

# U.S.-Cuban Hijacking Pact Would Cover Ships as Well

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WASHINGTON, Dec. 5.—The State Department said today that the United States and Cuba had agreed in principle that their proposed accord to curb hijackings should cover ships as well as planes.

The negotiations, conducted through the Swiss Government in the absence of diplomatic relations between Washington and Havana, were described by senior officials as moving smoothly. They said that at the present rate of progress the agreement might be completed for signature before the end of the year.

Secretary of State William P. Rogers told newsmen after meeting this morning with Sil-

vio Masnata, the Swiss Ambassador to Cuba, and Felix Schnyder, the Swiss Ambassador to the United States, that "a foundation for an agreement has been laid."

Speaking privately, officials said that the United States willingness to have the projected pact include the hijacking of ships represented a concession to the Cuban viewpoint.

Initially, the Nixon Administration was insistent that any agreement address itself exclusively to preventing the hijacking of airliners to Cuba. An attempt to negotiate an accord in 1970, also through the Swiss,

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broke down partly over Havana's demand that it cover as well the hijacking of Cuban ships by Cuban exiles and others.

Now, however, Washington is reportedly ready to go along with the Cuban proposal of last month for a "broad agreement" on hijackings. A senior official said that this was because of the great danger of loss of life that had been posed by the seizures last month of an Eastern Airlines 727 and a Southern Airways DC-9 by hijackers wanted on murder charges in the United States.

Reflecting this change of attitude, the State Department spokesman, Charles W. Bray 3d, said today that "we now have a promising basis for proceeding to an agreement which would cover hijacking of aircraft and ships."

## Some Points Unresolved

A major unresolved point in the current negotiations is said to be whether the accord would provide for both prosecution and extradition of hijackers or only their trial.

Cuba, officials said, has proposed that the agreement be confined only to prosecution in the country where air or sea pirates are apprehended.

The United States, in a counterproposal delivered today to the Swiss by Mr. Rogers for transmission to Havana, suggested that extradition procedures also be included under the terms of the 1904 Cuban American extradition treaty.

But senior officials said that Washington was not "necessarily" insisting on this, although it believed that the inclusion of extradition might be acceptable to the Cubans.

A senior official said that the Cuban draft, conveyed to Washington 10 days ago, did not call on the United States "in so many words" to prevent exiled

opponents of Premier Fidel Castro from staging raids against the Cuban territory.

Instead, he said, the Cuban document simply urges Washington to enforce its own neutrality laws on this subject. Since the United States has taken the position that it has been seeking to ban such raids in enforcement of the neutrality laws, the view here was that this point posed no major difficulties.

Mr. Rogers conferred for 40 minutes this morning with the two Swiss ambassadors before leaving for the ministerial session of the North Atlantic Treaty Organization in Brussels.

Mr. Bray said that Mr. Rogers had asked the Swiss to convey to the Cuban government, along with the American comments on the draft, assurances of "our seriousness of purpose."

Under the tentative agreement, with the question of extradition still pending, each Government would prosecute hijackers arriving on their respective territory and place them on trial, with severe punishment for those found guilty.

Cuba has announced that she will try the three men who hijacked a Southern Airways plane to Havana last month. This is the first such move since the wave of hijacking began in the middle nineteen-sixties.