

Nixon Gave Navy Power To Halt Cuba's Seizures

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By BENJAMIN WELLES APR 14 1972

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WASHINGTON, April 13—Senior officials disclosed here today that United States warships in the Caribbean had been ordered by President Nixon to prevent—by force if necessary—Cuban vessels from seizing the merchant vessels of countries “friendly” to the United States.

The secret instructions, which were issued late in February, stem from the seizure by Cuban patrol boats in December of two merchantmen operating out of Miami under Panamanian registration.

The Lyla Express, which was seized off the Cuban coast Dec. 5, and the Johnny Express, which was taken after an armed fight Dec. 15 nearly 100 miles away in the Bahamas, belong to the Bahama Lines of Miami. Bahama Lines, which owns six freighters, belong to four broth-

ers named Babun, who are Cuban refugees of Lebanese origin.

The Cuban Government headed by Premier Fidel Castro has maintained that the two ships were involved in activities for the Central Intelligence Agency in Cuban waters.

This was denied in Miami by Teofilo Babun, one of the brothers, and by Robert J. McCloskey, the State Department spokesman. Mr. McCloskey said in response to questions that the two vessels had been on “innocent passage and in no way were connected to the United States Government.”

Disclosure at this time of the Presidential orders to the Navy appeared to be acutely embarrassing to Administration officials in view of the meeting

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here of the General Assembly of the Organization of American States. Delegations representing 23 member nations of the organization are meeting here until April 21, discussing a wide variety of political, economic, social, legal and administrative matters.

Secretary of State William P. Rogers told the organization yesterday that Cuba’s “continuing interventionist behaviour, its support for revolution and its close military ties with the Soviet Union” still constituted a threat to the hemisphere.

U. S. Move Attacked

At the same time, he pledged that “if changes in Cuba’s policies and actions” should justify lifting the sanctions against Cuba composed by the Organization of American States in 1964 the United States “would act in concert with its fellow members of O.A.S.”—meaning, that it would not oppose such a step.

Representative Dante Fascell, Democrat of Florida, Chairman of the House Foreign Affairs Subcommittee on Latin America, said that the Presidential order appeared to be a “reversal of the Nixon Administration’s low-profile policy.”

“We seem to be going back to the United States, as the ‘policeman of the world’ concept,” Mr. Fascell said. “I know of no pending request for such protection by any third countries. This policy should be discussed here with the foreign ministers of the O.A.S.”

Jerry W. Friedheim, a Pentagon spokesman, confirmed that the Navy had been given “special authority,” but declined to elucidate. He referred queries to the State Department.

Robert J. McCloskey, the State Department spokesman, confirmed that orders were issued—after the December ship seizures—for an increase in United States naval “surveillance” activities in the Caribbean. Asked whether this meant aerial surveillance, Mr. McCloskey said that “it may not be only air.”

He declined, however, to confirm or deny reports in The Wall Street Journal giving details of the surveillance.

Administration sources said that there had been no further ship seizures by Cuba since the attack on the Johnny Express on Dec. 15. In that attack, Capt. José Villa, a United States citizen of Cuban extraction, was seriously wounded. He is still in Cuba although he is understood to have recovered from his wounds.

According to The Wall Street Journal reports—which Administration sources do not deny—the new Presidential orders provide for “interposing” United States warships in the following situation:

¶When a merchantman from a “friendly” country is likely to be seized outside the Cuban three-mile territorial limit.

¶When the United States captain has “no knowledge” that the vessel being menaced has been engaged in illegal activities against Cuba.

¶When the United States captain has reason to believe that an American citizen is aboard the threatened vessel.