat terrorism. In December, the Spanish introduced a resolution at the Conference on Security of Central Europe in Madrid which condemned international terrorism. The resolution was widely supported by the conference participants. To date, however, little measurable action has resulted from any of these meetings, although the meetings continue to serve as a useful forum for exchanging information and reaching tentative agreements on international terrorism.

United Nations

During 1980, four nations ratified the General Assembly's convention against the taking of hostages. The convention, which had been in various UN committees for three years, was adopted by consensus in December 1979. It calls for states to prosecute or extradite hostage-takers without exception. Language on the rights of national liberation movements, the right of asylum, and the Geneva conventions and protocols on the law of war was included, thereby insuring greater support for the final document. Forty states have signed the convention, which will come into effect when it is ratified by 18 more states.

In December, the General Assembly also adopted a consensus resolution sponsored by the Nordic countries calling for effective measures to enhance the protection, security, and safety of diplomatic and consular missions. The resolution reaffirmed the need for all states to ensure the security of diplomatic missions and to prohibit on their territories illegal activities directed against such offices.

The Venice Economic Summit

In June, the Venice Economic Summit of Heads of State and Government of seven of the world's leading industrialized democracies adopted a Statement on the Taking of Diplomatic Hostages. The statement called on all governments to take appropriate measures to deny terrorists any benefit from their criminal acts and stated that the seven states would provide resident diplomatic missions their mutual support and assistance in situations involving the seizure of diplomatic facilities or personnel.

Appendix C
Statistical Data

Table C-1

**Geographic Distribution of International Terrorist Incidents,
1980, by Category**

	North America	Latin America	Western Europe	USSR/ Eastern Europe	Sub- Saharan Africa	Middle East/ North Africa	Asia	Pacific	Other	Total ^a
Total	90 (11.8)	178 (23.4)	204 (26.8)	7 (0.9)	29 (3.8)	195 (25.7)	46 (6.1)	3 (0.4)	8 (1.1)	760
Kidnaping	0	13	0	0	3	1	0	0	0	17 (2.2)
Barricade-hostage	0	22	5	0	0	3	0	0	1	31 (3.9)
Letter bombing	0	2	0	0	0	1	0	0	0	3 (0.4)
Incendiary bombing	3	5	27	0	0	8	1	1	0	45 (5.9)
Explosive bombing	25	33	71	2	6	66	19	1	4	227 (29.9)
Armed attack	0	8	6	0	2	32	3	0	0	51 (6.7)
Hijacking ^b	15	7	3	2	3	4	1	0	1	36 (4.7)
Assassination	6	21	35	0	2	39	2	1	1	107 (14.1)
Exotic pollution	0	0	1	0	0	0	0	0	0	1 (0.1)
Threat	17	39	29	2	3	20	7	0	0	117 (15.4)
Theft, break-in	0	4	2	1	7	0	0	0	0	14 (1.8)
Conspiracy	2	2	2	0	0	8	1	0	0	15 (2.0)
Hoax	17	5	10	0	0	5	10	0	1	48 (6.3)
Other actions	4	1	9	0	3	3	0	0	0	20 (2.6)
Sniping	1	15	2	0	0	3	2	0	0	23 (3.0)
Shootout with police	0	1	1	0	0	1	0	0	0	3 (0.4)
Arms smuggling	0	0	1	0	0	1	0	0	0	2 (0.3)

^a Figures in parentheses are percentages of the total accounted for by each category.

^b Includes hijackings by means of air, sea, or land transport.

Figure 8
International Terrorist Incidents by Category of Attack, 1968-80

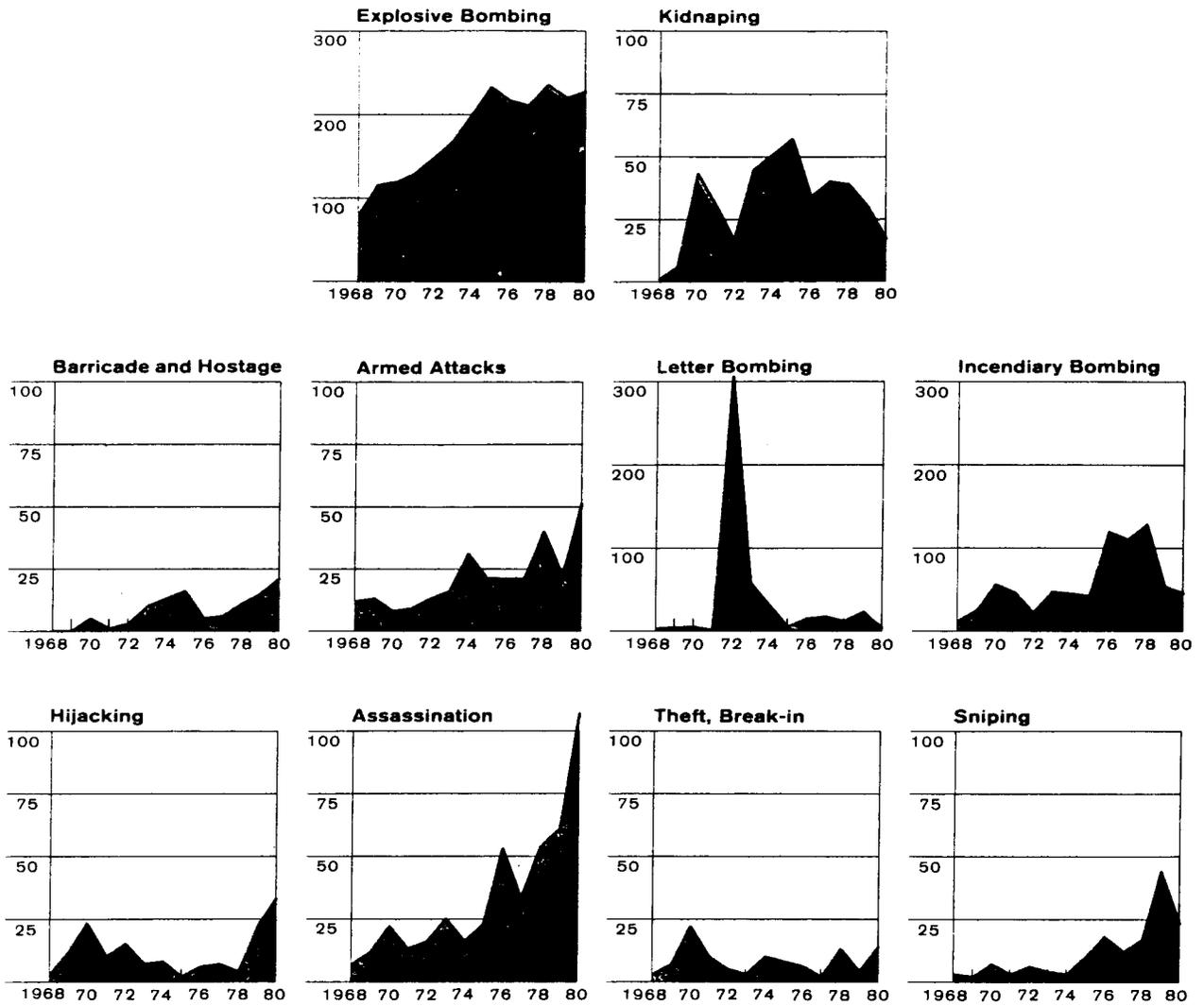


Table C-2

**International Terrorist Attacks on US Citizens or Property,
1968-80, by Category**

	1968	1969	1970	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	Total ^a
Total	71 (2.4)	124 (4.2)	266 (9.0)	243 (8.2)	255 (8.6)	237 (8.0)	216 (7.3)	181 (6.1)	231 (7.8)	195 (6.6)	396 (13.4)	256 (8.7)	278 (9.4)	2,949
Kidnaping	1	3	25	19	5	23	14	23	8	7	8	8	10	154 (5.2)
Barricade-hostage	1	0	4	0	1	3	2	1	2	3	0	6	7	30 (1.0)
Letter bombing	2	1	2	0	29	3	1	0	4	7	0	4	2	55 (1.9)
Incendiary bombing	12	21	46	42	18	30	31	17	56	58	80	29	23	463 (15.7)
Explosive bombing	35	71	87	100	97	74	127	95	65	70	95	93	72	1,081 (36.7)
Armed attack	1	4	3	5	10	8	6	7	8	5	12	10	11	90 (3.0)
Hijacking^b	1	5	12	4	4	0	1	2	5	4	3	15	20	76 (2.5)
Assassination	3	3	10	2	4	4	2	8	15	6	7	10	19	93 (3.2)
Sabotage	0	0	0	3	3	1	0	1	1	0	0	1	0	10 (0.3)
Threat	11	12	51	51	71	77	19	19	53	22	161	47	50	644 (21.8)
Theft, break-in	0	3	15	8	1	3	4	3	1	0	7	4	13	62 (2.1)
Conspiracy	1	0	2	2	1	2	4	3	1	2	4	3	6	31 (1.1)
Hoax	0	0	1	0	0	0	0	0	0	0	0	1	25	27 (0.9)
Other actions	0	0	3	5	7	2	2	1	4	2	11	3	10	50 (1.7)
Sniping	2	1	5	2	3	0	3	1	6	8	7	20	9	67 (2.3)
Shootout with police	0	0	0	0	0	0	0	0	2	1	0	0	1	4 (0.1)
Arms smuggling	1	0	0	0	1	7	0	0	0	0	1	2	0	12 (0.4)

^a Figures in parentheses are percentages of the total accounted for by each category.

^b Includes hijacking by means of air, sea, or land transport.

Table C-3

Geographic Distribution of International Terrorist Attacks on US Citizens or Property, 1980, by Category

	North America	Latin America	Western Europe	Sub-Saharan Africa	Middle East/North Africa	Asia	Pacific	Other	Total
Total	26	94	58	15	47	35	1	2	278
Kidnaping	0	10	0	0	0	0	0	0	10
Barricade-hostage	0	5	2	0	0	0	0	0	7
Letter bombing	0	2	0	0	0	0	0	0	2
Incendiary bombing	0	1	14	0	7	0	1	0	23
Explosive bombing	6	20	9	1	19	16	0	1	72
Armed attack	0	5	1	1	3	1	0	0	11
Hijacking *	15	0	1	3	0	1	0	0	20
Assassination	3	10	0	2	4	0	0	0	19
Threat	2	21	14	0	7	6	0	0	50
Theft, break-in	0	4	2	7	0	0	0	0	13
Conspiracy	0	2	1	0	2	1	0	0	6
Hoax	0	4	8	0	3	9	0	1	25
Other actions	0	1	6	1	2	0	0	0	10
Sniping	0	8	0	0	0	1	0	0	9
Shootout with police	0	1	0	0	0	0	0	0	1

* Includes hijackings by means of air or land transport.