A STRATEGIC ANALYSIS OF THE ORIGINS OF INTERNATIONAL TERRORIST ATTACKS ON AVIATION AND THE BRITISH RESPONSES

Omar Malik

A Thesis Submitted for the Degree of PhD at the University of St. Andrews

1997

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OF THE ORIGINS OF
INTERNATIONAL TERRORIST ATTACKS
ON AVIATION
AND THE BRITISH RESPONSES

A THESIS FOR THE DEGREE OF DOCTOR OF PHILOSOPHY
UNIVERSITY OF ST ANDREWS

August 1997

OMAR MALIK
DECLARATIONS

I, OMAR MALIK, hereby certify that this thesis, which is approximately 108,000 words in length, has been written by me, that it is the record of work carried out by me and that it has not been submitted in any previous application for a higher degree.

Date 14 Sept 97  Signature of Candidate

I was admitted as a research student under Ordinance No. 12 in October 1993 and as a candidate for the degree of Doctor of Philosophy in October 1993; the higher study for which this is a record was carried out in the University of St. Andrews between 1993 and 1996.

Date 14 Sept 97  Signature of Candidate

I hereby certify that the candidate has fulfilled the conditions of the Resolution and Regulations appropriate for the degree of Doctor of Philosophy in the University of St Andrews and that the candidate is qualified to submit this thesis in application for that degree.

Date ..............................  Signature of Supervisor ..............................
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A STRATEGIC ANALYSIS OF THE ORIGINS OF INTERNATIONAL TERRORIST ATTACKS ON AVIATION AND THE BRITISH RESPONSES

ABSTRACT

This research examines the effects on Great Britain of international terrorist attacks on aviation. The methodology is utilitarian. It is also eclectic, drawing upon scholarly and operational sources. The first objective was factual: to establish the origins of international attacks on aviation, their effects on Great Britain, and the British responses. It found that the attacks were a "blocked tactic" product of the Palestine conflict. They had neither political nor economic effect on Great Britain. HMG was steadfast in its neutrality. The second objective was analytical: to assess the value of the attacks to their exponents, and the effectiveness of the British response. The evidence is that the attacks, despite tactical successes, were strategically counterproductive to the Palestinians; they assisted Israel's endeavours to label all Palestinian resistance to Israel as terrorism. By targeting the West and forming alliances with its enemies, the Palestinians deprived themselves of Western diplomatic and economic resources crucial to their cause. Since renouncing terrorism (1988), they have made more progress than in the preceding 40 years. The international response is not to be measured in the number, but in the implementation of enactments. It has been inadequate. The British response was re-energised by the atrocity of Lockerbie. The conduct of HMG, both MPs and civil servants, has been laudable. Britain's aviation security programme is effective, but the relationship between government and industry is now confrontational. The third objective was to derive proposals for improvements in aviation security. The recommendations are for government financial contribution, a partnership between government and industry, and a holistic approach. Bilaterals and alliances are the best means of obtaining international progress. Attacks on aviation have abated but may recur. Countermeasures should be systematically strengthened. The research has recognised the need to withhold information of value to attackers of aviation.
ACKNOWLEDGMENTS

The researcher wishes to extend warm thanks to Professor Paul Wilkinson, who has been unfailingly generous in sharing his encyclopaedic knowledge of international terrorism.

He is indebted to senior civil servants, managers in the aviation and insurance industries, security professionals, and to others who furnished data and advice. None of these sources are named, in order to respect confidentiality.

He wishes to acknowledge, with thanks, financial assistance from the British Airline Pilots Association towards University fees.

He also wishes to acknowledge, with thanks, support from the Director of Safety, Security and Environment, British Airways, who authorised unrestricted access to key departments of BA.

Finally, the researcher's heartfelt thanks to his lady typist........
<table>
<thead>
<tr>
<th>Abbreviation</th>
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<tbody>
<tr>
<td>ACI</td>
<td>Airports Council International</td>
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<tr>
<td>AD</td>
<td>Action Directe</td>
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<tr>
<td>AEA</td>
<td>Association of European Airports</td>
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<tr>
<td>AOA</td>
<td>Air Operators Association</td>
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<tr>
<td>ATC</td>
<td>Air Traffic Control</td>
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<td>AUC</td>
<td>Air Users Council</td>
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<td>BA</td>
<td>British Airways</td>
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<tr>
<td>BALPA</td>
<td>British Air Line Pilots Association</td>
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<tr>
<td>BARUK</td>
<td>Board of Aviation Representatives of the UK</td>
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<tr>
<td>BATA</td>
<td>British Aviation Tourist Association</td>
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<tr>
<td>BSE</td>
<td>Mad Cow Disease</td>
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<tr>
<td>CAA</td>
<td>Civil Aviation Authority</td>
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<tr>
<td>CIS</td>
<td>Commonwealth of Independent States</td>
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<tr>
<td>DoT</td>
<td>Department of Transport</td>
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<tr>
<td>EC</td>
<td>European Community</td>
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<tr>
<td>ECAC</td>
<td>European Civil Aviation Conference</td>
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<tr>
<td>ETA</td>
<td>Basque Separatists</td>
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<tr>
<td>EU</td>
<td>European Union</td>
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<tr>
<td>FAA</td>
<td>Federal Aviation Authority (USA)</td>
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<tr>
<td>FLN</td>
<td>Algerian Separatists</td>
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<td>FLOSY</td>
<td>Aden Separatists</td>
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<td>FNLC</td>
<td>Corsican Separatists</td>
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<tr>
<td>GIA</td>
<td>Algerian Fundamentalists</td>
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<td>GIGN</td>
<td>French Special Forces</td>
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<tr>
<td>GNP</td>
<td>Gross National Product</td>
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<td>GSG9</td>
<td>German Special Forces</td>
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<tr>
<td>HMG</td>
<td>Her Majesty's Government</td>
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<td>IAPA</td>
<td>International Air Passengers Association</td>
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<td>IATA</td>
<td>International Air Transport Association</td>
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<td>ICAO</td>
<td>International Civil Aviation Organization</td>
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<tr>
<td>IED</td>
<td>Improvised Explosive Device</td>
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<td>IFALPA</td>
<td>International Federation of Air Line Pilots Associations</td>
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<tr>
<td>IOCU</td>
<td>International Organisation of Consumers and Users</td>
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<tr>
<td>IRA</td>
<td>Irish Republican Army</td>
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<tr>
<td>ITF</td>
<td>Inter Tropical Front</td>
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<tr>
<td>JAL</td>
<td>Japanese Air Lines</td>
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<tr>
<td>JRA</td>
<td>Japanese Red Army</td>
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<tr>
<td>LEHI</td>
<td>Jewish Terrorist Organisation</td>
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<tr>
<td>OPEC</td>
<td>Organization of Petroleum Exporting Countries</td>
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<tr>
<td>PFLP</td>
<td>Popular Front for the Liberation of Palestine</td>
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<tr>
<td>PFLP-GC</td>
<td>Popular Front for the Liberation of Palestine-General Command</td>
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<tr>
<td>PFLP-SOG</td>
<td>Popular Front for the Liberation of Palestine-Special Operations Group</td>
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<tr>
<td>PIRA</td>
<td>Provisional Irish Republican Army</td>
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<tr>
<td>PLO</td>
<td>Palestine Liberation Organization</td>
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<tr>
<td>PNC</td>
<td>Palestinian National Covenant</td>
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<td>RAF</td>
<td>Red Army Faction</td>
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<td>RB</td>
<td>Red Brigades</td>
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<tr>
<td>SAS</td>
<td>Special Air Service</td>
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<tr>
<td>CRW</td>
<td>Counter Revolutionary Warfare</td>
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<td>Abbreviation</td>
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<tr>
<td>SCUD</td>
<td>Ballistic Missile</td>
</tr>
<tr>
<td>T&amp;PV</td>
<td>Journal of Terrorism and Political Violence</td>
</tr>
<tr>
<td>TWA</td>
<td>Trans World Airways</td>
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<tr>
<td>UN</td>
<td>United Nations</td>
</tr>
<tr>
<td>UPU</td>
<td>United Postal Unions</td>
</tr>
<tr>
<td>WTTC</td>
<td>World Travel and Tourism Council</td>
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PREFACE: The Objectives and Methodology of the Research

The purpose of this research is to address a practical issue with academic rigour. To some degree it differs from convention in its values, objectives and methodology. This Preface therefore offers a short guide to these differences and to the structure of the research.

The value system by which the research assesses all human activities is utilitarian. Utilitarian is used in the dictionary sense "useful for a purpose" rather than in the philosophic sense "producing the greatest good for the greatest number". Thus the research enquiry on any activity, whether terrorist, counterterrorist, or other, is "how well did it achieve its purposes?" Where appropriate, the utility of the activity's purpose is also assessed - the researcher takes the view that strategic analysis must encompass both the selection of objectives and their pursuit.

The methodology is eclectic; it is submitted that a unified approach to a multi-disciplinary subject cannot, per se, yield a general overview. The researcher draws on scholarly works, the reports of well-informed investigations, and other written sources. He draws upon the advice of scholars and of experts from government and industry. He also draws upon his own 18 year involvement in aviation security. This inclusion is unavoidable. It is suggested that personal experience can, and arguably should, be included in an eclectic methodology.

The objectives derive from the subject matter of the research: the investigation of the origins of international terrorist attacks on aviation, and of their products from the perspective of
Great Britain. The first objective is factual: to establish their origins, and the reasons and the methods by which this new weapon had entered the international terrorist armoury, to assess its effects upon Great Britain, and to examine the international and British responses. The second objective is analytical: to review the data as it unfolded, in order to make informed judgements upon the value of this weapon to international terrorists, upon its future re-use, and upon the effectiveness of the responses. The third objective is methodological: to derive proposals for improvement in the response.

Pursuit of these objectives necessarily leaves other, equally worthwhile, objectives to be pursued by others. Amongst these are a study of the effect of contagion: of how the use of the weapon spread globally, a study of the political responses of the liberal democracies, both within and beyond Europe, and a study of the strategies used in responses worldwide.

The research also raises interesting questions: how the performance of international organisations can be assessed from a utilitarian viewpoint and what that assessment might be; the extent to which commercial and other self-interest disrupts political alliance and overrides morality in liberal democracies; the degree and method by which the different strengths of government and industry can be synergised. The research suggests two general areas of immediate interest: the methodology of making peace with terrorist organisations, and the strategy of counterterrorism. It also suggests two specific areas of interest. The first is the record of extradition and legal processes relating to international attacks on aviation. The second is the costs of attacks on aviation and of the countermeasures.

Section 1 explains the four perspectives from which the research approaches its subject matter. The fourth perspective also defines the scope of that subject matter. Violence
directed against a liberal democracy is not to be equated with violence against a totalitarian regime. Therefore attacks on aviation are studied within the context of liberal democracies, the dominant interest being the effects of attacks on Great Britain.

Section 2 reviews the background to international attacks on aviation. It submits that it is the Palestinian - Israeli conflict which constitutes the background and the origin of these attacks. It is therefore central to their context. Section 2 reviews this conflict. It does not offer new information. It does strive to offer an objective analysis. Inevitably, partisans of each side will challenge its claim to objectivity. The Section concludes that the Palestinians' attacks on international aviation were counterproductive to their cause.

Section 3 reviews and analyses the data on attacks on aviation. It submits that important data on the methodology of attacks and on the subsequences to the attackers is not normally recorded. An appropriate format for such records is constructed. Section 3 contains an analysis of the different motivations of attackers. It gives a short account of each important attack on British aviation, and discusses the significance to Great Britain of the hijack of the BOAC VC-10 to Dawsons Field in September 1970.

Section 4 assesses the political effects on Great Britain of international attacks on aviation. It reviews the effects on HMG, using Hansard as a primary source of government policy statements. It examines the record of British trade with Israel for indication of Palestinian terrorist influence. Finally it discusses the significance of British public opinion to Palestinian terrorist objectives, and analyses the results of pertinent opinion polls.
Section 5 assesses the economic effects on Great Britain of the attacks. Satisfactory calculation of the total costs of aviation security is not possible because the essential constituent data is not currently recorded by the civil aviation industry.

Section 6 is an extensive review of the British response to attacks. It includes the international activities of ICAO and ECAC which were important components of the response. It also records the activities of pilots' organizations, IFALPA and BALPA. The researcher's own experience of ECAC and of the pilots' organizations furnishes some of the data in this Section.

Section 7 is an initial strategic assessment of the British response to attacks on aviation. The Section considers key publications on the strategy of anti-guerrilla warfare. It identifies the contributions of a number of authors to a possible strategy of counterterrorism and suggests some key dimensions. It draws conclusions upon which it bases the proposal for a major adjustment in the philosophy of aviation security administration in Great Britain.

Section 8 offers a short overview of the research. It identifies three areas of counterterrorism in which there is an apparent need to formulate a more systematic approach. The first is negotiation with terrorists. The second is the pursuit of international agreements. The third is the securing of public support for counterterrorist actions.

The Appendix is a database of the 141 most significant attacks on aviation.
1. PERSPECTIVES ON AVIATION SECURITY

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1.2. The Researcher's Perspective

1.3. The Aviation Safety Perspective
   1.3.1 The Management of Aviation Safety
   1.3.2 Aircraft Accidents: Level of Acceptability
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1.4. The Political Science Perspective
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   1.4.2 The Liberal State and Terrorism
   1.4.3 Definitions of Terrorism
   1.4.4 Purpose of Definition
   1.4.5 The Elements of Terrorism
      1.4.5.1 General
      1.4.5.2 Group
      1.4.5.3 Political
      1.4.5.4 Violence and Force
      1.4.5.5 Target and Victim
      1.4.5.6 Liberal Democracy
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      1.4.5.8 Publicity

1.5 The Liberal Democracy Perspective

1.6. Conclusion: Perspectives and Definitions
1. PERSPECTIVES ON AVIATION SECURITY

1.1 Introduction: Perspectives and Definitions

This research approaches Aviation Security from four perspectives. They are outlined in this Section.

The first is the perspective of the researcher. It is a declaration of interest, intended to facilitate assessment of the objectivity of the research.

The second is the operational perspective. Aviation Safety is an established and successful management activity which has much in common with Aviation Security. It balances the conflicting financial demands of profitability and safety; it has commercial, national and international aspects. Aviation Safety is therefore used as an operational parallel to Aviation Security.

The third is the intellectual perspective. It is that of political science, approached from the utilitarian viewpoint that it should provide understanding of the practical world.

The fourth, the ethical perspective, is provided by the ethos of liberal democracy. To consider attacks on a liberal democracy within the same framework as attacks on oppressive or absolutist regimes is potentially confusing. There are fundamental differences in the causes of and motivations for such attacks, and in the responses available to the State.

The defining of terrorism is vexatious. Political scientists have been unable to agree a definition; this has not been overlooked by those whom they criticise for failing to implement an adequate counterterrorist policy, an altogether more challenging task. Discussion of definitions is confined to the clarification of general concepts and
terminology, minutae not being important to this research. The concept of international terrorism is elaborated later, and two sub-species are postulated.

1.2 The Researcher's Perspective

The researcher was a professional pilot for 31 years, the first 5 with the Royal Air Force and thereafter with British Airways (formerly BOAC), flying 707s, Tristars and 747-400s, until his retirement in August 1993. His perspective on Acts of Violence against Aviation derives directly from every pilot's perspective on air accidents, unremitting opposition.

1.3 The Aviation Safety Perspective

1.3.1 The Management of Aviation Safety

There is a fundamental difference between safety and security. Failures of either may lead to loss of life. However, failures of safety are the product of error, whereas failures of security are the product of intent. Safety is therefore the defence of assets against negligence and mishap; security is the defence of assets against an antagonist. Paradoxically this apparent distinction is the foundation of a vital common concept: losses can be incurred only when system defences are inadequate. The antagonist seeking to breach security defences is an attacker, often a terrorist; the antagonist seeking to breach safety defences is mischance, colloquially known as Sod's Law. Therefore the Management of Aviation Security has much in common with the Management of Aviation Safety.

Aviation Safety has four support structures. Firstly, it permeates the aviation industry. It is deeply integrated along the chain of primary functions: aircraft manufacture, maintenance and operation, and embracing the support functions of supply, navigation and air traffic control; it is also the philosophy of all personnel who work in aviation, from the pilots ("first
on the scene of any accident") and others directly involved with aircraft to those with a more distant involvement.

Secondly, the highest practicable standards of operation are laid down and are clearly understood by those responsible for achieving them.

Thirdly, comprehensive systems for monitoring, inspecting and testing performance are in place. They are complemented in all responsible countries by Incident Reporting Systems whereby information on incidents, whether of system failure, engineering failure or human error, must (mandatory) be reported - often by the person responsible for the error - in order that the experience of the incident can be disseminated and utilised to pre-empt recurrence. Additionally, Aviation Safety, being central to the ethos of the profession, gives rise to a valuable informal information exchange.

Fourthly, the total Aviation Safety activity is enshrined in international agreements and in national legislation. In Great Britain the Civil Aviation Act (1982) empowers the Civil Aviation Authority to legislate on safety standards and procedures; the Authority issues its Directions by means of a variety of documents, primarily the Air Navigation Order, and the Certificate of Airworthiness attached to each aircraft and which defines the standards required for its operation. International standards are agreed and defined by the International Civil Aviation Organisation (ICAO), an arm of the United Nations. It promulgates standards by means of Annexes to the Chicago Convention (1944) under which ICAO was established.

Thus a complete system of Aviation Safety has evolved with its host body. Aviation is more than creditably safe. It is a benchmark of competence in human endeavour. Part of the attraction of aviation to the terrorist derives from the shock of a catastrophe in an industry which, in the developed world, is the epitome of safe transport.
Aviation Security is a newer science than Aviation Safety; it does not yet have the commensurate benefit of four similar support structures, and is moving only slowly towards the Aviation Safety blueprint. Costs are one key determinant of progress. Levels of security, like those of safety relate directly to expenditure (assuming managerial competence). There is thus an important judgement to be made when setting expenditure limits. There is a level at which the commercial operation of aircraft would become uneconomic even to the best of airlines. Therefore an intermediate level must be found where safety and expenditure are both deemed acceptable. This is a dilemma as old as aviation.

"(In 1934 the US Army's Chief Aviator issued the order ... ) 'There will be no more accidents!' Such an injunction might give a great deal of satisfaction to the man who sends it, but it took one of General Westover's zone commanders to put things in a proper perspective when he signalled back: 'There will be no more flying'."¹

1.3.2 Aircraft Accidents: Level of Acceptability

It is instructive to note the change in the Royal Air Force accident rate over the past five decades.

The sobering statistic emerges that, during the war (1939-45) the RAF may have lost as many aircraft to accidents as to enemy action.

"(In 1943) the Inspector General of the RAF, Air Chief Marshal Sir Edgar Ludlow-Hewitt, wrote that 'our incidence of aircraft accidents is the enemy's best friend and ally in the promotion of the air war against us, and probably accounts for about as many of our aircraft as the Luftwaffe itself.' Throughout the RAF as a whole, between 1939-45 a total of 80,000 aircraft were accidentally destroyed and a further 160,000 were involved were involved minor

contretemps. As only 125,000 were built many must have gone through the accident mill more than once. ..... Between 1940-45 home based RAF lost 25,271 aircrew in non-operational flying accidents and Ludlow-Hewitt estimated that the total loss, including overseas RAF elements, was 'in the order of 10,000 trained and semi-trained flying men each year. Here is the foe within our gates'. ".....

Similarly for our allies,

.... "The Americans lost more aircraft and crews in training and routine flights than in combat."2

The figure of "80,000 aircraft ... accidentally destroyed ..." is not confirmed by references to other sources by Brookes and is difficult to reconcile with the statement that "125,000 were built"; this latter figure the researcher was able to cross-check by reference to an official publication3, which gave a total of 122,306 aircraft produced in the UK, 1938-44.

Unreserved credence should not be placed in the figures quoted, nor should other factors (eg, aircraft delivered to the Royal Air Force from the US and elsewhere) be overlooked. However a reasonable general conclusion may be that the accident rate was over ten thousand per year. This was not the result of disinterest, nor of inexperience in Flight Safety (the Royal Air Force term for Aviation Safety).

"(Sir Hugh Trenchard) wrote to the Times in February 1931 'There is no subject which has caused me greater anxiety during the decade in which I held the post of Chief of the Air Staff and none to which that I devoted more time and thought (than flying accidents)' ".4

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2 BROOKES, Andrew. Ibid, p 37
   In parenthesis, Postan gives the revealing information that in 1944 UK factories produced 26,461 new aircraft, whereas the Germans produced 39,275 despite the best attentions of the Royal Air Force. Albert Speer, Minister of Production, attributed this excellent performance to the destruction of all paperwork by the Royal Air Force.
The statistic from the 1940s has an important lesson for the 1990s. It spotlights a key determinant of accident rates: acceptability. During the war it was imperative to keep flying and to this imperative were subordinated pilot selection and training standards, aircraft airworthiness, meteorological conditions and all the many factors which combine to constitute Aviation Safety.

A Spitfire cost £3000 (1940). A Tornado (1993) costs c.£18m. Herein lies the key to the ever-increasing importance of Flight Safety. Britain is no longer at war and therefore the resupply of the armed forces is not the country's highest priority. Furthermore, to an RAF with 100 fighters (1993) the loss of one Tornado may be viewed as 200 times more catastrophic than the loss of one Spitfire to an RAF with 20,000 fighters (1940).

In civil aviation the decision on acceptability is made by a wider audience: the civil aviation industry, regulatory authorities, insurers and the public and their lawyers. The industry believes that "acceptability relates more to the absolute number of accidents than to the rate of accidents per sector or passenger-kilometre because each major accident receives extensive coverage in the media, which reports each accident as an event, irrespective of the number of contemporaneous eventless flights". The cost of accidents may be the more fundamental factor. Further the direct cost of an accident may now amount to hundreds of millions of pounds sterling, with the possibility of more than a billion. Loss of public confidence leads to loss of revenue to the industry. The public may view accidents in general to be inevitable; it does not regard any accident in particular as either unavoidable or acceptable. This unacceptability is manifest in the searching investigation of an accident, the public exposure of deficiencies and the punitive costs concomitant with and resulting from the consequent legal actions.

The landmark in this progress is the accident to the Turkish DC10 which crashed into the forest of Ermenonville after a door blew off and control was lost (March 1974). All 346 persons on board were killed. The significance of this accident was that a class action was

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5 Interview with David Learmount, Operations/Safety Editor, *Flight International*, 19th January 1994
organised on behalf of the bereaved. Thus the defendants, the aircraft manufacturer Douglas and its insurers and lawyers, found themselves facing not distraught, disorganised and vulnerable widows but unified and purposeful professionals. Settlements were in the order of £100m. Equally importantly, the integrity of the manufacturer was publicly examined and found wanting, and the conduct of the regulatory body, the (US) Federal Aviation Agency, was exposed and severely criticised. The attendant damages and costs were unprecedented in civil aviation. This public investigation was a landmark in that a new public interest - that of the bereaved - established its precedence over the old supposed public interests, the well-being of the manufacturer as a contributor of prosperity and employment to the public, and the need to maintain confidence in Government regulation. There are however two caveats.

The first is that insurers routinely seek to delay payments by use of appeals and legal technicalities. This is a long-standing practice; it is made more beneficial than ever to insurers by the interest earned on the huge sums involved ($800M has been set aside by the insurers to cover potential liabilities in the Lockerbie case of Pan Am 103). The second caveat is that the aircraft manufacturers now go to great lengths to avoid long drawn-out legal proceedings in a desire not only to minimise legal costs, but also to avoid the attendant public exposure of their, or their products' failings. Out of court settlements in major cases are normally accompanied by a secrecy clause which prevents disclosure not only of the settlement figure but also of the evidence revealed by the investigation. Thus the pendulum of safety advancement is swinging back from the pressure of public disclosure towards the discretion of the manufacturer.

In the last three years there have been two accidents of major significance. In both of these, aircraft of types operating in great numbers worldwide have suffered failures which resulted in unavoidable loss of control by the pilot (El Al Boeing 747, Amsterdam, 4 Oct 1992, and

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7 Ibid, pp 149-175
8 The Times. London, 7th April 1994, p 24
Lauda Boeing 767, Thailand, 26 May 1991). In the former case two engines separated from the heavily laden aircraft after take-off; in the latter case a thrust reverser engaged in flight and the aircraft is believed to have turned upside down. In both cases the public debate has left serious questions unanswered. There is therefore no public reassurance that appropriate corrective action has taken place and therefore no grounds for judging whether public confidence in manufacturers, airlines, airports and regulatory authorities is fully justified or badly misplaced.

Aviation Security must find its answer to the same conundrum: who decides the public interest, the public or its elected Government? If the former, the process may be distorted by the vested interests of the media and litigious lawyers. If the latter, it may be distorted by the vested interests of the airlines and aircraft manufacturers and by their lawyers and insurers, and by civil servants and politicians.

1.3.3 Parallels with Aviation Security

It has already been suggested that the integration of Aviation Safety into the civil aviation industry provides a parallel for Aviation Security. Clearly this parallel is incomplete because the Threat, a quantity external to the industry, is not addressed.

Another parallel to be drawn is between the public investigations of the 1974 DC10 accident and of the 1988 terrorist destruction of Pan Am 103 over Lockerbie. In each case public interest developed such magnitude that it became a powerful influence on governments. And in each case the anger of the bereaved was organised into an uncompromising force (DC-10 class action and the Lockerbie Victims Group) which skillfully maintained the all-important public pressure. However, proponents of Air Safety have the easier task, the imposition of their wishes upon the major manufacturers of civil aircraft in the world (of

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9 Netherlands Aviation Safety Board. Aircraft Accident Report, 92-11
10 Ministry of Transport and Communications Thailand. Lauda Boeing 767-300 ER, 26 May B.E. 2534 (AD. 1991), 1993
whom there are only three: British Aerospace/Aerospatiale, Boeing/Douglas, and Fokker).

Proponents of Aviation Security have to persuade all countries of the world to implement adequate security measures. This raises the knotty problem of Host-State Responsibility, a third parallel between safety and security, (see below 8.3).

Airlines are an international entity. Their maintenance, fuel supply and control are not confined to the country of registration but are effected worldwide; any deficiency may prejudice the safety of the aircraft and passengers. There is therefore a multi-faceted mechanism to implement a minimum safe international standard and it is broadly successful. Security is a more difficult issue because it involves less the activities of airlines' agents, and more those of government agencies. Often the airport authority is an agency of the Host-Government. Therefore insistence on security standards will impinge upon national sovereignty.

The difficulties are more apparent than real. It is not a question of Government A dictating standards to (for example) the airport police force of Government B. It is a matter of Governments A and B agreeing the international security standards of ICAO. It is fundamentally no different from common international safety standards in runway construction or Instrument Landing System performance. However common standards in security are rarely achieved in practice, a fact that defaulting countries do not wish to acknowledge.
1.4 The Political Science Perspective

1.4.1 Criterion of Contribution

Professor Jack Spence, Director of Chatham House, suggested three criteria by which the value of political science should be judged\(^{11}\). He said that it assisted in stretching the mind, aided intellectual development, and contributed to policy development. These amount to a single criterion: contribution to understanding. It is necessary to examine the concept of "understanding" before discussing the contribution of political science to the subject under discussion.

Political science can draw upon the resources of both the sciences and the arts. From science should come objectivity, on which to base analysis, to establish facts, from which to derive hypotheses, which can be tested by predictions, which can be validated by subsequent occurrences.

The arts, in the study of social behaviour, should contribute objectivity, on which to base analysis, to facilitate description, from which to induce theories, which must offer explanations of past events, and which will, at the least, increase understanding of underlying patterns, relationships and trends; from these may be derived probabilities and methods of influencing future occurrences which may in turn be vindicated by subsequent events.

The origin of Aviation Security as a management activity and as a subject for study, lies in the need to protect expensive assets and crews and passengers and staff from a range of actual and threatened acts of violence against aviation. Of these "terrorism" is the most significant in terms of magnitude and effect and is the most complex, and thus interesting, as a subject for study. It is therefore "terrorism" towards which most effort has been directed.

\(^{11}\) Address, Department of International Relations, University of St Andrews, 24 Nov 1993
The term "political scientist" may fairly be applied across a broad spectrum, from the detached academic to the involved counterterrorist. One of the key roles of the latter is threat assessment, which has much commonality with the predictions of the former. The threat assessor is less concerned with generality and theory than his academic counterpart, and is more likely to use immediate intelligence, both open and covert, plus his knowledge of specific terrorist groups to make his prediction. In meteorological terms the academic is more the climatologist and the threat assessor is more the local forecaster. There are vital contributions to be made by both.

Simple science, in which a small number of variables can be measured and controlled, has little relation or relevance to the complexities of advanced science or of social science. A current scientific view is:

"that the whole is to be understood only be taking it into pieces, that the individual bits and pieces, the atoms molecules, cells and genes are the causes of the properties of the whole object and must be separately studied if we are to understand complex nature".\textsuperscript{12}

This is daunting to the social scientist, and the meteorologist who might be forced into lengthy sabbaticals to await the emergence of computers of massive modelling power. Fortunately at a macro-level there are forces so overwhelming that they take the atoms, molecules, cells and genes along with them. These forces are underlying conditions; thus climatology can explain the formation and passage of the monsoon and calculate its probable effect on a given location at a given time. The questions in political science are, firstly whether there are underlying conditions of magnitude sufficient to impose a general pattern upon the atoms of society - self-determining human beings with supposedly individual choice; secondly whether these underlying conditions can be identified and described with accuracy, enabling political scientists to explain observed behaviour and predict future behavioural patterns with accuracy.

\textsuperscript{12} LEWONTIN, RC. The Doctrine of DNA. London: Penguin, 1993, p 12
The researcher accepts that the process, per se, of political science has great potential value, in that dialectic involves the rejection of unsustainable theory. This pre-supposes that such rejection results in the emergence of a sustainable product, in the form of description or explanation or valid theory, leading to a greater understanding of the subject studied - in the present instance "terrorism". As aviation "terrorism" is living history, straddling the immediate past, the present and the immediate future, such understanding as emerges must inevitably be of value to the counterterrorist. Therefore the researcher concludes, with Professor Jack Spence, that the best measure of the worth of the product of the theoretical political scientist is utilitarian, its value to the practical counterterrorist.

A sharply contrasting view is implied in the opening paragraph of the leading and most comprehensive guide to academic work on terrorism.

"The search for an adequate definition of terrorism is still on. There continues to exist considerable uncertainty about what the right way to think about the problem is. At the same time, many authors seem fatigued about the need to still consider basic conceptual questions. This is a dangerous attitude as it plays into the hands of those experts from the operational anti-terrorist camp who have a "we-know-it-when-we-see-it" attitude that easily leads to double standards which produce bad science and also, arguably, bad policies".13 (Researcher's emphasis)

This statement indicates that students of terrorism have polarized into two groups, the academics and the operational anti-terrorists. Such a schism is regrettable.

Academics, if they succeed in obtaining understanding of the causes, nature or course of terrorism, would be in a position to make a valuable contribution to the work of the operational counterterrorist. Equally, counterterrorists have experience of the reality of terrorism against which they could test, validate and refine the definitions, concepts and

13 SCHMID, Alex P and Albert J JONGMAN, et al. Political Terrorism, A new guide to actors, authors, concepts, data bases, theories and literature. Amsterdam: Swidoc, 1988, p 1
models which the scholars might develop. It has already been argued that the foundation of scholarship, whether of the arts or of science, is objectivity, a commodity sorely lacking in the statement that "experts from the ... anti-terrorist camp ... have a 'we-know-it-when-we-see-it attitude' which easily leads to double standards which produce bad science and also, arguably, bad policies". Where is the evidence that anti-terrorists have the alleged attitude? Could they not be basing their recognition on (for instance) the legal definition of terrorism in the Prevention of Terrorism Act 1974? ("... use of violence for political ends, and includes any use of violence for the purpose of putting the public or any section of the public in fear". 1.5 below.) Why does a 'know-it-when-we-see-it attitude' lead to "double standards"? Again no evidence is offered. Correct identification of an act of violence is more likely, in a competent force, to lead to an appropriate (standard) response than to double standards. The further extrapolation to "bad science" apparently assumes that counterterrorists are seeking to construct a school of unified scientific thought. They are primarily concerned with the management of response to attack, not the generation of theoretical papers. Schmid continues "this same attitude ... easily lead ... arguably ... to bad policies", but no supporting argument is offered. The whole of the statement on counterterrorists is closer to tabloid slur than academic objectivity. They might be forgiven if, having read Schmid and Jongman's comprehensive review of academic profusion, they called it confusion and postulated a 'wouldn't-know-it-if-they-saw-it' school of academia. Even more regrettable than the general denigration of the practical counterterrorist is the polarisation of two groups of experts, who should be working together for their own, and the common good.

1.4.2 The Liberal State and Terrorism

Scholars who seek to relate their intellectual findings to the realities of counterterrorism can find themselves sharply criticised by their colleagues. Professor Paul Wilkinson pioneered discussion of the dilemma posed to the liberal state by modern terrorism. How should the state react? Must it abide by its liberal principles in opposing violent attacks which are seeking to destroy its assets, its citizens, the liberal character of the state itself, and which,

under the guise of political process, adopt breach of the democratic law as a *modus operandi*? The state has a clear obligation to defend its democratic structure because that structure, unlike all others, is the free choice of its citizens. It must also defend their lives and personal safety. The state therefore has to examine the spectrum of possible responses to terrorism: retaliatory attack (US bombing of Libya, April 1986), interception of terrorist suspects in international airspace (US action against Egyptair B-737, October 1985), and even stronger responses: attack on terrorist bases within sovereign states or targeted assassination of terrorists, which some states (Israel) have already openly adopted. The democratic state must also develop a policy on the freedom of the media to report terrorist activity. The balancing of its response is a dilemma for democracy and therefore a proper concern for the people of democratic states; they may hope for and expect guidance from their most talented fellow citizens, amongst whom will be numbered the scholars. This guidance cannot easily, or perhaps cannot possibly, be separated from moral value judgements. How many citizens’ lives should be sacrificed to protect the democratic nature of the society in which they are living in supposed safety? Professor Wilkinson’s stance of opposition to terrorism which he described pithily and accurately as "sheer bloody murder" has not diverted him from insisting that the liberal state must respond with minimal force, respect the guiding liberal principle of international relations - non-interference (into other sovereign states), operate its security apparatus entirely within the constraints of the law and safeguard the freedom of the press.

Examination of Professor Wilkinson’s guidelines would have to commence with definitions of "minimal" (force) and of "within the constraints of the law" (security apparatus). Notwithstanding that discussion, his guidelines are strictly in accord with the highest liberal principles and would debar assassinations, retaliatory strikes on sponsors and strong-arm activities by the security services.
The professor has sought to make a thoughtful academic contribution to the debate on a fundamental dilemma of life and death, and this work is widely regarded as a classic. However his constructive effort was rewarded by one media sociologist with the description "counterinsurgency doctrine masquerading as political science". Leaving aside Schlesinger's apparent confusion of insurgency and terrorism, the word "doctrine" is normally understood (Concise Oxford Dictionary, 1990) to be "a set of (political) principles" or "dogma", and "doctrinaire" is defined as "seeking to apply a theory or doctrine in all circumstances without regard to practical considerations". Insofar as Wilkinson is doctrinaire it is by virtue of adherence not to counterinsurgency doctrine but to liberal or political science doctrine, exactly the opposite to Schlesinger's charge. Further there are two non sequiturs in the description: "... doctrine masquerading as political science"; firstly it is masquerading, if at all, as counterterrorist strategy not as political science; secondly, as Wilkinson's work is an exploration of the practical effect of liberal policies it can hardly be damned as being "without regard for practical considerations".

The utilitarian view is that the validity of a theory or school of thought is established, not by its acceptability to adherents of rival schools of thought, but by its applicability to the real world of terrorist activity. Applicability obviously involves compatibility with observable facts. It assumes the value judgement that terrorism directed against a liberal democracy is bad and should be fought. For pilots and their passengers, potential victims of terrorism, this is an easy judgement. It should also be an easy judgement for members of liberal democracies, the very essence of whose societies is the constitutional proscription of political violence. Most would agreed that there is, at some point, political violence may be justified. Within a true democratic society nowhere is that point reached and never does murder become a justifiable method of influencing government decision. Therefore the researcher suggests that any theory of political science, unless Marxist, anarchist or otherwise opposed to the principles of liberal democracy, must be based upon the value judgement that political violence has no place within a liberal democracy. Upon that value judgement...
judgement political science can base its exploration of the liberal society's proper response to violence.

Thus the liberal society must decide how far it will abide by any set of rules in defending itself against enemies who abide by no rules; it may elect to abide within its liberal rules, or operate outside them, or to change them to suit the changed circumstances of modern terrorism.

1.4.3 Definitions of Terrorism

An understanding of the nature of terrorism has direct relevance to Aviation Security.

The lengthy first chapter\textsuperscript{17} of Schmid and Jongman's work researches academic and government views on the definition of terrorism, using the authors' own definition from the first edition (1984) of their guide as a basis for their survey. At the end of the chapter they offer a revised (1987) definition:

"Terrorism is an anxiety-inspiring method of repeated violent action, employed by (semi-) clandestine individual, group, or state actors, for idiosyncratic, criminal, or political reasons, whereby in contrast to assassination-- (sic) the direct targets of violence are not the main targets. The immediate human victims of violence are generally chosen randomly (targets of opportunity) or selectively (representative or symbolic targets) from a target population, and serve as message generators. Threat- (sic) and violence-based communication processes between terrorist (organisation), (imperiled) victims, and main targets are used to manipulate the main target (audience(s)), turning it into a target of terror, a target of demands, or a target of attention, depending on whether intimidation, coercion, or propaganda is primarily sought."\textsuperscript{18}

\textsuperscript{17} SCHMID and JONGMAN, ref 13, p 1-51
\textsuperscript{18} Ibid, ref 13, p 28
The authors offer their opinion that "we are, in my estimate, somewhat closer to solutions than we were some years ago". Others might take a more sceptical view of the value of their 116 word definition.

Schmid and Jongman's methodology was unusual; they canvassed academics and reviewed other published definitions, seeking to establish the frequency of occurrence of the constituent elements; from these they compounded their definitions. The results throw doubt on the value of the democratic process as a scientific methodology.

In their 1984 guide the authors identified 22 "Elements" or components which attracted varying degrees of support for inclusion in the definition.

1.4.4 Purpose of Definition

A major difficulty is the requirement that a definition must not only be accurate, ie meet the requirements of academic truth, but also must be appropriate to its intended function. Several parties have an involvement and an interest in terrorism: political scientists, lawyers, law-enforcement agencies, the military, politicians, the media and the general public. It is unlikely that the political scientists' definition, whether it be the suggestions of Schmid and Jongman or any other combination of the 22 elements, would be of any use whatsoever to any of the other parties. It would be incomprehensible to the general public which already has its own, widely differing understandings of the word. It would be useless as a foundation-stone for the enactment of law - though the lawyers would reap prodigious financial benefit as they laboured through the verbiage and terrorists might reasonably take offence at criticism of their own impenetrable prose. Further, political scientists have an interest in the history and development of terrorism, an interest not much shared by the other parties who are focused on terrorism as a contemporary apologia for murder. A definition which covers not only the many and various present manifestations of terrorism but also past manifestations must necessarily be wide and all encompassing. Such generality must, by its

19 Ibid, ref 13, p 1
nature, lack specificity, and therefore cannot give the spotlight illumination of current terrorism needed by the other parties, general public and law-enforcement forces alike.

This is not to say that the efforts to find a workable definition are pointless. On the contrary, terrorism must be defined for the purposes of law enactment. An agreed definition would also have practical value in the utilization of databases, which are not easily compared, largely because of differences in definitions. Similar conclusions could be drawn about academic studies of terrorism.

There are two routes to the formulation of a definition. The first is to start by identifying the underlying core concept or concepts, thus to generate the definition. The second is to start by specifying the purpose to which the definition is to be put and then to derive the definition. A practical solution is to take both routes simultaneously and to obtain maximum convergence within the time frame available. What has so far proved to be impracticable has been the formulation of a definition which is acceptable to all interested parties and well-adapted to all intended purposes; the researcher's view is that such an objective is unrealistic and unachievable.

The minutiae of definition are important to understanding, to the formulation of law, and to the delineation of the responsibilities of law enforcement agencies.

1.4.5 The Elements of Terrorism

1.4.5.1 General

Schmid and Jongman's 22 elements do not constitute 22 different concepts. TABLES 1 and 2 are successive steps in formulating a definition. TABLE 1 groups them by similarity of meaning:
TABLE 1


Rearranging this Table and suggesting general headings for each Group produces TABLE 2.

TABLE 2

<table>
<thead>
<tr>
<th>PERPETRATORS</th>
<th>PURPOSE</th>
<th>CHOSEN MEANS</th>
<th>MODUS OPERANDI</th>
<th>TARGET SELECTION</th>
<th>OBJECTIVES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Group</td>
<td>Political</td>
<td>Criminal</td>
<td>Method of Combat</td>
<td>Victim-Target Differentiation</td>
<td>Terror</td>
</tr>
<tr>
<td></td>
<td>Violence</td>
<td>Purposive</td>
<td>Repetitive</td>
<td>Effect/Reaction</td>
<td>Publicity</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Clandestine</td>
<td>Incalculable</td>
<td>Extrananomal</td>
<td>Innocents</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Symbolic</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Civilian</td>
<td>Demands on 3rd Parties</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Innocents</td>
</tr>
</tbody>
</table>
Using TABLE 2 to derive a loose definition yields:

"A Group pursuing a Political Purpose by Means of Violence on Victims who may be Surrogates for the Target, a Liberal Democratic Government".

(The elements Terror and Publicity which are not included in the definition are discussed below, 1.4.5.7&8)

1.4.5.2 Group

It is conventional to define the activities of a lone attacker as "lunatic", and those of a group as "terrorist". This may be a useful convention; there are differences in individual and group behaviour which assist analysis. It would be understandable if an individual deemed "lunatic" felt that this was an unfair comparison with terrorism.

1.4.5.3 Political

Although there are clear differences between criminal and political groups in their objectives, there is nonetheless a certain attraction in the deliberate rejection of the concept of "purpose". A pilot with a Kalashnikov held to his head is a victim of criminal violence whether the attacker is seeking transport to a congenial country, publicity for a worthy cause, publicity for an unworthy cause or martyrdom for his beliefs. The passengers in the aircraft are at risk from the moment the pilot's freedom to ensure their safety is circumscribed. If lives are lost the deaths will remain a fact whatever the underlying motivation; thus there is no a priori need for the legal retribution to take account of the motivation for the act which led to the loss of life. But, as before, if understanding is advanced, there is advantage in distinguishing different motivations, even if they culminate in a common manifestation. Criminally-motivated behaviour and politically-motivated behaviour do exhibit different patterns. In essence the objective of a criminal attack is relatively simple, the extortion of money or the commandeering of transport; the victim attacked (the airline) is likely to be one
and the same as the target of the demands (money, transport). In contrast a political attack has an underlying political purpose, most often in the form of concession required of government (release of prisoners, change of government policy, publicity, ransom). If it is an attack not accompanied by demands but intended as a reprisal or as a warning, it nonetheless has a political connotation. The targets of the attack - the addressees, recipients of the message, are a wider audience, government, governments, general public or others - than the unfortunate victims. In contrast to criminal motivation - which boils down to personal gain - political motivation is a complex reflection of many and various political ideologies and situations. It may involve the opposite to personal gain, deliberate personal sacrifice: risk of imprisonment, injury or death in pursuit of a "cause". To distinguish criminally-motivated attacks from politically-motivated attacks is a useful step towards analysing the differences in the causes, motivation, methodology and objectives of the two patterns of behaviour.

1.4.5.4 Violence and Force

Violence (the illegal use of force) is a core concept in distinguishing terrorism from legitimate, non-violent, political activity. Hence a convention has been adopted: force is the legitimate use of physical force by the State, or within the law, violence is force used illegally.

1.4.5.5 Target and Victim

Another convention names the person who suffers personal injury from attack the victim, and the State, organisation or person whom the attack is intended to influence, the target. These victims are surrogates for the target, which is the Government and its policies. This substitution of an accessible, perhaps symbolic, victim for the true target is not uniquely political; criminals extort ransoms from commercial organisations by holding employees
hostage. However it becomes political when the target, the addressee of the message, is a Government.

It would be possible to confine the definition of terrorism solely to attacks on surrogate targets, thereby excluding direct attack on Government officials, but this exclusion would not be useful. Groups with a political purpose have proved themselves catholic in their victim selection, therefore such restriction of definition would confine study to one part of a group's total activities, leaving the rest outside the scope of the investigation. This is more likely to be confusing than illuminating.

1.4.5.6 Liberal Democracy

This research is concerned only with liberal democratic governments. Totalitarian, dictatorial or otherwise repressive governments which are not the subject of free elections or which maintain their position by non-democratic or violent methods cannot be examined in the same context as liberal democracies. Therefore to exclude them by distinguishing them not only clarifies study but also offers the researcher's answer to the tired perennial, "one man's terrorist is another man's freedom fighter".

1.4.5.7 Terror

The inculcation of terror, ie terrorizing, has long been held to be a *sine qua non* of terrorism. This belief has been reinforced by the dominant position of the word "terror" within the word "terrorism". The validity of the belief is another matter.

*Terrorizing* is a method, a means by which the perpetrator seeks to advance his purpose, whether political or criminal or insane. Sub-criminal terrorizing, as in bullying behaviour, is not relevant to this study.

*Terrorism* is a broader concept which may, or may not, involve terrorizing as a method. 51% of Schmid and Jongman's respondents, hardly an overwhelming majority, "emphasised fear or
terror as an essential of terrorism". This did not lead Schmid and Jongman to reexamine carefully the evidence that terrorizing is an essential ingredient of terrorism. They discuss the issue briefly under the heading "Terrorism without Terror?" but conclude lamely:

 Yet to remove the element of 'massive overwhelming fear which is designed to act upon the mind of some person other than the immediate victim' (RP Hoffman) would be tantamount to abandoning the core concept of terror".21

This is uncomfortably close to adhering to a chosen position not because of its validity but because of the inconvenience of abandoning it.

Communities may be coerced not in order to drive them out, but to intimidate them and bring them under their oppressors' control. In most cases these communities are those within which their attackers are based and of which their attackers are members. The Provisional IRA in the Bogside and in parts of West Belfast use violence across the spectrum from verbal threat to murder to preserve their near-control of their own Catholic community. This could reasonably be described as terrorizing. This is not to say that the primary purpose of every attack on the rival community, IRA on Protestant, or Loyalist on Catholic is to terrorize; such attacks are often intended to eliminate leaders or simply as revenge. All violence is frightening whether it is an attack by an unpleasant dog, a mugger, a housebreaker, a football crowd, the Luftwaffe or a terrorist; each attacker, doubtless hoping that his victim will be cowed by his violence, could thus be said to be terrorizing; it is not a province exclusive to the "terrorist". Indeed in democracies, some of the clearest cases of using terror as a tool, that is, terrorizing into obedience, are not political but criminal. Gangsters: the Krays, the Mafia, the Triads and the Yakuza have all run successful and extensive extortion operations within a community or geographical area. Further, insofar as the hostile populations deferred to their control and not to that of the lawful government, their criminality
achieved more political power within liberal democracies than all the efforts of politically-motivated terrorists.

The truth is that terrorization is an objective of many forms of serious violence. It is not the distinguishing feature of all modern terrorism. Undeniably, early seminal thinkers advocated the spreading of terror as a core concept and an essential to the methodology of terrorism. The famous dictum "kill one, frighten ten thousand" may still inspire the pipedreams of terrorists who confuse widespread disgust with widespread terror. Some of them therefore continue to seek to instil fear. Others seek attention and use violence to obtain it.

1.4.5.8 Publicity

The central position in the methodology of terrorism once occupied by the spreading of terror is now occupied by the spreading of the message, though they are sometimes one and the same. The propaganda of the deed can be carried by modern media to all the world's politicians and the majority of its households. Terrorists can hold to ransom and, very publicly, humiliate governments; they thus can establish the strength, and therefore by strange implication, the legitimacy of their cause. Appearance on television establishes the reality of their existence, raises the terrorists' status amongst fellow-terrorists, heartens their supporters and bothers their foes; any demonstration of their competence attracts the grudging respect of their audience and even of their enemies; to a terrorist it is the ultimate feel-good experience. The methodology has developed from the original "kill one, frighten ten thousand".

"Is it better for our cause to kill ten of the enemy in the countryside of Telergma, where no-one will speak of it, or one in Algiers, that will be mentioned the next day in the American press?"22

This simple objective is reiterated in a PIRA statement:

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"'Why did you kill a harmless old man like Mountbatten?' asked a reporter ... 'Why are you calling from New Zealand?' came the (Sinn Fein) reply."\textsuperscript{23}

Palestinians have had a hand in many of the terrorist attacks on Western civil aviation. Their strategy was enunciated clearly at the beginning of their terrorist campaign by George Habash:

"Attacks will not bring about the liberation of Palestine but they are justified in terms of worldwide public attention to the Palestine cause."\textsuperscript{24}

The sophistication of terrorist exploitation of the media is well, and clearly, documented. Attacks have been planned at events where the media were already foregathered (Munich Olympics, 1972). In similar vein, one of the greatest attractions of aircraft hijack to terrorists is that it simultaneously achieves a media hijack. In a captivating aviation setting, the ingredients of a life or death drama are added the spice of catastrophe and the humiliation of authority, all of which make for irresistible theatre. The hijack of the Kuwaiti B-747 (16 days, Larnaca, Algiers and elsewhere, 1988) did not achieve the terrorists' objectives of the release of prisoners from custody. It did however become a major media success, with murder committed to maintain media interest, and newspapers ordered to the aircraft door by the terrorists. It was an operation designed to spread not terror but the message. Such is the methodology of modern terrorism.

1.5 The Liberal Democracy Perspective

Terrorism must be opposed through carefully constructed policy, based on the best available advice and utilizing the legislative, military, economic, media and other resources available to government. The policy of a liberal democracy must balance the freedoms of its citizens

\textsuperscript{23} Ibid, p 78
with the interests of their safety. The determination of the point of balance is a matter for the judgement of the elected government.

Terrorism directed against a liberal democracy is, in its causes, very different from political violence directed against repressive regimes. Furthermore, the responses available to a liberal democracy are circumscribed by constitutional restraints and by the many pressures on an elected government.

The first of these pressures is international. The airlines of major countries operate worldwide; it is therefore an empty exercise to harden defences in the home country whilst leaving the same target invitingly exposed elsewhere. The raising of overseas standards is a subject in itself; it is a necessity, the key to which is diplomacy. Countries need to work together for their mutual advantage. Examples will be given of purportedly friendly countries allowing terrorist activity against their neighbours or allies, or of entering such agreements with terrorist organisations, in exchange for immunity for themselves. Additionally, the constraints and conventions of diplomacy inhibit a robust response: countries take grave offence at any public condemnation of their conduct; the impression is that denunciation of connivance with terrorism is a graver offence than such conduct itself. Amongst the conventions to which liberal democracies adhere are those of diplomatic immunity - even in the extreme case of the unprovoked murder of a policewoman (WPC Yvonne Fletcher, shot by staff of the Libyan Embassy, St. James's, London, 17 April 1984) - and of the inviolability of the diplomatic bag, long-established source of terrorist supply. Finally, liberal democracies are not free to arrange the harassment, imprisonment or murder of foreign nationals on their territory, a bargaining counter not denied to unscrupulous regimes.

The second pressure is economic. The need to secure reliable oil supplies and lucrative commercial contracts is a major factor in government policy. Nowhere is it more clearly illustrated than in the British Government's involvement in the supply of armaments to the Iraq of Saddam Hussein, a notorious sponsor of terrorism. The Supergun and the Matrix-Churchill affairs culminating in the Scott Enquiry (1994) very publicly exposed the hazards of
the simultaneous pursuit of incompatible policies and did little to raise public confidence in
contemporary British statesmanship. Similar embarrassments have befallen other liberal
democracies: Colonel North's supply of embargoed arms to the Iranians (USA, 1989),
French, West German, Italian and Japanese supply of chemical warfare capability to the
Libyans (Rabta, 1985-1988).25

The third pressure is that of legality because, in principle, the governments of liberal
democracies operate only within the framework of the law. Closely bound into legality is
openness; to indulge in extra-legal operations a government must not only take the steps of
authorising the actions and mustering the resources, but it must also maintain secrecy, not
an easy task with media which are not only free but also astute, intrusive and sensation-
seeking. The greater the scale of terrorist activity the greater the difficulty of concealing
extra-legal response. In other words the greater the threat to its citizens the more that strict
legality limits the self-defence activity of a liberal democracy. Thus, when confronted by a
"new" phenomenon, terrorism, for which the sanctions of existing law are inadequate, it must
legitimise the required response by extending the framework of the law. This involves
submitting its proposals to the test of parliamentary acceptability, and thus to public and to
expert scrutiny; it also offers an opportunity for guardians of civil rights to express their
anguish (which the uncharitable would say is their favorite occupation) and for terrorist
sympathisers to cry foul.

Law which does not provide a vehicle for successful prosecution fails in the task. Legal
draftsmen must work to the imperatives of clarity and unambiguity. Their enactments will be
searchingly examined by defending counsel, eager to exploit any deficiencies. The UK
Prevention of Terrorism Act 1974 and subsequent amendments is an example of a
government extending its legal powers in order to face a new situation, the increased
activity of PIRA. The 1989 Act, Section 20 (1) defines terrorism thus:

"terrorism' means the use of violence for political ends and includes any use of violence for the purpose of putting the public or any section of the public in fear."

This definition is used in this research. It is much simpler than Schmid and Jongman's definition which sought to accommodate all shades of academic opinion. Different definitions are needed for different purposes.

It is the task of a liberal democracy to develop an effective counterterrorist policy and one which accommodates international, economic and democratic considerations. This policy must, as far as possible, be expressed in legislation. Extra-legal government activity conflicts with the principles of liberal democracy; it must therefore be kept to a minimum, though it is perhaps idealistic to expect to eliminate it entirely. For this reason this study of the strategic aspects of aviation security is conducted from, and constrained by, the perspective of liberal democracy.

1.6 Conclusion: Perspectives and Definitions

The four perspectives and the definitional concepts outlined in this Section offer an indication of the methodology of the research. No model is propounded, nor are there hypotheses to be validated. A uni-dimensional approach to a multi-dimensional subject must, per se, be limited in value. It may well be misleading if the factors outside the dimension are dynamic. For such reasons the research is pragmatic. It reviews Palestinian attacks on aviation from a viewpoint of utility: their causes, their objectives and their effects. It reviews the British responses from a similar viewpoint, and offers a perspective of their utility by reference to international activity. The viewpoint on the actors: HMG, industry, international government and other organisations, and pilots' organisations, is utilitarian. Their measure is their contribution to the general good, that is to the progress of aviation security.
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2. ATTACKS ON AVIATION: BACKGROUND

2.1. Introduction: Aviation Terrorism

Political violence is a long-established human activity. Over the centuries its methodology has changed, following the developments of social structures and of science. The incorporation of mass air travel into its methodology was predictable. The degree of that incorporation is still unresolved; it depends upon the outcome of the contest between the methodology and the countermeasures. The first recorded hijack was on 21 February 1933 in Peru.\(^{26}\) The first recorded airliner sabotage was on 31 October 1933 in California.\(^{27}\) Prior to 1968 at least 167 hijacks and attempts and 21 sabotage attacks had occurred.\(^{28}\) In the majority of the hijacks, including the USA-Cuba epidemic, the aircraft was commandeered as a means of transport.

In 1968 the Palestinians adopted attacks on aviation as a tactic to damage Israel and to commandeer world attention. To assess the effects, the success, and the probability of the re-use of the tactic, it is essential to establish its context. Therefore this section includes a short and non-partisan review of the Palestinian conflict. It is clear that the Palestinian attacks on aviation were a classic "blocked response" to Israeli policies in Palestine (2.3). It is also clear that no strategic control was imposed upon the tactic. The actions of Palestinian extremists earned them the enmity of the influential Western world. They assisted Israel to stereotype the Palestinians as


\(^{27}\) COX, Matthew and Tom FOSTER. Their Darkest Hour. London: Arrow, 1992, p 258

\(^{28}\) FAA. US and Foreign Hijackings - Summary (1986)
terrorists and thus to present all Israeli violence as the legitimate reactions of a state, even though the Israeli record of military invasion and brutal repression was as callous as any terrorism. It is not the task of this research to assess the relative culpabilities of the parties to the conflict. Neither emerges with credit. However it is clear that Palestinian attacks on aviation were strategically counterproductive to the Palestinian cause.

The extensive use of attacks on aviation by other terrorist groups, by criminals, fugitives and others is acknowledged. The research focuses upon the Palestinians because their role was central to the emergence of the tactic. It is submitted that their coercion of media and government attention pioneered a principal method of modern international terrorism, although there is no agreed definition of international terrorism (2.2. 2 & 3).

2.2. Attacks on Aviation

2.2.1. Introduction

Attacks on aviation are a phenomenon new to the world. They are an unwanted by-product of this century's most exciting achievement, aviation. Although the contemporary technology involved - aircraft and sophisticated modern weaponry - was not available to previous generations, the analysis of attacks on aviation must begin by considering whether they contain elements of longer standing.

Various motives have been ascribed to those who have attacked aviation: political, criminal, transportation, ideological, military and insane. The category central to this study is political which, since serious violence is involved, equates to terrorism. Ideologists have sought to disrupt aviation (animal rights movement, GB, 1995) but have not yet used extreme violence.
Early attacks on aviation (1950s to early 1970s) were predominantly to obtain transportation (USA to Cuba, Eastern Europe to West) or the acts of violent criminals. These motivations are simple and need not be considered in a wider context. They are a continuing threat to aviation which must not be overlooked.

Politically motivated attacks may originate anywhere along a continuum, one end of which - the positive - is support for a cause (eg nationalism or animal liberation), and the other end of which - the negative - is hostility to the target (eg capitalism, religious opponents). Distorting the continuum are the corruptions which develop from terrorist activity: the need to maintain the material and psychological well-being of the group, and the mercenary potential of violence which in the cases of, for example, some Irish terrorism, the Abu Nidal group, and others has certainly overtaken and probably supplanted the original political motivation. Accommodated within the continuum at the negative end are attacks motivated by the hostility of one nation (or regime) to another, as in actions against the United States instigated and funded by Iraq, Syria, Iran, or Libya. Such cases are acts of war in all but name; they are deniable because no war is declared and because the actions are purportedly those of non-state actors; they are therefore recorded not as acts of war but of terrorism. For the counter-terrorist, identification of the participating terrorist group is not the end of the investigation, but one step towards identifying the prime mover, the instigator. Understanding the aetiology of attacks is one of the most important tasks of research; it is the key to their prediction and interception, and to the discouragement of their repetition.

By 1968 the era of the jumbo-jet had begun; the world was opening to travellers of all classes as, twenty years earlier, the local region had been opened by the charabanc. The Palestinian campaign of attacks on aviation also began in 1968.

The coordination of serious attacks into a campaign was pioneered by the Palestinians who went on to demonstrate its viability and effectiveness. In the 1940
decade there were 14 attacks on aviation, in the 1950 decade there were 23, in the 1960's 132, in the 1970s 342.  

2.2.2. The Nature of International Terrorism

Thus a new mutation of international terrorism made its unwelcome appearance; its seeds were the age-old sources of conflict; the means of its fruition was the advent of modern aviation. Its *modus operandi* was an amalgam of contemporaneous technological advances - jet aircraft, real-time mass communications and television. If the ideal crime is the one which goes undetected, then the ideal terrorist action is the one which the whole world witnesses. Successful terrorist action directly pressures a government by humiliating it, and indirectly by prompting pressures upon it from other governments and from the population governed. This last is especially significant in liberal democracies where the incumbents may be voted out of prestigious office, substantial salary, and accompanying benefits by its electorate. Tyrants and dictators, although not subject to electoral pressures, are supersensitive to public humiliation; their consequent control of the media is one of the many means by which they maintain their tyranny and by which they resist terrorist pressure.

"Saudi Arabia bans all satellite dishes."  

"A statement by the Interior Ministry said that satellite dish owners have one month to get rid of the equipment. Anyone violating the decree will be fined between £17,000 and £86,000. ..."

Foreign broadcasts will be received by the Information Ministry via satellite, screened and retransmitted 'to viewers through a cable system in the kingdom matching with its religious and social values".  

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30 *The Independent*, 29 June 1994, p 2  
31 *The Times*, 1 July 1994, p30
These reports (July 1994) relate to Saudi Arabia, a country which, though some way from liberal, emancipated democracy, is even further from those repressive regimes of the Middle East to whom torture, murder and genocide are the normal instruments of state control, and where censorship is no longer newsworthy.

Interestingly, terrorists too are super-sensitive to their personal, as well as their group’s, image. Most deeply dislike to be labeled terrorist, which strips from their lifestyle the sophistry of their self-justification. There are many examples of their insistence upon more flattering descriptions, and of death threats to uncooperative journalists. Gerry Adams, supposedly no longer a terrorist, expressed resentment at a cartoon in the Irish Times which portrayed him as an unattractive politician. The cartoonist, Martyn Turner, told Sinn Fein to “grow up”, adding that “It is a bit strange that Sinn Fein should accuse me of being cruel to them after what they did for 25 years....”. Whether Mr Adams is a terrorist or a democrat, he is clearly aware that the ultima arbiter of his image is the media; it is not his self-image that they communicate to his audience.

In liberal democracies television coverage of terrorist successes are party political broadcasts on behalf of terrorism; the power of the media is hijacked to the terrorist cause by the gripping and horrifying spectacle of the terrorizing and murder of innocents.

The utilisation of aviation by international terrorists is at the heart of their activities. It enables them to operate out of safe havens, protected by international law and by their sponsors; they no longer have to conceal themselves close to their target or to depend upon local support. They are thus exposed to counter-terrorist forces for a minimum period before and after their attack, with a high probability of escaping retribution. Additionally modern technology offers stand-off capability. The bomb that murdered 270 people on 21 December 1988 at Lockerbie, Scotland may well have been inserted into the system in Malta, 2400 miles and 11 hours earlier. By the time it exploded its dispatchers could have been in

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32 *The Times*, 2 Jan 1996, p2
Libya, Lebanon, Syria, Iraq or Iran. Though hijackers run a greater risk than bombers, many have escaped either at the end of their operation or soon thereafter through coerced or unprincipled release from custody.

Three further factors favour both the terrorists and their sponsors by reducing the probability of retribution. The first is the task of gathering conclusive evidence of their guilt; the second is the liberal sensitivity of the Western civilisation which is shy of not only ultra-legal and violent reprisal, but also of judicial capital punishment. The third is the demise of gun-boat diplomacy, not least because of terrorist response. Liberal democracies are presently at a disadvantage. They have not responded adequately to their new enemy, international terrorism, with an effective legal framework and an operational strategy.

It is not terrorism that is new, but its truly international nature. International aviation terrorism is an airborne disease. It cannot be permanently eradicated and therefore more successful methods of treatment and control are needed.

There are various definitions of "international". Mickolus' definition, in his first Chronology (1980) is:

"... when, through the nationality or foreign ties of its perpetrators, its location, the nature of its institutional or human victims, or the mechanics of its resolution, its ramifications transcend national boundaries."33

In his second Chronology (1989) he repeats this but also makes a different statement:

"International or transnational terrorism concerns terrorist activities involving terrorists or government participants from two or more nations. ... Any terrorist incident that includes the

governments, the citizens, or the institutions or two or more countries is considered transnational."

This is simpler and more useful but, as we will see in the next paragraphs, still too broad. It includes all terrorist attacks save those exclusively domestic, although leaving some questions unanswered. In fact Mickolus does include many examples of domestic terrorism in his Chronologies, so the titles he gives them "Transnational Terrorism" (1968-79), and "International Terrorism" (subsequent volumes) are misleading.

2.2.3. The Distinction Between International And Domestic

2.2.3.1 Definitional Difficulties

A strict definition of domestic terrorism which excluded all international connotations: support, funds, weapon supply, victims, etc, would exclude most terrorist attacks. The value of distinguishing between domestic and international terrorism lies in the clarification which is thereby provided to counter-terrorists and to scholars. Thus the IRA is widely seen to pursue domestic objectives ("Brits Out") but to utilise international sources for funds (Noraid), weapons (Libya), safe havens (Eire), terrorist training (Palestinian) and support (Baader-Meinhof, Action Directe). Does this make the IRA an international group? Is their murder of a British soldier in Belfast an international incident? There is no fundamental distinction; therefore it is a matter of judgement, with much more to be gained for understanding and progress by the consensus of experts than by their eternal striving for a theoretical unachievable accuracy.

Only the most trivial of domestic terrorism has no international connotation, whether it be newsworthiness abroad or the nationality of a participant. Explosives are indiscriminate in their effects, and an IRA bomb in Oxford Street or a Tamil bomb in Colombo are likely to

34 MICKOLUS, ref 26, p x
claim foreign lives. Terrorists may express regret but do not allow it to affect them, or their subsequent conduct.

Terrorism may be described as "international" both usefully and unambiguously if the jurisdictions of more than one government are involved. Then the investigation of the attack and the prosecution of the culprits will necessitate international cooperation, and all that is thereby implied in terms of vacillation, ineptitude and differing political agendas. The flight of attackers abroad and the need for extradition proceedings is so common that most incidents will involve the jurisdictions of more than one government in both their investigation and in the subsequent legal proceedings. Therefore even attacks exclusively domestic in their victims, targets, objectives and participants are likely to have an international dimension and, by the suggested criterion, invite the classification "international". A sub-category "domestic-international" might be more appropriate. Be that as it may, it is clear that international cooperation is crucial in combating terrorism because all terrorism has either international connotations or the potential therefor. A common criminal act is a simpler matter, having neither the objective nor the defence of a "political" offence, and a lesser possibility of subsequent coercion; all of which reduces the putative embarrassment to governments; cooperation may therefore be expected of all but the venal and corrupt who, though numerous, tend to be dangerous associates for terrorists.

Mickolus includes "governments" in his definition. Thus any form of state sponsorship (weapon supply, funds, training, logistics, safe haven, et al) by a foreign government would constitute an "international" dimension. This may be an accurate description but it is not a helpful one, state sponsorship being an activity clearly distinguishable from other aspects of an "international" act. For that reason it is preferable to retain the term "state sponsorship" as a description of that activity, and to accept that it is the norm for domestic groups to be aided by the state enemies of their target government.

Finally there is the possibility of international cooperation between domestic groups which share a commonality of purpose, whether anti-capitalism, religious fundamentalism, or other.
At the point at which terrorist cooperation became terrorist coordination, government cooperation would have to become government coordination and the terrorist activity would have to be classified "international".

Any terrorist action involves violence and four other essential elements: the territory on which the attack takes place, the attackers, the victims and the target. In the case of the simplest domestic incident all these elements would relate exclusively to one country.

2.2.3.2 Territory

**Territory** has immediate relevance in determining whether jurisdiction is a matter for a single government, or for more than one. Thus a letter bomb posted in Country A and received in Country B would involve at least two jurisdictions, as would an explosive device placed on an aircraft in Country A and detonated or discovered in Country B.

2.2.3.3 Nationalities of Attackers

The attackers' nationalities do not give a clear-cut distinction between "domestic" and "international". The presence of a foreigner in a domestic terrorist group would not by itself make that group's activities international. However at some point the proportion of foreigners in a group would necessitate re-classification of the whole group. The objectives and activities of the group would also be relevant. The links, eg between Baader-Meinhof, Japanese Red Army and Palestinian groups, included common objectives and constituted an international dimension which was central to the investigation of otherwise "domestic" incidents.

2.2.3.4 Nationalities of Victims

Similarly the victims' nationalities are not a simple key to classification. The question of intent must be considered. Thus the "accidental" death of a Dutch sailor who was
murdered in Northern Ireland by the IRA, who mistook him for a British soldier by reason of his short haircut, was not perpetrated to obtain coverage in foreign media nor to influence the Dutch government, nor did it put the incident into Dutch jurisdiction.

2.2.3.5 Nationality of Target

Targets are more problematic; a foreign victim may be deliberately selected, either to discourage foreign investment, or to obtain international publicity, or to make a "keep-out-of-our-territory" statement; each of these could be seen as an attempt to internationalise the dispute by involving a foreign government; nonetheless no outside jurisdiction is necessarily involved and therefore the classification "domestic" is more helpful. This would not be true of an attack on a foreign aviation target, because international aviation is covered by international conventions, which specifically empower more than one jurisdiction. Thus an attack on an aircraft of Country B carried out by domestic terrorists of Country A within the territory of Country A would be an "international incident". Strictly this would not be true of a similar attack on the airline office of Country B, as the international conventions would not apply.

2.2.4. Palestinian Attacks on Aviation

The Palestinians resorted to attacks on civil aviation in 1968. Some sources lay the responsibility for this tactic at the door of the Afro-Asian-Latin-American Peoples Solidarity Conference (also known as the Tri-Continental Communist Congress, Cuba) held in Havana in January 1966; this allegation is examined (2.4.3.3)

Prior to 1966, there had been a total of 69 hijacks in the 18 year period 1947-1965, approximately three per year. 18 of the 23 hijacks (78%) 1947-56, were escapes from behind the Iron Curtain. In 1958-59 there were 6 hijacks associated with the Cuban revolution. Two previous Cuban hijacks (22 Oct 58 and 1 Nov 58) had resulted in, respectively, the disappearance of a DC-3 and the crash of a Viscount which killed 17 of the
20 aboard. From 1958-66, there were 11 hijacks of Cuban aircraft, probably to escape Castro, and one hijack inbound. After Castro encouraged supporters to join his revolution, an epidemic broke out: 29 hijacks to Cuba in 1968, 71 in 1969, 29 in 1970, 18 in 1971, 23 in 1972 and 4 in 1973. In all, the aircraft was targeted for its value as transport. The targeting of aircraft as a symbol of an enemy nation was started by the Palestinians in 1968. They thus pioneered a technique of pursuing hostilities which they could not, being stateless, legitimise as war.

In 1967, the year after the Congress in Cuba, the Arab-Palestine cause suffered a massive defeat in the Six Day War. The Israelis destroyed the Egyptian and Jordanian Air Forces, two-thirds of the Syrian Air Force and 80% of the Egyptian army's heavy equipment. They defeated the Egyptian, Syrian and Jordanian armies. They captured Sinai and the Golan Heights. They also captured East Jerusalem. This was the greatest blow of all, not only to the Palestinians, but to the psyche of the whole Arab world. Thus the Israelis multiplied Palestinian desperation and desire for retribution whilst at the same time demonstrating the futility of attacking Israeli defence forces in large scale conventional war. To those inclined (or driven) to violence, terrorism was an obvious option. Given the high level of security within Israel itself, attacks on Israeli targets elsewhere were inevitable.

1968 set the scene for the 20 years of international terrorism that followed. In that year Fatah carried out three attacks in Israel:

- 18 March 1968: 2 Israelis killed, 28 injured when a bus hit a mine
- 18 Aug 1968: 8 Israelis, 2 Americans injured by 3 grenades in Jerusalem
- 18 Aug 1968: No injuries resulted from a bomb in Jerusalem

The PFLP carried out one attack in Israel:

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35 FAA, ref 28
36 MICKOLUS, ref 33.
- 22 Nov 1968: 10 Israeli Jews, 2 Arabs killed, 55 injured by a bomb in Jerusalem. PFLP claimed credit "in retaliation for Israeli terrorist actions" (in occupied territories).

The PFLP carried out the first two acts of international terrorism against aviation targets:

- 23 Jul 1968: An El Al 707 was hijacked out of Rome and taken to Algiers
- 26 Dec 1968: An attack with incendiary grenades and a machine gun was made on an El Al 707 awaiting take-off at Athens. One passenger was killed and a stewardess was injured.

For the first of the Fatah attacks (18 Mar 1968), which killed 2 and injured 28, the Israelis, in reprisal, attacked a Fatah base in Jordan, killing 150 and capturing a further 150 guerrillas (21 Mar 1968). The Jordanian army intervened and the Israelis retreated. This was the battle of Karameh, famous in Palestinian folklore. It was not perhaps as famous a victory as the Palestinians subsequently claimed. However their perception of it as such was of great significance. The Israelis were no longer an invincible foe, but an enemy with vulnerabilities.

This changed perception was an echo of history sounding across two millennia from Ancient Greece. Then the Spartans were the invincible foe. They too combined total self-interest with a willingness to accept personal self-sacrifice; they too had routinely defeated their surrounding enemies, their fellow Greeks - until the battle of Leuctra:

"In (BC) 371 occurred an event which shook Greece to its foundations. Thebes defeated the Spartan Army in a straight fight at Leuctra. They had at the moment what was rare in Thebes, two men of genius, Pelopidas and Epaminondas, and these men had devised a new and bold military tactic. Instead of drawing up the heavy infantry in a line eight men deep (with cavalry and skirmishers on the flanks), they thinned one wing and the centre and drew up the other wing to the extraordinary depth of fifty men. This mass of men, acting like a rugby scrum, broke
through the Spartan line by its sheer weight, and the unbelievable had happened. But Thebes had no new political idea to contribute."

The Palestinians' "victory" at Karemeh was not the product of military genius, but of simple courage. Unfortunately they, like the Thebans, desperately lacked new political ideas. Interestingly, the enemies of the Thebans, the Spartans, are also remembered as much for their mercilessness and their devious self-interest ("Spartan promises") as for their military prowess.

The Israelis' immediate response to the PFLP attack at Athens (26 Dec 1968, 1 killed, 1 wounded, some damage to aircraft), was a commando raid on Beirut International Airport destroying 13 civil aircraft of 3 Lebanese airlines (28 Dec 1968). Damage was estimated at a massive $43m.

These few incidents set the pattern for the next 20 years. The Palestinian attacks within Israel were trivial in terms of deaths and injuries inflicted on the target, the Israelis, but costly in collateral death and injury to fellow Arabs and innocent passers-by. The El Al hijack was mounted out of Rome, pistols and grenades were used, gratuituous and vicious violence was involved, the aircraft was taken to Algiers and the Algerians deployed their formidable negotiating skills to save the lives of the hostages. Prior reconnaissance had been carried out with the alleged assistance of a state intelligence agency (Egypt); a serious mistake had been made: Ariel Sharon, an Israeli General, had been believed to be on board. The hijack achieved the release of 16 Arabs by the Israelis. Two of the attackers utilised their experience in subsequent hijacks. The paramilitary attack in December took place in Athens, killed one person and injured another and led to the customary Israeli over-reaction and disregard for UN condemnation. Similarly the Israelis reacted to the 2 deaths in the Fatah attack on a bus with a major military operation, killing 150 at Karameh. Finally the capture of the two terrorists in Athens led to their imprisonment for three months, after which their release was successfully coerced by the hijack of a Greek aircraft. All these elements

of 1968 were repeated monotonously in the subsequent 20 years. Thus in the first year of attacks on aviation, the Palestinians had identified and successfully employed 10 of the 13 essential items in a hijack; the remaining three (use of an aircraft as a strongpoint and as transport, power of hijackers to coerce governments to negotiate with them, and facility with which hijackers could command the media and a mass audience) were revealed in the JAL and Olympic hijacks of 1970.

In 1969 the Palestinians widened their target from Israel itself to encompass supporters of Israel, starting predictably with the USA. A TWA B-707 operating to Tel Aviv from Los Angeles, via Paris, Rome and Athens was the first victim (29 Aug 1969). Once again Rome was selected by the attackers for their access to the target. As in the two previous incidents the group responsible was the PFLP. This hijack was led by Leila Khaled who was soon to be involved in the Dawsons Field hijack extravaganza (6 Sept 1970). Attractive, young and a good publicist she became an icon and an encouragement to the struggling Palestinians. The value of such encouragement to a people dispossessed of their land, hopelessly unable to recover it by waging conventional war, without diplomatic representation, and with few active sympathisers in the Western world was central to maintaining the momentum of the Palestinian movement. A strong statement was made to Israeli Air Traffic Control: "We have kidnapped this American plane because Israel is a colony of America and the Americans are giving the Israelis Phantom planes" and subsequently Leila Khaled remarked in an interview "hijacking is one of the aspects of our war against Zionism, and all those who support it, including the US. [The TWA plane was hijacked] because it brought visitors and tourists to our enemies who are occupying our land by force of arms". The subsequent repeated targeting of TWA may well have been a reflection of its regular service to Tel Aviv. After the aircraft landed in Damascus the flight-deck and nose area were extensively damaged by explosives, but the intended destruction of the aircraft was not achieved. The passengers were well-treated throughout, though two Israelis were held for three months to coerce the release of 71 prisoners held by Israel. Allegedly Leila Khaled had been told that Yitzhak Rabin would be on board; he may have

39 MICKOLUS, ref 33, p 133
40 MICKOLUS, ibid
been the "assassin" to whom she had referred on the passenger address system. If the allegation is true, this was a second Palestinian Intelligence failure.

In the same year (1969) the PFLP carried out an attack with machine guns, and incendiary grenades on an El Al 707 at Zurich airport. The pilot was killed and 6 persons were wounded. The hijackers were imprisoned by a Swiss court on 22 Dec 1969 and their release was coerced nine months later by the hijack of a Swissair DC-8 (6 Sept 1970, Dawsons Field). One subsequently trained the Japanese Red Army group which attacked passengers at Lod Airport (Tel Aviv) 30 May 1972.

The next year saw the first Palestinian sabotage attacks on airborne aircraft (21 Feb 1970). A Swissair Coronado crashed killing all 47 on board after a bomb in the rear luggage compartment exploded and the crew were incapacitated by the resulting smoke. On the same day an Austrian Caravelle survived the explosion of a similar bomb, the force of which was fortuitously absorbed by surrounding consignments of newspapers. 18 years later the structure of Pan Am 103 was not similarly protected. Some sources suggested that both bombs were in mail bags destined for Tel Aviv, which the saboteurs had expected to be on board El Al aircraft, but which were refused for carriage by El Al. Other sources suggested the deliberate targeting of Swiss and Austrian aircraft. It was two years before the Palestinians next attempted sabotage in the air (El Al 16 Aug 1972); they fortunately failed to destroy the aircraft. This hiatus perhaps partly resulted from the public revulsion, manifest in adverse publicity at the employment of indiscriminate murder as a tactic. More important, hijack was proving to be a more rewarding tactic. Although a number of planned hijacks had been intercepted on the ground (Athens, 21 Dec 1969; Munich, 10 Feb 1970 and 17 Feb 1970), others had succeeded and had reaped dividends. Two significant hijacks in 1970 identified the three other bonuses which were available from this style of attack.

The first (Japanese Air Lines B-727, 31 Mar 1970) was hijacked by nine Japanese members of the JRA, armed with a variety of weapons including samurai swords, pistols and pipe bombs. They demanded to be flown to Pyongyang, North Korea. The Captain told them that
he had insufficient fuel and they therefore allowed a landing at Itazuke near Fukuoka. In all previous hijacks bar one (TWA B-707, hijacked from the USA to Rome by ex US Marine Minichiello, 1 Nov 1969) the attackers had been able to proceed directly to their chosen "friendly" destination without an intermediate landing and confrontation with hostile authorities. The JAL aircraft was on the ground for 5 hours at Itazuke and subsequently for 3 days at Seoul. During this time both the Japanese and South Korean governments attempted to recover possession of the aircraft and were successfully defied by the terrorists. Even worse, the whole proceedings were televised and witnessed by millions. This incident was an object lesson to the Palestinians, demonstrating the value of an aircraft both as a strongpoint for the hijack team and as a taxi-cab from one destination to the next, and showing that the hijack itself could force a major government to acknowledge terrorists, to negotiate with them and to accept humiliation by them, all the while attracting unprecedented worldwide and public coverage by reason of the suffering and potential murder of the hostages, to which the media flurried like vultures scenting a meal.

The Palestinians put this learning into practice with the second terrorist hijack of 1970, an Olympic B-727 operating from Beirut to Athens which was attacked en-route (22 Jul 1970). It continued to its destination, Athens, but now under the command of the hijackers, where it was used as a bargaining counter with the Greek government to obtain the release of 7 Arab terrorists who were being held, awaiting trial, in Greece. All hostages were released in a settlement under which the Arab terrorists were tried and sentenced (for up to 18 years), and then promptly released; the prosecutor told them that he hoped to see them back as tourists. This operation was mounted to coerce the release of terrorists in custody following their attacks on aviation [attack on El Al B-707 at Athens (26 Dec 1968), foiled hijack of TWA B-707, Athens (21 Dec 1969), grenade attack on El Al office, Athens (27 Nov 1969)], and it succeeded totally.
Thus by August 1970, two years after their first foray (El Al, 23 Jul 1968), the Palestinians had developed the hijack of civil airliners into a weapon of unique value, with which they scored tactical successes and one from which their fighters had a good chance of returning to join the celebrations. In all respects it was precisely what the Palestinians needed, a terrorist tactic far superior to their pinprick suicide attacks in Israel or their equally suicidal conventional confrontations with the Israeli Defence Forces; it yielded heartening tactical successes and unparalleled publicity. For the next twenty years they exploited the methodology, reaping rich tactical rewards but, as will be seen, at serious strategic cost. The technique of hostage seizure was soon utilised outside aviation [Munich Olympics (1972)]. It was combined with aviation in the spectacular seizure of the OPEC Ministers, who were flown out to their intended murder in an aircraft demanded of, and provided by the Austrian government (1975). The Palestinians also sabotaged aircraft and made armed attacks on airports.

The use of aircraft hijack has been adopted by other Middle Eastern groups, most notably Hizbollah who have carried out several murderous attacks. In their most recent hijack (Kuwait Airways B-747 May 1988) they held the world to ransom for 16 days. Since then the Arab-Israeli peace talks have progressed, albeit fitfully, the Gulf War has been fought (Jan 1991), Gaza has been liberated from the Israelis (Jun 1994) and Yasser Arafat has returned to his homeland. These events have had the effect of bringing to an end Palestinian attacks on aviation. It is highly unlikely that attacks will be resumed by mainstream Palestinians. Palestinian mercenary and maverick groups are less predictable, but they and their state-sponsors will be keenly aware that the Western democracies would unite in their response to a return to atrocities against aviation, and that there are no safe havens from modern technology.

The period 1966-94 thus represents a complete phase of the Palestinian-Israeli conflict; in 1966 the Cuban Congress met to discuss the international promotion of
Communism; in 1967 the Arab forces suffered a massive defeat in conventional warfare and the humiliation of losing Jerusalem, the Palestinians were forced to look to other methods of pursuing their cause. In 1968 they turned to aviation terrorism. By 1970 they had carried out attacks on airline offices, attacks on airports, hijacks and the airborne destruction of an airliner. They continued to use these techniques over the next 20 years. They demonstrated the ease and efficacy of the tactic to others; criminals, terrorists, refugees, the mentally disturbed, and, most important, to state sponsors. During this period a whole range of responses developed, ranging from the payment of protection money to terrorists, to the utilisation of US Air Force to bomb a state-sponsor. This period encapsulates not only a discrete phase of the Palestinian-Israeli conflict, but the conception, birth and growth of attacks on aviation and of security counter-measures, to their current stage of maturity. Attacks on aviation (1968-94) can therefore be examined as the formative influence on aviation security, as an instrument of Palestinian policy, and as a cost and challenge to liberal democracies.

2.3. Palestine: A Century of Conflict

2.3.1. Introduction

This Section of the research, ATTACKS ON AVIATION, offers three substantial conclusions.

The first has already been advanced, (2.2.4): the Palestinians introduced the tactic of attacks on aviation into the armoury of international terrorism.

The second conclusion is perhaps the most important. The Palestinians were the first combatants to use terrorism as a means to endeavour to internationalise a local
conflict. They elected to attack non-participant, third parties, in order to publicise their grievances and to draw the international community into their dispute. Both George Habash's PFLP and Ahmed Jibril's PFLP-GC were Marxist in orientation and advanced the Marxist argument "if you are not for us you are against us". The Palestinian recourse to terrorism was counterproductive; it gave them an image worldwide not of peoples dispossessed of their land, but of indiscriminate murderers. The PLO was branded a terrorist organisation; it was therefore not only excluded from the world's dominant decision making circles, those of the West, but worse, it made enemies of them. This greatly eased the pressures on Israel, which used the respite to consolidate its hold on Palestinian territory.

The third conclusion is that their attacks on aviation were tactically successful, but strategically prejudicial to their cause.

The course of the Arab-Israeli conflict is central to these conclusions. It is therefore discussed in broad terms. The researcher writes from the perspective of international relations, and freely accepts that some historians may, and that partisans will, contest his views. This sub-section is confined to trying to identify the forces driving the conflict, both global and local, the characteristics of the conflict, and the milestones in its progress.

The global driving force was Zionism and its quest for a Jewish homeland or state. This force was variously assisted, deflected or influenced by the superpowers - British imperialism (1898-1948), US-USSR manoeuvring (1945-95), and by Arab States' politics
Zionism had consistent and coherent support from many influential Jewish individuals and organisations worldwide. Zionism was energised by the horrors of the Holocaust, and re-energised by the Palestinian denial that Israel had a right to exist. Zionism was opposed by Palestinians, Muslims and Muslim States; their opposition was characterised by their consistent and apparently congenital inability to unite.

The local forces driving the conflict were the products of the local political maelstrom. Egypt, Syria, Jordan, Lebanon, Libya, Iraq and Iran have all been deeply involved in open or terrorist war with Israel.


Amongst the characteristics of the conflict was the consistent progress by Israel towards its objectives, the inability of the Palestinians to coordinate their opposition, the double standards of Israel in the matters of the rights of Jews and Palestinians, and the internationalisation of the conflict across most continents of the world.
2.3.2. The Course of Events

The land of Palestine is the cause of its troubles. Following the biblical age, it was occupied for centuries by Palestinians. More recently it has been selected by the Jews for their rediscovered homeland. Over the last 100 years, persecuted Jews have reversed their diaspora, congregating and multiplying in Israel and forcing upon the Palestinians a diaspora of their own.

The Jews' desire for a land or home of their own has long historical origins. Widespread anti-Jewish feeling in Europe and Russia during the 19th century including riots and, in Russia, massacres (1881); these added urgency to the Jews' search for refuge. The hostility to Jews was tribal. They retained a clear identity of their own whilst living within another community. Whether by choice or through rejection many did not assimilate into their host communities. They thus constituted a well-defined target for hostility, both engendered by generalities (tribal rivalry or the desire for a scapegoat) and by specifics (intelligence and financial skills). The Jewish quest for a homeland in Palestine was a key component of the agenda of the First Zionist Congress (Basle, 1897).

The founding Zionists were careful to use the term Jewish "home", not Jewish "state." By 1919 the concept had developed into, or had been publicly revealed as, the objective of the foundation of a Jewish state.

"the whole administration of Palestine shall be so formed as to make of Palestine a Jewish commonwealth under British trusteeship". (Chaim Weizmann, 1919) 

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41 OVENDALE, R. The Middle East since 1914. New York: Longman, 1992, p 33
Thus the underlying cause of the century of conflict was simply a contest for territory, the land of Palestine. Inevitably the ambition to achieve control of a territory involves the domination of its existing inhabitants, by power, by numerical superiority, or by their eviction.

"the Zionists would 'greatly expropriate' Arab property and 'try to spirit the penniless population across the border by procuring employment for it in the transit countries, while denying it any employment in our own country". (Theodor Herzl c 1900)\(^{43}\) [Researcher’s emphasis]

Thus Herzl set the scene for a territorial battle which simmered and boiled throughout the 20th century. It ended with the substantial victory of the Jews. The fruition of Zionism is the expanded State of Israel; its continued existence is not in serious doubt; its eradication would involve its enemies in suicidal recourse to nuclear war.

2.3.3. Land and People

It would be a mistaken exercise to compile a scorecard of atrocities, or of rights and wrongs, in an endeavour to come to a judgement on the conflict. However there is no reason to condemn all Palestinian violence as illegitimate, being in defence of the stateless, nor to accept Jewish violence as legitimate, being in defence of a state. Such a proposition should be absolutely refuted, being a justification of ethnic cleansing.

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\(^{43}\) The Dispossessed. London: Sidgwick & Jackson, 1980, p 39

Ibid, p 40
The following paragraphs examine two propositions: that the increase in Jewish population was at the expense of the Palestinian population, and that the increase in Jewish land ownership was at the expense of the Palestinian land ownership. Both of these movements are seen as evidence for the major proposition that they were purposively achieved in pursuit of territorial conflict.

2.3.4. Peoples of Palestine

In 1914 the population of Palestine is estimated to have been 650,000, of whom 80,000 (12%) were Jewish and 570,000 were Palestinian Arab.44

By the end of 1946 the population was 1,877,000 of whom 608,000 (32%) were Jewish and 1,269,000 Arab.

The partition of Palestine by UN vote (29 Nov 1947) into two states, Jewish and Arab, and the war of 1948 not only changed the boundaries of Palestine, but also led to a large Arab refugee exodus. Thus the basis for assessment of population numbers was changed, invalidating comparisons between Palestine (pre 1947) and Palestine/Israel (post 1947). The war of 1967 had similar effect, enlarging the area occupied by the state of Israel once more.

In 1983 the population of Israel including East Jerusalem and the Golan Heights (4 Jun 1983 census) was 4,037,620 of whom 3,349,997 (83%) were Jews. Official estimates (31 Dec 1990) gave the figures of 4,818,7000, of whom 3,941,000 (82%) were Jews.

Over the century the population movement was Jewish immigration and Arab emigration. The major Arab exoduses were in 1947/48 and 1967 when they were driven or terrorised (in the true sense of the word) out of their homes and property. The Jewish intention was to secure the vacated property for Jewish occupation.

"These massacres were calculated to panic the neighbouring villages into flight. After 254 civilians in Deir Yassin ‘had been deliberately massacred in cold blood’, as Jacques de Reynier of the Red Cross described it, the wretched survivors were publicly paraded through Jerusalem in order to spread terror among other sections of the population. Arthur Koestler called the bloodbath of Deir Yassin ‘the psychologically decisive factor in this spectacular exodus’ and it was expertly exploited by the Zionists. A Christian missionary in Jerusalem recalls a loudspeaker blasting out this message to the Arab population: ‘Unless you leave your homes, the fate of Deir Yassin will be your fate’. And according to Menachem Begin, who was responsible for the massacre, the Arabs of Haifa fled to the boats crying ‘Deir Yassin!’".

"The significance of Dayr Yasin went far beyond its immediate fate. The killings and disposal of the bodies became a staple of Irgun and Hagana propaganda, proclaimed from mobile loudspeaker units that beamed their messages into the Arab areas of major cities such as Haifa and Jaffa; Arab radio also publicized the incident. These broadcasts had a major impact on the Arab will to resist, especially when the population found itself betrayed by its leaders. ... Fifty thousand fled in three days. In short, Zionist psychological warfare and terror tactics, which included the destruction of villages and the ousting of their populations, combined to produce a state of panic that resulted in the flight of over 300,000 Arabs by 15 May."

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46 SMITH, ref 44, p 143
"The exact number of refugees was never accurately established. The UN Economic Survey Mission’s report in 1949 put the total at 726,000; the Refugee Office of the UN Palestine Conciliation Commission placed it at 900,000. The answer is probably somewhere in between."\textsuperscript{47}

The Jewish apologia that the refugees left voluntarily is specious, for they were not permitted to return.

"Or as Dayan put it with more honesty on American television when asked whether Israel could not absorb the refugees and the inhabitants of the conquered territories: ‘Economically we can but I think that is not in accord with our aims in the future’"\textsuperscript{48}

"(In 1949) The United Nations, which had contributed so much towards the establishment of Israel, now asked the Zionists to take the refugees back. The UN mediator in Palestine, Count Folke Bernadotte, reported to the UN secretary-general: ‘It would be an offence against the principles of elemental justice if these victims of the conflict were denied the right to return to their homes while Jewish immigrants flow into Palestine, and, indeed, offer at least the threat of permanent replacement of the Arab refugees who have been rooted in the land for centuries’. The General Assembly agreed with Bernadotte and its resolution of December 1948 recommended ‘that the refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return’".\textsuperscript{49}

\textsuperscript{47} GILMOUR, ref 45, p 74
\textsuperscript{48} SMITH, ref 44, p 76
\textsuperscript{49} GILMOUR, ref 45, pp 74-75
Count Bernadotte was prescient. The Arab refugees have been permanently replaced. Bernadotte was assassinated by Jewish terrorists (18 Sep 1948) "in the midst of a vitriolic press campaign against him". Widespread vilification as a stimulus of assassination was cited 47 years later, by the widow of the Israeli Prime Minister, Yitzak Rabin, also murdered by Jewish extremists (4 Nov 1995).

In addition to the large Palestinian-Arab exoduses occasioned by the wars of 1948 and 1967, the Israelis have continually coerced their departure with violence, and with maltreatments of every description, and by the appropriation of Arab land and property. The Israelis have unremittingly pursued an aggressive settlement policy, to which they adhered throughout the Peace Process (1993-96). They have thereby continuously sought to increase the Jewish population and displace the Arabs. To the Israelis, peace appears to mean that they continue to secure the land of Palestine, while the Arabs relinquish the right to violent resistance.

2.3.5. Land of Palestine

Israel Zangwill's slogan “a land without people for a people without land” invented a fallacy which was repeated by Zionist apologists for decades. It is true that in 1901 Palestine was not a nation in that the peoples on its land had a sense of national identity; they were ruled from afar by the Ottomans and their sense of identity was regional, tribal or family. To represent such a territory as a "land without people" is spin-doctoring at its least credible. Zangwill's misrepresentation set the scene for the next 94 years, during which the Jews

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50 SMITH, ref 44, p 146
51 ZANGWILL, Israel. The Return to Palestine. In GILMOUR, ref 45, p 44
pursued their objective of obtaining the land for a state of their own by all methods ranging from war through outright coercion to legal purchase; their single-minded pursuit was accompanied by continual protestations of legitimacy, none of which stand up to serious investigation.

The initial land acquisitions were facilitated by a fund established by the far-sighted founding Zionists for the express purpose of purchasing and developing land for Jewish settlement in Palestine. The fund played a major role in the acquisition of land that was intended to become inalienably Jewish, never to be sold to or worked by non-Jews, as part of the program to establish a dominant Jewish presence in the area. Prior to that early settlers had received substantial funds from wealthy Western Jews. Similar funding enabled the Jews to increase their land holdings over the next 4 decades. On the Arab side there was no balancing single-mindedness, as would have been provided by a coherent national identity. The leading families of rich Palestinians, both absentee and resident landlords, were consumed by mutual antagonism; they sold land to Jews, often whilst advocating the opposite course. The poor Palestinians, the “fellahs” having land but neither cash funds nor cash flow, also sold land to the Jews “the only financially viable segment of Palestine’s population at the conclusion of World War I”. There were protests. The First Palestine Arab Women’s Congress asked “every Arab to buy nothing from the Jews but land, and to sell them everything but land” (1929). Unfortunately for the Arabs this foresightful injunction was a cry in the barren wilderness of Arab common purpose. Thus the individual Arab’s economic need and, in the cases of the larger landowners, economic greed, not being counterbalanced by an Arab national policy, facilitated the steady transfer of land to Jewish ownership.

52 SMITH, ref 44, p 31
In 1937 the Peel Commission concluded that the hostility and continual violence between the Arab and Jewish populations made the (British) Palestine Mandate impossible to sustain. The Peel Commission put forward a Partition Plan. It was strongly opposed by some, but not all, Arab leaders and the violent Arab Revolt (1937-39) began. As well as attacking British troops and Jews, the Arabs characteristically attacked those of their fellow Arabs who did not join or cooperate with the Revolt.

In response HMG produced another partition plan in a White Paper (1939). This was more favourable to the Palestinian Arabs who once again rejected it because it did not give them everything they wanted, which was immediate independence and a halt to Jewish immigration.

After the war, Britain passed the intractable problem to the international community. In response the UN approved another partition plan (1947). The Palestinian Arabs mobilized and went to war against it. Inevitably their actions, lacking unified command, were again characterized by lack of cohesiveness and again included inter-factional clashes. In contrast, rival Jewish factions, Hagana, Irgun and LEHI managed some coordination of their activities, despite continual and bitter differences. The Hagana, the “official” army of the Zionists was militarily well organised. The Jewish forces forcibly took control of that part of Palestine allocated to Jews under the UN Partition Plan in order to found the Jewish State of Israel and thereby to pre-empt international trusteeship. They also drove or terrorised the Arabs out of some Arab areas including Jaffa and Haifa (family home of Leila Khaled). Thus yet again the Arabs ended up worse off than at the start.
In the 1967 war the Israelis annexed the West Bank (a significantly large proportion of former Palestine) and Gaza. This annexation was condemned by the UN (Resolution 242, 1967) and has subsequently been repeatedly condemned by the world community. Israel has ignored these protestations and pursued an aggressive policy of settlement construction around Jerusalem and throughout the West Bank which continues to this day (1997).

"In addition, Israeli occupation, until 1977, did not seem particularly threatening to the lives of most Arabs in the territories. Jewish settlements were relatively isolated from Arab communities and the rate of growth of these settlements was slight, especially when compared to that which occurred once Menachem Begin took office. At this point changes in policy occurred that soon seemed to constitute a major threat to Palestinian existence. As noted previously, the growth of settlements intensified: whereas an annual average of 770 Israelis settled in the territories from 1967-1977, that average increased under Likud to 5,960 annually from 1978 to 1987. Settlements were often designed to abut Arab communities and often took over their lands, constituting a visible threat designed from Ariel Sharon’s point of view to intimidate Arabs and encourage them to leave."\(^{55}\)

"While Israel declared itself ‘prepared to discuss any option which is presented’, Shamir revealed his real intent when he responded to rightist critics charging that any promise of autonomy would lead to Palestinian independence: ‘We shall not give the Arabs one inch of our land, even if we have to negotiate for ten years. We won’t give them a thing’."\(^{56}\)

Shamir’s reference to “our” land referred of course to Israeli de facto possession. UN 242 de jure legitimacy did not suit the Israelis, so they did not use it.

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\(^{55}\) SMITH, ref 44, p 292

\(^{56}\) Ibid, p 302
The widely welcomed Peace Settlement arising from the Oslo Conference (1993) in fact leaves the bulk of the West Bank not in Palestinian but Israeli hands and Israel still maintains a stranglehold on the water resources and the economy of the whole area.

Thus, at every step, 1895-1995, the Jews secured territory from the Arabs, by economic means, by coercion, by terrorization and by war.

2.3.6. Conduct of the Israelis

The researcher repeats his affirmation that he is not compiling a scorecard of atrocities. In recounting Israeli conduct he seeks only to examine its nature and legitimacy.

Jewish terrorism played a major role in the establishment of the State of Israel. Not only did Jewish terrorists pursue their Zionist ambitions by attacks on the British during the Mandate, but thereafter they subjected Arab Palestinians to a campaign of atrocities (most notoriously Deir Yassin) to terrorise them into flight from their land. Subsequently the terrorist leaders Menachem Begin and Yitzak Shamir became Prime Ministers of Israel, and supposedly respectable statesmen.

The Jewish settlers’ ready recourse to violence became the Jewish nation's modus operandi. The Israelis used violence as deliberate provocation from the 1950s under Ben-Gurion (Bombing of American and British Embassies, Cairo, 1954; Gaza Attack, 28 Feb 1955), to the 1980’s under Meir and Begin and to justify Sharon’s pre-planned invasion of Lebanon (6 Jun 1982); they used violence to disrupt the peace process, as in the bombing of the PLO.
Headquarters, Tunis, by the Israeli Air Force, September 1985; they used overkill violence as retaliation from 1953 when a special force under Ariel Sharon was formed to undertake punitive assaults,⁵⁷ to the Munich Olympics (1972) when they retaliated for the murder of 11 Israeli athletes with a vengeance raid on refugee camps in Lebanon that killed 400⁵⁸, to the litany of their response to the intifada (1987 on); they used assassination to dispose of enemies, both those espousing violence and those advocating peace.⁵⁹ They also resorted to the ultimate violence, war, when it suited them (1967). The Israelis argued that their violence was, unlike that of their enemies, discriminate. The assassinations of humane statesmen and peacemakers (Lord Moyne, Count Bernadotte) were not discriminate, but foul. Sometimes the victims were Palestinian men of war (3 Black September leaders, Beirut, 9 Apr 1973; Hassan Saleme, Beirut 22 Jan 1979; Abu Jihad, Tunis, 16 Apr 1988).⁶⁰ But more often the actions were appallingly indiscriminate, as in the many artillery and air operations in Lebanon, and as in the Israeli facilitation of the massacres in the Sabra and Chatila refugee camps.

From the founding of the State of Israel, the Israelis exploited the Palestinians, mistreated them and subjected them to murder and violence, acknowledging no morality but their own interests. The "iron fist" policy of "force, might and beatings" for Palestinian demonstrators in the intifada is too well documented to require examples. When compared to the Israeli treatment of Jewish extremists⁶¹ it reveals the deeply held underlying Jewish attitude to Arabs.

"In October 1973 the British MP, Robin Maxwell-Hyslop, told the House of Commons about the attitude of David Hacohen, then the influential chairman of the Knesset Foreign Affairs Committee:

'Six weeks after that war [June 1967] six hon. members of this House, three from each side, including myself, went to Israel and to Jordan as the guests of those countries. There was a horrifying moment for me. We were all present as guests at lunch of the Foreign Affairs Committee of the Knesset in Jerusalem. After lunch the chairman of the Foreign Affairs Committee of the Knesset spoke with great intemperance and at great length to us about the Arabs. When he drew breath I was constrained to say, "Doctor Hacohen, I am profoundly shocked that you should speak of other human beings in terms similar to those in which Julius Streicher spoke of the Jews. Have you learned nothing?" I shall remember his reply to my dying day. He smote the table with both hands and said, "But they are not human beings, they are not people, they are Arabs". He was speaking of the Arab refugees.' "62

"Sir John Chancellor summed up this attitude in his May 1930 dispatch to the King's private secretary: 'What makes them [the Zionist Jews] very difficult to deal with is that they are regardless of the rights and feelings of others and are very exacting in pressing their own claims. Even as a minority of the population of Palestine the Jews adopt towards the Arabs an attitude of arrogant superiority, which is hotly resented by the Arabs with their traditions of courtesy and good manners'. 63

The underlined words (researcher's emphasis) encapsulate the double standards which the Jews have applied throughout the century. Having vacated Palestine back in the mists of time, they opened Palestine/Israel to all Jews from everywhere, whilst forbidding return to

62 GILMOUR, ref 45, p 94
63 Chancellor to Lord Stamfordham, 27 May 1930. In GILMOUR, ref 45, p 46
Palestinian Arabs who "abandoned" their property (even 10 days previously); Begin likened Palestinian claims to land to those of Hitler to Sudetenland—a very dangerous analogy for Jews given their own conduct. Jews with dual nationality were welcomed, whilst Palestinians continually faced 'transfer', ie eviction. The Jewish writer, Stephen Brook, provides a laconic comment on these Israeli double standards:

“It has not escaped notice that the Palestinian programme is modeled on its Zionist precursor. The Palestinian Declaration of Independence contains entire paragraphs lifted from Israel's Proclamation of Independence. That matters little, but what disturbs Israelis more is the Palestinian adoption of the Zionist principle of the 'Ingathering of the Exiles', namely, that any Jew has the right to come and live in Israel. It does seem anomalous that a Jew who has lived in New York all his life has the right to 'return' to Israel, while a Palestinian whose family actually live in, say, Jaffa till 1948 has no such right. The consequence of a Palestinian Law of Return in some newly established Palestinians state is the theoretical possibility of that state becoming home not only to the two million Palestinians now under Israel's control, but to the five million Palestinians dispersed worldwide. Now that would be the demographic argument with a vengeance.”

Preferential, economic and fiscal treatment of Jews was the norm as was the confiscation of Arab land, whilst the non violent Arab Boycott drew a howl of protest of anti-semitism, and spawned several books of staggering partiality. The land policy of the Jewish National

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67 SMITH, ref 44, p 292
68 Ibid
69 eg: PRITTIE, ref 54
Fund was directed at the exclusion of Arabs, but this did not stop the Jews from protesting vigorously at British restrictions on land sales to Jews.

In parenthesis it is instructive to note that the Israelis are remarkably free with the English language. They describe attacks upon their armed forces occupying S. Lebanon not as legitimate defence against invaders, but as "terrorism"; this Israeli definition is an exercise in propaganda, not a product of scholarship.

"The Israeli Ambassador to the United Nations, for his part, during the Security Council debate, attributed several international atrocities carried out by Abu Nidal's gunmen to the PLO. In a letter to The Times, the president of the Board of Deputies similarly attributed Abu Nidal's attack on the synagogue in Vienna to the PLO. Even the publication after the war of selected documents captured from the PLO in Lebanon did nothing to dispel the deliberate confusion of the two organizations. Given the Israeli government's image of the PLO as solely a terrorist organization that wished to push the Jews into the sea, and Arafat's half-hearted and inept attempts to distance himself from that projection, it was easy to load moral blame onto the PLO."70

Any Palestinian leader with the credibility to undertake serious peace negotiations (and thereby to force Israel either to make concessions or to attract public odium for refusing to make concessions) was likely to be the subject of disinformation or the victim71 of an Israeli or Palestinian extremist assassination squad (Abu Jihad, 1988). For the same reason other advocates of the peace process faced reprisal:

70 SHINDLER, ref 64, p 120
71 SMITH, ref 44, p 298
“... two Arab lawyers from Gaza who defended demonstrators in Israeli courts were invited to speak on the goals of the intifada at a gathering at Tel Aviv University in the spring of 1988. They did so, advocating peaceful coexistence in separate states. Within two weeks each had been arrested and sentenced to six months detention without legal recourse in Ansar 3, a new prison built in the Negev to house such individuals. The Israeli organizers of the conference had no doubt as to the reasons for such detention; advocacy of peace was again more threatening than pursuit of violence.”72 Researcher’s emphasis.

The Zionists have on many occasions themselves been likened to Nazis by Churchill,73 by Bevin, by Palestinians (during the siege of Beirut 1982), by modern writers, and by Israeli liberals. This Nazi analogy is deeply and loudly resented by the Jews. A more balanced view is offered by Lerman of the Institute of Jewish Affairs:

“The linking of Jews with Nazis was a European-wide phenomenon and when employed by journalists was especially offensive. But was it anti semitism? Whether we like it or not, the language and images relating to the Nazi Holocaust are public property. Sometimes they are used in contexts which result in the debasement of language. But they can also be used to prick consciences successfully and produce an enhanced humanitarian response to disaster. As Michael Marrus put it in November 1983, ‘Every era operates in the shadow of its historical past, and it is inevitable that the great reference points of our own time - particularly Hitler and the Nazi genocide against Jews - will be used and misused to describe what people think and feel about momentous political upheavals’. Jews are also guilty of using fascist, Nazi and

72 Ibid
73 Ibid, p 119
Holocaust associations as epithets and insults, gratuitously to non Jews and also to Jews. This is linguistic excess but not a sign of anti-semitism."74

Menachem Begin was described as having a “Holocaust complex” by Professor Nadav Safran of Harvard.75 Certainly the Israelis seem to claim, based on their sufferings in the Holocaust, a “moral immunity” (Uri Avneri)76 and a “purity in arms” in their own violence, even when pursuing “a final solution”77 or elimination of the Palestinians.

It is a sad lesson in human behaviour to see the manner in which the victims of the century’s most horrific genocide have rebounded from their tragedy. They have learned not humanity to their fellow men, but the attractions of ethnic cleansing and of military might. The Jews’ have, in turn, brought tragedy to another land and to another race of victims, in their own pursuit of lebensraum.

“The sentence has to reflect the value of human life.” Judge Shalom Brenner, of Jerusalem district court, jailing a West Bank settler for five months for the murder of a Palestinian shopkeeper.78

75 FISK, Robert. Pity the Nation. London: Andre Deutsch, 1990, p 391
76 Ibid, p 394
78 The Independent. Quote Unquote, 3 May 1990, p14
2.3.7. Conduct of The Palestinians

2.3.7.1 Introduction

Tempting though it is to conclude that the Palestinians have been their own worst enemies, it is not necessarily accurate - bearing in mind the preceding paragraphs. Nonetheless, in their 30 years of endeavour, they have chronically failed to obtain redress for one of the most legitimate grievances of the 20th century.

There have been three insuperable flaws in their strategy. First, they denied (until recently) the right of the State of Israel to exist. Second, they never achieved the capability to sustain a unified strategy. Third, they made pioneering and prolonged recourse to international terrorism, and they dismally failed to renounce it with conviction when it proved disastrous to their cause.

2.3.7.2 The Denial of Israel's Right to Exist

The denial of Israel's right to exist has enabled the Israelis to play the Holocaust card, saying to themselves and to the world, you cannot let this happen to us again. In fact the Palestinian National Charter of 1964 did not specify the destruction of the State of Israel, though it made references to "the liberation of the homeland". The Charter of 1968 represented a significant hardening of the PNC position. Article 9 specified "Armed struggle is the only way to liberate Palestine. ..." Arafat, committed to its removal within 6 months of the signing of Oslo 2 (the Taba) Agreement (28 Sept 1995), succeeded in so doing at a
difficult time. Nowhere in the PNC Charters is the phrase “the destruction of the State of Israel” to be found, notwithstanding Israeli allegations.

2.3.7.3 Lack of Unified Strategy

The lack of unified strategy has bedeviled the Palestinians since their troubles began. One of the underlying factors was intense “tribal” rivalry. Some writers affirm that this is endemic in Arab society.\(^{80}\) Be that as it may, it is very clear that two aspects of Western democracy are rarely to be found in Arab countries: democratic decision making and Cabinet responsibility. Decisions are those of the power-holder and subsequent support for them by his rivals is by no means the norm. This is a very strong argument for the benefits of democracy, properly administered, in which there is a mechanism for participating in decision making and a mechanism for removing decision makers at specified intervals. National identity may occur outside democracies, however without adherence to democratic principles, long term considerations of national identity may be subordinated to short term tribal or family ambitions. The first of which may be self-advancement by violent removal of the power holder.

The Palestine Liberation Organization was less of an organisation than of a forum for the enactment of rivalries of Palestinian leaders, and of the Arab States, through a continual power struggle between Palestinian factions. Whilst there may have been a common purpose - the liberation of Palestine, there never was a common strategy. The PLO concept of factions independent militarily but united politically, was deeply flawed. Acceptable as a start up mechanism to bring rivals under a single umbrella, it never developed into a

mechanism for agreeing strategy. Much of the failure was the result of rivalries, intense animosities, and frequent wars, between Arab States; they used the Palestinian factions which they commanded (by the provision of funds and of safe havens) to act out these differences inside the PLO. Thus they prevented their subordinate factions from pursuing a common PLO strategy, even supposing that those factions so wished, for which there is no evidence.

"it wasn’t that we didn’t want to [get rid of the PFLP]. But it was practically impossible to unify the commando organizations when each one of them was supported and subsidized by one or another Arab country whose causes and quarrels they espoused. That is why the Central Committee of the Palestinian Resistance, instead of being a coordinating and decision-making body, turned out to be a sort of parliament where all the conflicts and intrigues of the Arab world were reflected. Yasir Arafat, speaking for more than half the Fidayin members, had to deal as an equal with the delegate of a tiny groups just because the latter was the protégé of one of the richest Arab states [Iraq]. That’s how difficult, if not impossible, it was to enforce even a minimum of discipline at the very heart of the movement". 81

This is not to say that the Palestinians were mere pawns in the hands of the Arab States. The Palestinians threatened the very existence of Jordan and had to be violently evicted (Sept 1970). They brought total destruction to the Lebanon and showed themselves as capable of foul atrocity as any (Damour, Jan 1976). 82 Indeed, the Palestinians killed thousands of their potential allies, Palestinians and Muslims, but only a few hundreds of their enemies, the Israelis. Between warring factions of the PLO, between Muslim factions in
Lebanon, between hard-liner and (supposed) collaborator in the Occupied Territories, murder was routine. Little wonder that Moshe Dayan remarked that he would worry only when he saw Arabs form an orderly queue at a bus stop.

2.3.7.4 Recourse to International Terrorism

The Palestinian recourse to international terrorism is easy to understand. With it they achieved, for the first time, a series of notable tactical successes. It thus became a weapon too tempting to abandon. It offered their terrorist groups immediate publicity, status amongst other terrorists, probable extortion opportunities, and it attracted sponsors.

Strategically it was a disaster. It quite unnecessarily made the Palestinians the enemy of the most influential and powerful countries of the world, the Western bloc; it excluded them from entering diplomatic negotiations; it labeled them, in world opinion, as perpetrators of atrocity and murderers of innocents.

The Palestinians are quoted as often repeating the phrase “the world is ruined, let it be ruined more”.83 It is difficult to think of a worse strategy for advancing a cause.

It must be appreciated that those Palestinians who sought to renounce terrorism and pursue a peaceful solution to the conflict were a part of the same organisation, the PLO, as those who were implacably committed to violence. Peace-seekers were in serious danger of assassination by Palestinian extremists. More important (in political if not personal terms) they could neither convincingly dissociate themselves from violence in the eyes of Western

83 PRYCE-JONES, ref 80, p 312
(US and European) governments, nor could they claim to be the sole representatives of the Palestinians. At no time did the PLO succeed in sustaining a coordinated military and political operation, unlike the IRA and Sinn Fein.

Arafat made many half-hearted statements seeking to disassociate himself - and his faction of the PLO - from violence. It was 15 years after his "gun and olive branch" speech at the UN (1973) before he achieved credibility with his public recognition of the State of Israel (Press Conference, Geneva, Dec 1988), which opened diplomatic doors and culminated in a peace agreement with Israel (Oslo 2, Sept 1995).

Arafat's unequivocal disavowal of terrorism (Dec 1988) was very late and very reluctant. All the signs are that it was not terrorism he was reluctant to abandon, but equivocation. His renunciation was squeezed out of him by the combined pressure of his advisers and the Americans. It is to them, as much as to the Palestinian leader, that the present (Feb 1996) State of Palestine owes its existence.

2.3.8. Conclusion

The Palestinian failure to develop and adhere to a viable strategy played into the hands of their enemies. The Israelis have used the years 1967 to the present day to consolidate their occupation and control of the former land of Palestine. The Palestinians tried war (1967), fedayeen and "terrorist" actions in Israel (1955-1995), international terrorism (1968-1980s), and half hearted diplomacy (1967-88), none of which recovered their land. They failed to unite against their formidable enemy, Israel. That country exploited their disarray with great skill. It represented the
Palestinians not as a people dispossessed, but as terrorists threatening the fundamentals of democracy. For decades the Israelis thus successfully excluded the Palestinians from any peace process in which their cause could have been advanced with the winning weapons of logic and reason, and forced them on to different battlefields where they could only lose.

With this Israeli strategy the Palestinians unwittingly colluded. They precluded themselves from a unified alliance by their endemic inability to subordinate personal and factional differences to the common good. This in turn both excluded them from meaningful diplomacy and prevented them from developing into a significant military force.

The result was small factions. They had neither diplomatic nor military capability, therefore terrorism was the only alternative to capitulation. The Palestinians were already at war with the single-minded Israelis. By their recourse to international terrorism, they made enemies of the whole Western world. With their atrocities they obscured the heinous conduct of the Israelis and their own just cause. In the final analysis the Palestinians were their own worst enemies.

2.4. The Emergence of Aviation Terrorism

2.4.1. Introduction

By 1968 the Palestinians had been economically, politically and militarily worsted by the Jews. A decade of ineffective fedayeen attacks had been followed by the 1967 war
which obliterated Arab conventional forces and Palestinian hopes. In 1968 the Palestinians introduced a new tactic to their armoury, terrorist attacks mounted outside Israel. This, the researcher submits, was the true beginning of modern international terrorism.

The remainder of this Section considers other influences on the emergence of aviation terrorism. It also makes the point that the intifada and the peace process are alternative means which have been used by the Palestinians to pursue their political objective, and that both have been demonstratively more successful than international terrorism.

2.4.2. Aims of Terrorism: General

All terrorist groups have reasons for their actions, and for their immediate aims. It would be seriously misleading to induce that all have a strategy. Most are emotional rather than thoughtful. Very few (eg, PIRA, Hizbollah) construct and adhere to a multi-faceted strategy.

At the least thoughtful end of the spectrum lies violence for the sake of violence. This has two attractions: the thrill of “feasting with panthers” (Oscar Wilde, De Profundis) and the meaning that it gives to otherwise empty lives. Walter Laqueur calls this “terrorism as a cure for personality problems”. Closely related is an obvious relish for cruelty of which there are countless illustrations.

"Bernardine Dohrn, leader of the Weather Underground, on the Sharon Tate murder; 'first they killed those pigs, then they ate dinner in the same room with them, then they even shoved a fork into a victim’s stomach! Wild!'"\(^{85}\)

At the more thoughtful end of the spectrum are strategists such as Marighella. The Brazilian urban guerrilla theorist sought to utilise terrorism as a firelighter, a means of igniting a national liberation army of size sufficient to confront the conventional forces of Brazil. This is "terrorism in a valuable auxiliary role".\(^{86}\) In the anti-occupation category, terrorism has often the leading role, that of inflicting a casualty rate which either the occupying power or its public opinion would find unacceptable. This objective the Palestinians had failed to achieve with the Israelis.

2.4.3. Aims of Terrorism: Palestinian

2.4.3.1 The Scene is Set

The Palestinians have always had an objective - recovery of their territory. Analysis suggests a degree of inevitability in their abandonment of "blocked" tactics - tactics which had failed - and in the recourse to international action. However the many groups which together constitute the Palestinians never devised, let alone adhered to a unified strategy by which to pursue their objective. The Israelis were not a colonial power governing a foreign land, nor were they unwilling to accept casualties. They were the new occupants of a territory which they intended to make their home; they accepted the conflict, and the casualties, as a cost of defending that home.

\(^{85}\) Ibid, p 125

\(^{86}\) WILKINSON, ref 14, pp 111-112
"No matter how many casualties, we would never be defeated even if we remained alone. We still need this truth today, the truth of the power of war, or at least we need to accept that war is inescapable, because without this, the life of the individual has no purpose and the nation has no chance of survival."87 (Yitzak Shamir)

By the end of 1967 the Arab countries were being supported by the Soviet Union, and Israel had become an American protégé. The Arab countries' relationships with each other, a roulette wheel on which red and black were replaced by love and hate, had put Egypt, Syria and Iraq in one camp; Jordan was in the other, and being vilified for having wisely refused to accept the stationing of the other camp's armies in Jordan. Arafat had failed to mobilize a mass army of liberation on the newly occupied West Bank. This new nadir in their fortunes (though deeper nadirs were to come) fueled the discontent from which emerged the PFLP (Dec 1967).

The Marxist PFLP was founded by Dr George Habash and Ahmed Jibril. Predictably it too soon split into rival factions, Jibril forming the more Marxist PFLP-GC and Hawatmeh forming the even more Marxist PDFLP. The factions each sought state sponsors, Habash turning to Iraq when Syria, his original sponsor, gave assistance to his rival Hawatmeh.

In 1968 the Palestinians, having failed to progress their cause in 20 years of local actions against Israel, decided to attack Israel where she was more vulnerable. The battleground moved outside Israel, and modern international terrorism was born. The Palestinians thus invented a new weapon. Characteristically its use was the subject of internecine dissent, often violent, and its deployment was not accompanied by a viable political strategy.

87 Yediot Aharonot. In SHINDLER, ref 70, p 280
Further, within a few years, the Palestinians' agenda had become subordinate to the aims of their state sponsors (Libya, Syria, Iraq, Iran) to the temptations of extortion (Carlos, Wadia Haddad) and to the perpetration of atrocities (Abu Nidal). Nearly always these actions were carried out in the name of the Palestinian cause. The Palestinians were therefore inextricably linked with attacks on aviation by reason of their responsibility for pioneering the early spectacular successes, and of their close involvement in subsequent attacks, albeit carried out at the behest of other masters.

The Palestinians, branded as international terrorists by their actions and by grateful Israeli propagandists, were thereby excluded from a meaningful peace process until 1988. Their recovery of (any of) their land was set back 20 years. Their chosen sword, international terrorism, had turned in their hand.

2.4.3.2 The Influence of Marxism

In 1967 revolution was rife and Marxism was not yet widely discredited. The Berlin Wall and the Union of Soviet Socialist Republics were still standing. There were seemingly viable Marxist regimes through Eastern Europe and in China. The Algerian FLN had liberated Algeria from French rule (1962), Nasser had liberated Egypt (1952-56) from the British, and FLOSY was active in Aden against the British. Castro had triumphantly installed himself in Cuba (1958). Revolutionary fires were beginning to burn in South America and Africa. There was a powerful popular movement in the United States, politically active in its opposition to the Vietnam War. Palestinian Marxists were on apparently good ground.
They did not identify the essential differences between their own and the other causes. The Palestinian people were already burning with revolutionary fire but were battened in within the occupied territories, or within refugee camps, or within the countries of their diaspora. They lacked not the fire but the means of directing it at their oppressors.

The peoples of the Western bloc were an unlikely source of kindling for any revolutionary fire. Europe was slowly recovering from the bloodbath of the Second World War. The United States was unhappily embroiled in Vietnam. It was the age of flower power. The popular protest was anti-military and anti-war. The Palestinian Marxists were seeking to spark an interventionary, pro-war protest, in favour of interceding in a conflict between two third parties. Their chosen seed bed, the Western Bloc, was not one in which Marxism could take root, let alone flourish.

The Palestinian mood of 1967-73 can be judged by their statements.

“We act heroically in a cowardly world to prove that the enemy is not invincible. We act ‘violently’ in order to blow the wax out of the ears of the deaf Western liberals and to remove the straws that block their vision. We act as revolutionaries to inspire the masses and to trigger off the revolutionary upheaval in an era of counter-revolution. (Words of an unnamed comrade)”

“In today’s world no one is innocent, not one is a neutral. A man is either with the oppressed or he is with the oppressors. He who takes no interest in politics gives his blessing to the prevailing order, that of the ruling classes and exploiting forces. (Habash, 1970)”

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89 BECKER, ref 82, p 106
The prospect of triggering a third world war doesn’t bother us. The world has been using us and has forgotten us. It is time they realised we exist, it is time they stopped exploiting us. Whatever the price, we’ll continue our struggle...”  

*Fiat Justitia et Pereat Mundi* has a splendid ring to it. As a recruitment strategy it lacks appeal.

2.4.3.3 The Tri-Continental Conference

The Tri-Continental Communist Congress is a not very short, but nonetheless worthwhile, abbreviation of the First Solidarity Conference of the Peoples of Africa, Asia and Latin America held in Havana, Cuba, 6-10 January 1966. The importance of this Conference to the birth of international terrorism is cited by many writers. One of the most recent was in 1992.

“Since its ideological apotheosis at the 1966 Tricontinental Conference in Havana, Cuba ...”

“Thus by late 1964, the Polit Buro increased ten fold its funding (of revolutionary movements) and in January 1966 supported the Tricontinental leftist conference at Havana, Cuba, based on the guerrilla experiences of Brazil’s Carlos Marighella and Cuba’s Fidel Castro and Che Guevara, and in contrast to the rival Chinese guerrilla model dominant in Vietnam. The success

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of the Tricontinental conference in inspiring the birth in the late 1960s and 70s of the new anti-Western international terrorist groups in Europe and Latin America ....".92

One of the most quoted books is The Terror Network by the journalist Claire Sterling (1981). Her index lists nine references to the Conference. She does not go so far as Rimanelli in naming the Conference the "ideological apotheosis .... of terrorism". The essentials of her record are:93

"Its purpose was to devise 'a global revolutionary strategy to counter the global strategy of American imperialism'". (p 14)

"It was in 1966 that the Tricontinental Conference in Havana launched its global assault on Western imperialism and, with Soviet blessings, opened an era of international guerrilla warfare". (p 62)

An earlier work by the journalists Dobson and Payne also is specific:

"The Tricontinental was, quite simply, a conference designed to coordinate worldwide revolution and terrorism".94

Jillian Becker, also a journalist, affirms:

"The PLO attended the (Tri-Continental) conference".95

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92 RIMANELLI, ibid, p 158
93 STERLING, ref 90
95 BECKER, ref 82, p 166
Speculation that the Congress was “a conference designed to coordinate worldwide terrorism” appears to have been extrapolated to the allegation that the conference purposely directed the Palestinians to international terrorism and to attacks on aviation.

Examination of primary source material on the Conference provides no evidence that the Conference was either “designed to coordinate worldwide revolution and terrorism” or “the apotheosis of terrorism”. Palestine is mentioned only twice, once within a list of 19 countries in the context of the struggle against imperialism and once within the Draft Agenda of the Exec Secretariat “... fully supports the PLO in its armed struggle to liberate Palestine ... and appeals to (the) peoples (of the world) to give their solid support to all the Arab peoples ...” These same words are repeated in the French language report of the Conference.

These primary sources do not include the names of delegates, so cannot be said to prove or disprove the presence of Palestinians or of known terrorists. The sources contain little other than turgid revolutionary dogma.

There is no evidence of a Conference Resolution to turn to terrorism or to attacks on aviation. In fact it is unlikely that such a decision was made by the Conference, given the Soviet Union’s dominant role and wish to keep control of all revolutionary forces. It was at the time seeking to work through local communist parties, not local insurgents.

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96 Bulletins published by the Chairmanship of the International Committee of the First Solidarity Conference of the Peoples of Africa, Asia and Latin American and Cuban National Committee.
97 Bulletin, ibid, No. 4, p 9
Luttwak\textsuperscript{99} and Stohl\textsuperscript{100} suggest that the Soviet leaders may also have had doctrinal reasons for not sponsoring terrorism.

In summary, the evidence does not prove or disprove the proposition that the Conference purposively conceived international terrorism. The probability is that this proposition is an oversimplification. The current openness of the former Soviet Union suggests that a definitive account of the 1966 Tri-Continental Conference could be obtained.

It is likely that the Conference did act as an introduction bureau for terrorists from South America, Europe and the Middle East. Without a list of delegates and attendees it is not possible to state who met whom, but it remains probable that the first strands of the international terrorist network were woven in Cuba in 1966. That it was a purposive action by the Soviet Union is not proven. There is no doubt about the USSR's subsequent involvement.

2.4.4. Early Attacks on Aviation

The Palestinians did not invent hijacking. The first recorded was in 1931 in Peru. In the 11 years from 1947 to 1957 there were 24 hijacks, all but 3 associated with escapees from communism requesting political asylum. From 1958 to Jan 1966 (year of the Tri-Continental Conference, Cuba) the incidence doubled; there were 45 hijacks, of which 19 involved Cuba, mostly inbound.\textsuperscript{101} Perhaps the first recourse to attacks on aircraft by "terrorists" was that of


\textsuperscript{100} STOHL, Michael. States, Terrorism and State Terrorism: The Role of the Superpowers. In Robert O SLATER and Michael STOHL, ref 100

\textsuperscript{101} FAA. US and Foreign Registered Hijackings
Raul Castro, commander of Column Six of his brother Castro's forces. "His mission was to harass transport and disrupt communications. ... (He) accused the airline (Cubana) of transporting President Babista's troops from Havana to fight his men. ... Radio broadcasts by Column Six warned Cubans not to fly on Cubana planes as they risked being shot down". According to Phillips, Column Six hijacked two DC-3s to its rebel strip (22 Oct and 6 Nov 1958). Youths seeking to join Column Six hijacked a Cubana Viscount out of Miami. They were unable to navigate it to a suitable landing ground. It crashed, after several unsuccessful approaches in darkness to short, unlighted landing strips. It must have been a terrifying experience for the passengers. Seventeen of the twenty on board were killed.

In parenthesis it should be noted that this accident is a prime example of a grave danger too often overlooked. If the aircraft commander is under duress, his judgement is subordinated to the instructions he receives. In any hijack the safety of the aircraft is therefore seriously prejudiced. Such coercion has caused several aircraft accidents and fatalities.

In the 30 months between the Tri-Continental Conference and the first Palestinian attack on aviation (23 Jul 1968) there were 23 hijacks. The hijack of a British HS-125, flown by two British pilots, is relevant. The aircraft was hijacked (30 Jun 1967) by a shady French ex convict, Francis-Joseph Bodenan. Bizarrely, Bodenan had himself chartered the aircraft. On board was Moishe Tshombe, former Prime Minister of the Congo. The aircraft landed in Algiers. There are allegations of French Secret Service involvement and of Algerian hopes to use Tshombe to lever Israeli advisers out of the Congo. This remains uncertain. However this incident inaugurated the Algerians' long involvement in hijack negotiation and manipulation. The pilots were twice interviewed on television. The Algerians gained

103 AREY, ref 38, p 53
experience. This they may or may not have shared with the Palestinians, of whom they were vocal supporters. Tshombe was still captive in Algeria when the Palestinians arrived with their first prize, an El Al B-707 (23 Jul 1968).

2.4.5. Palestinian Attacks on Aviation

George Habash founded the PFLP in late 1967. McForan makes the important allegation that shortly afterwards Feltrinelli urged Habash to internationalise the conflict. Unfortunately he does not cite his reference source, which may well have been Sterling, who is included in his bibliography. Habash was imprisoned in Syria (Mar-Nov 1968). In his absence the differences in the group became serious; the consequent splits did not occur until the following year, Jibril founding the PFLP-GC in January 1969 and Hawatmeh the PDFLP in February 1969. They were supposedly still members of the PFLP at the time of the PFLP's first two attacks on aviation. However the evidence suggests that the attacks were masterminded by Habash and his Chief of Operation, Wadia Haddad. [Haddad broke with Habash in the mid 1970s and founded the PFLP-Special Command; he died in 1987.]

Their intentions were clear. As well as the aims discussed above of drawing attention to their cause, starting a revolution and declaring any friend (loosely defined) of Israel to be an enemy, they sought to damage Israel both symbolically and commercially.

104 LIVINGSTONE, Neil C and David HALEVY. Inside The PLO. London: Hale, 1990 p 75
106 Ibid, p 11
“Skyjacking was a deliberate tactic, following the Arab defeat in the June 1967 war, to widen the conflict against Israel: to attack her not only in raids across the river Jordan but also to strike at her people and property abroad.

To begin with air piracy was the speciality of only one of the ten guerrilla groups operating in the Middle East, the Popular Front for the Liberation of Palestine, led by Dr George Habash. ....

Habash had not picked on skyjacking simply as a grandiose means of publicizing his group and the Palestinian cause. He saw it as an opportunity to deal Israel’s economy an effective blow. ....

Israel, surrounded by Arab countries, depended on El Al to maintain its link with friendly powers ...

To Dr Habash, El Al was the symbol of Israel abroad, the flag-carrier which flaunted the permanence of a state the Arabs refused to recognize. He hoped that by hijacking and shooting-up El Al’s fleet of seven B-707s he could reduce significantly the major contribution the airline made to Israel’s foreign currency reserves. Turn passengers into hostages; blow them out of the sky; attack them in terminals. Deter people from flying El Al; deter them from even visiting Israel at all.”

“The non-Israeli passengers are on the way to Israel. Since we have no control over the land that was stolen from us and called Israel, it is right that whoever goes to Israel should ask for

107 PHILLIPS, ref 103, pp 130-131
our permission... And we will continue our present strategy. It's a smart one, you see; would you really want to fly El Al?” (Habash)

“We think that killing one Jew far from the field of battle is more effective than killing a hundred Jews on the field of battle, because it attracts more attention”. (Habash)

2.5. Outside Influences on Palestinian Terrorism

If the Palestinians were will-served by their nature, they were also ill-served by their stars, the many and powerful outside interests by which they were manipulated.

2.5.1. The State of Israel

On the world stage Israel used, until recently, every available mechanism to abort any peace process and the concomitant restraints on its violent conduct and its acquisitions of territory. It branded the PLO “terrorists” and then made every attempt to prevent it from shedding that pariah image and transforming the Organization into a legitimate representative of peoples seeking remedy for their legitimate grievances through peaceful negotiations.

In 1982 an Israeli journalist wrote:

“It is not cynical to conclude that the Israeli government is making use of the bloody deeds of Abu Nidal and his murderers as ammunition in its total war against the PLO, which before and

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109 STERLING, ref 90, p 114
after the war in Lebanon is viewed as the number one enemy - not because it constitutes a military threat or because of the potential damage of its terrorism, but by reason of its political pay-off. In Israel, these tactics are successful because the public is hardly aware of the differences between the various organizations and the deadly rivalries between them: terrorist attacks are carried out by organisations of murderers - and that means the PLO”.¹¹⁰

(Researcher's emphasis)

These right wing efforts still continue (Mar 1997). The high profile of right wing extremists and their success in sustaining Israel's expansion has tended to obscure the activities of their opponents in Israel. In contrast to the Palestinians, the Israelis have a free press, a peace movement (Peace Now) and the benefit of many talented Jewish writers in Europe and the USA. Polls of the Israeli public (New York Times, 9 Apr 1989) and amongst American Jews (1988, 1989) showed that "both ... were willing to give the PLO an opportunity to show that they had turned away from terrorism ..."¹¹¹. This is exactly the opportunity which the Israeli extreme right wing did not want to offer. Thus by their renunciation of terrorism the Palestinians removed their self inflicted exclusion from peaceful negotiations, marginalised the Israeli extremists and entered a dialogue with the Israeli nation and the Israeli public, and with the international community - not the Likud - acting as referee.

¹¹⁰ Ha'aretz, 18 Oct 1982. In, Colin SHINDLER, ref 70, p 228
¹¹¹ SHINDLER, ibid, p 249
2.5.2. American Jewish Lobby

Second in significance to the activities of the State of Israel were those of the American Jewish lobby. By its leverage on the US electoral system and its vocal energies it did much to maintain the financial underwriting by the US of Israel’s military, its economy and its new settlements. Significantly it was Arafat’s progressively less equivocal renunciation of terrorism (Cairo Declaration, Nov 1985; PNC, Algiers, Nov 1988; Press Conference, Geneva, Dec 1988) which weakened the Israeli grip on US policy. It allowed the United States to enter into official dialogue with the PLO. The subsequent peace negotiations exposed to the public and, more important to President Bush and Secretary of State, James Baker the true intentions of Shamir and his right wing government.

Soon thereafter the Secretary of State pithily summarised the Israeli conduct:

“Despite Baker’s rumbustious determination to move the peace process forward, Shamir now stonewalled to the point of saying that a dialogue with the Palestinians was no longer relevant. An exasperated Baker spoke disparagingly about the Israeli tactics at the House Foreign Affairs Committee: ‘I can only say “Take this number 202-456-1414” [the White House] and when you’re serious about peace, call us’.”\(^{112}\)

Significantly Bush and Baker, Republicans, assessed that they need not defer to the Jewish lobby:

\(^{112}\) SHINDLER, ibid, p 256
“After Geneva, there was clearly an impetus to solve both the Israeli-Palestinian and the Israeli-Arab conflicts. Unlike their predecessors, new holders of office did not mince their words. The Republican administration decided that it had little need for the Jewish community either in terms of votes or donations.” 113

“.... Baker was invited by AIPAC, the main lobby organisation for Israel on Capitol Hill, to address them. His speech called for American support for the ‘reasonable middle ground’. His appeal to the Arab world to end violence, reach out to Israel, end its economic boycott of Israel, and repudiate the UN Resolution that ‘Zionism is Racism,’ were all well received by the delegates. ....

... His next remarks, however, were heard in total silence. He told the AIPAC delegates that Israel should turn aside from ‘the unrealistic vision of a Greater Israel, forswear annexation, stop settlement activity, allow schools to open, and reach out to Palestinians as neighbours who deserve political rights’, and that ‘land for peace’ was the only genuine channel for a real peace process”. 114

Two years later (Sept 1991) President Bush’s commitment to peace had not been deflected. He resisted American Jewish pressure to give loan guarantees to Israel (for the financing of new settlements):

“Bush did not give way and instead castigated the instigators of pressure: ‘I heard today that a thousand lobbyists on the Hill are working the other side of the questions. We’ve only got one

113 SHINDLER, ibid, p 253
114 SHINDLER, ibid, p 254
lonely little guy here ... I don’t care if I only get one vote’. Bush’s reference to ‘some powerful political forces’ was unprecedented - no president of the United States had ever used such language about the pro-Israel lobby”. 115

2.5.3. The United States of America

Powerful driving force that it was, the US Jewish lobby was only utilising an existing US preoccupation, that of countering the activities of the Soviet Union. The Arab-Israeli wars of 1967 and 1973 were regarded by contemporary military analysts, and still are by scholars116, to have been the most dangerous of flashpoints in the Cold War. The Arab world had great strategic importance to the USA and its NATO allies and to the Soviet Union by reason of its oil, and its size and position; had it been persuaded into one camp or the other, the balance of power would have been upset. Therefore the support of the USSR for Egypt inevitably allied the USA to Israel. By the 1967 war the USA had become Israel’s most visible military supplier. In the 1973 Yom Kippur war, American resupply was critical in halting the Arab advance.

“... Israel faced the problem, as one of its leaders explained at the time (1950, beginning of the Korean War), of ‘how to keep on milking the (American) cow when we are not prepared and not able to give her anything’.”117

The United States’ close association with the Shah of Persia brought it the vocal emnity of the Ayatollah Khomeini. He represented America as the enemy of the revolution and the

115 SHINDLER, ibid, p 266
friend of Israel, and therefore as the enemy of the Islamic world. This was a preposterous allegation, albeit convenient to the many dictatorial Islamic regimes who seek to divert their populations' attention from their leaders' corruption or savagery or economic ineptitude.

The USA has not been a manipulator of Palestinian terrorism, unlike Israel and the terrorism-sponsoring states. However, by their terrorist attacks on US targets the Palestinians deprived themselves of US economic aid and discouraged US diplomatic support. They obtained the media attention which they sought, but that very attention, in highlighting their terrorist atrocities, obscured their just claims. By precluding peaceful negotiations they facilitated the Israelis' continued acquisition of their territory.

Unfortunately for their cause, Palestinian enmity to the USA for its role as Israel’s lifeline, developed synergy with Islamic enmity to the USA, first that of the Ayatollahs and then that of Hizbollah. This served to lock the Palestinians into the anti-American camp.

As an exercise in realpolitik, the injudicious choice of Syria, Iran and Iraq (in various combinations) as allies in preference to the USA was a folly of Olympian proportions. It was not until November 1988, when the Arafat unequivocally renounced terrorism, that the might of the USA was unharnessed from the support of Israel and redirected to the pursuit of peace, to the great benefit of the Palestinians.

2.5.4. The Countries of the Middle East

The Palestinians are difficult bedfellows. They brought turmoil to Jordan, destruction to Lebanon and conflict with Israel to the Arab world. The researcher, in frequent travel to the
Middle East, 1967-1993, heard the same assessment time and again: that the Israeli treatment of the Palestinians was evil, that Israel was the common enemy of the Muslim world, but that the Palestinians were a demanding and troublesome people and a liability that no country could accommodate in great number. This assessment proved to be well founded when, as late as 1991 they sided with Saddam Hussein against their Kuwaiti hosts when he invaded that country with less justification than the Jews had invaded Arab Palestine in 1947.

The West Bank had been claimed by King Abdullah in December 1948 and annexed into his kingdom of Jordan. In 1950 over half million Palestinians, the largest single block, lived in Jordan and had been granted Jordanian citizenship, where they comprised a third of the population. The Israelis captured the West Bank in 1967. Thereafter the territory was a source of conflict between King Hussein and the PLO, each claiming jurisdiction. After the Dawsons Field hijack King Hussein gave the preservation of his throne and his country understandable priority over the Palestinians’ objectives.

In March 1979 Egypt similarly distanced itself from the Palestinians in order to recover territory lost to the Israelis and to remove itself from the combat zone. In Lebanon the Palestinians, an ever-meddlesome private army, brought the country’s fragile democracy to a violent end, prompted Israeli and Syrian invasions, and destroyed the country.

Other Arab countries, Syria, Libya, Algeria, Tunisia, Saudi Arabia and Iraq, and Iran, shared the Palestinians’ hostility to Israel but were careful not to allow the Palestinians to deploy their destructive capabilities within their regimes.
Thus, for good reasons, the Palestinians were unable to establish a long-term alliance with any country of the Middle East. Instead they were exploited. Syria, Libya and Iraq sponsored and directed the operations of Palestinian terrorist groups for their own state purposes.

2.5.5. The Soviet Union and the Eastern Bloc

The theory that a campaign of international terrorism was master-minded and directed by the Soviet Union was popularized by influential journalists. Earlier, it had been given credence by important Western leaders, eg:

“We are opposed around the world by a monolithic and ruthless conspiracy that relies primarily on covert means for expanding its sphere of influence.” (J F Kennedy)

Kennedy’s words are no more than a statement of the obvious. However those believing in an international conspiracy could, by equating “terrorism” to “covert means”, interpret the President’s pronouncement as evidence supporting their case.

In parenthesis, it may be noted that US political and military adherence to the conspiracy theory, of which the quotation provides a definitive example, had chilling consequences. It caused the US to assess minor regional conflicts as components of the Soviet propagation of communism and therefore as anti-capitalist and anti-American. This led to counter-measures worldwide and to its disastrous entanglement in Vietnam. Vietnam was a regional

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118 STERLING, ref 90
119 GADDIS, John Lewis. Strategies of Containment. In STOHL, Michael. States, Terrorism and State Terrorism. In SLATER, Robert O and Michael STOHL, ref 100
conflict fueled by nationalism. It was not the international battleground, contrived by the Soviet Union, which the conspiracy theorists postulated.

Stohl also makes the point that subtle differences between words were escaping the attention of some writers, as for instance whether:

"the Soviet Union benefits from or directs terrorist activity".\(^\text{120}\)

Glasnost has now confirmed that Palestinian terrorists were provided with valuable support by the Soviet Union's allies. It is arguable that the support was sometimes vital, whether in the provision of training or sanctuaries or of life-saving medical treatment. However Glasnost has not revealed evidence that the Soviet bloc directed or controlled Palestinian terrorism.

The probability is that the Palestinian conspiracy is a simplistic model forced on to a complex, even chaotic pattern. This does nothing to advance understanding.

2.6. Alternatives to Terrorism

2.6.1. The Intifada

A system of categorising terrorism by objective would not clearly distinguish the three forms of Palestinian political violence: fedayeen, international and the intifada. Each is a different tactical approach to the same objective: restoration of the land of Palestine to the Palestinians. The three strands become clear when they are categorized by method. The fedayeen method was a hit and run attack into enemy territory, returning to a base outside.

\(^\text{120}\) STOHL, Michael. States, Terrorism and State Terrorism: The Role of the Super Powers. In SLATER, Robert O. and Michael STOHL, ref 100
International terrorism, the subject of this research, was an attack on the enemy, its supporters or upon the uninvolved and carried out outside the disputed territory. The intifada was an uprising, an insurrection within occupied territory.

The failure of attacks on aviation and of international terrorism to advance the Palestinian cause is thrown into relief by the impact of the intifada - the "shaking" (Arabic). It was a spontaneous rebellion, triggered (9 Dec 1987) in Gaza by the death of four Palestinians in a road incident, which may or may not have been an accident. It rapidly spread to the West Bank.

The reasons for the failure of one form of terrorism, international terrorism, and the success of another form of violence, the intifada, lie in the three important differences between the two. The intifada was large-scale, long-lasting, and aroused widespread sympathy; to none of which the Israelis had an effective response.

International media coverage of Palestinian youths and children suffering brutality at the hands of Israeli troops was broadcast worldwide.

"Officials accused reporters of anti-Israel bias and in some cases anti-Semitism. It was not long before Israel’s hard pressed military began declaring wide swaths of the West Bank and Gaza closed to the press, and more particularly to television crews. For Israel’s propagandists, the unpleasant story told through the unblinking eye of the television camera was almost impossible to counter, and nowhere was television making a bigger impact than in the all-important court of American opinion. ‘The Israeli feeling that the world is against them is being fed by the enormity of the coverage,’ Harry Wall, director of the Jerusalem office of the Anti-Defamation
League of B’Nai B’rith, would complain late in January (1988). The news for Israel throughout the first months of the intifada went from bad to worse. Two episodes seemed particularly shocking. In one, Israeli soldiers attempted on 5 February to bury alive four Palestinian youths in the village of Salem near the large Arab West Bank town of Nablus. In the other, late in February, the American CBS network filmed four soldiers brutally beating two Arab youths in Nablus itself in a long sequence that was almost unbearable to watch, even for the most hardened observers of violence in the territories.

The coverage of the intifada destroyed the image carefully nurtured by Israel, that it was a civilized Western democracy facing barbarians at its gates. The American political establishment embarked (June 1988) on the process of confronting Shamir’s right-wing Israeli government with the unreality of its ambitions.

This same media coverage also led to widespread unease in Israel itself at the Israeli routine of violence, officially sanctioned and otherwise. These factors, combined with the enormity of the task of quelling a mass uprising, ultimately deflected the Israeli government from its chosen course of no compromise, of no peace before final victory. Thus the peace process gathered momentum.

121 Washington Post, 30 January 1988
It is unfortunate that the phrase "peace process" has come to mean the conducting of peace negotiations. This tends to obscure the fact that "at peace" and "at war" are opposite ends of the continuum, which is the process of living.

The Palestinian-Israeli Peace Process must be judged, not on the terms of the current (Mar 1997) peace agreement, nor the terms that may be reached in the future, but as a prevailing state of coexistence between Palestinian and Israeli, more peaceful than the state which preceded it, and likely to lead to greater states of peace in the future. It has five major implications. Firstly Palestine and Israel are no longer at undeclared war, with the consequence that individuals who continue to perpetrate violence can be branded "terrorists" and subjected to their nation's legal processes. Secondly, the citizens of those countries have a greater degree of self-government of their lives, and can live with less fear of outside violence. Thirdly, the countries of the world, international organisations and international law have better mechanisms for managing relationships with and between states, than for dealing with leaderships in limbo, as the PLO was until 1995. Thus the international community can more easily encourage the states of Israel and the emergent Palestine to consolidate their peaceful coexistence and similarly can apply sanctions to either party which makes recourse to violence. Fourthly, within the two combatant nations, the culture of peace replaces the culture of war. The majority of citizens, given reasonable social and economic conditions, will not wish to return to daily death and violence; they will not support leaders advocating avoidable war. Fifthly and most important, the renunciation of terrorism - a precondition of the peace process - enables the most powerful countries of the
world (North America and Europe) to commit themselves even-handedly to the achievement of just and lasting peace terms.

The present terms of the peace agreement do not remove Israeli political control of Palestine. They also leave Israel with hundreds of settlements over the West Bank and with an economic stranglehold on Palestine through control of water and electricity resources, and employment, and transport. They are based on the 1967 boundaries of Israel, and make no recognition whatsoever of the territory acquired by the Jews by war in 1947. Criticism of the agreement by thoughtful commentators is therefore to be expected.

“Every Middle East initiative has been based on finding a way for the Arabs to surrender with a fig-leaf of dignity,” Mr. Heikal said. “The peace did not get a independent state, nor did they get any control over Jerusalem. I do not think the deal will survive for long.” Mohammed Heikal quoted in The Times, 3 January 1996 Page 13.

It would be an error to interpret this criticism as a condemnation of the peace process (the state of being “at peace”), when what is really implied is that the terms of peace satisfactory for the present are not terms which will be satisfactory for a final and permanent agreement. It should in no way obscure the achievement of moving from a state of war to a state of peace.

The Palestinian-Israeli peace process is a milestone in history. It has established, for the first time ever, a Palestinian nation, albeit not yet free. It has given the Palestinians a national home and a degree of self-government, and has returned some of their territory. Thus the peace process has already brought them gains which 20 years of international
terrorism notably failed to achieve. It has also given them the international respectability and status long denied to them by their terrorist activities. It has thus opened the door to economic assistance programmes upon which a Palestinian nation can be built.

The prospects for the future are good because both the external and internal forces driving the conflict continue to diminish.

Externally, the CIS has not the same capacity for mischief as the USSR. The USA is no longer an uncritical supporter and bankroller of Israel. Syria is facing up to the reality that it is more likely to recover the Golan Heights by negotiation than by war.

Internally, the PLO could not realistically return to terrorism, it would lead to the forfeit of its considerable diplomatic potential and bring rapid Israeli reprisals on to its territory. The Palestine National Government has the status of a government, maintaining diplomatic relations with other states, and moving towards formal diplomatic relations with Israel.

It is likely that some extremists on each side will continue to seek to destroy the peace process. Hamas bombings are a serious danger. If not checked, they will allow the Israelis once again to demonise all Palestinians and provide them with an excuse by which to stall the peace process. If the Palestinians still have not learned that the best is the enemy of the good, they again prejudice their own future.
2.7. Other Terrorist Attacks on Aviation

The Palestinians' early successes with attacks on aviation popularised the tactic, and the threat spread worldwide. There were several hijacks of Indian aircraft in the course of Sikh (Khalistan) and Kashmiri separatist movements. Most of these hijacks were to Pakistan, a country with a deep undercurrent of hostility to India and therefore unlikely to offer close cooperation. Hijacks of Pakistani aircraft by domestic terrorists also occurred. The most noteworthy ended in Kabul and led, uniquely, to an international embargo (against Afghanistan, 1981, 8.3.4). The Tamils destroyed an Air Lanka Tristar with a massive bomb (1986); a fortuitous delay saved all on board being blown up in mid-air. Narco-terrorists destroyed an Avianca B-727 in Colombia, killing all on board (1989). Armenians (ASALA) attacked Turkish aviation targets. Nor was the tactic confined to large or long-established terrorist movements. The short period of Fijian ethnic violence involved an attempted hijack of an Air New Zealand B-747 (19 May 1987).

In the Middle East cauldron of mutual enmity, attacks on aviation became a routine tactic. Egyptian, Jordanian, Lebanese, Libyan, Kuwaiti, Iranian and Iraqi aircraft were amongst those attacked, mostly hijacked. Islamic terrorists adopted the tactic. They were closely linked to Iranian fundamentalists, who expressed deep hostility to non-Islamic culture, which extrapolates to cover democracies, the Western world, and particularly the Great Satan, the USA. Islamic terrorists were responsible for the Kuwaiti hijack (April 1988), and the planned multiple attacks on US aircraft, (Manila, Dec 1994), and also for the bombing of World Trade Centre (New York 1993). They have sought to abort the peace process by attacks on Israelis within Israel. Their violent methods, indiscriminate targeting and their ill-defined, unrealistic or vengeful objectives are reminiscent of Palestinian terrorism (1955-85). They
have supplanted the Palestinians as the most serious threat to aviation. Their wide-ranging hostility has been misconstrued by those who see Islamic fundamentalism as a single unified force, directed by Teheran. There is a danger that the grouping of a complex of diverse activities into a single category may produce another misleading conspiracy theory.

Renegade Palestinian groups (Ahmed Jibril's PFLP-GC, Abu Nidal's Group) also remain a danger. They may put their expertise at the disposal of the fundamentalists. However they are without doubt tightly controlled by their state sponsors who, in turn, are under great international pressure to distance themselves from terrorism. These groups cannot afford to incur their state sponsors' displeasure nor is it likely they would survive it. The PLO has learned from experience that terrorism is counter-productive, and now has much to lose by returning to it. This lesson has yet to be understood by Islamic fundamentalists. Extremists may never heed it. Attacks on aviation have been established in terrorist methodology. Any group, old or new, domestic or international, may choose to attack aviation targets. The new hazard has taken root.

2.8. Conclusion

Although the overwhelming majority of attacks on aviation (1968-72) were on US passenger aircraft and were the work of criminals and the deranged, this research suggests that it was the Palestinians who established attacks on aviation within the armoury of political terrorism (1968-1970). They popularised the tactic with terrorists worldwide. Air travellers now face a threat from terrorists of all descriptions, as well as from extortionists, the disaffected, fugitives, the disturbed and from hoaxers.
This research has already suggested that Arab/Palestinian culture values tribal and family loyalties above national loyalty, and that it lacks a democratic mechanism for the displacement of leaders. Another writer (Pryce-Jones) postulates that it includes a powerful shame-honour axis, or a see-saw, which drives both individual and group behaviour. This allows fuller rein to the vanity and self-promotion of leaders than does a Western democracy. The military autonomy of the various Palestinian terrorist groups allowed to each leader the role of war lord and thus accommodated his vanity. It is doubtful that they would have been capable of living subordinate roles within a single political organisation. This was the first of three important reasons for the persistence of terrorism long after its strategic ineffectiveness must have become obvious. The second reason was the support and direction of terrorist groups by state sponsors for their state purposes. Thirdly, some groups continued to pursue violence for reasons of lifestyle or ideology.

Nor was the PLO itself able to sustain a twin-track policy of diplomacy accompanied by terrorism in the Sinn Fein-PIRA model, because its diplomats were targeted for assassination by its terrorists. The PLO was not divided so much by outside interests as by its own nature; but, divided as it was, it was easily ruled by outside interests. Thus it was locked into a self-defeating policy, terrorism, by which it pursued an unattainable aim, the destruction of the State of Israel.

There are different views on the value to the Palestinians of their recourse to terrorism. One Israeli writer, Ariel Merari, has concluded that terrorism has, on balance, assisted the progress of the PLO:
"Palestinian terrorist attacks in Western Europe began in 1968 and reached a peak in 1973. They were condemned strongly by the European Community. In a few years, however, the PLO was allowed to open representations in practically all European countries, and in 1974, about a year after the imposition of oil embargo by the Organization of [Arab] Petroleum Exporting Countries and the increase in oil prices, PLO Chairman Yasser Arafat was invited to speak in front of the General Assembly of the UN, and the PLO was granted an observer status in that international forum ."

" .... Admittedly, it is impossible to isolate the net effect of terrorism and to assess accurately its relative contribution to the legitimation (sic) process of the PLO, alongside with other factors, such as economic and political pressures by Arab states. There can be little doubt, however, that in the last count, terrorism has had a beneficial rather than a deleterious effect on PLO’s legitimacy." 123

In the first of these paragraphs Merari cites diplomatic offices permitted to the PLO. He does not explain the causal connection between these privileges and the PLO's terrorist activities, nor does he specify the tangible benefits which flowed from those privileges. The conclusion in his second statement is an assertion unaccompanied by evidence.

Shindler takes the opposite view:

"After 20 years of conflict, there was little to show for it in concrete terms. Israel was thriving and the Palestinians had moved in every direction except forward. For the inhabitants of the

123 MERARI, Ariel. Terrorism as a Strategy of Insurgency. T & PV.  5 (4), p 241
camps, who lived in squalor and deprivation, there was no amelioration of the Palestinian condition".

Both Merari and Shindler are respected Jewish writers; they have reached different conclusions from viewpoints which were perhaps similar.

The findings of this research strongly support Shindler's position; they suggest that both the conception and execution of the Palestinians' long indulgence in international terrorism were, overall, at the least disadvantageous to their cause; arguably and more probably they were disastrous.

The Intifada - an extensive uprising of the population at large, in a credible cause, using limited violence against the brutal tactics of an occupying power - succeeded. International terrorism - the infrequent actions by autonomous cliques, with unrealistic objectives, committing atrocities against innocents uninvolved in the conflict - was comprehensively counterproductive.

The true curiosity of Palestinian terrorism is not its failure, but the reasons for which the Palestinians failed for so long to abandon it. The preceding paragraphs suggest that the Palestinians have gained more in the first two years of the peace process than in the previous forty years, the 20 years of fedayeen attacks (1947-67) and the 20 years of international terrorism (1968-88). The reasons lie equally in their stars and in their natures.

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124 SHINDLER, ref 70, p 254
International terrorism, atrocities inflicted upon innocents, projected an image of Palestinians as a mindless and merciless people. Their actions could not have been better planned to destroy the potential external sympathy with their cause.

This section provides evidence that strategy is indispensible to the pursuit of a long-term objective. No Palestinian leader stamped his authority upon the rival factions. The warlords were not prepared to relinquish their autonomy. Thus the Palestinians never achieved control or coordination of their disparate activities. They fought a terrorist war which they could not win, but did not offer the alternative of a credible peace. Their terrorism was not of a magnitude to damage Israel seriously, but their atrocities and rhetoric allowed Israel to imply that its existence was threatened, echoing memories of the Holocaust and eliciting vital financial and military aid. Worse, they distracted world attention from factors which could only have advanced their cause: the justice of their grievances and the ruthless conduct of Israel. Each of these is relevant to an objective study of Palestinian methodology. They are therefore recorded in this research.

Cold War dynamics militated that the USSR's support of the Palestinians was inevitably counterbalanced by the USA's support of Israel. Thus Great Britain's ability to contribute to a solution was limited, despite her experience and understanding of the Palestine issue.
Palestinian terrorist attacks targeting the USA, Great Britain and their NATO allies, prevented any major diplomatic intervention on behalf of the Palestinians. Responsible countries find it difficult to give support to any cause which espouses terrorism, a dilemma not yet resolved (x-ref). The activities of mischief-making state sponsors of terrorism - suppliers of funds, weaponry, logistics and documentation - both increased the powers of the terrorists and posed a new challenge to liberal democracies. 25 years later, in the 1990s, those democracies have been able to organise a more effective response, but in the 1970s and 1980s they were in disarray. Thus, for 21 years (1968-89), the aviation terrorists roamed the world, not effectively countered. In that period they demonstrated the effectiveness of their tactics.

More important, they proved that terrorist atrocities, even of the magnitude of Lockerbie, are powerless to divert liberal democracies from their national purposes. A terrorist may hijack an aircraft, but he cannot hijack national policy.

The damage that Palestinian terrorists did to the Western world is nothing to the damage that their terrorism did to their own cause. *Fiat Justitia* indeed.
3. **ATTACKS ON AVIATION: DATA**

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<td>Hijack of BA VC-10, Beirut, 3 March 1974</td>
<td>131</td>
</tr>
<tr>
<td>3.8.4</td>
<td>Hijack of BA VC-10, Dubai, 21 November 1974</td>
<td>131</td>
</tr>
<tr>
<td>3.8.5</td>
<td>PIRA Bomb on BA Trident, Manchester, 23 July 1974</td>
<td>132</td>
</tr>
<tr>
<td>3.8.6</td>
<td>Hijack of BA BAC1-11, Manchester, 7 January 1975</td>
<td>133</td>
</tr>
<tr>
<td>3.8.8</td>
<td>Hijack of BA B-747, Hong Kong, 22 March 1984</td>
<td>134</td>
</tr>
<tr>
<td>3.8.9</td>
<td>Bomb Explosion, Terminal 2, Heathrow, 20 April 1984</td>
<td>134</td>
</tr>
</tbody>
</table>

3.8.11 Attacks on Airline Offices 1970-94

3.9 British Involvement in Attacks on Non-British Targets

3.10 Conclusion
3. ATTACKS ON AVIATION: DATA

3.1 Perspective

3.1.1 Overview

There are two distinct species of modern international terrorism. Each has evolved from a different origin.

The first species is state-sponsored terrorism directed at other states. It is a new mutation of war, in which terrorism is the chosen weapon. Being undeclared and therefore deniable, it is more convenient than conventional war. It is a form of conflict between nations, and should be analysed in the context of international relations. A sub-species is state violence directed at groups or individuals; it should be viewed as the product of national interest or, more likely, of the interests of the governing faction.

The second species is sub-state violence, the actions of politically motivated groups. It has evolved from classical terrorism, once, but no longer, confined to a domestic battlefield by the absence of an international transport system. It is more often directed against state than against sub-state targets.

In both cases international terrorism is a means of expressing hostility. In each there may also be an intention to influence the policies of the target nation by actions which
impact upon either the national economy, or government pride, or public opinion. Terrorists are mistaken if they believe that terror can easily be spread in a population by occasional actions, or that such terror would advance their cause. The contexts in which this has occurred are those of widespread and prolonged violence: state-terror, guerrilla war, ethnic conflict, and within closed communities. Populations of advanced liberal democracies are not terrified into conceding to their enemy even when subjected to massive or prolonged attack, their reaction is to unite in opposition, viz decades of IRA activity and two World Wars. If a population does arise to press its government, it does so, not for fear of the enemy but for sympathy with him, as in the anti-Vietnam war protests. This is more obvious now than it was in 1968; nonetheless the Palestinians’ own statements make it clear that their intentions were to propagate their message to a world unconcerned with their plight, and to conduct hostilities against their enemies - Israel and the USA.

States waging war against western democracies may pointlessly murder innocent citizens. They cannot, by reason of their chosen methodology, inflict serious damage upon the democracies themselves. They are limited to occasional atrocity for fear of triggering a massive response, in which the personal comfort of unilateral warfare is replaced by warplanes bringing personal discomfort. Thus for the past 30 years both species of terrorism have been pursuing the same aim: sending a message. The message from the terrorist states is ‘see, we can hurt you’, whilst most terrorist groups are saying ‘pay attention to us’.
### FIGURE 1: ATTACKS BY COUNTRY - COUNTRY (TARGET) AND COUNTRY (LOCATION) 1968-95

<table>
<thead>
<tr>
<th>COUNTRY</th>
<th>ATTACKS ON COUNTRY'S AIRCRAFT</th>
<th>ATTACKS LOCATED IN COUNTRY</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total</td>
<td>Serious*</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>USA</td>
<td>100+</td>
<td>30</td>
</tr>
<tr>
<td>France</td>
<td>16</td>
<td>13</td>
</tr>
<tr>
<td>Germany</td>
<td>13</td>
<td>5</td>
</tr>
<tr>
<td>Spain</td>
<td>8</td>
<td>7</td>
</tr>
<tr>
<td>Italy</td>
<td>8</td>
<td>2</td>
</tr>
<tr>
<td>Netherlands</td>
<td>7</td>
<td>3</td>
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<td>UK</td>
<td>6</td>
<td>4</td>
</tr>
<tr>
<td>Canada</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td>Switzerland</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>Greece</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>Sweden</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Portugal</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Belgium</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Austria</td>
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<td>1</td>
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<tr>
<td>Cyprus</td>
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<td>1</td>
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<tr>
<td>Ireland</td>
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<td>Norway</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Australia</td>
<td>0</td>
<td>N/A</td>
</tr>
</tbody>
</table>

** Total - attacks on aircraft, airports, airline crews, and airline offices

* Serious - attack by organised terrorist group

SOURCE: University of St Andrews-RAND Chronology
Attacks on aviation offer state- and group-terrorists an unparalleled method of securing global attention - of supporters, of the uncommitted, and of opponents.

The details of terrorist attacks on aviation are often horrific. Airline passengers are mutilated or blasted to destruction by murderers pursuing a grievance against their enemies on the other side of the world. The innocent victims have no real connection with the war in the name of which they become casualties. For that reason the atrocity commands a worldwide audience; the perception is the key: anyone, given a similar accident of time and place, could be extinguished by a terrorist act. The horror of the event overshadows and obscures the extreme improbability of suffering the same fate. This section reviews the numbers and details of attacks. They should be kept in perspective. As a numerical cause of death they are without significance. As a manifestation of inhumanity they are without equal.

There are many chronologies of terrorism. They are all narrative accounts, derived mostly from open sources, the products of the information available. They are valuable records and essential to the production of statistics. This section of the research examines the information needed for more detailed analysis, and outlines the headings under which that information could usefully be recorded and presented.

Finally, the few attacks of any significance on British aircraft and the intermittent PIRA forays on airports are briefly reviewed. The section is intended to put the incidence of attacks on aviation, particularly on British aviation, into perspective. 3.1.2. FIGURE 1, which follows shows how very few attacks most countries have suffered.\textsuperscript{125}

\textsuperscript{125} MALIK, Omar. The Future Information and Technology Needs of Aviation Security. RMCS, 1995
FIGURE 4

ACTS OF SABOTAGE

SOURCES: FAA and ICAO Statistics
3.2 Attack Statistics

3.2.1 Data Sources and Limitations

There are several chronologies of terrorism in the public or semi-public domain. All draw their data predominantly from open sources, newspapers and broadcasts; many use the same sources. All present their accounts of incidents in narrative form. The best known are the University of St Andrews - RAND database, now published annually in the Journal of Terrorism and Political Violence, the chronology in four volumes by Ed Mickolus, and the chronologies produced annually by the US government agencies126. Circumspection is needed in comparing the results; the chronologies are based upon different definitions and systems of classification. The narrative structure is ill-suited to the needs of detailed analysis.

The chronologies make little or no attempt to record arrests, legal processes, or extradition proceedings. They therefore do not contribute to the tracking of the subsequences of attacks, a study vital to serious analysis. The task of collecting data on subsequences is not to be underestimated, it is nonetheless essential to the process of understanding terrorism and to the formulation of counterterrorist strategy.

Chronologies are valuable sources for the compilation of statistics. They provide raw data: dates, number and type of incident, and casualties, from which an overview can be obtained.

The three Tables opposite give a perspective to attacks on aviation since the 1960s. The Appendix to this reseach contains a Table: Significant Attacks on Aviation 1968-1996, which

126 For more details and examples of chronologies and databases see T&PV, Winter 1995, pp 171-229.
lists the most serious terrorist attacks on British and Western aviation together with other significant attacks on aviation targets.

3.3 Attack Analysis

3.3.1 Data Requirements

Serious analysis must investigate the aetiology, methodology, outcome, and subsequences of attacks. A comprehensive record is needed not only of each attack but also of all attacks, in order to establish both the detail and pattern of tactics. Past records fail on one or both counts. It is possible that a full and adequate record is maintained somewhere by an intelligence agency, however all indications suggest not. The compilation of such a record from open sources is unlikely to be possible. If forensic data is not collected at the time, much of it is lost for ever. The majority of attacks took place prior to Lockerbie (21 Dec 1988), the atrocity which re-energised aviation security. In 1986 the IATA Director of Security informed the IFALPA Security Committee that, in the aftermath of an incident, the first action of many authorities was to "sweep up the mess and return as quickly as possible to normal operations."127 The most informative accounts of many incidents are to be found in contemporary books by good journalists. Valuable though they are, they are not written with the needs of analysts in mind, nor do they cover any but the most spectacular events.

The aetiology of attacks must be established for the purposes of threat assessment and attack prediction. The first component is the political cause in the name of which the attack is mounted. The second component is the objectives of the attackers. The third, and often overlooked, is the stimulus or trigger of the attack, the reason underlying the timing of the

127 WALLIS, Rodney. IFALPA Security Committee meeting, Washington. October 1986
attack: to mark an anniversary, to influence forthcoming negotiations, etc. (In some cases there may be no specific stimulus.)

The methodology of attacks must be established for the purpose of implementing appropriate and adequate security countermeasures, as well as to assist identification of the culprits. One expert considers that terrorists are conservative in their methodology.\(^{128}\)

Certainly they are likely to re-use a method of proven effectiveness if it remains available to them. Unfortunately they have demonstrated some flexibility in aviation, moving from El Al to softer targets, and moving from hijack to sabotage when anti-hijack measures became an obstacle. Further, different attackers favour different methods; the PFLP favoured hijack, the PFLP-GC bombs in hold baggage or mail, Abu Nidal armed attack, the North Koreans a bomb in cabin baggage, etc. The fact remains that authorities who fail to identify, or who do not exert themselves to close off security loopholes, are in serious dereliction of their duty; they would face the probability of massive punitive damages in any competent court in the event of re-use of an established loophole. Analysis of attack methodology is essential to the implementation of appropriate countermeasures.

The outcomes of attacks: success/failure of the terrorists' tactics, their escape/capture, the granting/rejection of demands, and the management of the event, all have an important bearing on the repetition of the tactic, and on the adequacy of the countermeasures.

The subsequences: apprehension, extradition, and conviction of the attackers, is central to the terrorists' perception of their success. It is also an important indicator of the effectiveness of international cooperation.

---

### FIGURE 5: PRIMARY DATABASE: FORMAT

<table>
<thead>
<tr>
<th>#</th>
<th>DATE</th>
<th>Target/Victim</th>
<th>Methodology</th>
</tr>
</thead>
<tbody>
<tr>
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</table>

#### ATTACK

<table>
<thead>
<tr>
<th>#</th>
<th>DATE</th>
<th>Country</th>
<th>Victim</th>
<th>Place</th>
<th>Method</th>
<th>Type</th>
<th>Origin</th>
<th>Group</th>
<th>Number</th>
<th>Place</th>
<th>Access</th>
<th>Place</th>
<th>Access</th>
<th>Location</th>
<th>Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>B</td>
<td>21-Dec-88</td>
<td>USA</td>
<td>Pan Am 747</td>
<td>Lockerbie</td>
<td>Sab/Air</td>
<td>Terr</td>
<td>Mid East</td>
<td>PFLP-GC Lib/Syr?</td>
<td>2M?</td>
<td>N/A</td>
<td>N/A</td>
<td>?</td>
<td>Unaccompanied Hold Bag</td>
<td>Fwd Hold</td>
<td>Other Radio</td>
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#### FIGURE 5 (continued from above)

#### AETIOLOGY

<table>
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<tr>
<th>#</th>
<th>State</th>
<th>Demands</th>
<th>Deny/Intervene</th>
<th>Casualties</th>
<th>Terrorist</th>
<th>Sequel</th>
<th>Duration</th>
<th>News</th>
<th>Media</th>
<th>Legal</th>
<th>Extradition</th>
<th>NOTES</th>
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#### OUTCOME

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<th>#</th>
<th>Stimulus</th>
<th>Nature</th>
<th>Country</th>
<th>Grant/Part</th>
<th>by Force</th>
<th>Casualties</th>
<th>Casualties</th>
<th>Sequel</th>
<th>Duration</th>
<th>News</th>
<th>Blackout</th>
<th>Media</th>
<th>Coverage</th>
<th>Legal</th>
<th>Process</th>
<th>Extradition</th>
<th>NOTES</th>
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<td>R</td>
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<td>AB</td>
<td>AC</td>
<td>AD</td>
<td>AE</td>
<td>AC</td>
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#### SUBSEQUENCES

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<th>State</th>
<th>Demands</th>
<th>Grant/Part</th>
<th>by Force</th>
<th>Casualties</th>
<th>Casualties</th>
<th>Sequel</th>
<th>Duration</th>
<th>News</th>
<th>Blackout</th>
<th>Media</th>
<th>Coverage</th>
<th>Legal</th>
<th>Process</th>
<th>Extradition</th>
<th>NOTES</th>
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</tbody>
</table>

#### NOTES

- GB request Libya refuse
3.3.3 FIGURE 5: Primary Database: Notes

Columns K, L and M, N highlight the need to identify the point at which security countermeasures failed to apprehend the weaponry (M, N) and, where appropriate, the attacker/s (K, L); Place refers to the airport of penetration and Access to the channel, (eg hold bag, cabin bag, catering, etc.)

Columns AA and AC record variables (Duration, Media Coverage) by which attackers are likely to gauge the success of their operation.

The Database is elaborated (3.4 -3.7, below).

3.4 Attack Aetiology

3.4.1 Attack Objectives

3.4.1.1 Reprisal

It has been submitted that state-instigated terrorist attacks on other states are acts of war de facto if not de jure. Some actions may be simply a reprisal, as perhaps Lockerbie was a reaction to the US Navy’s destruction of an Iranair Airbus over the Gulf. In such cases the reprisal is an end in itself.

Other attacks include an element of reprisal for a policy of the target state. The bombing of US military barracks in Dhahran (25 Jun 1996) may have been partly reprisal for US military
support for the Saudi regime and partly to further the objective of withdrawal of US forces from the area. Correct analysis is essential. A reprisal is likely to be a one-off action; a residual objective implies probable repetition of attack.

In all attacks in which reprisal is an element, the message is: 'we can and we will hurt you.'

3.4.1.2 Tactical Objectives

At the tactical level an attack may have specific short term objectives; to extort money, to obtain the release of prisoners or, more simply, to inflict casualties, damage, or financial losses. These objectives should be recorded. In some cases they may be clearly articulated by the attackers. In others they must be surmised by the investigators. This may present difficulties, governments generally being opposed to making concessions to terrorists and always being reluctant to admitting them; extortion is a particularly sensitive issue.

3.4.1.3 Sub-Strategic Objectives

The term ‘sub-strategic’ has been coined to cover objectives that lie between tactical and strategic. Two can be identified.

The first is solipsistic, or inwardly directed. The objective is to sustain the terrorist group by demonstrating capability. This gratifies sponsors, heartens supporters, and maintains the cohesion and morale of the group.
The second is publicity, media coverage. This achieves the same solipsistic benefits as are described above. It also has an outwardly-directed component, attracting the attention of opponents and the uncommitted to the message that the terrorist group is a force to be reckoned with, and to the cause they are purporting to espouse.

"A bomb in the White House, a mine in the Vatican, the death of Mao Tse-Tung, an earthquake in Paris could not have echoed through the consciousness of every man in the world like the operation at Munich ... it was like painting the name of Palestine on top of a mountain that can be seen from the four corners of the earth."129

3.4.1.4 Strategic Objectives

In the earlier examination of the emergence of Palestinian attacks on aviation it was suggested that it would be mistaken to ascribe the tactic to thoughtful strategy. These paragraphs address the general and perhaps hypothetical case of terrorists with a strategy, and one which may utilise attacks on aviation as a tactic in an auxiliary role.

This research indicates that attacks on aviation were a hindrance to the progress of the Palestinian cause. Their very success of the deeds in capturing publicity rendered it impossible for governments to assist the Palestinians without being accused of surrendering to terrorism. Thoughtful terrorist groups are likely to be aware of this and may therefore choose to eschew the tactic as being counterproductive to strategic aims. It is axiomatic that it is the less thoughtful groups who are more likely to attack aviation targets.

### FIGURE 6: CASUALTIES: ATTACKS AND ACCIDENTS

<table>
<thead>
<tr>
<th>Event</th>
<th>Method</th>
<th>Place</th>
<th>Date</th>
<th>Fatalities</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACT OF WAR</td>
<td>Land Atom Bomb</td>
<td>Hiroshima</td>
<td>06-Aug-45</td>
<td>140,000</td>
</tr>
<tr>
<td>ACT OF WAR</td>
<td>Land Atom Bomb</td>
<td>Nagasaki</td>
<td>09-Aug-45</td>
<td>70,000</td>
</tr>
<tr>
<td>SHIP - TITANIC</td>
<td>Sea Iceberg</td>
<td>Atlantic</td>
<td>15-Apr-12</td>
<td>1500+</td>
</tr>
<tr>
<td>SHIP - ESTONIA</td>
<td>Sea Accident</td>
<td>Baltic</td>
<td>27-Sep-94</td>
<td>900?</td>
</tr>
<tr>
<td>BUILDING</td>
<td>Land Collapse</td>
<td>Seoul</td>
<td>29-Jun-95</td>
<td>650</td>
</tr>
<tr>
<td>JAL 747</td>
<td>Air Accident</td>
<td>Japan</td>
<td>12-Aug-85</td>
<td>520</td>
</tr>
<tr>
<td>CINEMA</td>
<td>Land Arson</td>
<td>Teheran</td>
<td>1979</td>
<td>400+</td>
</tr>
<tr>
<td>AIR INDIA 747</td>
<td>Air Sabotage</td>
<td>Atlantic</td>
<td>23-Jun-85</td>
<td>329</td>
</tr>
<tr>
<td>PAN-AM 747</td>
<td>Air Sabotage</td>
<td>Lockerbie</td>
<td>21-Dec-88</td>
<td>270</td>
</tr>
<tr>
<td>KOREAN 747</td>
<td>Air Shot Down</td>
<td>Sakhalin</td>
<td>01-Sep-83</td>
<td>269</td>
</tr>
<tr>
<td>US MARINE BARRACKS</td>
<td>Land Bomb</td>
<td>Beirut</td>
<td>1983</td>
<td>241</td>
</tr>
<tr>
<td>UTA DC-10</td>
<td>Air Sabotage</td>
<td>Niger</td>
<td>19-Sep-89</td>
<td>170</td>
</tr>
<tr>
<td>BUILDING</td>
<td>Land Bomb</td>
<td>Oklahoma</td>
<td>18-Apr-95</td>
<td>168</td>
</tr>
<tr>
<td>AVIANCA B-727</td>
<td>Air Bomb</td>
<td>Bogota</td>
<td>27-Nov-89</td>
<td>120</td>
</tr>
<tr>
<td>KOREAN B-707</td>
<td>Air Bomb</td>
<td>Burma</td>
<td>29-Nov-87</td>
<td>115</td>
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<tr>
<td>EL AL 747</td>
<td>Air Accident</td>
<td>Amsterdam</td>
<td>04-Oct-92</td>
<td>44</td>
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<tr>
<td>UNDERGROUND</td>
<td>Land Collision</td>
<td>Moorgate, GB</td>
<td>28-Feb-75</td>
<td>43</td>
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<tr>
<td>UNDERGROUND</td>
<td>Land Fire</td>
<td>Kings Cross, GB</td>
<td>18-Nov-87</td>
<td>31</td>
</tr>
<tr>
<td>UNDERGROUND</td>
<td>Land Gas Attack</td>
<td>Tokyo</td>
<td>20-Mar-95</td>
<td>12 K, 5500</td>
</tr>
<tr>
<td>BUILDING - WTC</td>
<td>Land Bomb</td>
<td>New York</td>
<td>26-Feb-93</td>
<td>6</td>
</tr>
</tbody>
</table>

**Sources:** Press Cuttings and Chronologies of Terrorism (University of St Andrews-RAND, FAA, Mickolus)
3.4.1.5 Casualties: Perspective

Modern airliners commonly carry 400 passengers and sometimes over 500. To a terrorist group seeking to inflict a massive death toll, a large aircraft presents a first choice target. [How such a group can be deemed worthy of the privilege of human rights is mystifying.] It is suggested that ‘since the beginning of the century fewer than half a dozen terrorist incidents in fact have occurred that resulted in the deaths of more than a 100 persons at one time.'130 The same paper quotes Brian Jenkins in amplification of the point: ‘Lowering the criterion to 50 deaths produces a dozen or more additional incidents. To get even a meaningful sample, the criterion has to be lowered to 25. This in itself suggests that it is either very hard to kill large numbers of persons or very rarely tried.’131 (Wording sic.)

3.4.1.6 FIGURE 6: Casualties

FIGURE 6 (opposite) gives the death tolls attributable to single incidents. Some were acts of terrorism, others accidents. Each accident was selected as an event which could be re-enacted deliberately by a terrorist group. The first two incidents were acts of war, the bombings of Hiroshima and Nagasaki; the associated death tolls make those of the other events pale into insignificance, a chilling indication of the inevitability of nuclear terrorism if nuclear weapons are allowed to fall into the hands of those who seek to maximise casualties.

130 HOFFMAN, ref 114, p 7
131 JENKINS Brian. The Likelihood of Nuclear Terrorism. Santa Monica, CA: RAND P-7119, July 1985
3.4.1.7 Costs: Perspective

The costs of attacks are discussed in Section 6. The subject is mentioned here only as a reminder that it is, or may be, relevant to terrorist objectives. It is not suggested that costs should be included amongst the primary data on attacks.

3.4.2 Attack Stimuli

It is clear that, on many occasions, a specific stimulus has prompted a terrorist attack: to influence court proceedings, or to disrupt peace talks, or to mark important anniversaries. One expert study of Hizbollah suggests that the stimulus for the most recent important hijack (Kuwait B-747, 5 April 1988) was a forthcoming election in Iran and the sponsor's desire to enhance his electoral profile.\textsuperscript{132} The identification of all such stimuli is central to attack prediction. They are included in the primary data format to alert investigators to the need to record any relevant evidence which can be obtained from statements of attackers or elsewhere.

3.4.3 Terrorist Group

It is self-evident that the name of the terrorist group making the attack should be recorded. An understanding of the terrorist causes and groups which may be involved in attacks on aviation is fundamental to threat assessment. Similarly, the names of the attackers themselves is vital information. Those who survive the event and are subsequently able to

return to their colleagues take with them increased experience and expertise; this is likely to be deployed in further attacks on aviation, or utilised in the training of others. Information recorded on terrorist groups and individuals is relevant to both attack aetiology and attack methodology (below).

3.5 Attack Methodology

3.5.1 Attack Methods

Three forms of attack on aviation can be distinguished: armed attack, sabotage, and hijack. In this research the term “armed attack” is used when armed attackers are present. Sabotage is a stand-off attack involving weaponry but not necessarily the contemporaneous presence of an attacker. Hijack requires both weaponry and attacker. The significance of these differences relates to the points at which protective security can intercept the attack.

3.5.2 Armed Attack

The boundary at airports between public areas and security-controlled areas is the landside-airside barrier. The landside area is open to the public and, apart from police patrols and surveillance systems, is no more protected by security systems than streets, shops and other areas of the country to which the public has general access. Landside areas have been the site of attacks: PIRA bombs in car-parks, Heathrow (1974), armed attacks at Rome and Vienna Airports (1985), etc. However they are not prestigious targets, nor, at major airports, are aircraft positioned within them. Aircraft are much more desirable targets, symbolic and prestigious and, if hijacked, difficult to recapture and capable of flight. Attacks on airports
landside are nonetheless attacks on aviation and should be recorded as such. As a methodology they have implications for airport design. In the event of their becoming an established *modus operandi*, appropriate countermeasures would be necessary. Similarly, public roads and other off-airport areas have been utilised over the decades to attack targets within the airport (PFLP attack on El Al, Zurich 18 Feb 1969, PIRA mortar attacks on Heathrow March 1994).

3.5.3 Sabotage

Sabotage requires the positioning of a weapon, usually an IED, at the target. If the target is an aircraft, the device or its components must be conveyed across the airside/landside barrier. The *place* (airport, etc) and *means* of its access must be established. There is a limited number of possible means of penetrating the airside/landside barrier and reaching an aircraft: by passenger or staff access, or via hold baggage, carry-on baggage, or aircraft stores. The importance of this information is self-evident. It is not available in the published chronologies, and there are good grounds for not publicising methods of circumventing security. However, the existence of a comprehensive analysis in privileged circles is open to serious doubt.

3.5.4 Hijack

Similar reasoning applies to hijack. In this case both a person or persons and weaponry (or imitation weaponry) must be positioned for the attack. Most frequently, the hijackers reach their target by means of the passenger stream. There are other methods. The hijackers of a
PanAm B-747 (Karachi, 5 Sept 1986) disguised themselves as security personnel and gained access to the airport at a staff entrance. Weapons may be carried by the hijackers themselves. Alternatively they may be pre-positioned by accomplices, most likely at one of the many airports where security is a cosmetic process, eyewash that fools passengers but not terrorists.

3.5.5 Additional Data

The Primary Database accommodates only basic data, the tip of the iceberg. The fullest possible details must be recorded outside the Primary Database; some of these will be of equal or greater importance. Hijackers have sometimes been accompanied by 'sleepers'. The researcher had often heard this affirmation; the first corroborative evidence emerged during the course of this research. Both a British and an American pilot hijacked to Dawson’s Field confirmed the presence on their aircraft of sleepers, including in one case an apparent father and child (3.8.2). Similarly it is alleged that hijackers have on occasion had drugs to maintain alertness, or short-wave radios to communicate with their controllers. The importance of informing all security personnel fully of attackers' modus operandi is obvious. All such relevant data must be disseminated. There are very few attacks on aviation (see 3.1.2 Figure 1). Therefore dissemination depends in the first place upon the exchange of data amongst liberal democracies. In the second place, it depends upon the passing of the information by government authorities to the security personnel responsible for the interception of would-be attackers. Needless to say, data cannot be disseminated unless it has first been recorded.

There is a need for an international system of collection and communication of data.
3.6 Attack Outcomes: Criteria of Success

It is a tautology that thoughtful terrorists seek success. It may be true that the less thoughtful and the deranged also seek success, but their criteria of 'success' may not be rational. Hinckley, a loner who attempted to assassinate President Reagan, reportedly asked at the moment of his arrest 'Was it on television?' Protection against lunatics and suicides presents special difficulties. Happily it is often provided by the countermeasures put in place against other adversaries.

Those who dispatch terrorists on their attacks will not necessarily have the same criteria of success as the terrorists themselves. Both viewpoints must be assessed. Success is a function of the attack objectives. Therefore, as a preliminary to gauging the terrorist perception of the success of the outcome, these objectives must be surmised. For that reason they are deemed to be primary data, to be included in the database.

Four categories of objectives have been postulated: reprisal, tactical, sub-strategic, and strategic.

Of the sub-strategic objectives, one - the obtaining of media coverage - will be achieved in any attack. Even in the case of an attack which ends in abject failure, the terrorist group will attract some publicity. This it will welcome; it is commonplace that any incident of terrorism or suspected terrorism is followed by competing claims of responsibility from a number of groups. To a lesser degree, the other sub-strategic objective - sustaining the terrorist group -
will also be achieved regardless of attack outcome. Success provides heroes; failure provides martyrs; only humiliation is detrimental to the group.

Achievement of the reprisal objective or of any tactical objective is contingent upon the success of the attack. Extortion, coercion of prisoner release, violence to property or persons, all depend upon the successful penetration of security by weaponry and, in all but sabotage, by the terrorists themselves. This underlines the importance of effective security countermeasures. It is also evident that, even when security is breached and attackers have taken hostages, success can still be denied to them at the second stage by refusal to concede their demands. This is much easier to state as a policy than to adhere to in practice. The decision-makers have to calculate whether the price of saving the lives currently at stake will be the subsequent loss of a greater number of lives. Extortion is broadly similar. Monies paid to terrorists may buy more weaponry for later attacks. It is equally likely to be used to fund a comfortable lifestyle and a pension nest-egg for the terrorists themselves. Either way, no responsible government would willingly concede to extortion demands. Unhappily there is a convincing body of evidence that a number of governments were happy to buy the terrorists off their territory and on to that of their neighbours. It is unlikely that a complete record of extortion payments could ever be compiled. There is one good reason for maintaining contemporary confidentiality on extortion successes, and that is to avoid the encouragement of the tactic. Equally, it is essential to expose venal governments whose concept of responsibility to their allies is concocted in the kitchens of the Borgias. Therefore data on extortion should be collated as far as possible, though not necessarily made available in the public record.
Two strategic objectives in international attacks on aviation have been postulated: the influencing of government policy and of public opinion. In each case the terrorist message is conveyed to the intended audience through a duplex mechanism, the action itself and the media reports of it. Each component has a magnitude and value to the terrorists which is directly dependent upon the noteworthiness of the action; this in turn is a function (not a product) of the significance of the target and the success of the attack. Unfortunately, aviation is now established as one of the most significant targets of all, for reasons already discussed. The less the success of the attack, the less its noteworthiness; however noteworthiness does not reduce to zero when success is zero; the action itself constitutes a message from the terrorists. Nonetheless, terrorists with the ability to think in strategic terms will be clearly cognisant that tactical success is a pre-requisite of the attainment of strategic objectives.

To aver that success is central to the encouragement of terrorism may appear to be a tautology. A review of terrorist objectives indicates that it is a truth which stands up to examination. Therefore the policy of denial of success to terrorists, well-established within the perspective of law enforcement, is vindicated and reinforced from the perspective of political conflict. The value of effective aviation security countermeasures is underlined.

3.7 Attack Subsequences

The term 'subsequences' relates to the terrorists and covers the legal and political processes following an attack. It is self-evident that, if terrorists have the ability to carry out an attack and then return safely to their base, terrorism will be established as a low-risk and
therefore not unattractive occupation. Further, if captured terrorists are promptly released by their captors, then they are only at risk during the brief period of their action. All of which would give immense encouragement to terrorism. This, unfortunately, was the norm during the first nine years of attacks on aviation. This period of relative immunity was ended by the Israelis at Entebbe (4 July 1976) and by the West German GSG9 at Mogadishu (18 October 1977). Both were brilliant military actions and both took place in remote countries possibly sympathetic to the terrorists and where they would have felt relatively safe; few of them survived. This ended the Palestinian hijack epidemic. It is significant that the end came about as a result of the hijacks having an 'unsuccessful' outcome, not because the subsequences - the legal and political processes - had been put in order by the international community.

The efficacy of the subsequences is measured by the punishment of terrorists. This requires their capture, trial, conviction, sentencing, and their serving of the sentence. It may also involve extradition. There appears to be no comprehensive record of subsequences in the public domain. It is remarkably difficult to compile one. The researcher approached several governments, all of whom stated that they did not maintain records in a suitable form. If this is true, then the governments are failing to monitor the performance of an important component in the anti-terrorist armoury.

The subject of extradition proved equally difficult. Only two governments of several approached were prepared to offer any cooperation, HMG and The Netherlands. Others either did not reply or, more honestly, stated their unwillingness to release information. Even the governments of Canada and the USA, normally the most helpful and open, provided no
information; one of several applications to the US government was made under the Freedom of Information Act and was as unsuccessful as the others.

A comprehensive record of subsequences could be compiled from legal records. It would involve searches in all the countries involved and would be a major and costly research undertaking. Without government cooperation the extradition record would probably be incomplete, the political decisions not being in the public domain.

The subject of the role and responsibility of the government is examined in more detail in Section 9.

3.8 Attacks on British Aviation\textsuperscript{133}

3.8.1 Summary

In FIGURE 1, the word "serious" refers to the intent of the attackers and is used in reference to organised terrorist groups. However the researcher wishes to repeat and re-emphasise that any interference with the safe operation of an airliner puts the lives of the occupants at risk. Therefore any attack is serious in its potential outcome.

Prior to 1968 there had been a small number of attacks on British aviation targets. On 14 April 1950 a bomb exploded in the rear toilet of an airborne BEA Viking causing severe damage and wounding a stewardess. In 1956, during the Cyprus conflict, a bomb exploded

\textsuperscript{133} Main references for sub-section 3.8: MICKOLUS refs 26 and 33
in the forward freight hold of a Skyways Hermes (4 Mar 1956) and in a British-owned Cyprus Airways aircraft (27 Apr 1956), both on the ground in Nicosia. During the Aden conflict, an airborne Aden Airways DC-3 was destroyed by a bomb, killing all 28 on board. (22 Nov 1966) and an empty Aden Airways Viscount was blown up on the ground. On 12 Oct 1967 an airborne BEA Comet crashed into the sea after a bomb exploded; the attack was widely blamed on Turkish terrorists who supposedly believed General Grivas to be on board; another theory suggests a crime committed for insurance monies. Thus by 1968 the first terrorist targeting of British aircraft had already occurred.

3.8.2 Hijack of BOAC VC-10 from Bahrain, 9 Sept 1970, to Dawsons Field

On 6 September, PFLP terrorists hijacked a TWA B707, a Swissair Coronado, and a Panam B747. Leila Khaled and a male colleague failed to hijack an El Al B707, which landed at Heathrow. Khaled was detained by the authorities; her accomplice died.

Three days later (9 Sept), a BOAC VC-10, routed Bombay-Dubai-Bahrain-London, was hijacked out of Bahrain and diverted to Beirut. It is suspected that the weaponry was positioned for the hijackers by accomplices in Dubai and/or Bahrain, perhaps in catering stores. In Beirut the original five hijackers were joined by more (perhaps five) and received additional weaponry. The aircraft was directed to Dawsons Field where it landed safely. The VC-10 was blown up by the PFLP (12 Sept). The hostages were released in stages. On 17 September the Jordanian armed forces attacked the Palestinian fighters on its territory. The last hostages were rescued by the Jordanians on 25 September. All crew and passengers survived.

134 Primary reference for sub-section 3.8.2, personal interviews(12 July 1996) with BA and TWA Captains, both hijacked to Dawsons Field, 1970
The hijackers were skilled at the mechanics of hijacking. They controlled the occupants of the aircraft successfully. They concealed the final destination from the pilots by releasing navigational information step by step. However they were very ignorant about the operation of aircraft. The VC-10 was obliged to make a night landing in the desert. Although the landing strip was long, the inadequate lighting (headlights of a few cars) suggested that it was dangerously short. There were no radio communications or landing aids on the landing ground. The Captains of the BOAC VC-10 and the TWA B-707 had previously flown large aircraft in their respective Air Forces. Thus they had valuable experience in landing with minimal lighting; this was normal practice in wartime when enemy aircraft would lie in wait at airfields, awaiting the return of the night sorties. Landing a 100 ton jet aircraft with a touchdown speed of around 160 mph on a dark unprepared strip is dangerous in the extreme. Without a highly skilled pilot it could be expected to destroy the aircraft and all on board.

When the hijacked Swissair DC-8 landed, the sound of the impact led other prisoners to believe that it had crashed. It is reported that the PFLP had made virtually no preparation for the arrival of three aircraft and their passengers, and were apparently surprised and overjoyed at their success. On the aircraft the hijackers were very nervous and reluctant to talk. It is convincingly reported that both the TWA and BA aircraft had "sleepers" on board who revealed their presence only after landing. This operation became known as the Dawsons Field extravaganza, a colourful phrase which distracts attention from its significance.

From the point of view of the Palestinians the operation itself was an unprecedented and resounding success, putting Palestine on the front pages of the world's newspapers.\textsuperscript{135}

\textsuperscript{135} Between 7 Sept and 1 Oct, the Times was published on 22 days, on 17 of which the operation was front page news.
Operationally they were lucky. By professional military standards their planning had lethal flaws: the female hijacker of the TWA did not know how to put the pin back in her fragmentation grenade, the airstrip was dangerously short and badly lit, and the hijackers were ignorant of aircraft operation; all of these were potential sources of catastrophe. The wider consequences of the operation were disastrous to the Palestinians. It prompted their forcible eviction from Jordan. Its success in attracting publicity led the Palestinians to retain attacks on aviation as a tactic, not understanding that publicity of their later barbarity, far from benefitting their cause, was fatally impeding its progress. Arguably, they committed one of this century’s great strategic errors.

The international community was spurred into action. The Hague Convention (relating to unlawful seizure, ie hijacking) was enacted three months later (16 Dec 1970).

To Great Britain, Dawsons Field was a formative event. Britain had become involved through an accident of fate - the landing at Heathrow of Leila Khaled on the El Al B707. The PFLP had no British nationals with whom to coerce her freedom, although they claimed that they had. They therefore hijacked the BOAC VC-10 to obtain British bargaining counters; 52 of the 116 passengers and crew were British. It is instructive to see why this, the first use of the tactic against the British government, was the only occasion on which it was successful. The PFLP demanded the release of Leila Khaled from Britain. They were also demanding the release of six terrorists held by West Germany and Switzerland and up to 3000 (reports vary) guerrillas held by Israel. Thus the governments of GB, Switzerland, West Germany, USA and Israel were involved in deciding how to respond to the Palestinian demands. Israel was clearly in a different position to the other countries. She was the front-

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line enemy of the Palestinians and had already developed a policy of minimum concession and maximum retaliation to attack. It is likely therefore that Israel advocated this policy to the other countries.

"Switzerland and West Germany at first agreed to meet the commando demands to release six Arab guerrillas held in the two countries, but reversed their decisions Sept 8 in favor of joint international efforts to negotiate the passengers’ release”...... (Researcher’s emphasis)

“The Israeli government made clear Sept 8 that it would not be bound by any agreement reached in negotiations between the guerrillas and the Red Cross that did not include the release of the Israeli nationals being held. At the same time the Israelis were adamant against a reported guerrilla demand that an estimated 3,000 guerrillas held prisoner in Israel be freed in exchange for the release of the passengers.”

The role of HMG is central to this research. Keesing’s gives the following account:

"Earlier press reports had intimated that both the Swiss and West German Governments were at one time considering a straight exchange of their nationals for the Arabs in Swiss or West German custody, but that the British Government had insisted that all the hostages without exception should be released together, irrespective of their religion, race or nationality - a view which was understood to be shared by the US Government. Eventually, all the Governments involved agreed on this common stand, concerted through the co-ordinating committee in Berne. Although Israel was not represented on this committee .... " (Researcher’s emphasis)

"... PFLP were prepared to release all the hijacked hostages, except for 'Israelis of military status', provided the Swiss, West German and British Governments set free the seven Arabs in their custody. It was proposed that Israeli passengers, and those possessing dual US and Israeli nationality, should continue to be held for separate bargaining with Israel on an exchange for the release of an undetermined number of Arab guerrillas held in that country. It was understood, however that all the Western Governments were standing firm in their view that all the hostages must be released in a single 'package deal', without regard to their religion, race or nationality." 139

The fault line in this position would have been the Israeli's known policy. On 12-13 Sept the Israelis arrested 450 Arabs, many from influential families, in West Bank and Gaza, 140 thus improving its bargaining position in case it became isolated, which by then was becoming more probable. These hostages were released in batches on 16, 17 and 18 September.

This analysis is supported by contemporary comment:

"All those governments whose hijacked nationals are still held by the Palestinians have got to go on working together. This means that the western countries have got to go on working with Israel, for so long as Israel goes on working with them. When the Israelis began rounding up hostages of their own on the West Bank the British Government was not at all happy about it. It may be that the Israelis felt that the west would sell them out in the end and were taking their own precautions." 141

139 Keesing's, ref 138
140 ibid, p 24207
141 The Economist. Sept 19 1970, p 12
There is no primary evidence in the public domain by which to judge these accounts. However the secondary evidence is persuasive. It is not credible that HMG would have subordinated British lives or Britain’s interests to Israel’s prosecution of her conflict with the Palestinians; 1970 was three years after the passing of the British sponsored UN Resolution 242 which Israel was showing no sign of respecting. It is probable that HMG pressed West Germany and Switzerland to adopt a common front as a means of strengthening their ability to insist that all passengers (that is, including Jews and Israelis) were released. This same conclusion has been reached by at least one respected analyst.142

Even after the release of all British hostages, HMG maintained its policy of a united front:

“Britain and west (sic) Germany will not break ranks with the Americans over the release of Palestinian prisoners in spite of the fact that all British and German hostages in Jordan have now been freed. Sir Alec Douglas-Home, the Foreign Secretary, and Herr Walter Scheel, his west German counterpart, gave this pledge in separate statements today.”143

By 29 September all PFLP hostages had been released unharmed. They had been hijacked, landed on a disused desert strip and then caught in the crossfire of a vicious war. They had been lucky. They had also been well-served by their governments.

HMG’s release of Leila Khaled is a stark contrast to its subsequent firm policy to refuse concessions to terrorists. Dawsons Field was Great Britain’s first involvement with international terrorists acting against Israel. At the time it gave the appearance of an isolated event. Therefore HMG would have had an immediate aim of securing the safety of

142 CLUTTERBUCK, Richard. Living with Terrorism. London: Faber and Faber, 1975, p101
143 The Times. Sept 26 1970, p 1
the hostages and a general policy of avoiding embroilment in the Palestinian conflict. HMG
was not to know that Palestinian terrorism would lose focus and develop into indiscriminate
and murderous attacks on victims selected at random. Thus Dawsons Field was not an
isolated event, but the entry point to 18 years of international terrorist atrocities. This
became clear over the next two years. After the Munich Olympic massacre (Sept 1972)
HMG established the Counter Revolutionary Warfare (CRW) team within the SAS. This
reflected HMG's realisation that international terrorism was not a transient phenomenon.
HMG's consequent hard line was broadcast to terrorists worldwide when the SAS CRW
stormed the Iranian embassy (1980).

Dawsons Field was a significant event in many respects. It spurred the international
community into action. It demonstrated that, in 1970, aviation security was utterly
ineffective. Armed terrorists were welcomed aboard four of the world's leading airlines.
Worse, there was no contingency plan to raise standards in the face of a raised threat.
PanAm 93 had recorded in its log the three other 6 September hijacks in the three hours
directly preceding its own hijack. Three days then elapsed before the hijack of the British
VC-10, in which security measures could have been implemented to intercept the attackers
or their weaponry. Terrorists used an attack on a British airline as their means of targeting
HMG. Dawsons Field was therefore HMG's and British aviation's entry point to the modern
battlefield of international terrorism.

Dawsons Field was the first occasion on which HMG was confronted directly by
modern international terrorism. It was the only occasion on which HMG sought an
accommodation with terrorists by meeting their demands. Thereafter this tactical
response to terrorist blackmail was replaced by a strategy of resolute resistance.
3.8.3 Hijack of BA VC-10, Beirut, 3 March 1974

The BA VC-10 was hijacked out of Beirut by two male terrorists. They intended to land at Athens to coerce the release of terrorists facing the death penalty for their armed attack at Athens airport (5 Aug 1973). Their weapons were positioned in specific seats in the aircraft by accomplices, probably during the turnaround at Beirut. Incomprehensibly, the hijackers ordered the Captain and the Flight Engineer off the flight deck. The aircraft was then flown by the two First Officers to Amsterdam, after permission to land at Athens had been refused.

All passengers and crew were allowed to leave unharmed. The hijackers then set fire to the interior of the aircraft. “Credit” was claimed by ANYLOP, a group founded by Ahmad Abd al-Ghafur, an associate of Abu Nidal.

Release of these hijackers from Holland was coerced by the next attack on a British aircraft.

3.8.4 Hijack of BA VC-10, Dubai, 21 Nov 1974

Four members of ANYLOP gained access to the airport either by climbing the airport fence or by staff collusion. They fired on staff, wounding two, and gained access to the aircraft. The Captain, who was in the terminal building, was coerced on board by threats to the life of a passenger. The aircraft was flown to Tunis where a passenger was murdered in a callous scene. The hijackers demanded the release of three groups of terrorists: 5 imprisoned in Egypt (Rome Airport attack, Dec 1973), 8 more in Egypt (Khartoum Embassy murders, March 1973) and, in a demand surprisingly made later, the two from the VC-10 hijack (Mar
1974). They successfully coerced the release of the first and third groups, but not the second.

This hijack was one of the group of early attacks on aviation which introduced sadistic behaviour and in which Abu Nidal had some involvement. This methodology did much to label the whole Palestinian movement barbaric and thus to block its progress towards its political objectives. The ANYLOP violent methods were opposed by the PLO, who had assassinated Ahmad Abd al-Ghafur in September 1974. The PLO claimed to have imprisoned the four hijackers after this incident.

Operationally the most interesting point in this incident was that the Captain, speaking Swahili, was able to pass valuable information to a South African Airways aircraft, unbeknownst to the hijackers.

3.8.5 PIRA Bomb on BA Trident, Manchester, 23 Jul 1974

An IED, brought on board by a passenger within a bundle of dirty nappies, was left on a BA Trident at Belfast. A telephoned warning (either too late or not acted upon promptly) did not prevent the aircraft from taking off. The aircraft then made an emergency landing at Manchester. No-one was hurt. The bomb was found by a police dog which carried it to its handler waiting outside. The evidence is that PIRA did not intend to destroy the aircraft.
3.8.6 Hijack of BA BAC1-11, Manchester, 7 January 1975

The BA BAC1-11 which took off from Manchester was hijacked at the top of descent into Heathrow by a man in Arab headdress armed with a pistol and grenade. The aircraft landed at Heathrow. The hijacker allowed all passengers to leave but kept the five crew on board. He demanded to be taken to Paris. Whilst seemingly acceding to his demand, the aircraft was flown to Stansted, where a reception team from the Police, SAS and Security Service was in place. The hijacker was captured when he disembarked from the aircraft. He was a mental case and his weapons were fake.

The importance of this event was that it provided many valuable lessons in incident management. In 1975 pilots received no security training. Thus the Captain was ill-prepared, and unaware of the requirements of the authorities. The crew formed the opinion that the hijacker was volatile and dangerous. As a result the authorities and the crew failed to coordinate their efforts. One important consequence was that no secure land-line link was made with the aircraft. The aircraft radio was therefore used for communications; it was monitored by interested listeners, including the media. After the aircraft landed at Stansted, the hijacker left the aircraft accompanied by a steward. Reportedly, the presence of the steward disrupted the good intentions of the waiting SAS trooper; when the steward subsequently ran off, a police dog - being trained to attack the more violent individual - bit him. The Chairman of the long haul pilots, at that time at loggerheads with the short haul pilots, observed that a toy aeroplane had been hijacked with a toy gun. However it was a most valuable training experience.

Arab terrorists made an armed attack on an El Al crew outside the Europa Hotel, London on 20 August 1978 killing one and wounding nine. El Al security guards returned fire. Intelligence forewarning of an attack led to the deployment of a large military force at Heathrow. This, it is believed, caused the terrorists to change their plans. It is not clear whether the carriage of arms by El Al personnel was authorised by HMG.

3.8.8 Hijack of BA B-747, Hong Kong, 22 March 1984

A BA B-747, flying from Hong Kong to Peking, was hijacked over the China mainland by a lone male. He handed a letter to the crew threatening to detonate explosives if the aircraft did not divert to Taipei. The Captain complied. The hijacker surrendered to the authorities and proclaimed himself an anti-Communist. He had no explosives.

3.8.9 Bomb Explosion, Terminal 2, Heathrow, 20 April 1984.

A bomb in a suitcase injured 23 people in the unclaimed baggage area of Terminal 2. Libya was the prime suspect, the stand-off at the Libyan Embassy, London, being in progress.
3.8.10 PIRA Attacks on Heathrow, 19 May 1974, 26 July 1974, 9, 11 and 13 March 1994

On 19 May 1974 a bomb exploded in a car park at Heathrow injuring three, including one American. On 26 July 1974 another bomb exploded in a car park without casualties.

On 9, 11 and 13 March 1994 PIRA made successive mortar attacks on Heathrow. No mortars exploded; all were supposedly viable. Some mortars fell on a runway and others on aircraft movement areas. It is fortuitous that no aircraft was hit. These attacks were a propaganda success for PIRA, which obtained front-page coverage.

3.8.11 Attacks on Airline Offices 1970-94

 Twelve attacks on British airline offices are recorded (1970-94) in the University of St Andrews-RAND Chronology. It is likely that some, including the one on a minor British Airways office in Oxford Street, were directed at other targets adjacent. However airline offices, particularly those of the national airline, are an established and symbolic target.

3.9 British Involvement in Attacks on Non-British Targets

 Any attack on aviation may involve Great Britain by way of British victims, security standards or jurisdiction. All attacks teach lessons in security. The main formative influences have been Dawsons Field - where Britain was forced to make concessions, the 1972 attack at the Munich Olympics - which prompted the formation of the SAS CRW, and the Lockerbie atrocity. This last, an attack on a non-British aircraft, was the most formative event of all. It prompted the transformation of British aviation security to its present levels.
British subjects may find themselves victims of any attack on aviation, whether as pilots or as passengers. A British Midland B-707, wet-leased (i.e. with a British flight crew) to Kuwait Airways was hijacked out of Beirut (8 Jul 1977). Happily, no-one was hurt. The Captain of the Kuwait Airways Airbus A-310, hijacked to Teheran and held for five days (4-9 Dec 1984), was British. His detailed report of the event was most informative. His chilling evidence of the hijackers' sadistic pleasure in the act of murder gainsays any supposed political purity in terrorism. British passengers on the hijacked Kuwait B-747 (5 Apr 1988) were released early on in Mashad, the hijackers saying to them that "We have no quarrel with you". It is reasonable to suppose that the hijackers were also reluctant to quarrel with the SAS. The myth surrounding the SAS, and its reputation for invincibility, is likely to have been a major deterrent to attacks on British aviation since its widely publicised storming of the Iranian Embassy (May 1980).

Britain's hard-line response to terrorism was illustrated in another incident (Heathrow, 17 Apr 1986). Nezar Hindawi duped his pregnant fiancee, booked to fly El Al, into carrying a bomb in her cabin baggage. This deception, particularly foul even by the barbaric standards of terrorism, was in fact a well-used Middle Eastern modus operandi (Rome, 28 Jul 1971; London, 1 Sept 1971; Rome, 16 Aug 1972). The bomb was detected by El Al security. Hindawi was arrested and sentenced to 45 years imprisonment. Syria was deeply involved in the attack, therefore Great Britain broke off diplomatic relations. They have not yet been fully restored (1997) because of Syria's continued terrorist connections. There thus is consistency in Britain's response to terrorism, from the maintenance of SAS capability to denial of diplomatic relations.

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144 WALLIS, Rodney. *Combating Air Terrorism*. New York: Brassey's, 1993, p 21
Two hijacks of foreign aircraft have ended in Great Britain (Air Tanzania, 26/28 Feb 1982, and Sudan Airways, 25-27 Aug 1996). In both cases the surrender of the hijackers was successfully negotiated and no-one was hurt on British territory. In neither case were the hijackers released as part of the deal (cf. common practice in negotiations). However neither hijack involved a major international terrorist group. An important security lesson was relearned in the Air Tanzania incident. The hijackers were armed only with imitation weapons. However they found and appropriated real weapons belonging to passengers, which were being carried in the cockpit. This supposed security measure was, at one time, normal practice. Later it was forbidden on British aircraft.

Great Britain is fortunate in that its aviation activities have not come under serious attack. PIRA, which has a formidable capability, has clearly decided that murdering innocent passengers of different nationalities would be counterproductive to its progress. The true Palestinian groups attacked British aircraft only when they wished to coerce the release of colleagues. The Middle Eastern murder groups did not include Great Britain amongst the targets of their atrocities. Their reasons must remain the subject of speculation. They are likely to include HMG's stance against Israeli atrocities and territorial expansionism, HMG's policy of not making concessions to terrorists, relatively high standards of British aviation security, and the formidable reputation of the SAS. The significance of the Lockerbie atrocity, which radically changed HMG's management of aviation security, is examined in Section 6, British Responses.
3.10 Conclusion

Attacks on aviation are spectacular atrocities. They are a means of causing deaths in large number. They obtain extensive publicity, and give solipsistic satisfaction. For these reasons, they are a methodology attractive to both state and sub-state attackers. Attacks on powerful liberal democracies are likely to be counterproductive. They may arouse some fear. They will not arouse sympathy for the terrorist cause, and are likely to provoke a hostile response. The three most serious attacks on British aircraft were Palestine-related. PIRA have also attacked aviation targets, but apparently without seeking to inflict serious casualties.

The subsequences of attacks, the apprehension, prosecution, and incarceration of attackers are central to the instigators’ perception of success, and thus to the likely re-use of the tactic. In many cases, the subsequences have been reprehensively inadequate. A full record would be illuminating. It will be difficult to compile without the cooperation of governments, which all but two withheld from the researcher.

Effective aviation security countermeasures can only be developed from a full understanding of aviation terrorism. Much of the data essential to understanding is not available in the public domain; there is no evidence that a complete record is maintained anywhere. Analysis requires the structured collection of data, and the recording of the motivation, methodology, outcomes, and subsequences of attacks. It also requires the generous sharing of data by countries having a common interest in combating aviation terrorism.
4. POLITICAL EFFECTS ON GREAT BRITAIN

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4. POLITICAL EFFECTS ON GREAT BRITAIN

4.1 Perspective: Potential Effects of Attacks

This Section reviews the political effects of attacks, tracks them over the period 1968-94 and investigates their relationship with Middle Eastern attacks on aviation.

The study is confined to political effects in the UK. To widen the study to include other countries would be a major undertaking and would be increasingly speculative. The effects chosen are HMG policy towards Israel and Palestine, and UK public opinion on the Arab-Israeli conflict. The United Kingdom remains an influential world power, a member of the UN Security Council, a major trading nation, a renowned military force and arms manufacturer, and with a long association with both the Middle East and with international diplomacy. Any of these attributes lent to the support of a combatant nation would be welcomed by the recipient. UK public opinion is a secondary factor; it can act only as an indirect pressure.

This research distinguishes three potential political effects of attacks. The first is a direct effect: the influence of the attack on government policy. The second is indirect: the effect of the government's handling of the terrorist attack upon its own standing. The third is the direct effect of the attack upon public opinion. The effect of economic damage is considered separately (Section 5).
The first potential political effect is direct, the influence of attacks upon government policy. Each of the three serious Palestinian attacks on British aircraft had the same direct political objective: that of influencing government policy to obtain the release of terrorists in custody. Only in the first case was the prisoner (Leila Khaled) in Britain.

However for two decades (1968-1988), direct pressure on government policy was sustained by the serious threat to British aviation, reinforced by a demonstrated capability. To a certain extent, Britain had attracted Arab opprobrium for her perceived betrayal of Arab interests in Palestine after the First World War and during the course of the Mandate, and for her role in the Suez expedition (1956). On the other hand, having first hand experience of Jewish terrorism, Britain was not susceptible to Israel's protestations of purity. Following Israel's unremedied breach of UN 242 (1967 on) and first invasion of Lebanon (1982), it must have been evident to the clearer-sighted Palestinians that Britain was neither an admirer nor a supporter of Israel. HMG did not have a pro-Israeli policy, the abandonment of which could be a terrorist objective. This suggests that there was little threat to British interests from thoughtful Palestinian groups with a coherent political agenda. However other groups, the mindless murderers, were a very serious threat. However there is no evidence that the Palestinians mounted attacks on British aviation targets - or indeed on any British targets - which were primarily intended to influence HMG policy towards Israel and the Palestinians.

The second potential political effect is indirect, that of the government bringing discredit upon itself by its mishandling of terrorist attack or threat.
However HMG has a long tradition of excellence in the civil service, centuries of experience at dealing with Irish and other terrorists, and politicians of integrity. It is unlikely to bring discredit upon itself by culpable failure.

4.2 The Role of Her Majesty’s Government

The Jewish quest for a homeland in Palestine was facilitated by HMG (1916-17) in the supposed interests of the war effort. Palestine was then part of the Ottoman Empire, which stretched from Turkey across Arabia to the Yemen. Entry of the Ottomans into the war on the side of the Germans led to the Anglo-French Sykes-Picot Agreement (1916) which “delineated territories for the British in Palestine and in Iraq, for the French in Syria and Lebanon”. The League of Nations formalised the position (1922) when it awarded mandates for the territories to Britain and France. The transfer of Palestine from the Ottomans to the British gave the Zionists a more accessible and sympathetic ear for their representations. There were dissenting voices:

“I myself do not recognize that the connection of the Jews with Palestine, which terminated 1200 years ago, gives them any claim whatsoever”. Lord Curzon, Foreign Secretary, 1920

From 1922-44 the British conduct of the mandate was subject to the conflicting forces of the Zionist desire for mass immigration and the violent Arab opposition thereto.

145 PRYCE-JONES, ref 80, p 108
146 Ovendale, ref 41, p 33
As war with Germany approached and then broke out, Britain sought peace in Palestine. It wished to concentrate its attentions and resources on the war. It also wished to safeguard vital fuel supplies from interruption by maintaining good relations with the Arabs. However the Holocaust, the mass murder of an estimated 5.7m Jews by the Nazis, added urgency to the Zionist demands for unrestricted immigration to Palestine. British unwillingness to accede to these demands led to increasing Jewish terrorist attacks (1940 onwards) on British targets in Palestine, including murders and atrocities. By 1948 the country had become an Arab-Jewish battleground and therefore an international problem. Britain sensibly withdrew, handing over to the UN. Her good intentions had been rewarded by the enmity of the Zionists for her opposition to their territorial ambitions, and by the enmity of the Arabs for the failure of that opposition.

Palestine showed that nationalism harnessed to the territorial urge could prevail over modern military might fettered by democratic sensibilities. This lesson the Americans had to learn for themselves in Vietnam thirty years later.

Palestine also demonstrated that peacekeeping is an invidious role and that it does not resolve an underlying conflict. At the best it may save lives whilst the process of conflict resolution is running.

In 1967 the simmering hostilities between the Arab counties and Israel erupted into full-scale war. The Palestinians then resorted to international terrorism; the influence of which on HM Government policy is important to this research.
HMG might have moved in a direction beneficial to the Palestinian cause for three reasons. First, Palestinian terrorism could have made HMG more aware of Palestinian grievances. Given Britain's 28 year immersion in Palestine and its long colonial association with the Middle East, the suggestion that terrorism heightened its awareness is not persuasive. Second, terrorism could have heightened public awareness, which in turn could have pressured HMG. In the short term, and given the feelings of the times (4.6.2), this pressure is likely to have been anti-Palestinian. Third, the Government could have moved to favour the Palestinians in order to "buy off" the terrorists.

Conversely, hostility to Palestinian terrorism might have pushed the Government towards the Israeli camp, as fellow-enemies of the Palestinians and as exponents of anti-terrorist methods not available to Great Britain.

Finally, there is the possibility that the Government proclaimed one policy publicly whilst following a different one unrevealed. Whilst unrecorded dialogue is a normal part of diplomatic and intelligence service activity, and will include exploration of policy options, it cannot be deemed to override declared policy unless its manifestations, sooner or later, can be seen outside privileged circles. A major component of the Arab/Israeli conflict was the battle for the moral high ground, from which the support of world opinion could be harnessed. This battle is fought with public statements and with publicity. It is not credible that secret Government policy to support one of the protagonists would not in the long run include support in this key area and would remain undisclosed, either by the other side's sympathisers or by their intelligence services. Therefore, over the 28 year period under review, from 1966 to 1994, and in the absence of revealed inconsistency, it may be taken that the public position of HM Government accurately reflects its true position.
4.3 Political Effects on the UK Government

4.3.1 Methodology

Three indicators have been selected to track the conduct of HMG towards the Arab-Israeli conflict: statements in Hansard, Foreign Office Background Briefs, and trade figures with Israel.

Figures of trade with Israel (1970-93) have been reviewed. It is not suggested that they are a direct indicator of HMG policy, but that they may provide some illumination of the background. In assessing the GB export figures there are two key factors. The first is the Israeli shortage of foreign exchange; the second is the British arms embargo; this was imposed after Israel's invasion of Lebanon (1982); it was raised in 1995, following the initial successes of the peace process. Israeli export figures must be assessed bearing in mind the importance of its fruit and vegetable products to the UK market and British reluctance to buy Israeli arms.

Trade figures with Arab countries are not considered to be helpful in view of the many changes in their leadership, policies and alliances. Though their opposition to Israel may have been constant, it has frequently taken second place to their hostility to each other. Further their attitudes to the Palestinians and to the solution to the troubles of Palestine have always been ambiguous and have undergone many changes over the period surveyed.
Furthermore, and in contrast to Israel, most Arab countries have huge revenues from the oil industry. Oil consuming countries will obviously be seeking to reduce their balance of payments deficits by exports. There is no embargo on exports of arms to most Arab countries; Saudi Arabia and the Gulf States have made massive arms purchases. Therefore British trade with the Arab countries, collectively or individually, cannot be taken to be an indicator of British policy on the Arab/Israeli dispute.

The primary indicator is the statements of Government policy made by Ministers in the House of Commons. This has been compiled from a review of Hansard 1965-1993. Statements in the House of Lords were not reviewed, nor were statements at international gatherings. They can be taken to be compatible with statements in the Commons, all being drafted by the same source, the Foreign Office; furthermore any inconsistencies would rapidly have been drawn to public attention by the Parliamentary Opposition or by one of the parties in the conflict.

The feasibility of using the number of references to Palestine/Israel as an indicator of the importance of the subject was investigated. Unfortunately the number of entries in Hansard reflects the interest in the subject, not of the Government, but of MPs. Review of Hansard makes it clear that the bulk of entries originate from a very small number of MPs - between 2 and 4 in any one year - who have a commitment to the subject. Several MPs appear to be partisan, the Israeli/Jewish lobby being the more active and brazen.

Hansard remains the primary source of Government foreign policy statements. Statements at other venues, if sufficiently important, are read into the record or otherwise included. However, short of a major study, inconsistencies in indexing make it difficult to be sure that
all relevant references have been located. The many references located, probably over 90% of the total, revealed consistency; it is therefore unlikely that any significant contradiction remained unrevealed.

4.8.1 gives a representative selection of Hansard entries on the Arab/Israel conflict.

4.3.2 Government Statements : Policy

During the period 1956-1967 the balance of power in the Middle East was maintained. The USSR armed the Arab countries and the Western powers armed Israel. Cold War tension was high and the Middle East was held to be a possible flashpoint for world war.

Prior to the Six Day War (June 1967), Israel’s successful expulsion of Palestinians and occupation of their land had resulted in 2-2.5m Palestinian refugees and the consequent denial by the Arab world of Israel’s legitimacy. Assistance to the refugees was complicated by their close involvement with the fedayeen attacks on Israel. HMG contributed to the UN aid programme; it was not on good enough terms with Israel or with the Arab world to exert much political influence.

In November 1967, following the full scale war which, though short, had momentous consequences, resolutions were submitted to the UN Security Council from, amongst others, the USSR, USA and UK. Bearing in mind the Cold War tension, agreement on Resolution

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148 OVENDALE, ref 41, p 106
242 was a considerable achievement by the world’s statesmen. It was proposed by the UK; this may have some bearing on its consistent advocacy thereafter by HM Government.

The review of Hansard entries which fall under the general heading ‘Policy’ reveals remarkable, and commendable, fairness and consistency.

4.3.3 Government Statements : Acts of Political Violence

A review of entries in which HM Government comments on specific events is equally revealing. These entries fall essentially into two categories - steps in the peace process, and acts of political violence. The former can be ignored; there are few of them, all - not unexpectedly - in favour of the peace process. There is more potential for bias to be revealed in statements on acts of political violence, for example by condoning the violence of one side or the other on grounds of provocation. In fact there is once again unbroken consistency in HMG’s condemnation of all violence. 149

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149 Anti-Violence: Hansard
6 Jul 1970 803-1w
20 Jul 1972 839-70w
2 Jul 1975 894-438w
20 Jun 1988 135-416w
12 Jul 1989 156-547w
7 Feb 1990 166-687w
14 Jul 1993 229-978
4.3.4 Government Statements: Arab Boycott and Israeli Settlement Policy

Both the Arab Boycott\textsuperscript{150} (of companies trading with Israel) and the Israeli policy of obtaining \textit{de facto} control of Palestinian land by introducing Jewish settlers\textsuperscript{151} were consistently condemned by HMG.

4.3.5 Foreign and Commonwealth Office Background Briefs

Foreign and Commonwealth Office Background Briefs include a warning that they "(have) been prepared for general briefing purposes. (They are) not and should not be construed or quoted as an expression of Government policy". This warning can be accepted at face value. However the well-named Background Briefs furnish useful insight into the facts and thoughts that lie behind HMG policy; both Policy and the Briefs emanate from the same source, the Foreign and Commonwealth Office.

Policy is the highly condensed product of much fuller documents and discussions. It has ministerial endorsement and constitutes a formal statement of HMG's position, and is therefore couched in diplomatic, ie, bland or coded terms. Background Briefs enjoy greater freedom of expression and therefore furnish supplementary information on FCO thinking.

\begin{tabular}{l|ll}
\textbf{Boycott:} & \textbf{Hansard} & 14 Jul 1966 731-238w \\
 & & 26 Jun 1979 969-155w \\
 & & 5 Feb 1986 91-272w \\
 & & 14 Jul 1993 228-978w \\
 & & 2 Feb 1994 236-872w \\
\end{tabular}

\begin{tabular}{l|ll}
\textbf{Settlements:} & \textbf{Hansard} & 25 Jan 1985 71-512w \\
 & & 5 Feb 1986 91-271w \\
 & & 9 Mar 1994 239-244w \\
\end{tabular}
They can be examined for indications of HMG sympathies which could not be admitted at the policy level.

There is no evidence of successful Palestinian pressure on HMG in the many condemnations of political violence recorded in Hansard. Nor does such evidence emerge from 14 Background Briefs (1982-94) on the Middle East.152 Sentence by sentence their contents are simple statements of fact (4.8.2). The few value judgments that appear are measured, in the style not of a partisan advocate but of a good judge in his summing-up.

"There is little doubt that, under international law, the settlements in the Occupied Territories are illegal, since they contravene sections of the Fourth Geneva Convention of 1949 relating to the Protection of Civilian Persons in Time of War (including Article 49 dealing with transfers of population). Israel disputes this, maintaining that the West Bank and Gaza are not 'enemy territory' as defined in the Convention, and that the legal status of the territories is unique because Jordan's sovereignty over the West Bank was never internationally recognised and Egypt never claimed sovereignty over Gaza."153

The information in the Background Briefs constitutes a serious indictment of the conduct of the Israeli government. Confirmation of much of the content is to be found in the Human Rights Watch World Report 1995154, (4.9). There is no evidence of bias or of falsification of fact in the Briefs - rather the opposite, certain paragraphs were reissued over a period of 15 years without material change.

152 The 14 FCO Background Briefs are listed in the bibliography
4.3.6 Conclusion

This research seeks to establish whether there was any relationship between Palestinian attacks on British aviation targets and HMG policy on Palestine/Israel. In both Hansard and the Background Briefs there were more condemnations of Israeli than of Palestinian violence. There are more credible reasons for this than successful Palestinian pressure on HMG. Firstly, Israel has a government recognised by HMG. By contrast, Palestinian activists had no diplomatic status and thus could not be formally recognised by HMG. Their terrorist operations further militated against such recognition; HMG would have faced the charge that it was associating with terrorists, and recognition would have contravened HMG's long-standing policy of denying terrorists gains from their actions. Thus while HMG could respond to each act of violence perpetrated by Israel, it would have sought to deny publicity to Palestinian terrorist actions. Secondly, the greater number of condemnations of Israeli violence arguably, reflected its preponderance. Whether Israel's habitually violent conduct constituted state-terrorism is a definitional irrelevance. It was a forty year catalogue of political violence and as such could be expected to attract continual condemnation by any neutral country. Had HMG sought to appease Palestinian terrorists by public criticism of Israel there was no shortage of opportunity.

It is perhaps more surprising that the United Kingdom, whilst vehemently opposed to all terrorism, has nonetheless remained supportive of those claims of the Palestinians which are just. Zionists would undoubtedly claim that this proves United Kingdom bias against them. The Foreign Office would probably reply, were it at liberty to do so, that it is the facts that are against the Israelis. For the same reason the researcher concludes that there is no
evidence that Palestinian terrorism influenced the government of the United Kingdom to favour the Palestinians.

HMG policy on Palestine/Israel (1966-94) was exemplary; it did not deviate from its advocacy of a settlement fair to each side, based on the principles of the 1967 UN Resolution 242; it condemned acts of political violence. Consistent HMG policy was maintained under three Conservative and two Socialist Prime Ministers.

4.4 UK Trade with Israel

4.4.1 Preamble

Trade figures have relevance to terrorism if a relationship between the two can be established, or if it can be shown that the economic penalties of trade reduction may exert on a government pressures similar to those which terrorists seek to impose by violence. Thus trade restraint may be an objective of, or an alternative to, terrorism.

This research does not attempt to 'prove' a relationship between attacks on aviation and trade with combatants; it sets out only to review the possibility of that relationship. 'Proof' would have to penetrate the barriers of obfuscation erected by governments, by commercial interests, and by the combatants and their supporters. The most public exposures of such denied activities have related to the arms industry - the US Contra Affair and arms deal with Iran linked with US hostages in Beirut (1985-86)\textsuperscript{155}, the GB cases: Matrix-Churchill (Scott Enquiry 1993-95)\textsuperscript{156} and Greenhill (1995). These have revealed government breaches of

\textsuperscript{155} WRIGHT, Robin. \textit{In the Name of God}. London: Bloomsbury, 1991, p 143
\textsuperscript{156} \textit{The Times}, 16 Feb 1996, p 30
arms embargoes for political and economic reasons, and commercial breaches for commercial reasons. Thus, on the supply side, there are at least two parties (government and commerce) who may have reason to obfuscate their actions, sometimes working in concert, sometimes in opposition.

There are a number of firms who specialise in the analysis of trade statistics. The Managing Director of one advised the researcher that it would be a grave error to take trade statistics at face value; he added that leakage of embargoes was the 'norm' and named the countries known to offer an easy conduit. He observed that both Israel and South Africa had been subjected to commercial boycott and embargo over much of the period studied (1968-94) and that they had made successful common cause. Israel evaded US restrictions even on detonators for nuclear bombs (kryptons) with the cooperation of an American Jew, Smyth, in the early 1980s. Inability to control components of nuclear weapons suggests that governments are unlikely to be halfway competent in enforcing embargoes on harmless goods.

Israel also obtained highly classified information by espionage against its allies. The Israelis' jet fighter, the Kfir, was based on designs of the Mirage III, stolen for them by Alfred Frauenknecht (1968-71). They stole from the intelligence agencies of their greatest ally, the USA, quantities of the most sensitive data (JJ Pollard, 1984-85). The limited efficacy of sanctions is now acknowledged:

157 Unattributable Interview, 26 Sept 1995
160 RAVIV and MELMAN, ref 135, pp 301-323
UK TRADE VOLUMES (ISRAEL)

SOURCE: Visible Trade Section, CSO, private communication to researcher, 1 Jan 1995
“The CIA has told Capitol Hill that American sanctions have failed to damage Iranian support for Islamic terrorism and will have no long term impact unless supported by the international community. ... the Tehran regime was expected to remain in power for the next three years in spite of economic difficulties caused by the sanctions.”161

“In a direct challenge to America, China has agreed a multi-million pound venture to supply Iran with nuclear processing technology used for making nuclear weapons.”162

The defence industry of Great Britain is important to the country as a provider of export revenues and of employment, though quantifying the latter gives some difficulty:

“Defence expenditure ... indirectly supporting in excess of 100,000 jobs”.163

“Defence industry supports 560,000 jobs”.164

However the imposition of an arms embargo on Israel following its invasion of Lebanon (1982) was more a statement of political disgust than a self-injurious commercial restriction. FIGURE 7 (opposite) illustrates that British exports to Israel were close to a nadir in 1982 and thereafter steadily increased. Thus, though the arms embargo may have been painful to a few individual small firms, it had little or no effect upon the country’s economy as a whole. In fact it was probably contributory to the highly beneficial growth in arms exports to Saudi Arabia and the Gulf States.
UK TOTAL TRADE VOLUMES (WORLD)

SOURCE: Visible Trade Section, CSO, private communication to researcher, 1 Jan 1995
FIGURE 8 (opposite) plots Total Trade Volumes, that is Great Britain's World Export and Import Trade. The figures (Implied Volume Index) are indexed to 1990 to correct for inflation and currency changes; they thus closely represent Trade Volumes. The slope of these figures may be compared with those in FIGURE 7 - Trade Volumes (Israel).

The figures in FIGURE 7 have also been corrected for inflation and currency changes, but not to the accuracy of the World Figures (FIGURE 8), hence their title: Estimated Volume Index.

4.4.2 UK Imports and Exports (Israel)

It can be seen that UK Imports from Israel loosely follow the trend of UK Imports (World). There is thus no prima facie case that attacks on aviation influenced the UK Import (Israel) figures. There is a possibility at second differential level that, but for attacks on aviation, the figures might have departed from the trend; this is indeed possible but given the multitude of factors involved and Great Britain's historically cool attitude to Israel, it is highly speculative; the research therefore notes it as a peripheral improbability.

The UK Exports (Israel) figures exceed the World Trend in 1970-73 and 1992-94, and fall markedly below it (1973-81). This last invites the hypothesis that Middle Eastern attacks on aviation (1968-82) were a contributory cause of the fall of UK Exports (Israel) (1973-83). The validity of the hypothesis would be indicated by evidence of:

1. A direct correlation between attacks and exports.
2. GB Government restrictions on exports.
3. Commercial policies to restrict exports.
4. Covert agreements between terrorists and either GB Government or British commerce.

The first may be assessed by relating Middle Eastern attacks both on Western aviation, to UK Exports (Israel). No correlation is evident. During the first period of serious attacks, 1970-1975, UK exports first rose then fell. The second period of serious attacks was 1984-89. They were more the actions of state sponsors, Shiites, and breakaway groups (Abu Nidal) than mainstream Palestinian terrorists. It can be seen that UK exports to Israel increased at a rate greater than the world trend during this period (1981-87), perhaps as a product of the very low level to which UK Exports (Israel) had fallen.

The second indicator is UK government restrictions on exports. Such embargoes are imposed by the Department of Trade and Industry (DTI) and are enforced by HM Customs & Excise. Embargoes may be on all goods other than humanitarian supplies - as in force in October 1995 on Serbia, Montenegro and Iraq; more often they relate only to military and strategic goods, or certain categories thereof. Other trade restrictions are unusual; Customs & Excise have no record of restrictions on trade with Israel 1970-81\(^{165}\). This is in conformity with long standing HMG policy not to respond to coercion by making concessions.

There is the theoretical possibility of secret deals in conflict with public policy. Even if HMG wished to pursue this option there are grave difficulties in applying it to trade, which is a wide ranging and open activity, the restriction of which would affect commercial interests who would undoubtedly express their grievances publicly. There have been no allegations of HMG restrictions either from Palestinian activists or from the vociferous Israelis. The

\(^{165}\) Interviews, Customs and Excise, November 1995
research concludes that HMG restriction of UK exports to Israel as a result of terrorist activity is unlikely to have occurred (1970-1981).

The third indicator is commercial restriction of trade as an outcome of terrorist pressure. FIGURE 7 shows a very significant fall in UK Exports (Israel) between 1973 and 1981. A causal connection with attacks on aviation is unlikely. No British commercial organisation was as a publicly and symbolically linked with Israel as British Airways. The airline has withdrawn services from destinations when it has deemed that the threat was unacceptable (Beirut 1970s and 1980s, Teheran 1979). It has also refused to carry Salman Rushdie for the same reason. Thus the airline will in certain circumstances, curtail activity in response to terrorist or other threats. Whether the airline received serious specific threats from Palestinian terrorists is not known but they certainly were a serious general threat. British Airways at no time reacted to the terrorist threat by withdrawing its regular service to Tel Aviv. Its response was to apply special security measures to its Tel Aviv flights. At no time did the Palestinians achieve the capability of sustained and serious attack on British commerce, nor is there evidence that they attempted it.

The fourth indicator of the effects of attacks on aviation is the existence of covert agreements between terrorists and government or commerce. In the absence of hard evidence, assessment of the probability of covert agreements must be based on the strength of allegations and the known modus operandi of those involved. No serious allegations have been published against the British government whose modus operandi eschews deals with terrorists. There is neither allegation nor evidence of British agreements with terrorists.
4.4.3 Arab Commercial Pressures: The Boycott and OPEC

The Arab Boycott was formally imposed on 2 Dec 1945.\textsuperscript{166} It was never likely to be decisive. The Arab nations were racked with internecine tensions and despite various alliances (Arab League, United Arab Republic) were unable to sustain united action; clearly, for the boycott to have had impact it should have been long-sustained to exert pressure on the target nation and on unwilling participants. Those opposing the boycott - the target nation, and those resenting interference in free trade - would have been constant in their opposition. Finally and decidingly, even if the boycott had been effectively imposed, the desired catastrophe would not have befallen Israel during the Cold War (1945-85), because the NATO powers would have intervened with economic aid.

The League of Arab States (the Arab League) was established with British encouragement in October 1944. The founding members were Egypt, Iraq, Syria, Lebanon, Transjordan, Saudi Arabia and Yemen and therefore comprised all states of the Eastern Mediterranean and Arabia under British and French influence. One of the Arab League's first actions was to declare a boycott on "Jewish products and manufactured goods" (2 Dec 1945).

The provenance of the boycott went back to earlier decades, when organised Jewish purchasing power was being deployed in Palestine to transfer land from Arab to Zionist control. In 1922 the First Arab Women's Congress asked "every Arab to buy nothing from the Jews but land, and to sell them everything but land".\textsuperscript{167} This elegantly expressed piety was to no avail.

\textsuperscript{166} PRITTIE & NELSON, ref 54, p 10
\textsuperscript{167} BAHTI, JH. The Arab Economic Boycott of Israel. In PRITTIE and NELSON. Ibid, p 9
"The Ottoman Land Law of 1858 ... had (concentrated landholdings) into the hands of a few tribal leaders and family heads. These landowners were willing to satisfy Zionist demands to purchase, and over the years were to do so". 168

Similarly, in 1936 the Grand Mufti of Jerusalem proclaimed a boycott of all Jewish shops and tradesmen. Thus the Arab Boycott (1945) was a repetition of a well-tried tactic.

The countries of the Arab League were hamstrung by their dependence on the West for their economic and technological development. The Gulf States relied heavily on Britain for their defence. Others (Iraq, Turkey, Pakistan, Iran) were linked with Britain in military alliance through the (anti-Soviet) Baghdad Pact (1955), renamed CENTO (1959-1979).

It was not until the Yom Kippur War (1973) prompted the Arab States to deploy their oil weapon that they appreciated the true strength of their position. The Americans came to the aid of the Israelis with a massive airlift.

"In order both to punish the United States for the support given to Israel after she had been attacked, and in order to pressure the United States to compel Israel to sign a cease-fire agreement on terms favourable to the Arabs ... Saudi Arabia ... announced immediate cuts in oil production and threatened to stop supplying the United States altogether". 169

Other oil producing countries took similar action. Oil prices rose rapidly as a result of the combined effects of OPEC prices rises and of market over-reaction. Oil prices went from US $2.59 a barrel (Jan 1973) to US $11.65 (Dec 1973). In 1974 the oil producers took steps to

168 PRYCE-JONES, ref 80, p 189
169 PRITTIE and NELSON, ref 54, p 19
extend their ownership and control over the oil companies. Thus by a combination of price rises, production limitation, embargoes on unfavoured nations, and a good grip on the oil companies, the OPEC countries - the majority of which were anti-Israeli Arab states - found themselves in a position of unforeseen strength, and extreme wealth. Whilst the Americans enacted anti-boycott legislation (22 June 1977), HMG opposed the boycott but refused to be drawn into action against it. To a degree HMG acquiesced by authenticating signatures on export documents to conform with boycott regulations. Predictably this aggrieved supporters of Israel. The Jewish MPs Malcolm Rifkind and Greville Janner raised the issue in the Commons; the response of the FCO Minister, Frank Judd, defined the British position:

"... Our aim as a Government is and must be to expand British exports throughout the world. The boycott is an obstacle, a highly objectionable obstacle, but one which we must help companies to surmount. ... until (the) hoped-for goal (a just and lasting peace) is achieved, the Government's efforts must be directed to ensuring that British firms can conduct their trade with the minimum of hindrance ....".170

The reference to "a just and lasting peace" was a reminder that Israel remained in breach of UN 242, the resolution defining the conditions for "a just and lasting peace". Thus Britain espoused neither side in the conflict, but acted in the best interests of British commerce.

1973-81, the period of falling UK Exports to Israel, was also a period of high profile terrorist attacks on aviation, including two Middle Eastern hijacks of British aircraft (1974). However UK Exports to Israel rose during the other period of repeated serious attacks on aviation (1982-88). There is thus no prima facie case of any relationship between terrorism and

170 HANSARD. 4 Jul 1977
exports. Nor is there any apparent relationship between politics and exports. Israel's invasion of the Lebanon in 1982 destroyed its facade of a civilised innocent surrounded by barbarians. Exposure of Israeli conduct by the world's media began in the Lebanon. As Israel's political standing fell, UK Exports to Israel rose. The Arab Boycott failed to capitalise on increasing Western impatience with Israel.

Thus the Arab Boycott had little effect pre 1973. The fall in UK Exports to Israel (1973-81) related primarily to use of the oil weapon and to the new-found wealth of the Arab countries. The rapid climb of UK Exports (Israel) after 1981 was a recovery from a nadir. It was aided by successful Jewish opposition to the boycott, and by the collapse of Arab unity following the Khomeini revolution [1979].

4.5 The Effects on UK Public Opinion

4.5.1 Introduction

The logic which led the Palestinians to turn from conventional war to international terrorism has already been identified (2.3). The target of their first three attacks on aviation was their enemy, Israel (23 Jul 1968, 26 Dec 1968, 18 Feb 1969). Finding that they had discovered a most effective weapon they progressively widened their targeting to include any country which had incurred their displeasure. Predictably the first was the USA. On 29 Aug 1969 Leila Khaled hijacked a TWA B-707, overflew Tel Aviv and landed in Damascus. Leila Khaled stated that TWA was targeted because "The American government is Israel's staunchest supporter".171

171 KHALED, ref 88, p 142
By her account - and allowing for the fact that her book was intended as publicity for the Palestinian cause - the hijack was simply a propaganda spectacular. As such it was a great success; no one was hurt; the aircraft was blown up on the ground; the Palestinians obtained worldwide publicity. Initially the PR object of attacks was to capture Western attention. Then, as so often in Palestinian affairs, the single strategy gave way to the conflicting aims of rival groups. On 21 February 1970 a Swissair Coronado was brought down by a bomb, killing all 47 on board; an Austrian Caravelle, similarly attacked, escaped destruction. These attacks were attributed to Ahmad Jibril’s PFLP-GC, which had broken from the PFLP. They were the first of many attacks, which were not constructive but vengeful.

Soon Arafat was seeking to shed his terrorist image - at least in Western eyes. In 1974 he made his “gun and olive branch” speech to the UN General Assembly in New York. In the same year he announced to the New York Times that the PLO had arrested the five terrorists who had killed 35 in the attack at Rome Airport.¹⁷²

He publicly renounced terrorism (Cairo 1985). However it was not until an unequivocal statement - which had to be squeezed out of him at a Press conference, after he had failed to give it to the UN General Assembly in Geneva (1988) - that his renunciation was accepted by the US and British Governments¹⁷³. Meanwhile other Palestinian groups, notably Abu Nidal and PFLP-GC, with the active involvement of state sponsors, continued to machine gun airports and bomb aeroplanes.

¹⁷² LIVINGSTONE, Neil and David HALEVY. Inside the PLO. London: Hale, 1990. p 101
Thus at no time (1968-95) was there a single, Palestinian, public relations policy. At no time did the 'official' PLO policy govern Palestinian attacks on aviation and there were different policies at different times. Therefore to assess the effects of attacks on UK public opinion is not to assess the effects of Palestinian public relations policy because the attacks and the policy were not related.

4.5.2 Other Influences on Public Opinion: The Jewish Network

Attacks on aviation are only one of many groups of events in the Arab-Israeli conflict. Public opinion is influenced by all of these and also by everything else which relates to Arabs or Israelis. Overlaying all influences are the activities of interested parties intended to obtain favourable coverage of their side. Jews have been integrated into the life of this country over the centuries. Many have reached commercial, political and professional positions of standing and influence. Their natural sympathies are with their fellow Jews in Israel, to whom they are bound by the collective horror of the Holocaust.

"Deep down I have always had the feeling that something may be stirred up again; that somebody may start screaming and shouting, and that we may have to take up our bundle and run .... I feel that security in this country is centred around Israel. If Israel goes, it will make it a lot worse for us". (Sir John Cohen of Tesco)\(^{174}\) - Researcher's emphasis

At the level of logic and given the extreme improbability of Sir John having to take up his bundle and run, this is a extraordinary statement. It is also a startling revelation of the power of atavism which constrains so many Jews to support Israel. British Jews have wealth and a

\(^{174}\) ARIS, Stephen. The Jews in Business. In PRITTIE and NELSON, ref 54, p 18
network throughout all walks of life in Great Britain. Most important of all, they have a presence at, or access to, points of decision. Jewish MPs have been unashamed in their advocacy of Israel in the House of Commons; the Board of Deputies has access to the Prime Minister. The Institute of Jewish Affairs (IJA) is active in promoting the cause of Israel and compiles scholarly papers. One, sent privately by the Institute to the researcher, was a high quality product of careful research.\textsuperscript{175}

By contrast the Arab and Palestinian viewpoint is represented, not by an extensive network, but by the modest Arab-British Centre, an umbrella for five small Arab friendship bodies. One, the Council for the Advancement of Arab-British Understanding (CAABU), seeks to advance the Arab point of view. CAABU was founded in 1967. It does not appear to have a capability which approaches that of the IJA. The Palestinian nation also maintains an office in London, the Palestinian National Delegation. It is not called the PLO office, which spares HMG the embarrassment of accommodating an organization once synonymous with terrorism. It is clear that the office has a tiny budget, although it is effectively the Palestinian Embassy.

Happily, the election system in Great Britain - unlike that of the United States of America - does not lend itself to easy manipulation by vested interests. MPs' election expenses are limited to some £7,000.\textsuperscript{176} In America, flawed expenses controls allow organized groups of single interest voters to make or break a candidate, and achieve control of the vital Committees which determine foreign policy, defence export policy, foreign aid, et al. For example Senator Arlen Specter (R-PA) received from pro-Israel PACs (Political Action

\textsuperscript{175} LERMAN, Anthony. \textit{Untitled Paper on European Press Coverage of the Middle East}. IJA, 1995
Committees) $85,000 for 1991 election expenses, and a career total of $263,423. One month before the 1984 elections these PACs had contributed $1.2m "thus far" to 29 candidates and $851,873 to senators not facing re-election in 1984. In 1991 Pro-Israel PACs outspent Pro-Arab PACs by 369:1.

"According to figures supplied by the National Association of Arab Americans, of 2m Americans of Arab ancestry fewer than 100,000 belong to an Arab-American organisation, while of 5.9m Jewish Americans, 2m are active. Many Arab-Americans claim that therein lies the problem. Where Jewish groups, they say, lobby with cohesion, Arab-American groups continue to be splintered on many issues".

Whilst British Jews have to be more subtle than their American equivalent, they still constitute a formidable network. They are capable of organising crowds to lobby MPs in the House of Commons and of the sophisticated targeting of opinion-leaders. Equally they have resources and commitment to detail. When the International Federation of Airline Pilots decided to hold its Annual Conference in Jerusalem (1988), it - an apolitical international organisation - thereby excluded and gave grave offence to all Arab Pilot Associations. It was a decision of blinding stupidity, even by the standards of international organisations, and BALPA sought to have it rescinded. News of this reached the media and the Chairman of BALPA received a series of calls accusing him of anti-Semitism. (The calls came from apparently ordinary members of the Jewish community, one of whom was running

177 LORENZ, Andrea. Pro-Israel PAC Outspending Arab-American PACs 369:. In Washington Report on Middle East Affairs. Jun 92, pp 22-25
178 ROEDER, Edward. Sunshine and Pro-Israel PACs. In Washington Report on Middle East Affairs. 15 Oct 84, pp 4-6
179 LORENZ, ref 154
a shop and had to break off the call, asking the Chairman to hold on, whenever a customer
came in.) Only a motivated and extensive organisation can operate at that level of detail.
Similarly the Israelis have no hesitation in interfering with ministerial appointments.
Christopher Mayhew's sympathies for the Arabs cost him the post of Deputy Foreign Minister
as a result of Israeli complaints to the Prime Minister, Harold Wilson (1974). More
recently (1994) the Israelis lobbied for the appointment of Malcolm Rifkind, a Jew, as
Secretary of State for Defence, and opposed Ministerial appointment for Jonathan Aitken,
known for his contacts with the Arab world. The Arabs' lack of commitment, and of
understanding of the British public and media has been no match for the Jews' formidable
skills. It certainly failed to redress the hostility engendered by Arab terrorism against
Western targets. Only since the Israeli invasion of Lebanon (1982) and the intifada (1987-
1995) has Israeli conduct been widely publicised. This has been brought about not so
much by Arab or Palestinian publicists but by the courageous work of journalists, amongst
whom Robert Fisk, David Yallop and Patrick Seale are perhaps the most notable. They
have faced the inevitable charge of anti-Semitism.

It is ironic that the Palestinians who felt so deeply that their just cause was
misunderstood by the Western world mounted no credible and sustained public
relations campaign to counter the proficient Jewish activities and to dissociate
themselves from terrorism. They desperately needed a weighty and professional
public relations campaign in Great Britain. There was no campaign. They showed
neither strategic nor tactical judgement in their pursuit of favourable world opinion.
Their increasingly favourable coverage in the British media has been the product of
Israeli excesses, brave intifada activists, and the finest traditions of British journalism,

182 MAYHEW and ADAMS, ref 158, p 25
183 FISK, ref 75, p 414
and latterly of the peace process. The propaganda war between Arab and Jew has been no contest.

4.5.3 The Importance of Public Opinion

The importance of public opinion lies in its effects. In Great Britain decisions relating to terrorist objectives are made not by the public but by politicians and civil servants within the democratic decision-making process. However when public opinion is strong, (Falklands 1982, Kuwait 1990, Serbia 1991-95), HMG is both influenced and constrained. Though public opinion is only one of many factors, it has electoral implications which are ignored at peril. Therefore British public opinion has the potential to influence HMG policy on an overseas conflict, although its ephemeralities are not likely to deflect the mandarins of the Foreign Office from their pursuit of Great Britain’s global interests.

Public opinion would be important to a terrorist group seeking to inflict commercial damage by influencing consumer spending, as in Egyptian fundamentalist attacks on tourists to discourage tourism. Palestinian terrorists sought to disrupt Israel citrus exports by injecting poison into fruit in a number of European countries (1978). The campaign did not last long. Had it been more “successful” in terms of revenue lost to Israel the danger to children would have undoubtedly increased European hostility to the Palestinians.

To groups with the general aims of seeking to generate public pressure on the government, the tracking and interpreting of public opinion is problematic. Often it is surmised from the media rather than assessed scientifically. Professional polling agencies are not likely to accept commissions from terrorist groups. Small movements of opinion may not influence
decision-makers, but large ones probably would. However, to the terrorists themselves any favourable movement will constitute encouragement.

Marxists see the masses as victims of false consciousness. Conveniently, this enables them to explain why their actions are not appreciated outside their own circles. They would therefore probably not regard public opinion polls as an important measure of their progress. However terrorist activities designed "to blow the wax out of the ears of the deaf Western liberals ... (and) ... to inspire the masses and trigger off revolutionary upheaval ..." (2.4.3.2) are directed at capturing the attention of a public, neither participant in the conflict, nor oppressed and ready to be ignited into revolutionary fire. Logically, such terrorists should track public opinion in order to assess the success of their actions. Had Palestinian terrorists made use of such simple management skills they would have found that their methods were counterproductive to their objectives.

4.5.4 The Role of the Media

Much more important than public opinion is media opinion. The two are inter-related and often confused. Media comment can constitute a significant pressure on democratically elected politicians and their civil servants. It is also the source of information for, and thus the formative influence on public opinion. The two tend to keep in step; if the media offends its customers it may lose them.

The Observer opposed and denounced the 1956 Suez Expedition. In response it was accused of being unpatriotic at a time of national need. Contrary to received wisdom, its
circulation did not fall heavily.\textsuperscript{184} What did happen was that it attracted a 'bleeding heart' image, which depressed its circulation in the longer term. The point is more clearly illustrated (albeit in a different context):

\begin{quote}
(An editor) acknowledges the restraint: "No-go people are created by cynical decision; is it worth ruining the reputation of someone so loved by the public? If we ran the story, the people would turn against the paper".\textsuperscript{185}
\end{quote}

It is probable that television channels are under similar pressure. In assessing the impacts of television and of newspaper coverage, three significant differences between the two media must be kept in mind. Firstly, newspapers are better adapted to give lengthy coverage and careful analysis.

"However, one must also consider that the time constraints on TV newscasts are far more severe than the space restrictions on newspapers. A former president of CBS News had the transcript of one of his network’s evening broadcasts (30 minutes minus seven or eight minutes reserved for commercials) typeset to compare its volume to that of a leading newspaper. He found that the transcript filled less than two columns of the \textit{New York Times} front page".\textsuperscript{186}

\begin{table}[h]
\centering
\begin{tabular}{|c|c|c|}
\hline
\textbf{Date} & \textbf{Observer} & \textbf{Sunday Times} \\
\hline
Jan-Jun 1955 & 564307 & 606346 \\
Jul-Dec 1955 & 573632 & 603042 \\
Jan-Jun 1956 & 601402 & 618540 \\
Jul-Dec 1956 & 633064 & 650274 \\
Jan-Jun 1957 & 641417 & 740133 \\
Jul-Dec 1957 & 633537 & 776175 \\
Jan-Jun 1958 & 638074 & 795192 \\
Jul-Dec 1958 & 647103 & 832657 \\
Jan-Jun 1995 & 476639 & 1252982 \\
\hline
\end{tabular}
\caption{Newspaper circulation (ABC Figures)}
\end{table}

\textsuperscript{184} \textit{Sunday Times Colour Magazine.} 29 Oct 1995, p26
\textsuperscript{185} RAMNEY, Austin. \textit{Channels of Power.} In Brigitte L NACOS. \textit{Terrorism and the Media.} New York: Columbia UP, 1994, p 59
Secondly, television coverage of violence and its aftermath can achieve more immediate and
graphic impact than newsprint. Thirdly, and without necessarily accepting Susan Sontag’s
view that the only reality is that captured on camera, television coverage of a terrorist event
conveys its reality across barriers of language and literacy to a worldwide audience to which
no newspaper has access; this coverage reinforces the support of those who applaud the
event and conveys a threatening message to those who oppose it.

The argument which applies to terrorist actions applies also to the coverage of terrorists and
their statements. Their importance is affirmed, in contradiction to government attempts to
minimise their significance. Further, the very act of conveying terrorist political agenda (or
apologia) gives it legitimacy.

“There mere fact that the terrorist is interviewed by respected media representatives and treated
‘as someone whose contribution to public debate is worthy of attention’ elevates the person
virtually to the level of a legitimate politician”.

Nacos suggests that this legitimacy is furthered if the terrorist appears on the same
programme or panel as a legitimate politician or diplomat. To legitimise the terrorist is not
to legitimise his murders, but does very dangerously distract from them.

The adversarial system of advocacy in British courts encourages advocates to influence the
course of justice by distracting attention from the facts of the deeds to the personalities of
defendants and witnesses. This may not wash in a Diplock court before a hardened and
cynical judge. Before a jury, adherence to this controversial but legal technique is proof that

187 O'SULLIVAN. Media Publicity Causes Terrorism. In Brigitte L. NACOS, ibid, p 66
188 NACOS, Brigitte L. Ibid
189 NACOS, Brigitte L. Ibid
it works. During the O J Simpson trial (Los Angeles 1995) surveys showed that the personality of the defendant - a black, and an accomplished, good-looking, athlete - was an influence and a distraction to the public perspective of his innocence or guilt. It is not to well-informed judges, but to the public and to their own supporters that terrorists seek to send their message. Thus for as long as terrorists employ violence, there is a danger that their media appearance may legitimise that violence.

"Due to intensive media coverage, the FLQ was depicted as an equal partner in a political dialogue between symmetrically powerful adversaries. This image of equality was further accentuated by the privatisation of Premier Bourassa which was created by widespread publicity of Mr Laporte’s ‘My Dear Robert’ letters, coupled with the elevation of Robert Lemieux into an official emissary for the negotiating FLQ. This leveling effect contributed to the concerted and increasingly coordinated pressure on the Quebec leader to negotiate a release of the FLQ prisoners. Despite Prime Minister Trudeau’s attempt to counter the image of the FLQ as legitimate political actors by emphasising their violent tactics and labeling them ‘bandits’, media coverage continued to depict the terrorists as legitimate partners in a continuing dialogue with the Quebec Government".  

During the next phase of their modus operandi, when they eschew violence and seek a political agreement, their media appearance is an important component in leading their followers from violence to peace. Unavoidably it helps them to make the transition from terrorist murderer to (apparently) peaceful politician.

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The many studies of terrorist use of propaganda deal convincingly with its effectiveness in encouraging terrorist activists and supporters. Lustick names this internally directed activity "solipsistic" (in a dubious application of solipsism). The studies also examine, but with less success, the relationships between terrorist activity and public opinion, and between government action and public opinion (often in times of support or approval of government action). There is a key question which remains unanswered - have terrorists succeeded in influencing public opinion and thereby obtained government decisions advantageous to the terrorists?

In hostage situations, governments cannot ignore public concern for the hostages. Nacos discusses the cases of Presidents Carter (US Embassy, Teheran 1979), Reagan (TWA hijack Beirut 1985) and Bush (Beirut hostages 1989). In each case it was widely assumed that the President’s reelection prospects were at stake.

“From his vantage point in the White House, Gary Sick observed, ‘The media contribute to the process of transforming an international issue into a domestic political crisis for the president. There is perhaps no other type of situation that subjects the president to such intense public scrutiny, and the president is aware that his image as a decisive and effective leader is constantly at risk’.”

It is predictable, and proper, that politicians of the United States should take account of public opinion. Although they may overrule it on occasion, the Procrustean option exercised


193 SICK. Taking Vows. In Brigitte L. NACOS, ref 163, p 141
by terrorists and their sponsors is a luxury not available to liberal democracies. Thus it is clear that both public opinion and the anguish of relatives constituted powerful pressures on the Presidents. This is not the same as demonstrating that public opinion was the determinant of Presidential decisions. Any decision regarding terrorists or hostages is open to criticism: a deal with terrorists legitimises them and gives them a "success"; failure of negotiations implies government ineptitude and/or callousness. The best course for a government is pursue a thoughtful policy and to take all possible steps to convince the public of its competence. In most, if not all cases the terrorists are seeking to damage or pressure the credibility of the government, therefore there is a need for the government to include a damage limitation PR operation in its counter terrorism strategy (8.11).

In the general case, media opinion lies between public opinion and the decision makers. Even when public demonstrations seek to exert pressure directly on decision makers, the media's coverage and assessment of their significance remains important. Thus the media is both the communication channel linking the decision makers and the public, and also a major formative influence on both.

4.5.5 Palestinian Media Failure

The primary reason for the conduct of Middle Eastern terrorist operations in Great Britain was its convenience as a battlefield. Most of these attacks were directed against the Israelis, or against rival Middle East factions or states.

Palestinian terrorists already had overwhelming grass-roots support amongst the Arab masses. They needed international political support for a State of Palestine. There is no
evidence that UK Public Opinion was the subject of careful thought, let alone strategic planning, by the Palestinians. Their earliest terrorist actions seem to have been the product of two attitudes to the Western world, both counterproductive. The first was that violence was the best means of bringing Western attention to their cause; the second was that anyone not espousing their cause was an enemy.

The PFLP operations 1968-70 succeeded in attracting attention to Palestine. This attention could have been put to positive use whilst their attacks were directed at their “legitimate” target Israel, and whilst loss of life was minimised. The Palestinians failed to capitalise on this window of opportunity because their objective - elimination of the State of Israel, was unrealistic and because their activities were not coordinated with those of a parallel, non-terrorist, negotiating organisation. The window began to shut in 1970 when their actions became atrocities (Sab/Air of Swissair Coronado). The Munich Olympics massacre (Sept 1972) removed any semblance of reasonable “legitimacy”. Had an opinion poll been conducted it would probably have associated the Palestinians first and foremost with terrorism, a direct result of their actions being televised worldwide. They had chosen the Olympics to bring the Palestinian issue to the attention of the world. Instead they implanted an image of barbarism. This is easily and quickly done, whereas the explanation of the injustices of a political situation is a laborious process. It is best pursued by attracting sympathy. Instead the Palestinians attracted odium.

Their dictum “if you are not a friend you are an enemy” led them, unnecessarily, self-defeatingly, into war with the Western world. The Israelis were quick to capitalise on this gross strategic error; they represented the Arab-Israeli conflict not as a simple ethnic and territorial mutual violence, but as a war between terrorism and democracy or between
barbarians and civilization. Benjamin Netanyahu, leader of the Likud Party and Prime Minister of Israel (1996) made a masterly choice of title for a book which he edited: "Terrorism: How the West Can Win". In his Preface (p. xi) he writes:

"The West, the principal target of international terrorism, must organize itself for battle. It must, and it can, adopt a variety of means - political, economic, and military - with which to fight back. But underlying them all must be the moral understanding that terrorism, under whatever guise or pretext, is an inexcusable evil, that it obliterates the political and moral distinctions which are the foundations of humane and free life under the rule of law; that the West, in short, must resist terrorism and ultimately defeat it. Hence the title of this book and its purpose".

In the Index no reference will be found to the Haganah, to the Irgun Zwei Leumi, or to the Stern Gang, to Lord Moyne, to Count Bernadotte or to the King David Hotel in Jerusalem. Netanyahu would apparently have the world accept that terrorism is defined as action against Israel.

Objective scholars are unlikely to be impressed. Crenshaw dismissed Netanyahu's latest (1996) effort in this field with the first sentence of her review:194


194 CRENSHAW, Martha, Review of NETANYAHU, Benjamin, Fighting Terrorism: How Democracies Can Defeat Domestic and International Terrorism. T & PV, 1996, 8 (1), p 177
Not all academics are as coolly objective as Crenshaw. Professor Amos Perlmutter of the American University, Washington DC describes the West Bankers as being: "liberated by the Israeli Defence Force from Jordanian rule in 1967" (in the Six Day War).\textsuperscript{195} Professor Yonah Alexander’s account of the birth of the State of Israel is so partisan that it also invites the description Hashara.\textsuperscript{196} Academic prejudice does scholarship a disservice. It raises doubts on the impartiality, and thus the value, of the academic community; this is especially damaging to those members of it who are Jewish. If undetected it constitutes a insidious influence on public opinion.

It is certain that both Israelis and Palestinians have been subject to severe censure by the media on many occasions. Whether the total account constitutes a greater indictment of one side than of the other remains undetermined. On the matter of the protagonists’ active management of the media and of public opinion there can be little doubt that the Israelis have been hyperenergetic and adept; and that the Palestinians’ efforts have been neither united nor sustained nor competent.

4.5.6 The Effect of Atrocity

The public has a certain fascination with violence and atrocity. It is a staple ingredient of books, and video games. In all of these it remains in the imagination, a vicarious thrill safely confined to fiction. Similarly, historical accounts are safely confined to the past. The normal person will not feel pleasure when contemporaries are alive at the beginning of the day, and dead and bloody at the end of it. This is not safely vicarious. It is an unwelcome reminder of

\textsuperscript{195} PERLMUTTER, Amos. \textit{The Crisis of the PLO}. Encounter 70 (3)
the nightmare of death or injury to loved ones. Therefore perpetrators of violence, other than in legitimate defence, are likely to attract odium; if the perpetrators are actively seeking to inflict violence on the audience, they may be assured of the hostility of that audience. These gross errors were inherent in the terrorist strategy pursued by certain Palestinian revolutionary and militant Islamic factions. Such a strategy may be viable when the audience is more closely involved in the conflict (as in classical terrorising) or if the coercion is both powerful and sustained (as in the state violence of Iran and Iraq and the current [1995-7] activities of Islamic extremists in Algeria). A distant and disinterested audience, if forced into action, will not side with its attackers.

Palestinians who sought to catch the attention of the outside world showed no awareness of their effect on their audience. The first hijack of the El Al B-707 (23 Jul 1968) and the hijack of the TWA B-727 (21 Dec 1969), and the Dawsons Field extravaganza (Sept 1970) were relatively bloodless. There was a degree of logic in the targeting. The audacity and success of the actions had to be admired. Leila Khaled was a compelling figure. The Palestinians had the foundations of a huge public relations and propaganda success. Not only did they badly fail to build on it, but they also proceeded, self-satisfied and self-deluding, to two decades of public relations disasters. The disgust that greeted the sabotages of the Swissair Coronado and Austrian Caravelle (21 Feb 1970) should have warned the Palestinians and shaped their future policy. Their fragile hold on coherence slipped after Dawsons Field.

Black September chose to attack Israeli athletes at the Munich Olympics to utilize the worldwide television coverage and "to prove the existence of the Palestinian people". ¹⁹⁷

¹⁹⁷ Abu Iyad, In BECKER, ref 82, p 107
What the world saw was a bungled shoot-out and a helicopter fireball, during which nine Israeli athletes, a German policeman and five terrorists died.

From this point Palestinian targeting lost all semblance of logic and conveyed an impression of mindless atrocity (massacres at Lod, Vienna and Zurich, murder of Klinghofer, Achille Lauro 1985). All this was set to a background of internecine murder within terrorist groups, warfare with fellow Muslims, and atrocities against civilians. Palestinians who sought to advance their cause by more peaceful means were branded traitors, vilified, and sometimes murdered (Said Hammami, London 1978 killed by Abu Nidal's agents.). The Palestinian image to the world was that of barbarians, meting out mindless violence, which was true; it was not that of a dispossessed people, shamefully wronged, which was equally true.

Meanwhile their enemies, the Israelis, continued with their own self-interested agenda of murder. The essential difference was that they managed to cloak it in an appearance of some legitimacy. The targeting was thoughtful (assassinations of Black September leaders, Beirut 1973, of Abu Jihad, Tunis 1988, and of various key scientists) and the operational skills were often brilliant (Entebbe, 1976). All the while Israeli anti-war campaigners (Amos Oz, Jacobo Timerman) were advocating peace and were not being assassinated; Israeli soldiers were publicly condemning the excesses which they observed (Colonel Geva and others 1982 on). The loss of Israeli credibility was self-inflicted by their own conduct (Beirut 1982, intifada 1988 on) not by the Palestinians.

198 Abu Nidal's commitment to violence has impeded the Palestinian cause to the extent that it has been surmised that he is controlled by Mossad. SEALE, Patrick. Abu Nidal. New York:Random House, 1992
Until 1988 the Palestinians remained locked into violence by the frustrations and fury of the refugees, by their extremists, by their inability to devise and adhere to a more constructive strategy. Had they eschewed arbitrary violence after Dawsons Field and embarked upon a thoughtful course of action, they might have achieved by public relations and by diplomacy that which they could not and did not achieve with terrorism. They fought with their hearts but not with their heads. The Israelis fought with both. The Israelis won.

4.6 Opinion Polls

4.6.1 Palestinian Strategy

It is fortunate that terrorists do not put as much thought into the construction of their strategy as scholars give to its deconstruction. Terrorist lifestyle is not conducive to open discussion, nor does it accommodate the dialectic through which thoughtful strategy can be evolved. Dissent is the mechanism of dialectic but dissent, in terrorist circles, is often equated with betrayal. The assassinations of colleagues by the LEHI (Palestine 1943 - 48), by the JRA (1970's) and other groups, pale into numerical insignificance in comparison to the mutual murder endemic in Palestinian terrorism. Their intolerance of dissent was manifest in the frequency of the splitting of splinter groups from the main body, often followed by sub-splitting and sub-splinters. This post-Darwinian method of propagating lethal rivalries, thereby endangering the species, is a source of some satisfaction to those unsympathetic to terrorism. An example already touched upon is that of the ANM (Arab National Movement) from which split the PFLP (under George Habash), from which split the PFLP-GC (under Ahmed Jibril), from which split the OAP (Organization of Arab Palestine), and the PLF
(Palestine Liberation Front)\textsuperscript{199} George Habash’s close allies Naif Hawatmeh and the influential Wadia Haddad also chose to leave the PFLP to found their own groups, the Democratic Popular Front for the Liberation of Palestine and the PFLP-Special Operations respectively, though there are suggestions that there were covert links between Habash’s and Haddad’s supposedly separate groups. Ideologically all these groups were Marxist-Leninist. The process of continual fracture cannot therefore be attributed to fundamental ideological differences. It was much more a reflection of the failure of the Arab culture, the dynamics of which neither accommodate serious dissent nor provide for the democratic displacement of leaders. This structural characteristic is also inimical to the development of, and adherence to, a broadly based strategy.

It is therefore not surprising to find no evidence that any Palestinian group gave sophisticated consideration to UK Public Opinion - an “Uncommitted Audience” in Joanne Wright’s term.\textsuperscript{200} The Palestinians would have done better to have retained a professional public relations firm to devise a 10 year strategy for attracting the sympathy of the UK public.

The researcher has identified 10 opinion polls conducted in the UK by Gallup, MORI and NOP which relate to the Arab-Israeli conflict (1955-95) [bibliography]. Apart from two polls, they were not conducted in a series which was designed to track changes in opinion. Each poll was discrete, a snapshot of one aspect of an issue. Comparisons between such polls is a speculative exercise. Certain generalities may be induced from the polls, but attempts to be specific may be misleading.

\textsuperscript{200} WRIGHT, Joanne, ref 168
One poll (NOP, April 1976) was commissioned on behalf of the PLO by Eurabia Media Representation Ltd. It addressed the future of the Palestinian refugees and its results were subsequently used in an isolated foray into UK public opinion, a PLO advertisement in the Guardian (14 May 1976). In August 1982, during the Israeli invasion of Lebanon, the PLO commissioned a detailed poll from MORI the results of which were clearly supportive of the Palestinian cause. There is no evidence of serious follow-up action to capitalise on this public sympathy.

The PLO was massively disrupted as a consequence of the Israeli invasion. Geographically it was scattered; the leadership ended up in Tunis. Internally its normal bubbling dissent was brought to a boil by the inescapable necessity for strategic decision. Dissent could be accommodated in “normal” times by allowing autonomy to the constituent fractious groups and, more important, to their often vainglorious leaders. The PLO, having been uprooted from its bases, faced a real possibility of total disintegration. It was riven by the violent efforts of its factions to direct its strategy, and by the attempts of countries, particularly Syria and Jordan, to subordinate the PLO to the politics of their states. It was indeed a very difficult time for the PLO, but in later, calmer years the Organization still failed to address the subject of UK public opinion, and to capitalise on the Israeli invasion of Lebanon, and the concomitant vindication of much of the PLO’s message about Israel.

These two instances appear to be the sum total of a professional approach to public opinion polls by the PLO (1954-1988). As the moulding of public opinion is a process which necessitates a prolonged campaign, isolated single shot efforts are close to useless.
SOURCE: POLLS 1, 2, 3, 4, 5, 6, 7, 9 and 10 (see Bibliography)

NOTE: 1967 - Poll was conducted during the war
1973 - October Poll conducted during the war
1982 - Poll was conducted 14-17 August, during massive Israeli assault on Beirut.
4.6.2 Poll Results

The Poll Results (FIGURES 9, 10 and 11) are neither adequate nor suitable for scientific analysis. They do merit discussion.

4.6.2.1 UK Public Sympathy

FIGURE 9 is obtained by plotting 8 of the 10 Polls (or part thereof) on a single chart to obtain a loose indication of the movement of UK Public Sympathy. The researcher has taken some liberties in grouping these polls under this single heading. He has grouped the questions "who do you think is mainly to blame?", "which side are you most inclined to support?", "which side do you tend to support?" with questions which use the word "sympathies". As the grouping is for illustrative, not statistical, purpose, the liberties are perhaps justified. The results (FIGURES 9, 10, and 11) do not conflict with common sense and are therefore put forward with some confidence. They are also interesting.

- Sympathy for the "Arab" cause remained very low, close to 5%, from 1955-1976. It tripled, to 16%, during the Israeli invasion of Lebanon (1982).

- Sympathy for Israel fluctuated widely, reaching a peak (50%) during the 1967 war, and a similar peak (47%) during the 1973 war.
FIGURE 10

ARE DOING ALL POSSIBLE FOR PEACE

SOURCE: POLL 10 (see Bibliography)

NOTE: 1982 - Israel Invasion of Lebanon
1988 - Arafat Peace Declaration to UN, Geneva was
in November, therefore after this June Poll
Sympathy for Israel fell back during the Israeli invasion of Lebanon (1982), but only to 25%. It was 19% in 1955. This compares with the level of 5% sympathy with Arabs maintained 1955-76. This suggests that UK Public Opinion is reluctant to condemn the Israelis to the same extent as the “Arabs”, whatever their conduct. However, UK Opinion is cognisant, and appreciative, of the pursuit of peace (next item).

FIGURE 10 shows clearly that Israel was assessed as “doing all it should towards peace” by approximately 15% (1988-91), a significant fall from 37% (1978), probably as a result of the invasion of Lebanon and Israeli violence in the Intifada. This indication of approval recovered (38%) in September 1993, only after the signing of the Oslo Peace Agreement.

The Palestinian efforts to achieve peace were rated slightly worse than the Israelis (1978-91), but approval of them more than doubled (from 7% to 17%) immediately after Arafat’s 1988 Peace Speech at UN Geneva.

The January 1989 poll which closely followed Arafat’s Peace Declaration (UN Geneva Nov 1988) gave, for the only time, greater credit to Palestinian peace efforts than to Israeli (10. iv. and v.). It is also an important indication of the support which the UK public will give to a peacemaker. The corollary is, of course, the implication of hostility to terrorism - which is hardly surprising as the victims of terrorism are often members of the general public.
FUTURE OF THE PALESTINIANS

SOURCE: POLLS 8 and 9 (see Bibliography)

NOTE: Single State was (claimed) PLO Policy
(50% and 47% respectively), again indicating that the years of terrorism (1968-1973) had done nothing to increase UK public support for the Palestinians.

The potential support for the Palestinians is plain to see in the 1976 poll commissioned by the PLO (FIGURE 11). 75% deemed acceptable the "return of refugees", which was PLO policy, and the precise contrary of Israeli policy. A campaign to exploit this sympathy and to compare the intransigent position of the Israelis with a reasonable Palestinian position would have made life much more difficult for the Israelis than pinprick terrorism, the main product of which was to associate the Palestinians with atrocities, and thus to destroy the credibility of the official PLO policy of peaceful coexistence with Jews in Palestine.

4.7 Conclusion

This research has already suggested (2.4.3.1) that the Palestinian recourse to international terrorism was more an act of desperation through lack of alternatives than a thoughtful adoption of the activity within a strategy. The Palestinian actions which involved Great Britain were not manifestations of a strategy towards Great Britain, they were products of events.

Each of the three attacks on British aircraft was a tactical operation, mounted to obtain the release of a prisoner. They were not operations intended to force a modification of HMG policy.
The crucial failing of the Palestinians’ relationship with Great Britain was their lack of political strategy. Great Britain had a measured stance towards Israel, arising out of her experience during the Mandate. She was also well placed to influence the United States, whose economic support of Israel was central to that country’s expansionism. The Palestinian failure to renounce terrorism precluded its utilisation of Great Britain’s good offices and diplomatic skills.

Similarly the Palestinians made no sustained attempt to monitor or recruit British public opinion to their cause. Opinion polls highlighted the public concern for refugees, and dislike of violence by either side. The polls identified issues on which the Palestinians could have capitalised. Not only did they fail to utilise these opportunities, but they also failed to absorb the clear messages that terrorism was alienating their audience and that it was an audience of potential supporters.

Had the Palestinians retained competent political advisers and skilled public relations consultants, they could greatly have advanced their claims. Instead, by their 20 year involvement in international terrorism, they prevented the international diplomatic community from espousing their just cause.
TEXT CUT OFF IN ORIGINAL
4.8 APPENDIX 1.  

4.8.1 Hansard Extracts

HMG consistency in its advocacy of UN 242 and its even-handedness in condemnation of violence is evident from a comprehensive review of Hansard (1967-1993). The following brief extracts, the first group relating to policy, the second to acts of violence, illustrate the point. An extensive list of relevant Hansard references follows:

Policy

The Secretary of State gave a comprehensive assessment of the Middle East in his


After the Conservatives had lost office to the Socialists, no change in policy occurred.

Secretary of State for Foreign and Commonwealth Affairs (Mr James Callaghan): The three fundamental needs which such a settlement must satisfy remain the same. Israel must have satisfaction of her need for recognition by her neighbours of her permanence as a State and of her legitimate security requirements. Israel's Arab neighbours must have satisfaction on the withdrawal of Israeli occupying forces. And provision must be made for satisfaction of the needs of the Palestinians, by which I mean not only the rights of individual Palestinian refugees,
as was laid down for so many years by the General Assembly, but also the legitimate political rights of the Palestinian people.

The Prime Minister's mention of "legitimate political rights of the Palestinian people" is significant. Palestinian opposition to UN 242 centred on the Resolution's reference to the Palestinians as "refugees", without recognition of the putative state of Palestine.

In 1979 the Conservatives regained office. British policy was reaffirmed by the new Prime Minister:

**Prime Minister (Mrs Margaret Thatcher):** The (European Council) Declaration on the Middle East restates the two principles that have for many years have been the basis of the European position: the right of all the states in the region, including Israel, to existence and security; and justice for all the peoples, which implies the recognition of the legitimate rights of the Palestinian people.

Retention of Resolution 242 was also restated (1 Aug 1980 986-855w).

HMG accompanied its attempts to maintain good relations with both sides with even-handed criticism (6 Dec 1982 33-369, 29 Nov 1983 49-452w). Fundamental policy towards the PLO was reaffirmed:
Under Secretary of State for Foreign and Commonwealth Affairs (Mr Richard Luce):

Our policy is to encourage all committed to working to peace. We maintain close and friendly contacts with the Jordanian Government. Our policy towards the PLO is well known. We look to the PLO to acknowledge Israel’s right to exist and to renounce violence.

In 1988 HMG felt it had achieved this aim, when Arafat recognised Israel (UN Geneva) [29 Nov 1989 162-332w]

In an Adjournment debate on Israel the long-standing UK position was summarised concisely:

MP (Sir Thomas Arnold): .... For as long as I can remember, the texts of Security Council Resolutions 242 of 22 Nov 67 and Resolution 338 22 Oct 73 have been the bedrock of the United Nations position on the Middle East and that of many member countries. As the years have rolled by, the references to those Resolutions has multiplied. Time and again, the House and other Parliaments have had detailed discussions of those Resolutions and their implications...
Acts of Violence

20 Jun 1972 839-70w PFLP/JRA Attack Tel Aviv Airport

Prime Minister (Mr Edward Heath): ... immediately expressed to Israeli Ambassador HMG’s horror at this outrage and their sympathy with the families of victims.

2 Jul 1975 894-438w Anti-Terrorist Statement201

Question: What representations were made in protest at the treatment of the late Lord Moyne’s murderers by the Israeli authorities?

Minister of State (Mr Roy Hattersley): On 27 June HM Ambassador at Tel Aviv conveyed to the Israeli authorities on instructions regret at the honoring of two convicted terrorists at a time when we are all anxious to see and end to acts of terrorism.

201 Background: Times Extract

Times 26 Jun 75, Page 1 and 6: Eliahu Hakim and Eliahu Bet-Zuri assassinated Lord Moyne Nov 44 and were hanged in Cairo in 1945. The bodies were handed over to Israel by Egypt on 25th June. Coffins will lie 5 hours in Jerusalem’s Hall of Heroism which commemorates the exploits of Jewish terrorist groups against the British during and after the Second World War ... will be reburied in a section of the Military Cemetery on Mt Hertzel reserved for heroes and martyrs. Government and army leaders, as well as members of former terrorist organisations are expected to attend. ... Israelis I have spoken to do not believe that the glorification of the murders will detract from Israel’s worldwide campaign against Palestinian terrorism. They regard Arab terrorist methods as ignoble and indiscriminate compared with those of Hakim and Bet-Zuri (Lord Moyne’s chauffeur was also killed in the attack).

Times Leader, Page 17 The great men who led the Israeli nation then (1944) did not accept the support of murder and it is a reflection on the men who lead Israel now that they accept other and lower standards. As do almost all Arab leaders. (At the time of the killing when other young Jews were fighting in the British Army against Nazism, the men who are now regarded as national heroes were denounced bitterly by Zionist leaders. Dr Chaim Weizmann who later became Israel’s first President described Lord Moyne’s assassination as “one of the worst disasters to befall us in recent years”.)
Under Secretary of State for Foreign and Commonwealth Affairs (Mr Richard Luce):
We have tried to ensure that Palestinian prisoners held by the Israelis are treated humanely in accordance with the relevant Geneva Conventions. To this end the Ten acted in support of the International Committee of the Red Cross by making representations to the Israel Government in Jun 82 and again in Mar 83. We also made bilateral representations to the Israeli authorities.

5 Feb 1986 91-269 Israeli Interception of Libyan Aircraft

Question: Does my rt hon and learned Friend agree that although Libya has a gangster regime, that does not justify yesterday’s air piracy by Israel? Does he also agree that fighting terror with terror will only escalate lawlessness and encourage the extremists on both sides?

Secretary of State for Foreign and Commonwealth Affairs (Sir Geoffrey Howe): I have issued a statement today condemning that action. There was no evidence of terrorists on board the aircraft or of any threat to Israel’s security. In our view, the interception was without justification. I agree with my hon Friend that it is a dangerous precedent, which appears to have been in contravention of International Law.

14 Jul 1993 228-978 Israeli Violence

Mr Heathcoat-Amory: My rt hon Friend the Foreign Secretary has repeatedly made it clear that the Israeli defence forces must respect human rights in the occupied territories. We deplore all violence of that nature as well as terrorist activities against Israeli citizens.
List of Hansard References

From 1968 to 1982 (Index Volumes 789 to 141 Pt I and II) the index item 'Foreign and Commonwealth Affairs' became the main heading for foreign references; thereafter it became less comprehensive, appearing to include only major statements; this necessitated secondary searches under 'Israel' and 'Palestine'; these again were not adequate, as discussions on - and using the names of 'Israel' or 'Palestine', were sometimes indexed only under 'Middle East.'

4.8.2 FCO Background Briefs

The FCO supplied the researcher with 14 Background Briefs relevant to Palestine/Israel. The following extracts illustrate the balance and style of the Briefs. That the severe censure of Israel (final extract) was justified, is confirmed by the Human Rights Watch Report (Appendix 2).

The Background Brief, "Palestine Liberation Organisation" (Sept 1989) is devoted to the conduct of Palestinian organisations. It does not chronicle their terrorist actions and is in keeping with the expressed diplomatic aim of the UK, that of encouraging the peace process. Arafat had publicly renounced terrorism in Dec 1988, and was seeking to portray the PLO as a purely political organisation. As with Northern Ireland (1994-5) the close involvement of a former terrorist leader is central to peace negotiations and it is therefore constructive to appear to accept his denial of terrorism at face value; it may be true and, even if untrue, it is a fiction helpful to the peace process.
"... Minister of State in the British Foreign and Commonwealth Office, met Arafat in Tunis on 13 January 1989, and confirmed to the House of Commons on 17 January that Britain's long-standing conditions for ministerial contacts with the PLO had been met by the latest PLO commitments. Britain, he said, 'should test and work with those in the Palestinian movement and in the Arab States who are talking the language of diplomacy, not the language of terrorism'.”

A coerced or biased Government would not have made the blunt statement on the PLO leadership in "Guide to Arab/Israel Peace Plans" (Feb 1989).

"The main problem for all the parties was the status of the paper ('Prospects of a Palestine-Israeli Settlement' - an official PLO document) and lack of formal and public endorsement by the PLO leadership."  

"Intifada - The Palestinian Uprising" (April 1989) dwells more on the violent Israeli overreaction and abuses of human rights than on Palestinian activities.

"The intifada has changed international perceptions of the Arab/Israel conflict. After years of association with terrorism, the Palestinians are now more widely seen as the victims of a long military occupation, whose justification is increasingly questioned."  

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204 FCO Background Brief: Intifada - the Palestinian Uprising. April 1989, p1
“On 17 January, when Mr Shamir went to Nablus on the West Bank on what should have been a morale-boosting visit to an army unit, it was widely reported that several soldiers protested at being obliged to ‘act brutally against people who are innocent and to betray Israeli values’. ....

On 27 February, Mr Rabin stated that since the uprising began the Palestinians had lost 370 dead, about 8,000 had been wounded and some 22,000 people detained, with 6,200 still in IDF detention facilities and 4,000 in prisons. The latest estimated Palestinian death toll is in excess of 450, with 15 Israelis killed.”

205 FCO Background Brief: Intifada - the Palestinian Uprising. April 1989, p4
The applicable legal framework for Israel’s treatment of the Palestinian population includes the Hague Regulations of 1907, the Fourth Geneva Convention of 1949, and broad portions of international human rights law. Israel’s government has, in defiance of a broad international consensus, never recognized the de jure applicability of the Fourth Geneva Convention.

During 1995, Palestinians under Israeli direct rule continued to experience widespread abuses, including killings through the excessive use of force, torture, arbitrary arrests, and long-lasting curfews over wide areas. They also were subject to strict and arbitrary controls on movement, which impeded their ability to earn a living, study at universities, obtain goods and services, and otherwise conduct their everyday lives. ....

Palestinians also suffered at the hands of Israeli settlers, who are licensed to bear arms by the state. Settlers continued to use unjustifiable force against Palestinians with little risk of experiencing the harsh response that the military authorities reserved for Palestinian attacks on Israelis. ....”

Israeli security and judicial authorities have long practiced a double standard, moving forcefully to prevent and punish acts of violence perpetrated by Palestinians against Israelis, but acting leniently when armed settlers shot at Palestinians, launched vigilante raids in villages and refugee camps, or harassed motorists. Palestinian suspects are tried in military courts, while settlers, should they be charged, face judgement in civil courts, where they enjoy greater due-process rights.

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These points were made in a March 1994 study by B’Tselem that assessed the Israeli judicial system’s handling of the sixty-two cases in which Palestinians were killed by Israeli civilians (nearly all of them settlers) between 1988 and 1992. In at least forty-nine cases, B’Tselem found, the perpetrator was not in mortal danger. Yet among these cases, only one resulted in a murder conviction and one in a manslaughter conviction.

In responding to Palestinian unrest following the Hebron massacre, the IDF displayed some of its most abusive practices. When protests broke out, troops suppressed them forcibly, killing twenty-one Palestinians during the six days following the massacre.

The IDF Spokesman said the post-massacre closure and curfews were imposed wing to the “valid security considerations” of prevent[ing] massive disturbances, and the risk to human life, and to reduce friction between Jews and Arabs”. However, these disruptive measures were carried out on a wholly disproportionate scale, They constituted a collective punishment of nearly two million Palestinians for a crime committed by a Jewish settler.”

Ibid. p 283
5. ECONOMIC EFFECTS ON GREAT BRITAIN

5.1 Potential Economic Effects

5.2 The Costs of Attack
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5. ECONOMIC EFFECTS ON GREAT BRITAIN

5.1 Potential Economic Effects

Terrorism has both Primary and Secondary economic effects. The former are the costs of the damage and disruption inflicted by an attack. The latter are the subsequences of the attack: the future loss of revenue and the costs of security countermeasures. Calculation of the total of the costs is contentious. Assessment of the impact of the economic effects is not difficult.

It is postulated that only two categories of costs should be attributed to aviation terrorism: the revenue lost and the additional costs incurred as a direct result of the terrorism (or threat thereof). These are the Attributable Costs. Most fall upon the government, and upon the stakeholders of the industry affected.

The calculation of the overall effect on the economy and on the balance of payments requires considerable care. Revenue lost to one British airline may be transferred to another British airline or transport system. Similarly monies spent on security countermeasures may constitute revenue to British industry and commerce, and there may be export potential in the expertise acquired. These calculations are not included in this research, but their relevance is noted.
Several weeks of this research were devoted to the pursuit of cost data. The main finding was that total costs, both of attacks and of countermeasures, were unknown, nor apparently had there been any serious attempt to compile them. In many cases the constituent data was not recorded; in others the results were seriously suspect. Even in those cases where careful calculation of cost elements had been undertaken, the underlying assumptions differed, thus invalidating comparison or aggregation of the results. In the words of one City professional “much of the civil aviation industry’s costing is a wet finger in the wind”. The researcher had already come to the same conclusion.

It is clear from their statements that Palestinian terrorists were aware that terrorism had potential as a weapon of economic warfare (2.4.5). They certainly used it in this role against Israel. They neither claimed, nor were observed, to so direct it against Great Britain. Thus the economic effects of Middle Eastern terrorism upon Great Britain were incidental rather than intentional.

It is clear that aviation terrorism may inflict economic losses. [The use of aviation terrorism as a means of extortion is a separate issue.] Loss to Europe of American tourism as a result of the Vienna and Rome Airport attacks (Abu Nidal, Dec 1985), loss of tourist revenue to Greece due to widespread and well-founded scepticism about Greek aviation security standards (1985-86) are each estimated to have been some

208 Senior executive, leading insurance brokers, London, Jul 1995
Loss of revenue to the airline industry due to fears of terrorism (Gulf confrontation, Aug 1990-Summer 1991) was $2 bn.  

Great Britain has a strong, resilient and widely-based economy. It has withstood two World Wars and several major military engagements in this century. There is no possibility that terrorists could inflict significant damage to the country's economy. They can bring disaster to individual commercial undertakings; economic damage to these victims does not advance their terrorist cause by one iota, though they may enjoy the publicity.  

Not only is the country's economy invulnerable to terrorist attack, but also the Conservative government, in power throughout the period of significant aviation security expenditure (1979 to 1997), has placed all major costs upon the aviation industry. Thus HMG is in the enviable position of having the industry both as a stand-in target and as a stand-in defence budget. Further, British aviation security standards are (in the researcher's opinion) amongst the highest in the world. Thus the British aviation industry receives an economic double-whammy: higher standards and (much) less government financial support than its competitors. This raises the cost base of all British airlines. It may put the smaller out of business and force the larger to withdraw from routes where profits are marginal, leaving their non-British competitors in a monopoly position. In 1994 the double-whammy became triple with the imposition of

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209 These figures given in, or calculated from: IGLARSH, Harvey J. Fear of Flying: Its Economic Costs. Terrorism. 10, pp45-50 (sic), and NORTON, Graham. The Terrorist and the The Traveller: a Gulf Aftermath Assessment. The World Today. 47, pp 80-81(sic)

The British government's unwillingness to contribute to the financial consequences of terrorism is not insuperable. HMG has been obliged to bear the cost of terrorist damage in Northern Ireland since 1974. In 1993, it was also obliged to underwrite the risk to property on the mainland (4.3.7). In each case the exclusion of terrorist damage (refusal to cover) by the Association of British Insurers forced the government to accept responsibility.

The British civil aviation industry is not in as strong a position as the insurers. Nonetheless it has not made serious efforts to establish the costs of aviation security and to confront HMG with the vicarious effects of its policy. Thus, in Great Britain the economic effects of attacks on aviation have been more a function of government policy and industry acquiescence than of terrorist actions.

²¹⁰ Interview, HM Customs and Excise, 10 Apr 1997
5.2 The Costs of Attack

5.2.1 Basis of Calculation

5.2.1.1 Standardised Basis

The results of extensive and time-consuming research suggest that neither HMG nor the civil aviation industry has tried to calculate the costs imposed by attacks on aviation. Their total economic effect is therefore unknown.

The assessment of the cost to an airline or airport of an attack would be a straightforward exercise in cost accounting. However the result would be dependent upon the conventions and assumptions upon which the study was based. Further, it appears that no single set of assumptions would be valid for different operators, nor for different events affecting a single operator. There are important differences between long and short haul aircraft, between scheduled and charter flights, between large and small airlines, between the cost bases of different airlines and between the abilities of different airlines (and airports) to manage events and disruptions; all of which indicates that the basis of costing for each airline should be specific to that airline. Comparison of the costs of different airlines would therefore be of limited value.

5.2.1.2 Straight Line Costs

Additionally the duration and management of an event have a powerful impact on its costs. Some costs are directly proportional to time; these are generally the less significant, (staff overtime, aircraft parking charges, etc). Most costs accrue in an irregular sequence of
impacts. For example, after one hour of delay the passengers might be offloaded and served with refreshments; after three hours they might receive a full meal; after eight hours they might receive overnight hotel accommodation and after twelve hours the service might be cancelled.

5.2.1.3 Revenue

At this point the airline's size and ability to manage ceases to be merely important and becomes critical; a small airline might have no option but to sub-charter to another carrier - and thus lose all the revenue for the flight; a large but nimble airline might accommodate most or even all of the passengers on another of its aircraft and thus retain the revenue, often the largest single item in the costs of disruption.

Less obvious is the loss of future revenue resulting from customer dissatisfaction, probably the second largest cost arising from disruption. Clearly it will be dependent on the nature of the disruption and on the quality of passenger handling. Thus a disruption self-inflicted by the airline's own performance and accompanied by clumsy or churlish handling, will result in a much greater loss than a disruption of the whole airport by an outside attacker, during which the staff exert themselves to ameliorate conditions and mollify their passengers.

An attempt to calculate the immediate and the future revenue losses from a standardised set of assumptions would be unwise, given the current absence of reliable data and for the other reasons given above (differences between charter and schedule, large and small, and intermittent cost accumulation). Market research on a representative selection of disruptions is necessary before any model of passenger behaviour and revenue losses can be established.
In parenthesis: the calculation of future revenue loss should take account of the effect which the reports of dissatisfied passengers may have upon the decisions of other potential passengers. A recent study suggested that a dissatisfied customer informs, on average, 9 other people of his dissatisfaction.\textsuperscript{211} The study was not of airline customers who, in the researcher's experience, often recount details of alleged mishandling for many years after the event; in the case of dissatisfied airline passengers, a total audience of 9 is likely to be a serious under estimate.

5.2.1.4 Direct and Indirect Costs

An ICAO classification of Direct and Indirect Costs forms the basis of most of the costing of airline operations.\textsuperscript{212} It is based upon a set of assumptions, extension of which into the costing of disruptions would be misleading; further, it does not include the critical item of revenue losses. Therefore the ICAO cost structure is unsuitable for the costing of attacks on aviation.

Clearly cost control is central to the survival of any commercial undertaking. It is normally achieved by ensuring that the revenue per unit of output exceeds the cost per unit of output. The chosen unit of output in airline operations is the block-hour (the period which starts when the aircraft leaves its chocks [American - blocks] prior to take off, and which ends when the aircraft returns to chocks after landing). Various other units, eg the passenger-km or seat-mile, have important applications but are not relevant here. Costs, direct and indirect and other, must be covered by the revenue generated by the aircraft. (All other

\textsuperscript{211} \textit{Sunday Times}. 1 July 1990, p 6.1.
\textsuperscript{212} DOGANIS, Rigas. \textit{Flying Off Course}. London: Routledge, 1991
sources of revenue being ignored for simplicity.) Given a figure for the block-hours, a cost per block hour can be calculated.

This conventional unit, costs per block hour, is valid when applied to most Variable Direct Operating Costs (eg fuel costs); it reasonably accommodates Fixed Direct Operating Costs (eg aircraft depreciation); it becomes artificial when stretched to include Indirect Operating Costs (eg management and administration). The final figure, £ per block-hour, is widely used in the industry. [Non Operating Costs, although in no way related to the costs per block-hour, must also be covered by revenue. It was one of these items, foreign exchange losses, which allegedly led to the demise of Laker Airways.]

5.2.2 The Costing of Attacks

The dangers and difficulties of the costing of attacks may be seen from the range of figures given to the researcher. For one aircraft type, costs per hour excluding revenue losses ranged from £1,000 to £10,000, and costs including revenue losses ranged from £40,000 to £60,000 (sic) per hour. Costs per day for another aircraft type were quoted as £23,000 and, soon afterwards, £245,000 (sic). [Figures have been rounded by the researcher in the interest of commercial confidentiality.] These costs were calculated for different applications; some were based on similar and some on different assumptions.

Some apparent inconsistencies can be explained: any single event will impose different costs upon different departments. Thus an engine change will place one cost upon engineering, another upon customer service (passenger handling), a third upon route

213 Primary sources, British civil aviation industry
revenue, etc. However the total cost to the airline - the one cost with real meaning - cannot be obtained by the simple aggregation of all departmental costs. It requires a common set of assumptions for all costs, a full schedule of the constituent items (to avoid double-counting or omissions), and careful analysis. It appears that speculation may often provide a tempting short cut. When one important organisation (not British Airways) made public its representations to government, the researcher requested the supporting data. The reply was 'No supporting data. Why change the habit of a lifetime?'

Further confusion lurks in the meaning of "billion", a figure which occurs in the context of national tourist revenues. Common English usage distinguishes the British billion from the US billion; the former is one million million (10^{12}), the latter one thousand million (10^9). The Treasury informed the researcher that in all official statements of HMG (Treasury, Civil Service, BTA etc al.) a billion refers to the "scientific" (US) billion, not the "dictionary" (GB) billion. In other statements the ambiguity is unresolved.

It seems that the calculation of costs may often owe as much to art as to science, and that statements of costs may sometimes owe more to the objectives of negotiators than to the objectivity of auditors. Belief in cost statements may therefore be an act of faith, to which apostasy is a wise alternative.

In terms of their costs, attacks have simple parallels in normal events. Airports are closed by fog as well as bombs; aircraft are taken off line by mechanical defects as well as by hijackers; aircraft are damaged or destroyed by accidents as well as by sabotage. Similarly

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214 Senior executive of the organisation involved
215 Interview 24 June 1996
the civil aviation industry may be subject to technical investigation, legal enquiry and litigation for a variety of reasons, of which terrorist attack is only one.

The main reason and purpose of cost analysis is to provide management with a tool for the measurement and control of costs, and thus for maintaining the health and viability of the business. There have been several studies of the costs of aircraft accidents but the financial benefits of avoiding accidents have not been unambiguously quantified. In any case such benefits take second place, in scrupulous and professional airlines, to the moral obligation to ensure the highest practicable standards of passenger safety. Aviation management has more control over accidents than over attacks; it has less incentive to cost the latter because it has no obvious means of preventing attack attempts or of imposing cost control.

Ignorance of costs is undesirable for several reasons. Firstly, the magnitudes of the immediate and future revenue losses are responsive to the quality of passenger handling during and after the event. Secondly, to deem the costs to be an unfortunate and unavoidable necessity without first quantifying and analysing them, presupposes that they cannot be subjected to control and management; it also prevents the application of Risk Management techniques to the re-assessment of existing and optimum insurance cover. Thirdly, HMG can issue its dictats in comfortable ignorance of the economic consequences of its policy. Finally, the importance of informed management decisions was graphically illustrated by the sabotage of PanAm 103 over Lockerbie, an attack which directly contributed to the subsequent bankruptcy of the airline. Had PanAm been aware of the potential costs of its security policies it would - it is to be hoped- have acted differently. At present general practice quantifies with care only the costs which are covered by insurance, and which must therefore be established with a degree of accuracy. It is the many other
costs which are not insurable, and which airlines tend to accept as unavoidable risks, that are not quantified methodically. The role of insurers is discussed below (4.3).

It is not the function of this research to become embroiled in the technicalities of accounting convention and practice. The handling of indirect costs is particularly problematic. The researcher submits that costs which should be attributed to an attack are those, and only those, which would have been escaped had the attack not occurred. Economists have already appropriated the term "escapability":

"...escapability is determined by the time period required before a particular cost can be avoided."\(^2\)

In any case, escapability would not be a felicitous choice of word in the present context, some costs of attacks being inescapable (physical damage), whereas others are susceptible to good management and therefore to some degree escapable (future revenue loss). For this research the term "Attributable Costs" will be used to describe the costs which arise directly from an attack. The term Direct Costs is not used in order to avoid confusion with its accepted usage, and the grumbles of accountants.

The researcher submits that there are only two sources of Attributable Costs: costs incurred by reason of the attack and revenue lost by reason of the attack. Thus costs incurred would not include the indirect costs of overheads or of administrative and management man hours (unless additional staff were employed as a direct result of the administrative load resulting from the attack). Existing personnel, although diverted from "normal" activities, do not

\(^2\) DOGANIS, ref 212, p 121
constitute additional costs unless either, i) additional personnel has to be recruited to undertake these “normal” duties or, ii) their diversion results in a revenue loss to the business; in each of these cases the cost/loss, if identified, would be Attributable. Similarly for overheads, only if extra costs were incurred (eg rental of premises for the investigation team) would they be Attributable.

5.3 The Role of Insurers

5.3.1 The Costs of Attack: Insured Losses

Payments made by insurers in settlement of claims are not so much losses incurred in conducting business but more the costs of conducting that business. Insurance cover is the product which insurers sell. If there were no claims there would be no need for insurance and therefore no insurance business. Insurance payments are as much consumer goods as are sandwiches and refrigerators. An insurance payment is no more of a loss than is the cost of the bread for a sandwich. A loss occurs only if costs exceed revenue. Insurance payments are funded by past and future premiums. The true loser is the airline passenger who funds the whole civil aviation industry, including its insurers.

5.3.2 Extent of Cover

Aviation involves very large sums of money. A new Boeing B747-400, the long range 400 seat aircraft upon which most of the world’s leading long haul airlines rely, costs between

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217 Quantitative data supplied by senior insurance executives in a series of interviews, 1995
$100m and $150m. A more modest, short range, 12-20 seat turbo-prop regional aircraft costs between $5m and $10m. The “hull values” of these aircraft, large though they are, are several times smaller than the liabilities which may be incurred in the course of their operation. Liability for the loss of Pan Am 103 at Lockerbie has not yet been agreed; it will lie between $500m and $1000m. Most of this is liability to third parties, essentially the passengers; it includes huge sums in legal costs, the euphemism for lawyers’ fees. It is entirely separate from the insurance of the aircraft hull. Major airlines carry $1bn-$2bn insurance cover for a single event. Liability of this magnitude is beyond the resources of any airline and would force most into immediate bankruptcy. Insurance is the only means of assuring the governments which license airlines that the liability would be met. For that reason, British airlines are required, as a condition of their Air Transport Licence (their licence to operate as airlines, issued by the CAA), to maintain adequate insurance cover; a similar condition is imposed by the DoT upon foreign carriers wishing to operate in British airspace or to land at British airports.

Confining the discussion to established airlines, and excluding the CIS, three categories of insurance cover are offered:

- the Aircraft Hull
- Third Party Liability
- Employers’ Liability to Employees

In each of these three categories, there are two, separated, risks:

- “All Risks”, a misnomer signifying all risks except those due to war or warlike activity.
War Risks. Risks arising from warlike activity and from terrorism.

Worldwide Hull and Liability (All Risks) premiums were just under $2,000m in 1994. There is an overcapacity in the market, ie the potential cover is greater than the cover required by a factor of 2:1 so, for good risks, it is a buyer's market. Of this 210% capacity, Lloyds of London provide 43% and other London insurers 46%. Premium income to British insurers is therefore a significant sum, perhaps in the order of $1,000m pa.

The War Risks Hull market generated premiums of $150 in 1994. Over the ten year period 1985-1995 it was generally profitable to insurers, who clearly had developed expertise in assessing the war risk, which includes terrorism.

A single major loss could give rise to a claim in the order of $1bn, which no single insurer could sustain. There is therefore:

"... a global pool of insurers. Major underwriting centers in London, New York, Paris, Stockholm and Tokyo are supported by a worldwide network of Reinsurers to meet the aviation demand. "218

5.3.3 War Risks

War is a special category of risk; it has the potential to cause damage and financial loss on a scale and of a magnitude which dwarfs that of an accident. It is therefore distinguished from the other causes of loss and is covered in a separate insurance policy. Such policies

always include special provisions which allow cancellation or review at short notice (usually 7 days). Thus the first losses of unexpected war are covered but thereafter insurers are free to re-negotiate their policies or to refuse cover. This is no more than good sense given that the potential losses are incalculable.

Attacks on aviation pre-1968, mostly hijacks to Cuba, rarely involved the destruction of aircraft, and hull values were then relatively low. Thus the insurance industry (along with everyone else) was unprepared for the damage inflicted by the Palestinians in their campaign of deliberate destruction which began in July 1968 and peaked in September 1970 when a BOAC VC-10, a Swissair DC-8, and a TWA B707 were blown up at Dawson's Field, and a Pan Am B747 was destroyed at Cairo. By this time the world's leading airlines had discarded their smaller, cheaper piston aircraft and had re-equipped with larger (140 seat), and more expensive jets which were in turn being replaced by the new 350 seat B-747.

" (The Pan Am B747 at Dawsons Field) was insured in respect of conventional Hull Risks and separately insured for War Risks, and litigation ensued to establish whether the cause of loss was "War" as defined by the following words:

1. Capture, seizure or any taking of the property insured or damage to or destruction thereof by any military or usurped power.

2. War, invasion, civil war, revolution, insurrection or war like operations whether there be a declaration of war or not.

3. Strikes, riots, civil commotion.
The courts eventually held that the loss was not within these words and that accordingly the Conventional Hull Risks Insurers were liable for the whole of the Insured loss”. 219

Note the absence in all of this of any reference to or use of the word “terrorism”.

To remedy this deficiency the insurance industry devised a new standard war, hijacking and other perils exclusion clause, AVN. 48B. (The insurers’ nomenclature is potentially confusing. “Exclusion” clause defines the risks which are excluded from all risks cover; a separate policy [war risks] may be purchased to cover those excluded risks).

“...two parts of that exclusion are relevant. The first is the insurance description of terrorism:

“Any act of one or more persons, whether or not agents of a sovereign power (,) for political or terrorist purposes (,) and whether the loss or damage resulting therefrom is accidental or intentional.”.

The second is the insurance description of “hi-jack”.

“Hi-jacking or any unlawful seizure or wrongful exercise of control of the aircraft or crew in flight (including any attempt at such seizure or control) made by any person or persons on the aircraft acting without the consent of the Insured.

219 CHARD, ibid, p 334
Whereas there may appear to be overlap between these two, this is of no concern in an exclusion (ie. the greater the emphasis the better). However, when the reverse applies and these phrases become specific Insured perils, then the overlap is critical, particularly if one of the perils is selected for cover.

Insurance language therefore makes it clear that hi-jacking is there for that purpose. Hi-jacking only stands alone in the simple sense of “fly me to Cuba”. The hi-jacking words are also narrow in the sense that they are self-confining to the aircraft involved. As always, the easiest way to illustrate this is by way of an actual example.

On the morning of 2nd October 1990 a Boeing 737 operated by the Civil Administration of China (CAAC) was hi-jacked in the course of a flight from Ziamen to Baiyen Airport, Guangzhou by an individual acting entirely on his own initiative. The flight, due to take approximately 50 minutes , took more than 2 hours before the hi-jacked 737 landed at Baiyen Airport. After landing, the 737 proceeded along the runway but then for some reason, possibly as a result of duress when the hijacker realised where he was, veered to the right of the runway and on to the grass. The 737 then continued in a relatively straight path towards the airport apron where other aircraft were parked.

The pilot of the 737 at the last minute tried to take-off and fly over the parked aircraft, but tragically just as he became airborne, his aircraft collided with a CAAC 707 and a CAAC 757.

The 737 was destroyed and the 707 and 757 were rendered constructive total losses.

War Risk Insurers paid the claim for the destruction of the hi-jacked 737, but a dispute arose between Conventional Hull Risk and War Risk Insurers as to liability for the claim on the 707.
and 757. Arbitration on this issue was subsequently heard in London in March 1992. The judgement that was given arising out of the Arbitration decreed that it was the 737 aircraft alone which was subject to the exclusion of hi-jacking within AVN. 48B.

Accordingly, it ruled that Conventional Hull Risk Insurers were liable for the claims involving the 707 and 757.”220

Thus a matter of some $60m hung upon the niceties of the wording of AVN. 48B.

Until the establishment of Pool Re in 1993 (below 4.3.7), insurers and their lawyers had no more success than scholars in defining terrorism. Chard states (above) that AVN. 48B contains “the insurance description of terrorism”. Careful reading of the clause determines that terrorism (“terrorist purposes”) is neither described nor defined; it is mentioned and therefore it - whatever it may be - is covered by the clause.

Thus (until 1993) the insurance industry acknowledged the problem of definition by not attempting it. Sums of $100 millions hang upon the meticulous drafting of contractual documents. Omission of the commas, in the researcher’s copy (above), before and after the clause “whether or not agents of a sovereign power” from AVN. 48B, changes its whole meaning and arguably distorts its intentions by including criminal activity.

220 CHARD, ibid, pp 335/6
5.3.4 Conduct of the Insurance Market

The insurance market involves huge sums of money. It is important to Great Britain's economy and to the City of London's role as an international finance centre, it is vital to the civil aviation industry - which could not operate without insurance. It is highly lucrative to those involved in it. All parties (including those who underwrite it and face potential financial ruin) have a vested interest in its satisfactory operation and continuation.

Airlines usually retain brokers to negotiate terms of cover with underwriters. There is a surprising degree of openness, the different premium rates for different airlines being disclosed within the market. These rates are not as good an indicator of risk to the airline passenger as they might appear. They are distorted by commercial factors, including the size of the airline, the importance of the business, the underwriters' recent and accumulated profits and losses, and the capacity of the market (supply and demand of insurance cover).

As an instance, the researcher was asked by one syndicate for his assessment of a major airline and replied, with good reason, that it represented one of the worst risks in aviation. The response was that the business was too large and too important to refuse. In other words the syndicate wished to secure the business for its importance in the long-term, and therefore was prepared to accept the dangers of the short-term. Thus that airline would probably not have appeared in its rightful place (close to the bottom) in a league table of safety and competence. Nonetheless insurance rankings would make interesting reading.

Insurers strive to maintain to retain a good relationship with those upon whom their business depends, the airlines. Thus they pride themselves with settling a hull claim ($50m - $100m)
within a few days of its submission. Similarly, if liability is disputed between two insurers - as in the example cited by Chard - an established mechanism (AVS 1034) is used to pay to the airline all or part of its claim; pending arbitration or action between the insurers, each party pays 50% of the interim settlement.

Other claimants, employees or 3rd Parties, are not customers of the insurers. More often than not they have a hard, prolonged fight on their hands to obtain settlement. This situation arises from on the one hand, the long-standing combative approach to minimizing their financial losses by underwriters and their lawyers and, on the other hand the more recently learned behaviour of claimants, their lawyers (and the juries - "you've won the lottery") who often seek to maximise the insurance pay-out. There are still allegations of over-zealous activity by insurers: the exploitation after Lockerbie of the Pan Am relatives helpline (by US insurers)\textsuperscript{221}, and the swift pre-emptive pressure on the distressed relatives of the deceased residents of Lockerbie to settle for a much smaller sum than legal proceedings would have yielded. In 1996 British newspapers were reporting an action brought by Mr Lipsius against London Transport Authority (LTA) for the horrific burns he suffered at the Kings Cross Underground fire in 1987. This, eight and a half years after the event, gave LTA appalling publicity which no airline could afford.

Such adverse publicity results only indirectly from the actions of the transport company, whether LTA or airline, but directly from the actions of their insurers. Certainly in the past airlines have behaved very badly, and little has emerged from the investigation of Lockerbie to reflect credit on Pan Am. No well-managed airline would now tolerate the collateral damage to its reputation which would result from seemingly callous actions by its insurers.

\textsuperscript{221} COX, Matthew and FOSTER, Tom. \textit{Their Darkest Day}. London: Arrow. 1992. p 143
The one image that they do not wish to attract is of being careless of hurt or injury to their passengers. If LTA passengers cannot easily take their patronage elsewhere, airline passengers certainly can.

Airlines have the power to restrain over-zealous insurers and the more powerful are ready to use it. The industry cites the personal appearances and statements of Michael Bishop, the Managing Director of British Midland, after a fatal accident to one of its aircraft (Kegworth, Jan 1989), as the benchmark of an excellent response to an unhappy situation. In the immediate aftermath of the accident Bishop was not able to specify the cause or offer much hard data. He was able to show that he cared deeply for his passengers and staff.

The immediate future is likely to bring higher settlements and increased premiums. Article 20 of the Warsaw Convention (effectively a no fault: no liability clause) is all but extinct, leaving airlines - not their governments - liable for losses caused by terrorist attack on their aircraft in which the target is their government - not the airline. If it can be shown that the airline knowingly failed to follow the required security procedures, it may be deemed guilty of wilful negligence; it will then be liable to unlimited damages, because the liability limits set under the Warsaw Convention and other contractual agreements would no longer apply. These damages may well exceed its insurance cover in which case a new situation will arise. The airline will be bankrupted, leading to pressure for government intervention and/or for an industrywide rescue operation, neither of which will be to likely to materialise if the rescue funds are perceived to be going to pay lottery win claims and the lawyers who are pressing them. A leading possibility is the liquidation of the airline, followed by its prompt reincorporation under a new name.
In any case airline's insurers will incur huge liabilities. On the face of it insurers might therefore be expected to be actively involved in pursuing higher standards of security and safety. They are not.

5.3.5 Insurers' Role in Promoting Security

In Great Britain, the establishment and enforcement of aviation security involves standards and enactments published, in progressively larger volumes, by ICAO, the DoT, the Airport Authorities and the Airlines. The achievement of standards is dependent on the performance of thousands of personnel.

Insurers have a formal link only with the insured, in the present case, the airlines - upon whom they are also reliant for their income. They are not therefore in a dominant position, nor even in the powerful position of a Pilots' Association or passenger organisation which can engage in long term negotiation and harassment of the airline, in the pursuit of higher safety or security standards. Insurers are members of a competitive market place; they endanger their business if their conduct prompts an airline to look elsewhere for its insurance cover.

Furthermore the management of an airline is a highly skilled undertaking, and one which is beyond the powers of many airlines' managements (witness airline profits and losses). Insurers can survey less technical businesses to assess their exposure to risks of fire, theft and accident. To carry out an audit of a major airline, complex and vast, is a massive undertaking, well beyond the routine capabilities of insurers. Nor - in most cultures - would it be well received by the airline.
Attempts have regularly been made (to the researcher's personal knowledge), to recruit insurers to the cause of advancing safely or security. Typically they start with an approach to a broker or underwriter, and the submission of information on alleged deficiencies. The recipient would be ill advised to accept such information at face value. However, in practice, only the airline could assess its credibility. A formal approach to the airline may well be resented whether the allegations have substance or not. The reality therefore is that the most that will result is an informal conversation with the airline's insurance manager, tactfully phrased. Minor failings in the multitudinous daily activities of an airline are a statistical inevitability, and are a part of the raison d'être of insurance. An occasional such failing is therefore no reason for withdrawing insurance cover - and forfeiting the premium. A serious matter amounting to wilful negligence would certainly be in breach of the airline's licence to operate. Insurers would look to the relevant government department to enforce its own standards; accordingly, insurers might be expected to pass on such information informally and discreetly, thus achieving the desired rectification whilst preserving their own good relations with the airline.

The insurers' role is to assess and cover the risks of airline operations, not to become involved in the complexity of their management. Substantial misgivings on the competence of the management in minimizing safety and security risks will be reflected in increased premiums. In general terms (to preserve commercial confidence), a suspect airline faces premium rates double those of a highly-regarded airline. The corollary, that the premiums paid by the best operators accurately reflect their excellent record, is unfortunately not true. There are two reasons for this.
The first, common to all types of insurance, is that simple arithmetic dictates that claims are paid from funds amassed from the premiums of non-claimants. The second reason relates to the nature of the aviation risk. Premiums are based on loss experience, which, in the matter of war risks/terrorism, is of a very small number of losses. The last total War Risk loss to a major Western airline was seven and a half years ago, Pan Am 103, 21 Dec 1988; since then the other major losses covered by War Risks have been an Avianca B727 (Colombia), destroyed 27 Nov 1989, and one of the CAAC (China) multiple losses, 20 Oct 1990. The cost of any one of them may be huge (Pan Am 103, approx $700m). The sum involved is beyond recovery from the claimant airline in increased premiums over any practicable pay-back period (eg 5-10 years), and in any case that airline may well be a much better risk in the period subsequent to its loss because of irresistible pressure to remedy security shortcomings. This improved risk will be known to other insurers, who would therefore undercut any large premium increase. Thus the existing insurer cannot recover his loss from the claimant alone, but must spread it across his customer base. The same effect is duplicated through a second mechanism. The enormous potential liability from a single event obliges the insurer to cap his own losses by reinsuring; this also spreads the burden across the whole market. Insurers call this “a collective responsibility to pay the increased premiums Insurers will necessarily impose”.222

Thus, unfortunately for them, the best airlines pay premiums which more closely reflect the average global level of security competence than their own high level. Advocates of higher security standards therefore are not able to cite lower premiums as an incentive to individual airlines, and thus cannot concentrate their efforts upon a single target airline, but must diffuse them over the world aviation industry as a whole.

222 CHARD, ref 218, p 339
In the long term this may not be as disadvantageous as it appears to be. Aviation is international by nature; therefore to make flying on a (for example) British airline secure, it is necessary to make all the airports which it serves secure (and arguably all the world's airports because they are interlinked by connecting services); to turn British airports into fortresses whilst many airports overseas leak like sieves would not prevent an attack on a British aircraft, it would only change the venue.

5.3.6 The Insurers' Contribution to the Strategic Management of Security

The issue of Strategic Management is discussed in Section 7. However strategy is by definition (and probably indisputably) purposive. No insurer interviewed by the researcher has claimed that insurers either have, or participate in, a strategy to improve aviation security; nor has the researcher, in 16 years' experience of negotiating security standards, seen evidence of the involvement of insurers.

Given the competitive mechanism of the market, they have little scope for decisive intervention. They can, and do, apply pressure for improvement, both confidentially during negotiations and openly by raising premiums. Unless the aviation market acts with international unity, the reality is that it has little power to discipline or coerce its customers. Therefore the British segment is acting reasonably, and prudently, in leaving the setting and maintenance of standards in the hands of the designated regulatory authorities; governments. Were it to see a need or a business opportunity in more active involvement, there are many precedents. The spate of kidnapping of businessmen, often with ransom in mind, presented (early 1970s) a threat new in magnitude if not in concept. Lloyds of London
had already provided kidnap insurance (following the kidnap of the Lindbergh baby, 1932). The renewed interest led to the discovery by insurers that there was no adequate source of counter-kidnap expertise available to those seeking advice or protection. The brokers, Hogg Robinson, established a firm (Control Risks) to provide this expertise. The name Control Risks was singularly well chosen; the knowledge and training which it provided to its clients did just that and thereby probably lessened the insurance payouts.

The morality of kidnap insurance is hotly disputed. Those who oppose it allege that it encourages kidnapping by guaranteeing payment. The other view is that it may save a life which the government has failed to protect. It is illegal in some countries, but not in the UK. Here it provides not only an example of insurers' participation in strategic management but also a pragmatic modus vivendi with an irresolvable dilemma. Similar pragmatism drew the British government into underwriting when unacceptably large risks were posed by terrorism. In this, HMG acceded not so much to the wishes of the insurers as to the underlying realities of a market economy, one of which is that terrorists can inflict more damage than the insurers could survive without outside aid. Thus a government unable or unwilling to employ harsh methods to eliminate terrorists must pay for the worst of the damage which they are thereby freed to inflict. As costs increase so will the attraction of harsh response.

The drawing of the government into war risk insurance cannot be construed as strategic management by the insurers. Indeed, it is difficult to see how they can in any way be brought into the strategic management of aviation security. It would fundamentally conflict with their primary role and raison d'être. However they have substantial funds and are always eager to minimize their losses. They have organised space missions to rescue

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satellites. They are rumoured to have bought back aircraft from hijackers. There is a case for suggesting that where they are saved from heavy loss by a successful security measure or operation, they might wish to contribute a part of their saving towards the costs of the advancement of the strategy of security management.

5.3.7 Pool Re

The IRA bomb at St Mary Axe, City of London (10 Apr 1992) caused £350m damage. It led to HMG being obliged to take over the underwriting of the Terrorist Risk to property on the mainland, in a repeat of its experience in Northern Ireland in 1974.

Property insurance in the City is largely in the hands of major British insurers. They describe themselves as "minnows in the world's insurance seas", the reinsurance whales (or sharks) are mainly American, Italian and French. After the St Mary Axe losses these reinsurers gave notice that they would no longer offer reinsurance on the British mainland against the risk of terrorist explosions. This withdrawal by the reinsurers left the insurers exposed to risks beyond their capacity. They had little alternative but to seek reinsurance from the government.

This demand was unwelcome to the Treasury. It was particularly unpalatable to the Conservative budget-conscious, anti-interventionist ideology of 1993. Nor is it much favoured by the insurance industry; it immediately loses commission revenue and, more important, it dislikes retreating from its own market place. However HMG and the industry were faced with necessity.
The reinsurance company, Pool Re, was the outcome (8 Mar 1993). It is a mutual company funded by its members with the government as insurer of last resort (ie the underwriter of all risks beyond the agreed limit). Initially it was non profit-making, and paid commissions neither to brokers nor to the primary insurers; it also originally required the insured to cover all its properties on the UK mainland against the terrorist risk (and thus with Pool Re). The rigidity of Pool Re, which the insurance industry sees as a reflection of civil service involvement, has led to the emergence of rivals, offering limited but more flexible cover.

Pool Re, being established in specific response to the terrorist risk, obviously had to define the cover (in insurance terms: the exclusion which was being bought back) which it was offering. Hence its definition of terrorism:

"(Terrorism is) an act of any person acting on behalf of or in connection with any organisation with activities directed towards the overthrowing or influencing of any Government de jure or de facto by force or violence."

This definition relates to the risk covered by Pool Re, not to the War Risks exclusion/cover in civil aviation. In this latter case terrorism remains undefined - but in the event of its definition being an issue in a dispute, lawyers would undoubtedly cite Pool Re's definition, if it suited their case.

The St Mary Axe loss which led to the formation of Pool Re approximates to the lowest estimate ($500m) of the Lockerbie loss (the highest estimate is $1000m). Prior to the event premium rates for War Risks to property had been low relative to those for aviation, where

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underwriters had already developed greater expertise. Property insurers were faced with the possibility of bigger bombs and bigger losses, and with continued exposure during a dangerously long pay-back period. This led to their withdrawal from the market. In aviation, premiums reflected more accurately the established loss rates. It may also have been felt that standards of aviation security would inhibit any serious escalation of losses - whereas commercial property was vulnerable to an increase in terrorist activity.

The expertise of aviation insurers was demonstrated in the Gulf confrontation (1990-91). For a period they excluded some of the conflict area from War Risks cover; this did not affect civil aircraft operations because no airline wished to operate in the excluded area. Insurers did cover neighbouring areas (having been careful to establish the range of Iraqi SCUD and other capabilities). Thus, even in the situation of full-scale war and with a very high worldwide threat of terrorist attack, aviation insurers continued to provide cover and there was therefore no pressure on government to step in.

This continued cover enabled insurers to recoup some of the losses incurred in the initial invasion ($27m BA, $450m Kuwait Airways). It is probable that the standards of aviation security worldwide assisted insurers to calculate the risk with some confidence, and thus to accept it. This gives reason to the proposition that they should assist the advancement of aviation security.

5.4 Aircraft Sabotage: The Lockerbie Atrocity, December 1988

The destruction of PanAm 103 was an act of war. Unlike many of the atrocities of war it was avoidable and therefore inexcusable. All occupants of the B747-100, 16 crew and 243
passengers, together with 11 residents of the peaceful Scottish town of Lockerbie, hit by falling wreckage, were killed. Their deaths are the true costs of the terrorists' action.

In assessing economic costs and contemplating figures of hundreds of millions of pounds, sight must not be lost of their insignificance. Economic costs can be recovered, human costs cannot.

The total economic cost of the loss of PanAm 103 is worthy of a separate study. As is often the case, the costs which are easily quantified may not be the most important.

The incident may or may not have been the cause of the demise of Pan American Airways, one of the pioneer airlines of the world. Long before 1988 the aviation industry was viewing PanAm with scepticism; the paint was peeling from its elderly aeroplanes (the uncharitable said the same of its cabin crews), the salaries and conditions of service of some sections of staff were leagues better than their European competitors, and in the 1970s efforts - nearly successful - had been made to persuade the Shah of Persia to fill its financial abyss. In no year between 1970 and its demise (1991) did PanAm pay a dividend.225 It was a chronically ailing airline.

The state of its finances was doubtless contributory to PanAm's decision to apply large sums from the US security levy, not to raising security standards, but instead to advertising its supposedly high security standards. Pan American Airways did not survive the loss of PanAm 103 and neither did its reputation. The President's Commission226 recorded that its security procedures contained serious deficiencies. In the terminology of psychologists who

study error and failure, there were *latent errors*. The everyday description is ‘accidents waiting to happen’.

In a sad echo of the causes of the loss of the Turkish DC-10 (346 killed, 3 Mar 1974), the performance of the Federal Aviation Agency was again found to have been contributory.

Estimates of the final settlement costs of liability claims against PanAm’s insurers range from $500m to $1000m. The insurers’ estimates are at the lower end, the claimants’ at the higher. The Hull Insurance, $32m, already paid, is included.

The disaster itself, the criminal investigation and the Fatal Accident Enquiry placed a cost burden on this country. A lengthy study would be required to obtain cost details. For the purposes of this research, a general estimate suffices. The Dumfries and Galloway Constabulary estimates Police Costs to have been £15m, (to July 1995), for disaster recovery and criminal enquiry. The Crown Office, Edinburgh reports costs of approximately £700,000 (to August 1995) relating to the criminal and fatal accident investigations. The Scottish Courts Service reports a total of £950,254 (July 1995). These costs are likely to be a modest underestimate of Attributable Costs (researcher’s definition - costs which would not have been incurred if the disaster had not happened), but a serious underestimate of actual expenditure relating to the disaster. Both the Crown Office and the Scottish Courts Service explained, with reasons, that they had not included all their staff costs. The Department of Transport estimated its costs to have been £820,000. Of this, legal costs (lawyer’s fees) were £600,000, including £400,000 paid on behalf of the relatives.

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228 Personal correspondence, 14 Jul 1995
229 Personal correspondence, 11 Aug 1995
230 Personal correspondence, 26 Jul 1995
231 Personal correspondence, 15 May 1995
No attempt has been made to obtain other costs (eg those of the Security Service and Foreign Office). An investigation of secondary costs was terminated after study of the first - increased crime rate due to diversion of police resources - revealed that the figures were likely to be insignificant.

The total of the above figures is nearly £18m.

It is likely - at the common sense level - that the terrorist destruction of a B-747 led some potential passengers to cancel their air travel plans. It requires careful investigation to separate this cause from other possible causes of reduced global revenue. The FAA estimates that the revenue loss to PanAm was $400m in 1989\textsuperscript{232}. The same study suggests that TWA experienced a total loss of £40m in 1989 but with a revenue gain ($17m) in the first quarter. This makes it very clear that internal transfers occur within the aviation market and suggests that care is needed in determining global figures.

The destruction of PanAm 103 spurred the liberal democracies into major improvements in aviation security. Great Britain and the USA not only led by example but also pressed more reluctant countries into action. The costs of the consequent security measures (1989 to date) are in the thousands of $m's. Security measures have been increased across the board: Hold Baggage Screening has been expensively researched and is now being introduced; security permeates the operation of the civil aviation industry; security governs airport terminal design; aircraft structures are being hardened; diplomatic relations are

\textsuperscript{232} FAA, ref 225
affected (USA: Hatch Amendment); etc. To a greater or lesser degree these costs should be attributed to the Lockerbie atrocity.

Thus the final cost of Lockerbie is unknown, but must amount to thousands of $m's. This huge sum is negligible, a drop in the ocean of the US and UK economies, a loss with no perceptible impact.

The identity of the sponsor of the Lockerbie atrocity is still disputed. Whoever it is, achieved no economic or political gain. No land was returned to the Palestinians, nor did the Islamic fundamentalists cow their enemies, nor did the USA change its Middle East policies. No sponsor dared claim 'credit', rightly fearful of richly merited retribution. The perpetrators' sole achievement, by the murder of 270 innocents, was their own satisfaction and, with that, an ineradicable stain on their cause.

5.5 Airport Attack : Standing Mortar on the Runway, Heathrow March 1994

In 1994 the PIRA fired home-made mortars at London Heathrow, on 9, 11 and 13 March. There were brief but severe disruptions of the airport.

The aviation industry is reluctant to discuss the costs imposed by the attacks. It understandably hesitates to inform terrorists of the results of their actions. The modus operandi of PIRA suggests that its objectives were to demonstrate capability and to achieve maximum publicity for that demonstration, the infliction of commercial losses being an incidental bonus. It is likely that they were seeking to avoid casualties and particularly to avoid American casualties. The mortars fell, presumably aimed, on runways and on open
ground. It is statistically unlikely that a mortar would hit an aircraft landing or taking off. However had that happened it is certainly possible that the aircraft would have been destroyed and all on board killed. Therefore PIRA, if it sought to avoid casualties, was gambling dangerously.

Closure or disruption of an airport affects all the airlines using it. The major user of Heathrow is British Airways with approximately 475 movements (take-offs and landings) daily. The attacks caused 171 disruptions (cancellations, diversions, delays) during the week (Monday to Sunday) of the attacks. It is not possible to use a formula of Number of Disruptions multiplied by Disruption Unit Cost to arrive at a total cost figure in which confidence would be justified. For good reasons of expense, the raw detailed data on the various disruptions is not processed, nor are changes in passenger travel arrangements tracked. Further the airline has different unit cost figures (eg cost per minute of delay) for different purposes. Therefore data for the above formula would be conjectural, and the product would be less of an estimate than a guess, and quite possibly a bad guess.

An alternative approach is to compare revenue figures for the relevant period with other periods, making allowance for other known influences. By this method one department of the airline calculates the cost of the attacks to have been £10m.

The British Airports Authority indicates that it suffered a loss in the order of £500,000.

British Airways accounts for 38% of the daily movements at Heathrow. If its cost figure (£10m) was extrapolated, this would indicate a total cost to airlines using Heathrow of £26m.

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233 *The Times*, Letter from Chief Executive, BA, 10 Jul 1996
This is likely to be a serious overestimate, the disruption of a small number of services at an outstation being much more manageable than 171 disruptions at main base; nor does British Airways' main base have large numbers of aircraft sitting round doing nothing, readily available. Inflicting losses on foreign airlines has, *per se*, no possible benefit to PIRA. The accompanying publicity would be obtained at the risk of the odium of murdering a foreign national. The size of this estimated figure (£26m) is not significant, nor is it of any political importance. However any losses may be very serious to an airline achieving only marginal profitability. It is not possible, at present, to insure the revenue losses of disruption (unless an aircraft is damaged in the attack and then only to a limited degree), because those losses cannot be accurately quantified with current methodology. Insurers and their brokers, cognisant of potential revenue from premiums, are encouraging airlines to address the problem. For the moment, many British airlines are blissfully unaware of the costs of disruptions to their services.

5.6 Act of War: Saddam's Short Tour De Force, Kuwait, August 1990

On 2 August 1990 Saddam Hussein's Iraqi army, massed along the border, suddenly invaded Kuwait. They moved at a speed which took the experts by surprise, as did the speed with which they later retreated.

For reasons that have never been satisfactorily explained, British Airways had continued to operate into Kuwait to the moment of invasion, whilst other European airlines had not. A BA B747-100, G-AWND, on the ground at Kuwait International Airport, was held for the period of
the occupation, and was damaged beyond economic repair by the hastily retreating Iraqi forces.

The insurers paid $27m\textsuperscript{235} agreed value of the hull of G-AWND very promptly after its destruction, as is their practice. They also paid passenger claims which fell under Liability Cover.

The United Nations established a Compensation Commission to compensate both individuals and "corporations, other legal entities and public sector enterprises" for "direct losses as a result of Iraq's unlawful invasion and occupation of Kuwait" covering the period 2 August 1990 to 2 March 1991.\textsuperscript{236}

British Airways submitted a total claim of £14m to the UN. It wishes to keep most details confidential. It disclosed that the figure for "loss of use of aircraft" was based on BA's fall in turnover (Aug 1990-Mar 1991) in the market where the aircraft was deployed, from the same period of the previous year. This is a reasonable basis for a claim, given the fact that the industry has not established methodology for calculation of the losses of disruption. The insurers have also submitted a claim to the UN.

Publicity painted the UN Compensation Commission in glowing terms:

"It is 10 pm on a Sunday in Geneva. At a building out near the airport, the lights are still on. The staff of the United Nations Gulf War claims commission is still at work. The overtime budget has been exhausted, but the staff are working late anyway. Their sense of urgency, even

\textsuperscript{235} Interview, Senior Executive, Risk Management, British Airways, 1995
\textsuperscript{236} UN Compensation Commission. Form B
pleasure, resembles a political campaign rather than an international bureaucracy. People will be there at one o’clock in the morning ....

The Commission kept to its tight internal deadline of 120 days to decide each submission.”

Despite this reported heroism of the United Nations staff, which its critics would say is long overdue, neither British Airways’ nor their insurers’ claims had been paid six years after the Iraqi invasion. “We are not”, said a senior figure involved, “holding our breath”.

5.7 Mind that Missile: The Wakhan Corridor, January 1994

In the early 1990s India was the world’s biggest jumbo jam. Airliners bound for Europe, from Hong Kong, Bangkok, Singapore, Kuala Lumpur, Manila and other major airports, converged on India - most of them on Calcutta, and battled their way to Delhi; each exerted itself to obtain the higher flight level which would ensure that its fuel would carry it to destination. For aircraft turning north from Delhi towards Afghanistan it was imperative to achieve Flight Level 260 (26,000 ft), the minimum for border crossing. Afghanistan itself was not only an overcrowded bottleneck but also a radio black hole where more often than not contact with Kabul Air Traffic Control was lost for minutes on end. India had minimal radar coverage, supported by an Air Traffic Control which was neither uniformly competent nor uniformly helpful, and complemented - in the monsoon - by thunderstorms of lethal potential. Along this obstacle course, with all the dignity of an anarchists’ outing, jostled the world’s jumbos.

237 The Times, 12 Apr 1994 p34
When the Soviet Union finally withdrew from Afghanistan (15 Feb 1989), violent civil war continued. In late 1993, satellite reconnaissance and intelligence detected the presence of Russian Surface to Air Missiles with a high altitude capability in the west of Afghanistan close to the bottleneck airway, in an area controlled by an unpredictable faction.

In January 1994 British Airways and other airlines took the prudent decision to avoid Afghanistan, most rerouting over Iran. The new routings added between 15 and 45 minutes (dependent on route and winds) to the flying time to Europe. Rerouting incurs costs:

- Extra fuel burn
- Loss of payload (ie passenger and cargo revenue) due to weight of extra fuel
- Extra crew time
- Additional crews on standby at possible intermediate stops
- Intermediate landings (tech stops) to refuel
- Extra aircraft hours.

One source in British Airways estimates that the cost rate of fuel was £7.2m pa, of lost cargo revenue (from Hong Kong only) £1m pa, of intermediate landings £750,000 pa, giving a total for these items of approx £9m pa. A second source estimated the total costs (including for example aircraft hours) to be £17m-£20m pa. This is roundly compatible with the first, partial, estimate.

Although the hazard was international, and efforts to remove it were made by ICAO and the international community, BA made its own attempts to obtain an alternative routing. Largely through the diplomatic skills and efforts of its senior Pakistani official, BA negotiated another
route, the Wakhan corridor, over eastern Afghanistan. Initially this route was exclusive to BA, who made savings at the rate of approximately £20m pa. [Sources report that the official who made this possible was made redundant without warning and initially without notice towards the end of the negotiations. The saving of his salary, £10,000 pa, doubtless looked good in the budget of a cost-conscious manager. Against savings of £20m pa and a record of 20 years impeccable service it looks anything but good.]

Between October 1994 and March 1995, 95% of the relevant BA flights succeeded in routing down the Wakhan corridor, saving BA perhaps £10m.

5.8 Terrorism And Tourism

The World Travel and Tourism Council (WTTC) calls travel “the world’s largest industry” and tourism “the world’s largest employer”. It estimates the wealth creation of the former to be $3.1 trillion and the employees of the latter to be 130 million (1992 figures). [The Concise Oxford Dictionary offers three definitions of ‘trillion’: 1. A million million ... \((10^{12})\). 2. ... A million million million ... \((10^{18})\). 3. ... A Very Large Number. ...\(^{238}\). The third of these has obvious attractions to a researcher labouring to understand costs, and perhaps to the accountant who compiled them].

Regardless of the precision of the WTTC’s figures, it is clear that tourism is an important source of revenue and of employment in many countries. UK earnings from overseas visitors was £7,891m (1992)\(^{239}\). Egypt’s tourism ministry was expecting $4b and its tourist industry $5b for 1992-93. After terrorists targeted tourist attractions, the estimate was

\(^{239}\) CSO. Business Monitor Overseas Travel and tourism. MQ8, Quarter 1 1993, p 5
lowered to $2.6b. Tourist arrivals fell from 2500 thousand (1992) to 1975 thousand (1993-estimated). To Egypt, struggling with dire poverty, such losses are serious. If the government is not able to convince the population that the difficulties should be blamed upon the terrorists and not upon the government, then political instability may result and the terrorists will have achieved a success.

Loss of tourism will not have the same impact on a stable government or on a sound economy. However, it may hit the tourist and civil aviation industries hard, possibly bankrupting smaller or less profitable operations. It is not easy/possible to insure against such loss of revenue. At present (1997) the (Conservative) government does not acknowledge any responsibility in the matter, nor offer financial assistance to tourist or civil aviation industries suffering losses through terrorism. It is possible that these industries may decide to combine in a public and damaging attack on this government’s policy. Unfortunately any such publicity is likely to be an encouragement to terrorists.

Terrorists may target tourism or civil aviation for a variety of reasons: hostility to secularism (religious fundamentalists), hostility to tourist development (FNLC - Corsican nationalists - who were also hostile to tourism developers, allegedly linked to the Mafia), hostility to certain nationalities (anti-American terrorists), economic warfare (Egyptian Islamists, ETA), to coerce the release of captured terrorists (PFLP), publicity (most attackers), etc. Whatever the terrorists’ objective, one of the likely outcomes of attacks on tourism is a drop in revenue to civil aviation.

240 Financial Times. 22 Apr 1993, p vi
Terrorism can inflict revenue losses upon the civil aviation industry through a variety of mechanisms. Only occasionally is the industry the target; the prime examples being the Palestinian targeting of El Al and TWA. In these cases, although the reason for the attacks was political hostility to Israel, the airlines themselves were targeted for their commercial contribution (El Al) or air services (TWA) to Israel. More often the industry is an unfortunate third party, an accessible surrogate for the state in which it is registered.

The industry will also lose revenue if terrorism, or the fear thereof, results in a local or global reduction in air travel. In some cases the tourist industry is the victim of attack intended either to reduce the revenue from tourism, or to humiliate the government, or to gain publicity. In other cases, when hostility to foreign tourists is the motivation, the tourist industry itself is the target; hostility to tourists has not, to date, led to attacks on aviation.

There is a number of countries in which tourist revenue has been depressed; one is Egypt. Another is Sri Lanka, where long-term-insurrection has seriously depressed tourism since 1982. For several years British Airways withdrew its services entirely. Not only was revenue falling but there also were well-founded security fears. The destruction of an Air Lanka Tristar at Colombo Airport demonstrated the insurrectionists' capabilities. Tourists are sensitive to the presence of violence, even when the threat is of misfortune, and not of intent.

In parenthesis it should be noted that damage to tourism and aviation revenues can be an objective of non-terrorist groups. Aviation was the target of semi-violent protest by animal rights groups in Great Britain in 1995, opposing the export of live animals to the Continent.
Seekings\textsuperscript{241} gives examples of successful political campaigns which focus on reducing the tourism earnings of their targets. She mentions the successful use of boycotts on states not ratifying the Equal Rights Amendment by the National Organisation of Women 1977-82 which cost them "losses of convention revenue ... in the range of millions of dollars." More significantly she cites a second case:

"A more dramatic case concerns Mexico in 1975. In November of that year the United Nations passed a resolution condemning Zionism as racism ... Mexico was hit hardest by the US boycott ... A Jewish campaign of advertising and letter writing against holidays in Mexico was instantly unleashed. 80\% of (Mexico’s) tourists were American and Mexico’s (UN) vote cost $30m-$75m in vacation and convention trade ... Unfortunately for Mexico something similar had occurred some 15 years before when Mexico allowed itself to display sympathy with the nascent Cuban revolution ... A reduction in tourism, a withdrawal of funds and a fall in investment, (did) serious damage to the Mexican economy.

The (1973) ‘Jewish affair’ demonstrates how dependent Mexico was - and remains - on the United States and how vulnerable to pressure from that quarter. With tourism supplying about 13\% of Mexico’s current account earnings, and with a current account deficit of nearly 1,650 million dollars in the first half of the year, the Jewish campaign was obviously extremely hurtful.\textsuperscript{242}"

The Jewish lobby achieved its political objective of removing Mexico from the nations at the UN which condemned Zionism as racism (for which the conduct of Israel makes a good case). It was a clear demonstration that a malleable government is vulnerable to attacks on

\textsuperscript{241} SEEKINGS, Kate. \textit{Politics of Tourism.} London: Tourism International, 1993
\textsuperscript{242} Latin America (1975). Mexico: An Eye for an Eye. \textit{In} Kate SEEKINGS, ref 241, p 33
earnings from tourism. There is irony in the Jewish lobby's successful use of non-violence in a very dubious cause, while the Palestinian use of violence in a legitimate cause met with no success at all.

The lesson to be drawn is not that attacks can effect a change in government policy. It is that non-violent pressure can be effective in situations where violence cannot. Governments can concede no more easily to terrorism than they could surrender in a conventional war. In each case capitulation would cost the government its credibility and it would inevitably lose office. Thus a government facing serious terrorist activity is fighting for its own life, and fight it therefore will.

The reduction of tourist revenues (by peaceful means) offers a fittingly appropriate pressure upon countries careless of tourists’ security. Greece was the source of profound irritation throughout the 1970s and 1980s both for its overt connivance with Palestinian terrorism and for its persistently and deeply flawed standards of aviation security. The final straw was the hijack of TWA 847 by Shiite terrorists after it took off from Athens (14 June 1985). Their conduct to the passengers was particularly foul and barbaric - they tortured and murdered a young US Navy diver, Robert Stetham. The hijack lasted 17 days and became a media event, with the cooperation of- if not at the instigation of - major US television networks. The US government was deeply angered and President Reagan issued a Travel Advisory on Greece (advice to US citizens not to visit Greece because of lax security). The result was "... a (suggested) 60% shortfall in tourist receipts, ... catastrophic to the Greek economy".243

243 WALLIS, Rodney, Combatting Air Terrorism. New York: Brassey’s. 1993 , p 47
The quantification of the effect of the Travel Advisory against Greece would require careful analysis. A series of events in 1985-86 depressed tourism and civil aviation: the TWA hijack 14-30 June 1985, destruction of an Air India B747 over the Atlantic 23 June 1985, Egyptair hijack 23 November 1985 (another barbarically conducted action, culminating in a disastrous intervention by Egyptian commandos), paramilitary attacks on Rome and Vienna airports 27 Dec 1985, bomb explosion on a TWA B727, over the Mediterranean, 2 Apr 1986, reprisal attack on Gadaffi by the US Air Force, 14 Apr 1986. Factors with no connection with terrorism also effect revenue, whether single events (radioactive explosion at Chernobyl, 26 Apr 1986) or general considerations (global and local economic boom or recession). Therefore, to attribute a specific figure of revenue loss to any one of the terrorist events is foolhardy unless it has been derived from careful econometric study. However, as a consequence of their economic losses, the Greeks made efforts to improve Athens airport security. Experienced observers of Athens were not convinced of the quality and durability of the improvements; British Airways continued to supplement the result with its own separate security processing. Nonetheless the FAA Travel Advisory was established as a powerful economic weapon, and a useful energiser of vexatious governments.

The events of 1985-86 had a clear effect upon the number of overseas tourists to the UK; the total 13,897 thousand visits was down 3.8% on 1985; the total visits from N. America was down 25%. Despite this the 1986 revenue from overseas residents was up 2% - though doubtless down on projection.\footnote{CSO, ref 239, p 3}

Comparison of the effects on airline revenue of a serious aircraft accident and of terrorist attack would yield insight into passenger behaviour. There is unfortunately no generally
agreed relationship between accidents and revenue. Each airline is a different case and, happily, there are too few accidents to generate a statistical overview. Surprisingly many of the serious books\textsuperscript{245} on air safety do not even examine the subject. Several learned Papers\textsuperscript{246} examine the effects of accidents on airlines' stock market rating, but not on passenger revenue. The FAA Paper "Revenue Losses to Terrorism" observed that PanAm revenue was rising when one of its B747s was involved in the world's worst aviation accident, a collision with a KLM B747 (Tenerife, 27 March 1977, 583 fatalities)\textsuperscript{247}, and that PanAm's revenue continued to rise.

The public is likely to perceive that airlines have much more control over air safety than over terrorism. Therefore a terrorist atrocity may be predicted to have a bigger effect on passenger confidence - and therefore revenue - than an accident of similar magnitude. In parenthesis it should be noted that PanAm was not seen to have been responsible for the Tenerife accident, whereas its contributory culpability for Lockerbie was widely alleged. This can only have increased its consequent revenue losses.

According to a lengthy Economic Intelligence Unit report, terrorist activity in tourist destinations may be usefully categorised long-term, on-going and uncertain, or short term. Consequent revenue losses tend to fall into the same categories.\textsuperscript{248} This same EIU report quotes a study (no reference given) by Israel's Ministry of Tourism which finds that, for external disruptions to tourism in Israel, the recovery period was approximately two years.

\textsuperscript{245} TAYLOR, Laurie. \textit{Air Travel How Safe Is It?} Oxford: Blackwell, 1988
\textsuperscript{248} EIU Travel and Tourism Analyst, #2, 1994.
The FAA Paper quoted above suggests that it takes "about a year for the traveling public to get over a terrorist incident". The same paper points out that airline revenue recovery may in fact reflect effective management activity rather than the return of the lost passengers.

There is therefore a suggestion that airline revenues may recover from a terrorist incident more quickly (perhaps a year) than countries' tourist revenues (perhaps two years). It is relevant that terrorism within a country tends to be persistent whereas terrorist attacks against aviation are normally single, isolated, instances. However the example of PanAm shows that perceived culpability is potentially fatal to an airline.

In summary, to assess revenue losses from terrorism, account must be taken of the magnitude and duration of the terrorist threat, the volatility of the potential travellers (country of origin, purpose of visit), and the credibility of the counter-terrorist measures; due cognisance must also be given to factors unrelated to terrorism.

5.9 Economic Effects On HMG

The United Kingdom's earnings from overseas visitors was £7,891m (1992).249 22% (£1,743m) of this sum derived from visitors from North America and perhaps 8% (£674m)250 from Japanese visitors. North American visits to Greece dropped 25% at the time of Reagan's Travel Advisory (1985-86); Japanese visits to the UK dropped by 19% in the year of the Gulf War. Using those percentages as a index of tourist sensitivity to terrorism, the

249 CSO, ref 239, p5
250 Researcher's broad estimate from CSO data
suggested potential revenue loss to the UK is £563m in a hypothetical year of worst case terrorism. [Revenue from other visitors is assumed constant; N American and Japanese are thought to be the most sensitive to danger]. This figure, estimated by the researcher, is in the same order as the $700m estimated loss of tourist earnings (Egypt, 1985), but nearly ten times (ignoring inflation) the estimated loss to Greece ($100m, 1985). As an indicator of potential losses to the UK (a country with law enforcement standards seen to be much higher than Egypt and a government of integrity and competence not expected in Greece), the figure is likely to be a serious overestimate. This is intended, and serves to underline the conclusion which follows. This figure, approximately 8% of average overseas visitor revenue (1977-1992, constant 1990 price) was exceeded by the revenue fall in 5 of the 16 years reported. As a revenue loss it is therefore serious, but neither unprecedented nor cataclysmic to Britain’s macro-economy.

To the units of the micro-economy, guest houses, hotels, tourist attractions, smaller or unprofitable airlines, etc, the concomitant revenue loss spells potential bankruptcy. This would not greatly concern - and thus would not influence - HMG, unless and until such organisations set up a high profile pressure group, and loudly and publicly harass the government.

The costs of terrorist attacks (PanAm 103 £500m, St Mary Axe £350m, annual tourism loss £563m) are huge. They make spectacular headlines and imply serious terrorist damage to the economy. This conclusion is erroneous. Most losses to terrorism in GB are borne not by HMG but by commerce. In some cases the loss is covered by insurance and therefore should not be regarded as a loss, but as a business cost. In the other cases the loss is carried where it falls, by the retailer, hotelier, airline or other; they may not be in a position to
take out insurance, either because of the difficulty of quantifying the relationship between
the loss and terrorist activity, or because there is no methodology to quantify the loss itself.

In GB the infliction of an economic loss upon commerce, even if it bankrupts individuals or
organisations, is in itself most unlikely to advance any terrorist cause. [An exception would
be a commercial operation which was itself the target - not the incidental victim - of a hostile
group; for example the cargo airline which was forced to stop transporting live animals to the
Continent by animal rights organisations (GB, 1995). In such cases the terrorists are not
seeking to reach beyond their victim to Her Majesty’s relatively invulnerable Government.]
Economic loss inflicted on commerce does nothing to advance the territorial ambitions of
Irish republicans or the Palestinian dispossessed.

The national economy of Great Britain is not vulnerable to terrorist action. The £350m costs
of the St Mary Axe bomb (which did not fall upon HMG) represents 0.000496% of Great
Britain’s £706,211m GNP or 00116% of the £302,600m Total Government Expenditure
(1995). A notional threshold of public embarrassment, and thus real damage to the
government, might be the need to raise income tax by 1p; this equates to £1,600m pa.
Central government has been paying the costs of compensation in Northern Ireland since
1974. The total for the past 22 years (1974-96) is £1,156m; it covers damage and injury
from both terrorism and crime (which, in Northern Ireland, are not easily distinguished).
Thus the costs of 22 years of serious terrorist violence do not amount to the equivalent of 1p
on income tax in a single year. Between 1939 and 1945 the United Kingdom fought an
economically crippling World War. In 1990 it dispatched its armed forces to resist Saddam
Hussein’s invasion of a country 4,000 miles from Great Britain. The BSE alarm is expected

251 Interview, CSO, 12 Jul 1996
252 Interview, The Treasury, 11 Jul 1996
to cost Great Britain £2,500m over 1996 and 1997. On Black Wednesday, the attempt to
defend the pound against international currency pressure cost the country £4,000m in one
day. Seen in true perspective, the costs of economic damage inflicted by terrorists on Great
Britain is of no significance.

Other effects are important. Two can be distinguished: the first, public or political activity by
the victims, will put some pressure on HMG. It is theoretically possible but highly improbable
that they will influence HMG policy in the manner that the terrorists would wish; HMG’s
steadfast aversion to terrorism as a mechanism of negotiation is well-established. The
second effect, the publicity given to the economic damage, is central to the progress of the
terrorists’ campaign. It provides the entry point to the battleground of real importance, the
media. Not only do media reports of £N millions of damage generate self-satisfaction in the
terrorists, but also the reports themselves give the illusion that the economic damage is of
consequence. It is not. The publicity is. It gives solipsistic feedback to the terrorists and the
false impression to the public that the terrorists have damaged the country.

It is most unlikely that HMG will be moved from its policies by economic damage. In
liberal democracies, the over-riding influence on government is public opinion; in
Great Britain this relationship owes more to the principles of democracy than to
cynical vote-chasing. It is in the media in which public opinion is determined: the
government is tried - competent or inept, and the terrorists are examined - Davids
fighting Goliath or mindless murderers achieving only their own satisfaction.
Unfortunately, any mention in the media gives narcissistic encouragement to terrorists
as well as implying credibility to their supposed cause. This gives rise to the

254 BBC2 News, 0800 hours, 26 June 1996
255 The Spectator. 12 Jul 96
fundamental dilemma which handicaps articulate counterterrorism. The more the
government speaks out against terrorists, the more their importance is implied.
Conversely, the fewer the statements refuting terrorists rationale and denigrating their
methods, the more their apparent legitimacy. The real battleground is not runway 28R
at Heathrow or St Mary Axe, but the courtroom of public opinion.

Therefore, in assessing the economic costs of terrorism, it is important to be clear
that, in themselves, they are of no consequence to the government of an affluent,
stable, liberal democracy. Terrorists who believe that they can influence HMG policy
by inflicting economic damage delude themselves. Unfortunately delusion and self-
satisfaction are the mainsprings of terrorism.

5.10 Conclusion: The Economic Failure of Attacks

Contemporary international terrorists who target liberal democracies do so in
furtherance of local territorial objectives (PIRA, Palestinian/Middle East groups) or of
global ambitions (Islamists). Some seek to influence the policies of liberal democratic
governments by inflicting economic damage. Political extremists (Red Army Faction,
Red Brigades) or single-issue terrorists (Animal Liberation Front) may see economic
damage as an end in itself, though in all probability it is not damage but disruption of
activity which is their objective. In general terms they are not a current threat to civil
aviation.
Stable, affluent, liberal democracies have economies and governments which can withstand the devastation of full-scale war. It is not possible for terrorists to inflict economic damage upon them which they could not sustain. Not even by recourse to nuclear, biological or chemical weapons. Serious escalation by terrorists of their activities would provoke their obliteration long before they achieved their aims.

Economic damage, although powerless directly to harm government, can be catastrophic to commerce. In Great Britain the potential costs of a bombing campaign on the mainland led reinsurers - risk assessors par excellence - to withdraw from the market (1993). Active terrorism can reduce tourist revenue to Great Britain by perhaps £560m in a single year, threatening bankruptcy to many businesses. Loss of passenger revenue to a major airline, British Airways, may amount to £10m-£20m for a single, non-culpable event. For an event in which there were serious allegations of culpability (PanAm 103), the cost of forfeited passenger revenue was $400m. Economic damage is not threatening to government; it is life-threatening to commerce. This is ironic; the government, the target of terrorism is unscathed; commerce, inconsequential to the terrorists, may be devastated.

The irony is compounded in Great Britain. HMG espouses a two-pronged policy; it imposes upon its civil aviation industry (perhaps) the highest standards of aviation security in the world, whilst itself making (probably) the smallest financial contribution in the world. It neither funds the industry’s costs of aviation security nor pays the industry’s premiums for War Risk insurance (which covers acts of terrorism). It
recovers the associated police costs from the industry. HMG's policy brings to mind the phrase 'power without responsibility'.

The industry has not made thoughtful or serious endeavours to contest this situation. It does not appear to have an established methodology with which to cost the effects of attacks, or with which to calculate the revenue loss arising from the disruption or non-availability of aircraft. It is thus not in a position to assess the total costs of terrorist disruption of its operations; therefore it cannot apply careful cost management, nor assess the desirability of taking out insurance against such losses, nor challenge HMG with the financial facts.

HMG's two-pronged policy has inflicted significant damage upon the industry; the concomitant security costs have undermined its international competitiveness; the survival of marginal operators has been prejudiced. The industry has contributed to its predicament; its failure to research its security costs has prevented it from making any credible protest. Thus the injury to the economy of Great Britain has been self-inflicted, the product of the policy of HMG, compounded by the acquiescence of the civil aviation industry.

This section of the research concludes that the costs of economic damage to an affluent liberal democracy (or indeed to any affluent country) do not advance a terrorist cause by one iota. However the consequent publicity is of great importance. It gives solipsistic satisfaction to the terrorists and their supporters. It gives the general public the impression that the economic damage is important. The
government, having failed to prevent the attack, is placed in a situation from which it is difficult to emerge with an enhanced reputation; stern measures will be criticised by civil rights activists and by terrorist fellow-travellers, and weak measures by those unsympathetic to murder. Economic damage, itself an irrelevance, is an entree to the key arena, where terrorist resolve and anti-terrorist resolve meet and where the public's attitude to the conflict is decided.
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6.9 APPENDIX 1: INTERNATIONAL ENACTMENTS

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6. THE BRITISH RESPONSE TO ATTACKS ON AVIATION

"It is now for the Geneva institution to prove that it intends to live up to the confidence placed in it ... It is for you .... to derive from the ... outrage the lesson it teaches in order that international solidarity, effectively put into practice, may render such crimes impossible in the future ... A whole new set of international regulations must be drawn up. Political crimes must be suppressed effectively by international measures."

(M. LAVAL. French Representative, League of Nations Council Debate on International Terrorism, Nov 1934)²⁵⁶

6.1 Introduction

The bounds of international cooperation are tightly circumscribed by national sovereignty, autonomy and pride. There are grave differences between nations in matters of political philosophy, attitudes to and definitions of "political " offences, traditions of political asylum, legal codes, legal penalties and in their international relations with vexatious nations. Commercial interests have the power to dominate all of these for good or for evil. It is for good when trade ties forge links and friendly relationships which reduce the possibility of hostilities. It is for evil when lucrative trade is preferred to political action against atrocity.

This research suggests that the first Palestinian attacks on aviation (1968) were the inauguration of a new phenomenon, modern international terrorism. The world, not suprisingly, was unprepared. One international measure, the Tokyo Convention (14 Sept 1963), was in force. It gave formal powers to the aircraft commander and gave

²⁵⁶ M Laval's later actions were not as fine as these words
territorial jurisdiction over the aircraft to certain states, including the state of registry of the aircraft. The value of international conventions is examined in this Section. In essence they are ineffective unless translated into national policy. At the time of the first Palestinian hijack (23 Jul 1968) the number of countries which had ratified the Tokyo Convention was a grand total of five: Denmark, Norway, Sweden, Portugal and the Philippines. Few nations had any reason to be concerned with aviation security. There was no apparent need for national commitment to international cooperation.

Since 1968 the liberal democracies have improved their unity against international terrorism. The fact that several were driven to this position by self-interest, having declined to respond to the needs of others, is a window on the realities of international cooperation. And it is to the realities that attention should be directed. It is easy to compile a lengthy record of the labours of international organisations and the minutiae of their conventions and standards and recommendations and agreements. It is also misleading. To utilitarians their value is not their number but the realities of their implementation. Few stand up to investigation.

The British response to attacks on aviation has been amongst the best, if not the best, in the world. HMG's conduct has been laudable. The evidence is that both the system and the individuals involved emerge with credit. There has been a degree of openness in HMG which contrasts favourably with the guarded or arcane conduct of many governments. HMG actively has consulted a full range of interests and outside expertise through the mechanisms of NASC and the Select Committee on Transport. Ministers, politicians and civil servants have made themselves available on important
matters. Nonetheless there is no evidence of any attempt to make a holistic, strategic approach to aviation security (see Section 9). As a result the British response has been, and remains, ad hoc. There has been a serious structural failing, the failure of HMG to develop a cooperative relationship with industry. This is closely allied to the doctrinal predisposition of the Conservative administration (1979-1997) to transfer aviation security costs to industry.

Creditable and effective though the British response has been, the present attitudes and structure do not provide a satisfactory basis for the future progress of aviation security.

6.2 Response: The Challenge

6.2.1 At National Level

Aviation security is a joint venture of government and commerce. Many aspects of government have to be coordinated: politicians, ministries, police, and intelligence. All components of the aviation industry have a part to play. Thus a complicated matrix evolves. In few countries will there be one man in charge overall. In a major liberal democracy the Prime Minister may theoretically be the ultimate authority; in practice he is less likely to direct progress than to encourage consensus. In the absence of a powerful directing command structure and given the fundamental conflict between the priorities of government and industry, the scale of the task and the normal interdepartmental rivalries, it is inevitable that a nation's security countermeasures will be flawed.
6.2.2 At International Level

The matrix takes a different form in each country, supported by a different legal system, by a different level of competence and, most important of all, by a different level of commitment. To the international community falls the impossible task of coordinating these disparate national performances into a uniform international product. The international community is not widely known for its ability to act, let alone to act in coordination on a difficult, extensive, and highly contentious issue. The community includes both the countries which sponsor terrorism and the countries which are the targets of that terrorism. The picture is complicated by frequent role reversal: few countries are so principled as to eschew any involvement with terrorism (widely defined); there is no equivalent of a mutual ban on nuclear weapons. Most countries are selectively sympathetic to terrorism, condoning, if not facilitating, its use against their enemies. Least creditable of all are those countries which allow terrorists free rein to operate against their friends, having first negotiated immunity for themselves (6.3.2).

6.2.3 International Law

One fundamental principle underlies all international law: the protection of national sovereignty. From this derives the system whereby Conventions agreed at the United Nations are not binding upon a member country until ratified by its national government. Ratification is only the first step. It is not supported in international law by a mechanism of enforcement. Recalcitrants can be subjected to diplomatic cajolery. The option of trade sanctions is difficult to agree and more difficult to enforce. Much more important than
ratification is the next step: commitment to implementation, because it is only at national level that implementation can be achieved.

In the cases of countries themselves the targets of terrorism, the issue is more a matter of competence than of commitment. To countries not targeted, commitment is a burden. A previously neutral country may be put into the firing line by a stance against terrorism; it will have to enact domestic legislation and incur heavy costs primarily for the benefit of foreign nationals; it may be under pressure to accept the legislative competence of other nations (in their definition of terrorist offences, the methods of their police, and the integrity of their courts), and the extra-territorial application of their technical standards (aviation security procedures).

It may be regrettably, but it is not surprising that nations will dilute their sovereignty only in response to their own need, and not in response to the predicament of other nations. The manifestations of this have been criticised by many observers. In a paper which provides a useful survey of Conventions on aviation, a leading international lawyer wrote:

"Between 1930 and 1967, the highest number of hijackings of aircraft in any year was six. But in 1968 the number jumped to 38 ... In 1969 the total was 82 ... Hence ICAO responded with the 1970 Hague Convention for the Suppression of Unlawful Seizure of Aircraft. What was interesting to observe in the negotiations was that those states which believed that they were, for one reason or another, immune from hijacking were constantly dragging their feet. But as soon as one of their aircraft became the target of a hijack, they immediately turned into ultra hawks."257

6.2.4 The Nature of Umbrella Organisations

Organisations' characteristics can be identified; amongst others are its purpose, structure, and ability to exercise control. Clearly there are major differences in character between political, law enforcement, military, commercial, and umbrella organisations. All of these are involved in the response to attacks on aviation.

Umbrella organisations (ie those whose purpose is to represent the interests of their members) are generally ill-suited to managing change, by reason of their lack of authority over their members, the political nature of their top, decision-making, layer, and of the attitudes of their staff. They are central to the management of aviation security.

They are grouped at the two extremes of a spectrum. Highest in status is the United Nations and its aviation satellite, ICAO; it represents the governments of the world. The UN General Assembly is the point of international decision, though the word 'decision' is misleading; it has overtones of decisiveness and commitment, singularly inappropriate to issues which are not 'decided' or 'resolved', but merely subjected to a vote, which can then be ignored in part or in whole by any or all parties, including those who voted in support. There are no authoritative mechanisms for monitoring performance or for enforcing standards, unless the Security Council agrees to act. The 'decision' of lesser bodies, the General Assembly or ICAO, does not therefore decide anything outside the United Nations; it only removes the issue from the agenda, and thus effects only the proceedings within the United Nations.

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There are a few exceptions, NATO being the most notable.
Beneath the UN in the hierarchy are the various groupings of nations. In Europe the organisation with involvement in aviation security is not the European Commission but the European Civil Aviation Conference (ECAC), based in Paris. Membership derives solely from geographical proximity which, in itself, provides little motivation for joint action.

Lowest in the pecking order are the umbrella organisations which represent not nations but interested parties: passengers, pilots, other staff, airlines, and airports. This group is a confusing alphabet soup, IATA, ACI, AEA, AOA, IFALPA, ITF, UPU, BALPA, BATA, BARUK, IAPA, IOCU, AUC, WTTC (see Glossary) which conceals a rich mix of organisations, varying greatly in commitment, competence, size, and purpose. At one extreme is IATA; the International Air Transport Association, the organisation which represents the world’s airlines. At the other extreme are organisations which represent passengers. They normally lack both expertise and power.

This spectrum is of status. It is not of executive power. Umbrella organisations are not normally accorded, by those whom they represent, authority over those whom they represent. Even within the limited extent to which they are accorded authority, they have to be extremely cautious in its exercise, lest offended members withdraw from membership. Thus progress on any subject is likely to be laboured, any formal step being preceded by lengthy informal soundings, any plenary discussions being preceded by technical sub-group discussions, any resolution being couched in irresolute, anodyne language, and in no circumstances any effective enforcement mechanism being established.
To a greater or lesser degree, the overriding concern of all the organisations listed above is to retain all members in membership. The most senior level of the organisation is therefore political; it is at this level that the policy on a technical issue is decided.

An international umbrella organisation such as ECAC or IATA has some features in common with the national decision-making mechanism in a democracy; interested parties have the opportunity to seek to press their viewpoint before the issue is decided by a democratic process. However the differences are paramount. A leading democratic nation has a need to direct the activities of its executive agencies, ministries, police, airports, et al; it has a more or less coherent policy which shapes its decisions; it has high calibre permanent staff (civil service), motivated by a tradition of public service; it has an overall decision-making body (the Cabinet in GB). Most important of all, it has authority over its constituent parts which they not only acknowledge but also rely upon for their direction and for their own authority. In final analysis the international umbrella organisation is likely to have none of these.

The structure of umbrella organisations does not encourage forcefulness in their personnel. The most senior positions may be filled by compromise candidates or perhaps worse, by individuals whom constituent organisations are seeking to discard. The researcher has seen this mechanism at work in IFALPA for many years. Member Associations will often manouver to IFALPA pilots who are in conflict with their colleagues, or as a reward for long service. Thus the international organisation may find that a preponderance of its directors are old or difficult, or both. The occasional high calibre individual will find himself isolated; he is unlikely - by reason of age or temperament - to remain in office for long enough to
effect lasting improvements. Similar observations have been made about IATA\(^{260}\). The permanent staff of such organisations - in self-defence - learn to eschew initiative and forcefulness of activity, both of which are sources of discomfort to their directors, and therefore of hazard to themselves. In international organisations (UN, ECAC, IATA) which offer salaries or benefits (tax-exemption) of a generosity unobtainable elsewhere, there is an added structural predisposition for the staff to lie low in the interests of job security. The formulation of performance targets, let alone their agreement, is inherently difficult for umbrella organisations. Therefore objective measurement of their competence is difficult to the degree that it is hardly attempted. Those involved in international organisations are unkindly said to be in the happy position of being paid by all but answering to none.

Although umbrella organisations can and do develop collective policies when a common interest has been clearly established, their value should not generally be measured by their capacity for executive action, which is low. Their value is as a forum for the communication of political standpoints, and thus as a means of managing conflicts. They also provide a forum for the exchange of technical information, which in aviation security enables the technically more advanced to assist and encourage the others towards higher standards.

Thus umbrella organisations, despite structural defects and despite appearances, do fulfil a valuable role. They are catalysts in the process of change.

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\(^{260}\) Interviews with serving and former IATA senior staff.
6.3 The International Response

6.3.1 Sovereignty And Host-State Responsibility

When country A lays down the aviation security standards required of its airline, an immediate problem arises when one of its aircraft lands in country B. Who is to be the provider of those standards? Is it to be the police, airport or other agencies of country B, who would thus be subject to the demands of country A? Or is country A to be permitted to establish its own operation, with mini-sovereignty on the territory of country B? In any case, this is likely to be unfeasible for practical reasons of terminal design.

The obvious answer is for the two countries to adopt common standards. This would eliminate the most serious problem, albeit leaving some difficult questions on inspection, and on legal liability. The researcher knows of no two countries (1997) which have either agreed a common set of procedures, or which have agreed to accept each other's procedures. This is an indication of the extreme difficulty of translating even the friendliest of relations into a bilateral agreement on a controversial issue. Host-state responsibility remains an intractable problem and, given Great Britain's high aviation security standards, continues to prejudice British aircraft overseas. At the time of writing, 28 years after Palestinian attacks on aviation began and 8 years after the atrocity of Lockerbie, Great Britain has neither bilaterals nor alliances on aviation security standards with any other country; Eurosceptics will note, without surprise, that this includes Great Britain's European partners.
It is more surprising that Great Britain and the USA, the most solid of allies in times of trouble, have not risen to the new challenge presented by terrorism. The USA's unstinting financial and military support of Israel, despite the latter's staggering record of self-advancement by misconduct, has gained it the enmity of the most virulent aviation terrorists. It has therefore deployed its considerable powers to protect its international aviation operations, including inspections of security overseas. US inspection of British security enforcement is considered by HMG to be an unacceptable infringement of sovereignty. The impasse has been resolved by allowing US inspections of US airlines' procedures only. Whilst at first sight the US insistence upon its airlines being provided with the highest standards of security overseas seems to be entirely admirable, its inability to provide the same standards in its own territory is a serious lacuna by no means unprecedented in American international conduct. Additionally, until the loss of TWA 800, (17 Jul 1996) the US Government had applied minimal security standards to its domestic air services, and on very tenuous grounds; as a result, security at American airports was inconsistent to a degree that would have been intolerable to an efficiently managed British airport. Additionally, US carriers, who are rightly known for the paucity of their commercial scruples, have sought to exploit security to their advantage. In Great Britain there is therefore considerable scepticism about American conduct. If the USA attempts to implement the Hatch Amendment, it will find itself isolated and facing unanimous opposition from the international community.

The fact remains that the USA has been prepared to commit the ultimate diplomatic solecism - challenge national sovereignty - to safeguard the lives of those who fly on its aircraft. It showed similar understandable impatience with international sloth and ineptitude by intercepting an Egyptian aircraft carrying the Achille Lauro hijackers over the Mediterranean
(11 Oct 1985), and by arresting Fawaz Yunis, a hijacker, in international waters (13 Sept 1987). Extra-territorial action is legitimised by US domestic anti-terrorist legislation, the international legitimacy of which is strongly questioned\textsuperscript{261}. Certainly such actions create a very dangerous precedent; many nations face terrorist adversaries; if each felt free to intercept civil aircraft on which one was, or might be, travelling, then civil aviation would be seriously endangered. However the US actions were more a product of frustration at the shabby conduct of other governments (Egyptian and Italian in the above cases) than of US gung-ho. In the absence of international procedures and of national integrity, the targets of terrorism cannot be blamed for fending for themselves.

HMG has been steadfast in its adherence to the principle of national sovereignty. It has doubtless been driven by unwillingness to concede British national sovereignty, whether to the USA wishing to inspect UK security procedures, or to Israel and Middle Eastern countries wishing to arm their security personnel, or to other encroachments on the British rule of law. The consequence is that HMG is hamstrung, and cannot coerce fellow-countries into remedying aviation security deficiencies. This gives rise to the major problem: how to ensure that adequate standards of security are applied to British aircraft overseas.

The first possibility is that of persuasion by diplomatic pressure. The second is coercion of British airlines to guarantee standards overseas. The third is to view the problem as insoluble, and avoid it. In practice all three are essayed.

One of the advances in British aviation security which followed Lockerbie was the active participation of our diplomats overseas. Prior to Lockerbie their involvement had been

minimal and without specialist training. Following Lockerbie, Post Aviation Security Officers (PASO) were established in all major embassies. Properly briefed on the importance and detail of aviation security, they began to fulfil a valuable role in the monitoring of local standards, and in the diplomatic encouragement of improvement.

The Department of Transport was repeatedly pressed (1989-1993) by British airlines and by the British Airline Pilots Association (BALPA) to tackle the issue of security standards overseas. In 1990 the DoT established a senior post, Principal Aviation Security Inspector (Overseas). Until 1994 he and his staff of Inspectors carried out inspections overseas. Their work was valuable, offering expertise and encouragement to airport and security managers. Their potential was circumscribed by their want of means of enforcement. The researcher met one Inspector at an airport with serious security deficiencies. The Inspector, asked about his powers to coerce rectification, replied that HMG had none. He explained that normal procedure was to alert the US Federal Aviation Agency, and to indicate that a strong intervention would be to mutual advantage. BALPA repeatedly pressed HMG to be more forceful in its relations with recalcitrant countries; the pilots' concept was that passengers on British aircraft should be assured that every possible step had been taken to ensure their safety and security. HMG did not find it possible to exceed the bounds of normal diplomacy. Tactfully, British overseas inspections were restricted (in theory) to British airline operations. In practice it is not possible to isolate such operations from those of the airport. The DoT thus accumulated a file of evidence of aviation security deficiencies which it was powerless to remedy. It therefore ceased to carry out overseas inspections, charging British airlines with the responsibility (and liability) of ensuring adequate standards, a task

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262 Interview with DoT Inspector, 1992
beyond the capabilities of HMG. This is one of the reasons for the serious tensions that exist between the industry and HMG.

It was never persuaded to issue US-style Travel Advisories (advising passengers not to travel to certain destinations, or informing them of observed security deficiencies). Such advisories can have great impact on tourist revenues, and a salutary effect; the example of Greece (1985) has been discussed (5.8).

A similar mechanism does exist. It is used by the Foreign Office to inform British nationals of locales made dangerous by criminal, insurrectionist or other activities. It has yet to be used to embarrass governments with flawed aviation security standards. There are good reasons for this course of inaction, as well as bad ones. Firstly it is undesirable to inform terrorists of the airports which professionals assess as insecure. Secondly there was (1990-95) the difficulty of achieving the consistency to which HMG's culture of integrity aspires. Many, if not most, airports of the Third World had desultory security standards by reason of poverty or incompetence or corruption. Some of the world's most scrupulous and competent countries had security standards which were generally excellent, but which included one or more major deficiencies. Amongst these was Great Britain. Some close allies had standards that were dismally inadequate, but accompanied by an amour propre of extreme sensitivity.

France was the classic example. Prior to recent moves to privatise airports, security was the responsibility of a multitude of rival police forces and agencies. BALPA received more reports from pilots on deficiencies at Paris Charles de Gaulle than on any other single airport in the world. Delegates to international security conferences in Paris used to offer modest
bets that the security officer at Paris CDG responsible for inspecting cabin baggage would not be looking at his x-ray screen as the baggage passed through; few were willing to bet against what was assessed as a certainty. The Foreign Office reported that its best efforts, deployed over several years, had been unavailing.

The diplomatic repercussions of issuing a Trade Advisory on flights to Paris would have been daunting. Thus the dilemma is whether Travel Advisories should reflect only standards of security, or whether they should be issued in cognisance of wider issues. This is a manifestation of the single issue versus multiple agenda dilemma which always arises when a technical issue is referred to a senior, political level for final decision.

The criterion in all such circumstances should be: how is security best advanced? The answer depends upon the nation involved. In the USA recourse might be made to powerful public interest organisations; in France intimations might be made to a senior politician of possible personal public embarrassment; in Byzantine Greece the international pressure of a Travel Advisory might be the best means of obtaining the required wide-spectrum response; in Africa the allocation of funds to the purchase of equipment and political commitment would give best results. The danger of strong action which will be deeply resented by the recipient, is that the relationship between the two countries will be badly damaged, to the prejudice of other issues. The USA was in an overwhelmingly powerful position (1985) relative to Greece, and so was impervious to a damaged relationship. Great Britain is not in the same happy position relative to France.

At the ECAC Aviation Security Symposium in Paris (November 1990) a delegate from the industry, to retrieve debate from the comfortable question of difficulties in Africa to the less
comfortable subject of incompetence in Europe, cited in a speech "one airport in Europe about which had generated more complaints from pilots than the whole of Africa". Many delegates were well aware that the airport in question was Paris Charles de Gaulle, and awaited, with interest, the possible and entirely justified condemnation of French security standards. However the speaker obviously decided that a public statement would have been a discourtesy and counterproductive. Thus the Foreign Office was not alone in its caution. Having observed the slow pace of improvement of European aviation security since 1992, the researcher feels that an occasional discourtesy would have been worthwhile.

Such caution is not the product only of good reasons. There are less worthy reasons. They all stem from HMG's reluctance to place in the public domain its assessment that security of Country X is inadequate. Firstly this invites tit-for-tat public exposure of security deficiencies in Great Britain; these may indeed be few but would undoubtedly be sensationalised by journalists. Secondly it invites public criticism of HMG's failure to influence Country X to remedy the situation. Thirdly it invites accusations of irresponsibility if British airlines continue to fly to the deficient airport. Fourthly it disrupts the plans of the travelling public, and the schedules and profitability of British airlines. Finally it conflicts with the mores of diplomacy, an art form traditionally patient and private.

HMG has retreated from the issue of security standards overseas. The DoT has downgraded the post of Principal Aviation Security Inspector (Overseas) and redeployed the staff to other duties. It has resolutely refused to accept responsibility for the security of British aircraft overseas. Aviation terrorist activity (1968-96) has never reached the level at which the needs of aviation security have taken priority over national sovereignty and pride.
HMG may earn approval for its realistic assessment of the extreme difficulty of the issue. However it has passed the responsibility for security standards overseas on to British airlines. Thus the British civil aviation industry, with limited resources, the commercial imperative of profitability, no tax-raising powers and no embassies overseas, has the responsibility - and legal liability - to achieve something beyond the powers of Her Majesty's Government.

6.3.2 Sauve Qui Peut and Host-State Irresponsibility

When Middle Eastern terrorists embarked upon attacks on aviation their first target was their enemy, Israel (1968-69). They widened their targeting to include the USA (31 Oct 1969, 21 Dec 1969), Austria and Switzerland (21 Feb 1970), Greece (22 Jul 1970) and Great Britain (9 Sept 1970). Germany was first attacked in 1972 (22 Feb), and France was not targeted until 1976 (27 Jun - the Entebbe incident). Additionally Germany (10 Feb 1970), Italy (23 Jul 1968), France (30 Sept 1970) and Switzerland (18 Feb 1969) had been the site for attacks on other targets. Thus two separate problems were being posed by terrorists: targeting of a nation's aircraft and utilisation of a nation's territory as a battleground.

The reaction of European governments was to seek to avoid being drawn into the conflict. This was both understandable and correct, given the likely wishes of their electorate. The question to be examined is to what extent governments bought off terrorists.

Knee-jerk condemnation of governments negotiating with terrorists is not thoughtful. Part of a government's responsibility is to safeguard its citizens' lives by making peace with the nation's enemies and potential enemies. Wars end in peace treaties between adversaries who have devoted the preceding years to killing the relatives and friends of the negotiators.
opposite. And, obviously desirable though cessation of hostilities may be, it is a source of grave difficulty to nations; demands of unconditional surrender have prolonged many a conflict and cost many lives which otherwise would have been spared (the Allies 1944). [Equally, peace terms which allow enemy forces and armour to escape, are a similar failure of statesmanship (Kuwait 1991)].

Peace negotiation with terrorism has its own, and perhaps greater, problems. Firstly, terrorists, unlike a state, are not a legal entity; nations are therefore reluctant to "recognise" them; to negotiate with them is often seen as implicit recognition. Secondly, the diplomatic conventions of war do not apply to terrorist activity - there is no simple recourse to the accepted status of neutrality. Thirdly, it is the norm that a terrorist group will have some sympathisers outside its enemy nation (Israel and the Jewish lobby, the Palestinians and most Middle Eastern emigrants, the IRA and Irish-Americans, etc). Extensive emigration, and the freedoms of liberal democracies translate into widespread terrorist support activities, which include pressure on government to allow these activities as a political freedom.

Government difficulties are compounded when the target nation does not proscribe the terrorist organisation, but with good intentions acknowledges them in order to facilitate negotiations (Tamil Tigers 1996). How then can other governments ban their supporters? Finally, and perhaps paradoxically, it is less easy to coerce terrorists than nations. Nations can be bombed into signing and adhering to peace treaties; terrorists are not only more elusive, but better protected from harsh countermeasures by public sympathy - however ill-informed. Great Britain and the USA, the Castor and Pollux of the United Nations, have achieved only fragile cooperation against the IRA. Little wonder that the European Community prefers to engage the subject of cucumbers than that of international terrorism.
The two decades (1968-88) from the inception of international aviation terrorism to the Lockerbie atrocity was a period in which liberal democratic governments struggled to decide their policy towards international terrorism. Wadi Haddad's statement quoted earlier - if you are not for us, you're against us - is to be taken seriously only as the legitimising of terrorist actions. It was not a policy which decided terrorist targeting. Most early Palestinian attacks on aircraft (other than their enemy, El Al) had the simple and specific objective of coercing the release of one or more captured terrorists (USA - 29 Aug 1969, Greece - 22 Jul 1970, USA, Switzerland, GB - Sept 1970). Thus for a government seeking to keep out of the conflict, the first desideratum was not to have terrorists in its custody (and there were many instances of energetic inter-government pass the parcel)\(^{263}\).

The next step was to persuade terrorists to agree not to carry out operations on the nation's territory or against its nationals. Such agreements effectively offer the terrorists diplomatic immunity. Terrorists therefore have the freedom of one nation to operate against that nation's closest allies. Connivance of Italian and Greek and French governments with Middle Eastern terrorists is documented, and widely believed.\(^{264}\) They are all members both of NATO and the EC. All have had, at some time in recent decades, a regime little admired abroad by reason of its criminality; corruption or self-bestowed divine right to absolute selfishness. It is clear that trade and diplomatic ties with their allies were stronger than the strains of their clandestine policy towards terrorism. Allegations have been made against other governments but no evidence has been published.

\(^{263}\) Information from security expert
\(^{264}\) Yonah ALEXANDER & Dennis A PLUCHINSKY. *European Terrorism Today and Tomorrow*. New York: Brasseys, 1992
Were hard evidence of Britain's European partners consorting with terrorists to be published, an interesting situation would arise. The UK's strong alliance with the USA has not been seriously threatened by Irish-American support for the IRA; this support has come not from the US government, but from within a small community. Europe is different in three respects. Britain's ties with, and affection for, Europe are relatively fragile. Several countries in Europe have been either enemies or less than heroic allies in two World Wars. Connivance with terrorism in Europe has been at government, not ethnic minority, level. And Great Britain's attitude to Brussels, the supposed harmoniser of national interests, is one of deep scepticism. If the European Continent provides a safe haven for future terrorist attacks on Great Britain, a great strain will be put on Britain's ties with Europe.

This is an unlikely scenario. Countries who have supped with terrorists have all found that no spoon is long enough. France allegedly bought immunity in the 1970s and 1980s; the breakdown in the agreement was marked by a series of atrocities in Paris (1985/86). Her alleged breach of agreement with the terrorist-sponsoring regime of Iran265 (to release Anis Naccache imprisoned in France for the attempted murder of former Iranian Prime Minister, Shapur Baktiar in Paris) may have prompted the mid-air sabotage of a UTA DC-10 (19 Sept 89) in reprisal. The Italian Prime Minister, Aldo Moro, who allegedly allowed PLO terrorists to operate out of Italy266 was himself murdered by the Red Brigades (9 May 1978).

By the mid 1990s the widespread terrorism of the 1970s and 1980s (Red Army Faction, Action Directe, Red Brigades, Moluccan separatists, and Palestinian groups) had abated, having taught governments a hard lesson in terrorist management. It had forged a degree of

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266 RIMANELLI, Marco. Italian Terrorism and International Ties. In Yonah ALEXANDER & Dennis A PLUCHINSKY, ref 264, p 162
unity and had led to groupings of nations seeking a common stance (G7, Trevi). Currently (1997), France is facing active terrorism in a spill-over from the Islamic insurrection in Algeria. Piquantly, in view of her ambiguous, if not duplicitous role in previous decades, she is now seeking Great Britain's cooperation in detaining activists. Thus Europe slowly and tardily is developing a greater commitment to combating terrorism.

Questions of competence are still unanswered. Failed, or botched extradition proceedings are still reported. Terrorists emerge free from court proceedings. Great Britain, whose commitment to fighting terrorism cannot be doubted by any serious observer, is facing criticism from many countries for permitting political activists to use London as a base for fermenting dissent against friendly Middle Eastern regimes.

The question is no longer one of duplicity, or of commitment; it is one of competence. Governments have not yet formulated a policy, and legitimised it with legalisation, which copes with the presence of possible supporters of terrorism against other countries. However the past decades have demonstrated that terrorism is a problem common to half the countries of the world, and one which cannot be tackled successfully in the absence of a united front. The feebleness of connivance with terrorism has been exposed.

\[267\] The Times. End August 1996, Denmark to UK
\[268\] The Times. 7 Sept 1996, p 7
6.3.3 International Action and Enactments: UN and ICAO

The several Conventions enacted by ICAO have been well-explored from legal and other viewpoints. The aspect relevant to this research is their practical value.

These enactments provide a justification in international law for national legislation and conduct. This is valuable to nations wishing to take positive action against aviation terrorism. As already discussed, the enactments are not in practice enforceable against recalcitrant nations; at best they provide grounds for diplomatic pressure.

Some opposition to "anti-terrorist" enactment is understandable. The vexatious and unresolved issue of definition is central to the drafting of legislation. The difficulties which arise are manifest in UN proceedings. As an example, in the UN debate on a Convention on Hostages (1980) Middle Eastern and African countries were not prepared to agree to the outlawing of national liberation movements. This putative Convention, initiated by the General Assembly on 4 October 1976, was another example of response following events: the hostages held at Entebbe (26 Jun 1976) and the terrorist occupation of the German embassy in Stockholm (24 April 1975). The African countries resented the (extra-territorial) Entebbe rescue operation (29 Jun 1976). As a result Article 12 of the Convention permitted hostage-taking by national liberation movements, although this was already prohibited under the June 1977 Additional Protocol to the Geneva Convention. Thus the attempt to

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269 For example, FALLER, E. Aviation Security: The Role Of ICAO InSafeguarding International Civil Aviation Against Acts Of Unlawful Interference. *Annals of Air and Space Law* 1, 1992 pp 369-381

depoliticise hostage-taking foundered on the familiar rocks of definition and of conflicting
national viewpoints. There is nothing new about such differences:

‘... (April 1934) ... , the League of Nations intervened; resolutions were passed and committees
were established with a view to combating terrorism on an international basis. All these
exercises were quite futile for the obvious reason that, although some governments were
opposed to terror, others favoured it because it served their purposes. Three decades later the
United Nations faced a similar situation.’

It is now not three but six decades later and the UN has still failed to extricate nations from
the snare of international terrorism.

It is inevitable that the enactments are forthcoming only in response to terrorist action.
National sovereignty dictates that nations concede to the international community only that
smallest element of their national autonomy for which there is a demonstrable need. Thus
concession in anticipation of a possibility - but in the absence of hard experience - is not a
realistic ambition. [The nuclear arms ban could be cited in refutation of this generalisation.
It is not convincing, given knowledge of nuclear potential and of the behaviour of unstable
psychotic regimes, and the probable outcome of their coincidence.]

Thus the Hague Convention on hijacks (16 Dec 1970) followed the outbreak of international
terrorist hijacks (1968-70), culminating in Dawsons Field (Sept 1970). The Montreal
Resolution (21 Sept 1973) followed Israel’s military interception of an Iraqi airliner (19 Aug


This response-to-demonstrated-need-reaction is a feature of responses, both international (eg Proposal by Kurt Waldheim, Secretary General of UN following Munich Massacre, 8 Sept 1972)\(^\text{272}\) and national (eg US-Cuba Anti-Hijack Pact 1973, which helped to end the spate of local hijacks). Responses should not be condemned for being post hoc; this is inevitable. Less acceptable perhaps, are the standards of procedural and administrative competence of ICAO and ECAC (8.5.5). The difficulties of directing or motivating autonomous (national) delegates have already been mentioned. In the absence of performance targets, a certain weariness is often to be observed in international proceedings, and a readiness to accept any outcome as the best that realistically could be expected.

“As Doctor Sidhu [Secretary General of ICAO] emphasized, States throughout the world have given abundant proof of their political will to fight against acts of unlawful interference: the three Conventions relating to security, the Tokyo Convention (1963), the Hague Convention (1970), and the Montreal Convention (1971) have each been ratified by about 140 States. Likewise, the Supplementary Protocol to the Montreal Convention, adopted in 1988, to suppress unlawful action of violence at international civil airports, went into effect in record time, and at present there are 24 contracting parties.”\(^\text{273}\)
Contrast this rosy assessment with those of two outside experts:

"Despite the 17 intervening years between the enactment of the Montreal Convention and the drafting of the Montreal Protocol, ICAO's legislative technique has not improved to any noticeable extent. The 1988 agreement's very purpose was to strengthen the glaring weak points of the 1971 treaty and to overcome the ridiculous short-sightedness which enshrined so many loopholes in a convention which required absolute clarity in its wording. It is almost unbelievable that the route chosen by ICAO's member states to come to terms with these difficulties should be identical to that which failed in the past."²⁷⁴

"Futile treaties can continue to be negotiated in pleasant places to ease the minds of diplomats involved in the negotiation, national constituencies that confuse words with meaningful action, and statesmen concerned with making a pretense of action without substance."²⁷⁵

It would be misleading to overlook the qualitative values of such treaties as a means of encouraging and educating the international community, and as a means of fostering informal working relationships between nations, like-minded agencies and officers. However a quantitative assessment of the value of treaties is also illuminating.

The ineffectiveness of enactments in obtaining the cooperation of nations reflects the structural weakness of international law. Nor is it surprising that nations with a hostile intent, and which sponsor or pursue undeclared war, ignore the strictures of the UN. It is logical

that the weakness of the UN should stimulate more committed nations to seek progress in other forums.

6.3.4 Alliances and Bilaterals

It is a truism that, the more the parties involved, the fewer the common interests; it follows that both the terms of any common agreement and the adherence thereto will also be weaker. The UN and larger groupings exist to search out and establish common cause, if only that of conflict avoidance. They are ill-suited to the vital process of the enforcement of agreements. Implementation remains the role of nations and is dependent upon its compatibility with national purpose. Hence those nations seeking effective action must make recourse to smaller alliances.

Aviation terrorism is international and therefore should be combated internationally; faute de mieux, alliances and bilaterals emerge as islands of sanity in the international quagmire. None relate to the details of aviation security programmes; inconsistent (ie. inadequate) standards and host-state responsibility have proven to be insuperable barriers. Therefore alliances focus on the generalities of terrorism; bilaterals provide the easiest approach to the vexed issue of extradition.

An important alliance (G7), was that of the Group of Seven, the world's leading nations: USA, Canada, Great Britain, German, France, Italy and Japan. G7 issued unequivocal Statements from their meetings in Bonn (16/17 July 1978) and Tokyo (4/5 May 1986) and Venice (June 1987). However, even the world's leading nations are unable to match their firm words with equally firm actions. To give just one of many possible examples: included in
the 1978 Bonn Statement is the much-valued provision that, where a country refuses the extradition or prosecution of those who have hijacked an aircraft and/or does not return such aircraft, the heads of state or governments will take immediate action to cease all flights to that country, at the same time the governments will initiate action to halt all incoming flights from that country ... Afghanistan is the only country to have been so punished (1981). Action against a country in turmoil and of no commercial or diplomatic significance is risk-free and painless, and hardly an inspiring example of world leadership. Commercial interest is a fault-line at which G7 and other alliances are always liable to crack. However G7 serves a valuable purpose of securing the attention of Heads of State to the subject of terrorism, which otherwise it would lack.

The European Community's efforts have faced the same difficulties: not only the issue of national sovereignty, autonomy and pride, but also different political philosophies, different definitions of and attitudes to "political" offences, different traditions of asylum to political refugees, different legal codes, different penalties, different relations with Middle Eastern states (some of which are involved in terrorism) and different commercial interests. Again, to give one example of the resulting compromise, these difficulties are manifest in the European Convention on the Suppression of Terrorism (1977):

"Its main weakness stems from Article 5:

'Nothing in this convention shall be interpreted as imposing an obligation to extradite if the requested state has substantial grounds for believing that the request .... has been made for the purpose prosecuting or punishing a person on account of his race, religion, nationality or political opinion or that person's position may be prejudiced for any of these reasons.'
Furthermore, Article 13 allows signatory states to enter a reservation permitting them to reject a request for extradition on the grounds that the offence is of a political character, notwithstanding the fact that a listed offence is involved\textsuperscript{276}

Thus European conventions share a common tendency with United Nations conventions, which is to include what pilots call 'a cast-iron cop-out clause'. No hijacked pilot looks to international conventions for his salvation.

International politics are not the product of principle. They are both dominated and undermined by national need, national sovereignty, national autonomy, national pride and national economic interests. This last is a major stumbling block in the path of international cooperation. The Middle East is the fount of serious threats to security, both in the form of international terrorism and of open war. It is also the source of vital oil supplies and great potential wealth, temptations of which members of the anti-Saddam Coalition are cognisant. France's unwillingness to support the US Cruise missile attacks on Iraq (Sept 1996) were reported to relate to her eagerness to benefit from lucrative oil contracts.

"France has been at the forefront to end the UN Sanctions against the Baghdad regime and French petrol companies, including Total and Elf-Aquataine, have sent several delegations to Iraq during the past year to discuss the development of the country's oil fields if the embargo is lifted. In June Amer Rashid, the Iraqi Oil Minister, predicted that the embargo would be lifted by the end of the year and noted that oil contracts with French companies were US $4 billion..."
 (£2.56 billion) had reached a 'very advanced stage'. When Mr Rashid visited Paris last June no fewer than 70 French company heads turned out in order to meet him".\textsuperscript{277}

Even when international cooperation is apparently achieved, trade sanctions do not stop large scale clandestine trade. South Africa and Israel, both subject to international condemnation in the 1980s, established close and successful trade links both with each other and with Taiwan.\textsuperscript{278}

Arms and ordnance are vital to aggressive nations and to dictators. However, it has not proved possible to cut off their supplies. Nations find it difficult to resist the argument "if I refuse supplies, someone else will provide them and take the income"; the undercover arms trade is rich, powerful and well-organised and has access to the vast arms stocks of the former Soviet bloc. There are few examples of trade sanctions bringing recalcitrant countries into line. Nor do sanctions hurt dictatorial regimes. Saddam Hussein and his family squabble over luxury sports cars and base lucrative businesses on supplying goods which sanctions have removed from the open market. The Iraqi people may suffer, but unless they mount a successful rebellion, the decision-makers are uninfluenced.

\textit{It is unrealistic to expect the international community, as a whole, to unite in a prompt and effective response against attacks on aviation. Economic sanctions are notoriously hard to mobilise and even then disregard or evasion is the norm. Further, the less democratic the regime at which they are directed, the less beneficial is their effect. However agreements and bilaterals between countries with a common interest can be highly productive when they mandate cooperation in intelligence.}

\textsuperscript{277} \textit{The Times}, 5 Sept 1996, p 12
\textsuperscript{278} Interview with South African official, Jun 1996
counterterrorism and policing. Even where such agreements do not exist, there may well be cooperation between like-minded agencies, albeit at a less formal level. Such agreements between a small number of countries do not easily become the building blocks of wider international agreement, which is conditional upon trust and commonality of interest.\textsuperscript{279} In global terms, attacks on aviation are not a problem of magnitude sufficient to unite the intentional community. Unless that point is reached, the reality of international cooperation will remain a sad reflection of human nature. It should therefore not come as a surprise.

6.3.5 Extradition and Legal Processes

Publications which dwell on the number and content of international enactments give a not unfavourable indication of the international response to terrorism. Examination of the implementation of those enactments is less inspiring.

It proved impracticable (3.7) to compile a comprehensive record of the legal proceedings relating to terrorist offences, updating the FAA's 1986 Publication "Legal Status of Hijackers" and Murphy's 1992 work.\textsuperscript{280} However it is clear that actual (cf proclaimed) international cooperation has much improved on its sauvé qui peut, headless chicken, beginnings. This reflects the maturing process which liberal democracies have undergone. All the G7 countries have been the targets of serious terrorist groups; they have learned, the hard way, the need for international cooperation. A lofty tradition of terre d'asile is easy to maintain to the discomfort of other nations, but only until their cooperation on similar issues is wanted.

\textsuperscript{279} A senior policeman recently remarked that he would as soon confide in Interflora as Interpol (1997)

\textsuperscript{280} MURPHY, JF. Apprehension, Prosecution and Punishment of Terrorists. New Jersey: Roman and Allenheld, 1985
The need for an international response to international terrorism has been articulated for decades (League of Nations Debate, 1934, opening quotation to this Section). The conduct of liberal democracies in the face of a new form of an old threat does not reflect great credit on the statesmanship of the period (1968-88). Nor can the West claim that its noble efforts in the UN were subverted by the USSR. Certainly the Soviet Union was capable of mischief, and gave active support to many national liberation movements, including the Palestinians. Nonetheless from the 1970s it generally cooperated in UN efforts to combat international terrorism:

"... modern terrorists ... can blackmail any government ... The struggle against international terrorism is a common cause of all peace-loving nations."\(^{281}\) (Dmitry N Kolesnik, Soviet Representative at the UN, Nov 1972)

The failure by the West to coordinate an adequate response arose more from their own disparity, if not ineptitude, than from the machinations of the Soviet Union.

The adequacy of a nation's response to terrorism is a composite of many elements, of which international cooperation is only one. Each element is a product of commitment and competence.

The subsequences of terrorist actions - extradition and legal proceedings - are an exercise in realpolitik, sometimes far removed from the pieties of international conventions. Extradition is a particularly revealing window on the reality of goodwill between nations. This

does much to explain the reluctance of governments to furnish pertinent data on both extradition and legal processes.

There is no doubt that there has been a marked improvement over the past 30 years, reflecting increased terrorist activity and increased commitment by nations to international cooperation. The general pattern is well-represented by the conduct of France. Initially, it was driven by two considerations, a tradition of *terre d'asile* and a desire to keep out of the firing line. This gave rise to her general tolerance of international terrorists and a number of specific instances of scorning international obligations (release of Abu Daoud, leader of Black September "with unseemly haste", ignoring German and Israeli extradition requests, Jan 1977). Also:

"... the Italian authorities have long wished to bring to justice over 200 persons wanted in connection with terrorism who have taken refuge in France. In June 1984 the French authorities again ignored an Italian request for the extradition of Antonio Negri, ... wanted on charges of membership of a terrorist group, kidnap, manslaughter and possession of weapons. He is alleged to be a terrorist leader".

France has since improved upon this dismal position. Her cooperation with Spain against ETA has increased in steps since 1982 to the point (1996) at which joint operations have led to the arrest of key ETA leaders. It is noteworthy that this improvement resulted from France's own interests (removal of GAL counterterrorist squads from French soil and French needs for international cooperation against her own terrorist enemies); it was not the product of altruism nor of a sense of international responsibility.

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283 WILKINSON, ref 14, p 147
This exemplifies the fundamental of cooperation in its international community. It comes to pass only when it reflects the interests of nations. Nations, like donkeys, may be motivated by carrot or by stick. France, discussed above, was motivated to cooperate with Spain by the carrot of self-interest. Greece (6.8) was motivated to attend to its standards of aviation security by the stick of a US Travel Advisory. It is noteworthy that aviation security, a technical matter, is much further from the national psyche - and therefore a much easier issue - than are the processes of law, which have both legal and political dimensions. At this level, the sticks available to humanitarian democracies have little motivating impact on difficult nations. A full record of the subsequences of aviation terrorism: legal and extradition processes, would provide an insight into the realities of international cooperation. The available record is not edifying.

Alona Evans' study, was confined to the offence of hijacking\textsuperscript{284}. Her data is not structured for precise evaluation. It indicates that, for the period 1961-1972 there were 157 hijacks, or attempts thereat, of US aircraft; 75 hijackers were taken into custody. Given that many attacks involved more than one hijacker, the rate of apprehension of offenders was well below 50% - hardly an overwhelming disincentive. Failure of international cooperation was not the sole cause of this poor showing although, in these early days, the concept of international cooperation had barely emerged.

\textsuperscript{284} EVANS, Alona. Aircraft Hijacking: What is being Done? In The American Journal of International Law, 67, 1973
"Between January 1960 and June 1976, twenty states requested extradition of 78 hijackers but the requests were granted in only 5 cases, although 42 of the offenders were prosecuted by the recipient state." 285

"... apprehended terrorists have nearly an 80 per cent chance of avoiding death or imprisonment". 286

The data in Murphy's in-depth investigation of the punishment of terrorists does not lend itself to a quantitative assessment of the effectiveness of legal processes. 287 The events are not identified and therefore international terrorist attacks cannot be distinguished from other offences. The sentences imposed are recorded, but not the sentences served - often a very different quantity.

There is evidence to the present day (Sept 1996) of continuing confusions over the application of legal and extradition processes to suspected terrorists:

"A Sikh separatist alleged by the Home Office to be a dangerous international terrorist is expected to win a case at the European Court of Human Rights which will clear the way for him to claim £300,000 in compensation from the British Government". 288

Central to the Home Office allegation is evidence collected in telephone taps, which is inadmissible in British courts. Thus, in such cases, the courts affirm the innocence of the accused.

285 WILKINSON, Paul, ref 14, pp 288-9
287 MURPHY, JF, ref 280
288 Sunday Times, 29 Sept 1996, p 18
"Despite intense lobbying by MI6, MI5 and the Royal Ulster Constabulary, the Home Office has continued to resist passing legislation to allow interception evidence".  

Inability to resolve such issues, however difficult, casts doubts on the competence of HMG. It is one of the reasons for which HMG is regarded with a sceptical, if not jaundiced, eye by the civil aviation industry.

6.3.6 Degrees of Culpability

A record of nations' adherence to the obligations of international conventions, of legal processes and of extradition processes relating to acts of terrorism would be of particular interest to those with a utilitarian view of the subject. However any record must also include the circumstances of each entry. Some actions have undoubtedly been the product of government irresponsibility or self-interest. Others are equally clearly pro bono publico, albeit breaches of international convention.

When the Algerian authorities released the hijackers of KUW 422 (April 1988), Sir Geoffrey Howe, British Foreign Secretary, attempted to lead European countries to a condemnation of Algeria. His proposals included a call for economic sanctions upon Iran, Cyprus and Algeria, a most unrealistic expectation. More seriously his actions suggested that HMG did not have a sophisticated understanding of the realities of the situation. There had been an immediate threat to the lives of the 31 remaining hostages. To obtain their release the

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289 Ibid
Algerians had undertaken first to end the siege peacefully and second to give the hijackers safe passage. The first undertaking was not concession, it was a mutual benefit. The second was perhaps a necessity and certainly the strongest card in the Algerians' hands. The Algerians could have reneged on their undertaking and subsequently have apprehended the hijackers - or killed them in a staged incident. However this would have seriously damaged the status of Algeria as a trusted negotiator in such situations, a role which has served international aviation well since the first Palestinian attack on aviation (1968). The proposition is that Algeria's conduct in releasing hijackers who had committed murder was not culpable. Algeria, presumably to maintain her freedom in her negotiating role, has not signed any of the Conventions relating to aviation terrorism. This precedent, if followed by other nations, would nullify the value of International Conventions. The present turmoil in Algeria (1997) must prejudice her future role as a negotiator.

At the opposite extreme of the continuum are the acts of extreme culpability, where no lives are in immediate danger and where one country allows the freedom of its territory to terrorists who are perpetrating, or have perpetrated, their atrocities in another, no matter whether this freedom is a supposedly judicial or overtly political decision. The examples of France, Italy and Greece have already been cited.

Other breaches of Convention and failures of legal or extradition processes fall between these extremes.

Accepting the inefficacy of the economic sanction mechanism, the international community should consider repeated public condemnation as a first means of applying pressure. There is no reason to allow the self-esteem of countries guilty of gross failures to go
unchallenged. A well- and frequently-publicised blacklist would be a valuable source of discomfort to democratic countries. It would have lesser, but nonetheless worthwhile effect upon others.

The citizens of the EC, potential victims of terrorism, may reasonably expect all member states to take the necessary steps to safeguard their rights. Membership of the EC is already linked to human rights. Whether the EC could tie such condemnation to the withholding of aid is an interesting question. The thought of French farmers pressing M. Mitterand to honour his obligations is not without its attractions.

6.3.7 The Importance of Response

Some scholars have doubted the effectiveness of imprisonment as a method of deterring terrorists. It is a role of scholars to cast doubts upon conventional wisdoms. However it behoves them to offer improvements if they do not wish utilitarians to cast doubts upon the effectiveness of scholars.

The examination of the effect of a single factor upon a holistic entity can be valuable, but only if the complexity of the whole is used to provide the perspective. Terrorism is, like illness\(^\text{291}\), a phenomenon with a multitude of causes, of objectives, of manifestations and of perpetrators. To cite the ineffectiveness of a single measure in eliminating the whole is a methodology which can lead only to nihilism. Interestingly, it is a methodology much utilised in aviation security by those opposed to any particular proposal: “attackers will be able to overcome that”. Correct but irrelevant: some attackers may overcome a sensible

\(^{291}\) CORBETT, William T. A Time To Redefine Policy? Security Management, June 1990, p 41
countermeasure. It will stop others, and thus contribute to the complex whole of countermeasures.

It is certainly possible that some terrorists in some circumstances, will not be deterred by the prospect of imprisonment: those whose terrorist credentials are improved by a period of imprisonment, those who enjoy the fellowship of like-minded prisoners, social misfits who find comfort in prison, and fanatics to whom detention is an acceptable cost. To extrapolate these particular cases into a general finding that the prospect of imprisonment deters no terrorists and therefore has no value in deterring terrorism, is patently fallacious.

Imprisonment first and foremost removes terrorists from circulation. This is particularly relevant to attacks on aviation - especially hijack - because they require considerable skills and qualities. The terrorist at liberty can pass on his expertise to others. He can also participate in further attacks, as has often been the case. The 16 day hijack of KUW 422 (1988) was allegedly led by terrorists previously involved in the 21 day hijack of TWA 847 (14 Jun 1985). Leadership skills and bomb-making skills are vital to terrorist effectiveness. The bombs that destroyed Swissair (1970) and PanAm (1988) are believed to be the work of the same man, Marwan Khreesat. Thus to allow freedom to such men or, worse, to release them (Abu Daoud 1977) and is to refuel terrorism. [The possibility that a terrorist may be “turned” and recruited by a counterterrorist agency is acknowledged. It is not credible that this has happened in all cases.] The simple fact is that terrorists had a record of considerable success in coercing the rapid release of aviation terrorists from imprisonment. The prospect of such brief imprisonments may indeed have no deterrent

Long term imprisonment is a different matter. Nizar Hindawi (who attempted to use his pregnant financee as a human bomb to destroy an El Al B-747 (April 1986) reportedly laughed when he heard that he had been given 4 to 5 years; he collapsed when told he had misheard the judge - who had said 45 years. He had previously written to his colleagues urging them to trade hostages for his release\textsuperscript{294} - and that was before he knew his sentence, allegedly the longest ever awarded by a British court. Clearly a terrorist’s shock at long imprisonment is no proof that foreknowledge would have deterred his attack. It does suggest that it was not a part of his prior considerations and that he would, at the least, have found it discouraging. The conclusion is that lengthy imprisonment will be a deterring factor to the many potential attackers who fit the economic rational actor model\textsuperscript{295} if not to the blinkered fanatic. The many attacks mounted to coerce the release of prisoners suggests that the terrorists would agree with this conclusion; that, \textit{ipso facto}, is the deciding evidence.

A rare, but widely agreed example of countermeasures achieving dramatic success is the US-Cuba Hijack Pact (1973). Combined with other measures, including (well-planned) screening of passengers and carry-on baggage, it reduced hijacks from a 5 year average of 31+ pa, 1968-72, to 1.4 pa, 1973-77\textsuperscript{296}.

A similar analysis could be made of each individual countermeasure. Each would face the same criticism (“they’ll find ways round it”) and each, if well-planned, would be a contribution to the total system. The correct technique of evaluation of a countermeasure is not the absolute - is it perfect? - but the comparative - is it better than the alternatives? This question can only be answered from the perspective of the strategy (9. below).

\textsuperscript{294} TAYLOR, Maxwell and Ethel QUAYLE. \textit{Terrorist Lives}, London; Brassey’s, 1994, p 172
\textsuperscript{295} ENDERS, Walter, Todd SANDLER, and Jon CAULEY. \textit{UN Conventions, Technology and Retaliation in the Fight against Terrorism: An Econometric Evaluation}. \textit{T & PV}, 2 (1), pp 83-105
\textsuperscript{296} Researcher’s calculation
Strategists will be aware they are combating antagonists who, as one loophole is closed, will move to another; therefore their policies must be dynamic, continually reallocating priorities. They will know that they are bound to an asymptote, moving towards their goal of 100%, but never reaching it. They will leave the nihilists to bewail the gap that remains, and be satisfied in their own knowledge that their efforts continue to close it.

6.4 The British Response

6.4.1 Allocation of Responsibilities

The British response to attacks on aviation involves several government departments. The Department of Transport took over the responsibility for the coordination of their inputs to aviation security from the Board of Trade in 1979-80. It does not have executive authority over them. Essential secondary roles are fulfilled by the Security Service, the Home Office and Police, and the SAS. An essential tertiary role is fulfilled by the Foreign Office.

The civil aviation industry - airlines, airports and associated organisations - has the responsibility for implementing the non-governmental components of the response. In essence, HMG directs the activities and the industry undertakes them. Additionally HMG provides the intelligence and military support, and funds some research. In practice, the industry carries an estimated 95% of the costs and undertakes more than 95% of the activities in terms of man-hours.
The Police provide both routine law-enforcement (anti-criminal and other normal policing) and some aviation security services at airports. The costs of the latter are not met by HMG, but recovered from the airport.

The Department of Transport (DoT, formerly DTp) undertakes the regulatory and audit functions. The Security Service provides Threat Assessment and training. [The Threat is a function of a potential attacker's capability and the probability of his mounting an attack.] The Foreign Office provides expertise on international dimensions relevant to aviation security. The Home Office has a strategic interest in the utilisation of police forces and in legal processes. The Special Air Service provides a military intervention capability which can be called upon by the Police in extreme situations.

6.4.2 The National Aviation Security Committee

The activities of the National Aviation Security Committee (NASC) are classified. Broadly, it is a consultative committee on which all major organisations with an interest in aviation security are represented.

It has been criticised by some of its members for its size. It is certainly true that large committees can be ponderous, even tedious, and must be conducted with a degree of formality. However once the *modus operandi* is understood, good use can be made of the committee. Nor is the membership unnecessarily large; each organisation represented has a role, or potential role in the advancement of aviation security, albeit peripheral in a handful of cases. NASC has also been criticised for providing a vehicle for the advancement of the interests of government departments. It is the researcher's personal experience that this
criticism is unjust. It is true that civil servants are extremely able and well-versed in the behaviour of committees and may seek to persuade the NASC to accede to their wishes. The same opportunity is open to each organisation on the committee. Furthermore the conduct of NASC proceedings has always been beyond reproach. It has, in the researcher's experience, never indulged in the machinations common in many committees: devious chairmen, procedural chicanery, or dubious minutes. The NASC provides a forum for multipartite discussions, in which formal positions may be stated and recorded. It plays a valuable role.

6.4.3 Department of Transport

The DoT is the lead government department. It has two roles: to coordinate the activities of other government departments, and to regulate and audit the aviation security activities of the industry. Given that the achievement of security is a wide-ranging and public activity and that the covert component is small, the DoT is well-placed for its responsibilities. There have been, and are, serious tensions in the DoT's relationships with other departments and with the industry. It is important to establish to what extent these tensions are an inevitable concomitant of the DoT's pursuit of higher security standards, and to what extent the tensions reflect Department, or HMG, ineptitude. The utilitarian view is that such tensions generally have the effect of inhibiting progress, albeit with an occasional, positive effect in a specific, narrow area.

Three distinct periods can be identified in the evolution of DoT's security activities: 1980-88, the development years prior to Lockerbie, 1989-93, the re-energization years post Lockerbie, and 1993 on, the reorganisation years. In discussing the role and performance of
the DoT, two fundamentals must be borne in mind. The first is that there have been only four serious terrorist attacks on British aircraft in the 28 years 1968-96, the last of which was 22 years ago (Nov 1974). The second is that ultimate responsibility for aviation security lies not in the hands of the nominated civil servants, but on the desks of Ministers and those who decide the policy and appoint the staff to implement it. Thus if the performance of a civil servant is deficient, blame should not be laid upon him, he will in all probability have been exerting his best efforts. Responsibility lies with the Minister or senior official who appointed the functionary to a task for which he was unsuited.

A note on the style of the civil service may contribute to understanding the conduct of the Department. The researcher met several different professional groups in the course of his duties with BALPA and IFALPA: airline managers, management pilots, aviation doctors, lawyers, journalists, insurance managers and hotel managers. His experience was that in intellect the civil servants were approached only by the journalists. In integrity they were approached by none. All the other professional groups listed had been prepared to use deception (to a greater or lesser degree) to achieve their ends. Some used little else. Although the researcher negotiated extensively with the DoT for 14 years, he encountered deception only rarely and at a trivial level, and always involving the same civil servant. [The researcher acknowledges the possibility that he was extensively deceived and failed to detect it. No evidence of this has emerged.] In fact the relationship between the Department and BALPA had many of the characteristics of a partnership, neither party having authority over the other, a high level of mutual trust, and much commonality of interest. The concept of partnership between government and industry is discussed later (7.6). The loyalty of civil servants to the Department is also noteworthy and relevant. Within all organisations there are personal friendships, rivalries and animosities. Normally these are rapidly revealed to
Civil servants were consistently discreet; occasional confidences were exchanged about difficult personalities, but it was rare in the extreme for the professional competence of a colleague, whether senior or junior, to be questioned. The Department as an organisation was similarly loyal to its employees. Laudable in many ways though these loyalties are, they also translate into a major organisational failing: long-term retention of civil servants in positions for which they are unsuited. This is one of the differences in corporate style between government and commerce.

6.4.4 Civil Aviation Authority

The industry consists of the airlines, the airports, and associated activities.

The airlines are dominated by British Airways (55000 employees) and British Midland (5000). A total of 15 airlines are registered members of BATA (British Air Travel Association - the airlines' association). The airports are dominated by the British Airports Authority (BAA) which owns seven airports, including Heathrow (54,000 employees on site) and Gatwick (25,000 employees); Manchester Airport (14,000 employees) is owned by the local council. In the third sector of the industry, the cargo and parcel services, the suppliers of aircraft catering, and the security organisations have major aviation security responsibilities.

The demarcation of responsibilities between airport and airline is not as simple as it may appear. For example the security of the airport is normally deemed to be an airport responsibility, but the immediate vicinity of an aircraft to be an airline responsibility. Baggage may be screened by the airport, but handled by the airline. A multitude of such dual responsibilities makes for potential confusion, and accompanying gaps in security
cover. The normal behaviour of an organisation - to seek control over all activities which involve, or impact upon it, has been checked by the complexity of security, the impossibility of guaranteeing invulnerability, and the potential for liability to bring bankruptcy. Both airlines and airports have mixed feelings about security responsibilities.

The most important factor in determining attitudes to security is the recovery of costs. The conduct of a major airport is carefully regulated. The CAA is obliged under the Airports Act 1986 to refer the charges of major airports to the Monopolies and Mergers Commission (MMC) every 5 years. Based on the MMC report, the CAA publishes its own documents. These specify (by way of a complicated formula) the maximum revenue yield per passenger in each given year, eg $4.825 + SH_{t-1}$ for Heathrow, year beginning 1 Apr 92. 297 “SH” is the allowable Security cost per passenger for Heathrow, “t-1” defines the year (1 Apr 92 on). “SH” is known as the S factor; it permits recovery of all or part of additional (ie new) security costs; it was initially set at 95% in 1991 for the year 1992-93. 298 Thus and in simple terms, airports can recover existing security costs from airlines via their normal landing and other charges (subject to the maximum allowable revenue per pax) and can recover most of the costs of additional security measures via the S factor. Thus airports can pass on to airlines nearly all their security costs. No such simple mechanism is available to airlines. For this good reason, airports are less resistant to DoT pressures than airlines. The corollary is that the Department prefers to place responsibilities upon the airports, not upon the airlines.

The third sector of the industry is steadily being integrated into the aviation security system. The option of staying outside is not open to them. They can pass on their costs to their customers.

298 Ibid, p 31
A problem common to all three sectors is that of competitiveness. There are few countries as committed to aviation security as Great Britain, nor do other forms of transport (road, rail, sea) require costly security. Therefore the British civil aviation industry is at a competitive disadvantage to foreign airlines and airports, and to alternative forms of transport, both domestic and foreign.

6.4.5 British Air Line Pilots Association

The membership of BALPA is restricted to pilots and flight engineers who hold professional flying licences. Total membership is 8550 (1996), of whom 5654 are in current employment with British airlines. In general terms the bigger and more important the airline, the larger the proportion of pilots who are BALPA members. This has one unfortunate downside; the financially less secure airlines, some of which may seek to minimise expenditure on safety and security, are those over which BALPA has least influence.

BALPA has two categories of activity: Industrial, which relates to pilots' conditions of employment, and Technical. "Technical" is the BALPA (and IFALPA) term for Aviation Safety activities, presumably chosen to minimise its positive public relations impact. The Association's Security Committee reports directly to the National Executive Council. The Association has always been scrupulous in protecting the integrity of its Technical Section, by preventing its subordination to Industrial objectives. Thus, whereas the interface between the Industrial Section and the airlines is unavoidably confrontational, that of the Technical Section is somewhat closer to mutual cooperation. However, as the Association is always in pursuit of higher safety and security standards, and as the airlines are always cost
conscious, the two interests are often in contention. On the matter of aviation security, conflict is the norm.

The Security Committee is small. Members are always current pilots (or flight engineers). In most years there are approximately six active members; in the earlier 1980s there were only two, rising to ten in 1993. It is represented on NASC. Members of the Security Committee thus liaise with HMG, and negotiate direct with their own airlines, and sit on Airport Security Committees. The Chairman of the Committee is a member of the IFALPA Security Committee.

The Committee has authority to seek the advance of aviation security on behalf of the National Executive Council. Otherwise is has no authority whatsoever. It can give advice to pilots, but not instructions. However the Committee has useful strengths. It is entirely free of vested interests, save that of advancing the security of British aviation, and thus can claim more objectivity on the subject than can any other interested party; this has particular relevance to its assessment of achieved standards of security, an important role in view of the unequalled information sources available to the Committee. Not only can it make contact with 5,654 (1996) British airline pilots, it can also exchange information with airline pilots the world over, via IFALPA. Thus the Security Committee is usually better informed of an airline's security standards than the airline itself, and nearly always better informed of security standards overseas than HMG.

The Security Committee is established within Great Britain's aviation security infrastructure. For obvious reasons, its commitment is to the advancement of aviation security. It cooperates with HMG, the airlines, the airports and other interested parties. It subordinates
itself to none of them and has had differences with all of them. During the development and re-energizing periods of British aviation security it had more common ground with HMG than with the industry. During the current reorganising period it is finding more in sympathy with industry, believing that HMG is in the process of abdicating its responsibilities, by transferring its problems to the industry. The issues are discussed in the paragraphs which follow.

6.5 The Progress of the Response

6.5.1 Introduction

This sub-section (6.5) is intended to give an understanding of the nature of the process of advancing aviation security in Great Britain since 1968. It is not a comprehensive record, tracking each administrative change and the implementation of each security measure. The analysis of each period considers the roles of HMG, the industry and BALPA, and illustrates the mood of the period by charting the progress of a selected countermeasure. Two imperatives overlay the sub-section (as they do all sections), the need to withhold information useful to potential attackers and the need to respect official and personal confidentiality.
6.5.2 Development 1968-88

The first Palestinian attacks on aviation found the civil aviation industry of the world unprepared. Great Britain was no exception. The first attacks were predominantly hijacks, as was the first (and indeed all three serious Palestinian) attack on a British aircraft (Dawsons Field, Sept 1970).

An aviation security desk was established originally in the Board of Trade. The larger airlines already had some form of a security section (if only one officer), to protect their assets from fraud and theft. The new problem of aviation security was passed to this section. There were no countermeasures in place: no access control, passenger or baggage screening, nor guarding of aircraft. Outside the USA this level of security (nil) was the norm. In the USA the Cuban hijack epidemic had prompted the introduction of armed sky-marshals and efforts to develop other security measures. \(^{299}\) The US response included sky-marshals, passenger profiling, passenger and cabin baggage screening, stringent penalties and the trilateral Canada-US-Cuba Hijack Agreement (15 Feb 1973). These countermeasures - in their breadth - offer a model, or paradigm, for success in response to a specific and narrowly-defined problem.

At this time BALPA's security operation was minimal. It was entirely in the hands of the Association's Chairman, a reflection of the confidentiality of the subject. The Security Committee was established in June 1974. \(^{300}\) Until 1987 its chairman was the Chairman of the Association and its members were nominees of the BA Long-Haul (formerly BOAC) and Short-Haul (formerly BEA) pilots' groups, and of the committee representing the pilots of the

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\(^{300}\) BALPA. *Report on Annual Delegates Conference incorporating the Annual Report and Accounts*. 1974, p 10
"independent" (non BA) airlines. In 1987 a security specialist was appointed chairman, and the membership was drawn from volunteers instead of nominees. It adopted the policy of giving all pilots the maximum possible information, instead of the minimum necessary. This was a reflection of the need to involve pilots in the day to day monitoring, administration and enforcement of security, in a manner analogous to their traditional involvement in safety. Airlines underwent a similar process, abandoning their early attitude that security was a matter for the Security Branch.

The first British countermeasure was the introduction of the screening of passengers and their cabin baggage, a measure intended to detect hijackers' weaponry. Early archway metal detectors (AMD) and hand-held magnetometers were crude devices. The AMD coverage was incomplete; weapons carried in certain position were likely to be undetected. Neither device was capable of detecting materials other than metal. Plastic explosives and non-metallic weaponry would therefore not be intercepted. Equally serious were the difficulties of setting the sensitivity. There was no satisfactory balance to be found between allowing weapons to go undetected, and detecting every tiny metallic item (eg keys and pens); this latter option caused lengthy queues, inevitably the sensitivity was then reduced. At the time technology had no answer. The alternative, 100% handsearch, in terminals not designed for it, would have caused serious delays and congestion. Authorities sought to minimise congestion, because terrorists had already targeted terminals (Tel Aviv, 30 May 1972; Rome, 17 Dec 1973; Orly 13 and 19 Jan 1975; etc).

Airside passes (IDs) were introduced in the early 1980s, but not within a comprehensive access control system. There were not electronic, nor were they closely inspected. The theory was that any person not wearing an ID should be challenged. Aircraft loaders and
engineers refused to wear them, on the accurate grounds that the attachment clip was too weak. However other solutions, such as displaying the card within a transparent pocket, were equally firmly rejected probably because no impediment to widespread theft was wanted. [Heathrow was known as Thiefsrow in the 1970s and 1980s]. Equally reprehensible was the *amour propre* of the police and customs and their reluctance to submit to security procedures.

By 1988 the Department still had barely more than half a dozen staff (plus secretarial support) engaged in aviation security. They had produced a national programme which was laid down in the Aviation Security Handbook (ASH), issued to airlines and airport. The production of an adequate and comprehensive national programme is a massive undertaking and well beyond the small staff of the Department in the early 1980s. The national programme was, by modern standards, deeply flawed. Parts of it were mandatory but many important aspects were only advisory - and therefore ignored by airlines which disagreed with them. There were no provisions for monitoring the standards achieved (by inspection or test). Some areas: the practicalities of passenger/bag reconciliation at transit stops (where passengers could fail to re-board, unnoticed), the searching of incoming aircraft, were not addressed. On the positive side, the principles on which the programme was based were fundamentally sound. It identified and followed priorities; thus, high-risk flights (mostly those involving Israel) were covered by more stringent procedures. The programme laid down standards (or objectives) but did not attempt to define methodology; this is clearly a correct principle; methodology is a matter for airline and airport management, and beyond the expertise of the Department.
A detailed assessment of the state of security countermeasures in 1986 is contained in the 1986 Report of the Select Committee of Transport.³⁰¹

A fundamental problem in the early 1980s was the lack of commitment to security by the industry. It was understandable. No British aircraft had been the victim of a serious terrorist attack since 1974. Britain was not an ally of Israel in the latter's land-grab and war with the Arab World. It was obvious to insiders that security measures were a fence with inviting gaps. It was not easy to justify expense to the industry and inconvenience to passengers by reference to an attack which might never come. Airline staff knew that their careers hung upon dispatching aircraft on schedule; delays were quantified and scapegoats sought.

The mood of the times can be illustrated by an example³⁰². The prime contemporary security measure was passenger/baggage reconciliation. Thus if a passenger failed to board the aircraft it was mandatory to remove his hold bag. On large aircraft this process of locating his hold bag was likely to cause a minimum delay of an hour, rising to a possible 2-3 hours. The staff of British Airways were particularly apprehensive of summary dismissal, the airline was managed in an uncompromising style. In 1986 the Captain of a Tristar was informed by the dispatcher that four passengers had failed to board the aircraft but that, as they had no hold bags, the aircraft could depart. The Captain asked for corroborative evidence. The dispatcher left the aircraft. He returned and stated that there has been confusion. The “passengers” were not passengers, but friends who had accompanied passengers to the lounge to see them off. The Captain asked to see the passenger list. The dispatcher returned with the list and informed the Captain that the four passengers were actually two, and that they had been prevented from boarding by the action of the immigration authorities.

He suggested that, as the passengers could not have foreseen this, their baggage would not contain a device and that the aircraft should depart. The Captain did not accept this as good advice. The dispatcher investigated further and reported that the passengers were on board. The Captain checked this information and found that it was untrue. He then ordered that the baggage of the missing passengers be removed from the aircraft. Twenty minutes into this process the missing passengers were found; they had been lost in the terminal.

The Captain took the view that there had been a deliberate attempt to mislead him. He reported the incident to BA’s Head of Security and to BALPA’s Security Committee. The dispatcher’s department replied to the Head of Security that “the Captain had not understood the situation”. The Head of Security gave his view that the dispatcher, and probably his manager, were obviously not telling the truth, but stated that there was little he could do about it. The Security Committee identified the problem as a consequence of BA’s emphasis on punctuality, and suggested that the only solution was for Sir Colin Marshall to state his personal support for giving security priority over punctuality. The Head of Security relayed this to Sir Colin, who agreed and circulated a letter over his signature to the relevant staff. It resolved many difficulties.

6.5.3 Re-energization, 1989-93

6.5.3.1 The Stimulus: Lockerbie

At 1905 hours on 21 December 1988 a Pan American B747-121A/SCD, Maid of the Seas, Flight PA 103 operating from London Heathrow to New York, JFK, was destroyed by a terrorist bomb. The aircraft was level at Flight Level 310, (c. 31000’), in British airspace prior
to its Atlantic crossing. Large sections of wreckage, including wing fuel tanks, fell into the
Scottish town of Lockerbie. All 259 passengers and crew and 11 residents of Lockerbie were killed.

The perpetrators have not yet been apprehended (March 1997). Complicity of the states of
Syria and Libya, and of Ahmed Jibril’s PFLP-GC has been alleged. The extradition of two
Libyans, probably intelligence agents, is currently sought by Great Britain and refused by
Libya. The more important culprits are those who ordered the attack. In a dictatorship, that
means the dictator or his immediate associates. This raises the difficult issue of the
mechanism by which a Head of State can be brought to justice.

The atrocity put, for the first time, urgency into British aviation security. PanAm 103 was not
the first aircraft to be destroyed by terrorists. Swissair, TWA, South Korean, Air India and
other aircraft had been brought down by bombs. The death toll in the Air India atrocity was
329, higher than that of PanAm 103. However PanAm 103 had taken off from Great Britain’s
premier airport, the wreckage had killed British citizens in their homes, 270 innocent people
had been murdered, including 43 British subjects. The aircraft belonged to one of Great
Britain’s closest allies. It crashed four days before Christmas, adding poignancy to the
horror of the event.

The possibility that the attack was the product of deficient British security was openly
debated. This fuelled media interest. It also ensured the closest attentions of HMG to its
aviation security activities. Three lines of enquiry were set up. The first investigated the
causes of the crash. The second sought to identify the methods and perpetrators - in the
event that terrorism was found to be involved. The third reviewed the adequacy of prevailing standards of aviation security.

The first proceeded by way of a forensic investigation, a Fatal Accident Enquiry and subsequent legal activities. It was complemented by the Report of the (US) President's Commission,\textsuperscript{303} the Executive Summary of which bluntly condemned both the Federal Aviation and PanAm. The researcher's personal experience of contemporary British standards suggests that these condemnations of US practice were fully justified. One example of PanAm's lax security was the carriage of a no-show passenger's baggage, and without the prior approval of the Captain.\textsuperscript{304} Passenger-Baggage Reconciliation (interpreted at the time as removal of a passenger's baggage if he failed to board) had been laid down as the foundation-stone of defence against sabotage since the 1970s. PanAm's disregard of this fundamental calls into question its security ethos \textit{in toto}. The requirement had been clearly laid down in Section XV of the (US) Air Carrier Standard Security Program (ACSSP) after the 1985 hijack of TWA 847 out of Athens.

\begin{quote}
"... conduct a positive passenger/checked bag match resulting in physical inspection or non-carriage of all unaccompanied bags. ..."\textsuperscript{305}
\end{quote}

The Determination of The (Scottish) Fatal Accident Inquiry made a valuable contribution to aviation security in highlighting the limitations of Passenger-Baggage Reconciliation, which it referred to as "negative reconciliation": "the failure of an intending passenger to board the aircraft would trigger off the prescribed procedures".\textsuperscript{306} The Sheriff's definition omits the first

\begin{footnotes}
\begin{itemize}
\item \textsuperscript{303} Report of Presidential Commission, p i
\item \textsuperscript{304} Ibid, pp 13-14
\item \textsuperscript{305} Ibid, p 3
\item \textsuperscript{306} Determination by Sheriff Principal in the Fatal Accident Inquiry relating to the Lockerbie Air Disaster. March 1991, P 73
\end{itemize}
\end{footnotes}
key step, the detection of "the failure .... to board ...". This omission illustrates the need for unremitting attention to detail in designing, or discussing, security procedures. The Determination contrasted "negative reconciliation" with "positive reconciliation". It prompted the development of the much sounder concept of Accounting for And Authorising Carriage (the 3 A's): no bag is carried unless accounted for.

It is very interesting that the important distinction between what would have prevented and what caused the event is implicit in the 1976 Fatal Accidents and Sudden Deaths Inquiry (Scotland) Act.\textsuperscript{307} When this same distinction was articulated in the field of Air Safety it was though to be innovative (1993).

"A new study from Boeing suggests that finding an accident's cause is not nearly as important as is finding what could have prevented it.

... Russell says that it is a new way of looking at accidents and also incidents, not just for investigators but for the industry as a whole.\textsuperscript{308}

The acceptance of this philosophy in Air Safety is long overdue.

There are many important aspects of the Lockerbie atrocity. Most have been well-explored.\textsuperscript{309} The researcher's own conclusion is that the US/PanAm security system was rotten: defective in conception, implementation and inspection. The question central to this

\textsuperscript{307} Section 6 (1)(c)
\textsuperscript{308} REINGOLD, Lester. The Search for Probable Causes. Air Transport World, July 1994 reproduced in The Log, Feb/March 1995, pp 24-26
\textsuperscript{309} WILKINSON, ref 292
EMERSON, Steven & Brian DUFFEY. The Fall Of Pan Am 103. London:Futura, 1990
COX & FOSTER, ref 27
research is whether deficiencies in British aviation security and their concomitant, the vulnerability of British aircraft, were revealed by Lockerbie.

The first line of enquiry into the atrocity itself also involved the question of responsibility for any revealed security deficiencies.

It is clear from the Sheriff’s Determination that the interface between British security measures and those of the FAA/PanAm was in serious confusion, a product of the difficult issue of host-state responsibility. The FAA/PanAm security measures were themselves confused. The DoT had not the resources to inspect British, let alone US, security procedures. It could with justification plead ignorance of deficiencies. The DoT gave evidence that it had carried out 136 inspections at British airports (April-November 1988). This figure comes as a surprise to the researcher in view of the inadequacy in number of DoT staff, the fact that they were primarily engaged in drafting policy (their title “Aviation Security Inspectors” was a misnomer), and their unfailing refusal to undertake inspection responsibilities. The researcher does not accept that the 136 “inspections” constituted serious in-depth inspection. Thus, in 1988, the DoT had little idea of the standards of security which were achieved in practice. The DoT did not have the staff to enforce its own security standards. It certainly was not in a position to undertake the lengthy process of harmonising FAA and DoT standards and inspecting and enforcing the product. [Harmonisation is not achieved to this day (March 1997); the two operate in parallel.]

The handling of the intelligence on the Toshiba IED is more problematic. The Sheriff’s Determination tells a sorry tale of confusion and lack of urgency. Inter-departmental
difficulties are indicated by the DoT allegation of “lack of any assessment of the area of threat from the security services”. The failure to inject urgency into the telex warning to UK airlines and airports (“... he indicated that screening staff should be informed of the position”), and the failure to pass on photographs of the Toshiba IED (received 8 December and sent out in the second week in January) are a serious indictment of a system inadequately resourced to fulfil its obligations. In 1988 there were no procedures in force which covered the transfer of passengers and bags from an airline under high threat to one under lower threat, (which routinely happens in cases of disruption). Thus, in the absence of adequate general procedures, and with the dilatory processing of the specific warning, it was entirely possible that the IED could have been transferred, undetected, to a British aircraft. These deficiencies were brought to the attention of the Department by BALPA after the event, and were remedied. However the Department failed for a further five years to remedy another equally dangerous deficiency (6.7.2.9).

At the instigation of BALPA one particular principle, whenever relevant, is incorporated into enactments by the DoT: the Aircraft Captain has ultimate authority for the security of his aeroplane. All major operational decisions are referred to him for approval. It is clear that such provisions were either not included in the US security programme, or were not enforced. The baggage of the no-show passenger did not contain the IED. However, had the Captain of the connecting flight from Frankfurt been informed of the security procedures at Frankfurt, it is likely that he would have refused to accept the interline bags. The loss of PanAm 103 would have been prevented.

311 Ibid, p 92
312 WILKINSON, ref 292, p9
313 Report of Presidential Commission, pp 13-14
Lockerbie thus presented HMG with two immediate crises: the aftermath of the atrocity, and the possibility of its own culpability. HMG also faced the long-term task of achieving a more effective system of aviation security. Lockerbie had proved that aviation security was not a costly exercise in improbability. The need for improvement was accepted by all parties in government and industry. A special meeting of NASC was convened (Jan 1989). Paul Channon, the Secretary of State, addressed the meeting. He invited all organisations to put proposals to the DoT.

6.5.3.2 Transport Committee

Parliamentary interest prompted a second investigation of the subject by the House of Commons all-party Transport Committee; it heard statements from all interested parties. The Committee published a comprehensive report in July 1989, eight months after Lockerbie; it gives a good picture of the contemporary level of British aviation security. The report itself is a reflection of the general development of a more sophisticated approach to aviation security. To offer an analogy: if the Committee's earlier (1986) report was a thoughtful tinkering with an existing engine, the 1989 report laid down specifications for a new car. Many of the most significant of these specifications were accepted by HMG: legislative backing for aviation security provisions, inspection and test of the security system, increase in size and powers of the DoT Aviation Security Inspectorate, and screening of all transfer baggage. It is important to the understanding of the process to note that the proposals did not originate in the Committee, they had long been debated by interested parties. The Committee, having heard all viewpoints, gave its considered and influential support to the proposals.

HMG - in reality the Secretary of State for Transport - after considering the advice of the DoT Aviation Security Inspectorate, totally rejected only two of the Transport Committee's recommendations: the establishment of an Aviation Security Fund, paid for by a levy on passengers (discussed below: 6.6 Costs of Response), and automatic prosecution following any breach of an aviation security directive. HMG also kept its options open on a number of recommendations, none of primary importance.

The government (ie the DoT) reply to the Transport Committee was published by the House of Commons. It took the form of a point by point response to the main conclusions and recommendations. The logic of each response was spelled out and was therefore open to inspection and challenge. This system of openness is a credit to HMG and the civil service, and an example to others.

The Transport Committee is in a unique position with the structure of government. Its members are all MPs, drawn from the three major parties. The Committee demonstrated that party rivalries can be subordinated to the pursuit of the national good within a defined context. The Committee thus provides a model for the depoliticisation of aviation security. If Great Britain is to develop a strategic response to attacks on aviation (7), a key feature will be long-term policies agreed and retained irrespective of party in power. A further strength of the Committee is its ability to hear witnesses from Ministerial to the humblest levels and including MI5 and MI6 intelligence officers, experts from industry, and scholars from academia. It is thus uniquely well-placed to form an overall view of the subject in the context of the national good, having regard to political, civil service, industry and user interests. On

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the sensitive but important and wide-ranging subject of aviation security the Committee
fulfilled an invaluable role. Regrettably its involvement in the area has been occasional
(1985 and 1989). A permanent watching brief would be more appropriate.

6.5.3.3 Aviation and Maritime Security Act 1990 (A&MSA)

The Aviation and Maritime Security Bill was introduced into Parliament on 14 December
1989, less than 12 months after Lockerbie. It received Royal Assent on 26 July 1990.

"3. The main purpose of the Act is to deal with the principal deficiencies in the Aviation
Security Act 1982, namely:

(i) the powers to give directions have broad scope but do not lend themselves to
quick remedial action;

(ii) directions can be given to airports, airlines and air navigation authorities but not
to other undertakings having access to airports, aircraft or air navigation
installations;

(iii) there are no provisions requiring individuals (such as passengers and employees)
to observe aviation security procedures.

4. The Act also extends to maritime activities similar powers to those available for aviation
security."316

In summary, the Act317 comprehensively revised the legislation on aviation security. It
enabled HMG to ratify the Montreal Protocol of 1988 (Section 1), to bring within the scope of

317 Aviation and Maritime Security Act 1990
legislation all undertakings (cargo agents, catering suppliers, maintenance firms etc.) of relevance to aviation security (Sections 2, 3, 6), and individuals transgressing aviation security measures (Section 5). It also added certain offences to the list of extraditable offences (Section 49). Finally it extended corporate responsibility for offences under the Act to directors of the corporate body (Section 50). The Act gave a solid foundation to a wide-ranging improvement of aviation security. Opportunity was also taken to cover maritime security, mostly by mirroring aviation security measures. HMG has implemented a structure of aviation security which offers a benchmark for other liberal democracies, but which nonetheless has culpable deficiencies.

The deficiencies remedied by the Act were indeed serious. However the major failings of administration were not attributable to deficient legislation but to the resources allocated to aviation security. Prior to Lockerbie a small staff, in the order of eight, plus secretarial support, was undertaking a task later deemed to require an establishment of 135. The DoT therefore preferred the mechanism of Aviation Security Circulars (ASC) to that of statutory legislation. The ASCs could be quickly and easily drafted in house, in plain English, a much simpler process than that of the parliamentary drafting of statutory enactments. However ASCs had advisory status and though the DoT protested to BALPA that its advice was effectively mandatory, no-one seriously believed it. Airlines exercised their right to reject the advice whenever they disagreed with it. BALPA urged the DoT to address the issue, if necessary by launching a prosecution. However it was the unrevealed opinion of BALPA that such a prosecution would probably fail, as would any under the Statute. The (statutory) Directions were poorly drafted and were full of phrases which would have enriched lawyers "searches ... shall be sufficient reasonably to ensure ..." or, worse, "Where hold baggage

is searched by hand or scanned by X-ray, the standard shall be sufficient reasonably to satisfy the aircraft operator that ...". BALPA believed that a prosecution, successful or unsuccessful, would commit the DoT to ensuring compliance with its enactments, and would have a salutary effect on those Aircraft Operators who scorned the good advice in ASCs. The A&MSA did not immediately lead to improvements in wording. "The operator shall take such steps as are necessary reasonably to satisfy himself" was still to be found. However a firming of the DoT intent to enforce security is clear from Section 4 of the A&MSA, which gave:

"powers to Aviation Security Inspectors to issue enforcement notices where there is a failure to comply with a general requirement of a directions. The person served with an enforcement notice will be required to carry out remedial action. The notice could result in certain operations having to be stopped until remedial action has been taken".

The word "general" is significant. It enables the DoT to enforce the general requirement, that is the intention, of a Direction, as well as its specific wording. By early 1993 the DoT had served two Enforcement Notices, one on an airline and one on an airport. Nonetheless the DoT, in its explanation of Enforcement Procedures, made it clear that it would proceed by discussion and persuasion wherever possible.

The DoT's unwillingness to issue Enforcement Notices on the vital security measure of Search, Check and Guard allowed a major deficiency to remain unremedied until 1994/95 (6.7.2.9).

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320 Direction to Aircraft Operators under the Aviation Security Act 1982, 26 June 1992, para 2
In summary, the A&MS Act provided a comprehensive legislative framework for the administration of aviation security in Great Britain. Before its enactment, there were four major problem areas: domestic standards, compliance with enactments, overseas standards, and the financing of aviation security. The Act addressed only the first two. What the Act could not do was to address the need for partnership between government and industry, based upon willing cooperation. To this, the traditional legislative methodology of edict and enforcement is a second best. The proposition that it is also inappropriate for the management of aviation security, is examined in the final Section of this research. This concept was not advanced at the time. Therefore the A&MSA was an important component of HMG's wide-ranging response to the Lockerbie atrocity. It was necessarily accompanied by the civil service resources appropriate to the scale and complexity of the administration of aviation security. Hidden deep within the A&MSA was perhaps its most important provision, Section 50 was a clear statement that non-compliance would no longer be an easy option, and that the accompanying discomfort would be felt where it belonged.

"Section 50 - Offences by bodies corporate

22. Subsection (1) provides that when a body corporate is guilty of an offence under the Act and the offence has been committed with the consent or connivance of, or because of neglect on the part of, a director or other senior officer of that body, he as well as the body corporate shall be guilty of that offence."

An excellent summary of the A&MSA 1990 is to be found in the Guide to Parts I and IV of the Aviation and Maritime Security Act 1990 published by the Department of Transport in July 1990. It is not possible to compare it, provision by provision, with the legislation which
preceded it. This was an *ad hoc* structure founded upon enabling legislation, the Aviation Security Act 1986. The DoT published (statutory) Directions under this Act at need. DoT preference for expressing recommendations in the form of non-statutory, easily generated, Aviation Security Circulars has been mentioned. In theory, statutory Directions could be enforced, whereas the authority of Recommendations was tenuous. However, important and less important issues were spread over both. Hence enactments were something of a hotchpotch, poorly drafted, loosely respected and minimally enforced. The importance of the A&MSA 1990 was not so much in its detail, which was careful, but in its sound structure of wide-ranging powers. It was a positive and thoughtful legislative response to Lockerbie, an extreme of inhumanity previously deemed barely credible.

6.5.3.4 Relationships

In 1989 the Aviation Security Inspectorate had a staff of seven inspectors. By 1993, its successor, TRANSEC, had an authorised establishment of 135, with approximately 120 in post. Approximately 96 were engaged on aviation security; the remainder were involved in the security of other transport systems: maritime, tunnel and rail.

The Department had an uneasy relationship with the industry. The DoT sought to drive security forward but offered no serious contribution to the cost. The industry wished to proceed more slowly and economically, some of the issues (100% Hold Baggage Screening) being the source of major disruption and passenger inconvenience. The industry was keenly aware that it was carrying the bulk of the costs and that many of its international competitors were not so burdened. It was also aware that security standards overseas were a patchwork of inconsistency. In short the industry felt that it knew as least as much about security as the
Department, and considerably more about civil aviation. Unkind stories abounded about the Department's Inspectors ringing up to ask the whereabouts of Heathrow, or complaining that an aircraft did not park at the stand chosen by the Inspector. The attitudes of Inspectors to the industry varied widely, from those of a perverse parking warden to those of a considerate colleague; happily most were in the latter category. However the general relationship between Department and industry was not that of a partnership; it was more confrontational than cooperative. It is difficult to see how it could have been otherwise in the absence of the sharing of costs, that is, of financial partnership.

The British Air Line Pilots Association had a much closer relationship with the Department than with the industry. This is not the paradox that it may appear. The pilots' priority was to advance aviation security as quickly as possible, which placed them in the Department's camp and thus opposed to their employers. BALPA had difficult relationships with the biggest and the smallest airlines. British Airways was aware that HMG was seeking to transfer to it burdens beyond the powers of the government itself. Therefore BA took a very measured view of the Department, and chose to proceed, as far as possible, at its own pace. The small airlines, operating short sectors with 30 minute turnrounds, had a different problem. For example, they calculated that the employment of an additional staff member to guard or search the aircraft during turnround would make many services unprofitable. They therefore added the guarding/searching task to the crews' duties, conveniently overlooking the fact that the crew was already fully committed to its primary tasks. BALPA kept the Department informed of the realities of security standards. The Department, for all its bullish enactments, proved unwilling to enforce them, preferring to back off in the hope that more cooperative attitudes would develop. Thus BALPA was not so much positioned between the
Department and industry, as on the far side of the Department, pressing it to press the
industry.

The Gulf confrontation and war (Aug 1990-Feb 1991) prompted a temporarily more
cooperative relationship. All parties acknowledged an increase threat of attacks on aviation.
There was a general tightening of security, but with one inexplicable exception (6.7.2.9).
Happily no serious attacks on aviation occurred. First class intelligence action resulted in
the expulsion of dubious Iraqi "diplomats" from their bases worldwide. Other terrorist groups
held their hand when the Iraqi forces were rapidly overwhelmed.

The pre-war uneasy relationship between Department and industry returned. No attack had
materialised during the high threat period. The Department embarked in an exercise to
categorise airfields which, to all other parties, appeared to be ill-conceived. Significantly,
the Department appeared to be unwilling to be deflected, but drove the exercise on, seeking
to impose its will on industry. The Department began to divest itself of the poisoned chalice
of security standards overseas. When the Principal Inspector (Overseas) retired, it took the
opportunity to downgrade the post and to reduce the staff of overseas inspectors. The crisis
of the Gulf War having passed, the Department embarked upon a programme of
reorganisation, imposed upon it for budgetary reasons. It began to dismember the
establishment which it had carefully built up after the trauma of Lockerbie.

6.5.4 Reorganisation, 1993-95

Reorganisation is unavoidably disruptive. Whilst in progress it is disturbing to personnel;
fearful of their job security or prospects, they are distracted from their duties.
Reorganisation may improve the service or product, if that is its aim. It is unlikely to have a similarly beneficial effect if the aim is cost cutting. The Department’s reorganisation was carried out in a single exercise. It reduced the establishment by one third, from approximately 120 to 80. This massive cut was unprecedented in the 30 year experience of one senior civil servant. The exercise took two years to complete (Oct 1993-Oct 1995), a length of time which would have been unacceptable in commerce, and one throughout which the staff of the Department were seriously distracted. The reorganisation eliminated all three Grade 6 posts, and reduced the Grade 7 posts by approximately one third. [In the civil service, the lower the Grade, the more senior the post. Director, TRANSEC is Grade 4, the Deputy Director Grade 5]. In essence all senior posts below Director and Deputy Director were downgraded. The staff in these posts effectively have powers to direct the British civil aviation industry; this includes the giant and complex organisations BA and BAA. Understandably the relationship between the Department and industry became more fraught. One industry insider has commented (unattributably) that guard dogs have their place in security but not as used by HMG, to do the thinking.

This unkind comment does an injustice to the Department’s staff, who are seeking to advance aviation security in the face of apparent obstruction by the industry. The comment is nonetheless a not inaccurate illustration of the current relationship between Department and industry. The structure of a sounder basis is examined below (7).

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321 Interview, DoT, 1996
322 Interview, senior industry figure. June 1996
Those seeking to understand the administration of aviation in Europe are advised to embark upon a less ambitious project. An oversimplification would describe air traffic being the purview of Eurocontrol, air safety the purview of the EU, aircraft operation that of the Joint Aviation Administrations (JAA), facilitation and aviation security that of ECAC. The EU has relationships with JAA and ECAC which are "informal, nebulous and fraught". The latter organisations are pan-European and include 28 countries (April 1993), some ex Eastern Bloc, which are not members of the EU. JAA and ECAC have separate Directorates. The EU claims exclusive (ie not shared with member states) legal competence over air safety, but does not claim technical competence - which informally it leaves to JAA. The EU does not claim competence in aviation security; some legal opinions are that it could claim competence under the Maastricht Treaty; some legal opinions are that it could not. The researcher's interpretation of the Treaty is that the EU could claim competence if it wanted it, or disclaim it if it did not want it. The EU, but not JAA or ECAC, can issue mandatory enactments which, like the sweep of a double-edged sword, have considerable impact whether well or ill directed,

ECAC, the European Civil Aviation Conference, was established in 1954. Governments represented on ICAO's Committee against Unlawful Interference normally send the same representatives to ECAC's Security Committee. It is the European regional office of, though not subordinate to, ICAO. Nor in practice is it independent of ICAO.

"ECAC is therefore an independent inter-governmental organisation with a close working relationship with ICAO. It cannot be denied that the close financial nexus between ICAO and

323 Interview, senior official of the CAA. 15 October 1996
ECAC has often impeded the work of the ECAC secretariat, which has revived calls for the more independent European Organization. ..."\(^{324}\)

ECAC has only two areas of responsibility: aviation security and facilitation (loosely, coordination of activities to improve service). The EU accepts ECAC’s security role, occasionally sending observers to ECAC’s meetings. The JAA, although not charged with aviation security, has sometimes encroached into the area via its training responsibilities. Such intrusions are not well received by ECAC, delegates rightly doubting JAA’s expertise, and the ECAC staff rightly apprehensive of ECAC’s future. If there are admirers in Great Britain of the European administration of civil aviation, the researcher met none of them in 29 years.

ECAC’s formal security activity is the formulation of a common pan-European policy. This policy relates to the details of security measures; it is laid down in ECAC Doc 30. It covers ground very similar to that of ICAO Annex 17. Annex 17 contains Standards “to which Contracting States will conform in accordance with the Convention";\(^{325}\) and Recommended Practices “to which Contracting States will endeavour to conform in accordance with the Convention”; thus the Standards are compulsory in theory if not in practice; the Recommended Practices are not compulsory even in theory. ECAC Doc 30 “desire(s) that all Member States .... should be guided by the ...... recommendations ....".\(^{326}\) This paraphrases into “recommendations which may be used as guidance material, desirably”, an aspiration four steps removed from compulsion.\(^{327}\)

\(^{326}\) ECAC CEAC Doc 30 (October 1992), p v
\(^{327}\) A degree of decisiveness known in the Royal Air Force as "going firm on a definite maybe"
In parenthesis, utilitarians may have some difficulties with the lawyer manque language of ECAC's policy statements. The policy on security has three WHEREAS's and two DESIRING's; policy on facilitation has two WHEREAS's, four RECOGNIZING's, two INVITING's and two DESIRING's. Each statement ends "The Conference resolves to adopt"; thus, in formal terms, the whole is no more than an item of internal paperwork.

This, the status of enactments, is at the root of queries on the utility of ECAC in its formal role. As with ICAO, it is an umbrella organisation with no means of implementing its enactments. This implementation is entirely dependent upon the individual decisions of ECAC's constituent nation states. ECAC has no source of information on security standards, other than that which nations supply on their own performance. It has no means of applying pressure, let alone enforcing its recommendations (which would be a contradiction in terms). IFALPA, which had observer status at ECAC, believed this to be a fundamental weakness. The President of IFALPA wrote to the President of ECAC:

"The Federation believes that greater consistency of practice would be achieved if enactments, where appropriate, were accorded Mandatory status. The Federation notes that other European organisations give this status to enactments on subjects of less public importance than Aviation Security.

The Federation therefore asks that you consider the benefits of constitutional amendments to give mandatory status to ECAC enactments on Aviation Security where appropriate."

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328 ECAC Doc 30. p xvi
329 Ibid., p v
330 IFALPA Correspondence, 8 October 1992.
The President of ECAC rejected the suggestion. This may well have been an accurate assessment of the realities of national sovereignty, but no apparent steps were taken to put force and direction into ECAC's activities.

The IFALPA observer expressed serious reservations about ECAC's administration. Until 1992 each security item was discussed at least four times before achieving its final status as a (perhaps ineffective) recommendation. It progressed from Security Sub-Group to Security Committee to Security-Facilitation Coordinating Committee to Plenary Session, assuming that it was not returned at any stage for reconsideration, which frequently it was, those not in agreement with a proposal opposing it at each successive stage. Another source of difficulty, despite guarantees to the contrary, was the last-minute presentation of complex papers for immediate decision. The third source of stagnation was the apparent lack of communication between the Security Committee Chairman and the Secretariat from one meeting to the next. Umbrella organisations are not subject to commercial necessities, nor perhaps to the disciplines of any imperatives at all.

Structurally, ECAC is analogous to ICAO. Its value is not as an executive agency, but as a forum in which advocates of progress can press their case upon the recalcitrant; the need is therefore for well-informed diplomacy. National delegates to the Security Committee were administrators with aviation security responsibilities, variously lawyers, policemen, expert civil servants and non-expert civil servants, according to the various national administrative structures. Representatives of the United States, Canada, EU, IFALPA, AEA and a small number of other interested organisations were also invited to attend as observers.
The IFALPA observer (1989-93) reported highly of the calibre and character of all delegates. Perhaps the most committed of them to the speedy and across-the-board advancement of aviation security was the United Kingdom delegate. Many others were less convinced of the need to disrupt aviation and spend millions of pounds to combat a remote, perhaps non-existent, threat. None was as driven by the experience of Lockerbie as the United Kingdom. Few had recent experience of attacks on their aircraft. Unfortunately for progress, the UK representative was devoid of diplomatic skills and offended most, if not all, other delegates. Although they continued to respect his commitment, they were most unwilling to obey his strictures. Progress was therefore unnecessarily impeded. The researcher submits that criticism should not be made of the UK delegate, whose good intentions were not to be doubted, but of the ethic of HM civil service which puts trust in its servants above dispassionate performance appraisal. Nor is this generalisation invalidated by an occasional reorganisational bloodbath.

The IFALPA observer also reported that the subordination of the common cause to national *amour propre* was not unknown. It was illustrated in its extreme by the occasional conduct of the French delegate. As an example, he sought to have all conclusions of a four day meeting (Paris, 9-12 April 1991) - reached after committed and industrious work by all delegates - set aside on the grounds that he had not had adequate time to study the French wording. He appeared to overlook that whereas most nations sent no more than three delegates, the French had 12, and that he, the chief delegate, had chosen to take one day off. His mischief infuriated most delegates, a few were just stunned. Happily it was dispatched in one elegant sentence by the delegate from the Netherlands:
"I have to remind my good friend M. .... that he is not the only delegate to have to work in a foreign language".

Of the 15 national delegations, only the UK and Ireland were working in their native language. This example, albeit anecdotal, illustrates the real pitfalls which impede international cooperation. A supposed single issue can be subordinated to other, apparently irrelevant, issues - in this case the need to affirm the primacy of the French language. ECAC proceedings have to be available in both English and French when meetings are held in Paris. For that reason the Secretariat seeks to hold meetings elsewhere (thereby inflicting gastronomic hardship upon all delegates). Significantly the French even have their own name for ECAC - CEAC (Conference Europeenne de l'Aviation Civile).

6.6 The Costs of the British Response

6.6.1 Introduction

This research has already suggested that the costs of attacks are not known (6.2). This sub-section considers the costs, not of attacks, but of countermeasures. It concludes that many of these costs are also unknown. Attacks present a problem of methodology; of the calculation of consequential costs (revenue losses), probably the biggest single item. The costs of countermeasures would be relatively straightforward to calculate. The evidence is that this calculation has not been made. Some reasons can be identified. Firstly, decisions on countermeasures are driven by security imperatives and not by economic criteria. Secondly, to a greater or lesser degree, decisions are taken by one party, government, and costs fall upon another party, the industry. Thirdly the total cost of a countermeasure is an aggregation of a
number of costs, known and unknown; the need to calculate the total has not been felt.

This sub-section notes international practice in the recovery of costs. It examines the situation in the UK and considers the implications.

6.6.2 International Practice

The cause of the loss of TWA 800 (17 July 1996) has not yet (January 1997) been established. Reports that the aircraft was destroyed by a sudden explosion raised the possibility that a bomb had been the cause.

As a result, the US House of Congress passed (28 September 1996) a Bill funding a $429.4m programme to upgrade aviation security, including:

- $91.1m for explosive detection systems.
- $37.8m for trace detectors to screen electronics and other carry-on items.
- $8.9m for 114 canine teams
- $20m increase in the FAA security research budget.
- $18m to double the FAA security workforce.
- $10m for passenger profiling.

This sum covers only the capital costs of the equipment. The costs of installation - involving major redesign of airport terminals - are not given. “The FAA estimates the total program will

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331 Aviation Daily. 10 Sept 1996
cost $6bn over a decade” ... “An FAA study indicates that costs to airlines would approximate $2.5bn in the first year and $2bn each year thereafter”. The apparent incompatibility of these figures is normal in security costing. These costs to airlines relate to the introduction of passenger-bag match (ie passenger reconciliation) on domestic flights. At present the FAA requires it only on international flights.

These figures relate to proposed additional security countermeasures. The cost of existing countermeasures is not known.

“Q. What is the cost of security to the average US air traveller?”

Admiral Cathal Flynn, US FAA Assistant Administrator for Civil Aviation Security:

“The FAA does not have a good figure on the cost of security for domestic air travel. The estimated cost is single dollars per flight. ... Besides the direct costs there are fairly significant second order costs that need to be taken into account”.

It is to be doubted that any country has an accurate estimate of the costs of its aviation security. El Al, the Israeli airline, was quoted as spending $35m a year in 1992, of which the Israeli government rebated 80%. Countries responding to an ECAC study (1989) reported costs ranging from $40m to $1.5m. Six of the sixteen countries which replied to the questionnaire were unable to supply a full answer.

332 Aviation Week and Space Technology, 7 Oct 1996
333 Interview with Admiral Cathal Flynn. Intersec, Oct 1995, p 337
334 Janes Airport Review, June 1992, p 33
6.6.3 Costs of Response in Great Britain

Security costs fall primarily upon four parties: HMG, airlines, airports and associated aviation businesses. Taken one step further, these costs are borne by the taxpayer (HMG) and by shareholders and customers (commerce). Other parties are involved, but to a lesser extent: for example, employees whose salaries might relate to profitability; this is a secondary order of detail and is not considered to be significant. The point has been made that the airports are empowered by statute\(^{336}\) to transfer the bulk of known security costs, 75% (1986-1991), and 95% (1992-1997), and of unforeseen costs (the "S" factor) onto their core customers, primarily the airlines. In the short term the airlines may pay from reserves, by reducing dividends to shareholders, or by transferring funds from other budgets (employees' salaries, etc.) In the long term the costs will be transferred to their customers, the passengers, through increases in fares.

HMG's financial contribution is the sum of relevant costs borne by Parliament, DoT, the Home Office, the Foreign Office, the Ministry of Defence and in the course of Legal Enquiries. Most roles fulfilled by HMG could not be undertaken by non-government organisations: legislation, the security service, MI6, armed force - Special Branch and SAS. The concomitant costs fall upon HMG. The possibility remains that it might one day seek to recover them. Meanwhile it should be credited with the acceptance of necessity, not with generosity. Police costs associated with aviation security are already recovered from airports, and by the airports from the airlines.

\(^{336}\) Airport Act 1986. Part IV, para 40 (1)
The DoT has disclosed some of its costs. It estimates that the A&MSA (1990) put a cost upon the Department of £150,000. No estimate of the costs of the drafting and parliamentary processes are available. Annual costs of DoT aviation security activity were: £4.95m (1992-93), £6.34m (1993-94), £7.2m (1994-5). Total aviation security staff numbers were 17 (Oct 88) prior to Lockerbie, and 96 (May 1995). These cost figures include £2.6m, £2.7m, £2.6m in the successive years for programme cost. R & D, training aids, overseas assistance, and funding of two ICAO posts. The researcher estimates that DoT costs were between £0.5m and £1m in the year prior to Lockerbie.

Security costs incurred by airports and by specialist security firms are carefully calculated, because they are passed on to their customers, the airlines. BAA make the point that the figure of 95% recovery of costs is misleading, firstly because of the delay of recovery and secondly because they do not include any profit element in their costing of security (thus there is no return on capital). BAA estimated that it incurred a cost of £12.53m (1990-91) due to the two year period allowed for repayment, as a result of which they successfully negotiated a reduction in the period to one year.

The CAA was also persuaded to raise the recovery rate from the prevailing 75% to 95% in the same review. The CAA regulates the BAA in detail and with care, relating its charges to a level below but related to the RPI (Retail Prices Index) and setting a maximum revenue per passenger.

A system of cost recovery has an obvious potential to create friction between the invoicer and the invoiced. This has been addressed by the CAA which has encouraged and, it

337 Private letter to researcher, 25 May 1995
believes, achieved improvements in transparency. Other evidence of cooperation was observed during the course of this research. This is encouraging to those who advocate partnership in aviation security (6.8).

The researcher made a personal approach to five of the largest British airlines, and gave a presentation to BATA (14 Feb 1995), in pursuit of figures of airlines' aviation security costs. The evidence was that most of these costs were unknown. Subsequently two airlines conducted studies and released their findings to the researcher.

Based upon these figures and CAA figures for UK airlines output (1993) in Tonnes-km, and assuming 4% inflation per annum 1993-96, and assuming that scheduled airlines' security costs are double those of charter airlines per Tonne-km (this factor estimated from airline data available), a broad estimate of the total direct costs of security countermeasures to British airlines (1996) but excluding security duties of non-security staff and excluding all consequential costs (aircraft disruption, revenue losses etc.), and assuming the accuracy of figures provided, is in the range of £105m-£135m. Bearing in mind the exclusions above, this figure can only be an underestimate.

A figure for the total cost of security to British airlines would be the aggregate of the above, plus the exclusions, plus the costs of attacks and hoaxes (which often involve disruptions, sometimes costly). In the immediate future it would also have to include the costs of enhanced security including Hold Baggage Screening and perhaps passenger profiling, and higher standards for domestic operations, plus the cost of new US legislation. Estimates for

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340 Ibid. paras 153-158
341 American Airlines threatened to recover costs of £100,000 from a hoaxer who caused a diversion, The Times, 13 Sept 1996, p 3
the cost of Hold Baggage Screening range from 50p to £1 per bag. This figure is more significant to charter services than to scheduled services, given the traditional narrow profit margins on package operations. An indication of the potential costs of US legislation was given at the 1996 ECAC Symposium:

"Governments legislate for more measures to provide political comfort, where security effectiveness is questionable, as President Clinton has with the notorious Hatch amendment in April. When Senator Hatch introduced the amendment, which I have read in the record of the US Senate debate, he had the honesty to admit that the application of FAA security measures to all flights inbound to the USA would level the commercial playing field for US carriers by imposing the same expensive and time consuming measures and procedures on foreign carriers. British Airways has some experience of the cost of FAA measures.

We had an operation, now terminating, of three times daily flights to the United States using aircraft wet leased from USAir which cost British Airways £880K more per year than the equivalent UK measures. I look to the UK government to defend British Airways against the extra territorial application of US law and I am sure that other European carriers expect the same of their governments." \(^\text{342}\)

To smaller airlines the costs of security can be critical. One informed the researcher that their net profit on the GB to Copenhagen route had been £60,000 before receipt of the security invoice from Copenhagen, which was for the sum of £60,000. \(^\text{343}\) Similarly a single security countermeasure can attract serious costs. Guarding of individual aircraft (enforced


\(^{343}\) Interview, Airline Manager, 1993
during the Gulf confrontation) was costing British Airways £300,000 pa at Brussels alone (1991-92). 344

All of which makes it the more surprising that British airlines have not confronted HMG with the cost impact of its enactments. There is a mechanism available to them which they have never attempted to use. Compliance Cost Assessment (CCA) was introduced by HMG as part of its Deregulation Initiative:

"A CCA is a structured appraisal that all Government Departments must prepare when evaluating policy proposals likely to affect business. Its purpose is to inform Ministers and officials of the likely costs to business of complying with new or amended regulations so that compliance costs can be assessed, and unnecessary burdens to business identified well before a decision is taken on whether or not to go ahead with the proposals. A policy submission to Ministers should highlight the important features of the CCA, if one has been prepared, and the full CCA should be an annex. 345.

The DoT argues that the CCA Scheme applies only to policy enacted after its inception (December 1992), and that its own policy proposals pre-date 1992, most being embodied in the A&MSA 1990. Industry could have challenged these interpretations. Alternatively it could have invited the DoT to comply voluntarily with CCA as a gesture of responsibility and good faith. Industry has done neither.

The simple fact is that British airlines had not, until recently, even started to calculate their total security costs. They were not in a position to challenge HMG's cavalier attitude to

344 Interview, BA Manager, 1994
costs, nor to mount a case on grounds of eroded competitiveness, nor even to conduct careful cost-benefit analysis. The financial wound they have suffered was not self-inflicted, but their self-defence was not well-conducted.

“British Airways profit for 1995/6 was announced on Monday at a new record of £585m, with annual turnover of £7,760m. The percentage security cost to profit ration was 14.5% ...”

6.6.4 HMG Policy

The civil aviation industry of Great Britain is one of the largest in the world. Heathrow is the world’s busiest airport (international passenger numbers). British airlines are second largest (measured in tonne-kms and passenger-kms on scheduled services, 1994). Therefore the introduction, implementation and improvement of British aviation security has been a massive undertaking. The standards achieved, certainly amongst the best, of any major country, are a credit to the British civil aviation industry and to HMG. [In the aviation context Israel is not considered to be a major country. Its international airline, El Al, is 30th in the above ICAO rankings. El Al’s procedures, passenger profiling which involves repeated, potentially offensive, questioning and the concomitant long (two or three hour) check-in times, would not be acceptable away from the war zone of Israeli activities.]

In all but one of the 16 countries in the 1989 ECAC Study (6.5.5), the government either totally (8) or partly (7) bore the cost of statutory aviation security. The one government which made no contribution was HMG. The United Kingdom replied “(Cost) Not known as

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346 BA Head of Security, ref 342, pp 5/6
347 ICAO Annual Statistics. Appendix 15, Table 5, 1994, p 163
this is expended by airport authorities and airlines”. HMG clearly saw its role as a dictator of standards, without responsibility for, or interest in, their costs.

"Lord Clinton-Davis

To ask Her Majesty’s Government what have been the costs of aviation security in the United Kingdom in each of the years from 1988 to the present. [23rd June]

To ask Her Majesty’s Government how the costs of aviation security in the United Kingdom compare with those in France, Germany, the Netherlands and Italy. [23rd June]

To ask Her Majesty’s Government who bears the costs of aviation security in the United Kingdom and which authorities bear such costs in France, Germany, the Netherlands and Italy. [23rd June]

The Earl of Caithness

In the UK the airports and airlines are responsible for meeting their own security costs, in the same way as they are responsible for funding other items of operational expenditure. no central record is kept of the costs incurred. The arrangements in other countries are a matter for the individual governments concerned."

After this Ministerial statement, the Security Committee (BALPA) submitted a Paper to the Department. The Summary read:

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348 The House of Lords. 30 June 1992
“British Government policy on Financing Aviation Security is clear: the costs are borne by the industry. This policy differs from those of many of our competitors in two respects:

1. The Aviation Security standards which we seek, and achieve, are higher than most, if not all, other countries.

2. The British Government’s financial contribution to the costs is lower than most, if not all, other countries.

The Security Committee has observed that British airlines have been inconsistent in, and sometimes obstructive to, the pursuit of higher Aviation Security standards. It has concluded that their concern for their competitive position is a major factor.

It has further concluded that other countries’ system of financing Aviation Security may constitute unfair competition.

It therefore recommends a comparative review of the systems of financing Aviation Security used by Great Britain and its major competitors.”

The final sentence was:
"Financing of Aviation Security was last reviewed in 1988, prior to Lockerbie. Details of the (government’s last) review (1988) are confidential to NASC but the Association feels that its conclusion owed more to Government policy than to powerful reasoning."

The evidence is that this final sentence identifies the core of the issue. During the first decade of the Development Years (1968-88), security measures (passenger-bag reconciliation, early passenger screening) caused some disruption but were not major cost items. During the second decade (1979-1988) the strong-minded Margaret Thatcher was Prime Minister. Her primary objectives were the dismantling of the nanny state and the reduction of state expenditure. Thus for the first decade the case for state financial support was perhaps not strong, and for the second decade the timing was not propitious. The Re-energization Years (1989-93) were immediately preceded by the end of Britain’s boom and were thus a period of government economic parsimony. This continues to the present (1997). The government strategy for economic recovery has been to restrict government spending in all areas. Whilst single-mindedness is essential to the successful pursuit of any strategy, small-mindedness is a different matter. A government which is careless of the impact of its strategy at the tactical level is giving a hostage to electoral fortune. Across a wide spectrum: Victims’ Compensation (minimal compensation to victims of violence), confiscation of lifetime savings of the elderly to meet nursing fees, Control of Handguns (minimal compensation to individuals and business) Maintenance of Listed Buildings (Draconian imposition of prohibitive costs upon owners), Child Support Agency (retrospective invalidation of legal agreements), the government’s determination to reduce its expenditure has suggested the inflexibility of the small-minded. Further, the

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350 The Times, 6 Apr 1995, p 1
351 The Times, letter, 18 Sept 1995
352 The Spectator, 26 November 1996, pp 58-9
(Conservative) government has been opposed to state intervention in industry. Thus the years of massive aviation security expenditure (1991-96) have been years in which HMG has been unwilling to make a financial contribution for reasons both doctrinal and dogmatic.

There are essentially two arguments for government contribution. The first is in the context of national defence: that the nation, or even the government, was the target of terrorist attacks and that the aviation industry was a proxy victim. The second is in the context of commercial competitiveness. Major international airlines fly the same aeroplanes and charge similar fares. The most important distinctions between them are their tangible service and their less tangible brand image. Rigorous security may have an adverse effect on service, both through its intrusion on passenger facilitation and its consumption of funds which otherwise could be expended on passenger comfort. Thus HMG's rigorous requirements are likely to erode competitiveness. Airlines are notoriously unwilling to advertise that their safety or security standards are better than their competitors, this being seen as challenging fate. [PanAm spent much of its security levy on advertising its security standards, thus challenging belief as well as fate.] The problems of competitiveness are exacerbated by the massive financial support given by other governments to their national airlines (Air France, Iberia). In contrast HMG exacts from airline passengers an Air Passenger Duty (Departure Tax) which will yield an estimated £700m (1997-8). One quarter of this later sum rebated to the airlines would cover the direct costs that they incur in protecting their passengers from HMG's enemies.
6.6.5 Costs in Perspective

The subject of the costs of aviation security is not only unexplored, it is uncharted. A basic methodology must cover the calculation of costs, analysis of comparative effectiveness of countermeasures, and the calculation of cost effectiveness. To devise and apply such a methodology would be challenging within the British national context. To resolve issues of international fair competition it should also be undertaken in an international context. The realities of international cooperation suggest little prospect of success. A methodology could be designed and imposed by the European Union. The EU is unlikely to move into such an contentious area unless either invited or obliged. This indicates that the British civil aviation industry should work in partnership with HMG to pursue a "level playing field".

Questions of cost-effectiveness arise with the proposal of any new security measure. Any security measure can be penetrated; if prohibitively difficult to penetrate it can, like the Maginot Line, be circumvented. Worldwide, approximately 2 billion hold bags are carried annually. Heathrow handles approximately 53.4 million passengers (1994). The volume of the movements sets the biggest problem. It militates against the depth of screening which is sought by advocates of security. The volume demands that the successively closer, more time-consuming screening be focused on successively smaller numbers. Thus advances in achieved security standards may be attained by improvements in screening techniques or by improvements in the focus of (items selected for) those techniques. This is the basis of the flow system whereby at each stage suspect items are separated and streamed through a finer filter. This system is used in the screening both of baggage and of passengers; in the latter case it is called "profiling". A methodology of cost-effectiveness, if it is to have real value, must be able to quantify the impact of any security proposal.
Cost-effectiveness is a tool with which comparisons can be made between security measures. It is not a principle upon which either the objectives or standards of aviation security can be based. Thus it guides tactical choices, but not the formulation of strategy.

All strategy is derived from value judgements. These assumptions are the first order factors, the foundations. Costs and cost-effectiveness, important though they are, are second order factors. The primary first order factor is the value judgement of the importance of aviation security. The researcher has propounded the view that responsible civil aviation safeguards the lives of those who depend upon it to a degree unsurpassed in any other area of large scale, potentially hazardous, human activity: medicine, law enforcement, road transport, shipping, etc. This level of care has become a public expectation. It is thus enshrined in legislation by government and reflected in the culture of the (market-led) civil aviation industry. It may be that a public perception (correct or incorrect) that PanAm had wilfully failed to adhere to this cultural norm - the duty to care - was material to the airline's demise.

Thus though the costs of security are not a strategic consideration, the cost of inadequate security most certainly is.

6.7 The Pilots' Response

6.7.1 IFALPA

IFALPA responded vigorously to the first incursions of international terrorism into civil aviation (1968). For 10 years its activity earned it a leading place on the world's aviation stage. In 1977 the President of IFALPA was invited to address the United Nations General
Assembly in the form of the UN Special Political Committee (26 October 1977). Thereafter IFALPA ceased to occupy centre stage, though its security efforts continued, and still continue (1997), but out of the public eye.

IFALPA was better prepared for international terrorist attacks on aviation than was the international community. This was a result of the exposure of US airline pilots to the Cuba hijack epidemic (1961 on). The experience of US ALPA of widespread opposition to action was a foretaste of what was in store elsewhere:

"I spent an awful lot of time trying to talk people into doing the things that were possible to do, and I must say that when it came to doing something effective, ALPA was not only the prime mover, we were almost the only mover."

... We had to fight like hell for the most basic changes in ground screening, X-ray surveillance of luggage, magnetometers. It was obvious that the companies and the FAA were going to do as little as possible, and we finally had to threaten to take action on our own, and if it meant defying the government ban on flight crew carrying handguns, well, we just had no choice, because we just couldn't tolerate it any longer. I had to fight four-fifths of the airlines on the use of low-pulse x-rays, which were just beginning to show up to screen luggage. FAA was dubious about it, and of course Ralph Nader and his ilk screamed." 353

US ALPA is the biggest, and perhaps the most powerful, of the world's Pilots' Associations, few of which could contemplate such a bold defiance of their governments.

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When the first international hijack occurred (23 July 1968):

"Under its new President, Captain Ian Bartelski, IFALPA reaction was swift and two Principal Officers, Ola Forsberg (Vice-President) and Jim O'Grady, quickly went down to Algiers. During the first visit they hardly managed to penetrate officialdom; it did, however, provide IFALPA not only with all the facts but also with a good basis for a publicity campaign. After this the two went down to Algiers again; this time they found the atmosphere had changed, at least enough to result in talks with Foreign Minister Bouteflika. But although they were well received, nevertheless no immediate release followed. IFALPA’s governing body, the Principal Officers, lacking nothing in persistence, sent down another delegation, this time, Captain Vitaly Nicolaieff (France), supported by his colleague Captain Jacques Langradin. But from the point of view of Member Associations, time was dragging on and, with still not direct contact with the crew, the idea of a boycott of Algiers had sprung up almost spontaneously. ... Vitaly Nicolaieff’s bargaining position was much strengthened and indeed, soon after his visit, all passengers and crew were released."  

The IFALPA History intimates that IFALPA initiated the "entirely new policy .... no safe place to go." Although the claim of originality is not verifiable, early support for the "no safe haven" concept is a matter of record. IFALPA combined realism and prescience in its pursuit of this important policy:

"From the very beginning IFALPA has been aiming at "no safe place to go" - ie severe punishment and/or extradition everywhere. We are fully aware, however, that political asylum

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354 JACKSON, ibid, pp 307, 308
355 JACKSON, ibid, p 308
will be granted in a foreseeable future, but we insist until further that, before granting this asylum, severe penalties must be imposed."^{357} (wording sic)

"Summing up my impressions about International Law at the present time I would say that, while it covers well the entire range of unlawful interference, it is definitely not strong enough yet. The main reason is that it skillfully avoids the political problems that, after all, constitute the most dangerous element for us today."^{358}

IFALPA also introduced a new concept, that of any state which detained the crew of a hijacked aircraft for more than 48 hours, being declared "an offending state". This was prompted by the conduct of the Algerian Government during the first Palestinian hijack (23 July 1968). The Algerians had immediately released most hostages, but the crew and five Israeli passengers had been detained until 1 September. Significantly the 1969 Conference resolved to accompany its declaration of "offending state" with action: "to institute an immediate ban ... on the operation of aircraft into the offending state ...".^{359} However and in essence, the ban was not worldwide, but related to "the Associations involved" and depended upon prior consultation. IFALPA is little more than a committee for coordinating the activities of Member Associations; it is powerless to direct them. Thus Associations wary of the strong, and brave, decisions at the Conference immediately began to attenuate them.

Some Associations faced three serious possible threats: a boycott being classified as illegal industrial action within national legislation, airlines opposed to a boycott resorting to court injunctions against a Member Association, as had been threatened by the US airlines'
organisation (ATA) against US ALPA, or dismissal of individual pilots supporting the boycott. These are real threats, not lame excuses. For such reasons a watering down process immediately began. At the Special Conference on Hijacking (London, 17-18 Dec 1969), which was the first Special Conference ever convened by IFALPA, the Directive status of the Amsterdam resolution was reduced to that of a Policy Statement. A proposal to hold a 24 hour stoppage to draw attention to the fact that “governments had been dragging their feet” on hijacking was rejected, largely because it was not supported by the two biggest Associations in the world; US ALPA did not believe that its pilots would support a ban - some being threatened with punitive action by their employers. The BALPA representative stated that “such demonstrations were useless, ineffective and improper”.

Happily there were also capable and prescient campaigners in IFALPA. The 1971 Annual Report of the President includes a thoughtful, seven page, Position Report on Hijacking/Sabotage, and a six page Attachment reporting the IFALPA 1970-71 Campaign; appendix (X) outlines proposals for a specific Anti-Hijacking Campaign (The T+ Program). These documents reflect great credit on those who sought to lead IFALPA towards responsible, effective action. Influential outsiders also directed attention to the leadership vacuum in the international community:

“... We have said before and we say again that pilots have a special responsibility to exercise leadership on this issue ... With government efforts to enforce an international air piracy law waning, the pilots’ responsibility to assume leadership increases. Pilots have been in the vanguard of almost every campaign to improve air safety. Air piracy is the worst threat of all ...
only forthright action by pilots will stir other organizations and agencies to continue the
inexorable campaign of eradication - it will take a long and vigorous campaign'.’

Many would agree with this statement. IFALPA's reaction to hijacking was coherent and
committed; the same could not be said of either ICAO or IATA.

"... It is noteworthy here that in no case of hijacking or of passenger/crew detention did IATA
assume a direct interventionist role. For this, it was in just as good a position to take physical
action (for example, sending a delegation, imposing a boycott) as was IFALPA. Instead, IATA
policy appears to have been to leave everything to the governments concerned - which, of
course, had in effect proved grossly inadequate. IATA also seems to have kept a low profile in
the face of IFALPA's own proposal for a ban on an 'offending state'.”

"... Early in 1969 the Council of ICAO had itself proposed to 'get on its horse' by sending a
delegation of its own members whenever a case of the unreasonable detention of passengers or
crew was involved. At Aden* this was exactly the situation and, after a day or two with no
discernable progress in the negotiations, ... accordingly I sent them a telegram asking when we
might expect a delegation from Montreal. There was no reply. When I mentioned this some
time later to Jack Newton, he indicated that in practice Council members could not be organised
for any kind of instant response. ...”

*Researcher's Note: 13 September 1969 hijack of Ethiopian DC6 to Aden, involving a
gunfight between armed hijackers and an Ethiopian secret police agent.
"... In practice Council members could not be organised ..." is a statement that does not stand up to any kind of scrutiny. Similarly IATA's inaction was a reflection of both ineptitude and absence of will. Thus IFALPA set an example to ICAO and IATA, both of which were much bigger, richer and potentially more influential international organisations.

Aviation terrorism ran increasingly rampant. In 1972 IFALPA turned its earlier resolve into action:

"The worldwide 24 hour boycott of civil air transportation on June 19, 1972, was prompted by a record of 34 successful international and domestic hijackings from January 1, 1972, through the first week in June. According to reports, the boycott was more extensive and more effective in its impact on international air transportation than could have been anticipated. Service was substantially curtailed in most of Europe, in several Middle Eastern and African states, in much of Latin America, and in Canada. In the United States the Air Transport Association obtained a temporary restraining order from the Court of Appeals for the District of Columbia Circuit, prohibiting the Air Line Pilots Association from participating in the strike; however, the pilots of some carriers did join."———366

"... a protest demonstration consisting of a 24 hour world-wide stoppage was declared for 19th June 1972.

... governments and companies began to take notice. And so did the Press; even the American Aviation Week, not particularly noted for supporting the pilots' viewpoint, regretted that it

366 EVANS, ref 284, pp 670, 671
should be left to the pilots alone to spearhead the anti-terrorist campaign. Further, in spite of the anticipated interruption to travel, most public reaction was also sympathetic - some sections indeed positively supportive. So far, nothing of this mood had been reflected at the UN but when the IFALPA demonstration, ... looked inevitable, President Ola Forsberg (Finland) was invited to go to New York for talks with the (newly appointed) Secretary General, Kurt Waldheim. ...he ... had a discussion with Waldheim. This went on till quite late in the evening; however, when Waldheim, while requesting the abandonment of the IFALPA 24 hour cessation programme, showed no disposition whatsoever on his part to resuscitate the hijacking/sabotage subject again at any UN level, 367... Forsberg phoned ... to say that we had no choice but to implement the stoppage.

.... Nevertheless, when it came to the crunch, the two largest Associations, ALPA and BALPA, had failed to deliver.

In the case of ALPA, their President J J O'Donnell had conducted the strongest personal campaign in favour of the stoppage, however when faced with an injunction filed at the Supreme Court by the American Transport Association (ATA), he found that he did not have solid enough backing among some pilot groups to risk legal action.”368

BALPA's failure to support the international community cannot be ascribed to legal impediment (1972 pre-dates present restrictive UK legislation) nor to industrial weakness. The IFALPA History offers no illumination, nor was one offered at the Special Conference on Hijacking and Sabotage (12-13 Dec 1972), which reviewed the stoppage. The main clues

367 Waldheim's unwillingness to act contrasts with his willingness to make high sounding statements. See FRIEDLANDER, Robert A. Coping with Terrorism: What is to be Done? In Yonah ALEXANDER, David CARLTON & Paul WILKINSON, eds. Terrorism: Theory and Practice. Boulder: Westview, 1979
368 JACKSON, ref 345, pp 320, 321
are the BALPA Chairman’s earlier procedural objection ("... no formal vote had been taken at the end of the Study Group’s discussions on hijacking."369) and his statement to the 1972 Special Conference:

“(He) re-affirmed his Association’s view, however, that the Principal Officers were wrong to call for the 24 hour cessation of operations without due consultation with Member Associations and exhorted them to pay particular attention to such policy and constitutional requirements in future.”370

On balance it is probable that BALPA’s pusillanimous performance is attributable to the same of its leadership. This failure of US ALPA and BALPA hit at the heart of IFALPA’s credibility with other Member Associations, many of whom had faced down their governments and employers in order to support the stoppage.371

The proposition of a worldwide cessation of flying is not mentioned in any IFALPA President’s Annual Report after 1973.

Post hoc, and partly propter hoc IFALPA did not use its biggest weapon - a worldwide cessation of aviation - again. Apart from the very real threats posed by legislation and by predatory employers, there is a third dynamic constraining IFALPA’s freedom of action. Its relationship with individual pilots is both remote and frail. Hence any attempt to mobilise pilots into an action which exposes them to potentially serious legal, financial and employment liabilities, jeopardises the Federation’s very foundations. The conclusion is not

370 IFALPA. Report of the Special Conference on Hijacking and Sabotage, Mexico 12-13 December 1972, p 4
371 Ibid, pp 4-5, and App A, B, C. App C (Statement by the Argentinian ALPA) is particularly cogent
that the uniting of the world's pilots is no longer possible. It is that such an action requires a very high order of management skills, such as are not normally to be found in unpaid positions, the occupation of which is determined not by stringent selection but by the ephemeral idiosyncrasies of election processes.

By the late 1980s IFALPA's security activity had effectively passed out of the hands of the Principal Officers and had become a technical issue researched by its Security Committee.

This Committee, 20-30 airline pilots, met annually. Most of its energies were devoted to developing detailed policy on security countermeasures and to issuing security advice to pilots. By 1992 the IFALPA (Security) Manual had gone the way of much IFALPA documentation and had become complex and impenetrable. Advice on an issue was spread throughout the Manual, not cross-referenced, and often contradictory. Thus to a Member Association seeking its guidance in negotiations, it was a quagmire. At the time a pilot negotiating security standards had to refer to ICAO Annex 17, ECAC Doc 30, IFALPA T Manual (Annex 17), his national security enactments and his airline's security instructions. Each of these documents had a different system of organisation, rarely indexed. The result was predictable and splendid confusion.

The IFALPA solution was to organise its Manual to mirror the definitive document, ICAO Annex 17. Annex 17 was reproduced on the left hand page with IFALPA comments aligned opposite, on the right hand page, thus producing a user-friendly document. The most significant change introduced with the new manual related to "offending states". This potentially powerful mechanism had lapsed into ineffectiveness because of failure to utilise
its main strength: the attachment of pariah status to an offending country through public condemnation by a prestigious, non-political, international body.

In parenthesis it is relevant that the same fate had befallen IFALPA's classification of states in which there were failures of air safety (cf security) standards. The methodology hinged on pressing states to remedy deficiencies, by exposing them to humiliating publicity; this classification had degraded into an internal IFALPA system, without accompanying publicity. At one time the United Kingdom had a Black classification (the worst) for its North Sea helicopter facilities; the first the Chairman of the CAA knew of it was a chance remark over lunch by the Chairman of BALPA.

IFALPA's revised Security Manual placed obligations upon the Federation within its offending state mechanism, as well as outlining discretionary actions. Initially the Principal Officers of IFALPA rejected these paragraphs as "not...sufficiently mature...since they proposed deletion of existing policy text without presenting any rationale therefor," although the "existing policy" was confused and contradictory, and although they had been fully informed of the rationale of each succeeding draft. A good example of the power of the offending state mechanism was the Lebanon (1991-2) A senior delegation of IFALPA was invited to Beirut. The Minister of Civil Aviation asked for Lebanon's removal from the list of offending states, promising immediate rectification of deficiencies. The IFALPA delegation agreed; the Security Committee rejected their recommendations, preferring to match a promise of rectification with a promise of removal from the list.

IFALPA also has powerful and less confrontational means of influencing bureaucracies, if not events. It maintains a permanent representative at ICAO. It has observer status on the ICAO Committee on Unlawful Interference, which produces ICAO Annex 17, the definitive international document on aviation security standards. The viewpoint of a practising pilot is generally well received and therefore the opportunity is valuable to IFALPA.

**IFALPA is an organisation of great potential power.** Short of atrocities of such magnitude that they themselves provoke the international community of pilots to act, IFALPA must rebuild its potential before it can deploy its power. Meanwhile it is not so much a sleeping giant as a giant suffering from loss of identity.

6.7.2 BALPA Security Committee

6.7.2.1 Perspective

The British Air Line Pilots Association has taken an interest in aviation security since 1968. As briefly mentioned above, until 1974 the issue was largely in the hands of the Chairman of the Association; he chaired the Security Committee (founded June 1974)\(^{373}\) until 1987. Thereafter the Committee comprised only security specialists, including its Chairman, and reported direct to the National Executive Council of the Association. This reorganisation proved to work well.

One of the first strategy decisions of the new Committee was to seek to involve all pilots in security, in the same manner as they had always been involved in safety. This necessitated

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\(^{373}\) BALPA. Report On Annual Delegates Conference 1974, p10
informing pilots as fully as possible. There are few specific aspects of security which justify strict confidentiality; those that do (eg undercover operations) are strictly classified by the relevant government agency, and no information whatsoever about them would ever reach beyond privileged circles (which obviously excludes non-government organisations). Thus there never was any danger of breach of such confidence by BALPA. Nonetheless it is clear that the more information that reaches an antagonist or would-be attacker, the better he can plan his attack. Therefore BALPA Newsletters to pilots were written with care, in the knowledge that they might be carried in pilots' briefcases to hotels in countries sympathetic to Middle Eastern or other terrorist groups. Achieving the appropriate balance between information and confidentiality is not difficult, and the Newsletters offered potential attackers no useful data.

The second policy decision of the Security Committee was to seek to build relationships of mutual trust with interested parties in government and industry, based on scrupulous accuracy of information supplied by the Committee, and on confidentiality of information supplied to the Committee. It was not difficult to establish mutual trust with civil servants. With industry trust is more the exception than the rule, deception of the workforce being an established industry management style. This is one reason for the Security Committee having a much better relationship with HMG than with its own employers. The second reason, already touched on, is that HMG sought to advance security standards, whereas industry, which paid for them, was less enthusiastic.

On the advancement of standards, the Committee had a simple policy: to support any advance to the point of implementation, and then to seek further advances. This policy was effective in countering the industry's standard set of responses to any security proposal:
• It cannot be done.
• It could be done, but it will bring the airline/airport to a standstill.
• It might not bring the airline/airport to a standstill, but it will cost £N (large number) millions.
• It might not actually cost £N millions, but there are other greater priorities.
• The staff will never accept it.
• BALPA should leave security matters to the experts and stick to flying aeroplanes.

6.7.2.2 Relationship with Pilots

The relationship between individual pilot members and BALPA spreads across a spectrum from complete disinterest to major commitment. Pilots at the former end maintain membership for its potential protection value against victimization by employers and against the legal costs of misfortune with aircraft. Those at the latter end are likely to have a deep but narrow commitment to one aspect of the Association's activities. The majority take a measured interest in the Association, usually accompanied by strong views on its failings. Pilots, by nature and by profession, are accustomed to make their own decisions, and tend to see attempts to influence them as attempts to dictate to them, and react accordingly. The membership is not a ready-made and malleable audience for the Association. A second difficulty attends those seeking to establish close communication links with the membership. It tends to regard Association activists sceptically, suspecting (rightly in many cases) that they are in pursuit of their own agenda, to which they are seeking to harness the membership. Finally, pilots receive large numbers of communications, often stultifyingly dull,
both from their employers and their Association. Additions to the number are unwelcome. The Security Committee was well aware of these difficulties.

Thus, though the Committee took pains to establish formal communications in newsletters and in the Association's journal, and solicited pilots' reports, it was aware that the potential was limited. It therefore encouraged informal communications in personal phone calls or in the course of normal sociability. Some of its most valuable information was received through informal channels. The most dramatic example occurred the evening after the loss of PanAm 103. A pilot telephoned a member of the Security Committee to point out that in certain circumstances the baggage on PanAm 103 could have been transferred to a British aircraft. Within 24 hours this information had been developed into a wide-ranging study; and the results telephoned to a senior official at DoT. He said simply, "Point taken", and initiated immediate action to address the issue.

The individual members of the Committee, 5 to 12 in number, were the source of most information. As far as possible the Committee was drawn from all sections of the membership, large and small airlines, domestic, European and international routes. Each had a network of colleagues within his own airline. Thus the Committee was able to keep itself well-informed on security standards worldwide.

IFALPA provided an even wider network. The Chairman of the BALPA Security Committee represented the Association on the IFALPA Security Committee, and thus had personal contact with pilots from 20-30 other nations. As an example, in 1984 British Airways wished to resume services into Teheran (which had been withdrawn soon after the revolution). Little information on the security situation at the airport was available in Great Britain, but Air
France had already resumed its service. With a phone call to the French ALPA representative on the IFALPA Security Committee (coincidentally Captain Michel Bacos, who had been the Captain of the Airbus hijacked to Entebbe), BALPA received an excellent briefing on Teheran. Captain Bacos reported that security itself was very efficient but that youthful revolutionaries like to strut through the aircraft cabin carrying AK 47s. The danger was obvious. BALPA telephoned the DoT to enquire about the safety catch mechanism on the AK 47. The DoT official chose to be unhelpful, and suggested that BALPA address its enquiry to the Iranians. [BALPA preferred to approach a US official.] Subsequent BA operations into Teheran proved Captain Bacos’ information accurate.

An issue which caused great turbulence was the security screening of pilots. Following the Lockerbie atrocity, positive steps were taken to assure the sterility of all movements across the landside/airside barrier. Vehicles were searched (previously deemed impracticable), as were personnel. From the outset the Security Committee decided that pilots should be included. Apart from the sound security basis for this decision, the Committee intended to undermine the case for the exemption of any group. VIPs, senior management, police, customs and other “special cases” were all staking their claims, presumably on the basis that they were too important to undergo screening. It was the Security Committee’s view that they were lucky to be walking on the same earth as Airline Captains and that therefore they could follow the pilots through the security checks.

The introduction of the screening of pilots caused massive inconvenience to some groups. At some (less well organised) airports pilots were obliged to queue outside, unprotected from rain. Those flying domestic services found themselves security screened each time they landed, perhaps six times a day, and perhaps involving a very lengthy detour, carrying their
luggage. There were many well-justified complaints. In fact these gave less difficulty than the two or three irrational reactions. This is less of a paradox than it may appear. The source of a justified grievance can be removed; the source of irrational behaviour is more problematic. One pilot was highly incensed because he was screened in full view of the passengers and felt humiliated. He became a vociferous critic of the Security Committee, writing in The Log (the Association journal) and making a lengthy attack on the Committee at an Annual Delegates Conference (1990). His case was without substance. Debates at conference owing more to the thuggery of the Commons than to the delicacy of the Lords, he prompted strong responses. Thereafter he showed no further interest in security. It is not desirable to leave serious criticism unanswered; it can seriously damage members' confidence in the Committee and is injurious to the morale of hard-working Committee members. However, accountability is a central tenet of the democratic system and there is no reason to exempt aviation security.

6.7.2.3 Relationship with DoT

Prior to Lockerbie, BALPA's relationship with DoT was brittle. DoT had taken over responsibility for aviation security from the Board of Trade after a reorganisation of Ministries in 1979. Some of the middle-ranking staff involved had also been transferred. The importance of the subject at the time is indicated by the staff numbers allocated to it - approximately five plus secretarial support. DoT was officially the lead organisation, but without authority over the others: the Police, Security Service, Home Office and Foreign Office. A gentlemanly turf war was in progress, exacerbated by the relatively junior rank of the DoT Aviation Security Inspectors. DoT endeavoured to subordinate BALPA to its decisions, stating that BALPA had no role in the decision-making process, and also stating
that BALPA was behaving improperly "in hawking its views round Whitehall". Had BALPA acceded to these views it would have been left with no role save that of endorsing the DoT's decisions. This would have constituted an abrogation of its responsibilities to Association members. It took steps to maintain good relations with all government departments and ignored DoT displeasure. It also began to build relationships at higher levels in DoT. Improvements began. They were much boosted in the aftermath of Lockerbie, and became harmonious following the establishment of TRANSEC and some senior new appointments (1990). Thereafter BALPA enjoyed access to high levels within DoT whenever the need arose. In the areas where BALPA did not achieve the progress which it sought, the failures were of inexperience in pursuing difficult and ambitious targets. They were not attributable to any refusal to give the case a fair hearing. The same is true of the Select Committee on Transport (1989) and the Standing Committee's deliberations on the Aviation and Maritime Security Bill (6.5.3.2).

The propriety of the conduct of the Department is best illustrated by two instances when it opposed, in part or in full, proposals advanced by BALPA. The first occasion was when BALPA responded to Paul Channon's request (Jan 1989) for recommendations. BALPA submitted a lengthy document (6.10 APPENDIX 2) containing 27 specific recommendations, well aware that many were opposed by the Department. The Department gave a careful written reply to each individual proposal. It thereby not only placed its position on record but also left it open to debate. BALPA noted the sharp contrast between the Department's conduct and that of airlines in a similar negotiating position. The second instance related to BALPA's advocacy of a Security Incident Reporting System. This was intended to formalise the reporting of security deficiencies by pilots, and to utilise the extensive potential intelligence provided by their daily movement through the world's major airports. The
Department continually rejected this proposal - probably more aware than BALPA of HMG's inability to remedy deficiencies. As a result of lobbying by BALPA (6.7.2.4) provision for a Reporting System was included in the Aviation and Maritime Security Act. Subsequently the Department decided to water the system down into negligibility, but very correctly and courteously forewarned BALPA of its decision; once again opening itself to potential challenge. The Association's experience of the Department was that it conducted itself with scrupulous integrity.

The Association sought and obtained access to Ministers at the Department of Trade. It wished to maintain Ministerial interest in aviation security, to support the Department's actions and, on occasion, to oppose the Department's inaction. It probably succeeded in the first two objectives and, on one occasion (6.7.2.4), in the third. On another occasion (6.7.2.9), the Minister was not persuaded to issue the desired instructions, however it was clear that he listened closely to the argument and was thereby well-briefed. One insuperable problem was posed by Ministers' short tenure of office, preventing the establishment of a long-term relationship of trust.

"Britain has suffered from transport not having a sufficiently high political profile. The position of Secretary of State has been for someone on the road up or on the road out. We have had something like ten secretaries of state in 13 years. No wonder the DoT leaves so much to be desired". 374

Nonetheless such meetings established the Association as a powerful and well-informed lobby, and thereby enhanced its influence on aviation security.

6.7.2.4 Relationship with Select Committee

A BALPA delegation, led by the Chairman of the Association, appeared before the Select Committee on Transport (1989) having previously made a written submission. It was clear that the Committee was both interested and informed in the subject. The Association was given a full and fair hearing. The Committee asked expert questions; interestingly they also asked simple lay questions ("You mean I cannot take my alarm clock onto an aircraft? Don't be silly"), reflecting their constituents' practical viewpoints. It appeared to accept readily the necessity of excluding undesirables from employment where they might prejudice security, a proposal challenging to political correctness. With the exception of an instance of apparent lobbying on behalf of the Police Federation (ill-advised, because the Police did not want responsibility for aviation security), the Committee was impressive.

6.7.2.5 Standing Committee

The Association lobbied Parliament during the passage of the Aviation and Marine Security Bill (1990). The DoT had accepted most of the Association's proposals for the Bill, including enlarging the scope of legislation to include cargo agents and catering and other suppliers. It did not accept the proposal for a Security Incident Reporting System. BALPA therefore sought to have the Bill amended in the course of the legislative process. The best opportunity was at the Standing Committee stage. The Conservatives had a controlling majority. BALPA approached four members of the Committee, the Conservatives Patrick McLoughlin, a junior Minister at the Department of Transport, and David Wilshire, and the Socialists Peter Snape and Mrs Gwyneth Dunwoody. Their conduct was a credit to
Parliamentary democracy. Each gave BALPA's case careful hearing and then offered support. Of particular interest to students of the realities of the parliamentary process was the advice of Peter Snape. He said that the Socialist side was willing to propose BALPA's amendment, but that it would then automatically be opposed by the Conservatives, and lose. He said that though the Socialist could make parliamentary capital out of that result, he would prefer to see the amendment succeed. He advised BALPA to concentrate upon obtaining Conservative and Ministerial support. He also offered insights (off the record) into the personalities and dynamics of the Standing Committee which proved to be entirely accurate. In the event Michael Portillo, the senior Minister, accepted Patrick McLoughlin's recommendation and instructed that the Association's amendment be incorporated into the Bill; it was carried unopposed. As with the Select Committee, the conduct of the Standing Committee and the Ministers left BALPA with a high regard for the manner in which both parties, and the parliamentary process, served the public interest in the matter of aviation security.

6.7.2.6 Relationships with Airlines

Pressures on airline managers are great. All airlines are cost-conscious; some of the smaller are barely profitable; British Airways, the largest and most profitable, is ruthless in its pursuit of economies. None welcomed the considerable burdens of aviation security. With some the Security Committee established good relationships. With others it did not; there were two root causes. The first was the policy of HMG to transfer the problems and costs of aviation security on to the industry. The DoT briefly built up a team of Senior Grade civil servants (1991-94) but demolished it before long-term relationships could be established. Thus the industry regarded (and still regards) the competence and style of the DoT with
scepticism. It therefore cooperated no more than was necessary. The second root cause was the considerable reluctance of airline management to take advice from pilots, their employees.

The Security Committee's greatest difficulties were with British Airways. The airline's uncompromising style was unforgiving of managers (apart from the most senior Directors, who survive scandals which would be immediately terminal to their subordinates). The careers of senior and middle managers hung on the achievement of cost and performance targets. Aviation security is guaranteed to increase costs and decrease punctuality. Nothing else about it is guaranteed, certainly not occurrence of attacks nor the effectiveness of countermeasures. Thus without the whole-hearted support of the senior Directors, the introduction of security measures was in conflict with the performance-driven culture. Whilst successive Directors of Safety Services (who directed security) unfailingly gave representations from the Security Committee a fair hearing, their subordinates were generally obstructive. This obstruction extended from withholding information, to economy with the truth, to simple mendacity (for example, an assertion (1992) that the DoT had given BA exemption from the preflight security checks of aircraft, easily established as untrue by an immediate visit to the Department). The Association had confrontations with successive Heads of Security (although sympathetic to the pressures under which they worked), but the gravest difficulties were with successive pilot managers with security responsibilities. Some were courteous, some discourteous; all sought the subordination of the Association to their instructions. Occasionally agreement was reached on a particular issue. Never did a relationship of long-term trust look achievable. British Airways was the extreme example. Similar but lesser difficulties were experienced with some other airlines.
The Association responded appropriately. Firstly it built a close relationship with the Department. Secondly, the Association kept the Department fully informed of the realities of security practice. Thirdly, it communicated security advice direct to pilots, advice which was sometimes in conflict with the airline's instructions.

Many of the Department's enactments were in the form of recommendations. The Department claimed that these were effectively mandatory. The status of the Highway Code was cited: although not a statute, its provisions are admissible in a court of law. Clearly this depends upon a case being pursued in court. This the Department showed no sign of doing, rightly averse to informing the public, and aviation terrorists, that worldwide security standards had much in common with a can of worms. The civil aviation industry interpreted recommendations as advice, and therefore discretionary. The Association repeatedly pressed the Department to make all enactments mandatory. This the Department slowly conceded. However this mandatory status was not generally in place in the years 1980-92 when it was badly needed. Later when compliance had improved and some aspects of the Department's expertise had diminished, the Department moved towards statutory enactments, terminology being chosen to meet the requirements of lawyers instead of those responsible for the implementation of aviation security.

An important consequence of the airlines' resistance to DoT "advice" was the regular and direct communication by BALPA of security advice to pilots. The Security Committee kept pilots accurately informed of the Department's enactments, both mandatory and advisory. It also gave advice on the technicalities of implementing the enactments. It is a necessary concomitant of the Captain's final responsibility, and a fundamental principle of the safe operation of aircraft, that on matters of safety the Captain has final authority. The lives of all
on board depend upon his good judgement. Therefore pilots react very strongly against any attempt to force upon them a course of action which conflicts with their better judgement. All responsible airlines accept this. Therefore when a Captain insists on the implementation of security measures before he takes off - particularly when those measures constitute the advice of HMG - airlines are obliged to accede to his instructions. On occasions they may grumble or press for a change of decision but they cannot overrule him. Any attempt to victimize a pilot for his adherence to safety or security standards would be guaranteed to provoke a united response from the pilot community, which would receive immediate and public backing from BALPA. British Airways, for all its menacing management style, never seriously attempted to intimidate its Captains, well aware that it would thereby not only stir up a horns' nest, but also prejudice its very high standards of operational safety. As an example, in the researcher's 18 years as a BA Captain there were only two instances in which he was subjected to any kind of management pressure on an operational decision; both were trivial. The more overt of the two occurred in 1992, when he briefly delayed the departure of a B747-400 to carry out pre-departure security checks (required by DoT but not by BA). A manager entered the flight deck and asked if there was a problem - effectively seeking an explanation for the delay. The researcher replied "You have just stepped into a minefield. I advise you to step out quickly". The manager left. The researcher was congratulated by his colleagues for his forbearance in not utilising a shorter and more colloquial term to advocate immediate departure. This incident illustrates the power of the pilots of responsible airlines. It was this power that the Association sought to harness, in order to achieve better security standards than the managements of some airlines deemed necessary.
The Association's Security Programme was submitted to the Select Committee on Transport (1989). The Summary and List of Recommendations contained in that document are attached to this section (APPENDIX 2). The recommendations are eclectic; some originated in BALPA; others were adopted from IATA; others were well-known desiderata.

The Association's policy in the furtherance of its programme was to avoid concentrating on any one issue to the exclusion of the others, to utilise all available avenues, to support any advance on offer, and to seek improvements after implementation - not before, in order not to cause delay - and to respect confidentiality most scrupulously. An extreme example of its utilisation of all available avenues occurred with the recommendation on media control during a hijack (Recommendation X, APPENDIX 2). This was prompted by the media circus when was permitted to surround the hijacked Kuwaiti B-747 (Larnaca, 8-13 April 1988). At the heart of the proposal were two concepts. The first was that the hijack of the aircraft was a means of hijacking the media, and that the occasional murders were partly intended to maintain media interest. The second was that live coverage, particularly television, impeded negotiations and obstructed intervention. This recommendation was deemed impracticable by HMG. When the proposal was put to the IFALPA Security Committee (Washington, Oct 1988) it was welcomed by pilots from several countries in which press freedom was not a sacred cow. Amongst these was the USSR. The Soviet pilots relayed the recommendation to their government, where it found favour. The USSR took the proposals to ICAO. Thus a proposal of humble origins in Harlington, travelled via Washington, to the Kremlin and

thence to the ICAO [where, unhappily, it foundered in the familiar mire of international ineptitude].

The Security Committee’s assessment of security standards was more pessimistic than the Department’s and the industry’s, both of which had a vested interest in optimism. It was not until 1991 that the Department introduced covert testing of the security system. Prior to Lockerbie it did not even inspect it openly. Pre-warned inspections are of little value, the forewarning allows a special performance to be staged. To give one of many examples: an official inspection reported vigilant security in Larnaca. The Security Committee, sceptical, sought reports from pilots. The first stated that the security checkpoints were unmanned and the security staff were gathered in one office, watching a football match on television.

It was beyond the manpower resources of the Security Committee to pursue all security deficiencies. Furthermore the receptiveness to advice of all parties: Ministers, Department, industry and pilots was not a constant, but ebbed and flowed. Therefore the Security Committee maintained at all times a “shopping list”, in order to be in a position to take immediate advantage of any increase in receptiveness. It conducted an annual review of its progress, paying particular attention to areas of failure. It is neither practicable nor constructive to seek to list its successes, all advances in security being the outcome of the efforts of many organisations. A review of the Committee’s biggest single failure (1988-93) is instructive (6.7.2.9).
6.7.2.8 Safety Issues

Any unlawful interference with an aeroplane is likely to prejudice air safety. The importance of not interfering physically with the Captain and flight crew is self-evident. The importance of not coercing them to act against their better judgement has already been emphasised. There are numerous instances (from Dawsons Field [1970] to the Kuwait B-747, [1988]), of hijacked aircraft being forced to land at unsuitable airfields either unlit, or without landing aids, or with inadequate runway length or surface, or blocked with trucks by the airport authorities. Apart from the dangers of such landings, any interference with aircraft operation has many potentials to cause disaster, for example, by collision, by running out of fuel (the TWA B-707 hijacked into Damascus by Leila Khaled, 29 Aug 1969, did not have enough fuel to carry out an overshoot - this in itself is a serious emergency). It is a myth that international terrorist hijackers are skilled in aircraft operation, lethal incompetents would be a more accurate description. The PFLP terrorists who hijacked the BOAC, TWA and Swissair aircraft to Dawsons Field (1970) did not realise that an aircraft cannot simply turn round in crowded airspace without probability of collision; they forced large jet airliners into a dark, disused airfield. Eighteen years later the hijackers of the Kuwait B-747, after trying to land on a blocked runway at Beirut airport, ordered the Captain to land in the sea. When the Captain informed them that this was impossible, they produced the passenger information card, which gave the emergency evacuation instructions and showed the aircraft floating on the sea. They forced the Captain, at gunpoint, to begin an approach onto the sea. Close to the surface the Captain said to the hijackers "You said you wanted to meet Allah. Your wish is about to be granted". This caused the hijackers to relent, and the B-747 landed safely at Larnaca - on the ground. Piquantly the pictures on the emergency card had been drawn by the Captain's wife, an artist.376

376 Information on this incident from the IFALPA Security Committee
In event after event, airline pilots have displayed outstanding skill and courage in safeguarding their passengers from the extreme dangers posed by interference with the safe operation of aircraft by terrorists, criminals and other morons. On occasions tragedy has been unavoidable. Three instances have already been cited: the crash of a hijacked Cubana Viscount forced to land at night into darkness (17 of the 20 on board killed, 1 Nov 1958), the collision of two B-747s at Tenerife after diverting from Las Palmas, closed by a terrorist bomb (27 March 1977, 575 K), the crash of the hijacked Chinese B-737 at Guangzhou, which destroyed two other aircraft, a B-757 and a B-707 (2 Oct 1990, 132 K). There are other instances of catastrophe following violent attacks on flight crew (Malaysian B-737, 4 Dec 1977, 100K). On some occasions the conduct of a pilot amounted to conspicuous gallantry:

"Just how critical was the searching of passengers was only too poignantly demonstrated when, only two months before the Buenos Aires Conference (1971), First Officer Jun of Korean Airlines had thrown himself on two live hand grenades dropped by a hijacker, losing his life in the subsequent explosion."  

Hoaxes can seriously endanger an aircraft by forcing a pilot into an abnormal or undesirable course of action. The same is true of disruptive behaviour, violence or drunkenness in the passenger cabin. For this reason offenders face severe penalties.

It is more surprising that flight safety has also been endangered by supposed allies. The worst culprit of recent times has been the US Navy. Warships of the Sixth Fleet took up...

377 JACKSON ref 353, p 316
positions along the length of the Persian Gulf in the late 1980s, during the Iran-Iraq War, to protect the oil routes from interdiction by the Iranians. Fearing attack by Iranian military aircraft, US ships intervened into the control and navigation of the world's airliners in the busy airspace above the Gulf. The incompetence of the US Navy was unbelievable. Their standard interception call, made on 121.5 - the civil emergency frequency, was: “Aircraft travelling south-east at 500 knots in the region of the US Fleet, identify yourself” or worse, “Turn right immediately”. The crew of an aircraft believing that the call might be addressed to them, would seek to establish whether this was the case: “Roger, Sixth Fleet, please state your position”. The reply was always the incredible, “Negative, the position of the Sixth Fleet is a military secret”. All the several aircraft which heard the original command were thus placed in a potentially dangerous position. One on occasion a BA jumbo on approach to landing in Dubai was ordered by the US Navy to go around (overshoot). He had to comply. All such interferences with safe flight would normally earn a custodial sentence. High level representations were made by HMG to the Americans, but the difficulties persisted for months. The pilot managers of British Airways, the airline most effected, sought to avoid consultation with BALPA. The BALPA Security Committee therefore offered detailed operational advice direct to all pilots. This advice was subsequently utilised by the DoT; it was also distributed by IFALPA to all Pilots Associations.

The US Navy in the Gulf caused tragedy when the USS Vincennes destroyed a civilian Iranair Airbus with a missile. Whilst it is invidious to criticise military personnel who believe their lives to be at stake, the tragedy could have been avoided with minimal competence on either side. The Americans' inability to identify civilian aircraft was a matter of record. At one stage they reportedly could not interrogate civil transponders, nor had they any VHF frequencies other than the emergency 121.5 (the military uses a different frequency range -
UHF), nor had they details of civil airline schedules. Finally, they allegedly misinterpreted the radar readout on the Airbus, possibly mistaking reducing range for reducing altitude, and concluding that the aircraft was descending to attack. The Iranians were culpably misguided to despatch civil airliners from the same airport as military attack aircraft during a conflict. Elementary competence would have prevented the tragedy. The most obvious would have been direct communications between the US Navy and the Air Traffic Control at Bandar Abbas. Unfortunately the US Navy was not even in communication with the air traffic authorities of its allies on the west coast of the Gulf.

A remarkably similar blind spot was reported recently on the subject of the Pentagon Papers (the history of the United States involvement in Vietnam from the 1940s to the late 1960s prepared by the Pentagon for its own purposes):

"The claim for a temporary injunction against The New York Times in the US District Court started to go badly wrong when the Judge ... was surprised to find that the government had delivered 47 supposedly top secret volumes to his chambers and left them unguarded. The US Attorney sensibly asked his government clients which parts of the study (much of which was anodyne or already in the public domain) were sensitive and why, so he could address argument on this subject and was told, to his astonishment, that this 'information is classified'." 378

The systems of aviation: selection, training, testing and monitoring are designed to assure the highest possible standards of safety. Unlawful interference or other intrusion of incompetents will always reduce those standards.

378 The Times, 13 Aug 1996, p 37
6.7.2.9 Case Study: A Failed Campaign

There is a small and finite number of avenues through which an aircraft can be attacked. Attack necessitates either the positioning of weaponry (sabotage) or the positioning of both weaponry and personnel (hijack). The possibilities of armed attack, military interception, and surface to air missiles are accepted, but excluded as different problems. The weaponry may be positioned on the aircraft either in the passenger cabin or in the exterior - baggage holds, engineering bays etc. The destruction of Air India (23 June 1985), UTA (19 Sept 1989) and particularly PanAm 103 (21 Dec 1988) by devices in hold baggage had prompted serious protective countermeasures. However other attacks had utilised weaponry brought into the passenger cabin: PanAm B-747 (11 Aug 1982), TWA B-727 (2 Apr 1986), Korean B-707 (29 Nov 1987) and Avianca B-727 (27 Nov 1989); all had involved fatalities; the Korean and Avianca had been destroyed, killing all on board. Further, it was known that the weaponry used in some hijacks had been pre-positioned in the aircraft cabin by conspirators. Passenger and cabin baggage screening had been steadily improved. However there remained the possibility that the small components of a disassembled weapon would escape detection. The variable and often lax overseas standards of security suggested that the concealment of weaponry on board by passengers or staff at overseas airports would be an attractive option to terrorists.

The BALPA Security Committee advocated a regime: Search, Check and Guard to protect aircraft from this form of attack. This involved a search of the aircraft, cabin and exterior at the start of the cycle, a check of the passenger cabin on each occasion that passengers disembarked, and guarding of the aircraft after such searches and checks.
These principles were embodied in a recommendation to the Select Committee (March 1989) [Recommendations XI and XII, APPENDIX to 6]. The Department responded (April 1989) with a Direction (statutory) which, given goodwill and cooperation from the airlines, would have provided effective protection. Goodwill and cooperation being in short supply, some airlines scrutinised the wording closely and put their own interpretation on it.

The implementation of the measures was not straightforward for operational reasons - mostly those of passenger handling. However those airlines which opposed the measures preferred not to resolve the difficulties but to trade upon them. The words "to a standard sufficient to satisfy the operator" were a serious loophole in the enactments and one which probably would have doomed any legal enforcement action. There were other defects. An aircraft coming into service from the BA Maintenance Base at Heathrow was subject to a stringent security "search", whereas a BA B-747 arriving from Africa or India was subjected - at the best - to a cursory "check". The subject was in serious confusion. The Department established a Working Party which failed (Sept 1991) to resolve the difficulties. It also published various further enactments. Nonetheless it stopped short of enforcing enactments. The fundamental problem was the absence of a cooperative partnership.

The Security Committee gave continual attention to Search-Check-Guard, assessing it as the biggest single deficiency in aviation security. In Great Britain it pressed all parties and lobbied Ministers; the DoT Working Party (above) was established after one such meeting.

The Gulf confrontation and war (Aug 1990-Feb 1991) markedly increased the threat of terrorist attack. For this brief period there was a more cooperative relationship amongst all parties. However Search-Check-Guard remained a contentious issue. One airline in
particular remained obstructive. It claimed that tests had established that the cabin crew needed 25 minutes to carry out a security check of the passenger cabin, after which they were in too dishevelled a state to receive passengers. This claim was at odds with the reality reported by pilots. Approximating, a B-747 has 60 rows of seats and 15 cabin crew. Each member of the cabin crew could search 4 rows of seats in less than 5 minutes without difficulty. All wardrobes and galleys could be searched in another 3 minutes. The Security Committee advised all Captains to insist upon the best practical check of the passenger cabin; this conflicted with the airline's instructions. Far from resenting the extra duties, as the airline had alleged, it was normal for some of the members of the cabin crew to thank the Captain for his interest in their safety. Though a reasonable standard of check was achieved, it became clear that prior planning and training were essential to consistent performance. An important lesson was that it is not possible, without prior preparation, to respond quickly to an increased threat with raised standards.

In 1992, the year following the Gulf War, the threat was perceived to have fallen and some airlines returned to their previous obstructive stance. The Security Committee once more took the matter to the Department. A newly appointed senior civil servant made it clear that he saw BALPA as interfering with the Department's responsibilities. When it also became obvious that he was unfamiliar not only with the subject but also with the Department's own enactments, the Security Committee terminated the meeting. A strong informal complaint was lodged at a higher level. The Association also decided to draw the attention of the Minister to the long-standing failings of Search, Check and Guard.

The Security Committee had also reached an impasse with some airlines, in particular with British Airways. It therefore wrote a Newsletter to all pilots quoting the Department's
enactments and giving technical advice on their interpretation and on management of Search, Check and Guard. The Newsletter explicitly advised pilots “of significant differences between Government Security Enactments and Airline Operation Orders”\textsuperscript{379}. It also stated that “Some airlines, notably British Airways, are choosing to ignore (the Department’s) Advice”.\textsuperscript{380} The British Airways reply\textsuperscript{381} said that “we have in place a procedure that in our view meets the level of threat that this Advice is intended to counter” (words with no meat under the wool) and that BALPA’s statement was “unwarranted”. The Security Committee’s answer was that it was “richly merited”.

It was not until 1994/5 that the Security Committee was broadly satisfied with the British implementation of Search, Check and Guard. The Committee had started to campaign for this security measure in March 1989, expecting it to be implemented promptly. In fact it took seven years. It is not difficult, with hindsight, to identify the causes of this failure.

The Committee was convinced of the strength of its case. It therefore continuously underestimated the time needed to achieve implementation, always thinking in terms of 12 months. Had it foreseen the extent of the procrastination, it would undoubtedly have taken an action which it regularly considered and always rejected: the public disclosure of the unremedied security deficiency. There were two powerful reasons for avoiding this action. Firstly it would have given valuable information to potential attackers. Secondly it would have adversely affected the Committee’s harmonious relationship with HMG. The discretion and loyalty of civil servants has been mentioned; they expect the same of their associates. The fact that the airlines would have been infuriated was not an issue, the Committee

\textsuperscript{380} Ibid, p 5
\textsuperscript{381} Ibid
believed that some had been deliberately obstructive, and the Association was no stranger to conflict with airline management.

The Security Committee did prepare the ground for public disclosure. In 1992 when it became obvious that the Department was not prepared to enforce an adequate Search, Check and Guard regime, the Committee realised that it had become too reliant on the Department. It had too many eggs in one basket. It therefore extended its network of contacts, briefing the Association's current (1997) President, Lord Stanley Clinton-Davis and through his good offices, members of the House of Lords. It also briefed a well-disposed and interested management consultancy and a leading academic, Professor Paul Wilkinson, whose activity in the field of aviation security was known and appreciated by the Association.

The advice of the management consultant was prophetic. He said that the Association had failed to understand that governments were structurally almost incapable of moving fast. The Security Committee turned down an invitation to brief John Prescott, the then Shadow Transport Minister. He had, at the time, given the impression of being a loose cannon and the Committee feared that its information might have been disclosed. This may have done Mr Prescott an injustice; it is mentioned as evidence that the Committee wished to maintain control of the issue.

The Security Committee felt that it had failed, in that a desirable objective had not been attained within a reasonable time span. Objectively, it was more a failure of the total system. The underlying, but unstated concept is that all reasonable steps are taken to ensure the safety and security of passengers on board British aircraft. At the heart of the issue is the interpretation of "reasonable". Airlines could have claimed, with justice, that British standards were better than most of their international competitors. BALPA might have
agreed, but certainly would have submitted that serious deficiencies in Search, Check and Guard had been identified and that it was unreasonable to leave them uncorrected. The Department appeared unwilling to force the issue, preferring to await the cooperation of the industry. One underlying reason was the Department’s unfamiliarity with the technicalities of airport and airline operation. This was compounded by the lack of continuity of civil servants in the post. In 1992 the Security Committee recorded that “four different officials have been responsible for this issue over the past three years. It has now passed to a fifth ...” 382. Given the loyalty of the civil service to its members, each new official would have been allowed a lengthy settling-in period. With five successive officials settling-in, this amounts to total stagnation (which would bankrupt a commercial organisation). The same report noted that “the (DoT) refused to offer, or work to, any timetable”.

Thus it was the total administrative system which failed to implement Search, Check and Guard. It failed to provide passengers on British aircraft with a “reasonable” level of security. Had the passengers been the judge of what is “reasonable”, there is little doubt of their verdict.

6.7.2.10 Conclusion

The Security Committee could claim to have made a positive contribution to aviation security in Great Britain. It identified most of the key issues as early as 1989: financing of security, compliance with enactments, host-state responsibility, and security standards overseas. However not until 1993 did the Committee reach the conclusion that the system of management in aviation security in Great Britain was seriously flawed (8.8).

382 BALPA Security Committee Report. 23 Jan 1992
It is very doubtful whether many countries have a better system. However some other governments have a more cooperative relationship with their airlines, partly because they make a greater financial contribution; how far this will survive serious privatisation remains to be seen. Many other governments seek to exclude their airline pilots from the decision-making system. BALPA was continually asked by other Pilots' Associations how access to government might be achieved.

This is in sharp contrast to the access to senior civil servants, to Ministers, to MPs and to members of the Lords which, when justified, was available to BALPA.

BALPA, in turn, offered its Security Committee solid support. Successive Chairmen made themselves available to lead important meetings. The Committee sought to keep in touch with the views of the members of the Association. Thus it was confident that its efforts had the support of both the leadership and the membership.

If a different structure for the management of aviation security in Great Britain establishes a cooperative relationship between government and industry, the Pilots Association will be able to make a greater contribution, and perhaps one which will be welcome to both parties.

6.8 Conclusions: Hindsight

Civil aviation's response to malicious attacks upon it has been creditable. In 1968 there was little or no security. Hijackers roamed with freedom; hijacks of aircraft of the free world reached the level of 70 a year (FAA figures). Now (1995-7) the rate is 1-3 pa. Saboteurs
had unrestricted access to baggage, cargo and stores. Now systems of 100% Hold Baggage Screening are being installed; cargo regimes and security controls on stores have been implemented; tactical defences are in place.

More important, the causes of attacks have been addressed. The principle of no concessions to terrorists, long advocated by HMG, has now been widely accepted. The respectable international community has achieved a consensus of opposition to attacks on aviation, an important manifestation of which is the widespread adoption of IFALPA's no safe haven concept. Thus putative attackers are doubly discouraged, first by their likely failure to exact concessions, second by well-founded fears for their personal prospects. Earlier sections of the research have offered evidence that attacks on aviation have proved counterproductive to the Palestinians, the pioneer proponents of this technique of terrorism. It has lost much of its attraction as a terrorist method. It remains a means of pursuing an undeclared war. However the sponsors of such acts now have sure knowledge that they personally may be the targets of a savage response, viz the US Air Force attack on Colonel Qadaffi (1986) and its improved bombing skills (Gulf War 1991).

International government umbrella organisations: UN, ICAO, ECAC have convincingly demonstrated that they are structurally incapable of executive action. Their agencies can operate only where there is no effective national government; they cannot take authority over established government. This is not to say that they are organisations of no value. The various Conventions and ICAO Security Enactments offer a useful foundation, by way of stimulus or justification, for progress. However their international enactments should not be expected, *per se*, to effect changes in the outside world, for they cannot. They do provide a means of empowering national governments to act. Neither action nor leadership should be
expected of umbrella organisations (government or otherwise), encouragement is the most of which they are capable. Their value is not to be measured by the number or detail of their enactments, but by the realities of compliance with those enactments.

International cooperation had the frankly dreadful beginnings of *Sauve Qui Peut*, the various forms of buying-off terrorists (1968-85). Since then inter-European and international cooperation has much improved, but arguably, it has more been driven by terrorists than led by governments. If it is measured by the success of subsequences, legal processes and extradition proceedings, it remains seriously flawed.

HMG can look back over the past 28 years with some satisfaction. It has led the world in its policy of no concessions to terrorists, a policy affirmed in the Spaghetti House (September 1975) and Balcombe Street sieges (Dec 1975), and established in the international (and terrorist) psyche at the time of the siege of the Iranian Embassy (May 1980).

This last event also publicised the formidable skills of the SAS, a much-appreciated deterrent to terrorist attacks on British aircraft. HMG must be given credit for foresight in establishing and funding the SAS Counter Revolutionary Warfare (CRW) capability after the Munich massacre (1972).\(^383\)

HMG has also driven the British aviation programme to a position of pre-eminence. It responded promptly and firmly to the attack on PanAm 103. It enacted comprehensive legislation and re-energized Great Britain’s aviation security programme. Other nations in a similar situation did not respond with similar competence. The US response to Lockerbie

was inconsistent, powerful in some respects, but weak in others (domestic security, kerb-side check-in). The US failed to consummate the wide-ranging and thoughtful recommendations of the President's Commission on Aviation Security and Terrorism. The French response to the loss of the UTA DC-10 was not discernible in security levels at Paris, nor was it evident in heightened support for progress at ECAC. The evidence is that HMG: Ministers, MPs, and DoT, behaved with competence and integrity. However the sound foundations laid after Lockerbie have not been used to build a modern and comprehensive system of aviation security. Rather, budgetary constraints and reorganisational upheaval within the Department have led further into the blind alley of confrontation with the industry. Latterly the Department's relationship with the industry, never harmonious, has deteriorated. HMG is steadily reverting to the traditional government role of enactment and enforcement, an anachronism convenient to itself but not conducive to the public good.

The British Air Line Pilots Association, as a consequence of the style of government in Great Britain, has had close involvement in the advance of aviation security. BALPA's access to government has been the envy of several other Pilots Associations, who have sought BALPA's advice on the subject. Of all the parties involved in the progress of British aviation security, BALPA is arguably the best-positioned: better informed of achieved standards and freer from conflict of interest than either government or industry, and able, in the ultimate, to bring the public into the debate. BALPA would certainly claim that professional pilots are the guardians of the travelling public.

The total costs of aviation security in Great Britain are unknown, nor is there evidence of a serious attempt to calculate them. The benefit of this is that the progress of security has had priority over its costs, although the evidence is that security standards are intrinsically
related to aviation's high safety standards. Nonetheless accurate costing is essential to the industry's case for HMG assistance, and to the argument of unfair competition which HMG could present to the EU.

The present confrontational relationship between government and industry is inevitable given the industry's justifiable view that "governments regard the aviation industry (as) a milch cow". The industry's enthusiasm for additional security costs could be equated to the turkey's enthusiasm for Christmas dinner. A cooperative relationship between government and industry could, if properly structured and managed, achieve the pooling of the different talents and strengths of the two parties. Civil servants are unkindly described in an aphorism as literate but not numerate. In commercial matters they are inexperienced and even gauche.

"Before I leave my milch cow theme, let me give you an example of this attitude which is reflected in this symposium. The aviation industry was put under considerable pressure to give money to sponsor social events and was also asked to provide subsidised air fares. British Airways made a major contribution. Along with my industry colleagues, I was astonished to find that the registration fee for aviation industry and other non government attendees was 100% more than government representatives".

On the other hand, industry has commercial experience and acumen but lacks the fundamental integrity and intellect of the civil service, nor has it the same access to the legislative and diplomatic processes.

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384 BA Head of Security, ref 342, p 1
385 BA Head of Security, ref 342, p 2
The evidence suggests that the management and decision-making should pass, as far as possible, from the exclusive confines of the civil service to a new body, essentially a mutual enterprise of government and industry. Mutuality - working together - is not a realistic objective unless both parties are sharing the costs and the responsibilities of aviation security. If HMG is unwilling to contribute to the costs - even though it raises £700m in Departure Tax from passengers, more than double British airlines' (and thus most of the industry's) direct security costs - then HMG is turning its back on the best interests of aviation security.

The model for such a body is that of a Crisis Management team, in which experts of different disciplines are brought together to address a mutual crisis. This concept is examined below (7.6.1).

Aviation security in Great Britain is not facing a crisis; it is facing a challenge. A new structure would be the best response. The strategic advantages of this proposal are examined in the next Section (7).

The British response (1968-1996) to international attacks on aviation has had its failings. Nonetheless, HMG would be justified in claiming that in commitment and competence, it has led the world.
1. **Chicago Convention (1944) and Buenos Aires Protocol (1968)** - These establish the basis of international law on civil aviation but do not relate directly to aviation security.

2. **Tokyo Convention (1963)** - Gives jurisdiction to state in which aircraft is registered. Empowers the aircraft commander to disembark such persons on the territory of any state. Offences committed on an aircraft shall be treated, for the purpose of extradition, as having been committed not only where they occurred but also in the territory of the state of registration of the aircraft, etc.

3. **Hague Convention (1970)** - Relates to unlawful seizure (hijacking). Charges states to establish their jurisdiction over aircraft registered in their state and/or landing, with an alleged offender on board in their state. Charges states to prosecute or extradite an alleged offender.

4. **Montreal Convention (1971)** - Provisions similar to those of the Hague Convention (1970). The important difference is that whereas the Hague Convention relates only to unlawful seizure (hijack), the Montreal Convention relations to unlawful acts of most types.

5. **Article 3 (bis) of the Chicago Convention amended by Protocol (Montreal 1984)** - Charges states not to use weapons against civil aircraft. Instructs civil aircraft to comply with instructions if intercepted. Instructs states not to misuse civil aircraft for other purposes.

7. **Rome Resolution (1973)** - Condemned Israel for the action of its military aircraft which violated a neighbouring state's airspace and forcibly diverted and seized a civil aircraft. The resolution recalled and condemned another act of unlawful interference by the same state.
SUMMARY

THE THREAT: PRESENT AND FUTURE
Attacks on aviation targets are a permanent feature within the armoury of terrorism; Great Britain could at any time face an increased Threat for different, unforeseeable reasons.

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THE COUNTERMEASURES
There is no single blockbuster by which terrorism can be destroyed. Our countermeasures must be layered, utilising all options: International, National and Front-line.

INTERNATIONAL RESPONSE
The underlying concept to be pursued is that an attack on one nation is an attack on the International Community.
Advances in the International Response to terrorism must be sought more vigorously at ICAO and ECAC.

NATIONAL RESPONSE: THREE INITIATIVES
Three Initiatives are advocated for adoption at National Level and for pursuit at International Level:

   Treatment of Terrorists who are Released by Duress or Wanted for Trial, as Fugitives from Justice.

   International Control of the Media during a Hijack.

   Implanting of Marker Substances in Explosives during Manufacture.
FRONT-LINE RESPONSE

Department of Transport: Security Standards and Recommended Practices

Pan American 103 was destroyed despite being subjected to more stringent security procedures than apply in the UK.

The Principle is advocated of a high level of Security Standards, raised at frequent, irregular intervals to impede the planning of attacks.

The Pace of Change of improving our security process is too slow. Positive direction is needed to overcome the industry's opposition to progressive development.

FIVE MAJOR DEFICIENCIES IN SECURITY STANDARDS can be identified.

The Lack of a Security Incident Reporting System.

The Lack of an Effective Security Inspectorate.

Failure to Enforce Published Standards.

Deficiencies in Passenger/Possession Reconciliation Procedures and Practice.

Security of British Aircraft Overseas.

SIX NEW STANDARDS ARE PROPOSED

Airside Passes
Holders should undergo appropriate security screening.

Cargo and Catering
Contractual responsibility for security should be placed upon agents and suppliers.

Passenger Information
Aircraft Captains should be informed of VIPs and Potentially Disruptive Passengers on board.

Duty Free Goods
Liquor, perfume and electronic equipment should be banned.

Air Service Agreements
Security Clauses should be a part of all Air Service Agreements.
Security Consciousness
The Industry should assess the security aspects of all its activities. The priority of security should be reaffirmed by senior management.

TECHNOLOGY
The need for improved Technology is urgent. The technology of today will detect only the weapons of yesterday.

Certain Existing Techniques are not be utilised but should be: Suitcase Banding, Sniffer Dogs, Card Readers, intrusion Detection Systems and Passenger Profiling.


FUNDING
A major advance in security is now overdue. Costs will be incurred in training, in equipment, and in development.

Terrorist attacks are directed at the aviation industry but motivated by hostility to the Government. The Government must accept some financial responsibility.

CONCLUSION
This Paper is the distillate experience of 4,620 civil pilots. Each of the Recommendations has been considered carefully for practicability and benefit. All require the expenditure of resources. A few involve delicate or difficult issues (Personal Freedoms, Race Relations, Rehabilitation of Offenders, and the Freedom of the Press) and demand political courage.

The alternative, lax security, is an open invitation to terrorism.
RECOMMENDATIONS

RECOMMENDATION I

THE WORK OF EXISTING INTERNATIONAL BODIES (ICAO, INTERPOL, ET AL) BE FURTHER ENCOURAGED AND SUPPORTED, AND WHERE NECESSARY SUPPLEMENTED.

RECOMMENDATION II

UNITED KINGDOM PURSUE THE CONCEPT OF INTERNATIONALISING THE RESPONSE TO TERRORISM, UTILISING THE ICAO FIVE POINT PLAN.

RECOMMENDATION III

UNITED KINGDOM PURSUE A STRAIGHTFORWARD EXTRADITION TREATY FOR ATTACKERS OF CIVIL AVIATION TARGETS.

RECOMMENDATION IV

THE CONCEPT THAT TERRORISTS RELEASED UNDER DURESS ARE DEEMED FUGITIVES FROM JUSTICE BE ADOPTED NATIONALLY, AND SUPPORTED AT ICAO.

RECOMMENDATION V

THE POLICY OF NO PUBLICITY DURING A HIJACK BE ADOPTED NATIONALLY, AND SUPPORTED AT ICAO.

RECOMMENDATION VI

THE POLICY OF INCORPORATING MARKER SUBSTANCES INTO EXPLOSIVES BE ADOPTED NATIONALLY, AND SUPPORTED INTERNATIONALLY.

RECOMMENDATION VII

THE PRINCIPLE BE ADOPTED OF HIGH STANDARDS OF FRONT-LINE SECURITY, RAISED AT FREQUENT BUT IRREGULAR INTERVALS.

RECOMMENDATION VIII

THE IMMEDIATE ESTABLISHMENT OF A SECURITY DEFICIENCY REPORTING SYSTEM.

RECOMMENDATION IX

THE IMMEDIATE ESTABLISHMENT OF A SECURITY INSPECTORATE.

RECOMMENDATION X

THE ENACTMENT AND ENFORCEMENT OF STATUTORY SANCTIONS UPON THE ADMINISTRATORS OF SECURITY.
RECOMMENDATION XI

AN IMMEDIATE REVIEW BE UNDERTAKEN OF PASSENGER, HOLD AND CABIN BAGGAGE PROCEDURES, WITH THE OBJECTIVES OF ACHIEVING PASSENGER/POSSESSION RECONCILIATION.

RECOMMENDATION XII

THE "THREE QUESTIONS" BE MADE MANDATORY FOR ALL DEPARTURES.

RECOMMENDATION XIII

A SURVEY BE MADE OF ALL OVERSEAS AIRFIELDS TO ASSESS THEIR STANDARDS OF SECURITY.

RECOMMENDATION XIV

WHERE SECURITY STANDARDS OVERSEAS DO NOT MEET UK REQUIREMENTS THEN BRITISH OPERATORS BE OBLIGED THEMSELVES TO MEET THOSE REQUIREMENTS.

RECOMMENDATION XV

APPROPRIATE SCREENING PROCEDURES BE MADE MANDATORY FOR ALL HOLDERS OF AIRSIDE PASSES.

RECOMMENDATION XVI

CONTRACTUAL RESPONSIBILITY FOR SECURITY BE PLACED UPON THE SUPPLIERS OF AIRCRAFT CATERING.

RECOMMENDATION XVII

CONTRACTUAL RESPONSIBILITY FOR SECURITY BE PLACED UPON CARGO AGENCIES.

RECOMMENDATION XVIII

A REVIEW OF CARGO SCREENING TECHNIQUES BE UNDERTAKEN.

RECOMMENDATION XIX

NEW STANDARDS BE LAID DOWN TO ENSURE THE SECURITY OF CARGO AND CATERING SUPPLIES.

RECOMMENDATION XX

HOME AND FOREIGN OFFICES, WITH FOREKNOWLEDGE OF POTENTIALLY DISRUPTIVE PASSENGERS PASS THE INFORMATION TO THE AIRLINE CONCERNED.
RECOMMENDATION XXI

CAPTAINS BE INFORMED WHENEVER A VIP IS ON BOARD THE AIRCRAFT.

RECOMMENDATION XXII

CARRIAGE OF DUTY FREE LIQUORS, PERFUMES AND ELECTRONIC EQUIPMENT BE BANNED, UNLESS PURCHASED ON BOARD THE FLIGHT CONCERNED.

RECOMMENDATION XXIII

SECURITY UNDERTAKINGS BE CONTAINED IN ALL AGREEMENTS ON THE AIR SERVICES OF UK OPERATORS.

RECOMMENDATION XXIV

A PROGRAMME BE INSTITUTED TO INculcate SECURITY CONSCIOUSNESS THROUGHOUT THE INDUSTRY, AND SENIOR MANAGEMENT SHOULD AFFIRM ITS PRIORITY.

RECOMMENDATION XXV

THE RESEARCH PROGRAMME SHOULD BE PURSUED WITH MORE URGENCY.

RECOMMENDATION XXVI

THE FOLLOWING EXISTING TECHNIQUES SHOULD BE UTILISED:

- SUITCASE BANDING
- SNIFER DOGS
- CARD READERS
- INTRUSION DETECTION SYSTEMS
- PASSENGER PROFILING

RECOMMENDATION XXVII

THE FOLLOWING, AND OTHER, TECHNIQUES SHOULD BE THE SUBJECT OF MORE URGENT DEVELOPMENT:

- X-RAY SCREENING
- METAL DETECTION
- EXPLOSIVE DETECTION
- ADVANCED CARD READERS
7. CONCLUSIONS: THE NEED FOR A STRATEGIC APPROACH

7.1 Introduction

7.2 The Context of International Terrorist Attacks on Aviation

FIGURE 12: Attacks on Aviation: The Context

FIGURE 13: Attacks on Aviation: The Attack Chain and Components

FIGURE 14: Attacks on Aviation:
Attack and Countermeasure Components

7.3 General Operational Frameworks

7.4 Contemporary Strategic Approaches to Aviation Terrorism

7.5 Strategic Framework for Aviation Security

7.5.1 Introduction

7.5.2 Command, Coordination and Policy

7.5.3 Internationalisation

7.5.4 Multilateral Alliances

7.5.5 Multilateral Law

7.5.6 Aviation Security Programme

7.5.7 Contingency Programme

7.5.8 Technology

7.5.9 Intelligence

7.5.10 Diplomacy and Politics

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7.6 Command Structure

7.6.1 The Proposed Command Structure

7.6.2 The Present Command Structure

7.7 Conclusion
7. CONCLUSIONS: THE NEED FOR A STRATEGIC APPROACH

7.1. Introduction

This research submits that aviation terrorism and modern international terrorism appeared in 1968. One by one liberal democracies have become involved, either as targets or as terrorists' battlefields. They have responded individually with varying competence and commitment. Not to this day have they combined effectively and responded with common standards of aviation security and with mutually satisfactory legal and extradition processes. ICAO and the international community have demonstrated their inability to lead nations out of the snare of attacks on aviation, a relatively easy dimension of international terrorism. In the absence of an international strategy, long advocated by experts, responsibility falls to the national level.

It is essential to give credit to those nations who have made a positive and powerful response to aviation terrorism. Their efforts have, for the present, nearly eliminated attacks on aviation from the international terrorist armoury. The importance of this must be emphasised. A feeble response would have permitted attacks on aviation to have become established, and accepted as an unfortunate fact of life, like tribal war in Africa, genocide in Yugoslavia, oppression in Palestine, murder in the USA or crime-levels in Britain. However the impact of such attacks has been firmly established; given lax security, they will certainly recur. Thus, although liberal democracies have achieved their present success with ad hoc measures, the need for a systematic response remains.
The strategy of war has been well-explored. The strategy of counterterrorism has not had the same attention, although terrorism may be the modern form of war. This research, as its title implies, is primarily a retrospective assessment of the past three decades. It concludes that the British and international responses to attacks on aviation did not amount to a coherent strategy. It offers the foundations of a more systematic approach. It does not embark upon the lengthy and important undertaking of developing a comprehensive strategy. That is a task for later research.

Using a methodology similar to risk assessment, this section examines the context of attacks on aviation, to establish the nature of the activity. A systematic approach is developed, starting with frameworks of counter-insurgency, and proceeding to expert works on aviation security. It culminates in a reasoned advocacy for strategy at the national level, both to attain a more satisfactory national system of aviation security, and as a building-block towards cooperation between nations.

7.2. The Context of International Terrorist Attacks on Aviation

The researcher has not lost sight of the fact that international terrorism is only one of the sources of attacks on aviation, nor that the Palestine conflict is only one of the sources of international terrorism.

The researcher submits that the model derived below has a general validity. Clearly it would be adapted to address each specific case. Fortunately most countermeasures have some value against all forms of attack. The Figures below are illustrative, not definitive.
FIGURE 12 ATTACKS ON AVIATION: THE CONTEXT

ATTACKS --------------------------------------------- COUNTERMEASURES

ATTACK POTENTIAL

ATTACK PROBABILITY

ATTACK DANGER

ATTACK

RESPONSE

ATTACK OUTCOME

ATTACK SUBSEQUENCES

ATTACK CONSEQUENCES

ATTACK LEGACY

GOVERNMENT

PREVENTION

DETERRENCE

PROTECTION

INDUSTRY

VICTIM
FIGURE 12 (opposite), outlines the context of aviation security. It utilises the terminology of Section 3.

**Attack Potential** is the ability to attack: personnel, resources and expertise.

**Attack Probability** is the likelihood of attack; it is a function of instrumental and decision factors, (FIGURE 13).

**Attack Danger** is the product of Attack Potential and Attack Probability; clearly, in the absence of (eg) resources or volition, it is zero.

**Attack Outcome** is the immediate outcome of an attack.

**Attack Subsequences** relate to the attackers and their instigators.

**Attack Consequences** relate to the target and victims.

**Attack Legacy** is the final legacy of the attack to all involved.
FIGURE 13  ATTACKS ON AVIATION: THE ATTACK CHAIN AND COMPONENTS

Factors | Sub-Category | Category
--- | --- | ---
Cause | ORIGIN | ATTACK
Sponsor | |
Strategic |
Sub-Strategic | OBJECTIVES | POTENTIAL
Tactical |
Reprisal |
Personnel |
Resources |
Weapons | CAPABILITY |
Expertise |

Instigators' Success Criteria | INSTRUMENTAL | ATTACK
Success Prediction |
Target Selection |
Victim Selection |

Instigators' Stimulus | DECISION | PROBABILITY
Command |
Initiative |

Success of Attack | SUCCESS | ATTACK
Achievement of Objectives | JUDGEMENT: OUTCOME |
Outcome/Attackers |
Extradition | SUCCESS |
Prosecution | JUDGEMENT: SUBSEQUENCES |
Conviction |
Sentence Served |

Success Assessment | SUCCESS: OUTCOME & SUBSEQUENCES | ATTACK
LEGACY
FIGURE 13 (opposite) adds detail to FIGURE 12. It is largely self-explanatory. The term “Cause” refers to the supposed underlying terrorist cause. The four objectives are those suggested in Attack Aetiology (3.4). Probability factors are sub-divided into Instrumental and Decision. Success criteria and prediction are, it is suggested, the key factors in the go/no-go decision, bearing in mind that the key assessors are the instigators, not the attackers. The stimulus is the trigger (3.4.2). The attack process is initiated by command or on the attackers' own initiative. Outcome/Attackers relates to the attackers' fate; escape, capture, or death.
### FIGURE 14 ATTACKS ON AVIATION: ATTACK & COUNTERMEASURE COMPONENTS

#### ATTACK CHAIN

<table>
<thead>
<tr>
<th>ORIGIN</th>
<th>Objective</th>
<th>Method (eg)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cause or Sponsor</td>
<td>Address Cause</td>
<td>Diplomacy</td>
</tr>
<tr>
<td></td>
<td>Address Sponsor</td>
<td>Diplomacy</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>OBJECTIVES</th>
<th>Objective</th>
<th>Method (eg)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategic</td>
<td>Deny Objectives</td>
<td>Policy</td>
</tr>
<tr>
<td>Sub-Strategic</td>
<td>Deny Objectives</td>
<td>Policy</td>
</tr>
<tr>
<td>Tactical</td>
<td>Deny Objectives</td>
<td>Prot’n/Response</td>
</tr>
<tr>
<td>Reprisal</td>
<td>Deny Objectives</td>
<td>Deter</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CAPABILITY</th>
<th>Objective</th>
<th>Method (eg)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel</td>
<td>Interdict</td>
<td>Intelligence</td>
</tr>
<tr>
<td>Weapons</td>
<td>Interdict</td>
<td>Intelligence</td>
</tr>
<tr>
<td>Expertise</td>
<td>Interdict</td>
<td>Intelligence</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>INSTRUMENTAL</th>
<th>Objective</th>
<th>Method (eg)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Succ’s Criter’a Prediction</td>
<td>Assess</td>
<td>Intelligence</td>
</tr>
<tr>
<td>- Outcome</td>
<td>Deny (Policy)</td>
<td>Policy</td>
</tr>
<tr>
<td>- Subsqnces</td>
<td>Deny (Prot’n/Resp.)</td>
<td>Av. Sec./Cont. Plns</td>
</tr>
<tr>
<td>Target Seln</td>
<td>Deny (Policy)</td>
<td>Diplomacy/Policy</td>
</tr>
<tr>
<td>Victim Seln</td>
<td>Assess</td>
<td>Intelligence</td>
</tr>
<tr>
<td></td>
<td>Protection</td>
<td>Av. Sec./Cont. Plns</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>DECISION</th>
<th>Objective</th>
<th>Method (eg)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Command</td>
<td>Interdict</td>
<td>Diplomacy</td>
</tr>
<tr>
<td>Initiative</td>
<td>Interdict</td>
<td>Intelligence</td>
</tr>
</tbody>
</table>

| SUCCESS OF ATTACK | | |
|-------------------| | |
| Protect Av. Sec. | Av. Sec. |
| Response         | Cntngncy Plans |
| Deny             | Policy |
| Response         | Cntngncy Plans |

| ACHIEVEMENT OF OBJECTIVES | | |
|---------------------------| | |
| Punish                    | Diplomacy |
| Law Enforcement           | |
| Legal Framework           | |
| Policy                    | |

| OUTCOME/ATTACKERS | |
|------------------| |
| Punish           | |
| Legal Framework  | |
| Policy           | |

| SUCCESS ASSESSMENT | |
|--------------------| |
| Total Impact       | |
FIGURE 14 (opposite) aligns countermeasures with the attack components. It is apparent that the components grouped under Attack Potential and Attack Probability are susceptible to preventive measures. These, with one exception, are government responsibilities. The exception is victim protection in which, together with the protective measures which oppose Attack Danger, industry plays the major part. Restating the earlier observation that desire for success is the overriding influence on attackers, it is clear from FIGURE 14 that Attack Subsequences must feature prominently in their calculations. Unfavourable subsequences thus have a major role to play in the deterrence of attacks. There is a useful distinction to be drawn between deterrence, which influences attackers' motivation to attack, and prevention, which influences their ability to attack. Deterrence is arguably the more fundamental. It is particularly important in the strategy of counterterrorism because the ultimate strategy - elimination of the cause of the conflict - is likely to be inaccessible in cases of international terrorism, and unachievable in cases of religious and other extremism.

FIGURE 14, the first differential of the general context of attacks on aviation, suffices for the present purposes. It could be further differentiated until the finest useful detail was exposed. It shows that prevention is largely a government responsibility. In GB, responsibility for protection (front-line aviation security measures) has been placed upon industry. Whether HMG has concentrated upon enforcing protection whilst being negligent of prevention is a matter which would justify close examination elsewhere.

FIGURE 14 also illustrates that there is a probable international component in each countermeasure. The point is taken up below (9.6). FIGURE 14 is the general context of the responses to attacks on aviation. It is this which strategy must address.
7.3. General Operational Frameworks

Kitson, Hoffman and Taw, and Behm and Palmer, have developed operational frameworks which relate to insurgency, Mau-Mau, Malaya, Cyprus, et al. Although they cannot be directly applied to the different context of attacks on aviation, they do provide good examples of strategic approaches to specific forms of conflict.

General Sir Frank Kitson was a central figure in the British Army's responses to insurgency in Kenya, Malaya and Muscat and Oman. His first book, Low Intensity Conflict (1971), is a thoughtful treatment of the subject based upon his personal experience. In a new Preface (1991) he suggests that "the events of the past two decades seem to have confirmed the analysis". The same could be claimed for Sir Frank's framework, which is outlined below.386

Kitson identifies four areas in which "decisions have to be made". He likens these to the four sides of a frame. His framework is thus not conceptual, but operational, the functions necessary to successful counter-insurgency. The four sides of his frame are:

- Coordination of the various measures which make up the overall plan.
- Establishment of a political atmosphere within which government measures can be introduced with likelihood of success.
- An effective intelligence organisation
- An appropriate framework of law.

386 KITSON, Frank, Bunch of Five. London: Faber & Faber, 1977
Hoffman and Taw, in an extensive study for the US Department of State, make a qualitative analysis of seven case studies. They state (p.v):

“Each government must then tailor its approach by emphasising its strengths among these elements, which include:

1. Command and coordination.
2. Effective antiterrorist legislation combined with measures to build public trust and support.
3. Coordination within and between intelligence services.
4. Foreign collaboration amongst governments and security forces.”

Behm and Palmer, respectively a member of the Attorney-General’s Department and of the police in Australia, present a powerful case for a strategic approach to counterterrorism and are bold enough to detail it. Paraphrased by the researcher, their elements specify that strategy must (be):

- Dynamic
- Holistic, combining all potential contributions
- Comprehensive and coordinated
- Enhance the security environment to encourage cooperation
- Maximise uncertainty for terrorists
- Operate within an appropriate legal framework which treats terrorism as a crime

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387 HOFFMAN, Bruce and Jennifer Morrison TAW. A Rand Note - A Strategic Framework for Countering Terrorism and Insurgency. Santa Monica: Rand, 1992

- Pursue a negotiating policy of no concessions to terrorists
- Pursue appropriate international instruments to ensure no safe havens.

Amongst the features of their response policies are:

- Measures to prevent media exploitation by the perpetrators of public violence.

They emphasise, as do Kitson, Hoffman and Taw, the needs for a holistic approach and for coordination. They develop the point by advocating the demolition of barriers between departments to obtain both synergy of the parts, and maximum benefit from expenditures. They address the need for operating within an appropriate legal environment and the need for intentional cooperation.

It is particularly interesting that they advocate a legislative and organisational concept based on counterdisaster organisations. The same conclusion has been reached in the course of this research (8.8). Underpinning the concept is the coordination which is vital in crises but which falls easy victim to personal and organisational self-interest in normal times.

There is much common ground between these works. An impediment to simple comparison is that the dimensional units of Kitson and of Hoffman and Taw are “areas in which decisions have to be made”, whereas the elements of Behm and Palmer include the qualities and characteristics of strategy. The reconciliation of conceptual and operational models is challenging.
Winston Churchill, expresses very clearly the difficulties in translating strategic concepts into operational methodology:

"The truths of war are absolute, but the principles governing their application have to be deduced on each occasion from the circumstances, which are always different; and in consequence no rules are any guide to action"\(^\text{389}\)

### 7.4. Contemporary Strategic Approaches to Aviation Terrorism

Several scholars and writers on aviation terrorism make contributions to the development of a strategy of response. **Wallis** with good reason, emphasises the need for internationalisation of response\(^\text{390}\). He propounds five international measures: advisory group for the management of hijack response, advisory team of experts to investigate attacks, military response force, international court and detention centre. These priorities, the IATA 5 Point Plan, do not purport to be a strategy. However each has merit and might be included in an international strategy. They have been advocated by IATA for at least nine years, but have not been adopted by the international community.

**Finger** addresses the role of the UN.\(^\text{391}\) Three of his six points relate to the drafting and ratification of conventions. The fourth is the interesting suggestion of an annual report of non-ratifying states. This is analogous of IFALPA's Offending States (8.7.1). The fifth and sixth are recommendations for actions by other organisations, specifically IFALPA. Finger's recommendations do not amount to a strategy; they complement Wallis's priorities.

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\(^{390}\) WALLIS, Rodney. *Combating Air Terrorism*. New York: Brassey's (US), 1993

Clutterbuck suggests several strategic priorities. He highlights the contribution to be made by new technology, particularly in the field of passenger identification. He recommends judicial cooperation within the EU and the international enforcement of ICAO’s standards.

BALPA would not claim that its recommendations (8.10 Appendix 2) amount to a strategy. Nonetheless they are systematic and address international cooperation, national standards, technology, attack subsequences and the role of the media.

Wilkinson has long advocated a strategic approach to counterterrorism. His early recommendations focus upon political will, refusal of terrorist demands, legislation treating terrorism as common crime, and rebuttal of any justification of terrorism. In addressing aviation terrorism he advocates a systematic approach based upon command and coordination, intelligence, resources, security procedures, internationalised response and media relationships.

The most valuable of these contributions are incorporated into the strategy proposed in the sections which follow.

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393 BALPA. *Proposals for the Advancement of Aviation Security*. Submission to Select Committee on Transport, 1989
394 WILKINSON, ref 14
395 WILKINSON, ref 284
7.5. Strategic Framework for Aviation Security

7.5.1. Introduction

This section adopts the framework approach of Kitson and of Hoffman and Taw. A fuller treatment of strategy would examine alternative approaches. The components of the framework are the major areas of activity, chosen for the importance of their potential contribution, and distinguished by the nature of their function. The first is derived from the works cited above, the remainder from analysis of FIGURE 14:

- Command, Coordination and Policy
- Internationalisation
- Multilateral* Alliances
- Multilateral* Law
  * "between two or more nations", including bi- and trilaterals, cf international - the world community.
- Aviation Security Programme
- Contingency Programme
- Technology
- Intelligence
- Diplomacy (international) and/or
- Politics (domestic) to address cause
- Culture
7.5.2. Command, Coordination and Policy

Strategy must be comprehensive, systematic and coordinated. This necessitates a point of overall command. At this point the policies are defined, through which the strategy is to be pursued. Policies are particularly relevant to response to coercion, and to incidents, high-emotion circumstances where there may be great pressure for short term solutions, to the detriment of long term strategy.

7.5.3. Internationalisation

The long term objective must be for a global response to international terrorism. This research shows that this objective is unachievable in the medium term, but that continued pressure brings benefits. Internationalisation implies that such pressure would be applied to all international organisations (ICAO, IATA, IFALPA etc) and wherever productive. FIGURE 14 shows that each factor in Attack Potential and in Attack Probability is either totally or significantly dependent upon international cooperation. The need for internationalisation is all-pervading. In its absence, gaps will remain in countermeasures which national strategy cannot close. Internationalisation is a distant hope; it must be pursued though all avenues.

7.5.4. Multilateral Alliances

Wilkinson makes two key points:\(^{397}\)

- Global progress must be pursued through national progress
- Bilateral cooperation is the most practicable means of international action

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\(^{397}\) Ibid, p 378
Common international standards would be the bedrock solution to comprehensive aviation security, and must remain an objective. It has proved impossible to achieve real - fully implemented - progress at UN level. Therefore priority should be switched to the less ambitious but more achievable option of bilateral and multilateral agreements between genuine liberal democracies with competent and incorruptible governments. The obvious starting points for Great Britain are Canada, Australia, and New Zealand. The USA has problems both with vociferous minorities and with commercial predatoriness. The G7 and Trevi alliances should also be pressed to make real advances.

Such alliances would achieve mutually reliable aviation security standards. Equally important, the partners would act in harmony to pressure other nations and the international community.

7.5.5. Multilateral Law

Multilateral law is included in the strategic framework. It is the essential jurisdictional concomitant to multilateral political alliances.

7.5.6. Aviation Security Programme

The need remains for protective aviation security measures. To be effective, they must be coordinated within a programme to prevent attackers and weaponry from exploiting gaps.
7.5.7. Contingency Programme

The contingency and the aviation security programmes are separate. Contingencies require crisis-management programmes, to operate in an impending or actual incident. Specialist teams of intelligence, police and military are likely to take the leading roles, not the industry staff who administer the aviation security programme.

7.5.8. Technology

Technology will remain the key to the effective implementation of protective measures. It has already transformed explosive detection (computed tomography), passenger and baggage tracking (bar codes) and access control (smart cards). It must be pursued with continued urgency. As one avenue of attack is closed, serious attackers will turn to another.

7.5.9. Intelligence

Strategic counterterrorism must reach beyond response to attack. It must be proactive, and seek to discourage, deter or disrupt attacks before they materialize. This demands high quality intelligence on all aspects of terrorist activity, starting with the nature of the (alleged) grievance and covering all activities preceding and culminating in possible attack. Good intelligence is the key to understanding the terrorists’ minds and methods, and is thus the key to any strategy of counterterrorism.
7.5.10. Diplomacy and Politics

Threats to aviation are likely to be both international and domestic. In all cases the underlying cause should be addressed. Many will be inaccessible (overseas territorial disputes) or intractable (extremism), in which cases deterrent and protective measures will remain the main defence. Other causes may be more susceptible to diplomatic efforts (overseas) or political efforts (domestic).

7.5.11. Culture

The life and energy of any system comes from its human dimension. The strategy will have many different audiences: the personnel involved, the travelling public, the general public, the potential attackers and their support community, and others. The media is both an audience in its own right and an avenue to the others. All these audiences must be addressed with appropriate messages, to win support from the travelling public, to win the commitment of industry and security personnel, to deter potential attackers, etc. In particular the media must be persuaded to subordinate its own priorities to those of safeguarding life.

7.6. Command Structure

7.6.1. The Proposed Command Structure

The evidence of British Responses (8) suggests that the system of British aviation security is directed by government and implementation by industry. This confrontational relationship constitutes a pressure towards minimum standards; a cooperative relationship, pursuing a mutual benefit, would press towards higher standards.
A cooperative relationship can only be based upon shared decision-making and shared costs. It is submitted that its effect would be to raise British aviation security standards. It would also benefit HMG, by incorporating into the national strategy those of the industry's resources which are presently deployed to inhibit HMG's demands. Thus the industry would assist the internationalisation policy through its membership of IATA, ACI, AEA, etc. It would assist intelligence, especially in passenger identification, where there is great potential for the industry's need for rapid passenger processing to be synergised with the intelligence need to identify potential attackers (10.9.4).

The proposition is that government and industry should have equal voice on a new aviation security strategy committee. Membership of the committee would be a matter for further careful study. The proposed framework of strategy suggests a role for the Foreign Office (internationalisation and diplomacy), Security Service (intelligence), DoT (Aviation Security Programme), Police (Aviation Security and Contingency Programmes), for airlines and airports, and for staff representatives. The case for legal, communication and political science expertise would also have to be examined. Clearly HMG could not delegate its ultimate authority. The committee would therefore answer to a Ministerial Committee.

7.6.2. The Present Command Structure

The considerable achievements of the present command structure have been acknowledged. However the structure is ill-suited to a strategic approach. Some of the key dimensions: internationalisation, multilateral alliances and laws, culture and the causes of
attacks, fall outside the scope of NASC. Each of these dimensions is a government responsibility, upon which it cannot be pressed by industry.

It is to be doubted that a formal command structure was ever established to coordinate, for example, the Department of Transport and the Security Service. Its absence is suggested by the indecisive handling of the intelligence on the Toshiba IED (8.5.3.1) where, conceivably, authoritative command might have saved PanAm 103. Similarly, a coordination structure based on strategic principles would have embodied the holistic approach specified by all the strategists quoted (9.3), and thereby pursued a cooperative relationship between HMG and the civil aviation industry.

The inputs of the Select Committee (1985 and 1989) made a valuable contribution to progress. It is to be regretted that the Committee did not review security on a more regular basis.

Neither NASC nor the Select Committee have a command role. That remains the exclusive prerogative of the DoT. It is clear that this structure is incompatible not only with a cooperative relationship between government and industry but also with the systematic management of progress.
7.7. Conclusion

This section has presented the case for a strategic approach to aviation security. Not only would this be more effective and wider ranging, it would also be more efficient in that it would reap the benefits of a cooperative relationship between government and industry.

The need for an effective international response is acknowledged. History proves that it is well-nigh unachievable. Therefore a policy of cementing bilateral and multilateral alliances is advocated both for the immediate benefits of cooperation and as a means of compelling international progress.

The proposal for a strategic approach is presented in outline only. Whether HMG could be persuaded to make a feasibility study is a moot point. Kitson has pointed out that the decisions to establish an appropriate framework mirror those subsequently taken within the framework. The present (March 1997) Conservative administration is provenly antipathetic to increased government expenditure. The threat to British aviation is not high and during a period of quiescence, there is little incentive to act. It would neither be wise nor responsible to await a second Lockerbie.

KITSON, ref 386, p 282
8. CONCLUSIONS: OVERVIEW

8.1. Underlying Values

8.2. Attacks on Aviation

8.3. The Origins of International Terrorist Attacks on Aviation

8.4. The Success of the Tactic, The Failure of the Strategy

8.5. Israel and Palestine

8.6. Addressing the Cause of Terrorism

8.7. Tactical Priorities
   8.7.1. Strategic Context
   8.7.2. Instigators of Terrorism
   8.7.3. Data Collection
   8.7.4. The Detection of Attackers of Aviation

8.8. International Priorities

8.9. Public Support for Counterterrorism

8.10. Conclusion
8. CONCLUSIONS: OVERVIEW

8.1. Underlying Values

The researcher is not a pacifist, but he is implacably opposed to the murder of innocents. As a member of the community of pilots, he is committed to the safety of air passengers. Thus his attitude to attacks on aviation is one of total hostility.

However, he believes that utilitarianism is best served by adherence to the facts, including those which are unpalatable. Selectivity of evidence is not a sound basis for solutions. Had this research suggested that terrorist attacks on aviation advanced the cause of the attackers, the conclusion would not have been withheld.

The conclusion has been to the contrary: where attacks target liberal democracies, they are counterproductive to any terrorist cause, because the injustice of their method exceeds that of any other injustice. The researcher submits that this general conclusion can be derived from the Palestinian experience.

There are two caveats. The first is that the conclusion relates to stable liberal democracies. It may not be valid for weak or brittle administrations. The second, and more important, is that the tactic - albeit counterproductive overall - is demonstrably contributive to short-term and to solipsistic objectives. It will therefore remain in the terrorist armoury.
8.2. Attacks on Aviation

Palestinians are not the only international terrorists, nor are international terrorists the only attackers of aviation. Any interference with the lawful, professional operation of an aircraft jeopardises the lives of all aboard. It is a myth that international terrorists are skilled operators of aircraft, they are ignorant and incompetent. The two pilots who operate a modern British airliner are likely to have a total of between 20 and 45 years of flying experience, and will have undergone several years of rigorous instruction. None of this is replicated in the superficial training of terrorists on airfields in Iran or elsewhere. When passengers survive unlawful interference, it is thanks to their pilots who, despite the violence to themselves, deploy great operating skills to overcome the lethal ignorance and demands of their attackers.

Aircraft have been destroyed or hijacked by terrorists, criminals, fugitives and the deranged. All of these remain a potential threat. Criminals and fugitives were responsible for most early attacks on aviation. The international terrorist threat emerged in 1968. Since then it has been regarded as the gravest danger, being both systematic and supported by the resources of malevolent states. The countermeasures developed against terrorists: protective security and policies of response, were fortunately even more effective against other attackers, who were unlikely to find sympathetic or compliant governments to protect them. Therefore, countermeasures to non-terrorist attacks have not been addressed as a separate issue.
Despite the success of countermeasures in reducing their incidence, attacks have not been eradicated from the terrorist armoury. Thoughtful and rational terrorists may eschew the methodology, but terrorism is often low on rationality and high on emotion.

Attacks on aviation are also established in the methodology of conflict between nations. To an aggressor they have many advantages over conventional war. These advantages become imperatives when the target is a major military power. However it is now clear that the destruction of a civil airliner, if not casus belli, may well be cause for lethal, closely focused, reprisal. The obvious deterrent effect of this is doubly beneficial. The need for absolute deniability by the perpetrators - to avoid retribution - greatly restricts the number of objectives which they can pursue by an attack on aviation: extortion, release of prisoners, political concessions are examples of objectives, declaration of which facilitate identification of the attackers. However, neither the possible action of a leader believing himself invulnerable in his bunker, a Saddam Hussein or atrocity-inclined Ayatollah, nor a possible anonymous statement of hostility should be disregarded. Nor should that of organised crime, although it would be unable to link demands to attacks on aviation for reasons already outlined. The inescapable conclusion is that the general threat to aviation will remain much diminished if powerful countermeasures are maintained.

8.3. The Origins of International Terrorist Attacks on Aviation

Early criminal and fugitive attacks on aviation demonstrated its viability as a method of defying the authorities, extorting large sums and of obtaining transport. Given the increasing incidence of terrorism worldwide, it is reasonable to surmise that the incorporation of the
tactic into the terrorist armoury was a probability; if the Palestinians had not done it, someone else would have.

For the Palestinians it was a blocked response, almost a last resort. Unable to better the Israelis in conventional war, nor able to move them with fedayeen attacks, and angered by the world's unconcern, there was logic, perhaps inevitability, in their recourse to international terrorism.

The thoughtful Palestinian leader Abu Iyad stated that "it was the only way to impose the Palestinian cause on world opinion and to rally our masses." The early hijacks were spectacular and successful. They achieved Abu Iyad's aims. They also coerced the release of terrorists from many countries, including Britain and intransigent Israel. There is no greater inspiration than success, nor encouragement to re-use a tactic. Within 2 years the Palestinians had identified all the essentials of hijacking, which they subsequently disseminated to other international terrorists. In particular they demonstrated the facility with which the tactic could hijack the world's media, and harness it to a terrorist cause.

At this point the Palestinians embarked upon a course of self-destruction. They turned to airborne murder and atrocity, and progressively outraged the West. Their success at Dawsons Field and concomitant usurpation of Jordanian territory prompted King Hussein to eliminate the threat to his kingdom by evicting them. They further appalled the Western world (Munich Olympics, 1972) and proceeded to alienate most of their political allies (seizure of OPEC Ministers, 1973). Some wise Palestinian voices had advocated the

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abandonment of terrorism (1971) but had not prevailed. The Palestinians lost all semblance of strategy as their military warlords prevailed over their weak political directors.

The methodology of international terrorist attacks on aviation was aided by the mischief-making Soviet Union and utilised by mindless murderers (Abu Nidal). It was adopted as a favoured weapon by states which became the sponsors and the directors of terrorism (Libya, Syria, Iraq and Iran). The Palestinians had released an evil genie from its bottle.

8.4. The Success of the Tactic, The Failure of the Strategy

The Palestinians achieved undeniable "successes" in their tactical aims of hijacking or destroying aircraft, coercing the release of prisoners, extortion, massive media exposure, and - perhaps most important- encouraging other Palestinians.

The evidence is that these tactics were counterproductive to their strategic aim of recovering their lost lands from the Israelis. Abu Iyad, quoted above, spoke of imposing the Palestinian cause on world opinion. Arguably his objective was wrong. He should have addressed the attraction of world sympathy, not of world attention. There is a destructive element of Marxism in the concept of creating disorder as a route to a different order. The Palestinians totally misread the Western mind in their belief that attacks on Western aircraft would somehow harness the West to their cause.

They also misread their situation, mistakenly likening it to that of successful anti-colonial movements in Algeria, Aden, Vietnam and elsewhere. In these, the sheer scale of the insurgencies vanquished half-hearted opposition. By comparison Palestinian attacks were
imperceptible pinpricks on the stronghold of liberal democracy. Terrorism arouses great hostility. To say that if it does not succeed it is likely to fail is a truth, as well as an aphorism.

Thirdly the Palestinians misread global politics. The overwhelming issue was the Cold War. The Russians were happy to make mischief in the Middle East in the hopes of reaping advantage. By allying themselves with the Russians, the Palestinians ensured that the USA allied itself with Israel. They exacerbated their predicament by their terrorist attacks on US targets. These ensured that the USA could not give support to their "terrorist" cause.

The success of the Palestinian tactics was disastrous to their strategic purpose. Nor have other terrorist groups turned tactical success in attacks on aviation into the strategic advance of their cause. Certainly there were early and noteworthy examples of valuable publicity and of successful extortion of huge sums which may have sustained terrorist operations in the medium-term. This is not the same as achieving long-term objectives. Croatians, JRA, ASALA, and Sikhs have all had tactical successes. None have attained their strategic goals. The brilliant interventions at Entebbe and Mogadishu in 1976 and 1977 inflicted massive defeats on international aviation terrorism and much reduced the hijack menace. The Mogadishu terrorists were seeking to coerce the release of the Baader-Meinhof leadership from German prisons. Their failure prompted the suicides of Baader, Raspe and Esslin. The Baader-Meinhof Group never recovered. European terrorist involvement in attacks on aviation has not re-emerged as a serious threat.

Attacks on aviation are spectacular and achieve unparalleled publicity. They are likely to remain in the terrorist armoury for their solipsistic value and as a means of expressing hostility. Strategically, their use cannot be beneficial to a terrorist cause. It can be terminal.
8.5. Israel and Palestine

It is unlikely that any objective observer could fail to condemn the conduct of Israel towards the Palestinians. Equally, until Arafat's renunciation of terrorism in 1988, there is little to find to praise in the conduct of the Palestinians. Between 1948 and 1988 a state of war between Arabs and Jews simmered and periodically erupted. The Israelis ruthlessly propagated the message that all Palestinian resistance to Israeli expansionism was terrorism, and the Palestinians played into their hands.

The Palestinians have made more progress since 1988 than in the 40 preceding years. As this research draw to a close (March 1997) it is evident that they still face an intransigent enemy. Within the past few days the Israeli Prime Minister, Benjamin Netanyahu, has announced a second tranche of new Jewish settlements in East Jerusalem,\textsuperscript{400} and the Israeli President, Chaim Weizmann has affirmed that "the job (of Jews outside Israel) was to support Israel. Beyond that they should keep out of Israeli politics."\textsuperscript{401} It is clear that, to the Israelis the status quo is "what we have, we hold", and each day they take more. The Palestinians would be well-advised to heed the failure of international terrorism, and to pursue their just cause through peace and diplomacy.

8.6. Addressing the Cause of Terrorism

A strategic analysis would indicate that the best response to terrorism would be to address and remove the cause.

\textsuperscript{400} The Times. 4 Mar 1997, p 10
\textsuperscript{401} The Times. 27 Feb 1997, p 14
It has been suggested that the causes of terrorism may be viewed as spread along a continuum, the negative being largely hostility to opponents, the positive being more a definable objective (recovery of territory, political change, etc). It is more difficult to address the negative end than the positive. It is almost impossible to address fanaticism wherever it lies, fanatics not being negotiators. There are thus causes which must be met by deterrence, by prevention or by pre-emptive action. The same is true, albeit to a lesser degree, in the case of most international terrorism. The cause is likely to fall within the sovereignty of another nation and thus be inaccessible. The Israelis would not have returned the land of Palestine to obviate attacks on British aircraft. In any case, they were well aware that their territorial ambitions were furthered by such attacks.

Even when the cause is both coherent and accessible, it is not easily addressed. To negotiate with terrorists is to imply success to their methods. Peace-making to end war is relatively simple, though often badly mishandled, eg. insistence on unconditional surrender. Peace-making with terrorists has many problems: a multiplicity of small groups, no overall authority, terrorists' demands for immunity from prosecution. There is also a likelihood that agreement to one group's demands will energise their opponents into terrorist response.

The possibility that there is justice in a terrorist grievance must be examined. This presents difficulties and possible accusations of disloyalty. In many cases it impacts upon political alliances or upon lucrative commerce (as in the export of arms).
Each terrorist cause must be examined on its merits and appropriately addressed. In no case can this include acquiescence or connivance with terrorist attacks upon innocents or upon allies.

There is widespread agreement on the need for a policy of no concessions to terrorists, to discourage the use of the tactic. This research has cited success as the fundamental objective of terrorism. However there is another, equally difficult case: that in which terrorist methods are used in pursuit of a just grievance. To address the grievance may be seen to be an encouragement of terrorism. To refuse to address the grievance until terrorist methods are abandoned is arguably to choose war in preference to peace. The challenge is to address the grievance without rewarding terrorism. It is important. All credible justifications of terrorism must be removed if the methodology is to be condemned unreservedly, and combated without reservation.

8.7. Tactical Priorities

8.7.1. Strategic Context

The case for a strategic response to attacks on aviation has already been advanced. A holistic approach to the subject is the best means of ensuring that the debate is fully informed. This facilitates the identification of gaps in the tactical response, and of potential choke-points upon which countermeasures can usefully be applied. Examples of such gaps and choke-points follow.
8.7.2. Instigators of Terrorism

The limited scope for addressing the causes of attacks has been discussed. Next in importance to the causes are the instigators. These key figures unleash terrorist attacks on aviation, both those utilised by states as a method of undeclared war, and those mounted by sub-state actors. There is good evidence that Syria, Libya and Iran have all played a major role in attacks on aviation. Many sub-state groups are under the direction of a warlord; Abu Nidal is a good example. None of the countries named, nor terrorist groups, tolerate unauthorised activity. It follows that responsibility for their actions lies either with, or very close to, their leader. It is to be doubted that self-sacrifice features in the plans of such men. By contrast there is an abundant supply of potential terrorists. No generation is short of young men and women willing to risk their lives, given adequate motivation. It is therefore more effective to focus on key individuals, and take them out of circulation: terrorists with expertise, their leaders and their instigators. This is to not suggest extra-legal operations, but careful attention to the development of an appropriate and legal methodology. Nations are willing to undertake naval and aerial bombardments, with a high probability of the loss of many innocents’ lives. They have difficulty in authorising, for example, the dispatch of Special Forces to capture and bring to trial the most culpable of individuals. If the threat of terrorism is to be addressed at source, methods of discouraging the instigators of terrorism must be devised.

8.7.3. Data Collection

The foundation of strategic planning is intelligence, knowledge of the total situation. This research has already suggested that there is no evidence that comprehensive data on the aims, methodology, outcomes and subsequences of terrorist attacks on aviation has been
collated. This is a culpable deficiency. Without such data it is not possible to devise the appropriate countermeasures, nor to decide upon policy objectives and priorities.

8.7.4. The Detection of Attackers of Aviation

There are four general methods of intercepting known terrorists: by means of intelligence or information received, by movement analysis (the tracking of known individuals), by passport inspection, and by recognition from photographs. These methods are primitive. It is entirely possible for an experienced terrorist to pass through a major airport undetected, given absence of intelligence, a false passport and a suitable disguise. There is a need to ensure the detection of any known terrorist.

This calls for a suitable Biometric Identification System (BIS). There are several systems under development: retina scan, palm-prints, thumb-prints, facial characteristics and cranial thermal patterns. The requirement is for a system that will consistently detect a known person by matching his unique characteristics with those in a data bank. The ideal system would be remote, like a security camera, to ensure acceptability to bona fide passengers, who resent fingerprinting and other intrusive methods. The databank would be under the control of the police or security service. The need to identify known persons highlights the need to obtain biometric identification of known terrorists and their associates at every opportunity. It is not a sound policy to screen each passenger (54 million at Heathrow in 1993) and each hold bag (2 billion p.a. worldwide), whilst failing to detect the tiny number, perhaps 10, perhaps 30, of experienced aviation terrorists as they seek to board aircraft.
The design and management of such a system would be an exercise in government-industry cooperation. The government would gain access to the airlines' computer system, a huge resource. The industry would require a BIS which yielded passenger handling benefits: the ability to enhance service to airline privilege card holders, and to offer rapid processing to passengers of established *bona fides*. This suggests a BIS which can be encoded on a smart card, a card which might be developed to control all aspects of the passenger-airline relationship: reservation, payment, ticketing, immigration, etc. Such a system would identify the tranche of passengers who constituted a very low security threat.

A parallel technique is passenger profiling, a system of identifying from the huge numbers of passengers the small number of potential attackers. The technical problem is the construction of a valid and reliable profile. This was straightforward for El Al who have made extensive use of the technique. As an airline flying international routes and much patronised by the Jewish community, the profile was easy to construct. The Israelis have not had similar success in constructing a profile for their charter airline services, nor for suicide bombers. It remains to be seen whether a profile can be constructed for an international airline such as British Airways, patronised by discerning passengers of all backgrounds. Conceptually, the ability to focus on the few potential threats and apply in-depth screening is greatly to be preferred to the more superficial screening of millions of passengers, all but a handful of whom have no evil intent.

In Great Britain's present confrontational climate, the introduction of a profiling system would undoubtedly be opposed by airlines in the sure knowledge that they would bear the costs. However, if both government and industry were to acknowledge the potential mutual

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402 Unattributable Interview with Israeli aviation security official. Aug 1995
benefits, they could enter a joint development contract and the concept could be properly explored. If no cost-effective system were to emerge, the need for BIS would be unaffected. It remains vital to the detection of known terrorists and criminals, and valuable to passenger handling.

8.8. International Priorities

The desire for international agreements is limited by international enmities and rivalries. The achievement of agreements is hindered by differences in cultures and in political systems. The implementation of agreements is impeded by differing levels of administrative competence, technical expertise and financial resources.

The failure of the liberal democracies has been less forgivable. They have not achieved an effective and unified response to terrorism, including attacks on aviation. The root problem has been national unwillingness to relinquish freedom of action and expression. Whilst other countries may not view a terrorist group with the same hostility as the target nation, the ubiquity of such groups: PIRA, FNLC, ETA, AD, RAF, RB, GIA, etc, invites the darkest views on the competence of the EU and of governments who have failed to unite effectively against the common methodology of terrorism.

There is an international dimension in each component of the response to terrorism (9. FIGURE 14). It could be argued that the international community cannot even aspire to a strategic response to attacks on aviation, because there are no international command bodies with authority over their constituents. When ICAO, IATA, IFALPA, etc, proceed at all, they do so on the basis of consensus. The best that can be sought is treaties between
allies. Great Britain should pursue bilaterals and alliances, probably starting with Canada, Australia, and New Zealand. Such alliances offer a step towards internationalisation. A priority is to prevent terrorists from evading justice. Within the alliances a common legal framework should be developed. The legal systems of liberal democracies are intended to protect the citizens of liberal democracies, not their enemies. There is a case for the wider use of exclusion orders and of the not proven verdict. It is likely that legal and national differences would most easily be resolved by the establishment of an international court. Liberal democracies could realistically adopt the strategic objective of establishing attacks on civil aviation within the category of internationally banned weapons.

A more difficult issue is the means of applying effective coercion to state-sponsors of terrorism. Lenin (the capitalist will sell you the rope with which to hang him) would relish the amorality of the arms trade. Unfortunately, unemployment in the ordnance industry is a more immediate threat to politicians than international displeasure. Concerted pressure on state-sponsors and on their trading partners must remain an objective. Public humiliation is a powerful weapon and good use should be of well-publicised black lists. However, dramatic results should not be expected. It is an unfortunate fact of life that morality melts much more easily than gold.

8.9. Public Support for Counterterrorism

Liberal democracies face three fundamental dilemmas in fighting terrorism: any negotiation with terrorists imputes a degree of political legitimacy; any action, military or political, beyond a normal police response implies a significant threat; any public or media rejection of their aims or methods furnishes them with publicity. Thus each of these responses, all of which
are imperative, has a downside which must be calculated, and incorporated into the strategic planning.

These difficulties are reflected in the operational management of the political atmosphere, in which the media plays a key role. In sophisticated liberal democracies, facile government propaganda will be counter-productive. Therefore a balanced case must be presented. Of this the terrorists will obviously seek to take advantage, proclaiming the justice of their cause and the malevolence of the government. Thus the media is a battleground for public support. The government must participate despite paradoxical benefit to the terrorists. Journalists will highlight the immediate, inevitable, downsides of the strategy and ignore its distant pay-off. They must be persuaded of their obligations to the system which allows them their freedom. At stake is the foundation-stone of the liberal democracy's response, its value system. The public must be persuaded that it is the government, not the terrorists, whose ends justify its means. Public support for temporary restrictions of civil liberties and for firm conduct in anti-terrorist operations, translates into a political atmosphere and a legal framework appropriate to counterterrorism, both cited by strategists as essentials. There is no place in the liberal democratic philosophy for the tolerance of terrorism.

8.10. Conclusion

The importance of terrorism to liberal democracies is in its challenge to liberal democratic values. At present (1997) the number of its victims is small. Therein lies the danger. The international liberal democratic community has yet to be convinced of the need for a powerful, unified response. No nation can safeguard its citizens whilst its terrorist enemies enjoy their freedom in neighbouring countries.
Terrorism is now an established method of violent protest, and of pursuing undeclared war. It has been utilised by irredentist, nationalist, ethnic, ideological and single issue groups. Great Britain contains many disaffected groups: political extremists, Scots and Welsh nationalists, ethnic, and single issue groups. Any of these might adopt terrorist methods. It is vital to squeeze terrorism into insignificance, lest it become well-established, and by contagion grow into a more widespread practice. Access to guns is difficult to control, and explosive devices are easily improvised. Therefore potential users must be discouraged by social attitude and by the certainty of capture and lengthy incarceration. There are many examples of new forms of malevolence which have become established and then accepted as necessary evils. The need is to ensure that attacks on aviation never follow the same course. Within the civilized world, one man's terrorist should be every man's terrorist.

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APPENDIX

SIGNIFICANT ATTACKS ON AVIATION 1950-1996

NOTES

1. This Table lists serious terrorist attacks on British and Western aviation, and other significant attacks on aviation targets.
2. Main source: Mickolus Three Volume Chronology. Researchers should note that other chronologies may differ slightly.

ABBREVIATIONS

AN = Abu Nidal Group
ANYLOP = Arab National Youth Organisation for the Liberation of Palestine
C = Criminal
CNLG = Corsican Separatists
F = Female (Number, Column J)
F = Fugitive (Type, Column G)
H = Hijack
(H) = Planned Hijack
I = Insane
K = Killed
M = Male
ME = Middle Eastern
NAYLP = National Arab Youth for the Liberation of Palestine
T = Terrorist
W = Wounded
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14 mortars fired at Aldergrove Airport.
Hijacked aircraft with knife. Surrendered. Attempting avoid expulsion. Expelled to Turkey.
Bomb in terrorist suitcase, exploded when opened. Terrorist and security officer killed.
Landed Entebbe, various demands. Spectacular rescue by Israelis.
Revenge attack for Entebbe above. Terrorists sentenced life imprisonment.
Attempted coerce release prisoners in Israel. Landed Athens, released.
Bomb detonated on aircraft after passengers moved to safety.
Several landings, finally Zurich, overpowered by police.
Overpowered by police.
Hijacker in wheelchair, overpowered by commandos. Released. British Captain.
Landed Brindisi. Arrested.
Landed Dacca. Coerced release 9 Ts, extorted $6m from Japan. Landed Algiers, surrendered to authorities. Hijackers released.
Hijacker overpowered by police but detonated hand grenade causing casualties.
Mogadishu. Spectacular rescue by GSG9, "advised" by SAS. Aircraft Captain murdered. 3 B-M Ts committee suicide due failure operation.
Crashed after suspected grenade explosion. All on board killed.
After a murder, 2 gunmen given DC-8 exchange hostages. Landings refused, returned Larnaca. Egyptian v Cyprus forces gun battle.
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<td>Black June</td>
<td>3 3K 36W Aborted attack on El Al counter.</td>
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<td>4 13K 73W Attack on El Al counter at crowded Terminal. Abu Nidal probably responsible for Rome and above attacks.</td>
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<td>Libya Exec Jet</td>
<td>International Airspace Military interception</td>
<td>State Israel</td>
<td>Forced down by Israeli Air Force for interrogation.</td>
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<td>Syria Syrian Air Force</td>
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<td>Syrian aircraft forced down by Israeli Air Force seeking to detain a passenger.</td>
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<td>715 May 1F</td>
<td>4K 9W Bomb exploded under seat. Abu Nidal suspected.</td>
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<td>London Sab/Fail T ME</td>
<td>AN 1M</td>
<td>Nil Hindawi: bomb in hand baggage of pregnant girlfriend, detected. Hindawi arrested, GB terminated diplomatic relations Syria.</td>
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<td>Colombo Sab/Grd T</td>
<td>Tamil 17K 21W</td>
<td>Large bomb in cargo bay, exploded on ground.</td>
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<td>127</td>
<td>USA (Air India) (New York) Sab/Air/INT T</td>
<td>Sikh Babba K 5M</td>
<td></td>
<td>Attempt to sabotage Air India flight New York to Delhi. Ts arrested Montreal.</td>
</tr>
<tr>
<td></td>
<td>128</td>
<td>Israel El Al B-767</td>
<td>Madrid Sab/Fail T ME</td>
<td>Abu Musa</td>
<td>13W Bomb in suitcase exploded at El Al check-in. 2 Ts arrested.</td>
</tr>
<tr>
<td></td>
<td>129</td>
<td>USA PanAm B-747</td>
<td>Karachi H T ME</td>
<td>AN 4M</td>
<td>21K Many W Aircraft hijacked on ground. Pilots escaped. Situation badly mishandled by authorities. Hijackers panicked when lights failed.</td>
</tr>
<tr>
<td></td>
<td>130</td>
<td>NZ ANZ B-747</td>
<td>Fiji H/Grd T</td>
<td>Fijian 1M</td>
<td>Former airport worker attempted hijack. Overpowered by crew.</td>
</tr>
<tr>
<td></td>
<td>131</td>
<td>France Air Afrique DC-10</td>
<td>Geneva H T</td>
<td>ME 1M</td>
<td>Attempted coerce release Arab prisoners Israel. Overpowered.</td>
</tr>
<tr>
<td></td>
<td>132</td>
<td>S Korea Korean 707</td>
<td>Burma Sab/Air T N Korea</td>
<td>1M 1F</td>
<td>115K Bomb in cabin baggage of passengers who failed to re-board, North Korean Agents.</td>
</tr>
<tr>
<td></td>
<td>134</td>
<td>Iran Iran Air Airbus</td>
<td>Gulf Shot Down Military</td>
<td>US Navy</td>
<td>290K Civil aircraft shot down by US Navy mistaking it for military attack plane.</td>
</tr>
<tr>
<td></td>
<td>135</td>
<td>USA PanAm B-747</td>
<td>Frankfurt/ Heathrow Sab/Air T</td>
<td>ME PFLP-GC?</td>
<td>270K Aircraft destroyed over Lockerbie by bomb in suitcase. Libyan and Syrian complicity suspected.</td>
</tr>
<tr>
<td></td>
<td>136</td>
<td>France UTA DC10</td>
<td>Brazzaville Sab/Air T</td>
<td>ME</td>
<td>171K Bomb in hold.</td>
</tr>
</tbody>
</table>
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