

U.S. Says Soviet Violated Consul Pact in Plane Case

By **TERENCE SMITH** OCT 30 1970
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WASHINGTON, Oct. 29—The United States charged the Soviet Union today with a "clear violation" of the consular convention between the two countries and called for the immediate release of the United States Army plane and passengers detained in Armenia since they landed there eight days ago. In a strongly worded protest note, the United States said that there was "no justification for any further delay" in freeing the two Army generals, an Army major and a Turkish colonel who was accompanying them.

The note, which was presented to the Soviet Ambassador, Anatoly F. Dobrynin, at the State Department by Under Secretary of State John N. Irwin 2d, replied to a Soviet protest received in Moscow on Monday.

Russian Example Followed

Contrary to usual diplomatic practice, the State Department made public the text of its reply immediately. The Russians broadcast the text of their protest before the formal note was delivered to the United States.

Emerging from a 25-minute meeting with Mr. Irwin, Ambassador Dobrynin said that the passengers "might be" released, but that it would depend on an investigation of the incident.

He said that the consensus reached in his meeting with Mr. Irwin was that "it would be better for this sort of incident not to happen again and that generals should stay where they belong."

In accusing the Russians of flouting the 1968 United States-Soviet consular convention, the American note pointed out that Moscow had not allowed American diplomats access to the passengers until five days after they landed on Soviet soil.

"The consular convention

Continued on Page 4, Column 4

Continued From Page 1, Col. 6

specifically requires that access be accorded within four days at the most," the statement said.

The exchange of protest notes has raised the temperature of the United States-Soviet argument over the release of the plane and passengers. The State Department insists the plane strayed across the Soviet-Turkish border inadvertently, without "hostile or ulterior intent."

United States officials are visibly upset by the Soviet tactics, which they regard as another indication of a continuing Russian hard line in relations with the United States. One official charged that the Russians seemed to be "squeezing every soft spot they can find" in their dealings with this country.

Another concern among United States officials is that the Russians may be holding the passengers in an effort to force Turkey to turn over four Soviet airplane hijackers.

Soviet authorities have demanded the extradition of two, the Lithuanian father and son accused of killing a Russian stewardess and diverting an Aeroflot airliner to Turkey on Oct. 15. There has been no official request for the extradition of the other two, who diverted a small Aeroflot plane to Turkey on Tuesday.

Washington's note said the United States had acted in "restrained and constructive" fashion when Soviet aircraft or vessels recently intruded into American airspace or territorial waters.

It specifically cited a Soviet flight over the Aleutian Islands in March, 1969, and the intrusion into Alaskan waters in April, 1970, by the Soviet tanker Mozyr, which, the note charged, "extensively polluted United States territorial waters with oil."

In a subsequent statement, the State Department spokesman, Robert J. McCloskey, said that the United States had strictly adhered to the consular convention terms as recently as February, when Soviet diplomats were granted access to an accused spy within the four-day limit. The case involved Aleksandr V. Tikhomirov, a Soviet citizen working as a translator for the



United Press International

Ambassador Anatoly F. Dobrynin after he received note at State Department.

United Nations Secretariat. He was subsequently expelled.

Embassy Presses Soviet

By **JAMES F. CLARITY**

Special to The New York Times

MOSCOW, Oct. 29—The United States Embassy pressed the Soviet Union today for the immediate release of the plane and the four officers—Major Gen. Edward C. D. Scherrer, head of the United States joint military mission in Turkey; Brig. Gen. Claude M. McQuarrie Jr., his aide for ground forces; Maj. James P. Russell Jr., the pilot, and Col. Cevdat Deneli, a Turkish liaison officer.

Since the landing, in the border town of Leninakan, the Soviet authorities have given no public indication when they might release the officers and the plane, a twin-engine, six-seat Beechcraft U-8.

Boris H. Klosson, the American charge d'affaires here, went to the Foreign Ministry this afternoon and repeated the request for release to Georgi M. Korniyenko, head of the ministry's American desk.

Mr. Klosson, the ranking American diplomat here while Ambassador Jacob D. Beam is out of the country, also repeated the American contention that the violation had been accidental, and asked that embassy officials be allowed to see the detained officers a sec-

ond time next Monday, if they have not been released by then.

The Soviet authorities declined a second visit Tuesday, after two American officials met with the officers in Leninakan on Monday.

Pilot's Error Blamed

The American consular officials who talked with the four said that the pilot had blamed heavy winds and his own navigation mistakes for the violation. The plane was said to have been taking the officers on a tour of Turkish military bases.

The Soviet protest indicated disbelief that the incursion had been accidental, but yesterday, Pravda, the Communist party newspaper, said that the violation had apparently been an accident.

Tonight, Tass, the official press agency, issued a long commentary castigating the United States in often harsher terms than were used in the Government protest Monday.

The commentary, signed by Leonid Velichansky, described the craft as a "warplane of the United States Air Force." American military bases in foreign countries, Tass said, were "hotbeds of aggression, intervention and espionage linked with the United States claim to the role of a world policeman, dictated by the mad desire of United States imperialism to dictate its will to all mankind."