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INTERNATIONAL ISSUES REVIEW

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New Focus on LDC Collective Self-Reliance



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Over the last year, multilateral economic negotiations between industrialized and developing countries have been relatively cordial despite a generalized less developed country (LDC) perception that, at best, only limited progress has been made through the North-South dialogue toward achieving the goals of a New International Economic Order (NIEO). In part, this cordiality results from growing LDC recognition that, at least for this stage in the evolution of North-South relations, they may take some satisfaction from the fact that the industrialized countries are now negotiating with them seriously on a wide range of issues. Another reason for the persistence of this nonconfrontational atmosphere is the prospect, which is the focus of this article, that a shift in perceptions is taking place among LDCs as to how they can achieve more rapid economic development.



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At least some LDCs believe they have now reached a level of economic development where to achieve additional significant growth they are not totally dependent on benefits extracted by coercion or negotiation from the industrialized countries. A corollary belief is that new levels of economic and technical cooperation are possible among LDCs and can raise their collective well-being. These new concepts--which the Group of 77, led by the more advanced LDCs such as Brazil, Argentina, Colombia, the Philippines, and India have been developing--emphasize a form of cooperative self-reliance. Support from industrialized countries is still viewed as useful and sometimes essential, but there is a growing feeling that it should be free of industrialized country control. The more vital flows of economic and technical cooperation are thus visualized as occurring between two or more developing countries, with support and assistance (but not direction) from developed countries.



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Cooperative self-reliance is not a new concept among developing countries. A large number of cooperative activities have been carried out over the years and many are now in progress. Up to now, however, these activities have been undertaken piecemeal, primarily in a bilateral or, at the most, regional context. In contrast, the current interest in LDC cooperation focuses on global political and economic measures. This new perspective is reflected in the recent institutionalization within the UN of the concepts of Economic Cooperation Among Developing Countries (ECDC) and Technical Cooperation Among Developing Countries (TCDC), which are designed to advance LDC efforts to find avenues for cooperation. The term ECDC refers loosely to all forms of economic contact involving two or more developing countries, but trade expansion has been the most significant component. Closely related to ECDC and reinforcing it is TCDC, which seeks to improve the capacity of LDCs to absorb and adopt developed country technology through preferential arrangements among themselves for exchange of experience and expertise, through pooling and sharing of technical resources, and through development of complementary infrastructural capacities in such vital areas as banking, shipping, and communications. 25X1

These concepts are still largely at the talking stage. If they develop momentum, the LDCs will likely come forth with greater attention to self-help and a more practical definition of requests for assistance and changes in international institutions that the industrial countries have asked for. But, at the same time, the latter are likely to face more persistent demands from the LDCs for shifts in resources and authority. 25X1

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Technical and Economic Cooperation Among Developing Countries

The importance of cooperation among developing countries in general and of technical cooperation in particular, has been recognized in a series of declarations, resolutions, and decisions of the UN General Assembly, as well as in meetings of the nonaligned movement and some

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LDC regional organizations in recent years. As originally advanced in these forums, TCDC meant simply that UN agencies should spend more of existing UN development funds on the experts, consultants, equipment, and training facilities that the more advanced developing countries had to offer. This concept proved unpopular with less-advanced LDCs who wanted developed country expertise from the UN instead of from Third World experts. As it is currently defined by its sponsors, however, LDC technical cooperation has a broader appeal and is generally accepted by LDCs as a possible buffer against the fluctuations of world economic forces to which they are particularly vulnerable. In addition it might help them jointly to find ways to obtain investment capital, meet debt service payments, and cope with pressures from multinational corporations.

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This form of cooperation touches upon some important development issues. For example, there is a marked concern with developing and applying "appropriate," simpler technology, or indigenous, innovative, and labor-intensive methods in accelerating development. The concept of appropriate technology, to which LDCs were originally cool because of its derogatory implication that poorer countries cannot make efficient use of the advanced nations' technologies, has come to symbolize the LDCs' rejection of dependence on the industrialized countries. In addition, TCDC addresses the problem of the increasing tendency of the industrialized world to tie development aid to buying developed country industrial products and expertise. UN studies have shown that contracts to supply technology are routinely tied to purchases of raw materials, machinery, and plant equipment from the supplying country, thus increasing the dependence of LDCs on the industrialized countries. TCDC also promotes LDC economic cooperation efforts by facilitating institutional arrangements, such as jointly run shipping lines, credit and insurance unions, and expanded regional communications and banking systems, which are the practical vehicles through which such economic cooperation would occur.

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The most concerted effort by the LDCs to present their program for technical and economic cooperation took place at the UN Conference on Technical Cooperation Among Developing Countries, held in Buenos Aires in September

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1978. Debate on the concept of TCDC at Buenos Aires re-affirmed the importance to the LDCs of traditional technical assistance from the developed countries, but generally insisted that more attention be paid to the suitability of the aid given and to the use where feasible of existing LDC resources and institutions. The Plan of Action drawn up by the conference requests additional financial support beyond existing programs from developed countries for TCDC projects and activities through increased support to intercountry projects and programs at the bilateral, subregional, regional, and interregional levels and increased contributions to the United Nations Development Program (UNDP).* The Plan recommends that developed countries employ their bilateral financial and technical assistance so that it enhances the technological capabilities of developing countries directly by supporting the growth of relevant institutions in those countries and indirectly in ways that stimulate greater reliance by LDCs on resources available locally or in other developing countries.

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Economic development among developing countries was the subject of an October 1978 UN Conference on Trade and Development (UNCTAD), and it was prominent on the agenda at Arusha, Tanzania, in February of this year when the Group of 77 foreign ministers met to draft a statement for the fifth session of the UNCTAD, scheduled for May. In addition, the UNCTAD Secretariat is sponsoring more than 40 studies of LDC economic cooperation in preparation for UNCTAD V. The concept of ECDC is still too loosely defined to be perceived of as a distinct program, but it generally encompasses a desire to expand such economic activities among developing countries as

*The Plan of Action places great emphasis on the role of the UNDP in TCDC and suggests the institutionalization of the concept within the Program. The UNDP's preliminary bureaucratic plans for following up the TCDC Conference are reflected in the change in the status of the unit responsible for such work from one of a research and reports office to one having more direct operational responsibilities focusing on the development of cooperative projects, such as common infrastructure and services, joint information systems and data banks, regional communications and banking systems.

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preferential trade arrangements, complementary and coordinated production arrangements, regional resource development, financial payment and clearing arrangements, joint investment programs, joint import procurement, producers' associations, and locating commodity exchanges in LDCs.

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Exclusive Use of UN Resources

In conjunction with a new stress on UN programs to boost developing country technical and economic cooperation, the LDCs are working to redirect UN administrative and internal financial resources to redress what they perceive as a fundamental and damaging disparity between North and South in technical preparations for economic negotiations. In the past year these efforts have encompassed a concerted drive by the UNCTAD Secretariat, supported by the Latin American contingent of the Group of 77, to hold UN-supported meetings attended exclusively by LDCs and/or devoted exclusively to LDC concerns. There has also been an increasing tendency to preempt the staff and resources of the UN Secretariats (especially UNCTAD) for the exclusive use of LDCs. [REDACTED]

This aspect of cooperative self-reliance has met with determined developed country opposition, based on the belief that funding exclusive meetings from general UN funds violates a fundamental UN principle. At the September UN Conference on TCDC, for example, the Group of 77 asked for authority for UNCTAD to support up to two weeks of meetings in 1979 on LDC economic cooperation which would be restricted to LDC government experts and the secretariats of regional economic groupings of developing countries. The request was not approved because the developed countries refused to permit UNCTAD to regularize the principle of exclusive UNCTAD meetings for LDCs. The issue is likely to become even more heated in the future. For example, now pending in UNCTAD is a request by the Group of 77 that the UNCTAD Secretariat support a series of LDC meetings on ECDC and prepare documentation for them. In addition, in November the UNCTAD Secretariat did succeed in convening a meeting, to prepare the Group of 77 position for UNCTAD V, which was attended only by experts from the LDCs but was funded by the UN Development Program. [REDACTED]

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Advanced LDC Leadership

Support among the members of the Group of 77 for these new directions is by no means universal. The poorer LDCs, concerned that increased intra-LDC economic cooperation might come to mean domination by other LDCs rather than industrialized countries, continue to emphasize transfers of resources and unilateral trade concessions from the developed world. Nevertheless, the wealthier, more advanced LDCs, primarily from Latin America and Southeast Asia, appear to be prevailing in bringing these concepts to the front rank of issues to be discussed in multilateral forums with the industrialized countries. These LDCs have reached a stage of development at which technological exchange is vital. In addition, they believe that their efforts to take advantage of the rapidly expanding LDC market will be enhanced through greater economic cooperation and trade among LDCs. They are attracted by the fact that intra-LDC trade already comprises 25 percent of global LDC nonfuel trade and has the potential to expand rapidly because of rising population and income in developing countries.

The advanced LDCs that place a high priority on technological exchange--such as India, the Philippines, Brazil, Mexico, and Argentina--exercised particularly effective leadership at the Buenos Aires TCDC Conference. The moderates were able to outmaneuver both the radical delegations--who see TCDC as an opportunity to launch sweeping condemnations of the existing international system--and the poorer developing countries, such as Bolivia, Bangladesh, and most African states, which are not developed enough to benefit substantially from technological exchange and thus normally have little interest in discussion of these issues. This was accomplished at Buenos Aires through the creation of an LDC policy with broad appeal that emphasized the potential utility of technical cooperation for countries at all levels of development in the widely acceptable LDC campaign to reduce their chronic dependence on industrial countries. In addition, the argument, heard frequently in LDC polemics, that developed countries do not support TCDC was substantially turned aside by a statement from President Carter displaying US interest in and understanding of the concept. The moderates' success was also facilitated by the efficient planning and management of the Conference by the Argentine Government, which played

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25X1 a low-key arbitrating role as the host country and endeavored to keep the conference on technical rather than political issues. [redacted]

Developed Country Attitudes

The response of the industrialized countries to the issue of intra-LDC cooperation as it has arisen in international forums has been tentative and inconsistent, largely because of the linkage between ECDC-TCDC and exclusive use of UN resources. [redacted]

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Developed countries in general view ECDC as a particularly promising approach to the NIEO because it has the potential to keep debate focused on LDC development policies rather than leading to increasingly futile discussions of unilateral concessions that LDCs demand from industrial countries. It is also viewed as a device for inducing richer LDCs, such as the member nations of the Organization of Petroleum Exporting Countries, to transfer resources to poorer countries. Finally, many developed country experts believe that ECDC has the potential, through promoting greater efficiency and appropriateness in the use of international resources, to increase the absorptive capabilities of poorer as well as richer LDCs. They hold that these possibilities for increased world trade substantially outweigh possible drawbacks from an initial trade diversion from developed country suppliers to LDC suppliers. Moreover, because of the political weight that ECDC carries for LDCs, most developed countries consider it prudent to support related activities to the greatest extent possible. [redacted]

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Despite these generally favorable views, discussions of the subject by Western industrial countries (Group B) have focused almost exclusively on the political question of general UN funding for meetings to which only LDCs are admitted rather than on the substance of ECDC. Nonetheless, as a result of these recent deliberations, unified opposition to the LDC drive for more influence over disposition of UN resources has begun to erode. Most Group B countries, with the exception of the United States, now favor a compromise position which would permit funding exclusive meetings from voluntary rather than assessed funds but would make reports from these meetings generally available to nonattendeess. [redacted]

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The view of most Group B countries is that significant benefits may come from permitting LDCs some exclusive use of UN administrative resources. For one thing, it is possible that UN funding and staff support of LDC meetings might lead to better informed--and more acceptable--LDC bargaining positions. For another, officials of Group B countries share the misgivings of the more advanced LDCs that if the LDCs are prevented from using UN resources they will turn to the alternative, frequently discussed in LDC caucuses, of creating an organization in the style of the Organization for Economic Cooperation and Development for the LDCs independent of the UN. It is generally believed that the cost of setting up and running such a bureaucracy, which would fall primarily on the richer LDCs, would almost certainly be greater than that of supporting existing institutions. At the same time, the actions of an independent organization would probably be more difficult to reconcile with the interests of the advanced LDCs and the Group B countries. [redacted]

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Outlook

Recent efforts to promote economic and technical cooperation among LDCs have so far been confined to the largely rhetorical context of multilateral forums and jockeying for position within international organizations. There has been little actual movement toward a greater exchange of experts and expertise among LDCs or the establishment of new organizations to develop cooperative projects. In view of the wide cultural, economic, and political diversity among LDCs it would be some time, at best, before "cooperative self-reliance" could contribute measurably to LDC development in any case. [redacted]

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Nonetheless, the new LDC focus on expanding technical and economic cooperation among developing states will increasingly have an impact on North-South relations. As signaled by the policy declaration drawn up by the Group of 77 ministerial meeting at Arusha in February, it will be introduced as a major item for debate at UNCTAD V, and in future Common Fund, multilateral trade, and technology transfer negotiations. [redacted]

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The potential consequences of a serious LDC effort to increase their autonomy by depending more on their own resources are uncertain, but some early trends are evident:

- First, ECDC and TCDC seem to be platforms from which the politically moderate, more advanced LDCs can exercise greater influence over LDC caucuses and meetings. Both the Buenos Aires UN meeting on technical cooperation and the Arusha Group of 77 ministerial meeting were dominated by the moderates. Both conferences, while showing a concern for LDC unity, were well prepared and managed and were characterized to an unusual degree by rhetorical restraint and reasonable discussions of substantive issues.
- Second, it is apparent that the LDCs recognize that their technical preparations for economic negotiations with the industrialized countries have generally been uneven or weak, and that they have seized upon the strategy of trying to commandeer support services from UN staffs and technical agencies to overcome this problem. It is clear that they have already had some success in gaining these services from those UN agencies staffed largely by developing country nationals and that both their need and their efforts to obtain this kind of help will grow as international negotiations become more complex and technical.
- A third conclusion is that greater LDC emphasis on self-reliance will not, perhaps paradoxically, lessen the demands they make on industrialized countries for material support, although the nature of those demands may change somewhat as it becomes more apparent to the LDCs what they need to support their own programs.
- Finally, one trend that is suggested by the LDC effort to turn the work of UN staffs and administrative resources more to their needs is that their political demands on the international system and on the industrialized countries may

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become more explicit in the future. The demands, in this event, would probably take the form of requests for expanded control over the decision-making functions of multilateral organizations, including how they set their priorities and disburse their resources. [redacted]

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The new LDC emphasis on "collective self-reliance" poses some challenging issues for the industrialized countries. On the one hand, ECDC-TCDC implicitly responds to the demand of the industrialized countries that the richer LDCs shoulder a larger share of the LDC development burden. It also acknowledges that development is an important responsibility of the LDCs themselves. In addition, to the degree the LDCs can draw upon the resources of trained specialists in international institutions, their negotiating positions would become more informed and, potentially at least, lead to sounder economic results. [redacted]

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The other side of the coin, however, is that--as the Arusha Declaration makes clear--the LDC demands for direct and indirect resource transfers will probably increase or at least will become more explicit and harder to put off. In addition, some of the concessions the LDCs want to improve their competitive position, such as a lowering of trade barriers, center upon issues of great domestic sensitivity for the developed countries. In each of these cases, as LDC demands become more explicit, touch on more sensitive issues, and have greater political content, the potential for tension among industrialized countries as they try to cope with these issues will probably grow. Lastly, the more knowledgeable the LDC approach to negotiations becomes, even while it reinvigorates North-South relations and reduces the influence of radicals interested primarily in confrontation, the more difficult the negotiations will be for the industrialized countries and the more they are likely to have to concede in economic and political resources if they hope to sustain a cooperative dialogue. [redacted]

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Indian Ocean Security Issues: Differing Perspectives
Among South Asian Littoral States

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Over the last few years, changes in leadership and foreign policy orientation of a number of states in the region and, in the case of India's neighbors, increasing concern over New Delhi's regional ambitions, have altered the views of most South Asian littoral states toward key Indian Ocean security issues. These changes, coupled with concern over recent developments in Afghanistan and Iran, could complicate the first UN Conference of Littoral and Hinterland States on an Indian Ocean Zone of Peace (scheduled for next July) and reduce pressures for prompt withdrawal of superpower military forces from the area. Although the Zone of Peace concept has tended to overshadow other regional security issues, the latter--including the questions of the recessed US-Soviet Indian Ocean talks and the establishment of a regional nuclear-free zone--are interrelated.

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Introduction

Support for the creation of an Indian Ocean Zone of Peace has been a common theme in the foreign policy of the South Asian littoral states for the past decade or so. Initially, this concept was based primarily on the concern that instabilities among the littoral states could be exploited by outside powers to advance their

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own national goals.* It followed that curbing foreign influence and activity would ease regional tensions. The Zone of Peace idea has, in fact, most often been invoked to legitimize and popularize the efforts of the littoral states to curtail or eliminate the military (primarily naval) presence of outside powers in their region--a campaign waged mostly within the framework of the United Nations and the nonaligned movement and through bilateral diplomacy.** [redacted]

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Despite similarities in rhetoric, however, there have been from the outset important differences--reflecting intraregional conflicts and rivalries--among the South Asian littoral states both in interpretation of, and support for, the Indian Ocean Zone of Peace concept. As a result, the proposal has never been cast solely in terms of the militarily weak regional states asserting themselves against the militarily strong extraregional states. For example, the Indian Ocean Zone of

*This concern is best illustrated in the initial report of the three experts appointed by the UN Secretary General to study the problem. The report dated 3 May 1974, stated: "The vast majority of the littoral and hinterland states of the Indian Ocean area are still developing socially, economically and politically. During this period of development there is, unfortunately, a considerable potential for local conflicts. . . . Any attempt to derive advantage from this unstable situation by one great power will inevitably lead to a countermove by the other great power. Moreover, any attempt by one of the great powers will probably in turn lead to some other littoral or hinterland state seeking countervailing support from the other great power. For these reasons, all the hinterland and littoral states perceive it to be in their common interest to eliminate great power rivalry from the area." [redacted]

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**Since 1968 there has been a gradual buildup of Soviet presence in the Indian Ocean. Its activity has fluctuated in response to regional developments and US deployments but has stabilized at a force of about 15-20 ships. The US presence is small, but when the shore facilities potentially available to either navy in a crisis are considered, the Soviets appear to be at a disadvantage.

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Peace resolution--initially adopted at Sri Lanka's initiative at the 26th (1971) session of the UN General Assembly, and revalidated since then at every subsequent UNGA session--had a dual aim. First, it called on the outside powers, in consultation with the littoral states, to attempt to halt escalation of their military presence in the Indian Ocean and to eliminate bases "conceived in the context of great power rivalry." At the same time, though less conspicuously, the resolution called for the littoral states to cooperate toward the creation of a mutually advantageous regional security arrangement. The latter aspect of the resolution reflected the concerns of Pakistan, and to a lesser extent of Sri Lanka, about their larger and more powerful neighbor, India.

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[redacted]

The View From Islamabad

Developments over the past decade have reinforced Pakistan's original inclination to emphasize the second aspect of the Indian Ocean Zone of Peace proposal. Since 1971 India more than doubled its inventory of tanks through Soviet deliveries and its own production of Vijayanta tanks. It has added to its naval strength by acquiring more submarines and surface ships from the Soviet Union. India has also significantly augmented its airpower through its recent purchase of British-made Jaguar fighter-bombers. Overall, India has become militarily strong enough to defend itself successfully against a conventional attack by any likely opponent, including China. The continuing growth and modernization of India's armed forces and expansion of its arms production capability have reinforced Pakistan's suspicion that India will be the main beneficiary if naval forces of outside powers are excluded from the region. Consequently, Pakistan has consistently advocated a security arrangement that requires not only the elimination or reduction of the military presence of outside powers but also the creation of a mutually acceptable balance between the military and naval forces of the major littoral states.

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[redacted]

While there have recently been signs of improvement in Indo-Pakistani relations, the tension between the two still constitutes a major potential security problem in South Asia. Each country continues to perceive any

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accretion to the military strength of its opponent as detrimental to its own security. The radical coup in Afghanistan in April 1978 and the continuing turmoil in Iran, which the Pakistani Government believes to be the result of either direct or indirect machinations by India's Soviet ally, heightened Islamabad's insecurity and reinforced its sense of encirclement. Pakistani officials are convinced that both developments have increased their political and military vulnerability and reflect growing Soviet, and by association, Indian influence in South Asia. Pakistan believes that the Soviets and the Indians intend to split its territory further and destroy its independent existence either by encouraging the separatist Baluchi and Pushtuni movements or by direct invasion. In view of these circumstances, Pakistan would obviously prefer to see the Soviets reduce their presence in the region. Just as clearly, it does not wish the United States to reduce its presence in the area. Moreover, Pakistan's own tendencies are to some extent reinforced by the views of its longtime supporter, China. As a result, although Pakistan, like other Indian Ocean littoral states, ostensibly continues to support the Indian Ocean Zone of Peace proposal and to favor US-Soviet Indian Ocean naval arms limitation negotiations, it has not actively encouraged these bilateral talks either publicly or privately since mid-1978. [redacted]

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While India's nuclear explosion in May 1974 was primarily aimed at demonstrating India's nuclear weapons capability to China, it added a new dimension to the Indo-Pakistani rivalry as well. The Indian nuclear test has led to such Pakistani responses as a proposal in the United Nations to create a nuclear-weapons-free zone in South Asia, pursuit of its own nuclear capability, and intensified efforts to gain better access to Western conventional arms suppliers. The results of these efforts have been mixed. Although Pakistan's 1974 proposal for a nuclear-weapons-free zone in South Asia was adopted by the UN General Assembly and is gaining support from more states in the region, India's opposition to such a zone makes its realization unlikely, at least in the near term. Pakistan's efforts to purchase a French nuclear reprocessing plant are also encountering many difficulties. Pakistan has, however, been able to persuade various Western suppliers to sell it arms and spare parts although not in the quantity nor quality that it had hoped for. [redacted]

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The Change in Indian Perspectives

India perceives itself as a regional power, with its due role in the region stunted by the presence of outside forces. As a result, it traditionally has been the most active advocate of the Indian Ocean Zone of Peace proposal and has vociferously supported superpower efforts to negotiate a reduction of their military presence in the Indian Ocean. Although India's armed forces are by far the largest in the area and it enjoys basic military security, its Navy is not capable of standing up to the naval contingents of the superpowers in the Indian Ocean. New Delhi thus regards the competitive naval presence of the outside powers as a continuing challenge to its regional leadership. [redacted]

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Initially, the pro-Soviet tilt of former Prime Minister Indira Gandhi led New Delhi to accept at face value the Soviets' claim that they had no military bases in the Indian Ocean and to blame the United States for failure to achieve greater progress in the US-Soviet Indian Ocean naval arms limitation talks. Since Morarji Desai took office in March 1977, however, New Delhi has assumed a more balanced view on the relative merits of Soviet and US claims, and no longer exempts the USSR from its criticism. Its policy now is to encourage the Soviets and the United States to resume their negotiations as a first step toward the complete neutralization of the area. India is likely to support, at least for the near term, force stabilization measures proposed by the superpowers, but its long-term goal is still the complete elimination of outside military forces from the region. [redacted]

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The Shifting States: Bangladesh and Sri Lanka

Despite the apparent consensus among all the South Asian littoral states against the expansion of great power naval rivalry in the region, in recent years the attitudes of Bangladesh and Sri Lanka toward neutralization of the Indian Ocean have become more ambivalent. Because of their limited military capabilities, they have looked toward outside powers, including the United States and China, to check what they regard as India's hegemonial aspirations. This has created tension between their desire for neutralization of the Indian

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Ocean and their determination to remain free of Indian domination. Consequently, their postures toward security issues in the area, such as the presence of outside forces, support for a nuclear-weapons-free zone in South Asia, and the Zone of Peace proposal, tend to fluctuate with the degree of tension in their bilateral relations with India. [redacted]

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The current leadership in Bangladesh came to power in 1975 following a series of coups in which some anti-Indian sentiment was expressed. Although relations have improved considerably since 1975, Bangladesh continues to be concerned about India's regional intentions and has reassessed its views on some security issues in the Indian Ocean. Signs of this reassessment were evident at the nonaligned movement's summit meeting at Colombo in November 1976. Bangladesh tried in vain to insert references, in the political declaration issued at the end of the meeting, to the threat to peace and stability in the area posed by the hegemonial designs of the regional states and the need for regional states to renounce nuclear weapons. The latter demand constituted an endorsement of an addition to the Indian Ocean Zone of Peace resolution that Pakistan had proposed after India's nuclear explosion in 1974. In December 1978, Dacca voted for the first time in the United Nations, despite India's protest, to support a Pakistani proposal for a nuclear-weapons-free zone in South Asia. [redacted]

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[redacted]

Since the political eclipse of Prime Minister Bandaranaike and accession to power of the more conservative Junius R. Jayewardene in July 1977, there are signs that Sri Lanka's position toward the presence of outside powers in the area and toward the Indian Ocean Zone of Peace idea has also been modified.* Like Bangladesh, Sri Lanka traditionally tended to follow India's lead in foreign policy. It has been second only to India in

*Sri Lanka voted in favor of the Pakistani proposal for a nuclear-weapons-free zone in South Asia in November 1974. [redacted]

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advocating the Indian Ocean Zone of Peace idea in regional and international forums. But, Jayewardene, in contrast to his predecessor who actively helped advance the broader demands of the nonaligned movement, is more concerned over India's intentions in the region and considers foreign policy mainly as an instrument for meeting Sri Lanka's immediate security and developmental needs. It appears that the members of Sri Lanka's foreign policymaking elite share this perception. While they favor demilitarization of the Indian Ocean, they are equally concerned over the political-military vacuum, favoring India, that would be created by a US-Soviet naval withdrawal.

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Conclusions

Although the replacement of Indira Gandhi by Morarji Desai in New Delhi has blunted the East-West dimension of conflict in South Asia, tensions between India and Pakistan persist.* As a result, the changes in their respective positions toward the presence of outside forces in the region, the nuclear-weapons-free zone in South Asia, and the Indian Ocean Zone of Peace over the last decade or so have been marginal. The most noticeable shifts in attitude toward these security issues in the area have taken place in Dacca and Colombo. The views of Bangladesh and Sri Lanka today appear to be motivated increasingly by concern for their immediate security while the broader notion of reconstructing the international power structure, upon which the "zone of peace" was largely based, has taken on a lower priority.

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*The Indo-Pakistani conflict was given an added dimension by the Soviet support of Indian efforts to contain Chinese influence in Asia. This in turn drew Pakistan into closer alliance with China, who desired to curb Soviet influence in a region that it considers as its own preserve. In recent years, India's efforts at improving relations with China have, to some extent, also blunted the Sino-Soviet dimension of the conflict in South Asia.

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These developments would appear to cloud the prospects for much progress toward establishment of a Zone of Peace at the first UN conference on the Indian Ocean of littoral and hinterland states that (after four years of preliminary discussion and debate) will convene in New York in July 1979. The increasing preoccupation of the smaller South Asian littoral states with intraregional power relations, Pakistan's heightened sense of insecurity, and India's more balanced stance toward the United States and the USSR also suggest that local pressures for the reduction or withdrawal of the military presence of the superpowers in the Indian Ocean area may continue to decline.

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Terrorist Adaptation To Countermeasures



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US and Chinese diplomatic missions in Europe have recently received letters from an unknown group which threatens reprisals for alleged US-Chinese collusion in China's incursion into Vietnam. The group's threats illustrate a growing tendency by terrorists to revise their tactics according to their awareness of governmental countermeasures.



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Since 7 March, a large number of US diplomatic missions in Europe have received letters threatening retaliation for alleged American orchestration of the Chinese incursion into Vietnam.* Chinese diplomats in Vienna have received two such letters from the previously unknown Secret Trans-World Organization for Punishment (STOP).



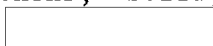
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Some clues are available to the identity of the group. All envelopes were neatly prepared in accurate English, leading most observers to rule out that cranks or pranksters had prepared the material. The paper used for the mimeographed leaflet shows a watermark of three pagodas and "Neusiedler Japan Post" written in an oriental script. Outside the black border are listed cities throughout the world that have been the scenes of terrorist activity. All of the letters were mailed at Vienna's South Railroad Station. While a final determination of the source of the paper has not been made, a similar watermark appears on paper of Austrian manufacture.



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*Vienna, Stockholm, Brussels, Munich, Geneva, Athens, Sofia, Belgrade, Prague, Berlin, Ankara, Rome, and Warsaw.



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No known terrorist organization has ever made threats against Chinese diplomatic facilities, and none of the presently operating groups have shown hostility toward both the Chinese and Americans. This raises the possibility that the letters are part of a covert intelligence operation by a government hostile to US-Chinese rapprochement. On the other hand, if damage rather than intimidation is the goal, the possibility should not be discounted that the letters could be a feint for a letter-bomb campaign to follow in a second mailing by STOP. [REDACTED]

Implications

In addition to a sophomoric sense of humor (the group's logo is the international road stop sign), the letters may demonstrate a growing effort on the part of terrorists to analyze the responses of governments to previous terrorist incidents and to adjust their tactics accordingly. STOP's letters referred to past attacks on American diplomats and warned that such measures as armed bodyguards, armored cars, varying routes, and keeping schedules secret would not prevent future anti-American attacks. The letters that the pseudohijacker of a TWA flight to Geneva deposited on the lap of a stewardess last year also demonstrated close attention to government antiterrorist tactics, as have recent statements by South Moluccans, West German anarchists, and Palestinians.*

This terrorist scholarship has two important implications for the tactical and strategic responses of governments. First, the behavior of governments in discrete hostage-negotiation situations, such as patterns of attempted deception, bad-faith bargaining, and tactics that lead to capitulation, will be studied by terrorists in order to revise their own calculations of how governments can be expected to behave in future confrontations.

*For example, the behavior of hostage-takers in the past two years has suggested a heightened sensitivity to the tendency for sympathetic psychological bonds to form between captors and hostages over time. To counter this phenomenon, South Moluccans refused to talk to their hostages and a group of Palestinian hijackers deliberately mistreated passengers and killed the pilot. [REDACTED]

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Second, terrorists may sometimes draw the wrong conclusions, particularly if they depend on the open literature on the paramilitary rescue capabilities of governments, much of which is distorted and sensational. The US Defense Attache in Bonn, for example, has reported that a widely read account of West German, Israeli, and US quick reaction teams is three years out of date, and misrepresents the tactics, doctrine, and hardware employed by these units.

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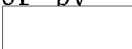


Multilateral Legal Efforts To Combat Terrorism



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Attempts to deal with international terrorism through multilateral measures have been hampered by the controversy over "just" versus "unjust" political violence and by broad resistance to those infringements of national sovereignty implicit in any curtailment of the right to grant political asylum. Some governments are also reluctant to engage in actions that might provoke retribution by terrorists or by states sympathetic to the terrorists' cause.



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Although general international measures against terrorism have been resisted, there has been some success in requiring states to extradite or prosecute perpetrators of specific terrorist acts. Experiences in drafting and implementing antihijacking and other conventions serve as benchmarks for evaluating the prospects for further efforts to combat terrorism.



* * *

False Starts

Traditionally, the international legal response to terrorism has been marked by disagreements over the definition of international terrorism as well as by conflicting attitudes about the legitimacy of political violence by organized groups.



After the murder of Tsar Alexander II in 1881, Russia called for an international conference for the prevention of political terrorism; it never materialized. In 1934, French requests for the extradition of the assassin of King Alexander of Yugoslavia and French Foreign Minister Barthou were turned down because Italy believed the offenses had a political motivation. Three years later, at French insistence, the League of Nations adopted a Convention for the Prevention and Punishment of Terrorism, which treated conspiracy, incitement, and participation in terrorist acts as criminal offenses for which

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extradition would be granted. A supplementary agreement called for the creation of an International Criminal Court. The two conventions failed to receive enough ratifications to enter into force, mainly because of objections to the sweeping definition of terrorism. [redacted]

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The UN response to the general problem of international terrorism has been even more hesitant. Under the Declaration on Principles of International Law Concerning Friendly Relations and Cooperation Among States, states have a responsibility to refrain from organizing, instigating, assisting or participating in terrorist acts on the territory of another state.* Third World coalitions have, however, consistently argued that there is a greater duty to assist groups struggling for "equal rights" and "self-determination" and have used this argument to thwart most efforts to achieve antiterrorism conventions. [redacted]

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In the wake of the September 1972 attack on Israeli athletes in Munich, the United States proposed a draft Convention for the Prevention and Punishment of Certain Acts of International Terrorism. The draft aimed to limit the export of terrorism; called for international cooperation and information sharing; and proposed prosecution or extradition for any unlawful killing, maiming, or kidnaping when that act is of international significance. Even though its enforcement provisions would have been hobbled by various restrictions, the draft was vigorously opposed and effectively stifled by an Arab-led coalition that argued against interfering with the right of self-determination. [redacted]

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Further discussions by an Ad Hoc Committee on International Terrorism in the summer of 1973 failed to produce any agreed solution. Hoping to avoid antagonizing the West by disbanding the Committee, yet still attempting to derail action, radical states were able to broaden the Committee's mandate from combating terrorism to studying its underlying causes as well. The 1975 raid on an Organization of Petroleum Exporting Countries (OPEC) meeting in Vienna and the kidnaping of some of

*The Declaration was adopted by the UN General Assembly without vote in October 1970. [redacted]

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the delegates led Venezuela and Colombia to propose renewed consideration of countermeasures. The General Assembly, however, once again failed to develop any support for a new convention. [redacted]

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An Incremental Solution

Despite the absence of a global consensus on a general definition of international terrorism, states wishing to combat it have been successful in proscribing several manifestations of terrorism. Their approach has been to limit the types of crimes for which political motives can be clearly ascribed and extradition, therefore, denied. This effort began with conventions on offenses against civil aviation, and has moved on to issues dealing with attacks on diplomats, hostage-taking, and other offenses. [redacted]

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Aerial Hijacking

The advent of hijackings in Western states, including diversions of US planes to Cuba, demonstrated that the international law of the early 1960s was unclear on the status of these crimes. The international effort to amend this deficiency has served as a model for combating other forms of terrorism while balancing conflicting political perspectives. [redacted]

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The Tokyo Convention (Convention on Offenses and Certain Other Acts Committed on Board Aircraft)

Hoping to fill part of the legal gap, the International Civil Aviation Organization (ICAO) drafted the Tokyo Convention.* It specifies the powers of the commander of an aircraft engaged in international flight. States are to make every effort to restore control of the aircraft to its lawful commander and to arrange for

*Although the draft was completed in September 1963, the 12 ratifying signatures required for its entry into force were slow in coming, and the Convention did not enter into force until December 1969. As of January 1979, 42 governments have signed and 99 have adhered (ratified, acceded, or succeeded) to the Convention. [redacted]

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25X1 the prompt onward passage of the aircraft, passengers, cargo, and crew. Nonetheless, the Convention provides no effective means to bring the hijacker to justice as it does not obligate a state either to extradite or to prosecute an offender. [redacted]

The Hague Convention (Convention for the Suppression of Unlawful Seizure of Aircraft)*

25X1 The Tokyo Convention was judged inadequate to halt the spate of hijackings that occurred after its signing. As a result, members of the ICAO met at The Hague to establish hijacking as an offense and to set rules for the disposition of the offender. The ideals of legal precision, however, were frequently subordinated to political considerations. [redacted]

West European delegations rejected Soviet calls for mandatory extradition, arguing that they would have constitutional problems with such inflexibility, and that it would harm the tradition of granting political asylum. A compromise called for either extradition or submission of suspects to competent authorities "for the purpose of prosecution." [redacted]

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The Hague Convention went further than any other modern treaty in delineating jurisdiction. Previously, in regions of the world where high-speed aircraft cross several national borders within minutes, judges found it impossible to determine the country in which the offense was committed. The Hague Convention established universal jurisdiction for the offense of hijacking, thus allowing any country holding a suspect to try him. It was hoped that potential hijackers would be deterred by the Convention's call for severe penalties. [redacted]

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The Hague Convention also solved the problem of extradition in the absence of a specific extradition treaty. It allows a party the option of considering

*The Convention was presented at The Hague in December 1970 when 49 of the 77 states present signed it. It entered into force in October 1971. As of January 1979, 81 states have signed it, and a total of 103 countries have adhered to the Convention. [redacted]

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25X1 the Convention to be an extradition treaty. This discretionary language was requested by Zambia, which felt it dishonorable to have an extradition treaty with South Africa. [redacted]

The Montreal Convention (Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation)*

The International Civil Aviation Organization in 1971 drafted a companion treaty to The Hague Convention, which deals with acts committed on the ground against aircraft in service and against air navigation facilities. It includes sanctions against the perpetrators of sabotage and other offenses committed against these targets, and requires contracting parties to make such offenses subject to severe penalties. It also employs The Hague Convention's extradite-or-prosecute formula. [redacted]

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UN General Assembly Resolution on the Safety of Civil Aviation

After Palestinian hijackers killed a Lufthansa pilot on 13 October 1977, the International Federation of Air Line Pilots Associations threatened a 48-hour strike to protest ineffective action against terrorists. In response, on 3 November 1977, the UN General Assembly adopted a consensus resolution condemning air piracy, encouraging improved aviation security, and urging all states that had not already done so to become party to the three international conventions.** [redacted]

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*The Convention was drawn up at Montreal in September 1971, and came into force in January 1973. It has been signed by 63 countries, and adhered to by 98. [redacted]

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**The original text was modified to meet objections from Arab and other Third World countries. One change, directed against Israel's rescue operation at Entebbe, said that antihijacking efforts should be "without prejudice to the sovereignty or territorial integrity of any state." [redacted]

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A "Contact Group" coordinated a campaign of demarches to governments that had not yet adhered to the three conventions. The general response to this marketing effort has been favorable--most governments contacted have expressed sympathy for the spirit of the conventions, and over 20 have subsequently adhered to one or more of them. Moreover, refusal by a government to accede to any given convention does not necessarily reflect disagreement with the aims of the convention's provisions. Several countries may not wish to be compelled to extradite to states imposing death penalties, while others may believe that some of the provisions of the conventions do not go far enough. What is of overriding importance is the action of states in carrying out the intention of the agreements. For example, although Cuba has not yet signed the conventions, it has nonetheless joined in several bilateral agreements on the disposition of hijackers. [redacted]

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The Bonn Economic Summit Antihijacking Declaration

One basic difficulty with the antihijacking conventions has been the absence of sanctions against states that refuse to comply with the conventions' provisions. At the July 1978 Economic Summit in Bonn, the participating heads of state (Canada, France, Italy, Japan, the United Kingdom, the United States, and West Germany) agreed to halt all air traffic with any country either harboring a hijacker or refusing to return the plane and passengers.* [redacted]

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The original signatories have subsequently attempted to obtain global support for the agreement. Privately, most countries have responded favorably, and there have been several public expressions of support.** [redacted]

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*The agreement's potential effectiveness lies in the fact that airlines of the seven participants together account for 69 percent of the total airline passengers carried in the non-Communist world. [redacted]

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**For those who support it, the declaration is technically a statement of aspiration rather than a legally binding document. [redacted]

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Protection of Diplomats

The principle of diplomatic inviolability has been one of the foundations of modern international law. This universally accepted rule is based upon the necessity of permitting free and unhampered exercise of the diplomatic function. Those terrorists attempting to demonstrate their rejection of the international order have not felt constrained by this rule, however, and have frequently attacked diplomatic representatives.

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Organization of American States (OAS) Convention (Convention to Prevent and Punish the Acts of Terrorism Taking the Form of Crimes Against Persons and Related Extortion That Are of International Significance)*

Although the Convention calls for international co-operation against acts of terrorism, it covers only certain specified common crimes against the life or personal integrity of protected individuals. It employs The Hague Convention's extradite-or-prosecute language, while safeguarding the right of asylum, which is well established in Latin American legal practice.

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The United Nations Convention on the Prevention and Punishment of Crimes Against Internation- ally Protected Persons Including Diplomatic Agents**

Like its OAS precursor, this Convention requires the contracting states to define certain specified acts against protected persons (or against the official premises, private accommodations, or means of transport of such a person) as crimes under internal law. Once again,

*The Convention was signed in February 1971, and entered into force in October 1973. It has been signed by 13 nations, and adhered to by seven. Although it was drafted by a regional organization, it is open to participation by nonmembers of the OAS.

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**The Convention was drawn up in New York in December 1973, and entered into force in February 1977. It has been signed by 28 states, and adhered to by 40.

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the extradite-or-prosecute formula is employed, and the right of asylum is specifically safeguarded. In addition, the UN General Assembly resolution adopting the Convention contains a paragraph backed by Third World states reiterating the rights of those aspiring to self-determination and independence. [redacted]

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The Convention has been criticized for not including other types of individuals (for example, children, innocent bystanders, ordinary tourists) who do not enjoy the physical protection available to diplomats, but who are nonetheless potential targets of terrorists. [redacted]

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Hostage-Taking

One major piece of unfinished business is the adoption of an international convention against the taking of hostages.* A UN ad hoc committee, established in December 1976, has studied a West German draft requiring the extradition or prosecution of anyone who detains another person in order to force action from a state, international organization, or corporate body. The proposal's initial difficulties were typified by the obstructive behavior of the Soviets, Arabs, and Africans, who tried to exempt the actions of national liberation groups. This issue was apparently resolved (through linguistic compromise) at the ad hoc committee's meeting in February 1979. Only a few peripheral issues remain outstanding. The committee has recommended that the General Assembly consider and adopt this draft convention against hostage-taking at its next session this fall. [redacted]

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Other Offenses

The members of the Council of Europe, faced with the common problem of European terrorism, have been able to overcome most of the impediments to global agreement and have taken concerted action against a host of terrorist actions. Its European Convention on the Suppression

[redacted]

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of Terrorism,* a joint initiative of France and West Germany, declares that certain violent crimes, including kidnaping, hijacking, "an attack against the life, physical integrity or liberty of internationally protected persons, including diplomatic agents," and the use of bombs will not be considered to be political acts exempt from extradition requirements, whatever the motive. Although a nation may grant political asylum to offenders if it believes that the extradition demand is made in order to persecute on account of race, religion, nationality or political opinion, it must prosecute under its own laws. [redacted]

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In October 1978, the Ministers of Justice of members of the European Community made a supplementary agreement calling for extradition or prosecution "without undue delay" of persons perpetrating offenses that include aircraft hijackings, attacks against internationally protected persons, kidnaping or the taking of hostages, and the use of bombs, grenades, letter and parcel bombs, and automatic firearms. The agreement gives more discretion to a state than does the convention in deciding whether an offense is political (and the offender therefore exempted from extradition). The Ministers also set up a working group to discuss French proposals to establish a "common judicial zone." [redacted]

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Implications

Despite the refusal by some lesser developed countries and East European states to subscribe to broad condemnations of political violence, the incremental approach to combating terrorism has led to several positive developments. Regional agreements can be expected to serve as indicators of what can be achieved in universal forums. [redacted]

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*Drafted at Strasbourg in November 1976, the European Convention was signed in January 1977 by all of the Council members except Ireland and Malta. It came into force in August 1978, and has been ratified by five nations. Ireland claims to have constitutional difficulties with the Convention's language and argues that a suspect is entitled to be tried in his country of origin. Malta does not want to antagonize Libya. [redacted]

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The efforts of the Contact Group and the Bonn Seven to secure adherence to antihijacking agreements will probably continue to meet with some successes, and additional adherences and declarations of support can be expected.

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Following the precedent of incrementally legislating against terrorist actions, future conventions may be directed against other types of attack, for instance, letter bombs (although discovering the perpetrator has proved to be difficult), or on behalf of a class of victims, for instance, children, or in order to prevent the export of violence to countries not party to a conflict.

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All of the multilateral conventions concluded so far have concentrated on ex post facto responses to terrorism. There remains room for concerted action against states aiding terrorists before the fact--the patron state phenomenon. It is doubtful that multilateral action on this issue will soon be taken because the phenomenon is so complex; but bilateral diplomatic approaches have already been tried and have met with some success, reflected most notably in less fervent Libyan support for terrorism.

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Finally, despite recent attention by several commentators, the venerable proposal to establish an international criminal court to try terrorists (and incarcerate them if convicted) is likely to remain purely academic.

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