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There are seven categories of criminal acts against civil aviation: Commandeering of civil aviation aircraft, hijacking of civil aviation aircraft, bombings, attempted bombings and shootings in civil aviation aircraft, shootings at in-flight aircraft, attacks at airports, off-airport facility attacks and incidents involving charter and privately-owned aircraft.

Of these, both commandeering and hijacking relate to seizing control of an aircraft. Commandeering is seizing control of an aircraft, while it is on the ground, with its doors open. Hijacking is seizing control of a plane, with the crew or/and passengers inside after the doors have been closed---whether it is still on the ground or in flight---by one or more persons, who are or who claim to be armed, for a purpose, which need not necessarily be criminal.

A hijacking can be carried out by even a member of the crew. Chinese civil aviation has the only recorded incident of self-hijacking in October, 1998, when the pilot of an Air China flight from Beijing to Kunming in Yunnan, took it instead to Taiwan after threatening to crash it killing the passengers if the other members of the crew prevented him from flying to Taiwan.

Generally, hijacking carries a more severe penalty than commandeering. Both offences involve intimidation, but, while in commandeering the danger is more to the aircraft and other property on the ground, in hijacking it is to the plane as well as the human beings inside.

The first incident of commandeering in the history of civil aviation took place on February 21, 1931, at the city of Arequipa in Peru when a group of local revolutionaries surrounded an aircraft and demanded that the pilot fly them to wherever they wanted. He refused and the revolutionaries terminated their seizure on March 2, without any damage to the plane.

The first recorded incident of hijacking took place in July 1948, when four Chinese hijackers seized control of a Cathay Pacific flight from Macau to Hong Kong. The ensuing struggle between the hijackers and the crew resulted in a crash killing all (25) aboard.

Between 1948 and 1957, there were 15 hijackings all over the world, an average of a little more than one per annum. Between 1958 and 1967, this climbed to 48--an annual average of about five. There was an explosive increase to 38 in 1968 and 82 in 1969, the largest number in a single year in the history of civil aviation. During the third 10-year period between 1968 and 1977, there were 414 hijackings--an annual average of 41.

The increase since 1958 could be attributed to the following factors:

- * First, the use by the USA's Central Intelligence Agency (CIA) of inspired hijackings as a weapon of destabilisation against the Fidel Castro regime which had seized power in Cuba in January, 1959, and nationalised all plantations and other property owned by US businessmen.

The hijackers inspired or instigated by the CIA did not make any political demands as a price for releasing the aircraft and passengers. They just forced the pilot to fly to either the US naval base at Guantanamo in Cuba or to the US and sought political asylum after condemning the communist regime at a press conference arranged by the CIA.

The CIA thus used hijacking as a psychological weapon to have the Castro regime discredited in the eyes of the Cuban people as well as of those of other Latin American countries in order to prevent an emulation of the Cuban communist model. Another CIA objective was to cause a depletion in the Cuban civil aviation fleet strength, thereby

causing air transportation difficulties inside Cuba.

The US did not return the planes to Cuba. Instead, these were ordered to be seized by US courts as compensation for the properties of US businessmen nationalised by the Castro regime.

* Second, the retaliatory hijackings inspired or instigated by the Cuban intelligence, involving either US or non-US aircraft carrying a large number of US nationals. Like the CIA, the Cuban intelligence used these hijackings purely as a psychological weapon to have the US discredited.

* Third, the emulation of the CIA's covert action technique by the Taiwanese intelligence in its psychological warfare against Beijing by inspiring or instigating hijackings from the mainland to Taiwan.

* Four, the beginning of the extensive use of hijackings as a weapon of national liberation or ideological struggle by the various Palestinian organisations and ideological groups supporting the Palestinian cause such as the Baader-Meinhof of West Germany, the Red Army factions of West Germany and Japan etc after the Arab-Israeli war of July, 1967. The targets of their hijackings were mainly Israeli nationals.

* And, five, the use of hijackings as a weapon of struggle by other political, religious or ideological organisations or political dissident groups in the rest of the world. Some of these were supported by foreign intelligence agencies such as the support of the Inter-Services Intelligence (ISI) of Pakistan to various anti-Indian groups since 1971, while others were not.

Since the Tokyo Convention of 1963, the International Civil Aviation Organisation had been preoccupied with further tightening the international laws relating to criminal acts against civil aviation and the explosive post-1967 increase led to a review of the CIA's policy in the US and to the adoption of new international conventions against hijacking and other criminal acts against civil aviation such as those of the Hague (1970) and Montreal (1971) making it obligatory for nations to arrest and prosecute hijackers

or extradite them to the countries whose aircraft was hijacked.

The second Nixon Administration, which came to office in 1973, ordered the discontinuance by the CIA of the use of hijacking as a covert action weapon against the Castro regime. The Cuban intelligence followed suit. The same year, the two countries reached an agreement for the prosecution or return of the hijackers and the aircraft to each other's country.

The Taiwanese intelligence also followed the CIA's example--vis-à-vis China. In 1977, Havana abrogated the 1973 agreement with the US following an explosion on board a Cuban airline in October, 1976, killing 73 persons, due to a device suspected to have been planted by anti-Castro Cuban exiles. The Cuban authorities suspected that the CIA was aware of their plans to destroy this aircraft, but did not intentionally alert Havana. However, even after discontinuing the agreement, they continued to observe its provisions.

These measures plus the improvement in Israel's relations with Egypt and Jordan, the renunciation of terrorism by the Palestine Liberation Organisation, the on-going peace talks between the PLO and Israel, the collapse of the communist states in East Europe, which reduced the scope for sanctuaries for terrorists, and the more cautious attitude of countries such as Libya and Syria after the US declared them State-sponsors of international terrorism, the collapse of ideological terrorist groups such as the Baader-Meinhof and the Red Army Faction and the tightening of civil aviation security measures by all countries have arrested and reversed the steep upward movement of hijackings.

However, the situation has not returned to the pre-1968 level and the number of successful hijackings continues to be disturbingly high--an average of 18 per annum during the latest 10-year period between 1988 and 1997, as against the pre-1968 average of five. On the brighter side, the number of terrorism-motivated hijackings has significantly decreased, while those motivated by personal reasons such as a desire to migrate abroad have greatly increased.

The discontinuance in 1973 by the involved intelligence agencies except the ISI of Pakistan of the use of hijackings as a weapon against their adversaries, plus the initial security measures at airports, led to a 50 per cent drop in hijackings as could be seen from the following figures for the years preceding and following 1973:

1968 --- 38
1969 --- 82
1970 --- 74
1971 --- 55
1972 --- 56

1973 --- 22
1974 --- 20
1975 --- 19
1976 --- 20
1977 --- 28

As against this, the enactment of stringent laws against hijackings and the further strengthening of the security measures at airports led to only an additional 10 per cent decline in hijackings. It would not, therefore, be an exaggeration to say that the discontinuance of the use of hijackings as a covert weapon by the intelligence agencies contributed significantly to the post-1973 drop in hijackings.

A comparison of the hijackings during the five 10-year periods between 1948, when the first hijacking was reported, and 1997 is as follows:

1948-1957--- 15
1958-1967 --- 48
1968-1977--- 414
1978-1987--- 260
1988-1997 --- 180

Of the 87 hijackings between 1993 and 1997, only seven, that is less than 10 per cent, were terrorism-motivated. 68 were committed for personal reasons and the remaining 12 were committed for other reasons. 44 per cent of all the hijackings during this period took place in three countries--China (23), Russia (6) and Ethiopia (6)

Geographically, South, South-East and East Asia recorded the highest number of hijackings (33 incidents or 38 %), with China and India having the most incidents. West Asia and North Africa had the second highest number (16 incidents or 18 %), with Saudi Arabia and Sudan each recording four. The sub-Saharan region had 12 incidents (14 %), a half of them in Ethiopia. Europe had 11 incidents (13 %), with Germany, Malta and Spain each reporting two hijackings. Eight incidents (9 %) were reported from Central Eurasia, 6 of them from Russia. The Latin American and the Caribbean region had 7 incidents (8 %), with Brazil having two. North America (the US and Canada) had none.

63 of the 87 hijackings between 1993 and 1997 involved domestic flights and only the remaining 24 involved international flights. The preference of hijackers for domestic flights is due to the fact that the majority of hijackers -- whether they be black-listed terrorists or hijackers for economic or other reasons-- have generally no access to travel documents and hence focus on

domestic flights.

India, which is less economically developed than China, has had no hijackings for economic reasons whereas over 90 per cent of the hijackings in China, despite its economic miracle, are for economic reasons (22 out of 23 incidents between 1993 and 1997). This is due to the fact that an under-privileged Indian wanting to migrate abroad to improve his economic prospects has no difficulty in getting travel documents, whereas for an under-privileged Chinese, despite the post-1979 relaxation of travel restrictions, the only way of going to Taiwan or elsewhere through Taiwan is by hijacking a plane.

Despite the authoritarian regime in Beijing, its death penalty for hijackers and long prison sentences for negligent security bureaucrats, one-fourth of all reported hijackings (23 out of 87) in the world during this period were from China. Civil aviation security experts attribute this partly to the poor safety systems technology in Chinese airports, particularly in the interior provinces. It is also possible that many of the Chinese hijackers were not armed, but pretended to be, but precise data on this are not available.

In percentage terms, of all the terrorism-affected countries, India has recorded the highest percentage of over 50 per cent of the hijackings due to terrorism sponsored by an external power (Pakistan)--- 7 out of the 13 hijackings since the hijacking of Indian planes by ISI-trained groups started in 1971.

HIJACKINGS IN INDIA

Since hijacking of Indian planes started in January, 1971, when two members of the Jammu & Kashmir Liberation Front (JKLF) hijacked a plane to Lahore and blew it up with explosives given by the ISI at Lahore after releasing the passengers and crew, there have been 13 hijackings--all of Indian Airlines aircraft. During the training of terrorists, the ISI instructs them to avoid Air India planes lest international concern be aroused due to the presence of a large number of foreign passengers.

Three of these hijackings took place in the 1970s, of which one by Kashmiri extremists was sponsored by the ISI, while the other two were personally-motivated.

There were five hijackings in the 1980s--three of them in 1982--all by Sikh extremists backed by the ISI.

There were five in the 1990s---four of them in 1993, all personally-motivated, and the fifth, the latest of IC- 814, was by an international Islamic jihadi organisation backed by the ISI.

Thus, of the 13 hijackings, seven were by ISI-trained organisations---- five by Sikh extremists, all India-based, one by Kashmiri extremists, again India-based, and the seventh by a Pakistan-based international Islamic jihadi organisation.

All these hijackings took place when the military was in power--five under Zia-ul-Haq and one each under Yahya Khan and Gen. Pervez Musharraf.

After a series of five hijackings in quick succession by Sikh terrorists between 1981 and 1984, India managed to get clinching evidence of ISI involvement in 1984 in the form of a West German report that the pistol given to the hijackers of August 24,1984, at Lahore by the ISI was part of a consignment supplied to the Pakistan Government by the West German manufacturers.

This resulted in a severe warning to Pakistan by Washington and a total discontinuance by the ISI of the use of hijacking as a weapon against India for 15 years till the latest hijacking on December 24,1999, after Gen. Musharraf seized power on October 12.

SPECIAL FEATURES OF IA 814 HIJACKING

* This was the first hijacking of an Indian plane by a Pakistan-based international Islamic jihadi organisation, namely the Harkat-ul-Mujahideen (HUM), previously known as the Harkat-ul-Ansar, which was declared by the US under its laws as an international terrorist organisation in October, 1997, and which, according to the annual reports of the Counter-Terrorism Division of the US State Department, is a member of Osama bin Laden's International Islamic Front For Jihad Against the US and Israel and a signatory of his fatwa against US and Israeli nationals.

* This was the second hijacking in the world by an Islamic fundamentalist organisation of Afghan-war vintage. The first was the hijacking of an Air France flight from Algiers by four terrorists of the Armed Islamic Group of Algeria on December 24,1994.The French terminated the hijacking at Marseille by killing all the hijackers.

* This was the first hijacking in India in which the hijackers intentionally and brutally killed one of the passengers in order to intimidate the pilot. In the past hijackings, the terrorists had avoided ill-treating the passengers. In the Air France hijacking too, the Algerian terrorists of Afghan war-vintage had intentionally killed three passengers.

* This was the second largest terrorist team (five hijackers) to have hijacked an aircraft anywhere in the world. The terrorist team, which hijacked the Air France flight to Entebbe in 1976, had ultimately 7 hijackers, but only four of them had flown by the aircraft and the remaining had joined the team after the aircraft landed at Entebbe. Six terrorists of the Popular Front For the Liberation of Palestine (PFLP) had hijacked an Olympic Airlines flight from Athens to Beirut, on July 22, 1970. The Greek authorities accepted the demand of the hijackers for the release of seven terrorists.

A mixed group of five Palestinian and Japanese terrorists hijacked a Japanese Airways flight from Amsterdam to Tokyo on July 20, 1973. The terrorists blew up the plane at Tripoli in Libya after releasing the passengers. All other hijackings of the world involved between one and four hijackers, most of them only one.

When there is only one hijacker, he would generally be in the cockpit. Danger to the passengers from a commando intervention is the least, unless the lone hijacker has explosives. When there are two hijackers, the danger is more, but still manageable since the second hijacker would generally be near the front door, which reduces the danger of deaths of passengers in cross fire. If there are three hijackers, one each would be at the front and rear doors, increasing the risk of cross-fire deaths. The maximum vulnerability of the passengers arises when there are more than three hijackers, with one or more of them stationed in the middle.

* This was the sixth longest hijacking since 1948 after those of the El Al by the PFLP on July 23, 1968 (40 days), the Air France (Entebbe) by Palestinian and German terrorists on June 27, 1976 (8 days), the Pakistan International Airways by the Al Zulfikar on March 2, 1981 (13 days), the TWA by a Shia group on June 14, 1985 (18 days), and the Kuwait Airways by a Shia group on April 5, 1988 (18 days).

* This was the sixth major hijacking since 1948 in which the targeted Government conceded the demands of the hijackers, wholly or in part. The others were: the release of seven convicted Palestinian terrorists by the Greek authorities after the hijacking of an Olympic Airways flight on July 22, 1970; the release of seven Arab terrorists imprisoned in the UK, West Germany and Switzerland after the hijacking of three flights of the Pan-Am, TWA and Swissair by the PFLP on September 6, 1970; the release by West Germany of the Arab terrorists arrested for the murder of 11 Israeli athletes at the Munich Olympics after the hijacking of a Lufthansa aircraft on October 29, 1972, by the Al Fatah; the release of four Arab terrorists arrested for acts of terrorism in Cyprus after the hijacking of a KLM plane on November 25, 1973; and the release of nearly 30 political prisoners by the Zia-ul-Haq regime after the hijacking of a PIA aircraft by the Al Zulfikar on March 2, 1981. These were the publicly-admitted instances of conceding the hijackers' demands. There have been other unadmitted instances.

HANDLING HIJACKINGS: PREVENTIVE

The handling of hijackings has the preventive and crisis management aspects. Of all terrorism-related offences, plane hijacking is the easiest to prevent through thorough physical security at the airport. The prevention drill involves evaluation of the psychological profile of the passenger at the time of his checking-in through carefully-framed questions; x-ray of the checked-in baggage and, if necessary, their identification by the passenger before they are loaded; X-Ray of hand baggage; door-frame metal detector tests of passengers; their personal search; and ladder point checking by the airline staff to neutralise dangers due to negligence of the airport security staff or their complicity with the hijackers.

If this security drill is strictly followed, chances of a hijacking could be reduced by 90 per cent. There could still be a 10 per cent threat due to the hijackers somehow managing to take arms inside due to the negligence or complicity of the airport as well as the airline security staff or their intimidating the pilot by pretending to be armed, even though they may not have arms.

To eliminate even this 10 per cent possibility of a hijacking, airlines such as El Al, the Swissair and Air Lanka have well-trained security staff travelling on each flight under the cover of either passengers or cabin crew members. The effectiveness of these in-flight security officers depends on the deniability of their presence. That is why, Israel, Switzerland and other countries, which use Sky Marshals, do not officially admit their doing so. The recent open announcements on this subject by the Govt. of India would

reduce the effectiveness of the proposed in-flight security measures.

For in-flight security duties, the El Al takes serving and retired officers of the Shin Bet, the Israeli equivalent of our Intelligence Bureau, and Ya'ma'm, the Israeli equivalent of our National Security Guards. Shin Bet officers under the cover of airline staff are also attached to the traffic counter at the airport to scrutinise the travel documents of the passengers and study their psychological profile.

Those responsible for in-flight security duties are issued with weapons with specially-designed low-intensity, low-impact bullets, which would enter the human body, but not exit. To prevent damage to the aircraft in cross-fire, the fuselage is armour-plated. They are also given well-concealable transmitting sets to discreetly transmit to the ground all the happenings in the cabin if the plane is hijacked. The plane has concealed cameras in the cockpit, cabin and toilets.

These security measures have ensured the 100 per cent security of El Al flights. While El Al's airport and off-airport facilities have been subject to frequent terrorist attacks, an El Al flight was successfully hijacked only once in 1968.

This intensive and intrusive security checking has been at the cost of the quality of service to the passengers due to delays in take-offs, the increase in the number of passengers taken to earn additional money to meet the extra expenditure on security etc. It is said that Swissair manages to provide the same tight security on its flights without sacrificing the quality of service.

CRISIS MANAGEMENT

The crisis management drill comes into force if an aircraft is hijacked due to a failure of preventive measures. The drill deals with the management of the relatives, the media, the aircraft and the hijackers, preparation of the groundwork for commando intervention, if it becomes necessary and has operational, psychological and political aspects.

The psychological aspect focusses on keeping up the morale of the relatives of the passengers, encouraging self-restraint in media coverage till the hijacking is terminated and keeping the hijackers engaged in negotiations in order to persuade them to give up the hijacking, if possible, and give time to the commandos to prepare themselves for intervention, if necessary.

The operational aspect focusses on ensuring that the aircraft remains in an airport of our territory, if possible, or otherwise, in an airport of a friendly country and does not go to an airport in a hostile country and collection of intelligence and other inputs needed for commando intervention.

The political aspect relates to winning the co-operation of other countries and our own political parties in terminating the hijacking.

The Kandahar episode has brought to light the following serious deficiencies in our national security management (NSM):

- * The failure of the intelligence and counter-intelligence machinery to detect the presence and activities of the HUM hijackers in Mumbai since November 5.

- * The failure of the Govt. of India and the Indian Airlines security set-ups to ensure an effective second line of security at the Kathmandu airport, knowing fully well the security vacuum there.

- * The failure of the crisis management group to have the plane grounded at Amritsar.

- * The failure of the Govt. of India to persuade the United Arab Emirates (UAE) authorities to have the plane detained at Dubai, as they did with the 1984 hijacking of an IA plane by the Sikh extremists.

- * The delay in starting the negotiations at Kandahar, knowing fully well that once we let the plane reach hostile territory in Kandahar, we had no other option, but to negotiate.

- * The total lack of coherence and professionalism in the handling of the crisis by the crisis management groups at the political and professional levels.

ACTION REQUIRED

* A thorough post-mortem to identify system and human failures and initiate disciplinary action against those responsible for the failures.

* Independent audit of not only airport and airline security, but also infrastructure security in places such as nuclear and space establishments, oil installations etc by non-governmental security experts in order to have a second opinion from experts not having a vested interest in the cover-up of existing deficiencies.

* A more assertive role by the victims of the failure of protective security arrangements by taking the Govt, its officers, airline management etc to court for heavy damages every time there are such serious breaches of security due to incompetence or negligence or both. Civil aviation security in the US and Canada has significantly improved due to such an assertive role by the victims and other citizens.

If we carry on, as we seem to be already doing, as if there was nothing wrong with our national security and crisis management, we are in for another nasty surprise.

B.RAMAN

(1-2-00)

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