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NEW REPUBLIC  
30 December 1985

## A warrant for the PLO chief?

**ARRESTING ARAFAT**

**J**UST WHEN the Reagan administration thought it had hit upon a relatively painless approach to the problem of international terrorism, it finds itself juggling a hot potato. The new approach consists of treating terrorism as simple criminality and pursuing terrorists with the instruments of law enforcement. The hot potato is the proposal now bouncing around somewhere between the State and Justice departments to seek the arrest of Yasir Arafat.

There is considerable circumstantial evidence that Arafat was complicit in the hijacking of the *Achille Lauro*: he supplies funds to Abul Abbas's Palestine Liberation Front, and he conferred with PLF leaders several times during the weeks that the hijacking was being prepared. But this is not the crime for which the U.S. government is considering trying to arrest him. Instead, the State Department is reexamining the case of the murder of two American diplomats in Khartoum in 1973.

The reexamination has been spurred both by the new interest in using legal instruments against terrorism and by revelations that U.S. intelligence possesses a taped intercept of Arafat personally ordering the Khartoum murders. U.S. ambassador to the United Nations Vernon Walters recently confirmed in an interview with journalist Edwin Black that when he was deputy director of the CIA in 1973 he had been told of the existence of such a tape. Although he had not heard the tape himself (Arabic being one of those languages that the multilingual Walters does not speak), he said that the existence of the tape "was common knowledge at the time among all sorts of people in the government."

A warrant for Arafat is not likely to lead to his arrest. It would serve, though, to keep him out of the United States, and thus away from the U.N. In theory, it could also keep him out of countries that have extradition treaties with the United States, although judging from Italy's refusal to hold Abbas—a much smaller fish—it is hard to imagine that many of our allies would arrest Arafat on our behalf.

The more important consequences would be symbolic. A warrant would signal the end of the notion that Arafat can be transformed into a genuine peacemaker. And because it would dismay some U.S. allies, it would show that the administration is willing to incur diplomatic costs in the interests of a serious counterterrorist policy.

**T**HE KILLINGS in Khartoum occurred after eight terrorists seized hostages at a reception at the Saudi Arabian Embassy. The eight, who identified themselves as members of "Black September," demanded the release from prison of Sirhan Sirhan, the Baader-Meinhof gang, and a group of Fatah members being held in Jordan. When their demands were not met, the terrorists selected the three Westerners among the hostages—U.S. Ambassador Cleo Noel, Charge d'Affaires George C. Moore, and Belgian diplomat Guy Eid—and methodically machine-gunned them after first allowing them to write farewell notes to their families and then beating them.

A day later, the terrorists surrendered to Sudanese authorities after a lengthy round of transoceanic communications involving, among others, Arafat and the vice president of Sudan. Sudanese President Gaafar Mohammed Nimeiri, who took the operation as a galling affront to Sudanese dignity, went public at once with evidence showing that it had been run out of the Khartoum office of Fatah. The top Fatah official in Khartoum had fled for Libya the morning after the seizure, leaving behind in his desk drawer a written copy of the plans for the operation. His number two led the assault on the embassy.

It also soon emerged in numerous news reports that the command center for the operation was in Beirut, whence were transmitted both the order to kill the three diplomats and the subsequent order to surrender. Indeed, according to the Sudanese government, when the "executions" were not carried out promptly on deadline, a prodding message was transmitted: "What are you waiting for?"

A month later the *Washington Post* reported that Arafat "was in the Black September radio command center in Beirut when the message to execute three Western diplomats . . . was sent out last month, according to western intelligence sources." The *Post* reported that "Arafat's voice was reportedly monitored and recorded." The *Post* said that according to its sources it was unclear whether Arafat himself, or his deputy, Abu Iyad, "gave the order to carry out the executions. . . . But they have reports that Arafat was present in the operations center when the message was sent and that he personally congratulated the guerrillas after the execution. . . ."

The story, which was denied by a spokesman for Arafat, made less impact than it might today because Arafat had yet to achieve the kind of respectability that he enjoyed after 1974, when the Arab League declared the PLO "the sole legitimate representative" of the Palestinian people and when Arafat made his triumphant appearance at the U.N. General Assembly.

And, in the avalanche of news on the Watergate scandals, the Arafat/Khartoum story was largely forgotten un-

til this year when the Reagan administration announced its new antiterrorism strategy, a strategy that at first seemed little more than a face-saving gesture. The administration hardly seemed serious when it announced after this summer's TWA hijacking that it had identified the individual perpetrators and was taking a warrant for their arrest. After all, any extradition request to Lebanon would have to be addressed to that nation's justice minister, Nabih Berri, the very man who had negotiated on behalf of the hijackers. But a few months later, when U.S. jets intercepted the four *Achille Lauro* hijackers over the Mediterranean and the U.S. government sought to secure custody from Italy of Abul Abbas, the policy began to look more substantial.

That, and rumors about the existence of the Arafat tape, about which Ambassador Walters subsequently confirmed his secondhand knowledge, inspired Charles Lichenstein, who served as a deputy U.S. representative to the U.N. under Jeane Kirkpatrick, to press the administration for legal action. Lichenstein, now a senior fellow at the Heritage Foundation, says, "Yasir Arafat is a criminal under both international law and U.S. law, and I believe he should be both identified and dealt with as a criminal."

The Justice Department says only that it has the matter "under review." Lichenstein, who has been pressing the matter for weeks, says that though he "remain[s] hopeful" about governmental action, "I'm not holding my breath." The Justice Department will not only evaluate the strength of the legal case against Arafat, it will also solicit the views of the State Department, whose Near East Bureau is sure to oppose action against Arafat. The bureau, which has day-to-day management of the American-sponsored Middle East peace process, has been working on the assumption that Arafat and the PLO must eventually play a part in it.

Lichenstein urges that if the case against Arafat is legally sound, the administration should pursue it "on principle." But he also denies that a conflict exists between the demands of principle and those of diplomacy. He acknowledges that the governments of Jordan and Egypt demand a role for the PLO in the peace process, but he says that those governments need "to come to grips with the fact that Arafat is a terrorist," and that even if Arafat wished to, "he cannot deliver the PLO" on behalf of peace. The PLO, he says, "is not the key to peace, but the greatest obstacle to it."

In a recent interview with *Insight* magazine, Arafat, with customary exaggeration, said about the Israeli raid on his Tunis headquarters, "I can't forget that the American administration, the American president himself declared his blessing to kill me." The question Lichenstein is raising is whether the president should forget that Arafat himself declared his blessing, and more, on the killing of two American diplomats.

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