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DEPARTMENT OF STATE

INFORMATION MEMORANDUM

S/S

September 22, 1972

To: The Secretary

From: L - John R. Stevenson JRS 9/22/72

Draft Convention For the Prevention and Punishment of Certain Acts of International Terrorism

POL 23-8

CVL 15-1 FRW

POL 13-10 Arab

The new Draft Terrorism Convention is intended to deal with the dangerous recent trend to internationalize terrorism and civil violence as evidenced in the recent Munich tragedy. The central mechanism of the convention is to single out acts of political violence which occur both outside the State of nationality of the perpetrator and outside the State against which the act is directed. In addition, to be covered an act is required to be directed against civilians rather than members of the Armed Forces of a State in the course of military hostilities.

The Convention is narrowly drawn and would exclude civil violence in which a national is acting against his own government within the territory of his State. In addition it would exclude acts of violence which take place in the State against which the acts are directed. The purpose of limiting the Convention in this fashion is to try to single out the recent internationalization of violent acts committed abroad, and to increase the chances for agreement.

POL 23-8

Within the scope of covered acts the Convention then declares that anyone who unlawfully kills, causes serious bodily harm or kidnaps another person commits an offense of international significance. States Party to the Convention would be required to extend their jurisdiction over such offenses, make such offenses crimes punishable by severe penalties, and to extradite or prosecute alleged offenders found in their territory. The machinery for extradition and prosecution basically follows the Montreal Hijacking and ILC Protection of Diplomats machinery.

AV 12

L: JR Moore: lml

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PA/HO, Department of State
E.O. 12958, as amended
June 22, 2004

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COVERED ACTS WOULD INCLUDE THE FOLLOWING:

(1) The Munich Tragedy and any other case of a Palestinian attack on Israeli citizens abroad,

(2) The assassination of the Foreign Minister of Jordan in Egypt,

(3) The recent mailings of explosive devices to Israeli diplomats,

(4) The Croatian hijacking in Switzerland (though the hijacking Conventions would take precedence).

ACTS NOT COVERED WOULD INCLUDE THE FOLLOWING:

(1) The Lod Airport attack

(2) Palestinian attacks on Israel if committed within Israel,

(3) Attacks by liberation groups in Southern Africa within the territory of the State attacked,

(4) Acts by or against members of the Armed Forces of a State in the course of military hostilities.

We have this afternoon given copies of the new Draft Convention to IO, AF, and NEA.

Attachment:

DRAFT CONVENTION

Drafted by: JNM
L:JNMoore:lml
x 22630
9-22-72