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Skyjack
Progress

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WASHINGTON — The United States and Cuba have agreed on a common definition of skyjacking that makes it a crime for Cubans forcibly to take over planes or ships even in a desperate effort to flee Castro's island for political asylum in the United States, Administration officials disclosed today.

U.S. willingness to accept reciprocity in dealing with skyjackers has brought the two nations to the verge of an agreement, the sources said. They added that Secretary of State William P. Rogers had played the leading role "over the shuffling reluctance of State Department lawyers."

"Rogers backed the lawyers off," one Administration source revealed. "Don't give me legal drafts," Rogers reportedly told his advisers. "It looks like Cuba has a genuine interest in an agreement and let's get with it."

Criminals

As a result, the United States now has pledged in an agreement proposed this week to Havana that all Cubans who skyjack planes or boats to escape Cuba will be treated as common criminals when they arrive in the United States.

State Department officials explained that it was necessary to make this concession because skyjacking is a crime that endangers too

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many innocent lives to squabble over lesser political problems.

"What is engraved on the Statue of Liberty is now modified," an Administration source explained. "Anybody who enters this territory through extortion, terrorism or other violent means is in for trouble. He'll be treated as a criminal because skyjacking is above and beyond the doctrine of 'warm welcome for anybody.'"

"Skyjacking overrides the ancient tradition of asylum."

Refugees

The agreement that Swiss Ambassador Silvio Masnata, who is negotiating for the United States in Havana, will propose to the Cubans Friday, calls for severe punishment in Cuba for American skyjackers and reciprocal treatment in the United States for Cubans who leave Cuba illegally.

To help resolve political problem, Castro has agreed to reopen the lists for per-

sons who want to leave Cuba on specially organized refugee flights. Some 3400 Cubans will soon begin coming to the United States on daily flights that will stretch for at least 40 days.

The current draft text, which embodies large parts of the language proposed by the Cubans last week, contains no specific provision for extradition of skyjackers, which U.S. officials clearly prefer to domestic punishment as a solution.

But sources here said that the United States will be happy with either solution and would on Friday at least "make a pitch" for extradition in hopes that Cuba might also be flexible on this point. There now are approximately 70 American air pirates in Cuba.

"We'd like to maintain the tradition of extradition," one official here explained. "We'd like to make an example of the skyjacker. What's important in any agreement is the deterrent effect and that deterrent effect has to be visible."

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