2014

Balancing Power; Plane Hijackings & Cuban-U.S Détente 1961-1976

David Rosesal
CUNY City College

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Rosesal David

Advisor: Professor Craig Daigle

December 9, 2013

Submitted in partial fulfillment of the requirements for the degree of Master of (Fine) Arts of the City College of the City University of New York.
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Introduction

For decades scholars have focused on the cultural, political and ideological divisions which exist between the Republic of Cuba and the United States. While the two governments were and continue to be at polar opposites in many respects, there still remains the ability to collaborate and communicate using a mediator. Historically, these efforts have had minor effects on diplomatic relations between the two countries and often times have ended in stalemates. However, there have been occasions in which a mediated communication has yielded mutually beneficial results. The 1973 Memorandum of Understanding on Hijacking of Aircraft and Vessels and Other Offenses (MoU) signed by both countries is such an occasion.¹

Since the birth of aviation with the Wright brothers in 1903, acts of hijacking have existed as a by-product of flight. ² Over time, airline security measures advanced technologically with the intent of combating the issue of terrorism in the skies. While this study covers a number of individual

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¹ The Memorandum of Understanding on Hijacking of Aircraft and Vessels and Other Offenses (MoU) is referenced throughout this paper and the various documents and sources which capture its history. In the earlier stages of negotiations, the Memorandum is referred to as an “understanding” or “agreement”. In keeping with the historiography of this subject, efforts have been made to reference the memorandum as an “agreement” throughout the paper, until the finalization of the agreement in which the formal name of “memorandum” was presented. Given the state of Cuban – U.S relations and the U.S decision not to recognize the Cuban government, the MoU is not considered a treaty and is never referred to as such.

² Plane hijacking (also referred to as hijacking, air piracy, skyjacking, aircraft hijacking or sky controlling) is the act of commandeering an aircraft by the use or threat of violence. Hijackers have no authorization by a government or airline to commander these aircrafts and have the explicit intent of diverting the plane to an alternative destination of the hijackers choosing. For the purpose of this study, the term plane hijacking or hijacking will be used to indicate these types of transactions.
plane hijackings, there remains a challenge in finding any one motivation for a particular hijacking incident. Motivations for Cuban – U.S plane hijackings vary considerably and include the political, personal as well as a hijacker’s degree of mental stability.

Despite a rather large historiography on relations between the two countries, there also is limited analysis to be found on the hijacking negotiations or the concluding memorandum. As a result, questions remain as to what the signing of this agreement meant not only for plane hijackings and threats of terrorism, but more importantly for Cuban- U.S relations and the interaction between the two countries. Trends in scholarship of U.S- Cuban relations suggest that studies supporting an anti-Fidel Castro or anti-communist point of view are more likely to omit or pass over the agreement. Studies with a balanced or moderate view on Fidel Castro and communism tend to include a more detailed account of the anti-hijacking agreement.

The historiography of plane hijacking, (although limited) can typically be found within accounts related to acts of terrorism or political and historical accounts connected to events occurring in Israel and the

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Middle East.\textsuperscript{5} Plane hijackings between Cuba and the United States are mentioned in only a handful of these studies.\textsuperscript{6} In recent years, studies pertaining to terrorist attacks involving aviation have also zeroed in on the events of 9/11.\textsuperscript{7} Yet even this historiography fails to truly make connections between the era of plane hijacking and the progression of aviation security. Lastly, there remains an ongoing genre of “thriller” or dime paperback studies written by journalists and a growing genre focused on international legal aspects of hijacking.\textsuperscript{8}

Plane hijackings between Cuba and the United States occurred predominately in the years 1961-1973 and overlap three presidential administrations (Kennedy, Johnson, and Nixon). Estimates suggest that between 1961 – 1972 a total of 159 planes were hijacked within the United States.\textsuperscript{9} Estimates as to the number of Cuban planes hijacked have not been released. Individual efforts made by the U.S government and the government of Cuba (GOC) helped to abate incidents of hijacking only temporary. By 1968, plane hijackings between the two countries reached unprecedented levels with a total of four planes being hijacked between

\begin{footnotes}
\item Studies include Christopher Dobson, \textit{Black September} (Macmillan Publishing Co., 1974), and Jillian Becker, \textit{The PLO} (George Weidenfeld & Nicolson Limited, 1984).
\item While the events of 9/11 are beyond the scope of this paper, the correlation between hijackings and 9/11 is an important one which should be mentioned and contemplated further.
\item Brendan I. Koerner, \textit{The Skies Belong to Us: Love And Terror In The Golden Age of Hijacking} (New York: Crown Publishers, 2013), 8
\end{footnotes}
June 19 and July 1st of that year. The completion of the MoU in 1973 immediately halted Cuban-U.S plane hijackings and further incidents of plane hijackings were unique incidents occurring occasionally between the two countries.

Drawing heavily from US government documents, memoirs, speeches, aviation studies, declassified documents and scholarly accounts, this paper shows that by 1968 the U.S government found itself at a crossroads in which plane hijackings between Cuba and the United States compelled the White House to reassess its relationship with the GOC and reevaluate the state of U.S-Cuban relations for the purpose of combating the worldwide phenomena of hijacking.

This study is divided into two sections based on presidential administrations and one section devoted to Cuban –U.S plane hijacking from the Cuban perspective. Organizing the study in this manner will allow the progression of the hijacking phenomenon to be fully captured and provide insight into the progression of relations between the United States and Cuba as a direct result of this hijacking phenomenon. By viewing the issue of plane hijacking through a presidential lens, commonalities and themes between administrations become clear. Some events transcend presidential administrations (i.e. the Bay of Pigs) and have long lasting effects on subsequent administrations. American Presidents approached

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10 Telegram from the Department of State to the Embassy in Switzerland, 10 July 1968. *Foreign Relations of the United States (FRUS), 1964-1968, Volume XXXIV* Document 298.
future interactions with Cuba with a heightened sensitivity to any potential backlash by either the international community or the American public. Entire government policies aimed at strategically combating the issue of communism from a number of standpoints only help to narrow the scope in which negotiations on the hijacking issue between Cuba and the United States can occur. Ultimately, in an effort to push through with the MoU, both governments were forced to look beyond their own political agendas and shared pasts in an attempt to remain strictly focused on the hijacking issue.

Section one of the thesis addresses the hostilities, interactions between the two countries and plane hijackings from the Cuban point of view. Having based a significant amount of this study on American sources, this chapter questions the consistently retold narrative of Cuba as a country intent on confrontation with the United States and unwilling to compromise towards a détente. Having chosen a socialist path in 1960, Cuba found itself waging a struggle to survive in a hostile hemisphere with few allies. Since the 1959 revolution, Cuba’s main focus remains the maintenance of its independence and economic security.

As with any study on Cuban – U.S relations, there are limitations on available resources, particularly on the Cuban side. Still, efforts made to capture the Cuban perspective begin to reveal an emerging leadership beyond the scope of Fidel Castro. By examining the creation of the MoU, a new cast of Cuban characters, not normally included in historical
accounts of the time period emerge. For the first time we begin to see the interaction and influence of a number of key Cuban government officials beyond historical favorites such as Fidel Castro, Raul Castro or Ernesto “Che” Guevara. What we now know is that for the Cuban government, hijacking remained a focal point which only served to bleed the Cuban economy and strain the country’s already limited international relations and finances. Briefly, Cuba found itself able to turn a profit on plane hijacking yet ultimately found plane hijacking incidents to be a greater national security risk than profit.

Section two is comprised of the initial periodic hijackings which occurred between the two countries during the John F. Kennedy (1961-1963) and Lyndon B. Johnson (1963-1969) administrations. In the midst of the most turbulent era in Cuban-U.S relations, questions arise as to how incidents of hijacking are addressed and monitored in the midst of the United States policy of containment and a global Cold War. By 1968, plane hijacking is a concern within the Johnson administration as the aviation industry and American public make continuous demands for aviation security reform. Despite minor overtures of détente on the part of Cuba, little progress is made in diplomatic relations or in the cessation of plane hijackings. Immigration and the growing Cuban exile community as a threat to Cuban national security also became closely entwined within the dynamics of plane hijackings.
Section three covers the Richard M. Nixon presidency (1969 – 1974) and includes the “glory days” of the hijacking phenomena as hijackings became near routine events. The Nixon administration oversaw negotiations and the subsequent passing of the MoU as well as the revamping of the entire aviation security system. Despite the mutual distrust by both Cuba and the United States that an agreement could be another camouflaged attempt at infiltration, both countries beginning in 1969, and working in conjunction with the Swiss, dedicated endless hours to negotiations on an anti-hijacking agreement. The onset and following conclusion of these negotiations ultimately marks two points of potential détente within the dynamics of Cuban-U.S relations. 

Nearly forty years after the passing of MoU, questions remain as to what the signing of this agreement meant for plane hijackings, future threats of terrorism and more importantly for Cuban-U.S relations and the overall historiography of interaction between the two countries. In order to reach an agreement, norms of negotiations dictate that there must be some middle ground in which the two opposing parties can meet. This suggests that in order for an anti-hijacking agreement to become a possibility and then a reality, a certain degree of Modus Vivendi or détente, both pre and post anti-hijacking agreement occurred. The alternative is to suggest that two countries with a long history of confrontation and mistrust managed to mutually commit to an important and much needed agreement on a whim.
Chapter 1: Cuba- The Revolution is Hijacked

Since the 1959 revolution, Cuba has found itself internally conflicted and challenged economically, politically and socially. Having declared itself socialist in 1960, the island nation soon found itself pushed out of the Organization of American States (OAS) and the target of foreign covert operations and assassination attempts, as well as countless plane hijackings. Forced into a position of constant defense, the island’s leadership consistently made efforts to curtail plane hijackings while attempting to solidify the revolution. Committed to an economic (and to some degree ideological) relationship with the Soviet Union. Cuba became a prime enemy of the United States. Subjected to an embargo, trade opportunities soon included only a handful of countries. Internally, daily life for Cubans included severe shortages in medicine, food and equipment. Shortages in equipment and technology only made the loss of each hijacked plane a significant blow to the Cuban economy and its
government owned commercial aviation fleet *Cubana* Airlines. Despite these many challenges the revolution appeared to be “irreversible.”\(^{11}\)

From the Cuban point of view, the issue of plane hijacking unfolds via a number of different stages. Hijacking begins as an economic liability causing significant hardship to a Cuban economy already in dire straits. It then becomes a moderately lucrative arrangement and a bargaining tool within international framework. Finally, plane hijacking is accepted as a form of terrorism which threatens Cuban national security and the revolution itself. The value of an anti-hijacking agreement with the United States is pursued by Cuban officials as early as 1961. Yet the difficult climate between the two countries yields no response from Washington. Given that the planes initially being hijacked were overwhelmingly of Cuban--not American--ownership there remained little motivation on the part of the U.S government to pursue an agreement.

The hijacking of an American owned Eastern Airlines plane on July 24, 1961 by Cuban Wilfredo Roman Oquendo, changes the dynamics of the emerging hijacking phenomena. En route from Miami to Tampa Bay, Florida, the plane carried thirty-three passengers and a five member crew. Oquendo, harboring pro-Castro sentiments, suggested the hijacking be viewed as retaliation for the multiple planes not returned to the Cuban government.\(^{12}\) The Eastern Airlines plane, a Lockheed L-188 Electra is

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conceived in 1958, is cutting edge in the world of aviation and estimated to be worth $3.5 million dollars.\textsuperscript{13} Diverted to Havana’s Jose Marti Airport the arrival of the Electra proved to be an immense curiosity for Cubans and in particular for President Fidel Castro. Taking the opportunity to see an Electra up close, Castro welcomed an offer by the plane’s pilot to tour the jet. The Cuban government immediately seized the plane and issued communications suggesting an exchange of the Electra for a recently hijacked Cuban navy patrol boat which had been seized by court orders spearheaded by Erwin Harris (a disgruntled publicist once hired by the GOC).\textsuperscript{14} Having suffered the loss of numerous planes, the GOC grew reluctant to be cooperative in returning hijacked US planes without some level of reciprocity from the United States.\textsuperscript{15}

Following the Electra hijacking, three additional planes were hijacked within a three week timeframe. The third plane, hijacked on August 10, spurred open debate on the issue of hijacking. US senators call for individuals convicted of hijacking to be subjected to the death penalty. Further suggestions were made in favor of military action against the GOC with the sole purpose of rescuing the Electra and making a

\begin{flushright}
\textsuperscript{14} The phenomena occurring in the early 1960s of Cubana planes landing in American territory, being seized by the U.S. government, and held pending legal proceedings by disgruntled American companies who had suffered financial losses tied to Cuban nationalization would challenge Cuban and U.S courts for decades. One individual who forged endlessly to receive compensation from the GOC remained Erwin Harris.
\textsuperscript{15} \textit{Research Project No. 1050}, United States Efforts to Obtain Cuba’s Cooperation Against Hijacking of Aircraft, 1961-1973, National Archives II, Records Group 59, Box 8, General Records of the Department of State
statement that hijackings not be tolerated. While debates raged, Cuban authorities provided assurances to Swiss authorities that the Eastern Airlines plane would be returned; the Electra would remain in the custody of the GOC until other arrangements could be made. Firing back at the rowdy senators, President Kennedy gave an interview which touched on foreign relations and specifically mentioned the issue of plane hijacking and a subsequent plan to install border patrol men on random flights as a precaution against the trend. Additional comments by the president called for an end to demands for military action. Choosing to limit the focus on Cuba, Kennedy instead tried to zero in on “the important work being done at Punta del Este as Latin America leaders came together to review the newly incorporated Alliance for Progress.”

The introduction of John F. Kennedy’s Alliance for Progress (AFP) presented to Latin American countries as an opportunity to work closely with the United States and receive economic aid, was greeted by the leaders of Latin American countries enthusiastically. Aimed at the formation of stable and democratic systems of government, Kennedy believed that re-configured governments (backed by a U.S partnership) placed Latin countries in a better position to refuse an alliance with countries such as Cuba or the Soviet Union. By Cuba’s estimation, aid

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17 Ibid.
18 Ibid.
and funding provided to Latin American countries remained an imperialistic ploy geared at closing doors on potential alliances and trade opportunities for the island. As the AFP is presented at a Punta Del Este conference these ideological differences are evident in the speeches of Cuban representative Ernesto ‘Che’ Guevara.

In response to the uproar over the issue of hijacking, Kennedy signed public law 87-197 which condemned the act of “aircraft piracy” and made the act of hijacking punishable by law with penalties of death or imprisonment for up to 20 years. It also addressed the presence of weapons on planes and violence while a plane remained in flight. Despite these new measures, members of the aviation industry remained skeptical that hijackings could cease and pressure for a solution to the hijacking problem continued. The issue of hijacking also emerged as a potential bargaining chip for both countries depending on the outlining circumstances. One such bargaining chip involved the manipulation of hijacking incidents into a profitable business venture by billing airlines the costs related to any hijacked plane which landed in Cuba. These bills included provisions for passengers and crew, refueling of planes, plane repairs and landing rights.

While this income did not result in outstanding wealth, it did provide an avenue in which Cuba could make some profit from an otherwise money draining situation. At the lower scale of the billing process, a hijacking could be worth $3,000. For an economically challenged country, plane hijacking proved to be a vital source of income which also helped the government continues its propaganda assault on the United States and the corporate organizations which made up the aviation industry. On a day when there were multiple hijackings, Cuba potentially could make between $10,000- $60,000. One of the most lucrative plane hijackings for the GOC occurred during a 1969 plane hijacking which involved a plane from Chile en route to Paraguay. Forced to land in Cuba, the Chilean airliner received a bill for $20,000.23

While attempting to secure itself from an economic standpoint, the GOC also faced repercussions as a result of its ideological differences with the Soviet Union. Since the inception of the Cuban- Soviet Union alliance ideological differences between the two countries existed. These became increasingly visible in the aftermath of the Cuban Missile Crisis. By the late 1960s this division is reflected within the Cuban government as two distinct ideological camps modeled on a Soviet or non-Soviet influence became strong opposing factions. In January 1968, the Cuban government experienced a severe upheaval in mid and upper tiers of

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leadership as numerous governmental positions were reevaluated and a number of individuals were found in 37 cases to be “microfraction” or minor infractions which if successful amounted to treason.\textsuperscript{24}

The purge of such a large number of Cuban leaders signified yet another shift in Cuban politics and government in which upper Cuban leadership solidified its ideology of securing a \textit{Cuban} communist government and not a \textit{Soviet} Communist government in Cuba.\textsuperscript{25} Despite this purge, the economic dependency on the Soviet Union remained and internal power often became measured based on a given official ties to and influence with the Soviet Union.\textsuperscript{26}

The August 1968 Soviet intervention into Czechoslovakia, which was supported by Fidel Castro, signified a shift in Cuba’s diplomatic methods with Cuba choosing to work directly with the Swiss embassy. Correspondence sent before the Soviet invasion from the Czechoslovakian embassy to the U.S embassy regarding hijacking are only authored to convey information related to a particular hijacking and do not convey an attempt to reach an understanding between the governments. The emergence of a Swiss – Cuban diplomatic connection remained geared at addressing individual hijacking occurrences but also directed at curtailing the issue of hijacking itself.

\textsuperscript{24} James G. Blight; Phillip Brenner, \textit{Sad and Luminous Days: Cuba’s Struggle with the Superpowers after the Missile Crisis}. (London: Rowman & Littlefield Publishers, 2007), 34.

\textsuperscript{25} Ibid.

1970 found the GOC although preoccupied with internal affairs still remaining responsive and attentive to hijackings. As a result, there remained little need to sign an official understanding between the two countries. While the GOC originally sought an anti-hijacking agreement in 1961 with the United States, these attempts later subsided under the Lyndon B. Johnson administration given the plane hijackings provisional billings and Johnson’s refusal to engage Cuba in direct diplomatic dialogue. The assistance of the Swiss embassy in negotiations related to immigration suggested that there existed a potential for future anti-hijacking discussions.

By the late 1960s, a shift occurred in which other countries began to challenge the U.S policy towards Cuba citing it to be “a U.S problem and not particularly a concern for them”\(^\text{27}\). Whereas past U.S administrations had found it relatively easy to manipulate countries into adopting an anti-Cuba stance, by 1968 this methodology becomes increasingly challenged. Countries in agreement or opposition to Fidel Castro’s socialist government found ways in which to maneuver and adopt trade or stabilize their own diplomatic relations with the government of Cuba. Some countries, such as Mexico, even engaged in their own anti-hijacking negotiations with Cuba.

\(^\text{27}\) Memorandum from the Coordinator of Cuban Affairs to the Deputy Assistant Secretary of State for Inter-American Affairs, 30 July 1968, \textit{FRUS}, Vol. XXXII, Document 323.
While plane hijacking affected a number of countries, Cuban – U.S
plane hijacking remained distinctly unique given the varied motives of the hijackers. These motives included political, social and even mental instability. Aspiring revolutionaries have always been drawn to the history of Cuba and its revolution. Steeped in legend, Cuba is the pinnacle of revolution and an enduring symbol of freedom for thousands of people worldwide. The racial unrest in the United States during the late 1960s and 1970s birthed the Black Panther Party (BPP) Weather Underground and the Young Lords. These groups cultivated the concept of international unity with the explicit intent of magnifying pressure on the United States government to address racial equality, the Vietnam War or fostering a revolutionary movement to overthrow the American government. 28 Revolutionary groups often times turned to Cuba “Seeking to “live” the revolution.”29

With travel restrictions enforced, the question of how a revolutionary could travel to Cuba proved to be a challenge often solved by plane hijacking. In 1970, Nixon remained concerned that “the evolutionary cycle of violent dissent spawned an ugly offshoot: the urban underground of political terrorist urging murder and bombing.”30 Often times, Black Panthers escaped legal persecution from the United States to

Cuba by hijacking planes. These hijackers are considered by some Cubans to be political exiles in need of asylum. Allowing these hijackers to remain in Cuba only further strained the already fragile U.S-Cuban dynamic. For the GOC, hijackers with political aspirations raised an internal security issue as well as a propagandistic opportunity. The harboring of political exiles creates an image of Cuba willing to work with criminals and would be hijackers or revolutionaries in direct defiance of the United States government. 31 The American public had good reason to believe political hijackers were welcomed in Cuba given that once a hijacker arrived in Cuba; no additional information is publicly released. While reports in the American press suggested that individuals, hijacking planes to Cuba were welcomed, in reality hijackers are viewed with suspicion and considered criminals of the revolution or spies of the U.S government until proven otherwise. 32 Far from believing that hijacking could be a crime punishable by the Cuban government, hijackers are often times shocked by the unwelcomed reception they receive.

The Cuban government remained cautious in their dealings with any hijackers associated with revolutionary groups. Ever willing to accept revolutionaries fleeing the imperialist Yankees, the GOC made clear to political hijackers that Cuba remained unable to accept criminals, deranged individuals or political exiles wishing to promote division within

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31 Ruth Reitan, *The Rise and Decline of an Alliance*, 123-133.
the communist state and disrupt the existing equilibrium within the government. Political exiles found themselves increasingly marginalized by the Cuban government. Black Panthers who hijacked planes to Cuba found themselves quickly imprisoned or were encouraged to stay in Cuba for only limited periods of time. Cuba did not supply arms to carry out a guerilla warfare directed at the United States and remained unwilling to sacrifice its own security by aiding other groups which had little possibility of success.

The hijacking of National Flight 97 by Black Panther Party (BPP) member Anthony Bryant on March 6, 1969 is perhaps one of the most well documented hijackings within the history of U.S-Cuban hijacking. Sentenced to a Cuban prison on charges of hijacking, Bryant’s release in 1980 and subsequent memoirs revealed a Cuban government which dealt harshly with hijackers. Cuban officials created a system of labor camps and hijacker safe houses for individuals found guilty of hijacking and did not permit the hijackers to mingle with the Cuban population. Similar accounts of hijackers placed in “hijacker safe houses” as they await evaluation form the Cuban government suggest a Cuban government not equipped to deal with the influx of political hijackers and struggling to come to terms with political asylum and the crime of hijacking.  

34 Ibid.
Perhaps one of the most disturbing aspects of hijacking incidents remained the emergence of mentally unstable hijackers seeking fame, fortune or convinced of their own ability to overthrow the government of Cuba. Initially sporadic, mentally unstable hijackers became increasingly routine, prompting the Cuban government to further scrutinize the methods employed in screening hijackers upon arrival on Cuban soil.

The additional increase in violence on the part of the Cuban exile community took center stage under the Nixon administration as anti-hijacking discussions occurring between the two countries seemed inevitable. The continued operation of Cuban exile groups as an independent force against Castro’s Cuba compelled the United States to carefully maneuver itself into a neutral position in which factions could be subjected to legal proceedings. Legal persecution served two purposes: to curtail the activity of the Cuban exile groups and demonstrate to the Cuban government that there remained no U.S involvement in these types of operations – at least for the time being. The decision made by the United States government to monitor Cuban exile factions is based on the inability to master control over these groups and the belief that the actions of these organizations could potentially have a damaging effect on discussions of an anti-hijacking agreement which would “adversely affect the ability of the Swiss embassy in Havana to represent us.”

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The November 10, 1972 hijacking of Southern Airways flight 49 marked a turning point in which hijacking became a dangerous threat on Cuban national security. Originally bound for Montgomery, Alabama, the hijackers diverted Flight 49 to multiple locations demanding ransom money in the process. Reaching a total of eleven airports and making a record thirteen stops, the hijacking of Flight 49 lasted 29 hours and 12 minutes. Carrying a total of 29 passengers, 4 crew members and $2 million in extortion money, it landed in Orlando, Florida where in a botched attempt to subdue the hijackers and stop the plane from yet another takeoff, F.B.I agents shot multiple ammunition rounds at the plane’s tires. As the hijackers demands were not met by authorities, threats were made of flying the plane into the Atomic Energy Commission Facilities located at the Oak Ridge National Laboratory in Tennessee to “make this look worse than Munich.” Believing that sanctuary could be found in Cuba, the plane diverted to Havana and momentarily landed where hijackers soon discovered that Cuban authorities refused to partake in negotiations. As the hijacked plane left Jose Marti airport, both governments scrambled to make sense of possible ways to end hijacking incidents. Eventually, a second and final landing in Cuba a few hours later...

37 Southern Airways Flight 49 landed in each of the following locations: Birmingham, Alabama, Jackson Mississippi, Detroit, Michigan, Cleveland, Ohio, Toronto, Canada, Knoxville, Tennessee, Lexington, Kentucky, Knoxville, Tennessee, Chattanooga, Tennessee, Havana, Cuba, Key West, Florida, Orlando, Florida and finally Havana, Cuba.
38 Phillips, Skyjack, 91.
resulted in Cuban authorities finally subduing the hijackers by gunpoint. 39
Far from having political motives, the hijackers of Southern Airways flight
49 were unstable and erratic individuals seeking fame and money. As the
1970s progressed hijackers became increasingly erratic and proved to be
distinctly different from the politically motivated hijackers of the Kennedy
and Johnson Administrations.

The potential combination of a plane hijacking and a nuclear
explosion remained doubly felt by the Cuban government, given its
continuous interest in and attempts to engage in nuclear energy and
defensive measures. The ability for Cuba to envision itself a target for a
potential hijacking and nuclear catastrophe played prominently in the
decision to move forward with discussions of an anti-hijacking
agreement.40 The inability to subdue the hijackers upon the plane’s first
landing in Havana left a bitter taste in the mouth of Cuban authorities. As a
result, there remained little surprise when Cuba moved forward with
prosecuting the unstable individuals responsible for the Southern Airways
hijacking.41 As Castro described to Ambassador Alfred Fischli “these
hijackers were not normal”.42

. The discovery in September 1970 by the Nixon administration of a
Soviet nuclear powered submarine base in Cienfuegos, Cuba was seen to

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39 Phillips, Skyjack, 85-100.
40 Research Project No. 1050, United States Efforts to Obtain Cuba’s
Cooperation Against Hijacking of Aircraft, 1961-1973, National Archives II, Records
Group 59, Box 8, General Records of the Department of State.
42 Ibid, 12.
be in direct defiance of the agreement made between Kennedy and the Soviet Union’s Nikita Khrushchev during the Cuban Missile Crisis. Soon known as the Cienfuegos Crisis, the discovery of the base ultimately ended the potential for détente between Cuba and the United States. As in the case of the Cuban Missile Crisis, the handling of the Cienfuegos Crisis remained an issue resolved without the presence of the GOC.  

While the Cienfuegos Crisis could have completely derailed negotiations on the MoU, both governments remained committed to achieving an agreement. As a result, the Cienfuegos Crisis is treated as a separate occurrence not related to the MoU.

As discussions between the two countries commenced, Cuban officials made an early decision and suggestion that in the event of a mutual agreement, circumstances of such an agreement be made public and with the maximum exposure possible. Both governments abided by this suggestion throughout the final negotiations and completion of the 1973 Memorandum of Understanding on Hijacking of Aircraft and Vessels and Other Offenses (MoU).

Ultimately, further potential for Cuban – U.S détente evaporated in 1976 as a wave of terrorist attacks targeted Cuban areas of tourism, business and even Cuban diplomats. From the Cuban point of view these acts of terrorism were “all a part of a war: pirate attacks on our

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43 Schoultz, Infernal, 251-254.
coasts, on our fishing boats, on transport on its way to Cuba.” Included in this wave of terrorism is the hijacking and crash of Cubana Flight 455 from Barbados en route to Jamaica on October 6, 1976 in which all 73 passengers on board were killed. This proved to be an organized attack created by Luis Posada Carriles and Orlando Bosch. The hijacking of Cubana Flight 455 struck a deep cord among Cubans and became a rallying call against imperialistic aggression. Evidence gathered by Cuban authorities and American newspapers revealed a CIA and Cuban exile connection. This was refuted strongly by the U.S government and in particular by Henry Kissinger. Despite these denials, Fidel Castro immediately gave notice that the MoU be terminated.

Completion of an anti-hijacking agreement with the United States demonstrated to the international community that Cuban interests circa 1970-1973 lied in putting aside ideological differences for the expressive goal of working jointly on important issues which (when agreed on) unanimously affected the international community. For Cuba, the MoU provided assurance that any additional hijacked planes be returned to Cuban authorities and, the agreement demonstrated that Cuba stood by its ideology to promote organized revolution and not acts of terrorism. The

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47 Carriles served as the head of a Cuban exile group known as “Commandos of United Revolutionary Organizations.
48 Dr. Fidel Castro Ruz, Key Address Commemorating 25th of Terrorist Act Against Cubana Jetliner off the Coast of Barbados. Granma, 6 October 2011.
49 Castro; Ranomet, My Life, 255.
distinction remained clear, organized revolution called for guerrilla tactics aimed at government or military targets with the goal of overthrowing a government or dictator. The adoption of terrorist tactics involved the indiscriminate targeting of civilian sectors. The Cuban revolution did not kill randomly, indiscriminately and senselessly employing the use of mass terror.
At 2am on August 17, 1961, Commandante Ernesto “El Che” Guevara de La Serva and Special Counsel to John F. Kennedy, Richard “Dick” Goodwin, attended the same cocktail party in celebration of a Brazilian delegate’s birthday. Both men were at Punta Del Este as part of the many delegates gathered to discuss President John F. Kennedy’s Latin American initiative—the Alliance for Progress. During this meeting, arranged by Brazilian and Argentine government figures, Guevara, sporting his traditional green military fatigues and matching signature beret, broached the sensitive issue of Cuban-U.S relations. For months, Guevara had been hinting through the use of backchannels that Cuba could be open to a “Modus Vivendi” with the United States. This conversation served as his opportunity to directly engage a member of the Kennedy administration. In the words of Goodwin, “it was a conversation free of propaganda and bombast.”

Given that the two countries had no official diplomatic relations, and the United States had recently attempted to overthrow the Cuban government with the botched Bay of Pigs invasion, the conversation is significant. Since the beginning of the conference, Guevara had been watching the U.S delegation from afar, making no direct contact, and

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expressing on the surface no overt desire to engage. Often times found smoking cigars and reading newspapers, Guevara remained surrounded by members of the Cuban delegation, and spent a majority of his time in between meetings and speeches, engaging other Latin America leaders.

Guevara’s appearance at the conference is viewed with uneasiness by many U.S government officials, despite the fact that his attendance only helped to publicize the plan further. Still, the Kennedy administration had every reason to be nervous about Guevara’s appearance. Guevara was a Marxist, doctor, guerilla soldier and as charismatic with mass media as any rock star. His appearance at Punta Del Este remained watched worldwide by Latin Americans.

From a political and ideological perspective, Guevara made little progress convincing other Latin American governments to be swayed to Cuba’s ideology or policies; instead his speeches provide Cuba with a strong platform on which to openly debate the AFP and address the many covert actions employed by the Kennedy administration against the GOC. He further hoped to demonstrate an alternative to what came to be labeled by Guevara as “an attempt to seek a solution within the framework of economic imperialism.”51

Guevara’s August 8, 1961 opening speech at Punte del Este began by suggesting “that Cuba is ready to sit down to discuss as equals

everything that the United States delegation wishes to discuss. But on the strict basis that there be no prior conditions.” 52 Having publicly declared the GOC’s willingness to open a dialogue with the United States, Guevara made additional attempts to ensure to the US delegation that the speech went beyond simple Cuban rhetoric. The approach made to Richard Goodwin had the sole purpose of driving home the fact that the GOC was willing to engage directly with the United States in a dialogue.

During his speeches, Guevara repeatedly touched on the issue of plane hijacking stating that the issue of hijacking is “a problem” and that Cuba’s” air transport fleet is being brought, plane by plane, to the United States.” 53 Far from a brief mention, Guevara’s focus on the issue of plane hijacking included a description of a plane hijacking scenario and the recent hijacking of a plane which the GOC promptly returned to the United States despite the United States’ inability to treat Cuban planes in the same manner. While the GOC “respect (s) private property, we demand to be respected in kind.” Placing the issue of hijacking directly in the middle of international diplomacy Guevara demanded Cuba’s “right for there to be organizations in the Americans that can say to the United States: you cannot take the planes of another country even though it may be opposed to you. Those planes are not yours. Return these planes or sanctions will be imposed on you.” 54

52 Ibid,29.
53 Ibid, 32.
54 Ibid, 33.
Guevara’s speech on August 8 was immediately followed by an official note to the Kennedy administration from the GOC, delivered via Swiss channels, in which the GOC proposed a mutual agreement to automatically return all hijacked planes and ships. Publicly, Kennedy gave no response to such an offer. Having raised the issue of hijacking throughout the conference, Guevara’s final speech on August 23 remained geared at outlining the misgivings and strong objections which Guevara and the GOC had regarding Kennedy’s Alliance for Progress. Guevara cited that the Alliance’s main purpose remained “to chain the Latin American countries more tightly to the financial organizations of Wall Street; to isolate Cuba; and, if possible, to organize another armed attack on Cuba.”

Determined to entertain a conversation with a member of the United States delegation, Guevara searched for an opportunity. Upon noticing that Goodwin smoked cigars, Guevara used Cuba’s historically renowned product as an ice breaker. Slyly remarking to an Argentine diplomat “I doubt Goodwin would be caught smoking Cuban cigars,” Guevara baited the young aide into having a conversation via a third party. Goodwin’s response “that Cuban cigars were not available” served as the perfect opening for the Argentine revolutionary. Later that evening two boxes of the highest quality of Cuban cigars and an accompanying note were delivered to Goodwin’s hotel room. The note from Guevara read:

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55 Ibid, 82.
“Since I have no greeting card, I have to write. Since to write an enemy is difficult, I limit myself to extending my hand.”

While Goodwin hesitated to meet with Guevara for fear of sending the “wrong signal” (or an unofficially sanctioned message) he admittedly remained star struck by the revolutionary and accepted the invitation. After exchanging opening pleasantries, Guevara thanked Goodwin and the Kennedy administration for the Bay of Pigs operation stating that “there was no better way to solidifying the revolution then by an U.S backed military invasion.” As the conversation progressed, Guevara raised the issue of what Goodwin later referred to as “plane thefts.” Explaining to Goodwin that the Cuban government had no hand in the recent wave of hijackings, Guevara made reference to the culprit of a recent hijacking who had been jailed, the possible CIA involvement in the last hijacking and his own opinion that should these hijackings continue they could “be very dangerous.”

Guevara’s inclusion of plane hijackings within the Goodwin conversation is not purely coincidental. While Guevara insisted he had no instructions from the Cuban government to meet with Goodwin, these hijackings were worldwide events which had captivated the American and

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57 Ibid, 196
59 Goodwin, Remembering America, 196.
Cuban public. 60 He went on to purpose that the issue of plane hijackings be used as a test sample in which both countries could explore methods of communication, negotiation and potentially move toward a peaceful coexistence. Stressing that he had no authority to speak on behalf of the U.S government, Goodwin listened intently to Guevara but refrained from negating or promoting any one stance. Having spent hours in conversation, Goodwin left the meeting in the pre-dawn hours and returned to Washington—cigars in hand. 61

 Analyzed in conjunction with the Goodwin conversation, Guevara’s speeches and the subsequent note sent by the GOC indicate the growing concern which Cuba had for the issue of hijacking. Guevara’s speech raises many questions; in particular it outlines the manner in which the GOC reacted to the growing issue of plane hijackings as a drain on the economy and aviation system. Plane hijackings remained a concern for the GOC given that planes hijacked from Cuba to the United States were not returned –resulting in an overwhelming financial loss for Cubana Airlines. 62 Guevara speech pointed out that “a company- legally of course- files a suit for debts against the Cuban government and then the plane is confiscated”. 63 Guevara’s reference to confiscated Cuban

61 Goodwin, Remembering America, 196
62 Dr. Fidel Castro Ruz, Key Address Commemorating 25th Anniversary of Terrorist Act Against Cubana Jetliner off the Coast of Barbados. Granma, 6 October 2011.
63 Ernesto Che Guevara, Our America and Theirs, 33.
property refers to the emergence of numerous claims against Cuba in the U.S court system upon property and business nationalization following the revolution. For the government of Cuba once a plane had been hijacked it remained irretrievable and an economic loss.

Immediately following the late night meeting with Guevara, Goodwin flew to Washington and met with Kennedy. Entering the oval office, Goodwin carried an untouched elaborately decorated box of top grade Cuban cigars – the second box provided by Guevara during the conference.64 As Goodwin spoke of the late night meeting with Guevara, Kennedy pondered the conversation. Questions as to what the Guevara-Goodwin conversation meant and the intentions of the GOC remained unanswered during the debriefing by Goodwin. Instead, Goodwin elaborated on Guevara’s suggested “modus Vivendi.” According to Goodwin, Guevara clearly expressed that “We can begin by discussing subordinate issues, such as the hijacking of airplanes to Cuba. Once such talks began, more important issues can be brought into the discussion.” 65

Kennedy approached the conversation between Guevara and Goodwin with “no hint of reproof, only curiosity about Guevara and interest in what he had said.” Kennedy’s only request to Goodwin remained that he “write up a complete account” of the encounter. 66 Towards the end of the meeting, Goodwin presented the president with the box of Cuban

64 “JFK and Che,” *Cigar Aficionado*, Autumn 1996.
65 Goodwin, *Remembering America*, 201.
66 Ibid. 202
cigars, at which point Kennedy eagerly lit a cigar, leaned back into a cloud of smoke and further pondered the conversation.

The events at the Punta del Este conference and the Guevara-Goodwin conversation mark the beginning of a specific period within the dynamics of Cuban-U.S relations in which détente presents itself as a real possibility between the two countries. Goodwin later summarized the exchange by saying, “In the summer of 1961, a box of cigars served to herald a major diplomatic initiative by Cuba.” Kennedy, still stinging from the failure of the Bay of Pigs, did not rush to make decisions when it came to Cuba. Aware of the suggestion made by Guevara and subsequent overtures of the GOC, Kennedy made no move to develop a direct dialogue with the GOC. Instead, the attention of the administration remained focused on the Alliance of Progress. Heeding the cries for aviation security reform, Kennedy sought to bring the issue of hijacking to the United Nations in the hopes of resolving the issue of Cuba’s detention of American hijacked planes.

Despite efforts by both Guevara and Goodwin to have the meeting remain secret, word surfaced publicly by eyewitnesses present at the party. Goodwin’s encounter soon caused further scrutinized the methods and motivations of the Cuban government in the public media. A potential

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68 Jeffrey Taffet, *Foreign Aid as Foreign Policy: The Alliance for Progress in Latin America.* (New York: Routledge, 2007) 5. Promises had been made by the US delegation during the conference at Punta Del Este which involved nearly $20 billion in aid being allocated to Latin American governments over the course of ten years.
dialogue with Cuba needed to remain secret given the political climate. The media attention received by the Guevara – Goodwin exchange remained unwelcomed and added additional hesitation on the part of the Kennedy administration to foster a dialogue.

By the end of 1961, and in the aftermath of Kennedy’s Public law 87-197, the flow of plane hijackings appeared to be at a standstill. After months of discussion, the Electra was returned to the United States in exchange for medical supplies. In addition, planes hijacked after the passing of Public law 87-197 are returned in a timely manner by the GOC. The return of the Electra and commitment on the part of the United States to return Cuban planes signified a slight shift in relations between the two countries. Having settled the issue of returning hijacked planes from Cuba and passed into law Public Law 87-197 there remained little need to pursue an agreement of any sort with Cuba.

In September 1963, the International Civil Aviation Organization (ICAO) held a conference that produced a Convention on *Offences and Certain Other Acts Committed on Board Aircraft* (also known as *The Tokyo Convention of 1963*). Delegates from nearly 80 countries attended this historic conference which officially attempted to address the plane hijacking issue by producing an agreement aimed at the safe return of hijacked planes, passengers and aviation crew. Although a landmark document, the final agreement did not directly address how or if hijackers could be returned and prosecuted for crimes committed.
In January of 1962, Cuba found itself expelled from the OAS as a result of various manipulations and maneuvers made between the United States government and a number of countries. The expulsion of Cuba had a significant effect on the manner in which Latin American countries responded to Cuba economically and socially. Going forward, a nation’s relationship with Cuba became immediately linked to its relationship with the United States. 70

Having forgone the idea of a détente suggested in 1961 by the Goodwin- Guevara exchange both countries (along with the Soviet Union) became entangled in the memorable events of the Cuban Missile Crisis in October 1962. Faced with near nuclear war, attempts made to hastily develop a line of dialogue between the United States and Cuba by the use of a third party such as the government of Brazil were unsuccessful. 71 The decision by the Soviet Union to forgo consulting the GOC directly on the removal of the missiles resulted in a division which plagued the diplomatic relations of the two countries going forward.

Signals that Cuba remained interested in opening a dialogue with the United States are present less than a month after the resolution to the Cuban Missile Crisis. In an April 1963 interview with American reporter Lisa Howard, Fidel Castro suggested Cuba remained open to improving

70 Lars Schoultz, That Infernal Little Cuban Republic, 175. The clearest example of this would be Haiti. Immediately following discussions about Cuba with Haiti’s dictator Francois “Papa Doc” Duvalier the country received a 2.3 million grant from the United States government. 71 Danilea Spenser; Gilbert M Jospeh, In From the Cold: Latin America’s New Encounter with the Cold War (Durham: Duke University Press, 2008) 90.
relations with the United States.\textsuperscript{72} Declassified documents of the last few months of the Kennedy presidency raise questions of a possible change in policy towards Cuba with the intent of reestablishing discussions with the GOC geared at a mutual peaceful coexistence. Having survived the Cuban Missile Crisis, Kennedy appeared to adopt much of the philosophy which Guevara had once purposed in 1961 at the Punte del Este conference. Instead, this change in policy did not come to fruition and the significant drop in plane hijackings was overshadowed by the assassination of Kennedy on November 22, 1963.

Retaining a majority of Kennedy’s administration intact, the new Lyndon B. Johnson staff raised numerous concerns about the ability of the new president to resolve Cuban issues. Members of the administration were vocal about the need to reach a middle ground with Cuba and the limitations of President Johnson. “While I think that President Kennedy could have accommodated with Castro and gotten away with it with a minimum of domestic heat, I'm not sure about President LBJ.”\textsuperscript{73}

Upon his arrival in the oval office, LBJ had a few options to consider when it came to Cuban–U.S relations: continue the practice of covert operations, scale back covert operations or end covert operations against Cuba. LBJ policies of containment aimed at manipulating and

\textsuperscript{72} One of the first female reporters, Howard covered some of the most controversial leaders of her time to interview such as Ernesto Guevara, Fidel Castro. She also extensively covered the meeting between Khrushchev and Kennedy in 1961.

squeezing Cuba’s economy with the intent to force a government collapse. This meant to “pinch their nuts more than we’re doing” and continue to make things considerably difficult for Cuba on an economic scale,” said Johnson.74 Instead, LBJ maintained a level of equilibrium with regards to Cuban-U.S relations thereby allowing the administration to focus energies on the “Great Society” and the conflict in Vietnam. Searching for the history of plane hijackings during the LBJ administration only illustrates this policy of containment. While hijackings continue to occur sporadically, Cuba and the United States managed to reciprocate the return of planes (and to some degree maritime vessels) flight crews and passengers in a timely manner. 75

During the LBJ presidency three key events affected the Cuban-U.S dynamics and in doing open the way for the discussions leading up to the anti-hijacking agreement. These include the Guantanamo Water Crisis of 1964, mass immigration of Cubans and the effect which U.S policy on Cuba had on other countries and their subsequent relationship with the socialist nation.

On February 1, 1964 four Cuban fishing boats found miles from the coast of Florida by the U.S Coast Guard stood accused of “taking from the

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75Research Project No. 1050, United States Efforts to Obtain Cuba’s Cooperation Against Hijacking of Aircraft, 1961-1973, National Archives II, Records Group 59, Box 8, General Records of the Department of State.
state of Florida’s natural resources.” Floridian authorities (backed by a growing highly political Cuban exiled population) refused to allow the fishing boats to return to Cuba resulting in the GOC shutting off the water supply to Guantanamo Naval Base (GITMO). LBJ’s approach to the situation remained non-combative. In typical LBJ lingo he referred to Castro as “playing a mighty dangerous game with his marbles.”

As LBJ pondered the water crisis issue, reporter Lisa Howard received a message from Fidel Castro intended to be delivered to LBJ. Referring to earlier attempts on the part of the Kennedy administration to engage in dialogue, Castro made clear his interests in continuing the conversation between Cuba and the United States – outside of the channels of the embassies. Castro further instructed Howard: “I realize fully the need for absolute secrecy. If he should decide to continue the Kennedy approach, I revealed nothing at that time. I have revealed nothing since, and I would reveal nothing now.” Castro’s message remained unanswered by Johnson. Instead LBJ chose to make GITMO independent of all Cuban resources thereby engaging in no communication with the Castro government. The decision directly affected the Cuban economy causing the GOC to lose money yearly,

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76 Jana Lippman, Guantánamo: A Working-Class History between Empire and Revolution (Berkeley: University of California Press, 2008), 182.
77 Beschloss, Taking Charge, 228.
79 Lippman, Guantánamo, 183.
alienating Cubans on the island who continued to hold ties or sympathies with the U.S government via their interaction with GITMO and further widens the distance in which both countries could find middle ground on mutually important issues.\textsuperscript{80}

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Cuban immigration, issues of politically refugee status and extradition would also begin to be questioned during the LBJ administration and became intertwined within the dynamics of hijacking. As hijacking progresses and increases the pattern of hijacking and hijackers began to evolve and expand during the LBJ administration. In particular, a unique trend begins in which Cuban refugees and non-Cubans became intricately involved in using hijacking planes to leave from the United States to Cuba.

Historically, immigration between Cuba and the United States had its shares of ebbs and flows as regulations put into place required extensive documentation and government approval for any Cuban wishing to leave the island. Travel conducted by Cuban citizens without approval is deemed illegal. A September 28, 1965, announcement by Castro declared the “revolution was voluntary” and urged non-participants of the revolution to leave the island from the docks of Camarioca.\textsuperscript{81}


\textsuperscript{81} Gott, \textit{Cuba}, 213.
By November 15 mayhem resulted as thousands of Cubans left the island causing a strain on the U.S Coast Guard and a threat to U.S national security. The state of Florida found itself overwhelmed and confronting an unwanted immigration population overnight. LBJ had little choice but to engage in discussions with Cuba through the Swiss Embassy in an attempt to create order to the influx of immigrants. In a dramatic display, on October 2nd LBJ stood at the foot of the Statue of Liberty to sign the passage of Public Law 89-236, an amendment to the McCarran-Walter Immigration Act of 1952 which eliminates quota systems and establishes a system of preference in its place.

The Memorandum of Understanding Regarding Immigration reached with the GOC on Cuban immigration symbolized a new way in dealing with communist Cuba while still upholding the U.S decision to not retain diplomatic relations. Beginning December 1, 1965 charter planes flew from Cuba to the United States, providing a twice daily method for government approved Cubans to immigrate. Since diplomatic ties between the two countries remained severed, Cubans requesting to leave Cuba submitted applications to the US Interests Section located in the Swiss Embassy of Havana, thereby establishing a secure method of communication between the two countries.

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82 Ibid, 40.
83 Ibid.
Towards the end of the LBJ administration plane hijackings become frequent occurrences. Fidel Castro recalled "several weeks would pass without anything happening and then all of a sudden there’d be three or four in one week, like some kind of psychological contagion among people that had some tendency towards that sort of adventure." 84 Newspapers worldwide actively cover these plane hijackings, and publish cartoons depicting American tourists about to board a passenger airplane asking the Capitan and stewardess: "Do you think we can get a side trip to Cuba or someplace?" 85 Far from being just a Caribbean problem, plane hijackings now occurred throughout Latin America and Europe. The rise of hijacking incidents elsewhere in the world considered to be a direct result of the non-prosecution of hijacking and the inability for a majority of countries to sign the Tokyo Convention or similar bilateral agreements.

Attention focused on aviation security and the complicated issue of Cuban-American immigration with the hijacking on March 21, 1968 of a National Airlines Jet. Pilot George Prellezo, with instructions to fly to Miami, instead found himself forced by hijackers to land his plane in Havana. Prellezo, a Cuban by birth, had fled the island in 1960 via a cargo flight from Havana to Florida. Once discovered, Prellezo became a subject of interest to the Cuban government and found himself imprisoned as a deserter and subjected to the doctrine of indelible allegiance. The

84 Fidel Castro; Ranonet, Ignacio: My Life.,462.
85 Bangor Daily News, 25 July 251968. See Attached Exhibit A.
imprisonment of Prellezo caused a sensation among the Cuban-American population. As stated in a *New York Times* article “Any Cuban-born person, whatever his present nationality who happens to be on a hijacked plane taken to Havana is at the mercy of the Cuban authorities and is without any legal protection.”

The outcry against the imprisonment of Prellezo soon resulted in protests by Cuban exiles and further publicized the increase in Cuban hijackers wishing to return to Cuba. The limited travel options available to Cubans who sought to leave the United States and return to Cuba became a center piece of the hijacking issue. Cubans leaving the United States and returning to Cuba symbolized a complete shift in the pattern of hijacking form recent years. The trend remained disturbing to the U.S government from an ideological point of view and to the Cuban government from a national security point of view. Who these exiles were and what their motivations entailed remained open for debate. Desperate to return to Cuba and with no methods of doing so, some chose unstable boats or rafts and others desperately resorted to plane hijacking. As planes departed twice daily with the intent of bringing Cuban refugees to the United States, suggestions were made but not pursued that these planes be used by Cubans wishing to return to Cuba from the United States.

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By July 10, 1968 congressional pressure and demands from the aviation world resulted in a telegram being sent by the U.S to the Swiss authorities to approach the GOC and discuss methods of travel between the United States and Cuba. The idea remained that “Cuban exiles living in the U.S might wish to return to Cuba and might be tempted to hijack a plane this danger might be finished somewhat if such persons knew they could return to Cuba on airlift planes.” Repeated attempts made by the Swiss to open a dialogue with the GOC on the contents of this telegram received no tangible response from the GOC. Instead, the GOC released with “reasonable promptness” all U.S planes hijacked to the island as well as Pilot Prellezo.

Meetings held in April of 1968 which included members of the International Air Transport Association (IATA) conclude that the US Government might be willing to explore the possibility of a reciprocal understanding on the return of commercial aircraft hijackers, where the lives and property of others are generally endangered, we have reason to believe that the Cubans would probably want to extend the issue to cover the return of all escapees from Cuba. One of the key aspects which prove to be a deciding factor in future dialogues of conversation between Cuba and the United States on the issue of hijacking is the “return of such

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88 Telegram From the Department of State to the Embassy in Switzerland, 1 August 1968 FRUS, 1964–1968, Volume XXXIV, Document 298.
89 Ibid.
persons—who were often politically motivated—would generally be politically and morally unacceptable to the United States.” 91 While the United States was possibly willing to allow a hijacker to be subjected to prosecution in other countries, Washington would not allow the Cuban government to prosecute any American citizen.

Concern over hijacking remained rampant and expanded to include “governmental, congressional and press circles.” 92 From the U.S point of view, combating hijacking involved the prosecution of all hijackers of U.S hijacked planes back to the United States. 93 Simultaneously, the U.S government and airlines industries began exploring additional security measures to combat the occurrences. On July 31, 1968 Cuba finally offered a response to the Swiss suggestion describing the proposal as “interesting” and Cuban authorities ensured that the matter is taken up by the Cuban government. 94 Though the Cuban government suggested that the proposal is under review, months transpired without a response.

Examinations of existing airline security posed difficult questions of how to identify potential hijackers and implementing a system in which all passengers could be searched for weapons. Airlines and the Federal Aviation Administration (FAA) remained overwhelmed by the concept of searching each individual passenger, carry-on luggage or checked

91 Ibid.
baggage. Citing the enormous costs associated with such procedures, other methods of combating hijacking were reviewed including rewards offered for any hijacker returned to the United States. 95

By August 9, 1968 further attempts are made by the United States to engage the Mexican government in approaching Cuba. Pre-Conditions made clear to the GOC in advance dictated that any such agreement not include discussion on political refugees or Cuban exiles. 96 Plans also moved forward to have the Senate Foreign Relations Committee approach the issue of the unsigned Tokyo Convention agreement fostered by the United Nations. Simultaneously, the Triennial Assembly of the ICAO, which took place in Buenos Aires on September 3, 1968 sought to push the issue of the convention forward on the international forum by “urging all states to become parties to the Convention as soon as possible and even before ratification or adherence to the Tokyo Convention, to support its principles.” 97

The Triennial Assembly of the ICAO is a forum in which the United States aggressively pursues the compliance of a host of nations to the Tokyo Convention. Cuba, an attendee to this assembly, did not directly reject the convention but gave clear criticism on the motives of the hijackers as well as the U.S government by saying “Cuba agrees with the

95 Ibid.
96 Telegram From the Department of State to the Embassy in Mexico, 9.August 1968,FRUS, 1964–1968 Volume XXXIV, Document 302
concern over hijacking. At no time has Cuba encouraged such seizures. We consider that the mere fact of convention ratification would not prevent hijacking. The difficulty and roots of the problem is tyranny in the United States—the massacre of Negro people and the Vietnam War. Let that cease and then hijacking will cease."  

In a telegram from the consulate in Montreal to the Department of State a brief summary of a note provided to the IATA from Dr. Osvaldo Dorticos President of the Republic of Cuba stated that “Cuba has no responsibility whatsoever for such facts of which she was originally the victim while no initiative was taken internationally to prevent it.” Dorticos went on to state that “Cuba has never encouraged nor does it encourage hijacking of aircraft. But such facts have become a practice adopted against our country by the promoters of a stupid policy lacking of foresight the regrettable consequences of which are apparent.”

In an interesting reversal of roles and a dynamic adjustment in the balance of power between the two countries; the GOC subjected to numerous economic losses for nearly ten years had made countless attempts in vain to eradicate the hijacking issue by opening a dialogue with the United States; now found it hounded by aviation groups and international organizations at the behest of the United States government. As Henry Kissinger later noted, “In 1961, when there were several cases

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89 Telegram From the Consulate in Montreal to the Department of State, FRUS, 1964–1968 Volume XXXIV, Document 305.
of ships and planes seized by Cubans escaping to the United States, we did not respond to a Cuban note proposing a mutual agreement to return the persons responsible for those actions to the country of registry of the ship or plane. In effect, we refused to consider essentially the same proposal we have now made to the Cubans.”

Aviation groups felt the pressure by many governments to increase security measures of aviation travel. Throughout internal discussions, the presence of LBJ remained removed and rare. While his remarks supporting the Tokyo Convention make clear his intention to curtain hijacking, there remained the LBJ policy on Cuba of discussing options but not committing to any one plan. Forc d to address the issue, in September of 1968, Johnson approached the U.S Senate and requested the ratification of the Tokyo Convention. Another attempt at discussions with Cuba began with questions filtered to Knute Hammarskjold, Director General of the International Air Transport Association (IATA). This approach also saw little success. As tension continued to arise publicly, the U.S government scrambles to make visible progress in an effort to end the flow

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101 Telegram From the Department of State to the Embassy in Mexico, FRUS, 1964–1968 Volume XXXIV, Document 307.

102 Despite a number of memorandums, meetings and discussions little actual progress is made.

103 Action Memorandum from the Assistant Secretary of State for Inter-American Affairs (Oliver) to Secretary of State Rusk, FRUS, 1964–1968, Volume XXXIV, Document 309.
of hijacking. Letters exchanged between various departments in the administration testify to the existing fear held by government officials as well as the American public and aviation groups. Far from silent, American citizens took it upon themselves to send the Department of Transportation and the FAA anti-hijacking schemes including the invention of a number of devices dedicated to searching passengers. Letters reflecting the very real state of fear which many Americans felt flooded the administration.\textsuperscript{104}

In November of 1968 four planes (three of American ownership and one of Mexican ownership) hijacked to Cuba prompted Secretary of State Dean Rusk to entertain the concept of reaching out directly to the GOC to ask for assistance in combating hijacking.\textsuperscript{105} From the moment in which serious internal discussions begin regarding this overture to Cuba, the issue of how to prosecute hijackers landing on U.S soil became a point of contention. As before, the LBJ administration had significant issues with the idea of American hijackers being prosecuted according to Cuban law rather than extradited to the United States. As a result any agreement completed between Cuba and the United States needed to be in the same spirit as the Tokyo Convention.

In a telegraph dated December of 1968 to the GOC (via the Swiss) a number of suggested conditions are provided should potential discussion begin. Included is the suggestion that freedom flight planes be

\textsuperscript{104} Hijacking, Administrators Correspondence File 1959-82., Record Group 237, Box 237, National Archives II, Records of the Federal Aviation Administration

\textsuperscript{105} Airgram From the Department of State to the Mission to the International Civil Aviation Organization, FRUS, 1964–1968, Volume XXXIV, Document 307.
made available to Cubans wishing to return to the island and that language pertaining to a reciprocal return be included. This means that all hijackers be returned to the country in which the hijacked airplane was registered.106 Reactions from Cuban authorities to the telegram, according to Swiss reports under Ambassador Fischli, remained mixed. Having heard of the telegram before the actual receipt of the message, the GOC was not inclined to embrace the proposed measures immediately and remained “non-committal”.107 Swiss Ambassador Fischli remained convinced “that Cuba might request, as compensation for return of hijackers, return of Cubans who left Cuba illegally by boat or private plane.”108 Unable and unwilling to commit to such a measure, discussions slowed. Nearing the end of his presidency and consumed by the war in Vietnam, little movement on the ratification occurs during the remainder of the Johnson administration. An anti-hijacking agreement is left to the devices of the incoming Richard M. Nixon administration.

Chapter 3: The Nixon Presidency: Diplomacy Vs. Containment

106 Telegram From the Department of State to the Embassy in Switzerland, FRUS, 1964–1968 Volume XXXIV, Document 311.
107 Ibid.
108 Ibid.
An ardent anti-communist throughout his early political career, Richard M. Nixon consistently supported U.S policy in opposition to Fidel Castro’s Cuba, suggesting that “the most important thing… is that we do whatever is necessary to get Castro and communism out of Cuba.”

Despite this anti-Castro approach, the Nixon administration accomplished what two prior presidents could not: a curtailment of Cuban-U.S plane hijackings and a reconfiguration of Cuban-U.S Relations.

As the LBJ administration drew to a close, the United States slowly lost leverage with other countries as it continued to push a militant, anti-Cuba policy. While LBJ had been able to arm twist governments into diverting their trade and diplomatic ties with Cuba, circumstances under Nixon demanded alternative methods given that many third world countries had gained or were in the process of fighting for their own independence by the late 1960s and early 1970s.

Having little interest in Latin America, Nixon and Henry Kissinger (acting first as U.S National Security Advisor and later as Secretary of State) adopted a policy of “containment” for issues which arose within the region. Faced with an epidemic of hijacking, the United States moved forward with a series of bilateral proposals at conferences and pushing for aviation reform. The Nixon administration applied a consistent amount of

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109 Ibid. 234. In the days following the aftermath of the Bay of Pigs, Nixon met briefly with JFK in regards to next steps with Cuba. Nixon’s quote is the response that provided to JFK.

pressure on the ICAO (International Civil Aviation Organization), the NATO Advisory Committee and IATA (International Air Transport Association). In an effort to deter potential hijackers, the United States made the suggestion that individuals committing hijackings be returned to the original point in which the hijacking had taken place with the express intent of facing prosecution for their crime. While there existed a worldwide sentiment to eliminate plane hijacking, international law experts of the ICAO and representatives from a number of countries proved unwilling to agree to any proposal which allowed for their own citizens to be tried under foreign law. ¹¹¹

March of 1969 marks a turning point in Cuban – U.S relations when Cuban Foreign Minister Raul Roa met with Swiss Ambassador Fischli to discuss the “demarches” on hijacking between the two countries. Following this meeting, Fischli met with Fidel Castro to discuss the issue of hijacking further. ¹¹² Castro remained concerned about Cubans leaving the island illegally and U.S compliance in such departures. Castro made clear his intention and interest in “edging towards a détente” with the United States.¹¹³

The Nixon administration seemed willing to partake in these negotiations with the Castro government. In a memorandum to President Nixon dated April 4, 1969, Kissinger suggests that the President authorize

¹¹³ Ibid.
Secretary of State William P. Rogers to engage in discussions with Swiss Ambassador Fischli in the hope of understanding the GOC’s détente suggestions.\(^\text{114}\) As with prior administrations how news of a dialogue between the U.S and Cuba could be received by media and the general public preys on the minds of many government officials. \(^\text{115}\) Always skeptical of Castro’s intentions Nixon replied that the State Department make a "very very cautious probe-only".\(^\text{116}\)

Additional evidence indicates that following the return to Cuba of Ambassador Alfred Fischelli and Swiss Ambassador to the U.S Felix Snyder, members of the GOC immediately initiate a meeting to discuss Nixon’s reaction to suggestions of détente. Included is the use of Guantanamo Naval Base as a point of illegal departure, the increase of flights for U.S citizens to be repatriated via Mexican airlines and the release of Americans currently held as prisoners in Cuba.\(^\text{117}\) In discussions held with Cuban President Dorticos suggestions were made that the recent change in a Cuban response to hijackings reduced the numbers of incidents.\(^\text{118}\) While the United States engaged in preliminary conversations with the GOC, it also remained committed to pushing other

\(^{116}\) Ibid.
\(^{117}\) While the release of these prisoners fades from the FRUS documents, there is evidence that the GOC did allow Swiss Ambassadors to visit the American Prisoners.
anti-hijacking measures on an international scope via airline security and an increased use of sky marshals and the employment of baggage checks. A key sentiment of the administration remained that a reduction in the regional zones or locations which allowed asylum to hijackers is a key obstacle to the hijacking problem.\textsuperscript{119}

Given the push for detente, the sentiment within the Nixon administration is that Cuba should promote its desire to engage in discussion by demonstrating a certain level of accommodation in other areas related to hijacking. One such area is addressing the issue of hijackers already in Cuba which is achieved “by quietly sending a few selected hijackers to third countries or encouraging them to leave.” This allowed the United States to independently initiate the process of having these hijackers returned to the United States.\textsuperscript{120}

During the Nixon administration four specific plane hijackings had a significant impact on the pace in which an agreement was completed between Cuba and the United States: National Flight 97 hijacked in 1969; TWA Flight 840 hijacked in 1969; Dawson Field hijackings of 1970; and the Southern Airways flight 49 hijacked in 1972.\textsuperscript{121} TWA flight 840 and the


\textsuperscript{120} Ibid.

\textsuperscript{121} Scheduled to depart Rome, Italy on August 29, 1969 with a final destination of Tel Aviv, Israel flight TWA 840 was commandeered by guerrillas belonging to the Popular Front of the Liberation of Palestine. The subsequent hostage situation involving Israeli passengers marks a turning point within incidents of hijacking as it threatens to derail efforts of détente in the Middle East. The Dawson field hijackings involve the hijacking of four aircrafts (including one American airliner) by the Palestinian Popular Front for the Liberation of Palestine (PFLP).
Dawson Field hijackings have no immediate connection to Cuban – U.S hijacking; they remain significant examples of hijackings escalated in violence, threatened international peace and are viewed by the American public as grave security concerns which could have devastating outcomes.\textsuperscript{122} The potential for catastrophe during an attempted hijacking and as a result of a hijacking also became clear to passengers and aviation groups on an international scale.

By the end of 1969, a re-evaluation of the results which the United States expected from addressing the issue of hijacking is reassessed. As stated by Secretary Rogers, “Our two main goals are (1) to gain wide international acceptance of the concepts, that the plane, crew, and passengers must always be returned and that the hijacker must be punished for the crime, and (2) to find ways to bring effective international pressure on countries which do not abide by these norms.”\textsuperscript{123}

Passage of the Cuban Hijacking Law on September 16, 1969 demonstrated a significant commitment to combat hijacking on the part of Cuba.\textsuperscript{124} While the law bans hijacking, it also contained a significant amount of propaganda directed at the United States and blamed the

\textsuperscript{122} Telegram 146454 from the Department of State to the Embassy in Lebanon, 29 August 1969, \textit{FRUS}, 1969-1976, Vol. E-10 Document 7. These hostages were used as leverage for the PFLP to negotiate the release of other organization members currently imprisoned by Israel.


United States and other countries for “taking possession of the ships and planes so removed from Cuba”. It further outlined that the Cuban government is responsible for determining which hijackers are considered political refugees or criminal. Although aware of the Cuban Hijacking Law, the United States publicly made little comment on its passage. Instead, the Nixon administration internally noted the passage of the law as a “significant development” and a “gambit by Cuba, not only with respect to the hijacking situation but perhaps in terms of relations with us as well.”

The response to the potential for a “new dialogue” between Cuba and the United States remained mixed within the Nixon administration. While many members of the administration respond with skepticism there remain some who viewed the Cuban Hijacking law as a golden opportunity to address the serious hijacking epidemic. Still, President Nixon remained unreceptive to the concept of working with Fidel Castro’s Cuba. In a memo dated October 1969, Rogers suggested to Nixon the possibility of a dialogue with Cuba but he did not receive a response from Nixon.

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Preferring to tackle the issue on an international level, Nixon addressed the United Nations General Assembly in September 1969 and urged the organization to make combating the issue of hijacking a priority.\textsuperscript{129} Kissinger later approached the issue of a Cuban- U.S dialogue with Nixon saying “The Secretary believes that the hijacking situation has reached serious proportions and that we should take every step we can to resolve it.” Kissinger further stated that “He believes that sending the proposed note might lead to an arrangement to help deter future hijackings.”\textsuperscript{130} Having made every effort to take an aggressive stance on the problem of hijacking, Kissinger’s memo is an opportunity to insist that a potential agreement with Cuba on hijacking did not demonstrate a change in terms of Cuban – U.S relations. Instead, any potential agreement simply served as a deterring message to all hijackers on an international basis. Unlike Rogers, Kissinger’s selling point to Nixon is an assurance that “A hijacking agreement would be readily understandable—and explainable—as a specific thing limited to that subject.”\textsuperscript{131}

Kissinger’s mention of returning hijackers to Cuba served as an important reminder of difficult negotiating term to come and an indicator that any agreement between the two countries needed to contain legal


\textsuperscript{131} Ibid.
loopholes which either government could manipulate on an as needed basis. “While the reciprocal obligation to return hijackers to Cuba might be criticized domestically, as a practical matter most hijackers coming from Cuba are most likely to be entitled to political asylum.” Nixon’s approval on the Kissinger memo provided the official green light for the Swiss Embassy to act as intermediaries in brokering an agreement between Cuba and the United States.¹³²

Having seen few results with a number of different approaches made to Cuba, the Nixon administration opted to invoke the 1904 extradition treaty in an attempt to “obtain the return of hijackers who might also be wanted for the common crimes covered by the treaty.”¹³³ Pressed for an answer by the U.S government, the Cuban government made no reply to the suggestion. Having established a channel of communications with Cuba’s Foreign Minister Raul Roa via the Swiss embassy, efforts to complete negotiations of an anti-hijacking agreement between the two countries began with objectives of the agreement suggested to be “on the basis of equality and reciprocity as specified in Cuban law, upon the request of the government to return to Cuba persons who by force or threat divert ships and planes of Cuban registry from their normal routes and activities and bring them to the United States.” In addition, the U.S


¹³³ Research Project No. 1050, United States Efforts to Obtain Cuba’s Cooperation Against Hijacking of Aircraft, 1961-1973, National Archives II, Records Group 59, Box 8, General Records of the Department of State.
“also applied reciprocally the same exceptions specified in the Cuban Hijacking law of September 16, 1969 for cases of political asylum and for nationals of the U.S.”

By early 1970, dissatisfaction with the lack of progress made to combat hijacking lead to discussions of aviation boycotts and a potential airline strike by pilots. The need to find additional solutions to combat the problem emerged as a key concern within the Nixon administration. In a telegram to the US officials in Israel reference Secretary of State Rogers referenced a statement by the International Air Pilots Association “calling for a world-wide strike of pilots.” While pilot organizations had in the past suggested boycotts, a reconsideration of the idea by Rogers proved to be the first mention of a government backed international boycott. Ultimately, the concept of a boycott is disregarded by the administration and placed on the back-burner due to the serious economic implications which it held for U.S airlines. The concept and suggestion of a boycott is groundbreaking and serves as a clear indicator of the inability on the part of the U.S government to find an effective solution to combating the phenomena of hijacking. In addition to the economic implications, there

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136 Information Memorandum from the Assistant Secretary of State for Near Eastern and South Asian Affairs to Secretary of State Rogers, 5 September 1969, FRUS, Vol. E-1, Document 18.
remained the question of how to combat the possibility that other countries and non-U.S carriers may not agree to such a boycott.  

The Dawson Field Hijackings of September 6, 1970 involved the commandeering of four airplanes to Jordan (including one American airliner) by the Palestinian Popular Front for the Liberation of Palestine (PFLP) in an attempt to ransom the release of imprisoned PFLP members.  

Ultimately, the Dawson Field hijackings are responsible for a drastic re-evaluation of aviation security measures, a utilization of U.S guards by the United States and numerous aviation and non-governmental organizations. Countries including the Soviet Union and the United Kingdom (also affected by the Dawson Field hijackings) who historically experienced lower hijacking; rates joined in efforts to support anti hijacking agreements and measures.  

The events at Dawson Field also spurred plans to fully adopt the language of the Tokyo Convention as do plans by the FAA to engage in profiling passengers in an effort at “identifying suspicious individuals by certain characteristics” with the intent of “running these persons by

detection screen”. 141 An FAA task force is assembled with the unique goal of identifying and categorizing these hijacking traits.142

A telegram on September 29, 1970 from the United States to Cuba served as a follow-up on recent communications and the draft of a MoU submitted for review on July 11, 1970. Cuba offered no feedback on the telegraph or comments on the sample memorandum. Within the Nixon administration, frustrations are clear. “The danger remains that innocent persons may become victims of an aerial disaster that might have been avoided if Cuba and the United States had made an agreement that warned potential hijackers to expect to be prosecuted for their criminal actions.” In background provided only to Swiss Ambassador Fischli, State Department officials accused Cuba of “steady stalling “and make it clear that “we do not intend” to “permit Cubans to enjoy this position.” 143

Ultimately, a response from the GOC on the draft submitted is received in December 1970.144 By this point, negotiations once again reached a stalemate due to the replacement of Swiss Ambassador Fischli.

In an effort to avoid a boycott by aviation groups, the United States seized control of aviation security stating “we believe that it is the government and not private organization which should act on this

142 Nadfali, Blind Spot, 38.
problem. President Nixon addressed the issue of air piracy on September 11, 1970 and introduced surveillance techniques to be used in all airports including military style x-ray machines, governmental personnel on various flights, and a continual push of “the multilateral convention providing for the extradition or punishment of hijackers”. Nixon called for the “international community to take joint action to suspended airline services with those countries which refused to punish or extradite hijackers involved in international blackmail.” 146 Within days, Cuba (for the first time) released an American hijacker directly to the United States via a return refugee flight. In total 14 hijackers were released to the United States, mostly through third countries. 147

By February of 1970, American media showed signs of embracing the idea that the Cuban – U.S relationship showed signs of “altering” in some way. Questions raised regarding a modification to Cuban- U.S policy are firmly denied and the United States reaffirmed its solidarity with the OAS and its decisions regarding Cuba. Further memos regarding Cuban-U.S relations take the opportunity to detail the inability for diplomatic relations to be revived based on the need for Cuba to “cease being a danger to the peace of the hemisphere.” 148

146 Nixon, Statement Announcing a Program To Deal With Airplane Hijacking September 11, 1970.
A prime example of Cuba as a threat to peace would emerge with the discovery of a Soviet nuclear submarine base in Cienfuegos, Cuba. Referred to as the Cienfuegos Crisis, the incident occupied the administration from 1970-1971 and created tension between both countries which ultimately contribute to a slowing down of correspondence.\textsuperscript{149} While the Cienfuegos incident did not end talks between Cuba and the United States on the issue of hijacking, it did manage to modify the overall strategic ability for a détente to be possible between the two countries. That discussions halted but eventually continued testify to both governments' ability to treat the anti-hijacking agreement as a special circumstance outside of established relations.

In a memo dated October 31, 1970, Henry Kissinger declared Cuba "one of the best behaved of the hijacking states, since it immediately allows the planes and passengers to return and often jails the hijackers."\textsuperscript{150} The swift return of passengers, crew and a hijacked plane, served as indicators that Cuba stood willing to abide by the Tokyo Convention and the terms of an agreement still being discussed. Additional evidence suggested that Swiss embassy officials employed their own diplomatic tactics to continue negotiations by staying in contact

\textsuperscript{149} Henry Kissinger, \textit{The White House Years} (Simon & Schuster, 2011), 639.
with Cuban officials and alerting Cuba to plane hijacking thereby guiding the process.\textsuperscript{151}

The proposed agreement remained a point of contention for both parties with Cuban and American officials suggesting that the agreement originally presented as being based on Cuban Law 1276 actually rejected parts of the law. Further areas of the agreement were in direct defiance of many ideals embraced by the United States government. Of particular concern remained the indication of “other offenses relating to ships and aircraft plus the crime of entry into or departure from Cuba in violation of Cuban regulations.”\textsuperscript{152} The issue of hijacking and Cuban-U.S relations further complicated the return of anyone hijacking a plane from Cuba to the United States. An interesting catch-22 developed in which the United States found it potentially unable to return Cuban hijackers to Cuban authorities, given that Cubans who reached American soil were provided with political asylum and permitted entrance.

The November 10, 1972 hijacking of Southern Airways flight 49 raised multiple concerns such as the use of force by F.B.I agents (without the consent of the pilots on board the hijacked aircraft), and the issue of inadequate security measures in airports. Americans are horrified at the

\textsuperscript{151} Cuba Returns Hijackers to U.S In the First Action of Its Kind, \textit{New York Times} 29 September 291970.

prospect that a commercial airliner could be used as a weapon and flown into a building or nuclear plant.

By December, discussions between the two countries reached an impasse with the unresolved question of prosecution and extradition of Cubans leaving Cuba for the United States. Ultimately, the approved proposal included language which “rules out retroactive action thereby protecting Cuban émigrés already in the U.S.” The issue of exiles being returned to Cuba and the prohibition of any acts of piracy against Cuban territory by émigré groups.” continued to be a sticking point. Agreeing to disagree on the issue of political asylum, both countries “hold open the possibility of granting political asylum in some cases where no financial extortion or physical injuries are involved.”

Signed on February 15, 1973, the Memorandum of Understanding on Hijacking of Aircraft and Vessels and Other Offenses (MoU) included language for hijacking of both planes and maritime transportation. The MoU employed loose terminology which allowed manipulation of language to accommodate special circumstances if needed, remained subject to renewal in five years and could be severed by either government with six months written notice.

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155 Ibid.
156 Ibid.
Despite years of media coverage and pressure from various groups the announcement of the memorandum barely made the newspapers and is greeted with little fanfare. Instead, the country remained focused on Watergate and one of the most important agreements in diplomatic and aviation history receded into obscurity.

**Conclusion**

Spanning three presidential administrations, the issue of plane hijacking between Cuba and the United States gradually resulted in a worldwide call for aviation security reform. Modern day aviation safety rests on the policies, perseverance and planning of the presidential administrations included in this study. The importance of the MoU lies in its reconfiguration and manipulation of Cuban – U.S relations as the finalization of the memorandum created a space for détente in which both the Cuban and the United States government could work jointly to combat issues of mutual concern. Through the course of negotiations for the agreement, there proved to be two pivotal moments in which the potential for détente formulated (preceding the Cienfuegos Crisis) and following the signing of the memorandum of 1973.

Unlike the Kennedy or Johnson administrations, the Richard Nixon administration found itself at a crossroads in which plane hijackings between Cuba and the United States compelled the White House to re-evaluate its relationship with Fidel Castro and the state of U.S-Cuban
relations in the hopes of combating the worldwide phenomena of hijacking. The 1973 Memorandum of Understanding on Hijacking of Aircraft and Vessels and Other Offenses (MoU) once finalization, marked a turning in Cuban – U.S relations as well as a new frontier in aviation security. It also marked the end of the plane hijacker era and the beginning of the terrorist era.

The signing of the MoU (and subsequent agreements between other countries) created an unprecedented level of international stability within the aviation industry. It further allowed for a removal of international roadblocks allowing a number of countries to momentarily refocus on their own détente discussions and away from the all-consuming issue of plane hijacking. The passage of MoU demonstrated the foundation for negotiations within one of the most volatile diplomatic relationships in history. Still, despite accomplishing the completion of the MoU and the beginning of normalizing diplomatic relations with China, the Nixon administration did not aggressively pursue a détente with Cuba. While Watergate consumed the Nixon administration at the same moment that the MoU became finalized, it remained Nixon’s strong anti-Castro sentiments which ultimately hindered the pursuit of détente with Cuba. Since his meeting in 1959 with Fidel Castro, Richard Nixon had been at odds with the Cuban leader. A stern anti-communist, Nixon soon proved to also be a stern anti-Castroite. Nixon’s inability and unwillingness to work with the Cuban leader and move beyond ideological differences is clearly
depicted in the history of the MoU. The selling point of the MoU rested on the agreement being a circumstance discussed outside of diplomatic relations with the two countries and Nixon never wavered from this stance. Despite Nixon’s best intentions there remains an established foundation of diplomacy between the two countries as a result of the MoU. This diplomatic foothold is later explored in greater depth by the presidential administrations of Gerald Ford and Jimmy Carter.

While official Department of State records on the MoU insist that (as Secretary of State Rogers reiterated publicly) the memorandum “in no way compromised or changed diplomatic relations between the two countries” this is far from the truth. Having allowed a diplomatic channel to be created and nurtured to achieve an agreement between two ideologically opposing countries stretched the rigid limits of diplomacy between the United States and Cuba and in doing so challenged and inevitability modified that relationship. The dialogue between the two countries once established (however fragile it appeared to be) existed as a possibility for further negotiations in other areas or issues of mutual concern. This in itself signified a great achievement and a break in ideology, which paved the way for détente to move from a possibility to a reality.

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Print this item: Think we might get a side trip to Cuba or some place?; July 25, 1968
Print this item: This is an order -- take off!; April 7, 1970

As my Rosen sees it:

WORLD SHOCK:
BONN ENJOY SLAIN IN GUATEMALA.
JAPANESE HIJACK ORDEAL.

LONG RECORD OF INACTION ON HIJACKING & POLITICAL PIRACY.

"THIS IS AN ORDER -- TAKE OFF!"
Print this item: Now fly to Cuba! 1972

"NOW FLY TO CUBA!"

LURIE'S OPINION

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I want to speak to our minister of tourism; October 23, 1970