

## The Group of 7 and International Terrorism: The Snowball Effect That Never Materialised.

"[The Group of 7 antiterrorism efforts] will create a snowball effect."<sup>1</sup>  
*Hans-Dietrich Genscher*

Over the course of the past 40 years, the threat that lethal political violence – terrorism – poses to individuals and the international community at large has become progressively more evident. It is thus hardly surprising that international organisations, such as the United Nations (UN), dedicate a significant amount of attention to the problem of terrorism. Today, international organisations discuss targeted sanctions to fight terrorism, methods to stop the financing of terrorism, comprehensive approaches to suppress terrorism, or effective solutions to the problems posed by new terrorist organisations such as the Islamic State of Iraq and the Levant (ISIL).<sup>2</sup> The reactions of governments and international organisations to terrorism have received significant attention in the literature, although predominantly by legal experts or scholars in Political Science, International Relations, and other social sciences.<sup>3</sup> The history of

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<sup>1</sup> West German Foreign Minister Genscher quoted in 'Kartell gegen Luft-Terror,' *Der Spiegel*, no. 30 (1978), 16: 16.

<sup>2</sup> See for instance Bernhard Blumenau, *The United Nations and Terrorism: Germany, Multilateralism, and Antiterrorism Efforts in the 1970s* (Basingstoke: Palgrave Macmillan, 2014); Peter Romaniuk, *Multilateral Counter-Terrorism. The Global Politics of Cooperation and Contestation* (Oxon: Routledge, 2010), chapter 2; Ben Saul, 'Attempts to Define Terrorism in International Law,' *Netherlands International Law Review* 52, no. 01 (2005), 57-83: 68-70. See also the relevant chapters in Thomas J. Biersteker and Sue E. Eckert, eds., *Countering the Financing of Terrorism* (London ; New York: Routledge, 2008); Jane Boulden and Thomas George Weiss, eds., *Terrorism and the UN: Before and after September 11* (Bloomington, IN: Indiana University Press, 2004) and Giuseppe Nesi, ed., *International Cooperation in Counter-Terrorism: The United Nations and Regional Organizations in the Fight against Terrorism* (Aldershot, England ; Burlington, VT: Ashgate, 2006). See further Kennedy Graham, "The Security Council and Counterterrorism: Global and Regional Approaches to an Elusive Public Good," *Terrorism and Political Violence* 17, no. 1–2 (2005): 37–65, Christopher Michaelsen, "The Security Council's Al Qaeda and Taliban Sanctions Regime: 'Essential Tool' or Increasing Liability for the UN's Counterterrorism Efforts?," *Studies in Conflict & Terrorism* 33, no. 5 (2010): 448–63, Mahmoud Hmoud, "Negotiating the Draft Comprehensive Convention on International Terrorism: Major Bones of Contention," *Journal of International Criminal Justice* 4, no. 5 (2006): 1031–1041,

<sup>3</sup> Examples include Anna Oehmichen, *Terrorism and Anti-Terror Legislation: The Terrorised Legislator?: A Comparison of Counter-Terrorism Legislation and Its Implications on Human Rights* (Antwerp ; Portland Or.: Intersentia, 2009); Ben Saul, *Defining Terrorism in International Law*, Oxford Monographs in International Law (Oxford ; New York: Oxford University Press, 2006), Max Abrahms, "The Political Effectiveness of Terrorism Revisited," *Comparative Political Studies* 45, no.3 (2012): 366-393, Max Abrahms, "Why Terrorism Does Not Work," *International Security* 31, no.2 (2006): 42-78, Claude Berrebi and Esteban F. Klor, "Are Voters Sensitive to Terrorism: Direct Evidence from the Israeli Electorate," *American Political Science Review* 102, no. 3 (2008): 279-301, Christophe Chowanietz, "Rallying Around the Flag or Railing Against the Government? Political Parties' Reactions to Terrorist Acts," *Party Politics* 17, no. 5 (2011): 673-698, Anna Getmansky and Thomas Zeitzoff, "Terrorism and Voting: The Effect of Exposure to Rockets on Voting in Israeli Elections,"

terrorism – as well as antiterrorism – is still understudied. By addressing earlier experiences of dealing with terrorism, important lessons for understanding the phenomenon today can be highlighted, which can help in the elaboration of solutions. The early 2000s were not the first time in history when terrorism appeared in a prominent position on the agendas of international organisations. Thirty years before, in the 1970s, terrorism was already burgeoning. Spurred by spectacular terrorist attacks, which created a state of fear all around the Western world, politicians and organisations began to deal with the risks that international terrorism could pose to their countries and societies.<sup>4</sup> The Dutchman Klaas de Vries aptly summed up the prevalent mood, as well as the necessary responses to terrorism, in a report for the North Atlantic Assembly:

[W]e are now faced with a blind terrorism which chooses targets not always significant in themselves. [...] They [i.e. terrorist attacks] all provide proof that civilization is not protected from what is a mindless, murderous mentality, whatever philosophical or political alibis it might use. [...] The fight against terrorism is of the same nature as the fight for human rights and cultural values against totalitarianism and intolerance. [...] It is evident that terrorism has an international dimension. It is thus necessary that the reply to it should be international in the sense of close co-operation [...] for the bringing to justice of the culprits and the breaking up of networks.<sup>5</sup>

The number and severity of terrorist crises in the 1970s forced international organisations to deal with the phenomenon. Throughout the whole decade of the 1970s and beyond, the UN, for instance, debated measures against terrorism.<sup>6</sup> In addition, the Organization of American States, the International Civil and Aviation Organization (ICAO), the North Atlantic Treaty Organization, the European Communities (EC), and the Council of Europe also all found the

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*American Political Science Review* (Forthcoming 2014) and Eric D. Gould and Esteban F. Klor, "Does Terrorism Work?," *Quarterly Journal of Economics* 125, no. 4 (2010): 1459-1510.

<sup>4</sup> Such as the attack on the Israeli team at the Munich Olympics in 1972, the hijacking of a plane to Entebbe in 1976, the "German autumn" and the hijacking of the Lufthansa plane *Landshut* to Mogadishu in 1977, as well as the assassination of Italian statesman Aldo Moro in 1978. For more information on these crises see for instance Matthias Dahlke, *Der Anschlag auf Olympia '72: Die politischen Reaktionen auf den internationalen Terrorismus in Deutschland* (Munich: Martin Meidenbauer Verlag, 2006); Eva Oberloskamp, 'Das Olympia-Attentat 1972. Politische Lernprozesse im Umgang mit dem transnationalen Terrorismus,' *Vierteljahrshefte für Zeitgeschichte* 60, no. 3 (2012), 321-52; Blumenau, *The United Nations and Terrorism: Germany, Multilateralism, and Antiterrorism Efforts in the 1970s*, chapter 2; Richard Drake, 'Why the Moro Trials Have Not Settled the Moro Murder Case: A Problem in Political and Intellectual History,' *The Journal of Modern History* 73, no. 2 (2001), 359-78.

<sup>5</sup> Draft General Report of the Committee on Education, Cultural Affairs and Information of the North Atlantic Assembly, presented by Mr. Klaas de Vries (Netherlands), General Rapporteur, October 1980, B83 1437, Politisches Archiv des Auswärtigen Amtes (PA). Original quote in English. The quotations from German sources have been translated by the author. When the original quotation was in English, this is indicated in the footnote.

<sup>6</sup> See for instance Guiseppa Nesi, ed. *International Cooperation in Counter-terrorism : the United Nations and Regional Organizations in the Fight Against Terrorism* (Aldershot: Ashgate Publishing, 2006) Part I; Blumenau, *The United Nations and Terrorism: Germany, Multilateralism, and Antiterrorism Efforts in the 1970s*.

item of terrorism on their agendas.<sup>7</sup> Given their focus on a specific region, technical matters, or security it is hardly surprising that terrorism was an issue for them to discuss. However, an entity that would not normally be associated with antiterrorism also attended to this matter: the Group of 7 (G7). Founded as a club of the most advanced industrial nations of the world to address macroeconomic issues, the G7, from 1978 onwards, progressively turned its attention towards political issues. The G7 efforts in the late 1970s and early 1980s to fight terrorism – or at least prevent a conducive environment for terrorists – serve as a primary example of this general trend.

This article will assess the responses that the G7 designed in order to deal with terrorism, especially the Bonn Declaration on Hijacking of 1978, and whether the G7 efforts were successfully implemented. It will argue that the primary addressees of G7 antiterrorism efforts were not the terrorists as such, but the countries that cooperated with them or granted them asylum. The seven leading economic powers of the planet wanted to use their economic pressure – and their dominant role in international air traffic – to force states with sympathies for terrorists to prosecute them and deliver them to justice. The G7 members openly threatened to use their economic power as a tool to further a security-political agenda. While the general idea behind the Bonn Declaration was good and despite the fact that it certainly could have produced a more hostile environment for international terrorism, diverging economic and political interests among G7 members prevented the Declaration from ever living up to its potential. Soon after the summit in 1978, the G7 members realised the considerable legal, economic, and political costs that the Declaration could generate for themselves and decided to let it sink into oblivion.

Besides drawing from the documents available in the political archive of the West German Foreign Office (Auswärtiges Amt, AA), the article also incorporates material from American archives (the Jimmy Carter Presidential Library and the National Archives at College Park), as well as from the British National Archives. This essay will shed new light not only on the history of terrorism, transatlantic relations, or the foreign policies of key Western countries, but also on the history of the G7 and how it developed from an entity focussed on economic

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<sup>7</sup> See Romaniuk, *Multilateral Counter-Terrorism. The Global Politics of Cooperation and Contestation*; Nesi, ed. *International Cooperation in Counter-terrorism : the United Nations and Regional Organizations in the Fight Against Terrorism*; Bernhard Blumenau, 'Taming the Beast: West Germany, the Political Offence Exception, and the Council of Europe Convention on the Suppression of Terrorism,' *Terrorism and Political Violence* (forthcoming 2015); Eva Oberloskamp, 'Die Europäisierung der Terrorismusbekämpfung in den 1970er Jahren: Bundesdeutsche Akteure und Positionen,' in *Staat gegen Terrorismus. Demokratie und Sicherheit in Westeuropa 1970 – 1990*, ed. Johannes Hürter (Munich: Oldenbourg, forthcoming 2014); Bernhard Blumenau, 'The European Communities' Pyrrhic Victory: European Integration, Terrorism, and the Dublin Agreement of 1979,' *Studies in Conflict & Terrorism* 37, no. 5 (2014), 405-21.

topics towards an institution aspiring to coordinate the member states' cooperation on political matters.<sup>8</sup> It will also highlight how former antiterrorism efforts within this important entity failed and why they failed. Geopolitical and economic interests mattered in the 1970s and prevented efficient responses to terrorism. These factors also influence multilateral antiterrorism efforts today, especially when faced with an emerging source of instability in the Middle East, such as ISIL. Therefore, this article will underline the importance of mustering sufficient support – and aligning the interests – of the governments concerned to effectively oppose terrorism. The lessons learnt (or not) in the 1970s still apply today.

### The Group of 7

The G7 started as a number of economic summits initiated by French President Valérie Giscard d'Estaing and West German Chancellor Helmut Schmidt. At the beginning, they intended to assemble the leaders of the six largest economic powers of the West to discuss the important macroeconomic consequences of the oil crisis in order to lead the West back onto the path towards economic recovery.<sup>9</sup> The first summit took place in Rambouillet, France in 1975, followed by meetings in Puerto Rico in 1976, London in 1977, Bonn in 1978, Tokyo in 1979, Venice in 1980, and Ottawa in 1981. Giscard and Schmidt wanted to bring together the key decision makers to implement policies conducive to economic growth. Their idea was to go beyond the limitations of certain ministries and to establish a forum where they could discuss important economic issues in small and informal settings. That was why these meetings assembled the heads of governments rather than only ministers.<sup>10</sup> Difficulties arose quickly, however, as to who would be invited to these meeting. It was clear that the biggest economies would have to be represented, hence the United States (US), Germany, Japan, France, and Great Britain. There were some discussions, though, about whether it was necessary to include the Italians since, as the Americans put it, they 'would just clutter the landscape'.<sup>11</sup> But Rome

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<sup>8</sup> For an overview about the history and evolution of the G7 see for instance Peter I. Hajnal, *The G7/G8 System: Evolution, Role, and Documentation* (Aldershot: Ashgate, 1999).

<sup>9</sup> Ramesh Jaura, 'Sixth Western Economic Summit,' *Economic and Political Weekly* 15, no. 27 (1980), 1134: 1134.

<sup>10</sup> Nicholas Bayne, 'Western Economic Summits: Can They Do Better?,' *The World Today* 40, no. 1 (1984), 4-12: 4-7.

<sup>11</sup> Memorandum of a meeting between Ford, Shultz, Kissinger, Snowcroft on 17.09.1975, as cited in Peter I. Hajnal, *The G8 system and the G20: evolution, role and documentation* (Aldershot, England; Burlington, VT: Ashgate, 2007), 19.

protested so long that they were finally asked to participate as well.<sup>12</sup> At the first meeting in Rambouillet on 15-17 November 1975, only these six countries were present. Canada, the US' biggest trading partner, joined the group – despite French reservations – the following year and the G7 was established. A customary rule soon emerged to convene a meeting once every year. The president of the European Communities (EC) commission also took part in a consultative capacity as of 1977.<sup>13</sup> The first meetings were dominated by economic matters but it soon transpired that foreign and security policy issues could not be ignored and would also have to be addressed.<sup>14</sup> Terrorism was one such issue.

### The Bonn Declaration on Hijacking of 1978

In October 1977, the Lufthansa plane 'Landshut' was hijacked and rerouted to Mogadishu, Somalia by Palestinian terrorists who were in league with the West German Red Army Faction (RAF). The skyjackers wanted to exert more pressure upon the West German government to release the RAF leadership around Andreas Baader and Gudrun Ensslin from prison. The 'Landshut' crisis was the climax of the 'German Autumn', which had started more than a month earlier when the president of the Federation of German Industries, Hanns Martin Schleyer, was kidnapped by the RAF, also with the intention of freeing their imprisoned leadership. The German government did not succumb to the pressure and would not release the prisoners. Instead, specialists of the counterterrorism unit Grenzschutzgruppe 9 (GSG 9) stormed the hijacked plane and rescued all of the hostages. When the RAF prisoners learnt about the failed hijacking some of them, including Baader and Ensslin, committed suicide. The next day, the dead body of Schleyer was found after he had been shot by his kidnappers in retaliation for the GSG 9 operation in Mogadishu. With the hostages freed and Schleyer murdered, the 'German Autumn' came to a conclusion. While its end was generally seen as a victory of the German government over terrorism, the federal government increased its efforts to improve multilateral counterterrorism efforts, especially at the UN. But the G7, too, was soon to be entangled in international antiterrorism politics.<sup>15</sup>

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<sup>12</sup> Peter I. Hajnal, *The G8 system and the G20: evolution, role and documentation* (Aldershot, England; Burlington, VT: Ashgate, 2007), 18, 20.

<sup>13</sup> Hajnal, *The G8 system and the G20: evolution, role and documentation*, 23-24.

<sup>14</sup> Bayne, 'Western Economic Summits: Can They Do Better?,' 4-7. Hajnal, *The G8 system and the G20: evolution, role and documentation*, 24, 38-39.

<sup>15</sup> On the 'Landshut' crisis see for instance Tim Geiger, 'Die "Landshut" in Mogadischu. Das außenpolitische Krisenmanagement der Bundesregierung angesichts der terroristischen Herausforderung 1977,' *Vierteljahreshefte für Zeitgeschichte* 57, no. 3 (2009), 413-56. An account of the hijacking crisis as well as of

During the fourth G7 summit, which took place in Bonn in July 1978, the discussions centred upon economic issues but the leaders also adopted a Bonn Declaration on Hijacking, less than a year after the 'Landshut' crisis. The Declaration stated that:

The Heads of State and Government, concerned about terrorism and the taking of hostages, declare that their governments will intensify their joint efforts to combat international terrorism. To this end, in cases where a country refuses extradition or prosecution of those who have hijacked an aircraft and/or do not return such aircraft, the Heads of State and Government are jointly resolved that their government shall take immediate action to cease all flights to that country. At the same time, their governments will initiate action to halt all incoming flights from that country or from any country by the airlines of the country concerned. They urge other governments to join them in this commitment.<sup>16</sup>

Interestingly, especially in the context of the recent German experiences with hijackings, the idea for such a statement was first brought forward not by Chancellor Schmidt but by Japanese Prime Minister Takeo Fukuda; and it was later picked up by Canadian Prime Minister Pierre Elliot Trudeau.<sup>17</sup> The assassination of former Italian Prime Minister Aldo Moro contributed to the proposal just as much as the fact that the host of the G7 summit, Germany, had just gone through the 'German Autumn'.<sup>18</sup> However, Japan itself had its own experiences with terrorism committed by the Japanese Red Army, and one motivation for the Japanese government might also have been the rather lax approach to terrorism that it had taken thus far and the criticism Tokyo had earned for this internationally.<sup>19</sup> Proposing a somewhat symbolic declaration would have helped to improve Japan's international reputation at little actual cost.

The proposal was well received by the other heads of governments and the discussions about the wording of the statement took place during a luncheon on the last day of the summit,

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German reactions to it at the UN is also provided in Blumenau, *The United Nations and Terrorism: Germany, Multilateralism, and Antiterrorism Efforts in the 1970s*, chapters 2 and 5.

<sup>16</sup> Japanese Ministry of Foreign Affairs, 'Bonn Summit. Statement on Air-hijacking of 17 July 1978' [http://www.mofa.go.jp/policy/economy/summit/2000/past\\_summit/04/e04\\_b.html](http://www.mofa.go.jp/policy/economy/summit/2000/past_summit/04/e04_b.html) (accessed 18.05. 2014).

<sup>17</sup> Edward Mickolus, 'Multilateral Legal Efforts to Combat Terrorism: Diagnosis and Prognosis,' *Ohio Northern University Law Review* 6, no. 1 (1979), 13-51: 25.

<sup>18</sup> On the Aldo Moro assassination see for instance Richard Drake. *The Aldo Moro Murder Case*. Boston: Harvard University Press, 2006 and Tobias Hof, 'The Moro Affair – Left-Wing Terrorism and Conspiracy in Italy in the Late 1970s,' *Historical Social Research* 38, no. 1 (2013), 129–141.

<sup>19</sup> A few weeks before the 'Landshut' hijacking, a Japanese jet was abducted by the Japanese Red Army and was eventually flown to Algeria. Tokyo agreed to fulfil the hijackers' demands in exchange for the lives of the hostages. This policy was met with scepticism by other governments as it could easily encourage further acts of terrorism as terrorists could be led to believe that these practices did indeed pay off. Japan also followed a very soft approach on terrorism in general, avoiding anything that would oblige it to take a firm stance on terrorist demands. See 'Japanese Willing to Meet Terms of Air Hijackers', *The New York Times*, (29.09.1977): 1, 7, 'Japanese Willing to Meet Terms of Air Hijackers', *The New York Times*, (29.09.1977), 1, 12; Auswärtiges Amt Nachrichtenspiegel II, 18.10.1977, p. 1, Zwischenarchiv (henceforth ZA) 121081, Politisches Archiv des Auswärtigen Amtes (henceforth PA), Drahtbericht Botschaft Tokio an das AA, 22.01.1976, ZA 121071, PA.

on 16 July 1978.<sup>20</sup> For Schmidt, the main focus of the Bonn Summit was supposed to be economics, which had been his and Giscard's original idea behind setting up the G7. Terrorism was not even mentioned in the preparatory reports compiled by the Auswärtiges Amt for the chancellor.<sup>21</sup> This lack of German initiative notwithstanding, Germany was soon to endorse the Declaration.

The basic idea behind the Declaration was that although resolutions and conventions against aerial hijackings existed, no effective sanctions mechanism was in place against states that were unwilling to prosecute hijackers.<sup>22</sup> These countries would thus remain safe havens for terrorists and closing them down, so the G7 members thought, would discourage future hijackers from committing their attacks. Consequently, in order to pressure all states into abiding by international treaties against skyjacking, it was the intention of the G7 Declaration to stop all commercial air traffic with a country that failed to cooperate in fighting air terrorism. The presumed efficiency of this threat lay in the fact that the G7 nations together at the time accounted for roughly 70 percent of all airline passengers transported in the non-communist world and their airlines were the major global carriers.<sup>23</sup> They therefore had considerable weight and the willingness to use it. It was hoped that just the threat of a boycott would be an effective deterrent. According to Jimmy Carter, the statement was particularly aimed at stopping Libya from supporting hijackers: 'Libya was the worst offender, so all of us [i.e. the G7 members] sent independent letters to Mu'ammarr Gaddafi telling him privately that if this should occur again, all air traffic to and from his country would be terminated.'<sup>24</sup> From the archives in Germany, the United Kingdom (UK), and the US, however, there is no evidence to support this claim that the Declaration was particularly aimed at Gaddafi. Nor for Carter's assertion that '[h]e [i.e. Gaddafi] canceled the practice immediately'.<sup>25</sup> While Gaddafi's flirtation with international terrorism might have influenced Fukuda and Trudeau, the more immediate motivations for proposing the Declaration can probably be found by looking at

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<sup>20</sup> Jimmy Carter, *White House Diary* (New York: Farrar, Straus and Giroux, 2010), 206.

<sup>21</sup> Note the lack of any such indications in the preparatory dossier ZA 10759, PA. The US also did not discuss 'terrorism' in their preparations, see Report: Bonn Summit Issues: Big Six and EC Positions Overview, no date (probably just before the summit in 1978), NLC-49-1-8-14-4. Central Intelligence Agency, Freedom of Information Act (CIA FIOA/ CREST), United States National Archives at College Park (USNA).

<sup>22</sup> Mickolus, 'Multilateral Legal Efforts to Combat Terrorism: Diagnosis and Prognosis,' 25.

<sup>23</sup> National Foreign Assessment Center: *International Issues Review*, 30.03.1979, NLC-23-44-2-4-2, CIA FOIA Archives at the Jimmy Carter Presidential Library (JCL); Robert A. Friedlander, 'Terrorism and International Law: Recent Developments,' *Rutgers Law Journal* 13, (1981-1982), 493-511: 496; Mickolus, 'Multilateral Legal Efforts to Combat Terrorism: Diagnosis and Prognosis,' 25.

<sup>24</sup> Carter, *White House Diary*, 206.

<sup>25</sup> *Ibid.* Given that Libya assumed responsibility for the Lockerbie bombing on 21 December 1988 it is also questionable what impact or deterrence – if any – this Declaration had on Gaddafi.

recent Western encounters with terrorism around the hijackings of 1977 and Moro's assassination. The Declaration would also be a strong signal to domestic audiences in the G7 nations and the global public at large that the G7 leaders took the threat seriously and stood united to fight it.

As far as the legal character of the text was concerned, it was understood by the G7 nations that – at least for the moment – it would constitute a 'statement of aspiration' rather than a legally binding treaty.<sup>26</sup> However, it still meant another step forward in the fight against international terrorism. Immediately afterwards, once the Declaration was publicised, President Carter declared that the G7 summit was already a huge success because of this Declaration alone.<sup>27</sup> He expressed how important this text was to the US and how he would see it as a top priority.<sup>28</sup> Carter also announced that the US would enter into negotiations with key countries in Europe and beyond to ensure their support for the Declaration.<sup>29</sup> Likewise, once the Declaration was baptised after Bonn, the city where it was agreed on, the German government immediately endorsed it. Bonn informed the other G7 members that it intended to lead demarches globally to spread awareness about the Declaration among governments and to ask them to join it. Moreover, Bonn invited experts from the other G7 members to come to Germany in early August 1978 to discuss the concrete measures to be adopted in order to implement the Declaration.<sup>30</sup> Given these developments, and despite this not being a German initiative, the German government now took a serious interest in the matter. The Declaration appeared to fit in neatly with the antiterrorism efforts going on at the UN, the Council of Europe, and the EC.<sup>31</sup> By making demarches globally, Germany also identified itself intimately with the Declaration. It had to appear to outsiders as an integral component of Bonn's antiterrorism policies and in light of West Germany's ongoing commitment to the Declaration, it was hardly noticed that this did not start as a German idea. This was certainly the intended impression and was welcomed by the federal government. The importance that Bonn attached to the document was also expressed at subsequent European Political Cooperation consultations. During a meeting

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<sup>26</sup> National Foreign Assessment Center: *International Issues Review*, 30.03.1979, NLC-23-44-2-4-2, CIA FOIA, JCL.

<sup>27</sup> National Foreign Assessment Center: *International Issues Review*, 27.09.1978, NLC-17-139-3-1-6, CIA FOIA, JCL; Friedlander, 'Terrorism and International Law: Recent Developments,' 496.

<sup>28</sup> Telegram to all diplomatic posts, 19.07.1978, NLC-12R-52-6-1-5, CIA FOIA, JCL

<sup>29</sup> Drahtbericht Botschaft Brüssel an das AA, 26.07.1978, ZA 119485, PA.

<sup>30</sup> Memo D5 an den Herrn Staatssekretär: Luftsicherheit, 20.07.1978, ZA 119485, PA.

<sup>31</sup> For other efforts see Blumenau, *The United Nations and Terrorism: Germany, Multilateralism, and Antiterrorism Efforts in the 1970s*; Blumenau, 'The European Communities' Pyrrhic Victory: European Integration, Terrorism, and the Dublin Agreement of 1979; Blumenau, 'Taming the Beast: West Germany, the Political Offence Exception, and the Council of Europe Convention on the Suppression of Terrorism'.



of the Political Committee of the EC, Germany pointed out that the G7 members would integrate the Declaration into their future antiterrorism and foreign policy, and Bonn would ask its EC partners to do the same.<sup>32</sup> Consequently, the Declaration was now considered to represent the official policy line of the G7 members and was not merely an empty statement. Germany highlighted that it was seeking to use the G7 Declaration as a basis for further antiterrorism cooperation between European countries beyond the G7 membership.<sup>33</sup> To attain this goal, Chancellor Schmidt also sent a personal message to his EC colleagues to ask them to support the Declaration. The motivation behind this was that most of the EC countries had important airlines and the deterrent value of the document would be much stronger if all of the EC countries applied it.<sup>34</sup> Foreign Minister Hans-Dietrich Genscher also quickly embraced the Declaration and publicly announced what had been discussed so far only behind closed doors: that Germany would seek support for the Bonn Declaration in other European institutions so that more and more countries adopted it and it would create 'a snowball effect'.<sup>35</sup> At the insistence of the Germans and the Americans, shortly after the Bonn summit the G7 members led demarches all around the world to persuade more countries to join and abide by the Declaration as well as to implement the ICAO conventions against hijackings. To further highlight the leading role that Germany had by now assumed in promoting the Declaration, these demarches were coordinated by the respective German embassies.<sup>36</sup>

Yet the fact that the Bonn Declaration was a product of the big G7 nations also provoked resentment. Smaller EC members, for instance the Netherlands, were hesitant to support the Declaration as they had not been involved in its negotiation and were reluctant to simply accept a policy line that the big economic powers had dictated.<sup>37</sup> Nonetheless, Germany was not willing to make concessions to the other EC members or let them have a say in the setting up of an implementation mechanism for the Declaration. It was argued that the talks were still at a very basic stage among the G7 members and that this issue should only be addressed within the EC framework once the G7 had come up with more concrete details and a policy that provided

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<sup>32</sup> Memo D5 an Herrn D2: PK in Bonn am 27.7.1978, 25.07.1978, ZA 119485, PA.

<sup>33</sup> Memo D5 an Herrn D2: PK in Bonn am 27.7.1978, 25.07.1978, ZA 119485, PA.

<sup>34</sup> Letter Bundeskanzleramt an das AA, 24.07.1978, ZA 119485, PA.

<sup>35</sup> 'Kartell gegen Luft-Terror,' 16.

<sup>36</sup> Telegram to all diplomatic posts, 19.07.1978, NLC-12R-52-6-1-5, CIA FOIA, JCL; Memo Cyrus Vance to the President, 22.07.1978, NLC-128-13-10-14-9, CIA FOIA, JCL; Memorandum Ambassador Quainton to members of the Executive Committee, 24.07.1978, NLC-12-55-1-2-5, CIA FOIA, USNA.

<sup>37</sup> Memo D2 an D5: Gipfel-Resolution zur Luftsicherheit, 10.08.1978, ZA 119485, PA; Memo Ref. 200 an Bundesminister: Konferenz der Innen- oder Justizminister mit entsprechenden Zuständigkeiten der EG-Staaten am 30. November 1978 in Bonn zu Fragen der inneren Sicherheit, 04.12.1978, B83 1236, PA.

a sound basis for discussions.<sup>38</sup> France, also a G7 member, correspondingly insisted that the EC countries should be informed but not involved in the negotiations about the implementation.<sup>39</sup> Obviously, the AA was afraid that it would be even more difficult to agree on standard procedures when more countries were involved in the negotiations at such an early stage. The recent negative experiences with EC debates on antiterrorism efforts certainly contributed to this assessment.<sup>40</sup> To avoid tensions though, Schmidt, Genscher, and Germany's ambassadors informed the other governments repeatedly and unofficially about the motivations behind the G7 Declaration and the ongoing negotiations about the implementation mechanism. They also promised to keep their colleagues apprised on any progress made.<sup>41</sup> While Bonn did not want to involve smaller states in the negotiations, any impression of a 'dictate' was to be avoided in order not to jeopardise the support for the Declaration's implementation among non-G7 member states.

### The Implementation of the Declaration

As evidence of Bonn's intentions to quickly follow up on the summit declaration with guidelines on how to implement it, on 1 and 2 August 1978 a meeting of G7 experts took place in Bonn upon a German initiative and was presided over by the legal advisor to the German government, Carl-August Fleischhauer.<sup>42</sup> During the meeting only technical aspects were discussed, in particular in relation to which offices in the member countries would be responsible for the implementation of the Declaration in case of an emergency.<sup>43</sup> The G7 states agreed that the Declaration would take immediate effect and would be applicable to all hijacking situations. Moreover, in a specific hijacking crisis, a G7 contact group would be set up in order to consult and coordinate responses. It was also agreed that concerted diplomatic demarches would be made in order to gain broader support for the Bonn Declaration worldwide.<sup>44</sup> As a result of this meeting, the Multilateral Anti-Hijacking Contact Group was

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<sup>38</sup> Memo Dg 5 an Herrn Dg 20: Gipfelresolution zu Flugzeugentführungen, 17.08.1978, ZA 119485, PA.

<sup>39</sup> Drahtbericht Botschaft Paris an das AA, 29.08.1978, ZA 119485, PA.

<sup>40</sup> See for instance Blumenau, 'The European Communities' Pyrrhic Victory: European Integration, Terrorism, and the Dublin Agreement of 1979.'

<sup>41</sup> Ref. 502: Aufzeichnung, 31.08.1978, ZA 119485, PA; see for instance Drahtbericht Botschaft Den Haag an das AA, 22.08.1978, ZA 119485, PA; Drahtbericht Botschaft Dublin an das AA, 22.08.1978, ZA 119485, PA.

<sup>42</sup> Memo D5 an den Herrn Minister: Luftsicherheit, 27.07.1978, ZA 119485, PA.

<sup>43</sup> Runderlass, 07.08.1978, ZA 119485, PA.

<sup>44</sup> Memorandum Ambassador Anthony Quinton to the Members of the Executive Committee on Terrorism, 10.08.1978, NLC-12-55-1-4-3, CIA FOIA, USNA.

established to elaborate further steps to be taken and to convene in case of a specific crisis.<sup>45</sup> This group, however, would only meet on an *ad hoc* basis and would not become institutionalised.

Yet there were only meagre signs of support for the Declaration outside of the G7. As of August 1978, Austria was the only European country that expressed *interest* in the text.<sup>46</sup> The Philippines were the most enthusiastic non-European nation to support the document.<sup>47</sup> In general, however, countries were reluctant to endorse the Declaration openly. When the AA made a first assessment of the follow-up to the Declaration it noted that not even all of the G7 countries fully supported the Declaration or the global demarches by the Germans. While Germany, the US, Canada, and Japan were in favour of further procedures, Italy pointed to some legal issues that prevented implementation of the Declaration and the UK was hesitant to translate it into policy, referring to internal bureaucratic struggles as the reason. The French also mentioned legal problems and were hesitant to support the German demarches. It can be assumed that London, Paris, and Rome began to realise that the Declaration could have significant economic and political costs if it was implemented. Despite these hesitations on the part of some G7 members, by September 1978, 26 countries had expressed support or at least a positive stance on the Declaration – albeit not always publicly. Another 31 were more reluctant, including the Soviets. However, only Tanzania and Nigeria openly opposed it.<sup>48</sup> Still, scepticism prevailed. A few months after the Bonn summit, during the autumn of 1978, many countries, especially several EC members, maintained doubts about fully adhering to the Declaration.<sup>49</sup> While the reasons were kept vague it can be assumed that the non-G7 members were unhappy with the perceived ‘dictate’ that the G7 had produced, without consultation, and that they were now supposed to endorse. Moreover, the internal struggles among G7 members as to how to proceed with the Declaration also did not add to its appeal for others. Why should other nations support a statement they had no part in negotiating when it was even contested by the states who had issued it?

Against this backdrop of scepticism, the G7 states discussed whether to officially introduce the Declaration at the UN. But strong objections prevailed as the G7 governments feared that this might further complicate the parallel negotiations about the Hostages

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<sup>45</sup> Telegram to all diplomatic posts, 19.07.1978, NLC-12R-52-6-1-5, CIA FOIA, JCL.

<sup>46</sup> Not even support, only interest, see Memo Ref. 511: Bekämpfung des internationalen Terrorismus, 14.02.1979, B83 1250, PA.

<sup>47</sup> Letter Botschaft Manila an das AA: Erklärung der Bonner Wirtschafts-Gipfel-Konferenz gegen den Luftterrorismus, 02.08.1978, ZA 121078, PA.

<sup>48</sup> Ref. 502: Aufzeichnung, 31.08.1978, ZA 119485, PA.

<sup>49</sup> Drahtbericht Botschaft Dublin an das AA, 24.11.1978, ZA 119485, PA.

Convention, another Western initiative.<sup>50</sup> Therefore, in order not to jeopardise the latter project, the Declaration was only circulated at the UN so as to inform UN members of its existence but it was never placed on the agenda for discussion.<sup>51</sup> The Germans in particular tried to keep the G7 Declaration from becoming an agenda item at the UN General Assembly. As the AA pointed out, the intention of the UN hostage project was to establish legal regulations for all cases of hostage-taking, while the Declaration only aimed to make states abide by the obligations they already had had under ICAO conventions.<sup>52</sup> The anti-hostage project was clearly the bigger and more important endeavour and any potential problems that might obstruct its negotiations had to be avoided. Openly discussing the Declaration at the UN – especially in view of the exclusive nature of the club which had adopted it – did not fit within Bonn’s UN policy of avoiding any big controversies over terrorism.

The cloudy prospects for the Bonn Declaration notwithstanding, after August 1978, there were two more follow-up meetings of the working group in order to discuss legal and procedural issues: one in late 1978 and another one in London in 1979. During these talks it transpired that the gap between those states in favour of continuing the implementation of the Declaration, primarily Germany and the US, and those sceptical of other measures, such as France, further broadened. The French took a very obstructive stance by stressing that bilateral air traffic agreements would have to be amended in order to provide for sound legal grounds for sanctions to be implemented under the Declaration. That would be a major effort and would require extensive renegotiation of existing international agreements. While the other six states did not share this radical point of view, these debates point to the dissent that was emerging among the G7. These debates also addressed issues regarding the legal nature of the Declaration as well as how committed governments would be in the future to support actions necessary to implement it – which might come at considerable costs.<sup>53</sup> Despite the increasing hesitation on the part of many G7 members, Germany and the US were determined to continue the work on the issue. Even in early 1979, there was still a great deal of optimism in the US government regarding the possibility of further steps taken by the G7 on antiterrorism efforts.<sup>54</sup> Nevertheless, the promoters of the Declaration were to soon learn that it was likely to face the same obstacles that had been plaguing earlier multilateral initiatives. It was about to be drawn

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<sup>50</sup> For more information on the Hostages Convention see Blumenau, *The United Nations and Terrorism: Germany, Multilateralism, and Antiterrorism Efforts in the 1970s*, chapters 4 and 5.

<sup>51</sup> Drahterlass an die Ständige Vertretung bei den VN, 17.08.1978, ZA 121078, PA.

<sup>52</sup> Drahterlass an die Ständige Vertretung bei den VN, 16.10.1978, ZA 121080, PA.

<sup>53</sup> Memo: Bonn Summit Anti-Hijacking Declaration, 28.02.1979, NLC-12R-52-6-1-5, CIA FOIA, JCL.

<sup>54</sup> Memo: Bonn Summit Anti-Hijacking Declaration, 28.02.1979, NLC-12R-52-6-1-5, CIA FOIA, JCL.

into the vortex of debates about 'just' and 'unjust' terrorism. For instance, when the German ambassador made a demarche in Algiers to have Algeria subscribe to the Declaration, his interlocutors showed a general willingness to cooperate. But they also emphasised that antiterrorism issues should be left to the UN as it would be necessary to explore whether the Declaration touched upon the issue of national liberation movements.<sup>55</sup> That was intended – and received – as a polite 'no'.

Moreover, during a meeting of EC Justice and Interior Ministers, they acknowledged the G7 Declaration and agreed to 'adopt adequate measures to support the *studies* related to the implementation of the Declaration'.<sup>56</sup> But that was lukewarm support at best. No clear commitments to implement the Declaration were made and no explicit endorsement expressed. While the internal cohesion among G7 members was vanishing, no additional support from other, external, states could be secured. For a text that was not legally binding but whose implementation and credibility largely depended on countries' voluntary commitment to it, that was not a good sign. Yet, support, however weak, came from a different institution. The European Parliament urged the EC member states to endorse the Declaration and to promote its implementation elsewhere.<sup>57</sup> Nevertheless, the actual significance of this motion, beyond the symbolic gesture, was marginal; no EC government reacted.

When the G7 working group met for the last time on 8 and 9 May 1979 in London, no further obligations or procedures were approved; instead the diplomats only agreed that invitations were to be passed on to other states to adhere to the original Declaration.<sup>58</sup> Consequently, even a year after the Bonn Declaration was issued, no feasible mechanism had been designed to implement it. The G7 countries had only managed to designate authorities that would contact each other concerning procedural matters, start elaborating guidelines, and monitor hijacking crises.<sup>59</sup> But that was all and it was certainly not a very presentable outcome, as it did not demonstrate the strong commitment of the G7 to the Declaration. Not surprisingly, the AA was very unhappy with the recent developments and the negotiations in London.

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<sup>55</sup> Drahtbericht Botschaft Algier an das AA, 14.09.1978, ZA 121078, PA.

<sup>56</sup> Attachment: Pressecommuniqué, to Memo Ref. 200 an Bundesminister: Konferenz der Innen- oder Justizminister mit entsprechenden Zuständigkeiten der EG-Staaten am 30. November 1978 in Bonn zu Fragen der inneren Sicherheit, 04.12.1978, B83 1236, PA. P. 2. Emphasis added.

<sup>57</sup> Europäisches Parlament: Auszug aus dem Protokoll der Sitzung vom 16.03.1979, Sitzungsperiode 1979-1980, ZA 119485, PA.

<sup>58</sup> Friedlander, 'Terrorism and International Law: Recent Developments,' 496. Drahterlass an die Botschaften London, Washington, Paris etc, 18.04.1979, ZA 121080, PA.

<sup>59</sup> Memo: Agreed Report by Officials of Canada, France, federal Republic of Germany, Italy, Japan, United Kingdom and United States on the Implementation of the Bonn Declaration on Hijacking of July 17, 1978, no date, attached to Memo D5 dem Herrn Minister: Bonner Erklärung über Flugzeugentführungen vom 17.07.1978, 05.06.1979, B83 1436, PA.

The main culprit was soon found in Paris. France was against the creation of a legal framework for the implementation of the Declaration because it feared that it would disadvantage its airline economically. For the same reason, non-G7 members such as the Netherlands, Switzerland, the Scandinavian countries, and Spain did not join the Declaration. Even the Germans themselves were uneasy about the legal questions that the Declaration would raise when really turned into an obligation under international law. As an internal AA assessment showed, implementing the Declaration required changes in 80 bilateral and multilateral treaties, all of which would need parliamentary approval. According to AA estimations, this process would take at least eight years and would become a massive organisational headache – not to mention the political and diplomatic problems attached to negotiating and adopting the changes.<sup>60</sup> Faced with increasing obstacles, the Germans reduced their efforts to lobby for further implementation and the Declaration was discreetly pushed to the backburner.<sup>61</sup>

By mid-1979, the prospects of the Declaration ever becoming an actual antiterrorism mechanism were fading and it seemed that the Declaration would be left to wither away. This development was hardly astonishing. As the Declaration failed to hold the expected symbolic value, it was only logical to remove it from public attention. Therefore, officials of the G7 nations agreed that no more governments should be approached to join the Declaration and no further working group meetings were envisioned. Yet, in a last endeavour to have something positive to say about the Declaration, officials also acknowledged that no country had raised objections to the threat of a boycott against the airline of a country that supported terrorists. In the assessment of the experts, that, at least, pointed to a general *opinio iure* that the sanctions envisioned by the Declaration were acceptable to the international community at large and would not lead to a major outcry if they were ever to be applied. Moreover, the experts agreed that if in the future a country should express interest in subscribing to the Declaration, the respective German embassy would take the lead role in informing and negotiating with that government but no more active lobbying for the Declaration would be done.<sup>62</sup> Given the seemingly insurmountable problems with the Declaration, there was a lack of willingness on the part of the G7 to actively pursue it any further. By now, the text was a statement showing their opposition to terrorism but it was not seen as a policy instrument. This can partially be

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<sup>60</sup> Memo D5 dem Herrn Minister: Bonner Erklärung über Flugzeugentführungen vom 17.07.1978, 05.06.1979, ZA 119485, PA.

<sup>61</sup> National Foreign Assessment Center: *International Issues Review*, 27.09.1978, NLC-17-139-3-1-6, CIA FOIA, JCL.

<sup>62</sup> Runderlass an alle diplomatischen Vertretungen, 04.07.1979, B83 1436, PA.

explained by the fact that the Hostages Convention was now about to be ratified at the UN and therefore, at last, a major legal success in the fight against terrorism was within reach. At the same time, serious and difficult negotiations were going on at the EC level about antiterrorism instruments that required a great deal of attention.<sup>63</sup> In addition, no serious hijacking crisis such as the one in Entebbe in 1976 or in Mogadishu in 1977 had occurred. It seemed that aerial hijacking was going out of fashion and becoming less of an urgent problem. Add to this the obvious economic, political, and legal problems raised by the Declaration and the lack of enthusiasm about resuming negotiations about its implementation is comprehensible.

By May 1979 in addition to the G7 members, only 14 countries had publicly declared that they would adhere to the Bonn Declaration.<sup>64</sup> Others had alluded to cooperation in internal communications,<sup>65</sup> but did not make any public statements of support.<sup>66</sup> The fact that, aside from Iceland, no non-G7 European nation supported the Declaration any longer suggests that they still resented it as a 'dictate' on the part of the G7.

### The Bonn Declaration at Subsequent Summits

The only time that the Declaration became a more serious concern for the G7 members again was when preparations for summit meetings were underway. Most of the G7 members, with the exception of Canada and Germany, were hesitant to make any reference to the Declaration in the Communiqué of the Tokyo meeting in 1979. Even the US had lost a lot of its initial enthusiasm for the Declaration. The Germans, however, believed it was vital for the credibility of the Declaration that it was referred to at subsequent G7 summits and so the Japanese Prime Minister made a statement reiterating the Declaration at the concluding press conference of the Tokyo meeting.<sup>67</sup> In order to avoid the impression of the failure of G7 antiterrorism efforts, the G7 members decided to only highlight whatever positive developments they could observe in recent hijackings situations. Therefore, the summit noted with satisfaction that the hijacking crises that had occurred since mid-1978 did not require the application of the Declaration as all

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<sup>63</sup> Blumenau, 'The European Communities' Pyrrhic Victory: European Integration, Terrorism, and the Dublin Agreement of 1979,' 413-6

<sup>64</sup> Australia, Gabon, New Zealand, Portugal, Bolivia, Guatemala, Paraguay, Uruguay, Costa Rica, Honduras, Peru, Dominican Republic, Iceland, and the Philippines.

<sup>65</sup> Chile, Israel, Upper Volta, South Africa, Ghana, Jordan, Austria, South Korea, Grenada, Malawi, Haiti, Nicaragua, Salvador, Barbados, Morocco, and Sierra Leone.

<sup>66</sup> Memo: Gipfelerklärung zu Flugzeugentführungen, Anlage 2, attached to Memo D5 dem Herrn Minister: Bonner Erklärung über Flugzeugentführungen vom 17.07.1978, 05.06.1979, B83 1436, PA.

<sup>67</sup> Memo D5 dem Herrn Minister: Bonner Erklärung über Flugzeugentführungen vom 17.07.1978, ZA 119485, PA; Runderlass an alle diplomatischen Vertretungen, 04.07.1979, B83 1436, PA.

of the countries involved cooperated and the perpetrators were either tried or extradited.<sup>68</sup> While it is questionable as to how far this can be attributed to the deterrence effect of the Declaration, nevertheless the decline in severe hijacking incidents was optimistically interpreted as a successful outcome of the Bonn Declaration. It testifies to the fact that there was nothing better to report that could be directly tied to the Declaration's deterrence value and thus demonstrates the zombie state of the text: it was reawakened from its grave once a year but was otherwise dead for all intents and purposes.

In the 1980s, however, there was a short period when there was a chance that the Declaration might be revived. As a consequence of the Tehran hostage crisis, the US started an initiative with their G7 partners in early 1980, prior to the Venice summit, to reconvene the working group and to extend the Declaration's scope to include embassy raids. The Americans soon dropped this idea, though, and preferred to have the summit adopt a separate declaration on embassy hostage crises. While the AA was in total agreement with the US that these crises were to be condemned, it feared the consequences of the Bonn Declaration being used as a template for the new declaration. Would the boycott idea also be applied to hostage situations involving diplomats? If so, would the new declaration oblige members to cut off economic or possibly even diplomatic ties with a country not willing to cooperate? The legal advisor to the federal government warned that the political repercussions of such an automatism could seriously damage German interests and spiral out of control.<sup>69</sup> As the AA was very concerned about this US proposal with its 'rigorist imbalances', German diplomats developed a watered-down counter proposal to be discussed by the 'sherpas' – the officials from G7 member states who prepared the summit.<sup>70</sup> Against this backdrop, in late May 1980, the legal advisers of the G7 countries met to discuss the US proposal concerning embassy raids.<sup>71</sup> Like the Germans, the Japanese and the Italians were also in favour of toning down the American proposal and promised each other further mutual assistance in that regard.<sup>72</sup> This German-Italian-Japanese triangle persuaded the other members to adopt a political statement that condemned taking

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<sup>68</sup> Memo D5 dem Herrn Minister: Bonner Erklärung über Flugzeugentführungen vom 17.07.1978, ZA 119485, PA.

<sup>69</sup> Memo D5 Herr D4, 15.04.1980, B83 1436, PA.

<sup>70</sup> Memo D5 an Herrn Dg 41, 19.05.1980, B83 1436, PA. The problem was that the US proposal demanded that under no condition would ransom be paid or prisoners be released. This posed a problem for the German government, which did not want to have its hands tied by such agreements and was under a constitutional obligation to save German citizens. For the German government, a policy line had been established in 1975 not to give in to political demands raised by prisoners but it was deemed acceptable to pay ransom under certain conditions see Fernschreiben BMJ an das AA, 28.05.1980, B83 1436, PA.

<sup>71</sup> Schnellbrief AA an das Bundeskanzleramt, etc, 20.05.1980, B83 1436, PA.

<sup>72</sup> Vermerk Ref. 511: Vorbereitung von Venedig, 27.05.1980, B83 1436, PA.



diplomats hostage but it would not create any legal responsibilities nor automatic responses. France was the only country reluctant to support it as the French seemingly wanted to keep the G7 summits free from any political issues at all.<sup>73</sup> At the same meeting, when discussing the Bonn Declaration, the experts reiterated that the number of hijackings was in decline and that in recent hijacking crises all perpetrators could be apprehended. Conveniently, there was consequently no need for any extensive discussion of the Bonn Declaration and it was sufficient to simply restate it.<sup>74</sup> Therefore, the Venice summit of 1980 – overshadowed by the highly politicised Tehran hostage crisis and the Soviet invasion of Afghanistan – issued a statement simply reiterating the continuing importance of the Bonn Declaration for the G7. The wording suggested, much like the year before, that the recent decrease in hijackings and their mostly peaceful solution could be attributed to the deterrence value of the Bonn Declaration.<sup>75</sup> The statement made the Declaration seem like a success story whereas evidence is lacking to support this claim.

After the Venice summit, the US wanted the Italians, as the host of the summit, to proceed with the declaration on hostage-taking much like with the Bonn Declaration of 1978. The Italians were to notify all of the governments in the world of it and ask them to join the hostage-taking declaration. The other six G7 members, including the Germans, were very sceptical about this. Dreading considerable political fallout, the six countries suggested keeping the hostage-taking text simply as a statement without even alluding to further actions being envisioned. Their main argument was that this approach would avoid an ‘erosion’ of other countries’ willingness to cooperate against terrorism as many countries might be ‘satiated’ by (read: fed up with) Western antiterrorism initiatives.<sup>76</sup>

In 1981, at the summit meeting in Canada, the Bonn Declaration was once again reiterated because of Western claims that the pro-Soviet Afghan government would grant asylum to the hijackers of a Pakistani aircraft.<sup>77</sup> But it was now also instrumentalised as a tool in the re-escalating Cold War. The Bonn Declaration was applied, for the first time, against Afghanistan and all air traffic (of G7 countries) with the country was suspended.<sup>78</sup> Indeed, the

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<sup>73</sup> Memo D5 dem Herrn Minister, 30.05.1980, B83 1436, PA.

<sup>74</sup> Memo D5 dem Herrn Minister, 30.05.1980, B83 1436, PA.

<sup>75</sup> Memo Ref. 502: Unsere Haltung zu Flugzeugentführungen, 09.07.1980, B83 1436, PA; Memo Ref. 204: Bewertung des politischen Teils des Wirtschaftsgipfels von Venedig (22./23.06.1980), 24.06.1980, B83 1436, PA.

<sup>76</sup> Memo Ref. 502 an D 5, 08.08.1980, B83 1436, PA.

<sup>77</sup> Friedlander, 'Terrorism and International Law: Recent Developments,' 496.

<sup>78</sup> John F. Murphy, 'Legal Controls and the deterrence of terrorism: performance and prospects,' *Rutgers Law Journal* 13, (1982), 465-92: 476-77. See also Memo FCO to Downing Street No 10: Ottawa Summit Statement on Terrorism, 09.11.1981, doc. 1, PREM19/446, United Kingdom National Archives.

economic and political risks involved in this decision were minimal. Air traffic with Afghanistan, especially after the Soviet invasion, was only a marginal fraction of Western airlines' general business and hitting the Soviet puppet regime with these sanctions would not lead to a major international outcry. On the contrary, it was a convenient way to strike at Moscow and to discredit the regime in Kabul as a supporter of international terrorism. These geopolitical considerations certainly influenced the decision to apply the Declaration in the Afghani case. Yet, Afghanistan was not the only situation where the Declaration enjoyed a revival. The Seychelles and the US threatened to apply the Declaration later in 1981 to pressure South Africa to prosecute mercenaries who had hijacked a plane in order to escape the Seychelles after a failed *coup d'état*. South Africa yielded to the pressure and tried the culprits to save itself from a diplomatic embarrassment.<sup>79</sup>

It is noteworthy that both instances were marginal cases without inherent risks, which explains the G7 members' willingness to implement the Bonn Declaration. However, as serious aerial hijacking crises involving G7 countries were in decline in the early 1980s, there was little need to apply the Declaration anymore. This explains why it continued to be publically upheld and reiterated long after any real cohesion among the G7 members on the Declaration had vanished. In terms of practical importance, the Declaration had become a paper tiger.

## Conclusions

As this article has shown, the efforts of the international community to fight terrorism in the 1970s also extended to the recently established G7, despite the fact that the entity was primarily designed to discuss economic matters. The 1978 Bonn summit issued a Declaration that would

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<sup>79</sup> James J. Busuttill, 'The Bonn Declaration on International Terrorism: A Non-Binding International Agreement on Aircraft Hijacking,' *The International and Comparative Law Quarterly* 31, no. 3 (1982), 474-87: 474-75. This was an interesting situation as it clearly threatened South Africa with an economic boycott at a time when the Ronald Reagan administration was normally very hesitant to impose sanctions on South Africa due to its alleged strategic importance in the Cold War. This was a noteworthy step years before the US policy on South Africa officially changed in the mid-1980s. One reason for the US decision might be that the threat was communicated to South Africa before official sanctions were taken and the government could thus save face. Moreover, the sanctions had nothing to do with South Africa's apartheid policy and were therefore not a change of US policy per se. One can argue, however, that it was also a signal to the government of Prime Minister Pieter Willem Botha that the US support for his country had limits. On the general US policy towards South Africa see for instance Lynda M. Clarizio, Bradley Clements, and Erika Geetter, "United States Policy toward South Africa," *Human Rights Quarterly* 11, no. 2 (May 1989), 249-94: 251; Y. G.-M. Lulat, *United States Relations with South Africa: A Critical Overview from the Colonial Period to the Present* (New York: Peter Lang, 2008), 245-90; Alex Thomson, *U.S. Foreign Policy towards Apartheid South Africa, 1948-1994: Conflict of Interests*, 1st ed (New York, NY: Palgrave Macmillan, 2008), 111-22.

come up, one way or another, during the subsequent years. While initially there were high hopes and ambitious plans attached to the Declaration, it would never become an institutionalised antiterrorism instrument. The Bonn Declaration should be seen as a statement of principle by the G7 – nothing more – and the G7 would not become a trendsetter in international antiterrorism efforts. The fact that the Declaration was adopted by the elite club of G7 members, a group that already raised considerable suspicion among smaller nations, prevented the text from ever being endorsed by a significant group of important countries – irrespective of the technical and legal questions its implementation would raise. As the interests related to the Declaration were so diverse even among G7 members, with France and Germany at opposite poles of the debates, the unanimity needed for the text to ever become more than a mere statement of aspirations was not achievable. National economic and political interests, even among extremely like-minded Western countries, differed to such an extent that made efficient and concerted multilateral antiterrorism cooperation extremely difficult, if not outright impossible. While it was a signal to the world that the biggest economic powers were willing to cooperate against terrorists, its nature as a ‘dictate’ of the G7 could have endangered the credibility of the Group as such but also of its individual member states. Moreover, the potential for conflict among the members on the issue of the implementation soon saw the text degraded to the role of a paper tiger. No one in the G7 had the intention of letting open conflict among the members erupt over this issue when the purpose of the G7 as a whole was to demonstrate Western unity and willingness to act together. Even the initially very enthusiastic supporters of the Declaration, Germany and the US, realised the detrimental effects that an overly close association with the Declaration could have on their geopolitical and economic interests as well as reputations. Therefore it was deliberately made a minor issue.

When even German and American support for the Declaration declined, no G7 country had a significant interest in applying the Declaration any longer, so by 1979 it had become a mere footnote to be cited at future G7 meetings. The ‘snowball effect’ that Genscher had hoped for, involving an ever increasing number of countries subscribing to this antiterrorism initiative, never materialised. In fact, the Declaration would only be implemented once, against Afghanistan in 1981: a – politically speaking – insignificant country and a Soviet proxy. The application of the Declaration here came at very little costs. Yet, the Declaration did have restricted deterrence value: the mere threat of implementing it against South Africa was sufficient to make the country abide by it. However, the limited success of the Declaration lay more in the frantically upheld symbolic value it carried rather than in its practical implications.

Still, looking at the broader context, the Declaration points to the general importance that the international community attached to multilateral antiterrorism efforts at the time and how this topic permeated many different organisations. Insofar as the G7 was concerned, the Declaration pinpointed a development that took the G7 away from discussing only economic issues towards an approach that progressively included political and security matters as well. This evolution continued throughout the next decades and, in 2014, manifested itself again when the other G8 members uninvited Russia from their meetings in response to the Russian annexation of the Crimean peninsula. This shows that security issues and foreign politics, as well as terrorism, still have a steady impact on G7 agendas today. On 25 September 2014, for instance, the G7 foreign minister unequivocally condemned ISIL and expressed support for a ‘comprehensive and coordinated, long-term effort to degrade and defeat ISIL’. The G7 ministers also endorsed the ‘military action as taken by the US and other countries [, which] represents an important contribution to helping Iraq to defend itself against ISIL and to deprive ISIL of safe havens.’<sup>80</sup> What a long way the Group had come from the early fireplace meetings centred on macroeconomic issues, which were discussed in Rambouillet in 1975. The antiterrorism efforts of the G7 in the late 1970s and early 1980s were the G7’s first and careful steps towards coping with security issues and terrorism. By the mid-2010s, political and security matters have become tightly intertwined and have assumed a solid place on G7/8 agendas. What is more, the group has become a conscious antiterrorism actor as well.

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<sup>80</sup> Auswärtiges Amt, Pressemitteilung: ‘Gemeinsame Erklärung der G7-Außenminister zu ISIS, 25 September 2014, available online at <<http://www.auswaertiges-amt.de/DE/Infoservice/Presse/Meldungen/2014/140925-G7-Erklaerung-ISIS.html>> (last accessed 3 October 2014).