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AVIATION SECURITY IN THE NEW CENTURY
PART I

BY: TARA L. BRANUM*

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* Associate, Fulbright & Jaworski L.L.P., Houston, Texas. The statements, opinions and views expressed herein are those of the author only and do not represent the views either of the Federalist Society or of Fulbright & Jaworski L.L.P. An earlier version of this paper, released on October 29, 2001, did not include the attached appendices.

I. INTRODUCTION

It has been said that “war is the great friend of the state.”¹ During times of war, an overwhelmed citizenry invariably turns to its government for protection from threatening forces, both seen and unseen. Americans are no exception to the rule. Since the inception of the republic, times of crisis or war have nearly always resulted in an escalation of government power.² As the government takes power from the people, it claims that these powers will revert to the people after the war or crisis comes to an end. Unfortunately, history has shown that it is exponentially harder to wrench power away from the government than it is to give it power in the first place.³

The reactions to the events of September 11, 2001 have run true to form in this regard. In the decades prior to the attack on the World Trade Center and the Pentagon, Americans had been growing increasingly skeptical of too much government interference in their lives. This skepticism was reflected in, for instance, movements to deregulate industries, reform welfare and reduce taxes and government spending. In one terrible, swift moment this past September, however, the once skeptical attitude of many Americans completely reversed itself. Following the attacks on New York and Washington D.C., a *Washington Post* poll showed that 64% of Americans trusted the federal government to “do what is right” most of the time or virtually all of the time.⁴ This is the greatest degree of trust in the government since 1966 (when the number was 65%).⁵ During the Clinton years, this number had dropped into the 20% range.⁶ The percentage of people claiming to trust the government, apparently with little to no reservation, more than tripled as a result of the September attacks. This is a marked increase in a very short period of time, to say the least.

One manifestation of this new found trust in the federal government is a movement to federalize the aviation security industry. The impulse to tighten security for air travel in the aftermath of September 11 is undoubtedly laudable; however, the solution that is being proposed—federal takeover of an entire industry—has not been shown to be a necessary prerequisite for public safety in the skies. To the contrary, not only does the proposal constitute an unprecedented grab for power by the federal government, but it is also likely that the move will cause safety to suffer. It would be an

1. Michael Barone, *The Second Tocquevillian Age*, 1998 HOOVER DIGEST No. 3; see also Michael Barone, *Stumbling Toward a Littler America*, AM. ENTERPRISE, Aug. 4, 1999, available at <http://www.theamericanenterprise.org/taemj97o.htm> (“War is the great friend of the state. We tolerate the growth of the state during war because we are threatened, because sacrifice is asked of us all, because it is temporary. Without war, a free society will not tolerate the engulfing growth of government and centralized power.”).

2. E.g., Barone, *The Second Tocquevillian Age*, *supra* note 1 (discussing the growth of the government following the World Wars and the Great Depression). For example, during the Civil War, President Lincoln exercised unprecedented power in his attempts to prevail over the South. Later administrations justified an expanded use of power based on his actions. In each of the World Wars, the government gained some degree of control over many industries contributing to the war effort. The Great Depression similarly saw Americans turn toward its government for help with economic woes. In later years, Americans saw this transfer of power reflected in the period of the so-called “Great Society.”

3. E.g., Stephen Moore, *No War for Big Brother*, Nat’l Review Online, Oct. 2, 2001, at <http://www.nationalreview.com/balance/balance100201.shtml> (citing ROBERT HIGGS, *CRISIS AND LEVIATHAN* (1987)) (noting “dozens of examples of how government has nearly doubled in size after every major war”).

4. Michael Barone, *War and Government*, USNEWS.COM, Oct. 15, 2001, at <http://www.usnews.com/usnews/issue/011015/politics/15pol.htm>. Similarly, the President’s approval ratings are at all time highs (90%), as are the approval ratings of Congress (75%). See *Poll Analyses: Confidence in Leaders*, The Gallup Organization, at <http://www.gallup.com/poll/releases/pr010914d.asp> (Sept. 24, 2001).

5. Barone, *supra* note 4, at <http://www.usnews.com/usnews/issue/011015/politics/15pol.htm>.

6. *Id.*

understatement to say that the wisdom of such a move is highly questionable, particularly where the problems with the current system can be resolved with less drastic measures.

This paper will discuss the proper scope of federal action as it relates to aviation security in the wake of the terrorist attacks this past September. Airports are local entities preempted from state regulation and subject to federal oversight.⁷ The aviation security question is therefore reduced to a very simple one: which areas are appropriate areas for federal control and which areas are best left to private entities, in whole or in part? It is the contention of this paper that several viable solutions exist for enhancing aviation security—short of federalizing the entire aviation security workforce and essentially nationalizing that entire industry. For example, simply implementing better federal oversight of private aviation security companies will allow the federal government to ensure that national security objectives are met while simultaneously tapping into the tremendous potential for private enterprise to motivate, train and improve the quality of the security workforce at our nation's airports. Although that potential has not yet been realized, security can only be maximized if a solution is implemented that utilizes private sector incentives.

II. PROPOSALS TO FEDERALIZE AVIATION SECURITY

The terrorist attacks on September 11 wreaked an unprecedented amount of destruction in just a matter of minutes. For the first time since Pearl Harbor, Americans were attacked on their own soil. Unlike Pearl Harbor, however, the attack was against civilian buildings, not a military base. More attacks are possible, perhaps even likely. Americans are quite naturally searching for solutions that will help them to find safety from the enemy that has unexpectedly appeared to terrorize them. In particular, Americans are searching for ways to once again feel safe in the skies. It is this search for safety that has led to proposals to federalize the passenger screening function at airports.⁸

On October 11, 2001, the Senate passed S. 1447, a bill that would provide for the creation of a new deputy secretary of transportation to oversee security for all modes of transportation, including air travel.⁹ Under the provisions of this bill, entitled the Aviation Safety Act, passenger screeners in the country's 142 largest airports would no longer be private employees, but federal ones, trained at the expense of the federal

7. Preemption of state and local aviation laws and regulation is both express and implied. Express preemption can be found in the Airline Deregulation Act, 49 U.S.C. 41713(b)(1) (1994). Additionally, the Supreme Court has inferred preemption from the broad nature of the provisions in the Federal Aviation Act of 1958, as well as from the inherent nature of aviation. See *City of Burbank v. Lockheed Air Terminal*, 411 U.S. 624 (1973).

8. See, e.g., SECRETARY'S RAPID RESPONSE TEAM ON AIRPORT SECURITY, U.S. DEPARTMENT OF TRANSPORTATION, MEETING THE AIRPORT SECURITY CHALLENGE (2001) (calling for "passenger screening . . . [to] be placed under the direct control of a new federal law enforcement agency housed within the Department of Transportation"). Rep. James L. Oberstar, Democrat from Minnesota, was even more vehement in stating that the current private system is "the Achilles' heel of aviation security, and we'll not accept anything less [than full federal takeover]." Helan Dewar & Ellen Nakashima, *Senate Split Delays Airport Security Bill*, WASH. POST, Oct. 4, 2001, at A22.

9. S. 1447, 107th Cong. § 102 (2001); see also Helen Dewar & Ellen Nakashima, *Measure Federalizing Airport Security Approved*, WASH. POST, at A1; Tom Ramstack, *Vote on Air Security This Week*, WASH. TIMES, Oct. 10, 2001. Although original proposals called for the new security program to be placed in the Transportation Department, a last minute amendment placed the function in the Department of Justice instead. Dewar & Nakashima, *supra*, at A1. Proponents claimed that "Justice was better equipped to handle law enforcement operations." *Id.* This reasoning makes the fears of some that the federal government is grabbing the states' police powers in its rush to assuage fear seem more justified.

government.¹⁰ Screeners in smaller airports would either be federal employees or state and local law enforcement trained by the federal government.¹¹ The move would add approximately 28,000 people to the federal payroll at a cost of up to \$1.8 billion.¹² It would be financed by an enplanement fee of \$2.50.¹³ The bill has been sent to the House for consideration. Although the Senate unanimously approved the measure, the House is more divided.¹⁴

The Senate's unanimous approval of the proposal marks a change in the approach of our government toward aviation security. While federalization of airport screeners has long been an issue of debate, the majority of observers—including the Federal Aviation Administration (“FAA”) itself—has long been in favor of maintaining the basic structure of the current system.¹⁵ The abrupt change in perspective, in the heat of the moment, is worrisome because it indicates that perhaps not enough thought has been put into this proposal for a federal takeover of the aviation security industry.

A. The Current System

Security at American airports is a complex system, already overseen by a federal agency, the FAA. The FAA is responsible for establishing and enforcing regulations, identifying threats, deploying air marshals, and monitoring compliance with guidelines, among other duties.¹⁶ The air carriers, in turn, are to apply security measures to passengers, service and flight crews and ensure that baggage and cargo is screened.¹⁷ Finally, the airports themselves maintain the security of the grounds and provide law enforcement support for the air carriers as they screen passengers and baggage.¹⁸

Analysis of security intelligence is handled in cooperation between the Department of Transportation and the FAA. Within the Department of Transportation, the Office of Intelligence and Security coordinates security and intelligence

10. S. 1447, § 108-109; *see also* Ellen Nakashima & Juliet Eilperin, *Bush Would Accept Federal Air Security*, WASH. POST, Oct. 3, 2001, at A17.

11. S. 1447, § 108-109; *see also* Nakashima & Eilperin, *supra* note 10, at A17.

12. Nakashima & Eilperin, *supra* note 10, at A17 (citing Secretary of Transportation Norman Y. Mineta).

13. Tom Ramstack, *Senate OKs Tighter Airline Security*, WASH. TIMES, Oct. 12, 2001.

14. *Id.* President Bush initially had “serious concerns that full federalization of the screener work force” could cause problems. Lizette Alvarez, *Airline Safety: Senate Votes to Federalize Job of Airport Screening*, N.Y. TIMES, Oct. 12, 2001. However, the President now says that, despite a preference for federal oversight, he will not stand in the way of the legislation that the Senate passed on October 12. *See House Adopts Anti-Terrorism Bill*, ASSOCIATED PRESS, Oct. 12, 2001; Nakashima & Eilperin, *supra* note 10, at A17.

15. The FAA completed a study in 1998 recommending that the current system be kept in place, albeit with increased governmental involvement in areas such as security training. *SEE FEDERAL AVIATION ADMINISTRATION, U.S. DEPT. OF TRANSPORTATION, STUDY AND REPORT TO CONGRESS ON CIVIL AVIATION SECURITY RESPONSIBILITIES AND FUNDING 31-33 (1998) [hereinafter FAA STUDY AND REPORT TO CONGRESS]*. The outcome of the study was essentially the same as an earlier study in 1991. *See id.* at 23.

Additionally, a Presidential Commission in 1990 and a White House Commission in 1997 each endorsed the existing division of responsibility, and merely suggested that accountability within the system be improved or that the government take a stronger role in purchasing security equipment. *Id.* at 31-33. A Baseline Working Group recommendation for the Aviation Security Advisory Committee similarly stated that there was no compelling benefit to a transfer of responsibilities, but, instead, hiring and personnel policies would become less flexible and Fourth Amendment search problems were likely. *Id.* at 33.

16. *Id.* at 9-10. Authority is delegated to the FAA in Title 49 of the United States Code. *See* 49 U.S.C. § 44901 et. seq. FAA regulations are found in 14 CFR pt. 107-108. Part 107 applies to airports, while part 108 applies to air carriers. *Id.* Other security directives may be issued by the FAA without being placed in the Federal Register. For national security reasons, most directives are not made available to the public.

17. FAA STUDY AND REPORT TO CONGRESS, *supra* note 15, at 14.

18. *Id.*

information.¹⁹ This information is then communicated to the Associate Administrator for Civil Aviation Security in the FAA as necessary.²⁰ The Office of Civil Aviation Security Intelligence, in turn, may take this information, distribute information circulars, perform threat assessments and create contingency plans as needed.²¹ As aviation security threat information and additional security requirements are disseminated to airlines, the companies pass the information on to their flight crews.²² In all cases, federal officials are to stay in contact with their counterparts in other federal agencies.²³

B. Federalization v. Enhancing the Private Workforce

Transferring responsibility for aviation security to the federal government is intended to allay the fears of Americans in the wake of September 11. While the fear of future attacks is understandable, it does not necessarily follow that federalizing aviation security will provide the solution. There are many unanswered questions about the legislation recently approved by the Senate. Is management by a federal agency really the safest alternative? Do we really believe that *any* federal agency is more efficient than the competition created when private companies compete against each other for business? When the (inevitable) federal workers union is created, how will labor relations with unionized airport screeners be handled? Will airports suddenly become federal jurisdictions, or will local police still have some degree of authority on the premises?

It is more than a little unwise to rush into the federalization of a whole industry in the heat of the moment, particularly when there are so many unanswered questions about how to implement such a transition. The legislation approved by the Senate seems to have resulted more from an urgency to *do something* than from a deliberate evaluation of the proposed plan of action. There are many possible scenarios for improving aviation security. We should not immediately jump to the solution that adds 28,000 workers to the federal payroll. The benefits of keeping aviation security systems in the hands of private companies far outweigh any benefits of transferring this function to a federal bureaucracy.

In order to prevent future, unforeseen types of terrorist attacks, it is true that our model of aviation security needs to be improved; however, it must be remembered that the vulnerabilities in our system have more to do with our approach to the employment and training of security personnel than the fact that they are private, rather than federal employees.²⁴

1. Crafting Solutions for Aviation Security

Crafting a solution for aviation security requires a two-part analysis. First, what are the weaknesses in our system that have created vulnerability? Second, for each weakness identified, will federalization provide a remedy?

19. *Id.* at 11.

20. *Id.*

21. *Id.* at 11-12.

22. *Id.* at 12.

23. *Id.* at 11.

24. See ROBERT W. POOLE, JR. & VIGGO BUTLER, REASON PUBLIC POLICY INSTITUTE, FIXING AIRPORT SECURITY (2001) (hypothesizing that a failure to recognize the threat combined with a bad model of airport management is the source of America's failure in aviation security).

There were several reasons why the attack on September 11 was possible, but the presence of private personnel at x-ray machines was not one of them.²⁵ As one commentator has observed,

Ironically, in this rush to federalize airport security, one small but important detail is being overlooked: as far as passenger screening is concerned, the system worked the way it was supposed to. None of the weapons believed to have been used by the hijackers was illegal under Federal Aviation Administration regulations in place at the time.²⁶

Several vulnerabilities in American aviation security systems might explain why the attacks on September 11 were not prevented. The privately employed security screeners at Logan, Dulles, and Newark airports should not be made into scapegoats. It is not so simple. Both private and governmental entities share in the blame to some degree.²⁷

Improving safety requires placing the blame where it properly lies and then determining the best course of action to correct system weaknesses. Part of the blame lay with a lax, perhaps naïve, American public. That problem seems to be cured.²⁸ Another weakness stemmed from failures of federal agencies in the areas of intelligence, immigration and enforcement of existing aviation law requirements.²⁹ These agencies should perhaps focus on resolving their own weaknesses rather than taking on new responsibilities previously shouldered by the private sector. Next, employment decisions at airports are often made without performing background checks on potential personnel, allowing individuals with questionable backgrounds to work in aviation security.³⁰ Last, problems are created by screeners at airports who are underpaid, unskilled, poorly trained, and bored by long periods of mindlessly staring at an x-ray screen.³¹

There is no doubt that the current workforce monitoring x-ray machines across the country is generally unqualified and inadequately trained compared to its European

25. See *A Strategy for Aviation Security: Hearings Before the Subcomm. On Aviation of the House Comm. on Transp. & Infrastructure*, 107th Cong. (2001) (testimony of Larry C. Johnson, Managing Director, The Business Exposure Reduction Group, LLC) [hereinafter Testimony of Larry C. Johnson]. Oddly, after stating that the “failure” on September 11 was “regulatory” and that “the screeners did their job properly and only permitted items to go on the aircraft that were sanctioned,” Mr. Johnson then draws the conclusion that the Federal Government should be given *more* responsibility and put in charge of “all security operations” at airports in order to “create a structure that can be held accountable.” *Id.*

26. Perry Flint, *Airport Security Perils and Options*, WASH. TIMES, Oct. 12, 2001.

27. See, e.g., Editorial, *Pie in the Sky Security?*, WASH. TIMES, Oct. 13, 2001 (detailing the FAA’s failure to enforce regulations coupled with the airlines’ failure to treat aviation security as anything more than a minimum wage job).

28. Testimony of Larry C. Johnson, *supra* note 25 (stating that the September 11 hijackings were “consistent with a pattern observed worldwide since 1987—people who claim to have a knife or an explosive have hijacked most planes . . . Scrutiny at a security-screening checkpoint cannot prevent such events . . . [However,] [w]e now know that these assumptions are invalid.”).

29. E.g., *A Strategy for Aviation Security: Hearings Before the Subcomm. On Aviation of the House Comm. on Transp. & Infrastructure*, 107th Cong. (2001) (Testimony of David Z. Plavin, President, Airports Council International-North America) [hereinafter Testimony of David Z. Plavin] (discussing the need for intelligence agencies to place a “much higher priority on collecting aviation security information” and to be more effective in sharing the information with those responsible for aviation security); see also Flint, *supra* note 26 (opining that breakdowns of federal intelligence, security and intelligence agencies led to the terrorist attacks).

30. For instance, screeners who are not U.S. citizens may be hired. Testimony of Larry C. Johnson, *supra* note 25.

31. *Id.* (referring to checkpoints that are manned by “under-paid and ill-trained” personnel); see also Testimony of David Z. Plavin, *supra* note 29 (discussing the poor training and low wages of airport screeners).

counterparts.³² There is no such thing as a professional career in passenger screening at airports, as there is overseas.³³ Turnover is high. The screeners may consider jobs at the fast food restaurants in the airport to be the same, or better, than the jobs they hold at the x-ray machines.³⁴ Perhaps Noel Koch, former Principal Deputy Assistant Secretary of Defense for International Security Affairs said it best:

At the present time, the economics of security appear to militate in favor of hiring entry-level minimum wage people. They often get little or no training, they have frequently the most limited “people skills,” and the turnover rates among them are wholly inconsistent with the requirements of an effective security system. Put minimum wage people on a million dollar machine, give them little or no training, manage them like entry level people, and you will get minimum wage performance out of your million dollar machine.³⁵

The problem does not lie in assessing the problem. Everyone agrees that jobs in aviation security should be turned into professional careers. Everyone agrees that workers need more incentives to succeed: better salaries, benefits, opportunities to advance in their career, better training to equip them. Everyone agrees that standards should not only be higher, but better enforced. Instead, the disagreement lies in the best way to accomplish this transition in the quality of the security workforce and whether or not federal or private control offers the fastest route to safety in flying. In assessing the best route to take, it is helpful to look at the successes and failures of other countries who have been living with terrorism for decades. In analyzing the experiences of other countries, it becomes clear that federalizing our aviation security will be more of a hindrance than a help.

2. Benefits of the Corporate Model

In the late 1970s and early 1980s, a series of hijackings caused the European system to be overhauled.³⁶ A primary component of the overhaul was conversion from a nationalized workforce to a private sector approach.³⁷ In Europe, an airport is a

32. *A Strategy for Aviation Security: Hearings Before the Subcomm. On Aviation of the House Comm. on Transp. & Infrastructure*, 107th Cong. (2001) (testimony of Jerry B. Epstein, Former President of the Board of Airport Commissioners for the City of Los Angeles) (noting that other countries have “special force[s] trained to carry out airport security,” unlike the United States).

33. *Cf.* Testimony of David Z. Plavin, *supra* note 29 (citing “the lack of professionalization and the consequent rapid turnover” of personnel as a key cause of poor performance).

34. *Aviation Security (Focusing on Training & Retention of Screeners): Hearing Before the Subcomm. on Aviation of the House Comm. on Transportation and Infrastructure*, 106th Cong. (2000) (statement of Gerald L. Dillingham, Associate Director, Transportation Issues, Resources, Community, and Economic Development Division) (“[S]tarting wages at airport fast-food restaurants [are sometimes] higher than the wages screeners receive. . . . [Some] screeners wages started as low as \$6.25 an hour, whereas the starting wage at one of the airport’s fast-food restaurants was \$7 an hour.”).

35. FAA STUDY AND REPORT TO CONGRESS, *supra* note 15, at 40 (quoting The Bombing of Pan AM Flight 103: A Critical Look at American Aviation Security: Hearings before the Subcomm. on Gov’t Activities & Transp. of the House Comm. on Gov’t Operations, 101st Cong. (1989) (statement of Neil Koch, former Principal Deputy Assistant Secretary of Defense for International Security Affairs)).

36. Alvarez, *supra* note 14 (discussing the 1980s overhaul of aviation security in Europe and Israel after government workforces failed to improve security).

37. Israel maintains a system of private contractors functioning under governmental oversight. The Netherlands government carries out its policies through a type of federal police force, which hires private contractors for aviation security. In France, airports hire private companies to provide security from a list of companies pre-approved by the government. In Britain, airports are able to either contract out security services or perform security functions themselves. London’s Heathrow and Gatwick airports have their own security forces. See Greg Schneider, *Looking Abroad for Answers on Airport Security*, WASH. POST, Oct. 9, 2001, at A6.

business. It is a privately-owned enterprise that seeks to increase profits, just as any other company would. It even pays taxes.³⁸ This corporate model contrasts with the American bureaucratic model. Airports in America are typically run by local or state governments. No entrepreneurial risks are taken. No profits are sought. The only direct goal is to satisfy the airlines and the FAA.³⁹ Other goals, particularly economic ones, are performed as a service to the community. The result is that American airports are missing two components readily found in their European counterparts: the incentives created by a desire to generate profits and individual accountability when things go wrong. It is the absence of these two factors, not the absence of federal personnel, that has caused American aviation security to suffer.⁴⁰ Security issues will be solved by whatever route creates the most motivation to succeed and the most accountability when things go wrong.

Imagine an airport run by an entrepreneur, rather than a nonprofit or governmental entity—the latter being the system usually employed in America. The owner of the airport would naturally seek to bring customers to his airport as often as possible. In many metropolitan areas, people can drive or fly out of another airport in the vicinity if they do not like the airport most conveniently located to them. Even in areas where there may not be a choice of airports, safety considerations may cause consumers to choose driving over flying for short-distance trips, or simply flying less frequently in the case of leisure or discretionary travel. What kind of reputation would an airport owner want to have in order to draw customers? Atmosphere, restaurants, comfortable waiting areas, easy access to gates would certainly be considerations. What if the airport developed a reputation as one at which security was lax? If that was not always a consideration, it most certainly will be now. How many people would choose driving over flying in that scenario? A successful entrepreneur would seek to maximize his profits by creating the safest airport for miles around. There is nothing overly imaginative about this business plan. Industries across the nation implement this strategy every day. Shopping malls provide good security or fail to attract customers and stores.⁴¹ Industrial plants post signs, boasting when they go for long periods without an accident or fatality. When profits are the motivational factor, safety is valued because

38. POOLE & BUTLER, *supra* note 24. The Reason Public Policy Institute study notes that even those European airports owned by a governmental entity are operated as government *corporations*. *Id.*

39. The contrast between the two models has caused some to call for a complete privatization of American airports around the country. *E.g., id.* (“[O]ne way to improve U.S. airport security is to shift from the nonprofit, bureaucratic, civil-servant model of airport management to the emerging global corporate model. An airport becomes a major business enterprise, run by world-class professionals who take on the full responsibilities of ownership, including a serious pro-active commitment to security.”).

40. The difference between the two models is easily seen by those companies dealing with airlines on both sides of the Atlantic. In Europe, screening companies work with vice presidents of operations or heads of corporate security. In America, by contrast, they deal with purchasing agents. In Europe, accountability is narrowly focused and those hiring the security companies expect results. In America, security contracts inevitably go to the lowest bidder. *See, e.g.,* Matthew L. Wald & Matt Richtel, *Passenger-Screening Companies Lobby for Expanded Role*, N.Y. TIMES, Oct. 11, 2001 (discussing the hopes of many screening companies that recent events present “an opportunity to fix what has been wrong for many, many years in the United States”).

41. Robert Poole and Viggo Butler suggest that implementation of security at a shopping mall is the perfect analogy. A secure shopping mall is the responsibility of the mall owner, just as a secure airport should be the result of an airport owner. The shopping mall owner interfaces with local law enforcement as needed; however, mall security is not run by law enforcement. Law enforcement merely supports him in his efforts to provide the safest possible environment. Cost of the security is built into the rents charged to tenants—the store owners—in the mall. *See* POOLE & BUTLER, *supra* note 24.

it invites customers.⁴² Federalizing aviation security takes the country in the wrong direction—away from this model of creative entrepreneurship and profit-seeking as a driving force. The problem is not profit. It is the failure of the system, as currently regulated, to tie profit to the level of security provided. We should be running toward privatization, not fleeing from it.

Airlines and airports have faced this public versus private choice at other times as well. In every instance in which a government has chosen to take advantage of private enterprise, safety has flourished. For instance, when airlines themselves were deregulated, Americans were told that safety would soon be traded for profits. The dire predictions turned out to not be true. Airlines discovered that the most important demand of consumers was safety. As airline travel became safer and safer over the years, it was discovered that “[r]ather than being at odds, markets and safety . . . [were] inseparable allies.”⁴³

Western Europe and Israel were the first to learn this important lesson in the 1970s and the 1980s. Unfortunately, it seems that the painful lessons learned overseas have been slow to take root in America. In the 1970s, a rash of major terrorist incidents occurred at airports or aboard aircraft in Western Europe and Israel.⁴⁴ These incidents occurred primarily under the watch of nationalized aviation security forces, as European transitions to privatized aviation security had not yet occurred.⁴⁵ In the early to mid-1980s, these incidents continued; however, in the late 1980s and the 1990s, the number of terrorist incidents at airports and aboard aircraft began to decline as airports across Western Europe and Israel began to transition from nationalized security to private security forces.⁴⁶ Interestingly, aviation security in countries that had privatized their forces often showed the greatest improvement in dealing with terrorism against their airports.⁴⁷ During the 1990s, as initial privatization efforts reached completion and

42. Safety serves another important function by protecting the airlines' investment in their most important equipment—their fleet of airplanes.

43. James Gattuso, *Fear of Federalizing*, WASH. TIMES, Oct. 7, 2001.

44. For a full listing of these incidents, see Appendix B.

45. See, e.g., Alvarez, *supra* note 14.

46. See, e.g., *id.*; see also Schneider, *supra* note 37. This decline sharply contrasted with the trends in aviation terrorism occurring at places other than aboard aircraft or in airports. For instance, there was no significant change in the number of bombings at airline offices off airport property. Other types of terrorism, such as shooting at aircraft while in the air or hijackings of chartered aircraft continued, showing no significant trend in any particular direction. First improving, then getting worse. See discussion *infra* Appendix A.

47. The United Kingdom is an excellent case in point for two reasons. First, of all countries that have switched to privatized security, the United Kingdom was one of the first. Airports in the United Kingdom were privatized in 1987. That is nearly fifteen years of historical results to analyze. Cf. UNITED STATES GENERAL ACCOUNTING OFFICE, AIRPORT PRIVATIZATION: ISSUES RELATED TO THE SALE OR LEASE OF U.S. COMMERCIAL AIRPORTS 30 (1996), available at <http://www.gao.gov> (observing that airports in the United Kingdom have been privatized long enough to produce “measurable results”). Second, the United Kingdom is also the most completely privatized of all countries in Western Europe. *Id.* at 29-30 (noting that “most of the efforts to privatize airports . . . [in 50 other countries] were in the preliminary stages” and that “[o]nly the United Kingdom has sold major airports to the private sector”). Other countries have privatized either incompletely or in stages. Some have privatized the security forces at the airports, but not the airports themselves. The privatization efforts of many countries are still incomplete. *Id.* at app.II (detailing the status of airport privatization efforts in other countries). It seems reasonable that the United Kingdom, having privatized faster and more completely than any other country, will produce the best gauge of what privatization efforts will accomplish in America. The results, to date, in the United Kingdom have been excellent. Since the airports and aviation security were privatized in 1987, there have only been three terrorist attacks occurring at an airport or aboard an aircraft in the United Kingdom. Two of these incidents occurred almost immediately after privatization, while the new system was presumably still in transition or in the early “learning” phase. The third incident occurred in 1992. See discussion *infra* Appendix B. In addition to these three incidents (one aircraft bombing and two airport bombings), there were a round of attacks at Heathrow Airport in London in March 1994. These attacks came in a new form: terrorists aimed rocket launchers at the airport from outside the airport perimeter. The private security forces at the airport quickly learned to

additional countries began their privatization efforts, the number of major aviation security incidents declined even more drastically.⁴⁸

Not only did the number of terrorist incidents at airports and aboard aircraft in Western Europe and Israel show a drastic decline, but the nature of the incidents changed dramatically. The 1970s hijackings resulted in the exploding of aircraft, long periods in which hostages were kept, and threats with military weapons, such as grenades, explosives and rockets.⁴⁹ By the 1990s, the terrorist incidents could generally be characterized as more bark than bite. For instance, claims by a hijacker that he had a remote controlled detonator turned out to be false. Instead, it seems that he was using a phone.⁵⁰ Guns brought aboard aircraft turned out to be toys.⁵¹ Another hijacker used a toy panda bear to hijack an airplane. He claimed (falsely) that explosives were hidden inside.⁵² Other attempted hijackings in the 1990s similarly failed or turned out to be empty threats.⁵³

The decline in the number and nature of aviation terrorist incidents in the 1980s and 1990s did not follow any comparable trends in the area of non-aviation terrorism.⁵⁴ For instance, the number of international terrorist attacks⁵⁵ in Europe and the Middle East vacillated during the early to mid-1990s, first improving then getting exponentially worse—then improving again.⁵⁶ The number of casualties resulting from international terrorist incidents tended to increase as terrorists obtained better technology to carry out their attacks.⁵⁷ The increase in the seriousness of the attacks differed from the

deal with this new threat, and the FAA reported no more incidents of this type throughout the remainder of the 1990s. See discussion *infra* Appendix B.

48. See discussion *infra* Appendix A.

49. See discussion *infra* Appendix B.

50. Such an incident occurred on September 3, 1995. See *infra* note 532 and accompanying text.

51. Such an incident occurred on September 14, 1998. See *infra* note 551 and accompanying text.

52. This incident occurred on February 24, 1998. See *infra* note 547 and accompanying text.

53. See *infra* Appendix B.

54. This paragraph and its accompanying footnotes are not intended to be a thorough discussion of non-aviation terrorism. Such a review would be complicated and beyond the scope of this paper. The only purpose of this brief section is to show that trends in non-aviation terrorism cannot be simply characterized as showing drastic and continuous improvement—as can aviation-related terrorism. In fact, the impossibility of succinctly summarizing any general trends in non-aviation terrorism perhaps makes the point in and of itself. Trends in aviation-related terrorism following 1985 were easy to find.

55. The Department of State defines "international terrorism" as "terrorism involving citizens or the territory of more than one country." UNITED STATES DEPARTMENT OF STATE, PATTERNS OF GLOBAL TERRORISM: 1999 (2000), available at <http://www.state.gov/www/global/terrorism/1999report/intro.html> [hereinafter GLOBAL TERRORISM: 1999]. Figures for domestic terrorism tend to be much higher than those for international terrorism. See, e.g., UNITED STATES DEPARTMENT OF STATE, PATTERNS OF GLOBAL TERRORISM: 1997, at App. C (1998) [hereinafter GLOBAL TERRORISM: 1997], available at <http://www.state.gov/www/global/terrorism/1997Report/intro.html> (discussing domestic terrorism as "a more widespread phenomenon than international terrorism). However, reports by the Department of State tend to focus on international terrorism since it has a more direct impact on U.S. interests, making these numbers easier to obtain. *Id.*

56. See, e.g., UNITED STATES DEPARTMENT OF STATE, PATTERNS OF GLOBAL TERRORISM: 1996 app. C (1997), at <http://www.state.gov/www/images/chart71.gif>. In 1991, Europe experienced 199 international terrorist incidents, followed by 113 incidents in 1992, 185 incidents in 1993, 88 incidents in 1994, 272 incidents in 1995 and 121 incidents in 1996. *Id.* In the Middle East, the numbers were: 78 (1991); 79 (1992); 100 (1993); 116 (1994); 45 (1995); 45 (1996).

57. E.g., *The Threat of International Organized Crime and Global Terrorism: Hearing Before the House Comm. on International Relations*, 105th Cong. (1997) (statement of Louis J. Freeh, Director, Federal Bureau of Investigation) (discussing the terrorist attacks possible due to our "amazing modern technology"); see also, e.g., GLOBAL TERRORISM: 1997, available at <http://www.state.gov/www/global/terrorism/1997Report/casualties.html>. In Europe, the number of casualties steadily increased from 1992 through 1997, starting at a low of 65 and increasing to

increasingly less threatening nature of the aviation-related terrorist incidents in the late 1980s and 1990s.⁵⁸ Similarly, the rapid decline in aviation terrorism during the late 1980s was not matched by any noticeable decline in the number of international terrorist incidents generally. There were 635 international incidents in 1985, followed by 612 in 1986, 666 in 1987 and 605 in 1988.⁵⁹ The first noticeable drop in international terrorism was felt in 1989 (375 incidents); however, this drop was followed by a sharp increase in 1990 (437 incidents) and 1991 (565 incidents).⁶⁰ In other words, while aviation terrorism at airports and aboard aircraft in Western Europe and Israel sharply declined and remained low beginning in the late 1980s, terrorism elsewhere remained a problem.⁶¹ Although security in some years seemed more successful than others, any improvement shown was neither as sharp nor as consistent.⁶²

As airports in Western Europe and Israel have learned, benefits of privatization that work well in corporations work equally well in improving aviation security. Free markets provide entrepreneurs with the motivation to find the best solution to security problems. Additionally, a system of individual accountability creates incentives by ensuring that those responsible bear the repercussions for their actions.⁶³ America's aviation system will not be safe unless and until it allows individuals to profit when they achieve good security and demands individual accountability when security fails. Creation of another federal agency will not accomplish either of these goals. Agencies have a tendency to insulate the individuals within them from the ramifications—and even the benefits—of their actions.

In considering a solution to aviation security concerns, Congress should consider how to encourage accountability as much as possible. At the macro level, the first step toward achieving this goal is to avoid spreading responsibility across a federal agency. Given proper incentives, private screening companies and CEOs of airlines or airports will respond with greater alacrity to security concerns than will a federal agency. If they fail to do so, they will immediately feel the impact in their personal lives or businesses, particularly if the FAA does its job and holds airport operators accountable by imposing penalties for violations. As the next section will discuss, however, it is not enough to address accountability at the macro, or business, level. Individual screeners must be held accountable to perform competently as well. It is rarely possible to hold government workers to this type of standard.

503 by 1997. In the Middle East, the numbers fluctuated more: 1992 (374 casualties); 1993 (178 casualties); 1994 (256 casualties); 1995 (445 casualties); 1996 (1,097 casualties); 1997 (480 casualties). *Id.*

58. See discussion *supra* notes 49-53.

59. GLOBAL TERRORISM: 1997, available at <http://www.state.gov/www/global/terrorism/1997Report/incidents.html> (showing statistics for international terrorist incidents, 1978-1997).

60. *Id.*

61. *E.g.*, GLOBAL TERRORISM: 1997, available at <http://www.state.gov/www/global/terrorism/1997Report/intro.html> (calling international terrorism “a serious, ongoing threat around the world”).

62. In the 1990s, the results were similar. Although some years were markedly improved, others showed a rapid increase in the number of attacks: 1992 (363 incidents); 1993 (431 incidents); 1994 (322 incidents); 1995 (440 incidents); 1996 (296 incidents); 1997 (304 incidents); 1998 (273 incidents); 1999 (392 incidents). *Id.*; UNITED STATES DEPARTMENT OF STATE, PATTERNS OF GLOBAL TERRORISM: 1998 (1999) (discussing the total number of international attacks in 1998, by region); GLOBAL TERRORISM: 1999 (discussing the total number of international attacks in 1999, by region).

63. *E.g.*, 147 CONG. REC. S10,545 (daily ed. 2001 Oct. 11, 2001) (statement of Sen. DeWine) (“The fact is, unless there is accountability, unless there is a way to ensure the security personnel are doing their jobs, we cannot protect the traveling public. If private sector personnel are not doing the job, we will and can cancel their contract. It is that simple. They have a very real and very practical incentive to do a good job. . . . Israel, with one of the best security records and one of the most dangerous terrorist-ridden parts of the world, does not [federalize airport security]. . . . Most nations in Europe had total federalization, and now they have changed to a mixed system.”).

3. Problems with Federal Workers

The recent rush to improve security has exposed contradictions in the mindset of Americans. Many of these Americans have complained—for years—about long lines in government agency buildings, long turn-around times to get (for instance) a passport, and lost mail. Suddenly, these same people are favoring the creation of yet another government agency, apparently believing that it will be more efficient than the other agencies that they already complain about.

It is ironic that the same Americans who routinely choose Federal Express or UPS over the United States Postal Service, suddenly seem convinced that federalized (potentially unionized) workers will be easier to motivate than private workers who may be able to earn their way up a corporate ladder if the industry is professionalized, as it has been in other countries.⁶⁴ In a private company, salaries, benefits and other incentives can be tailored to fit the local economy and local needs, as well as individual qualifications brought by a particular employee. In contrast, federal employees are typically paid lockstep salaries; little flexibility is available to their supervisors to either reward or punish variations in performance. The appropriate role of the federal government is not to micro-manage by employing workers itself; instead, safety will be achieved when the role of government, at the most, is to fulfill its mandate to set proper standards for safety and strictly enforce violations. The private market should be in charge of managing workers and determining how best to meet the standards dictated by the federal government. The market will pay what is necessary to obtain properly qualified individuals, just as it has in other industries.

It is concerns such as these about publicly employed workers that have caused countries such as Israel to move away from nationalized workforces toward privatized ones.⁶⁵ Israel is generally considered to have one of the best aviation security systems in the world.⁶⁶ Experts on Israel security systems agree that the most important factor in a successful security system is the ability to let screeners go if they become lax in fulfilling their duties.⁶⁷ Civil service employees are difficult to fire. The more difficult they are to fire, the more security suffers. In Belgium, similar conclusions have been reached. While it is easy to fire a private company that is performing poorly, it is difficult to fire a civil servant. Accordingly, Belgium officials have determined that the *only* way to have full control over the quality of security is to hire privately employed personnel.⁶⁸

Americans are often used to taking the lead among those in the international community. In this instance, however, it appears that we are lagging behind our European and Israeli allies. The nationalized system that they tried and discarded in the 1980s is being resurrected here, to our detriment.

C. Claimed Benefits of Federalization

Proponents of federalizing aviation security claim that such a move is necessary to restore the public confidence in flying again. They claim that aviation security is a matter of national security and that employment of federal workers will raise standards

64. Flint, *supra* note 26.

65. Helen Dewar & Ellen Nakashima, *Senate Split Delays Airport Security Bill*, WASH. POST, Oct. 4, 2001, at A22 (discussing the trend overseas toward privatized models).

66. Helen Dewar & Ellen Nakashima, *Rifts Over Airport Bill Widen*, WASH. POST, Oct. 5, 2001, at A21 (noting that Israel is “widely considered to have the most comprehensive airline security system in the world”).

67. *Id.*

68. Schneider, *supra* note 37, at A6. Turnover among Belgium aviation security guards is only 15%, compared to 50% continent-wide in Europe and a staggering 150-400% in the United States.

among the aviation security workers. Senator John D. Rockefeller of West Virginia vehemently stated recently that “[I]t’s the job of the U.S. government to keep America safe. We can no longer afford to leave any aspect of our aviation security to the lowest bidder among private companies. We need a federal work force with federal training and testing, federal accountability and oversight at every airport in the country—large and small.”⁶⁹ The evidence suggests differently, and comments such as these may simply suggest a more general preference for command and control solutions.

1. “More Professional” Workforce

Supporters of the Senate bill federalizing aviation security claim that federalization would create a more professional, better trained, better paid and better supervised workforce.⁷⁰ However, few know exactly what the ramifications of federalization might be. They simply take comfort in the fact that something bigger than themselves—the American government—is taking charge. As one editorial writer hypothesized, perhaps “supporters [of federalization] picture teams of crack FBI agents at X-ray monitors” and take comfort.⁷¹ If James Bond or Fox Mulder could monitor every aviation security checkpoint, perhaps comfort could be found in aviation security run by a federal bureaucracy.⁷² Unfortunately, such scenarios exist only in movies. Real life will not work that way. To begin with, many of the screeners are likely to be many of the same individuals as before. The only difference will be from whence they get a paycheck. The change will be cosmetic, not substantive. Secondly, government agencies are notoriously inefficient, so it does not make sense to believe that government employers will whip security personnel into shape better than private industry. The new agency is more likely to parallel the quality of the Border Patrol than teams of “crack FBI agents.” Our borders often leak like a sieve.⁷³ Why would airports be any different? Federalization does not equal more safety. Better—safer—solutions will be found through use of the private workforce.

Those who claim that the government is best equipped to oversee the transition from minimum-wage to professionally trained security workers have several obstacles to overcome in explaining their position. First, as discussed above, they must show that agencies would have more motivation to overcome their own past failures than would private companies, who stand to make more profits the faster they improve. Both private and governmental agencies have failed in the past. The question is, who will improve faster now that there is a felt need? The European experience in aviation security suggests that the private workforce will rebound more quickly. If nothing else, the private sector, which can change internal policies and rules at a moment’s notice, has a

69. Wald & Richtel, *supra* note 40.

70. For instance, flight attendants are increasingly promoting federalization of aviation security personnel. They argue that security personnel should be “professional,” just as pilots, mechanics and flight attendants must be professionally trained. They believe that federalization is the way to accomplish this goal. See Carrie Johnson, *Flight Attendants Increasingly Demanding Greater Safeguards*, WASH. POST, Oct. 5, 2001, at A21.

71. Gattuso, *supra* note 43.

72. Other federal employees often glamorized in the movies are U.S. Marshals. Ironically, the U.S. Marshals contracts out a portion of the security that it provides. See 147 CONG. REC. S10,545 (daily ed. 2001 Oct. 11, 2001) (statement of Sen. DeWine) (describing the U.S. Marshals, which are “able to do this great job largely because it sets high standards and then contracts out many of the functions of its security in the protection of our courtrooms and courthouses”).

73. *E.g.*, 145 CONG. REC. S4441-42 (1999) (arguing for passage of the Border Patrol Recruitment and Retention Act of 1999, discussing problems with recruitment and retention of Border Patrol agents, and discussing problems controlling drug trade across the border).

significant advantage over federal agencies which must jump over many administrative hurdles before a change in rules can even be contemplated.

While the FAA has consistently detected failures in aviation security, it has not consistently worked to enforce its own regulations and standards. In 1978, the FAA reported that screeners failed to detect 13% of illicit objects.⁷⁴ In 1988, the number jumped to 20%. In 1997, the FAA quit releasing these figures altogether, stating that they were “sensitive security information.”⁷⁵ One presumes that the numbers steadily declined, or releasing them would not have had a negative impact. As recently as May 2000, the United States General Accounting Office reported that undercover investigators were “100 percent successful” in penetrating secure areas without challenge.⁷⁶ During this time, FAA inspectors expressed frustration that their recommendations for fines and suspensions were routinely reduced or dropped altogether. Many FAA inspectors, frustrated when their paperwork led nowhere, began failing to report violations altogether.⁷⁷

The FAA has failed to fulfill mandates to improve the performance of airport screeners, even in the face of these security failures. In the wake of the Pan Am 103 bombing and the loss of TWA Flight 800, Congress passed the Federal Aviation Reauthorization Act of 1996.⁷⁸ The Act mandated that new regulations be implemented to improve performance. Those regulations never were implemented and now are on hold in light of recent events.⁷⁹

Governmental oversight is probably a realistic route for aviation security to follow in light of the current political climate. It is not an altogether bad route, as European aviation security systems show us. However, in light of the FAA’s failures in the past, one has to wonder if privatization *even* of the oversight function would not be such a bad idea.

2. National Security & Jurisdictional Issues

The fight to defeat terrorism in airports has repeatedly been called a matter of national security in recent weeks.⁸⁰ The war on terrorism is a national war; however, it does not necessarily follow that the fight to improve aviation security is necessarily a matter for the federal government. Not all aviation security is carried out as just one battle in the war against terrorism. In fact, the FAA’s recommendation in 1998 explicitly recommended that aviation security should be left as a private matter, partly because most crimes combated by aviation security workers are committed, not by terrorists, but by fugitives, the mentally deranged or refugees.⁸¹ Despite recent events, this analysis still holds true. (Of the several airport scares since September 11, most of the culprits seem to fall in the latter category, not the former.)⁸² While some aspects of aviation

74. Alexandra Marks, *Security Now Top Airport Priority*, CHRISTIAN SCI. MONITOR, Sept. 13, 2001.

75. *Id.*

76. *Id.* The GAO also reported that turnover was as high as 400% a year and that aviation security workers’ wages averaged less than the fast food workers at the airports. *Id.*

77. Fred Bayles, *FAA Ignores Violations, Report Says*, USA TODAY, Mar. 31, 1998.

78. Public Law 104-264, 110 Stat. 3250 (1996).

79. *Pie in the Sky Security?*, *supra* note 27 (opining that the five-year lag suggests “bureaucratic paralysis”).

80. *E.g.* Testimony of Larry C. Johnson, *supra* note 25 (“We can no longer ignore the fact that aviation security is a national security issue.”).

81. FAA STUDY AND REPORT TO CONGRESS, *supra* note 15, at 19.

82. *E.g.*, *Californian is Charged in Rushing of Cockpit*, WASH. POST, Oct. 10, 2001, at A11 (reporting on the “mentally ill” man who rushed the cockpit of a Chicago-bound American Airlines plane in early October 2001); Don Phillips, *Military Escorts Now Standard for Troubled Airliners*, Wash. Post, Oct. 14, 2001, at A6 (detailing several

security doubtless impact national security, the air carriers have a much broader interest in security than simply the prevention of terrorism. Criminal acts and fraud are as much a target of aviation security efforts as prevention of another day like September 11.⁸³

Federalization of the aviation security workforce—simply because one of the many crimes they fight has an impact on national security—creates a dangerous precedent. If a terrorist incident in an airport leads to a national aviation police force of sorts, would a car bomb planted by terrorists in front of the Sears Tower spark calls for a National Police Force? After all, one of the crimes that policemen potentially fight could be terrorist related. We are on the verge of a very slippery slope, indeed. The United States Constitution reserves the police power to the states.⁸⁴ The Constitution is not put on hold during times of war. It governs then as well, as it should. The federal government has no cause to be involved in the monitoring of day-to-day crime at airports, any more than they would monitor crimes in cities, counties and states.⁸⁵

3. Cutting Corners on Security.

Some have maintained that the federalization of aviation security is necessary because the airports and airlines that currently contract with security screening companies have elevated cost concerns over safety and security.⁸⁶ Security contracts tend to go to the lowest bidder, with insufficient regard to skill, and some fear that this state of affairs will continue if the screening workforce remains privatized. It is important to recognize that this past performance does not mean that there has been a market failure and that federalizing aviation security is the only responsible solution. We have only begun to see a heightened market demand for security.⁸⁷ A real free market approach would provide appropriate incentives and accountability, which there have not been to date. Despite the fact that pure free market principles will work if implemented, the less ambitious might prefer other proposals that would take free market principles into account without giving the private market free reign. For instance:

(1) *A certification model.* The FAA pre-approves (certificates) security companies, and places them on a list. Airports and airlines may only choose a listed company that is certificated. This is the method employed by French authorities.⁸⁸

incidents during September 2001 and early October 2001, such as a man caught smoking in a lavatory aboard a flight and another passenger passing a threatening note to a flight attendant).

83. FAA STUDY AND REPORT TO CONGRESS, *supra* note 15, at 19.

84. U.S. CONST. amend. X (“The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.”).

85. FAA STUDY AND REPORT TO CONGRESS, *supra* note 15, at 19.

86. *E.g.*, 147 Cong. Rec. S10,259 (daily ed. Oct. 4, 2001) (statement of Sen. Kerry) (“I do not think anybody in this body would suggest we ought to be contracting out the responsibilities of the Border Patrol, or contracting out the responsibilities of the Immigration and Naturalization Service, or contracting out the security of the Capitol, the security of the White House, or the security of a number of other efforts. But they are prepared to contract out to the lowest bidder, with unskilled workers, the security of Americans flying, notwithstanding everything we have learned. That is just unacceptable. It is unacceptable.”).

87. The demand for security to date has been for *mechanical* safety. The market has satisfied that demand, and satisfied it well.

88. Schneider, *supra* note 37, at A6. In France, airports hire security contractors from a list of companies approved by the Interior Ministry. *Id.*

(2) A “*physical presence*” model. The FAA directly supervises the employees of the security screening company. This could be accomplished by having a federal airport manager along with other federal personnel who shadow or oversee security personnel at the airport. This is similar to the approach Israel takes at its airports.⁸⁹

(3) A *contracting model*. In much the same way the government produces the components for national defense and secures other important goods and services, the FAA could directly contract with security companies, eliminating the airport or airlines as the contractor. This is akin to the system one sees in the Netherlands.⁹⁰

One cautionary note is in order, however—with any system of government intervention, there is often a predisposition to institute a one-size-fits-all approach. That may not be a serious problem in countries with far fewer airports. In the United States, however, it may be necessary to take account of the value of local knowledge regarding the unique circumstances of or characteristics at a particular airport. Such flexibility should be incorporated into whatever regulatory oversight that might be imposed.

III. CONCLUSION

The debate over federalization of aviation security has been painted as a choice between safety (i.e. federal workers) and “the luxury” of private enterprise, which a nation at war cannot afford. Nothing could be further from the truth. The experiences of Europe and Israel have shown us—if we care to listen—that privatization is not just a luxury. It is actually *safer*.

A takeover of the aviation security industry by the federal government during this time of war will make people feel temporarily safer. The feeling of safety, however, will be an illusion. Such a new aviation security system will not encourage the most important ingredient of any successful enterprise: individual responsibility, accountability, and rewards. Federalization is not a cure. It will not bring safety to our skies. What it will bring is a false sense of security that may leave us even worse off than we were before.

89. *Id.* In Israel, contractors are overseen by the government.

90. *Id.* Airport security is the job of the Ministry of Justice in the Netherlands. The Ministry of Justice carries out its policies through a federal police force (the Royal Marechaussee), which hired private contractors to actually perform many security-related tasks. *Id.*

APPENDIX A

IMPACT OF PRIVATIZATION ON AVIATION TERRORISM INCIDENTS IN WESTERN EUROPE AND ISRAEL (1970-1999)

Appendix B includes a chronological listing of aviation incidents from 1970 to 1999. The analysis in this Appendix A is based upon the listing in Appendix B. As discussed in Appendix B, this paper is not an attempt to conduct an independent study into aviation terrorism incidents. Such an undertaking could not be completed before Congress considers its response to the attacks of September 11. Instead, this paper simply identifies general trends in aviation terrorism that should be further studied. It does not claim to replace the in-depth study that should be undertaken in the future.

In analyzing terrorism statistics, perhaps the most notable characteristic of these numbers are their general inconsistency. The nature, type and number of terrorist attacks vary based on many factors. For instance, a policy decision made by one country may spur a round of attacks. Similarly, one attack may spur a copycat attack or attacks. While the effectiveness of security will certainly affect the number or nature of attacks, attacks may decline for reasons other than what type of security is or is not in place. For this reason, it is dangerous to draw conclusions too quickly from terrorism statistics. Trends in these statistics are only meaningful if they either (a) are consistent over time; or (b) run against contrary, but simultaneous, trends. There are a few such trends in the area of aviation security that indicate that privatization, *not* federalization, will result in safer airports and aircraft.

As discussed above, a rash of terrorist incidents occurred aboard aircraft and in airports in Western Europe and Israel during the 1970s and early 1980s. These countries initially responded to terrorist attacks with nationalized security forces. When the number and nature of terrorist incidents against aviation interests failed to subside, many of these countries responded by transitioning from nationalized security forces to private security forces.⁹¹ The move to privatize security, in many instances, was coupled with a move to also privatize the airports themselves.⁹² Early privatization efforts began in the late 1980s.⁹³ The success of these initial privatization efforts in combating aviation terrorism led additional countries to undertake their own privatization efforts in the 1990s. Many countries continue to transition to privatized security and privatized airports today.

As a general matter, the total number of terrorism incidents occurring in Western Europe and Israel against all aviation interests (not just aboard aircraft or in airports) has fluctuated over time. While there have been periods in which the number of terrorist attacks has dipped remarkably low, these periods have often been immediately followed by periods in which the number of attacks escalated sharply. For instance, the FAA reported that, as recently as 1991, forty-three “criminal acts against civil aviation”

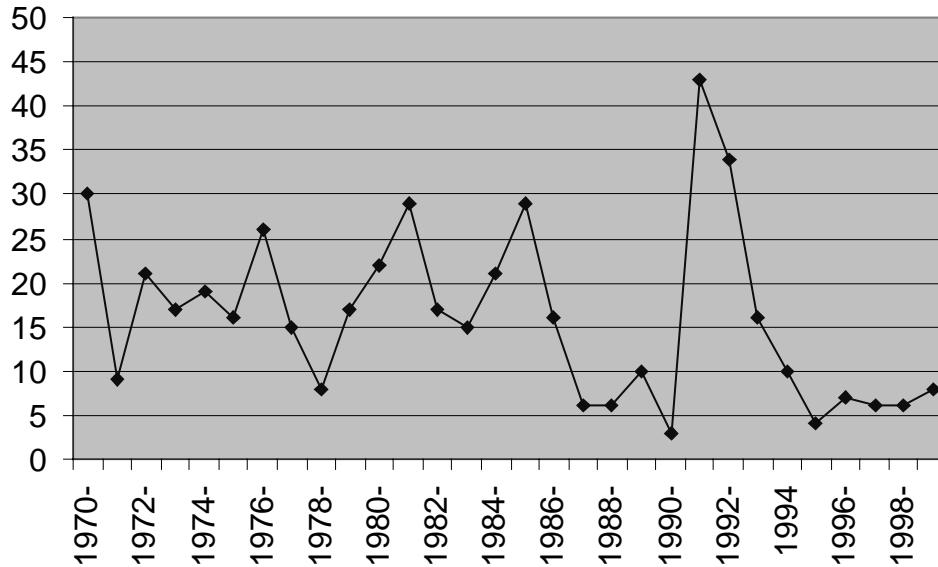
91. See discussion *supra* notes 36-38 and accompanying text.

92. Naturally, there are other motivating factors as well, such as a desire to increase profits or efficiency. *Cf.* UNITED STATES GENERAL ACCOUNTING OFFICE, AIRPORT PRIVATIZATION: ISSUES RELATED TO THE SALE OR LEASE OF U.S. COMMERCIAL AIRPORTS 30 (1996), available at <http://www.gao.gov> (discussing recent trends toward airport privatization).

93. For instance, England privatized in 1987. See *Status of Airport Privatization Efforts: Hearing Before the Subcomm. on Aviation of the House Comm. on Transp. & Infrastructure*, 106th Cong. 15 (1999). The airports were sold in fee simple, and the owners handle all functions, including security. *Id.* at 35, 45.

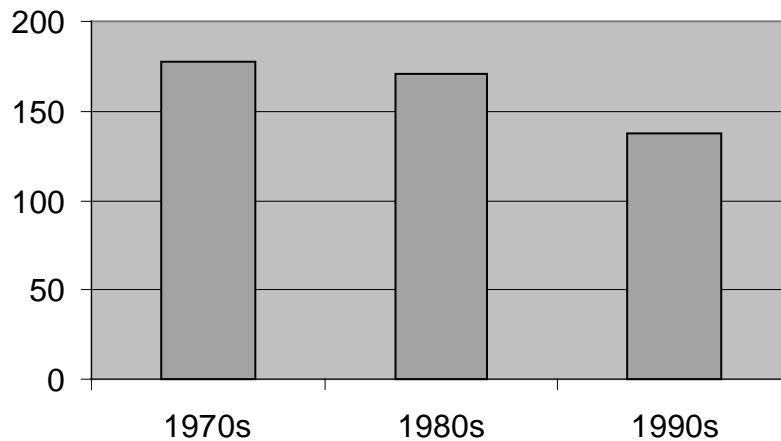
occurred in Western Europe.⁹⁴ The unusually high number of attacks in 1991 came immediately after an unusually *low* number of attacks against aviation interests in Western Europe in 1990. Only three “criminal acts against civil aviation” were reported by the FAA in 1990.⁹⁵

Total Number of Aviation Incidents by Year



Similarly, the number of terrorist acts against aviation has decreased slightly during each decade since the 1970s, but this decrease has not been significant.

Total Number of Aviation Incidents by Decade



Without digging deeper into the numbers, privatization does not appear to have had a significant impact.

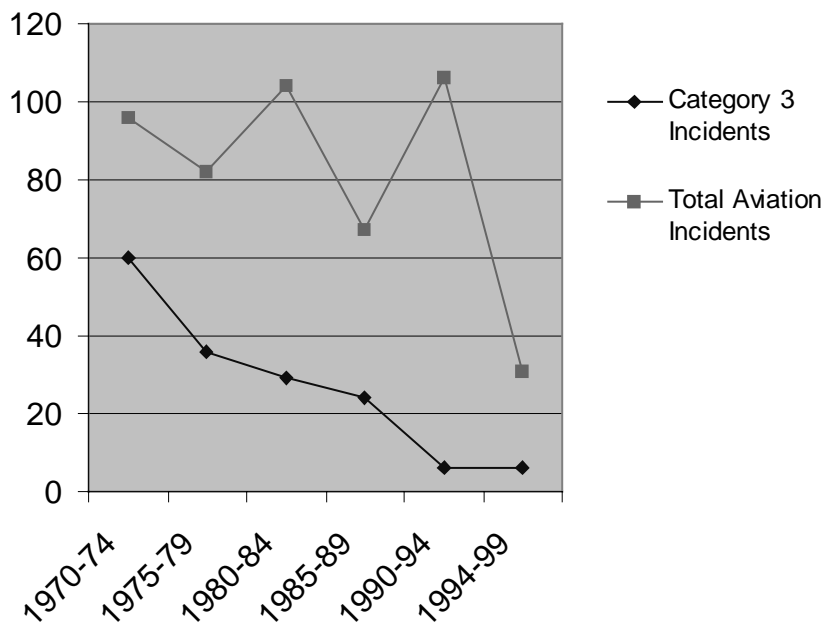
94. OFFICE OF CIVIL AVIATION SECURITY, U.S. DEP'T OF TRANSP., CRIMINAL ACTS AGAINST CIVIL AVIATION: 1991, at 5 (1992).

95. OFFICE OF CIVIL AVIATION SECURITY, U.S. DEP'T OF TRANSP., CRIMINAL ACTS AGAINST CIVIL AVIATION: 1990, at app.D (1991).

When organizations such as the FAA report on the total number of terrorist attacks against aviation, many different types of attacks are typically included. For instance, shootings at aircraft en route, attacks against airline offices not on airport property, or even attacks against chartered private helicopters may be included in these numbers. In determining whether private or federal employees are best equipped to handle security at our nation's commercial airports, however, many of these incidents simply cloud the picture. Security aboard chartered aircraft is a different matter than at a commercial airport. Preventing shootings at aircraft from the ground is an altogether different task than x-raying a passenger's bag for a gun. The impact privatization has had on aviation security is best seen when terrorism against aviation is categorized and only those incidents directly dealing with the private security forces at airports (hereinafter "Category 3 Incidents") are assessed. Appendix B further discusses the manner in which these aviation incidents have been categorized for purposes of the following graphs.

The number of terrorism incidents against aviation fluctuates wildly with time, as was shown above. When only Category 3 incidents are considered, however, a significant and discernible trend suddenly emerges. Two significant drops in the number of these incidents can be seen, as pictured in the graph below.

Category 3 Aviation Incidents



The first drop, in the early 1970s, equates roughly with the timeframe in which x-ray machines were introduced into airports.⁹⁶ The second drop, seen in the late 1980s

96. For instance, the United States Congress passed legislation on December 5, 1972 that required the use of electronic screening equipment at airports. The legislation went into effect a month later, on January 5, 1973. EDWARD F. MICKOLUS, *TRANSNATIONAL TERRORISM: A CHRONOLOGY OF EVENTS, 1968-1979*, at 369 (1980). Those other countries not already implementing such technology soon followed suit.

and 1990s, equates with the introduction of privatized security forces into many airports across Western Europe and Israel. The trend downward appears to be continuing as more security forces are privatized.

This trend downward in the number of aviation incidents at airports and aboard aircraft is only a portion of the picture. As the chronological listing of incidents in Appendix B will show, not just the number, but also the nature of terrorism incidents changed drastically and along similar timeframes. While the 1970s and early 1980s were characterized by incidents in which terrorists boarded planes and attacked airports with submachine guns and grenades, the 1990s were characterized by incidents in which terrorists had panda bears, toy guns and pocketknives.

APPENDIX B

CHRONOLOGICAL LISTING OF AVIATION INCIDENTS IN WESTERN EUROPE AND ISRAEL (1970-1999)⁹⁷

This appendix includes a chronological listing of aviation terrorism incidents occurring from 1970-1999. It is not an attempt to perform an independent study of aviation terrorism statistics. Instead, a listing of incidents has been pulled from two sources, each of which purports to list all (or most) major terrorism incidents related to the field of aviation.⁹⁸ Due to the international nature of terrorism and the difficulty in obtaining information from some countries or from past decades, this appendix will, as the works that have preceded it, be as comprehensive as possible, but cannot claim to be without error.

Several pieces of information are listed for each incident. The date, description and country of each incident are included. Each incident is also categorized into one of eight categories. These categories were created by this author for purposes of this paper only. The categories themselves did not appear in the original sources. The categories and the rationale for each category are as follows:

Category 1: Incidents occurring “off-airport.” In other words, although the attack was against an aviation interest, the security forces at an airport would have no responsibility for this incident. The most common type of incident to fall into this category is the bombing of an airline office.

Category 2: Incidents occurring at the airport perimeter. For instance, a rocket launcher fired at airport grounds from a car 500 feet away would fall into this category. Airport security forces may have some control over these types of incidents, but their control over adjoining property may also be somewhat limited. The latter consideration was given the most emphasis in determining whether an incident fell into this category.

Category 3: Incidents occurring aboard an aircraft, in an airport parking lot, in an airport terminal, or on the runway near the terminal. These are the primary incidents that aviation security forces must protect against. Incidents falling into this category include hijackings, bombings or gun battles at airports. Hoax devices, if they should have been caught and questioned (*e.g.*, a fake gun), will be included in this category.

Category 4: Incidents occurring aboard an aircraft, in an airport or on the runway near the terminal. The difference between these incidents and those in Category 3 is that the device used to carry out the attack was either permitted by government regulation to be carried on board aircraft or was later determined to be fake. The device is of the sort that would have no cause to be questioned by security. Incidents falling into this category, include, for instance, successfully hijacking an aircraft with a television remote control by claiming that it is a remote control device that will detonate

97. Countries included in this listing are: Albania, Austria, Cyprus, Czech Republic, Belgium, Bulgaria, Corsica, Denmark, Finland, France, Corsica, Germany, Greece, Hungary, Italy, Malta, Netherlands, Norway, Portugal, Spain, Sweden, Switzerland, Turkey, United Kingdom, Yugoslavia, Israel (and any predecessor governments).

98. See MICKOLUS, *supra* note 96, at xxxviii (characterizing the purpose of the book’s chronology as an “attempt[] to centralize all unclassified reporting on transnational terrorism”). The FAA reports have been published since 1986. See also OFFICE OF CIVIL AVIATION SECURITY, U.S. DEP’T OF TRANSP., CRIMINAL ACTS AGAINST CIVIL AVIATION: 2000, at 1 (2001) (noting that, in the FAA reports “every effort has been made to provide complete and accurate information,” but noting the unavailability of some information when incidents occur outside the United States). Many of these incidents are confirmed at a website that claims to list approximately 1,000 hijackings and attempted hijackings since 1947. See *Hijackings*, The Aviation Safety Network, at <http://aviation-safety.net/database/hijackings> (last visited November 12, 2001).

a bomb. Terrorism incidents of this nature did not necessarily result from a failure of the aviation security forces, but instead from the abundance of caution and the passive response that was once encouraged in the face of a terrorist threat. Although this mentality is no longer the safest route, it once was.

Category 5: Incidents occurring aboard chartered or private flights. The security questions at issue in these cases are different than those occurring in the context of commercial aircraft.

Category 6: Shootings at aircraft while en route. Aviation security forces at airports cannot prevent these incidents.

Category 7: Incidents in which aviation security operated successfully, and a terrorist attempt was foiled.

Category 8: Incidents that should fall either into category 3 or 4, but information on the weapon used is unavailable. It is acknowledged that if too many incidents had been classified as Category 8, the results in Appendix A could easily be skewed in one direction or another. Due to the difficulty in obtaining information on incidents in the 1970s and early 1980s, however, almost all incidents qualifying as Category 8 occurred before 1985. If anything, inclusion of Category 8 in this analysis probably caused fewer Category 3 events to be attributed to nationalized security forces than otherwise would have been.

In addition, several ground rules have been followed in completing the chronological listing of aviation terrorism incidents that follow:

(1) Hijackings are determined to “occur,” for purposes of this paper, either (a) in the country from which the aircraft departed; or (b) in those instances in which a hijacker boarded during a layover, the country in which the hijacker, or his illegal devices, boarded the flight. Destination countries are not listed as the location of the aviation terrorist incident unless security somehow also failed in that country. (For instance, if luggage in transit was not checked when it should have been.)

(2) In each case, an attempt has been made to determine where the security failure occurred. This location may sometimes be a different location than the scene of the attack itself. If security failures occurred in multiple countries, the most recent security failure leading to the incident is listed as the location of the terrorist incident.

(3) In assessing what events are or are not “significant,” an attempt has been made to follow the lead of those compiling the FAA reports. Bomb threats are not included unless a suspicious device accompanied the threat. Also not included are incidents in which people were arrested based on intelligence reports or other police work, apparently before breaching security at an airport.

(4) An attempt is deemed “foiled” when security worked as intended. If the first or second line of defense failed, but a third or fourth line of defense worked, the incident is not listed as “foiled.” For example, if a hijacker is thwarted by a security officer aboard an aircraft, this does not change the fact that the passenger screeners should have prevented him from boarding with his weapon in the first place. If in doubt about when the attempt was foiled from the description, the assumption is that it was foiled at the first line of defense.

It is acknowledged that, due to the lack of information available regarding some incidents, a judgment call may be necessary in some instances in order to determine into which category an incident falls. An attempt has been made to give nationalized security forces the benefit of the doubt whenever and however possible in compiling this list.

	<u>Category</u>	<u>Country</u>	<u>Date</u>	<u>Description of Incident</u>
1970				
1.	3	Spain	January 7, 1970	An attempt was made by a teenager to hijack a plane en route from Madrid to Zaragoza with a toy gun. The pilot persuaded him to surrender. ⁹⁹
2.	3	France	January 9, 1970	A TWA flight en route from Paris to Rome was hijacked by a man with a pistol. He was eventually arrested, but then released on \$8 bail. ¹⁰⁰
3.	3	West Germany	February 10, 1970	Hijackers were thwarted in their attempt to hijack an EI Al plane departing from Munich. The plane's pilot discovered the attempt while in the lounge and grappled with one terrorist while the other two threw grenades at a shuttle bus and the transit lounge. There was a gun battle with police before they were finally arrested. ¹⁰¹
4.	3	West Germany	February 17, 1970	Three men were arrested in the Munich airport, based on a pilot's suspicions. They had several pistols in their luggage and apparently intended to hijack an EI Al plane. ¹⁰²
5.	3	Switzerland	February 21, 1970	A bomb exploded in a Swissair aircraft's rear luggage compartment approximately fifteen minutes after departure from Zurich. The plane crashed and killed everyone on board. The bomb had been set to detonate upon reaching a specified altitude. ¹⁰³
6.	3	West Germany	February 21, 1970	A bomb exploded in the cargo hold of an Austrian Airlines flight after its departure from Frankfurt. It was set to detonate upon reaching an altitude of 14,000 feet. The bomb was placed in a mailbag, which had been packed tightly between layers of newspaper. The newspaper absorbed most of the shock and the plane landed safely. ¹⁰⁴
7.	3	Italy	March 1, 1970	A bomb was discovered in the luggage aboard an Ethiopian Airlines aircraft in Rome. The bomb was thrown into a field and caused no injuries. ¹⁰⁵
8.	3	East Germany	March 10, 1970	A married couple attempted to hijack a plane departing from East Berlin. They carried pistols and attempted to enter the cockpit, but the doors were locked. The pilot turned back to the airfield, and the couple committed suicide with their pistols. No one else was injured. ¹⁰⁶

99. See MICKOLUS, *supra* note 96, at 155. A toy gun should be questioned at a security checkpoint. This incident and others involving toy guns have been categorized as Category 3.

100. *Id.* at 155-56.

101. *Id.* at 157-58. This event and the next have been classified in Category 3. Security forces, not a pilot awaiting his plane, should have identified the suspicious behavior of these terrorists.

102. *Id.* at 159.

103. *Id.* at 159-60.

104. *Id.* at 160.

105. *Id.* at 161.

106. *Id.* at 162.

9	3	Greece	March 14, 1970	A United Arab Airlines aircraft en route from Athens to Cairo via Alexandria was rocked by an exploding bomb approximately four minutes after departing from Alexandria. There was extensive damage to the undercarriage of the plane and two passengers were injured. ¹⁰⁷
10.	8	Czechoslovakia	April 16, 1970	A group of men tried to hijack a domestic flight departing from Prague. They were overpowered by the crew. ¹⁰⁸
11.	1	Turkey	April 25, 1970	Dynamite exploded in front of the Istanbul ticket office of El Al. There was property damage, but no injuries. ¹⁰⁹
12.	5	Czechoslovakia	May 5, 1970	A private executive plane departing from Pribram, Czechoslovakia, was hijacked by a man with a penknife. He intended to divert the plane and seek political asylum in West Germany. ¹¹⁰
13.	1	West Germany	May 8, 1970	A Molotov cocktail was thrown at the offices of Pan American Airlines in Munich. The attack was one of many demonstrations occurring throughout the city. ¹¹¹
14.	3	Switzerland	May 10, 1970	An anonymous phone tip was received and one suitcase too many was discovered aboard an aircraft in Geneva, causing officials to remove passengers from the plane and begin a luggage search. A bomb detonated in the baggage compartment after the passengers had disembarked. ¹¹²
15.	3	Netherlands	May 10, 1970	A firebomb intended for an Iberia Airlines plane exploded in the Amsterdam airport. ¹¹³
16.	3	West Germany	May 10, 1970	A firebomb intended for an Iberia Airlines plane exploded in the Frankfurt airport. ¹¹⁴
17.	3	United Kingdom	May 10, 1970	A telephone call to Heathrow Airport in London warned security agents to check baggage aboard an Iberia Airlines plane. A bomb was discovered before it exploded. ¹¹⁵
18.	8	Ireland	May 30, 1970	A British Airways aircraft at Shannon Airport in Ireland was occupied by fifteen men. The plane was empty at the time of takeover. ¹¹⁶
19.	3	Italy	May 30, 1970	An Alitalia aircraft flying from Genoa to Rome was hijacked by a student armed with a toy pistol. ¹¹⁷

107. *Id.* at 164.

108. *Id.* at 173.

109. *Id.* at 175.

110. *Id.* at 177.

111. *Id.* at 177-78.

112. *Id.* at 178.

113. *Id.*

114. *Id.*

115. *Id.* at 178-79.

116. *Id.* at 181.

117. *Id.*

20.	3	Czechoslovakia	June 8, 1970	A domestic flight in Czechoslovakia was hijacked by four men and four women, accompanied by a child. They were armed with revolvers and knives. They forced the pilot to land in Nuremburg, where they surrendered and asked for asylum. ¹¹⁸
21.	3	West Germany	August 3, 1970	A Pan American flight departing from Munich was nearly hijacked by a man who threatened a stewardess with a starting pistol. The pilot claimed that he lacked fuel to go to Budapest, the hijacker's attempted destination. The hijacker was subsequently taken into custody in Berlin. ¹¹⁹
22.	8	Czechoslovakia	August 8, 1970	A flight departing from Prague was hijacked by three men. No information is available on what weapon(s) were used. ¹²⁰
23 to 26.	3	West Germany Netherlands Switzerland	September 6 & 7, 1970	Terrorists hijacked multiple planes (Pan Am, TWA, Swissair and El Al flights). Each was a transatlantic flight to New York—one from Germany, two from the Netherlands, and one from Switzerland. A BOAC flight was hijacked out of India in conjunction with these hijackings. Ultimately, hostages were evacuated and several aircraft were blown up. ¹²¹
27.	3	France	September 27, 1970	A woman left a suitcase with a bomb at the Iberia counter at Orly Airport in Paris. She failed to show up for the flight and the suitcase was set aside in another room, where it subsequently exploded and injured a stewardess. ¹²²
28.	3	United Kingdom	September 27, 1970	A suitcase to be loaded on an Aer Lingus flight in London contained a bomb, which exploded in the international baggage section. ¹²³
29.	1	United Kingdom	October 6, 1970	Two parcels with grenades were found in the London offices of BOAC, a British airline. The parcels were addressed to the El Al office in London and the Israeli embassy. ¹²⁴
30.	8	Czechoslovakia	December 10, 1970	A man attempted to hijack a domestic flight in Czechoslovakia. The passengers overpowered the hijacker in the air, and the plane landed safely. ¹²⁵

1971

1.	3	(Israel)	February 25, 1971	A man attempted to hijack a Swiss airliner. (Information on the original flight path is not available.) The hijacker had a pocketknife and attempted to break into the cockpit. He was overpowered by security agents and handed over to Israeli police. ¹²⁶
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118. *Id.* at 185.

119. *Id.* at 201.

120. *Id.* at 203.

121. *Id.* at 208-13.

122. *Id.* at 219.

123. *Id.*

124. *Id.* at 221.

125. *Id.* at 237.

126. *Id.* at 249.

2.	3	Netherlands	March 20, 1971	Two men jumped from a car near an aircraft at an airport in the Netherlands. The men threatened the passengers and crew of the KLM Royal Dutch Airlines plane with a submachine gun before being taken into custody. ¹²⁷
3.	7	Israel	April 11, 1971	Two sisters were arrested as they entered Lod Airport in Israel. They were carrying detonators and transistor radios. ¹²⁸
4.	3	Finland	June 29, 1971	A woman armed with a pistol attempted to hijack a plane departing from Finland; however, the stewardess disarmed the woman before she could succeed. ¹²⁹
5.	7	Italy	July 28, 1971	A woman was given booby-trapped luggage to carry on board an El Al flight departing from Rome. She was unaware that the luggage was booby-trapped. Israeli security men foiled the attempt. ¹³⁰
6.	3	Spain	August 24, 1971	A bomb exploded aboard a Royal Jordanian Airline aircraft parked at an airport in Madrid. ¹³¹
7.	8	Greece	October 16, 1971	A man attempted to hijack a domestic flight in Greece. He claimed to have a bomb. No information is available on whether he actually had a bomb. ¹³²
8.	8	Greece	October 26, 1971	A man attempted to hijack a domestic flight in Greece, but he was overpowered before he could succeed. ¹³³
9.	3	France	December 3, 1971	A Pakistan International Airlines flight from Paris to Pakistan was hijacked by a man who threatened to blow up the plane. ¹³⁴

1972¹³⁵

1.	3	Italy	March 11, 1972	An aircraft en route from Rome to Milan was hijacked by a woman armed with a pistol. She claimed to also have grenades. The pilot convinced her to surrender in Munich. ¹³⁶
2.	8	Switzerland	April 17, 1972	A Swissair flight from Geneva to Rome was hijacked by a man claiming to have a bomb. No information is available on whether he actually had a bomb. ¹³⁷

127. *Id.* at 253.

128. *Id.* at 258.

129. *Id.* at 269.

130. *Id.* at 274. From the description of the event, it seems likely that El Al security only, not airport security forces, were responsible for foiling this attempt. Since any failure of the airport security forces cannot be documented, however, this incident has been categorized as Category 7 rather than Category 3.

131. *Id.* at 275.

132. *Id.* at 283.

133. *Id.* at 284.

134. *Id.* at 290.

135. One potential terrorist event not reported is worth noting. On January 28, 1972, a man threatened to blow up a BOAC 747 in flight unless he was given \$260,000. Naturally, he was arrested when he came to the airport office to collect his money. *Id.* at 298.

136. *Id.* at 303-04.

137. *Id.* at 310.

3.	3	Czechoslovakia	April 18, 1972	An aircraft departing from Prague was hijacked by two men armed with pistols. They diverted the plane to Nuremburg, West Germany. They shot and wounded the copilot during the hijacking. ¹³⁸
4.	3	Turkey	May 3, 1972	A Turkish Airlines flying from Ankara to Istanbul was hijacked by four men carrying pistols and hand grenades. Eventually, the hijacking ended when Bulgaria granted them asylum. ¹³⁹
5.	3	Austria	May 8, 1972	An aircraft flying from Vienna to Athens to Tel Aviv was hijacked by four people armed with pistols and grenades. The hijacking eventually ended in a gun battle between Israeli soldiers and the terrorists at Lod Airport in Israel. ¹⁴⁰
6.	1	France	May 25, 1972	Bombs exploded in front of the Pan Am and TWA offices in Paris. ¹⁴¹
7.	3	Greece	May 28, 1972	An aircraft en route from Iraklion to Athens was hijacked by a man with a toy pistol. ¹⁴²
8.	3	Italy Israel	May 30, 1972	Terrorists loaded weapons and grenades into their luggage and boarded an Air France plane departing from Rome and traveling to Tel Aviv (the flight originated in Paris). The terrorists were searched, but their luggage was not, and they retrieved the weapons upon disembarking in Tel Aviv. They then fired machine guns and threw hand grenades at passengers arriving from the flight. ¹⁴³
9.	3	Czechoslovakia	June 8, 1972	An aircraft departing Marienbad, headed to Prague, was hijacked by seven men and three women who killed the pilot when he refused to change course. They shot the copilot, but he survived. The plane landed in a small airfield in West Germany. ¹⁴⁴
10.	7	Italy	June 26, 1972	A passenger was arrested in Rome after trying to sneak a gun aboard an aircraft. ¹⁴⁵
11.	8	West Germany	July 10, 1972	A man hijacked a flight en route from Cologne to Munich; however, he was apprehended aboard the plane by German police. ¹⁴⁶
12.	3	Italy	August 16, 1972	A bomb exploded in the aft baggage compartment of an El Al plane flying from Rome to Tel Aviv. The explosion caused a crack in the rear door and a hole in the baggage compartment, which was armored. The plane returned safely to Rome. Reports on the number of injuries vary. ¹⁴⁷

138. *Id.*

139. *Id.* at 312.

140. *Id.* at 313-16.

141. *Id.* at 320.

142. *Id.* at 321.

143. *Id.* at 321-24.

144. *Id.* at 326-27.

145. *Id.* at 329.

146. *Id.* at 332.

147. *Id.* at 336.

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|-----|---|----------------|-----------------------|---|
| 13. | 3 | France | September 9,
1972 | A bomb was found in the washroom of an Air France plane en route from Paris to Montreal. It was dismantled upon landing in Gander. ¹⁴⁸ |
| 14. | 3 | Sweden | September 15,
1972 | A flight from Goteborg to Stockholm was hijacked by three males who threatened to blow up the plane. ¹⁴⁹ |
| 15. | 3 | Italy | October 7,
1972 | An aircraft flying from Ronchi Del Legionari to Bari, Trieste, then to Venice, was hijacked by an armed teenager who threw a bomb on the runway. He demanded \$344,000 and a flight to Cairo. The passengers deplaned and the crew escaped. The police opened fire on the plane. The teenager was later found dead inside. ¹⁵⁰ |
| 16. | 8 | Portugal | October 11,
1972 | A Lufthansa aircraft flying from Lisbon to Frankfurt was hijacked by a man who claimed to have a bomb. He was shot by police. No information is available on whether he actually had a bomb. ¹⁵¹ |
| 17. | 3 | Turkey | October 22,
1972 | A Turkish Airlines aircraft flying from Istanbul to Ankara was hijacked by four men with guns. They forced the pilot to fly to Sofia. The pilot and one passenger were wounded. ¹⁵² |
| 18. | 7 | Netherlands | October 25,
1972 | A man was arrested at Amsterdam's airport. His luggage contained hand grenades, explosives and forty unaddressed letter bombs, which he had carried from Damascus. He was released when police could not prove that he was aware of the contents of his suitcases. ¹⁵³ |
| 19. | 8 | United Kingdom | November 3,
1972 | A suspicious package was found aboard a British European Airways plane en route from Belfast to Glasgow. The pilot dropped to 5,000 feet and dropped the package out a window. ¹⁵⁴ |
| 20. | 3 | West Germany | November 24,
1972 | An Air Canada plane scheduled to fly from Frankfurt to Montreal and Toronto was hijacked on the ground by an armed gunman. He forced everybody off the plane except a stewardess, whom he held hostage for 24 hours. ¹⁵⁵ |
| 21. | 7 | United Kingdom | December 24,
1972 | British police arrested a man who was trying to smuggle weapons through a London airport. He was in transit from a flight in Beirut. ¹⁵⁶ |

1973

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|----|---|---------|---------------------|--|
| 1. | 3 | Corsica | January 26,
1973 | A man armed with guns and grenades held five people hostage at Calvi airport in Corsica. He had made an aborted attempt to hijack an Air Inter Airlines plane. The man was eventually killed by police gunfire. ¹⁵⁷ |
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148. *Id.* at 343.

149. *Id.* at 344-45.

150. *Id.* at 351-52.

151. *Id.* at 352.

152. *Id.* at 354.

153. *Id.*

154. *Id.* at 358.

155. *Id.* at 362.

156. *Id.* at 366.

157. *Id.* at 372.

2.	3	Italy	April 4, 1973	Two men were arrested while attempting to attack passengers of an El Al plane in the Rome airport. They carried two pistols and six grenades apiece. Some reports indicate that suitcases full of explosives may also have been found and that a woman may have attempted to board with pistols strapped to her inner thighs. ¹⁵⁸
3.	1	France	April 4, 1973	Tear-gas grenades were thrown at the Turkish Airlines office in Paris. ¹⁵⁹
4.	3	Cyprus	April 9, 1973	Two cars crashed through the gates at Nicosia Airport in Cyprus and drove straight toward an El Al plane that had just arrived. The invaders fired machine guns at the plane (the passengers had already deplaned). A gun battle ensued in which at least two terrorists were killed and the others were eventually arrested. ¹⁶⁰
5.	1	Spain	May 1, 1973	The British European Airways office in Barcelona was attacked with firebombs. ¹⁶¹
6.	1	Spain	May 2, 1973	The Pan Am offices in Barcelona were attacked with firebombs. ¹⁶²
7.	3	Northern Ireland	June 20, 1973	A bomb detonated near the freight terminal of an airport in Belfast. Several people were injured. ¹⁶³
8.	1	Greece	July 19, 1973	A man armed with a submachine gun and grenades attempted to attack the El Al office in Athens. His attempt was thwarted when a security guard closed some inner doors that were made of bulletproof glass. ¹⁶⁴
9.	3	Netherlands	July 20, 1973	A JAL aircraft en route from Paris to Tokyo and Anchorage was hijacked by men with grenades and pistols after a layover in Amsterdam. The incident began when one of the hijackers accidentally detonated a grenade on her lap, causing her own death. The hijackers demanded the release of another terrorist from prison and a ransom of \$5 million. Eventually, the passengers disembarked and the plane was blown up with grenades. ¹⁶⁵
10.	3	Greece	August 5, 1973	Two men opened their suitcases at an inspection checkpoint in Athens, pulled out machine guns and grenades and opened fire. They killed three people and wounded 55. They had apparently intended to attack the TWA flight to Tel Aviv, but the passengers had already boarded. ¹⁶⁶

158. *Id.* at 382.

159. *Id.*

160. *Id.* at 384.

161. *Id.* at 388.

162. *Id.* at 389.

163. *Id.* at 396.

164. *Id.* at 398.

165. *Id.* at 398-400.

166. *Id.* at 402.

11.	3	Yugoslavia	August 20, 1973	A hijacking attempt was foiled when a local citizen at a Yugoslav airport noticed three people acting suspiciously and warned local officials. The trio was carrying machine guns. ¹⁶⁷
12.	3	United Kingdom	September 28, 1973	A bomb exploded in the fire exit of an airport terminal in London. Six people were injured. ¹⁶⁸
13.	3	West Germany	October 2, 1973	A KLM flight en route from Dusseldorf to Amsterdam was hijacked by a man with a gun. The crew eventually disarmed him as he talked to the pilot. ¹⁶⁹
14.	3	France	October 18, 1973	An Air France flight en route from Paris to Nice was hijacked by a woman with a rifle. She had the plane diverted to Marseilles, where she was captured by police who had disguised themselves as stewards. ¹⁷⁰
15.	5	Ireland	October 31, 1973	Two men hired a helicopter in Ireland, then forced the pilot to fly to a Dublin prison and pick up three men. ¹⁷¹
16.	3	Switzerland	December 1, 1973	A Swissair flight from Zurich to Geneva was hijacked by a man armed with a gun. When they landed in Geneva, he asked to speak to reporters. Police subsequently boarded the plane dressed as reporters and overpowered him. ¹⁷²
17.	3	Italy Spain Libya	December 17, 1973	A customs official discovered a gun in the luggage of a man who had traveled to Rome from Tripoli, Libya, and Madrid, Spain. Four other men opened fire with machine guns into the transit lounge. They took six hostages and moved to a Pan Am plane waiting to take off. They threw grenades into the plane, causing it to catch fire and killing many of the passengers. The terrorists then dragged their hostages to a Lufthansa plane being prepared for flight. They forced the pilot to fly to Beirut (they were not allowed to land), then to Athens and Damascus and Kuwait. Eventually, they surrendered, but not before killing at least one passenger. ¹⁷³

1974

1.	7	United Kingdom	January 5, 1974	Five square miles were sealed off around Heathrow by 220 soldiers and 200 police after receiving reports that terrorists had smuggled in anti-aircraft missiles. ¹⁷⁴
2.	7	United Kingdom	January 16, 1974	A bomb was discovered on the perimeter of Heathrow airport. It was destroyed by bomb disposal experts before it could detonate. ¹⁷⁵

167. *Id.* at 404. This incident has been categorized into Category 3 even though the attempt was foiled. Security forces, not a local citizen, should have identified the terrorists.

168. *Id.* at 412.

169. *Id.* at 413.

170. *Id.* at 415.

171. *Id.* at 416.

172. *Id.* at 419.

173. *Id.* at 422-23.

174. *Id.* at 428.

175. *Id.* at 430.

3.	5	Ireland	January 24, 1974	Four men armed with guns took over a chartered helicopter. They forced the pilot to fly to Strabane, North Ireland, where they dropped explosives on a police station. The bombs failed to explode, however. ¹⁷⁶
4.	1	Spain	February 8, 1974	A Molotov cocktail was thrown at an Air France office in Barcelona. ¹⁷⁷
5.	3	Corsica	March 22, 1974	An Air Inter aircraft was destroyed on the ground in Corsica when an explosive device in the forward landing gear exploded. ¹⁷⁸
6.	1	Netherlands	April 1974	The Amsterdam office of Garuda, an Indonesian Airline, was set on fire during the month of April. ¹⁷⁹
7.	3	United Kingdom	May 19, 1974	A bomb exploded in a public parking garage at Heathrow Airport. It damaged 50 cars and injured three people. ¹⁸⁰
8.	1	Italy	May 29, 1974	Bombs were thrown at the Iberia Airlines office in Milan. ¹⁸¹
9.	3	United Kingdom	July 4, 1974	Large lumps of metal were found behind the turbofan engine of a Nigerian Airways plane at a London airport. ¹⁸²
10.	3	Northern Ireland	July 23, 1974	A British Airways aircraft en route from Belfast to London was grounded when a bomb warning was received. The bomb was found under a seat in the cabin. It had failed to detonate. ¹⁸³
11.	3	United Kingdom	July 26, 1974	A bomb exploded in a parking garage at London's Heathrow Airport. There were no injuries. ¹⁸⁴
12.	1	Belgium	August 5, 1974	A bomb exploded in front of the Iberia Airlines office in Brussels. Five people were injured. ¹⁸⁵
13.	3	France	August 6, 1974	A bomb exploded after being placed in the forward landing gear of an Air Inter plane at an airport in France. ¹⁸⁶
14.	3	Greece	August 26, 1974	A fire was discovered in the baggage compartment of a TWA plane that landed in Rome after departing from Athens. The fire was caused by an explosive device that malfunctioned. ¹⁸⁷

176. *Id.* at 431.

177. *Id.* at 436.

178. *Id.* at 443.

179. *Id.* at 446.

180. *Id.* at 454-55.

181. *Id.* at 457.

182. *Id.* at 462.

183. *Id.* at 465.

184. *Id.*

185. *Id.* at 468.

186. *Id.*

187. *Id.* at 472.

15.	3	Greece	September 8, 1974	After landing for a scheduled stopover in Athens, the pilot of a TWA flight radioed that he was having trouble with his engine. The plane subsequently crashed into the Ionian Sea, killing everyone on board. It was later determined that a bomb had detonated in the rear cargo compartment. ¹⁸⁸
16.	1	Spain	September 11, 1974	A bomb exploded at the Barcelona office of LAN-Chile Airlines. It caused property damage, but no injuries. ¹⁸⁹
17.	1	France	September 13, 1974	A bomb exploded in front of the Air Algeria office in Marseilles. It caused extensive damage. ¹⁹⁰
18.	8	France	October 25, 1974	A man held a hostage at Nice Airport for 13 hours before surrendering. There is no information available on what weapon(s) he did or did not have or use. ¹⁹¹
19.	1	France	December 15, 1974	A bomb exploded outside the TWA office in Paris. ¹⁹²
1975				
1.	3	United Kingdom	January 7, 1975	A British Airways flight from Manchester was hijacked by a man who threatened a stewardess with a pistol. The man demanded \$235,000, a parachute and a flight to Paris. All were delivered to him, but the pilot only pretended to fly to Paris. He actually landed at an airport in Essex. The hijacker was captured when he tried to escape, and it was discovered that his gun and explosives were fake. ¹⁹³
2.	2	France	January 13, 1975	Two men fired two Russian RPG-7 rocket launchers at an El Al plane scheduled to fly from Orly Airport to Montreal and New York. The first round missed and hit a Yugoslav plane instead. The rocket failed to explode, but slightly injured several people. The second round hit an administration building. Both rounds were fired through the front windshield of their car, which was later abandoned. ¹⁹⁴
3.	2	France	January 19, 1975	An Orly Airport policeman fired at a man who was setting up an RPG-7 rocket launcher to fire at an El Al plane. A gun battle ensued, and terrorists threw grenades at the police. The terrorists took hostages and escaped to a restroom in the airport. They freed the hostages after 18 hours of negotiation when a plane was given to them. ¹⁹⁵
4 & 5	1	France	March 2, 1975	The Toulouse and Lyons offices of Air Algerie were bombed. ¹⁹⁶
6.	1	Spain	May 16, 1975	A Pan Am ticket office in Barcelona was attacked by men who broke windows and threw a Molotov cocktail. ¹⁹⁷

188. *Id.* at 475.

189. *Id.*

190. *Id.* at 476.

191. *Id.* at 484.

192. *Id.* at 495.

193. *Id.* at 500-01.

194. *Id.* at 501-02.

195. *Id.* at 502-03.

196. *Id.* at 511.

197. *Id.* at 523.

7.	3	Bulgaria	June 28, 1975	A Balkan Airlines aircraft departing from Bulgaria was hijacked by a man with an automatic pistol. He forced the pilot to fly to Greece, where he requested political asylum. ¹⁹⁸
8.	7	Israel	July 18, 1975	Two terrorists were arrested by Israeli police at the Tel Aviv airport. They were carrying dynamite in their car. ¹⁹⁹
9.	3	United Kingdom	July 24, 1975	A man took a girl hostage using a fake pistol at the airport in Manchester. He used his hostage to get past the screening checkpoint at Manchester airport. He entered a parked aircraft and ordered its cleaning crew off the plane. Police overpowered him shortly thereafter, however. ²⁰⁰
10.	1	Portugal	September 11, 1975	A bomb exploded in front of the building housing Royal Morocco Air and the Spanish embassy. ²⁰¹
11.	3	Greece	September 14, 1975	A grenade was found lying on the floor of a restroom at Athens airport. It had failed to detonate. ²⁰²
12.	8	Greece	September 27, 1975	A man hijacked a plane en route from Athens to Mykonos. He was holding a spray bottle, which he claimed contained nitric acid. He was overpowered by the crew. ²⁰³
13.	3	Hungary	September 30, 1975	An aircraft en route from Budapest to Beirut crashed into the Mediterranean Sea after an explosion occurred aboard the aircraft. ²⁰⁴
14.	3	Israel	October 5, 1975	A suitcase packed with explosives was discovered at the international airport in Tel Aviv. It had been circling on the conveyor belt for an hour. ²⁰⁵
15.	3	Ireland	November 29, 1975	Two bombs exploded at an airport in Ireland. One person was killed and seven others were injured. ²⁰⁶
16.	1	West Germany	December 24, 1975	A bomb exploded at the Yugoslav Aero Transport office in Stuttgart, West Germany. ²⁰⁷

1976

1.	1	France	January 31, 1976	An Iran Air office in Paris was attacked. ²⁰⁸
2.	1	France	February 11, 1976	Firebombs were thrown at the Paris offices of Aeroflot. ²⁰⁹

198. *Id.* at 528.

199. *Id.* at 531.

200. *Id.* at 532.

201. *Id.* at 543.

202. *Id.* at 544.

203. *Id.* at 547.

204. *Id.* at 548.

205. *Id.* at 551.

206. *Id.* at 565.

207. *Id.* at 574.

208. *Id.* at 582.

209. *Id.* at 584.

3.	4	United Kingdom	February 14, 1976	A man aboard a flight from London to Miami threatened to blow up the plane if he was not taken to Cuba. When the man was eventually taken into custody, no bomb was found. ²¹⁰
4.	1	France	February 20, 1976	The Air Algerie office in Lyons, France was heavily damaged by a bomb explosion. ²¹¹
5.	7	Italy	March 6, 1976	Three men armed with pistols and hand grenades attempted to board a flight in Rome. ²¹²
6.	1	France	March 7, 1976	Shots were fired at an Aeroflot office in Paris. The resulting property damage was serious, but there were no injuries. ²¹³
7.	1	Turkey	March 31, 1976	The Pan Am office in Ankara was attacked with a bomb. ²¹⁴
8.	1	Turkey	April 24, 1976	An Iran Air office in Istanbul was attacked with a bomb. Four people were injured. ²¹⁵
9.	3	France	April 30, 1976	A Turkish Airlines aircraft en route from Paris to Istanbul was hijacked by a man armed with a knife. He eventually surrendered. ²¹⁶
10.	1	Italy	May 1976	In mid-May, the Lufthansa Airlines office in Rome was the victim of attempted arson. ²¹⁷
11.	3	Israel	May 25, 1976	A booby-trapped suitcase exploded when a passenger opened it in a security office at Ben Gurion Airport in Tel Aviv. The passenger and the security officer were killed. Ten others were injured. Several other suitcases were inspected. Reports on the origin of the suitcase that exploded are conflicting. ²¹⁸
12.	7	Israel	June 27, 1976	A suitcase bomb was disarmed at Ben Gurion Airport in Tel Aviv. ²¹⁹
13.	3	Greece	June 27, 1976	An Air France flight en route from Tel Aviv to Paris through Athens was hijacked by seven men. The hijackers had flown into Athens from Kuwait, where they waited to board the Air France plane in the Athens transit lounge. They were not subjected to a search in Athens. The hijackers were ultimately killed by Israeli commandos and most of the passengers survived. ²²⁰
14.	1	Italy	July 20, 1976	The Rome office of Syrian Airlines was attacked with a bomb. There was significant damage, but no injuries. ²²¹

210. *Id.*

211. *Id.* at 586.

212. *Id.* at 590.

213. *Id.*

214. *Id.* at 595.

215. *Id.* at 602.

216. *Id.* at 603.

217. *Id.* at 608.

218. *Id.* at 611.

219. *Id.* at 620.

220. *Id.* at 621-25.

221. *Id.* at 631.

15.	1	Portugal	July 21, 1976	A bomb exploded in front of the offices of DETA, the Mozambican airlines. There were no injuries, although property damage was severe. ²²²
16.	3	Italy Turkey	August 11, 1976	Terrorists attacked a crowd waiting to board an El Al flight in Turkey. They threw grenades and fired submachine guns. The terrorists had flown from Tripoli to Rome and then to Istanbul. It was hypothesized that they may have been able to smuggle their weapons through Rome since transit passengers were not searched there. ²²³
17.	3	France	September 4, 1976	A KLM flight flying from Spain to Amsterdam was hijacked after its layover in Nice. The hijackers were armed with guns and hand grenades. They had made it through a routine weapons search. ²²⁴
18.	3	Corsica	September 7, 1976	At Ajaccio airport in Corsica, seven masked gunmen forced the pilot of an Air France plane to taxi to the edge of an airport where they set off dynamite charges. ²²⁵
19.	3	Ireland	September 17, 1976	A drunken man boarded an Aer Lingus plane by the rear entry while it was parked at Shannon International Airport. He was armed with a gun. The crew was evacuated. Eventually the man surrendered. ²²⁶
20.	7	Israel	September 26, 1976	A woman was arrested at Ben Gurion airport for carrying a tin can designed to test the efficiency of metal-detecting devices at the airport. ²²⁷
21	1	West Germany	October 1, 1976	A Molotov cocktail was thrown through the window of the Syrian Arab Airlines office in Munich. ²²⁸
22.	1	Turkey	October 16, 1976	A bomb was found on top of an air conditioner in the Pan Am office in Ismir, Turkey. ²²⁹
23.	3	Czechoslovakia	October 28, 1976	A domestic flight in Czechoslovakia was hijacked on the ground by a man carrying a submachine gun, a pistol, a knife, and 100 rounds of ammunition. He forced the pilot to fly him to Munich where he surrendered. ²³⁰
24.	4	Denmark	November 4, 1976	A flight from Copenhagen to Warsaw was hijacked by a man who claimed to have a grenade and a pistol. It turned out that his weapons were actually partially chewed rye bread colored with shoe polish. ²³¹
25.	1	Turkey	November 6, 1976	The El Al office in Istanbul was bombed. ²³²

222. *Id.*

223. *Id.* at 636.

224. *Id.* at 642.

225. *Id.*

226. *Id.* at 647.

227. *Id.* at 650.

228. *Id.* at 652.

229. *Id.* at 656.

230. *Id.* at 658.

231. *Id.* at 659.

232. *Id.* at 660.

26.	3	Ireland	December 29, 1976	A man tried to hijack a plane from Dublin airport. He threatened security officers at the arrival area and claimed to have a suitcase bomb. They overpowered him and discovered that his suitcase contained only wires and metal film canisters. ²³³
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1977

1.	1	France	February 10, 1977	A terrorist doused himself with gasoline and set himself on fire in an Aeroflot office in Paris. ²³⁴
2.	3	Turkey	February 13, 1977	An aircraft en route from Istanbul to Izmir was nearly hijacked by a man who fired his pistol wildly and demanded that he be flown to Yugoslavia. A passenger disarmed the hijacker before he could succeed, however. Two people were wounded in the incident. ²³⁵
3.	3	Spain	March 14, 1977	An aircraft departing from Barcelona was hijacked by a man armed with a rifle and a pistol. The man demanded to be flown to the Ivory Coast. Once there, he was given \$140,000 by the government and obtained physical custody of his daughter. The plane continued on to Italy, where he attempted to obtain custody of another daughter, but his attempt failed. After forcing the pilot to fly around for several days, he was overpowered and his daughter was returned to her mother. The hijacker had taken pills to stay awake throughout the ordeal. ²³⁶
4.	3	Turkey	March 19, 1977	A domestic Turkish Airlines flight was hijacked by two men with pistols. They eventually surrendered to Lebanese authorities. ²³⁷
5.	3	Spain	May 2, 1977	A Libyan used a knife to threaten the pilot of an Iberian airliner minutes after it touched down in Rome. (The flight had departed from Madrid.) The man allowed other passengers to disembark, but he kept the pilot, copilot and navigator aboard the aircraft. As police negotiators diverted the hijackers attention, the pilot squirted him with a fire extinguisher and he was overpowered. ²³⁸
6.	3	Turkey	May 29, 1977	A bomb exploded at an airport in Istanbul. Forty-two people were injured by the blast. The bomb had been planted in a luggage storage room. ²³⁹
7.	1	Italy	June 6, 1977	The Lufthansa office in Genoa was firebombed. ²⁴⁰

233. *Id.* at 668.

234. *Id.* at 674.

235. *Id.* at 675.

236. *Id.* at 688-89.

237. *Id.* at 689.

238. *Id.* at 697. Information on the flight path was documented by the Aviation Safety Network, although not in the Mickolus volume. See The Aviation Safety Network, *supra* note 98, at <http://aviation-safety.net/database/hijackings>.

239. MICKOLUS, *supra* note 96, at 703.

240. *Id.* at 705.

8.	3	Bulgaria	June 18, 1977	A domestic Bulgarian flight was hijacked by an auto mechanic who wanted to be flown to London or Munich. He was eventually disarmed by a Yugoslav policeman disguised as a pilot. ²⁴¹
9.	1	Switzerland	July 11, 1977	The Air Iran office in Zurich was firebombed. ²⁴²
10.	1	Italy	July 30, 1977	The Aeroflot offices in Milan were bombed. There was severe damage to the property and nearby cars, but no injuries were reported. ²⁴³
11.	1	Turkey	August 6, 1977	The Istanbul Intercontinental Hotel, owned by Pan Am, was attacked with automatic weapons. ²⁴⁴
12.	3	France	August 12, 1977	An Air France flight en route from Paris to Cairo via Nice was diverted by a hijacker who claimed to have dynamite. The plane eventually landed in Italy where the hijacker left the plane to talk to ground crew. The crew locked him out of the plane, and he was arrested. Police discovered an ax and small boxes of nonexplosive material. ²⁴⁵
13.	3	France	September 30, 1977	After departing from Paris, an Air Inter was hijacked by a man who carried a gun. A stewardess was shot in the arm during the hijacking. The hijacker demanded that the plane be refueled for a longer flight. Police eventually stormed the plane and overpowered the hijacker, but not before he detonated a hand grenade in the confusion. ²⁴⁶
14.	3	Czechoslovakia	October 11, 1977	A domestic flight in Czechoslovakia was hijacked by a man and a woman who were members of the ground staff at the airport. They brandished pistols and forced the pilot to fly to Frankfurt where they requested asylum. ²⁴⁷
15.	3	Spain	October 13, 1977	A Lufthansa flight scheduled to fly from a Spanish resort island to Frankfurt was hijacked by two women and two men. The women had hidden guns and grenades in their boots, and a false-bottomed cosmetics case and portable radio concealed more pistols and grenades. The hijackers had boarded at the last minute, avoiding the usual searches. The five-day ordeal came to an end when the plane was invaded by a team of assault commandos. ²⁴⁸

1978

1.	7	Czechoslovakia	1978	Exact date not reported. A planned hijacking of a domestic Czechoslovakia flight was foiled. ²⁴⁹
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241. *Id.* at 707.

242. *Id.* at 713.

243. *Id.* at 716.

244. *Id.* at 718.

245. *Id.* at 719.

246. *Id.* at 732. Information on the flight path was documented by the Aviation Safety Network, although not in the Mickolus volume. See The Aviation Safety Network, *supra* note 98, at <http://aviation-safety.net/database/hijackings>.

247. MICKOLUS, *supra* note 96, at 734.

248. *Id.* at 734-40.

249. *Id.* at 767.

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| 2. | 3 | Czechoslovakia | May 10, 1978 | A man claiming to have a bomb hijacked an aircraft departing from Czechoslovakia and demanded that the plane be flown to Frankfurt. The plane had originally been headed from Prague to Brno. Upon arrival in Frankfurt, three adults and two children requested asylum. Explosives were apparently carried on by the children of one of the adults requesting asylum. ²⁵⁰ |
| 3. | 3 | France | May 20, 1978 | Terrorists at an airport in Paris opened fire with machine guns among passengers awaiting a flight. A gun battle ensued in which three terrorists and the chief brigadier of the French riot police were killed. Three policemen and three passengers were also wounded. ²⁵¹ |
| 4. | 7 | Czechoslovakia | June 5, 1978 | A hijacking attempt was foiled at the airport in Prague. ²⁵² |
| 5. | 3 | Netherlands | August 6, 1978 | A KLM flight from Amsterdam to Madrid was hijacked by a man armed with a toy pistol, a spray can that he claimed was a bomb, and a bottle allegedly containing a dangerous chemical. ²⁵³ |
| 6. | 7 | Austria | September 21, 1978 | A man at an airport in Austria was arrested while attempting to board a plane with a pistol and ammunition hidden in a loaf of bread. ²⁵⁴ |
| 7. | 3 | Finland | September 30, 1978 | A man hijacked a Finnair plane on a domestic route with a pistol. He obtained a ransom, which was given to his wife. He eventually surrendered when he was allowed to go home. He was later arrested. ²⁵⁵ |
| 8. | 1 | Switzerland | December 17, 1978 | A bomb was thrown at the Turkish Airlines office in Geneva. Windows were shattered, but there were no injuries. ²⁵⁶ |

1979

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|----|---|--------|-------------------|---|
| 1. | 1 | Spain | January 20, 1979 | A bomb exploded in the early morning hours outside the Air France offices in Barcelona. ²⁵⁷ |
| 2. | 1 | Turkey | February 19, 1979 | A bomb was thrown at a Pan American Airlines office in Turkey. ²⁵⁸ |
| 3. | 3 | Norway | February 27, 1979 | Four terrorists tried to hijack an Aeroflot airplane en route from Oslo to Moscow. They threatened to set the plane on fire with Molotov cocktails. The group eventually surrendered peacefully at a scheduled stop. ²⁵⁹ |

250. *Id.* at 786.

251. *Id.* at 789.

252. *Id.* at 792.

253. *Id.* at 801.

254. *Id.* at 809.

255. *Id.* at 810.

256. *Id.* at 818.

257. *Id.* at 823.

258. *Id.* at 831.

259. *Id.* at 831-32.

4.	3	West Germany	April 3, 1979	A bomb was placed in a parcel to be sent to Israel from West Germany. While in a mail-sorting shed at Rhein-Main airport in Frankfurt, it exploded. It injured ten people and did substantial damage. ²⁶⁰
5.	2	Cyprus	April 15, 1979	The control tower at Nicosia's international airport (Cyprus) was sabotaged. ²⁶¹
6.	3	Belgium	April 16, 1979	Terrorists threw grenades and conducted a gun battle with police at an airport in Brussels. They intended to take over an El Al flight. The passengers aboard the plane were saved due to El Al's practice of parking a distance from the terminal. When the terrorists were foiled in their attempts, they went to a raised visitor's platform and threw a gasoline bomb and a grenade over the edge. They then raced into a restaurant with rifles and submachine guns. The terrorists were eventually apprehended, although it is possible that two escaped in the confusion. ²⁶²
7.	3	Turkey	May 6, 1979	A bomb detonated in the restroom of a transit lounge at an airport in Istanbul. A second bomb later detonated in a shuttle bus used to transport passengers from the terminal to planes. ²⁶³
8.	1	Belgium	July 5, 1979	A bomb exploded near a Swissair office in Belgium. ²⁶⁴
9.	1	France	July 8, 1979	The Turkish Airlines office in Paris was bombed. ²⁶⁵
10.	3	Spain	July 29, 1979	A bomb detonated at Barajas International Airport in Madrid. One person was killed and nine others were injured. ²⁶⁶
11.	1	West Germany	August 27, 1979	The Turkish Airlines office in Frankfurt was the subject of a bombing attack. ²⁶⁷
12.	3	West Germany	September 12, 1979	A Lufthansa flight was hijacked upon departing from Frankfurt. It flew to its original destination of Cologne. The hijacker was armed with a toy pistol and released the passengers and four crew members after he was allowed to record a television message. Eventually, the remaining crew members were released, and he surrendered. ²⁶⁸
13.	1	Spain	November 25, 1979	Two bombs detonated in front of the offices of Alitalia, Sabena (Belgium airline), British Airways and TWA in Madrid. ²⁶⁹

260. *Id.* at 838-39.

261. *Id.* at 841.

262. *Id.*

263. *Id.* at 846.

264. *Id.* at 855.

265. *Id.* at 856.

266. *Id.* at 863.

267. *Id.* at 868.

268. *Id.* at 873-74.

269. *Id.* at 891.

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| 14. | 1 | Italy | December 9, 1979 | Two bombs exploded at the Rome offices of Pan American, World Airways, British Airways, and Philippine Airlines. Twelve people were injured. ²⁷⁰ |
| 15. | 1 | United Kingdom | December 17, 1979 | A bomb exploded in front of the Turkish Airlines office in London. ²⁷¹ |
| 16. | 1 | West Germany | December 19, 1979 | The Aeroflot office in Munich was set afire during the night. ²⁷² |
| 17. | 1 | Italy | December 23, 1979 | The Rome offices of Air France and TWA were bombed. ²⁷³ |

1980

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|----|---|--------------|-------------------|--|
| 1. | 3 | Italy | January 14, 1980 | A gunman hijacked an aircraft en route from Rome to Tunis. He did not surrender until the next day. ²⁷⁴ |
| 2. | 1 | Spain | January 19, 1980 | Bombs exploded at the offices of several airlines in Madrid: TWA, British Airways, Swissair and Sabena. Several people were injured. ²⁷⁵ |
| 3. | 8 | East Germany | January 30, 1980 | A flight departing from East Berlin was nearly hijacked by two men. The crew and passengers overpowered them, however. ²⁷⁶ |
| 4. | 1 | Belgium | February 2, 1980 | The Brussels offices of two airlines, Turkish Airlines and Aeroflot, were bombed. There was serious property damage, but no injuries. ²⁷⁷ |
| 5. | 1 | Italy | February 18, 1980 | Two homemade bombs exploded outside the offices of El Al, Lufthansa and Swissair in Rome. ²⁷⁸ |
| 6. | 1 | France | February 24, 1980 | Firebombs were thrown at the Aeroflot offices in Paris. ²⁷⁹ |
| 7. | 1 | Italy | March 10, 1980 | Two bombs placed at a Turkish Airlines office in Rome exploded, killing two people. ²⁸⁰ |
| 8. | 7 | Switzerland | April 21, 1980 | In Zurich, an explosive device was discovered in the bag of a passenger bound for Tel Aviv. Israeli security agents detained the man; the bomb eventually detonated in a police lab before it could be defused, but there were no injuries. ²⁸¹ |

270. *Id.* at 897.

271. *Id.* at 900.

272. *Id.* at 901-02.

273. *Id.* at 903.

274. I EDWARD F. MICKOLUS, TODD SANDLER & JEAN M. MURDOCK, INTERNATIONAL TERRORISM IN THE 1980S: A CHRONOLOGY OF EVENTS, at 7 (1989).

275. *Id.* at 9.

276. *Id.* at 13.

277. *Id.* at 15.

278. *Id.* at 18-19.

279. *Id.* at 21.

280. *Id.* at 27.

281. *Id.* at 39.

9.	1	France	April 23, 1980	An Air France office in Paris was bombed along with several other buildings. There was considerable damage and several injuries. ²⁸²
10.	1	West Germany	April 26, 1980	Three Molotov cocktails were thrown at the Pan American offices in Hamburg. ²⁸³
11.	3	Portugal	May 6, 1980	A teenager hijacked an aircraft flying from Lisbon, Portugal to Faro. He was armed with a pistol. The plane was diverted to Madrid. Eventually, the hijacker surrendered in Lisbon. ²⁸⁴
12.	1	France	June 1980	On an unreported date in June 1980, the Kuwaiti Airlines office in Paris was bombed. ²⁸⁵
13.	3	France	June 12, 1980	A bomb exploded in a luggage locker at Orly Airport, injuring seven people and causing \$250,000 in damage. ²⁸⁶
14.	1	Italy	June 14, 1980	A timed firebomb exploded in Rome outside the Jordanian Airlines office. There were no injuries, but there was some damage. ²⁸⁷
15.	1	France	July 17, 1980	The Iran Air offices in Paris were bombed. ²⁸⁸
16.	1	Italy	October 4, 1980	The Turkish Airlines office in Milan was bombed. ²⁸⁹
17.	1	Spain	October 5, 1980	The Alitalia office in Madrid was bombed. ²⁹⁰
18.	1	United Kingdom	October 12, 1980	In conjunction with another bombing at the Swiss Center, the Turkish Airlines office near Piccadilly Circus in London was bombed. ²⁹¹
19.	3	West Germany	October 13, 1980	A Turkish Airlines flight en route from Munich to Turkey was hijacked by four to six men carrying two pistols. The pistols were hidden inside carved-out copies of the Koran. The ordeal eventually ended when Turkish Army troops stormed the plane. All four hijackers and seven hostages were wounded in the incident. ²⁹²
20.	1	Turkey	December 10, 1980	A bomb exploded in the Izmir offices of Pan American. ²⁹³
21.	1	United Kingdom	December 28, 1980	A firebomb exploded in the entry to the Libyan Arab Airlines office in London. Damages were limited. ²⁹⁴

282. *Id.*

283. *Id.* at 40.

284. *Id.* at 44.

285. *Id.* at 51.

286. *Id.* at 56-57.

287. *Id.* at 57.

288. *Id.* at 64.

289. *Id.* at 91.

290. *Id.* at 92.

291. *Id.* at 93.

292. *Id.* at 93-94.

293. *Id.* at 107.

294. *Id.* at 112.

22.	1	Spain	December 29, 1980	Time bombs were detonated at the Madrid offices of TWA and Swissair. Seven people were injured. ²⁹⁵
1981				
1.	1	Belgium	January 1981	A bomb exploded in a Yugoslav Airlines office in Belgium. Exact date not reported. ²⁹⁶
2.	1	Denmark	January 20, 1981	An EI Al office in Copenhagen was attacked. The manager of the office was severely beaten and swastikas were painted on the walls of the office. ²⁹⁷
3.	1	Italy	January 27, 1981	The Milan offices of Swissair and a tourist office were severely damaged when bombs were set by a faction of the Armenian Liberation Army. Two women were injured in the attack. ²⁹⁸
4.	1	France	February 5, 1981	The Paris offices of Air France and Trans World Airlines were attacked with bombs. ²⁹⁹
5.	3	France	February 13, 1981	A bomb detonated in a parking garage at Orly Airport. ³⁰⁰
6.	3	Italy	February 24, 1981	Two Libyans fired pistols and submachine guns at passengers arriving in the international arrival area of Rome's Fiumicino Airport. ³⁰¹
7.	5	France	February 27, 1981	A helicopter was chartered by two men, then hijacked with pistols and forced to fly to a prison in France. Two inmates escaped on the helicopter. ³⁰²
8.	3	West Germany	March 16, 1981	A bomb threat along with an automatic siren apparatus was found in a bag in the Frankfurt airport. Officials called back a Lufthansa plane that had just taken off for Chicago. ³⁰³
9.	1	Belgium	March 29, 1981	Molotov cocktails were thrown at the Yugoslav Air Transport Office in Brussels. ³⁰⁴
10.	3	Corsica	April 16, 1981	A bomb exploded in a Corsica airport minutes after French president Giscard d'Estaing's plane landed. There was extensive damage. ³⁰⁵
11.	1	Portugal	April 30, 1981	In Portugal, three masked men forced their way into a British Airways office in Oporto, Portugal. They were armed with automatic weapons. They left behind a box that allegedly contained a bomb, but it was filled with stones. ³⁰⁶

295. *Id.* at 113.

296. *Id.* at 115.

297. *Id.* at 122.

298. *Id.* at 123.

299. *Id.* at 125-26.

300. *Id.* at 128.

301. *Id.* at 132.

302. *Id.* at 133.

303. *Id.* at 141.

304. *Id.* at 145-46.

305. *Id.* at 150-51.

306. *Id.* at 153.

12.	3	Ireland	May 2, 1981	On an Aer Lingus airplane en route from Dublin to London, a hijacker soaked himself with gasoline and threatened to light himself on fire. Eventually, antiterrorist police stormed the plane and overpowered the hijacker. ³⁰⁷
13.	1	France	May 9, 1981	Shots were fired at the Syrian Airlines office in Paris during the night. There were no injuries. ³⁰⁸
14.	1	Italy	May 14, 1981	The British Airways office in Florence was firebombed. There were no injuries. ³⁰⁹
15.	1	Italy	May 15, 1981	A bomb exploded at the El Al office in Rome. ³¹⁰
16.	1	Turkey	May 16, 1981	The El Al offices in Istanbul were bombed. ³¹¹
17.	3	Turkey	May 24, 1981	A Turkish Airlines flight was hijacked after departure from Istanbul. The hijackers were armed with weapons and explosives. The incident ended when two hijackers left to hold a news conference, where they were arrested. The remaining two hijackers aboard the plane were thrown off balance as the pilot gunned the engines, then slammed the brakes. The passengers overcame the temporarily disoriented terrorists. ³¹²
18.	1	Switzerland	June 3, 1981	The Lufthansa office in Zurich was firebombed. ³¹³
19.	1	France	June 11, 1981	The Turkish Airlines office in Paris was occupied by protestors. ³¹⁴
20.	3	Switzerland	July 20, 1981	A bomb detonated in an entry lobby connecting the Zurich-Kloten Airport to a railway station beneath. ³¹⁵
21.	1	Denmark	August 11, 1981	Two bombs detonated in front of the Swissair office in Copenhagen, Denmark. ³¹⁶
22.	1	France	August 20, 1981	The Paris office of Alitalia Airlines was attacked with a bomb during the early morning hours. ³¹⁷
23.	1	France	August 22, 1981	The Olympics Airways office in Paris was bombed during the early morning hours. ³¹⁸
24.	1	Denmark	September 15, 1981	A bomb exploded in the Turkish Airlines office in Copenhagen. A second bomb was found before it detonated. ³¹⁹

307. *Id.* at 154.

308. *Id.* at 156.

309. *Id.* at 163.

310. *Id.*

311. *Id.*

312. *Id.* at 166-67.

313. *Id.* at 169.

314. *Id.* at 170.

315. *Id.* at 179-80.

316. *Id.* at 187.

317. *Id.* at 189.

318. *Id.* at 190.

319. *Id.* at 198.

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|-----|---|-------------|--------------------|---|
| 25. | 3 | Yugoslavia | September 27, 1981 | A domestic flight in Yugoslavia was hijacked by men carrying two pistols and a knife. All passengers escaped during a mock fire alarm after the plane landed at Larnaca. ³²⁰ |
| 26. | 1 | Italy | October 7, 1981 | A bomb exploded outside an El Al information office in Rome. ³²¹ |
| 27. | 3 | France | October 27, 1981 | A car in the parking lot at Charles de Gaulle Airport was destroyed by a bomb. Approximately thirteen hours later, a bomb detonated in a wastebasket in the terminal. No injuries were reported. ³²² |
| 28. | 1 | Spain | November 3, 1981 | A Swissair office in Madrid was bombed, causing minor injuries. ³²³ |
| 29. | 3 | Switzerland | December 7, 1981 | An aircraft en route from Zurich to Tripoli was hijacked by three men with guns. The hijackers did not surrender until December 9. ³²⁴ |

1982

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|----|---|---------|------------------|---|
| 1. | 7 | Italy | January 5, 1982 | Two terrorists were arrested at an airport in Rome for possession of explosives. ³²⁵ |
| 2. | 1 | Turkey | January 9, 1982 | A bomb exploded outside the El Al ticket office in Istanbul. A neighboring Lufthansa office was also damaged, but there were no injuries. ³²⁶ |
| 3. | 1 | Israel | January 17, 1982 | A bomb exploded at the Lufthansa office in Tel Aviv. ³²⁷ |
| 4. | 1 | Italy | March 28, 1982 | Bombers attempted to attack the El Al office in Rome. The attack was in concert with attacks against other Jewish-owned facilities in Rome. ³²⁸ |
| 5. | 1 | Spain | April 13, 1982 | A bomb exploded at the Madrid offices of Alia, the Jordanian airline. The offices of a Chilean airline nearby were also damaged. A second bomb detonated at the Madrid offices of Egypt Tours. ³²⁹ |
| 6. | 1 | Austria | April 19, 1982 | A bomb detonated at the Air France office in Vienna. There were no injuries. ³³⁰ |
| 7. | 1 | Italy | May 28, 1982 | The Pan American offices in Rome were bombed, causing property damage. ³³¹ |

320. *Id.* at 203-04.

321. *Id.* at 210.

322. *Id.* at 219.

323. *Id.* at 221.

324. *Id.* at 231.

325. *Id.* at 244.

326. *Id.*

327. *Id.* at 247.

328. *Id.* at 268.

329. *Id.* at 273.

330. *Id.* at 274.

331. *Id.* at 284.

8.	7	Italy	June 18, 1982	In Rome, a woman was arrested after customs authorities found her carrying a false-bottomed suitcase filled with explosives, detonators, a timing mechanism and train schedules for the Rome-Paris Line. She was believed to be a member of the West German Red Army Faction. ³³²
9.	1	Turkey	June 18, 1982	A Pan American office in Turkey was firebombed after armed men and women forced a night watchman to let them into the office. ³³³
10.	3	Italy	June 30, 1982	A flight from Rome with an ultimate destination of Tokyo was hijacked by a man wearing dynamite sticks around his neck. He released the last hostages 32 hours later when he was given \$300,000 and reunited with his family. He was arrested a few days later. ³³⁴
11.	3	West Germany	July 31, 1982	In Munich, a suitcase bomb exploded in the El Al passenger terminal. ³³⁵
12.	3	Turkey	August 7, 1982	Three men fired submachine guns and set of a bomb in an international flight passenger terminal in Ankara, Turkey. Two of the terrorists took 20 hostages in a nearby cafeteria. The group had entered Turkey through Syria. ³³⁶
13.	1	Portugal	August 15, 1982	The Air France and Lufthansa offices in Lisbon, Portugal were bombed, causing heavy damage but no casualties. ³³⁷
14.	1	Austria	September 20, 1982	An Iraqi Airlines office in Austria was bombed at midnight. ³³⁸
15.	3	Bulgaria	October 14, 1982	A man and his wife hijacked a plane en route from Bulgaria to Poland. The man had a knife. The two diverted the plane to Vienna, where they disembarked and requested asylum. ³³⁹
16.	1	France	November 9, 1982	The Turkish Airlines office in Paris was occupied by seven men. They demanded that nine other men in custody be freed. ³⁴⁰
17.	1	Greece	December 8, 1982	In Athens, a bomb exploded outside the Kuwait Air office, killing one of the terrorists and injuring the other. They had thrown the bomb from their motorcycle, but it accidentally hit an electrical pole and caused them to injure themselves instead. ³⁴¹

332. *Id.* at 291.

333. *Id.* at 292.

334. *Id.* at 293.

335. *Id.* at 304.

336. *Id.* at 305-06.

337. *Id.* at 309.

338. *Id.* at 322.

339. *Id.* at 328.

340. *Id.* at 332.

341. *Id.* at 340-41.

1983

1. 1 France January 22, 1983 Two hand grenades were thrown at the Turkish Airlines office in Paris. The office was damaged and three people were injured.³⁴²
2. 7 France January 22, 1983 A bomb was discovered in a paper-wrapped box near the Turkish Airlines counter at Orly Airport in Paris. It was defused before it detonated.³⁴³
3. 1 United Kingdom January 25, 1983 Two letter bombs were sent to offices in the United Kingdom. The first was sent to the Aeroflot office in Piccadilly, while the second went to a Soviet travel agency on Regents street. The first failed to go off, and the second was disarmed prior to detonation.³⁴⁴
4. 8 Czechoslovakia February 18, 1983 An attempted hijacking was foiled by national security forces on a plane. The flight was departing from Poprad, Czechslovakia and was intended to ultimately land in Prague. The hijacker claimed to have explosives. No information is available on whether he actually had any.³⁴⁵
5. 1 France February 28, 1983 A Turkish travel agency in Paris was severely damaged when a bomb detonated. One woman was killed and four others were injured.³⁴⁶
6. 8 Bulgaria March 7, 1983 Security guards aboard a flight from Sofia to Varna (Bulgaria) prevented an attempted hijacking from taking place. One hijacker was killed. The others were arrested.³⁴⁷
7. 1 France April 9, 1983 A man fired a rifle at the Aeroflot office in Marseilles. He had attacked the Soviet consulate the night before. He was arrested after a car chase by police.³⁴⁸
8. 3 Turkey April 15, 1983 A lone man hijacked an aircraft after it left Istanbul and demanded to be taken to Greece. He held a knife to the pilot's neck and threatened to blow up the plane. The "bomb" was actually a can of putty. The plane landed near Athens, and Greek security forces were eventually able to storm the plane.³⁴⁹
9. 3 Greece June 22, 1983 Fourteen Palestinian fighters arriving in Cyprus from Athens had their weapons confiscated in customs when they declared them. They were in transit from Tunis to Lebanon.³⁵⁰

342. *Id.* at 357.

343. *Id.*

344. *Id.* at 358.

345. *Id.* at 365.

346. *Id.* at 367.

347. *Id.* at 370.

348. *Id.* at 380.

349. *Id.* at 382-83.

350. *Id.* at 405.

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|-----|---|---------|---------------------|---|
| 10. | 3 | Greece | June 23,
1983 | A Romanian airliner chartered by Libyan Arab Airways was hijacked upon its departure from Athens. Its ultimate destination was Tripoli, Libya. The hijackers had pistols, which they pulled out after the plane took off. The hijacking ended 22 hours later when the men surrendered. ³⁵¹ |
| 11. | 3 | France | July 15,
1983 | A bomb exploded in the main hall of Orly Airport's south terminal (France). The bomb had been placed among bags in the hall. Eight people were killed and 53 were wounded. ³⁵² |
| 12. | 1 | France | August 9,
1983 | The Air Algerie offices in Marseilles was bombed and sustained damage. ³⁵³ |
| 13. | 3 | Austria | August 27,
1983 | An Air France flight en route from Vienna to Paris was hijacked by four men with grenades and submachine guns. The hijackers ultimately surrendered four days later on August 31. ³⁵⁴ |
| 14. | 3 | Spain | Fall
1983 | Exact date unreported. A rocket launcher was found near the main runway at Madrid's Barajas International Airport. Security guards suspected that it was evidence of a bungled terrorist attack. ³⁵⁵ |
| 15. | 1 | Austria | November 7,
1983 | The Iran Air office in Vienna was occupied by seven men and one woman. ³⁵⁶ |
- 1984**
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|----|---|---------|----------------------|---|
| 1. | 1 | France | February 4,
1984 | Seven protestors chained themselves together and occupied the TWA office in Paris. ³⁵⁷ |
| 2. | 1 | Belgium | February 5,
1984 | A Molotov cocktail was thrown at the Yugoslav Airlines JAT office in downtown Brussels. ³⁵⁸ |
| 3. | 1 | Greece | February 9,
1984 | Five men took a hostage and occupied a Turkish Airlines office in Athens. No one was injured. ³⁵⁹ |
| 4. | 8 | Greece | February 10,
1984 | A man hijacked a flight en route from Iraklion to Athens. He claimed to have explosives in his baggage (no information is available on whether there were any), and he wanted to be flown to Florida to meet a young American woman. His attempted hijacking failed. ³⁶⁰ |

351. *Id.* at 407.

352. *Id.* at 417-18.

353. *Id.* at 427.

354. *Id.* at 434-35.

355. *Id.* at 454.

356. *Id.* at 456.

357. II EDWARD F. MICKOLUS, TODD SANDLER & JEAN M. MURDOCK, INTERNATIONAL TERRORISM IN THE 1980S: A CHRONOLOGY OF EVENTS, at 11 (1989).

358. *Id.* at 12.

359. *Id.* at 13.

360. *Id.* at 14.

5.	8	West Germany	March 7, 1984	An Air France plane was hijacked en route from Frankfurt to Paris. The hijacker claimed to have explosives, but no information is available as to whether he actually had any. He was eventually overpowered by policemen dressed as airport workers delivering meals to the airplane. ³⁶¹
6.	3	United Kingdom	April 20, 1984	A suitcase bomb exploded in the unclaimed baggage area of the Heathrow Airport in London. It was suspected that the bomb arrived on a flight from Tripoli. ³⁶²
7.	1	West Germany	April 26, 1984	Protestors stormed the office of Iran Air in Frankfurt with tear gas. Only minor injuries were suffered. ³⁶³
8.	1	Cyprus	May 12, 1984	A car bomb exploded outside the offices of Iraqi Airways in Nicosia, Cyprus. The Military Affairs division of the Iraqi embassy and the Iraqi Security Organization were located in the same building. ³⁶⁴
9.	7	Italy	May 18, 1984	Two men were arrested at Rome's international airport after a routine search uncovered explosives in their bags. ³⁶⁵
10.	1	West Germany	June 5, 1984	Two men hurled incendiary devices at the Iran Air office at Frankfurt's main railway station. ³⁶⁶
11.	1	Greece	June 20, 1984	Seven men temporarily occupied a Pan American office in Greece, but left peacefully when police arrived. ³⁶⁷
12.	1	France	June 21, 1984	The Paris office of Pan American was occupied by protestors. ³⁶⁸
13.	3	West Germany	July 31, 1984	An Air France plane was hijacked en route from Frankfurt to Paris. The men were armed with grenades and knives. They acquired submachine guns at a stop in Tehran. The incident lasted for 46 hours before the hijackers blew up the plane's cockpit and gave themselves up. ³⁶⁹
14.	5	France	August 6, 1984	A freight company aircraft was hijacked en route from Marseilles to Algeria. Shortly after takeoff, the hijacker emerged from the cargo bay with a sawed-off shotgun and a dagger. During a refueling stop, an antiterrorist squad overpowered him. ³⁷⁰
15.	3	Bulgaria	August 30, 1984	A bomb exploded at the Varna airport (Bulgaria) near the Black Sea summer resort. Several deaths were reported. ³⁷¹

361. *Id.* at 22.

362. *Id.* at 48-49.

363. *Id.* at 50-51.

364. *Id.* at 59.

365. *Id.* at 61.

366. *Id.* at 65.

367. *Id.* at 69.

368. *Id.*

369. *Id.* at 83-85.

370. *Id.* at 87.

371. *Id.* at 97.

16.	4	Cyprus	September 15, 1984	An Iraqi Airways aircraft en route from Cyprus to Baghdad was nearly hijacked. One hijacker threatened the pilots with a paper-wrapped bottle before the three would-be hijackers were killed by Iraqi security men aboard the aircraft. ³⁷²
17.	2	France	October 10, 1984	A separatist group bombed a radar beacon at the Biarritz Airport (France) on the evening of a scheduled visit by President Francois Mitterrand. ³⁷³
18.	3	United Kingdom	November 6, 1984	An aircraft traveling from London to Riyadh was hijacked by an armed man. The plane was diverted to Tehran. Few details are available due to a news blackout imposed by Iran. ³⁷⁴
19.	1	Austria	November 12, 1984	A closed cooking pot containing a time bomb detonated in front of the El Al Airline in Vienna. Property damage, but no injuries, were reported. ³⁷⁵
20.	7	Switzerland	November 18, 1984	Swiss security personnel arrested a Lebanese man preparing to board a plane for Rome. He was carrying 1.8 kilos of explosives. ³⁷⁶
21.	3	France	December 11, 1984	A flight attendant discovered a bomb in the lavatory of an Air Afrique flight. It was en route from Paris to Dakar, but it had made a stop in Marseilles. The bomb was discovered shortly after takeoff from Marseilles. The plane made an emergency landing in Casablanca where police dogs uncovered other explosives on board. ³⁷⁷

1985

1.	3	West Germany	February 27, 1985	A Lufthansa en route from Frankfurt to Damascus was hijacked by two men being deported to Syria. The hijackers had knives ³⁷⁸ and broken bottles. Eventually, they surrendered.
2 to 4.	1	Greece Italy Cyprus	March 21, 1985	Two grenades were hurled at the Royal Jordanian Airlines office in Athens. Similar attacks were made upon Alia offices in Rome and Cyprus. ³⁷⁹
5.	3	West Germany	March 27, 1985	A Lufthansa plane en route from Munich to Athens was hijacked by a lone hijacker with a knife. ³⁸⁰

372. *Id.* at 103. This incident has been classified in Category 4, as it was presumably legal to carry a bottle aboard an aircraft. There is no other indication that illegal weapons were aboard the flight.

373. *Id.* at 113.

374. *Id.* at 124.

375. *Id.* at 126.

376. *Id.* at 128.

377. *Id.* at 145.

378. *Id.* at 171.

379. *Id.* at 181-82.

380. *Id.* at 184-85.

6.	3	Greece	April 4, 1985	A rocket launcher was fired at a Jordanian aircraft by an assailant on or near the airport runway. The plane had been preparing to take off with 62 passengers and 13 crew members aboard. The rocket hit the roof of the jet, but failed to explode. The plane returned to the terminal with a ten-centimeter hole, but no injuries incurred by those aboard. ³⁸¹
7.	1	Switzerland	April 26, 1985	A bomb destroyed the Geneva office of Libyan Arab Airlines. ³⁸²
8.	1	Italy	June 4, 1985	The British Airways office in Turin, Italy, was attacked in retaliation for a Brussels soccer riot. ³⁸³
9.	3	Greece	June 14, 1985	A TWA plane en route from Athens to Rome was hijacked by hijackers carrying grenades and a pistol. Hostages were held until their ultimate release on June 30. Partway through the ordeal, most of the hostages were moved from the TWA plane to a location in Beirut. ³⁸⁴
10.	3	West Germany	June 19, 1985	A bomb exploded in the international departure lounge in the Frankfurt airport. Three people were killed and others were injured. ³⁸⁵
11.	3	Norway	June 21, 1985	A drunken ex-convict hijacked a domestic flight in Norway; he was armed with an air pistol. He eventually gave himself up in return for beer. ³⁸⁶
12.	3	Sweden	June 25, 1985	A modified radio with a threatening note was found aboard an aircraft at Arlanda Airport in Stockholm. The note claimed the radio would detonate a bomb in the plane's toilet; however, the device was determined to be a hoax device. ³⁸⁷
13.	4	West Germany	June 28, 1985	A Turkish Airlines plane en route from Frankfurt to Istanbul was hijacked by a man wielding the airplane's fire extinguisher. The hijacker was disarmed by the pilot and another person. ³⁸⁸
14.	1	Spain	July 1, 1985	In Madrid, a building housing two airline offices, TWA and British Airways, was attacked. Five minutes later, machine-gun fire was sprayed at the Royal Jordanian Airlines office located nearby and hand grenades were hurled through the windows. ³⁸⁹
15.	3	Italy	July 1, 1985	A suitcase bomb exploded at an airport in Rome. The suitcase was in a transit zone; it exploded at 8:00 p.m., but it is believed that it should have been on the 7:30 flight to Madrid. It had missed its connecting flight. ³⁹⁰

381. *Id.* at 187.

382. *Id.* at 193-94.

383. *Id.* at 212.

384. *Id.* at 219-25.

385. *Id.* at 228.

386. *Id.* at 230-31.

387. *Id.* at 234-35.

388. *Id.* at 236. This has been classified as Category 4, since the fire extinguisher was legally aboard the plane.

389. *Id.* at 238.

390. *Id.* at 239-40.

16.	7	East Germany	July 13, 1985	Two men carrying explosives in diplomatic bags were arrested at East Berlin's Schoenefeld Airport. They apparently intended to hijack an U.S. airliner in West Berlin. ³⁹¹
17.	1	Denmark	July 22, 1985	A bomb in Copenhagen destroyed the offices of Northwest Orient, an U.S. airline. One person was killed and two were seriously injured. ³⁹²
18.	1	Turkey	August 27, 1985	A bomb exploded in front of an El Al office in Istanbul. ³⁹³
19.	1	Austria	September 24, 1985	A bomb directed at the offices of Air France in Vienna damaged a Hungarian Bank instead. Several people were injured. ³⁹⁴
20.	1	Italy	September 25, 1985	A bomb exploded in front of a British Airways office in Rome. One person died and many were wounded. ³⁹⁵
21.	1	Netherlands	September 30, 1985	A bomb exploded in front of an El Al office in Amsterdam, causing minor property damage. ³⁹⁶
22.	1	Greece	October 7, 1985	A bomb exploded in front of a Libyan Airlines office in Athens. ³⁹⁷
23.	7	France	November 7, 1985	Security guards at Orly Airport in Paris confiscated a suitcase with guns, grenades, submachine guns and cartridges. The owner never claimed his luggage. ³⁹⁸
24.	1	Cyprus	November 8, 1985	A bomb damaged an Iraqi Airlines office in Nicosia. ³⁹⁹
25.	3	Greece	November 23, 1985	An Egypt Air aircraft was hijacked en route from Athens to Cairo. The hijackers were armed with hand grenades and pistols. One of the hijackers was killed by a security guard aboard the aircraft. The incident lasted for several days, during which several passengers were shot. Eventually, commandos stormed the plane. A fight followed in which the hijackers threw hand grenades. Fifty-six passengers, including 8 children, died of suffocation during the tussle. One hijacker died and the other was struck in the head with a fire axe and injured. In all, twenty-six were rescued and sixty-one died. The number of Egyptian commandos wounded was undisclosed. ⁴⁰⁰

391. *Id.* at 246.

392. *Id.* at 248.

393. *Id.* at 262.

394. *Id.* at 272.

395. *Id.* at 273.

396. *Id.* at 279.

397. *Id.* at 281.

398. *Id.* at 302.

399. *Id.*

400. *Id.* at 307-10.

26.	7	Cyprus	December 17, 1985	Routine screening at an airport in Cyprus resulted in the discovery of grenades, pistols, magazines, a silencer and 90 rounds of ammunition in the luggage of a man departing for Amman. ⁴⁰¹
27.	1	Portugal	December 23, 1985	A bomb destroyed the offices of Iberia Airlines in downtown Lisbon. ⁴⁰²
28 & 29.	3	Austria Italy	December 27, 1985	In Vienna and Rome, terrorists simultaneously attacked passengers at El Al check-in desks with grenades and rifles. In Vienna, 3 people died and 37 were injured. In Rome, 16 were killed (including three terrorists) and 73 wounded. ⁴⁰³

1986

1.	1	Belgium	February 14, 1986	A homemade bomb was found at the Aeroflot office in Brussels. The bomb was defused before it detonated. ⁴⁰⁴
2.	3	Italy	April 2, 1986	An explosion aboard a TWA plane en route from Rome to Athens blew a hole in the aircraft through which four passengers were sucked by decompression. The explosion resulted from plastic explosives hidden underneath seat 10F in the cabin. ⁴⁰⁵
3.	1	Sweden	April 7, 1986	An explosive device, concealed in a backpack, detonated in front of the Northwest Airlines office in Stockholm, Sweden. ⁴⁰⁶
4.	1	Portugal	April 10, 1986	There was an explosion at the Air France office in Lisbon, Portugal. The TWA office nearby also suffered damage. ⁴⁰⁷
5.	3	United Kingdom	April 17, 1986	A suitcase bomb was discovered during a secondary routine security check conducted by El Al security at Heathrow Airport. Initial x-ray checks missed the bomb. It was set to explode during mid-flight on a scheduled trip to Tel Aviv. The female passenger had been tricked into carrying the suitcase by her boyfriend. ⁴⁰⁸
6.	1	United Kingdom	April 24, 1986	A bomb hidden among bags of garbage caused an explosion at the British Airways office in London. The explosion also caused damage to nearby stores. ⁴⁰⁹
7.	1	Austria	April 25, 1986	Two airline offices in Austria were attacked with hand grenades. One grenade was found taped to the front door of the Kuwait Airlines office; the other grenade blew off the front door of a Saudi Arabian airline office in the same building. ⁴¹⁰

401. *Id.* at 319.

402. *Id.* at 324.

403. *Id.* at 325-28.

404. OFFICE OF CIVIL AVIATION SECURITY, U.S. DEP'T OF TRANSP., CRIMINAL ACTS AGAINST CIVIL AVIATION: 1986, at app.D (1987).

405. *Id.*

406. *Id.*

407. *Id.*

408. *Id.* The Mickolus volume also discusses this event and notes that the successful security check was performed by El Al security, not the security force at Heathrow Airport. MICKOLUS, *supra* note 358, at 376-78.

409. OFFICE OF CIVIL AVIATION SECURITY, *supra* note 405, at app.D.

410. *Id.*

8.	3	Yugoslavia	May 1, 1986	Components for an explosive device were discovered in the luggage of a passenger at Schiphol Airport in Amsterdam after he arrived from Yugoslavia. ⁴¹¹
9.	5	West Germany	May 8, 1986	A suitcase arriving at an airport on a Greek island was found to contain flares and other explosive devices. The suitcase had been aboard a chartered aircraft that arrived from Munich. ⁴¹²
10.	3	Finland	May 20, 1986	A man with a starter's pistol forced his way aboard a flight awaiting departure from Oulu, Finland. The hijacker demanded that a television crew be brought aboard, but he was apprehended when police officers, disguised as a television crew, boarded the aircraft. ⁴¹³
11.	3	Spain	June 26, 1986	A suitcase bomb exploded at the El Al Airlines counter at an airport in Madrid, Spain. The bomb exploded as the suitcase was being inspected by El Al security. ⁴¹⁴
12.	1	France	September 8, 1986	The Iraqi Airlines office in Paris was seized by militants and hostages were taken. The siege ended an hour later when the militants were persuaded to surrender. ⁴¹⁵
13.	2	Turkey	September 22, 1986	Three hand grenades were discovered at an airport in Turkey. They had apparently been mailed from Austria. ⁴¹⁶
14.	1	West Germany	October 28, 1986	A Lufthansa Airline office in Cologne was bombed. No one was injured. ⁴¹⁷
15.	1	France	November 1, 1986	An air charter company in Paris was damaged when it was bombed early in the morning. No one was injured. ⁴¹⁸
16.	5	Italy	November 23, 1986	A Red Cross helicopter was hijacked from a hospital in Rome and forced to fly to a nearby prison. Two prisoners successfully escaped. ⁴¹⁹
1987				
1.	1	West Germany	March 10, 1987	The Turkish Airlines office in Duesseldorf was attacked by twelve men armed with iron bars and clubs. They destroyed the interior of the office, but no one was hurt. ⁴²⁰
2.	5	France	July 19, 1987	A helicopter at Nice Airport was hijacked when an armed man forced a pilot to fly to a nearby jail and pick up an escaped prisoner. ⁴²¹
3.	1	West Germany	September 10, 1987	The Iran Air Office at Frankfurt Airport was destroyed when nine men stormed it and took a hostage. ⁴²²

411. *Id.*

412. *Id.*

413. *Id.*

414. *Id.*

415. *Id.*

416. *Id.*

417. *Id.*

418. *Id.*

419. *Id.*

420. OFFICE OF CIVIL AVIATION SECURITY, U.S. DEP'T OF TRANSP., CRIMINAL ACTS AGAINST CIVIL AVIATION: 1987, at app.D (1988).

421. *Id.*

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|----|---|----------------|--------------------|---|
| 4. | 1 | France | September 10, 1987 | Five men attacked the Iran Air office on the Champs Elysee. ⁴²³ |
| 5. | 5 | United Kingdom | December 10, 1987 | In Leicestershire, England, a helicopter was hijacked and forced to land at a nearby prison. Two escaped prisoners were picked up. They escaped along with the hijacker. ⁴²⁴ |
| 6. | 4 | Netherlands | December 23, 1987 | A teenager hijacked a KLM plane about an hour after it left Amsterdam en route to Milan. He claimed to have two bombs controlled by a remote control device on his watch. It was ultimately discovered that he had no weapons. ⁴²⁵ |

1988

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|----|---|----------------|-------------------|--|
| 1. | 1 | Turkey | April 14, 1988 | A bomb was discovered in front of the El Al Airlines office in Istanbul, Turkey. The bomb was dismantled before it could detonate. <i>Id.</i> ⁴²⁶ |
| 2. | 1 | West Germany | April 18, 1988 | A bomb was thrown at the office of Saudi Arabia Airlines in Frankfurt. No injuries were reported, despite extensive property damage. ⁴²⁷ |
| 3. | 3 | Netherlands | May 16, 1988 | A ground burst simulator was found on a plane in Seattle after passengers had deplaned. The device was believed to have been brought on board in Amsterdam, which is where the flight originated. ⁴²⁸ |
| 4. | 1 | United Kingdom | September 9, 1988 | Protestors barricaded themselves in the offices of Iraqi Airways in London. ⁴²⁹ |
| 5. | 1 | Switzerland | November 18, 1988 | A bomb exploded outside the Aeroflot office in Geneva. Six people were injured. ⁴³⁰ |
| 6. | 3 | United Kingdom | December 21, 1988 | A bomb in a suitcase exploded in the front baggage compartment of Pan Am flight 103, which was en route from London to New York. The plane exploded over Scotland, killing all passengers and crew, as well as eleven people on the ground. ⁴³¹ |

1989

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|----|---|-------------|-----------------|--|
| 1. | 3 | Netherlands | January 5, 1989 | A hoax explosive device went undetected when a journalist carried it through preboard screening on a flight from Amsterdam to London. ⁴³² |
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422. *Id.*

423. *Id.*

424. *Id.*

425. *Id.*

426. OFFICE OF CIVIL AVIATION SECURITY, U.S. DEP'T OF TRANSP., CRIMINAL ACTS AGAINST CIVIL AVIATION: 1988, at app.D (1989).

427. *Id.*

428. *Id.*

429. *Id.*

430. *Id.*

431. *Id.*

432. OFFICE OF CIVIL AVIATION SECURITY, U.S. DEP'T OF TRANSP., CRIMINAL ACTS AGAINST CIVIL AVIATION: 1989, at app.D (1990).

2.	3	Greece	January 5, 1989	Components for an explosive device were found in a bathroom at Iraklion International Airport in Greece. A threatening note was found with the device. ⁴³³
3.	1	France	February 6, 1989	Iranian dissidents occupied an Iran Airline Office in Paris France. ⁴³⁴
4.	1	Turkey	March 20, 1989	Explosion at Emirates Airlines office in downtown Istanbul. There were no injuries. ⁴³⁵
5.	3	Czechoslovakia	March 29, 1989	Two teenagers hijacked a plane from Czechoslovakia to West Germany with a sawed-off carbine, a sawed-off shotgun, and a box of ammunition. The hijackers eventually surrendered. ⁴³⁶
6.	3	Czechoslovakia	May 26, 1989	A man armed with a fake grenade hijacked a commuter flight with 27 passengers. A security guard overpowered the hijacker, and the aircraft was able to land without incident. ⁴³⁷
7.	3	Northern Ireland	July 3, 1989	Three explosions occurred at an airport in Belfast, Northern Ireland. Additional explosives were found before they detonated. ⁴³⁸
8.	4	France	August 23, 1989	A man hijacked an Air France plane en route from Paris to Algiers by threatening to explode a bomb if the plane did not land in Tunis. The plane was denied permission to land in Tunis and landed in Algiers instead. No weapon or explosive device was later found. ⁴³⁹
9.	1	Northern Ireland	November 27, 1989	An explosive device at the Short Brothers complex at Harbor Airport in Belfast detonated, destroying a prototype aircraft. ⁴⁴⁰
10.	3	France	December 15, 1989	A suspicious box containing electronic wires and batteries was found in a duty free jewelry store at Orly Airport in Paris. ⁴⁴¹

1990

1.	7	United Kingdom	April 29, 1990	A teenage girl was arrested at a police roadblock outside Belfast International Airport. She was wearing improvised explosives under her clothing. The bus was headed for the airport, although her actual target is unknown. ⁴⁴²
2.	1	Turkey	May 21, 1990	The El Al Ticket Office in Istanbul, Turkey was attacked with an improvised explosive device, which detonated on the sidewalk outside the office. ⁴⁴³

433. *Id.*

434. *Id.*

435. *Id.*

436. *Id.*

437. *Id.*

438. *Id.*

439. *Id.*

440. *Id.*

441. *Id.*

442. Office of Civil Aviation Security, U.S. Dep't of Transp., *Criminal Acts Against Civil Aviation: 1990*, at app.D (1991).

443. *Id.*

3.	1	Netherlands	June 30, 1990	An improvised bomb detonated in front of an Iberian Airlines office in Amsterdam. ⁴⁴⁴
1991				
1.	8	Corsica	January 4, 1991	An Air France plane was occupied for 20 hours at Bastia Airport in northern Corsica. It was occupied by ground crew members on strike. ⁴⁴⁵
2.	1	Italy	January 15, 1991	Two Molotov cocktails were thrown through the windows of a Pan American Airlines office in Turin. ⁴⁴⁶
3.	3	Germany	January 18, 1991	An explosive device was found in the restroom of an airport in Berlin. It was defused before it detonated. ⁴⁴⁷
4 & 5.	1	Turkey	January 27, 1991	An Air France office and a tourism agency in Turkey were attacked with explosive devices. There were no injuries. ⁴⁴⁸
6	7	Northern Ireland	February 18, 1991	An explosive device was found in the backseat of an abandoned car at Belfast International Airport. ⁴⁴⁹
7.	1	Northern Ireland	March 6, 1991	A five-pound explosive device detonated at an office of Shorts Aircraft Company in East Belfast. ⁴⁵⁰
8.	5	Turkey	March 27, 1991	A private helicopter was destroyed by fire. It was unoccupied when four gunmen tied up the watchman and placed an explosive device on the helicopter. ⁴⁵¹
9 & 10.	1	Turkey	April 13, 1991	Two pipe bomb attacks occurred at the offices of Pacific Aviation and Istanbul Airlines in Istanbul. ⁴⁵²
11.	1	Northern Ireland	April 16, 1991	Shorts Aircraft Company in East Belfast was bombed. There was extensive damage, but no injuries. ⁴⁵³
12.	1	Northern Ireland	April 17, 1991	A two-pound explosive device was found at Shorts Aircraft Company in East Belfast. ⁴⁵⁴
13.	1	Greece	April 19, 1991	In Patras, an explosive device detonated in the building in which Air Courier Services was located. ⁴⁵⁵
14.	6	Yugoslavia	May 2, 1991	A Croatian Ministry for Internal Affairs helicopter was shot at by unidentified attackers while en route from Kijevo to Sinj. ⁴⁵⁶
15.	1	Italy	May 28, 1991	A bomb detonated at the Iberia office in Rome. ⁴⁵⁷

444. *Id.*

445. Office of Civil Aviation Security, U.S. Dep't of Transp., *Criminal Acts Against Civil Aviation: 1991*, at 15 (1992).

446. *Id.*

447. *Id.*

448. *Id.*

449. *Id.*

450. *Id.* at 15-16.

451. *Id.* at 16.

452. *Id.*

453. *Id.*

454. *Id.*

455. *Id.*

456. *Id.* at 17.

457. *Id.*

16.	1	Italy	June 11, 1991	A bomb detonated at the Iberia office in Milan. ⁴⁵⁸
17.	1	Netherlands	July 4, 1991	A Molotov cocktail was thrown at the Yugoslov Airlines office in Amsterdam. ⁴⁵⁹
18 & 19.	1	Greece Germany	July 11, 1991	The Turkish Airlines offices in Hamburg, Germany and Athens, Greece were each attacked. The German office was attacked with stones, while the office in Athens was occupied and vandalized. ⁴⁶⁰
20.	1	Belgium	July 13, 1991	Molotov cocktails were thrown at the Turkish Airlines office in Brussels. ⁴⁶¹
21 & 22.	1	Greece Germany	July 14, 1991	The Lufthansa Airlines office in Thessalonika, Greece and the Turkish Airlines office in Frankfurt, Germany were attacked with explosive devices and Molotov cocktails. ⁴⁶²
23.	1	Greece	July 16, 1991	A Turkish Airlines office in Athens, Greece was occupied by demonstrators. ⁴⁶³
24.	1	Germany	July 18, 1991	A Turkish Airlines office in Hanover was attacked by two Molotov cocktails that failed to ignite. ⁴⁶⁴
25.	1	Germany	July 20, 1991	An attempt was made to firebomb a Turkish Airlines office in Germany, but the attempt failed. ⁴⁶⁵
26 & 27.	1	Germany Belgium	August 9, 1991	Turkish Airlines offices in Frankfurt and Brussels were occupied by demonstrators. ⁴⁶⁶
28.	6	Yugoslavia	August 16, 1991	A European Community helicopter was struck by three bullets while en route to Croatia. The helicopter made an emergency landing in Rajici, and no injuries were reported. ⁴⁶⁷
29.	1	Ireland	September 10, 1991	An explosive device detonated at Shorts Aircraft Company in Belfast. ⁴⁶⁸
30.	6	Yugoslavia	September 12, 1991	A Yugoslavian Federal Army helicopter was struck by three bullets while flying over Croatia. There were no injuries. ⁴⁶⁹
31.	3	Italy	September 19, 1991	An Alitalia aircraft was hijacked en route from Rome to Tunis. The hijacker was armed with a pistol and claimed to have a bomb. No explosive device was found after the hijacker was apprehended. ⁴⁷⁰

458. *Id.*

459. *Id.*

460. *Id.*

461. *Id.*

462. *Id.* at 18.

463. *Id.*

464. *Id.*

465. *Id.*

466. *Id.*

467. *Id.*

468. *Id.* at 19.

469. *Id.*

470. *Id.*

32.	1	Cyprus	September 22, 1991	A Kuwait Airways office in Nicosia was attacked with a Molotov cocktail. ⁴⁷¹
33.	5	France	October 5, 1991	A helicopter was hijacked by two passengers in an attempt to aid a prison escape in Marseilles. ⁴⁷²
34.	8	Czechoslovakia	October 21, 1991	A Czechoslovakian aircraft was hijacked while en route from Bratislava to Prague. The hijacker claimed to have a bomb. No information is available on whether he actually had a bomb. ⁴⁷³
35.	2	Germany	October 28, 1991	An attempt was made to damage a radio beacon serving the west runway of the Rhein-Main Airport in Frankfurt. ⁴⁷⁴
36.	2	Germany	October 29, 1991	A Molotov cocktail was thrown at the radio beacon at Rhein-Main Airport in Frankfurt. The beacon was damaged. ⁴⁷⁵
37.	1	Denmark	November 11, 1991	A Turkish Airlines office in Copenhagen was attacked with a Molotov cocktail. ⁴⁷⁶
38.	1	United Kingdom	November 27, 1991	The Turkish Airlines office in London was attacked. Its windows were damaged. ⁴⁷⁷
39.	1	Northern Ireland	December 18, 1991	The Shorts Aircraft Company in East Belfast was attacked. The facility was damaged, but no injuries were reported. ⁴⁷⁸
40.	2	Hungary	December 23, 1991	A car bomb exploded five hundred yards from Budapest Airport in Hungary, causing injuries and damages to the airport facilities. ⁴⁷⁹
41.	1	Turkey	December 25, 1991	A Turkish Airlines office in Istanbul was bombed. No injuries were reported. ⁴⁸⁰
42.	1	Germany	December 27, 1991	The Turkish Airlines office in Hanover was occupied by demonstrators. ⁴⁸¹
43.	1	Sweden	December 30, 1991	A Turkish Airlines office in Stockholm was attacked. The facilities were damaged, but no injuries were reported. ⁴⁸²
1992				
1.	1	Germany	January 24, 1992	A small-caliber rifle was used to fire nearly a dozen shots at an Air Algerie office in Frankfurt. ⁴⁸³

471. *Id.*

472. *Id.*

473. *Id.*

474. *Id.* at 20.

475. *Id.*

476. *Id.*

477. *Id.*

478. *Id.*

479. *Id.*

480. *Id.* at 21.

481. *Id.*

482. *Id.*

483. OFFICE OF CIVIL AVIATION SECURITY, U.S. DEP'T OF TRANSP., CRIMINAL ACTS AGAINST CIVIL AVIATION: 1992, at 17 (1993).

2 & 3.	1	Germany United Kingdom	March 11, 1992	A coordinated attack was made on several Turkish targets, including a Turkish Airlines office in Cologne, which was occupied by people identifying themselves as militant Kurds. In addition, nearly 100 protestors occupied the Turkish Airlines office in London for approximately two hours. ⁴⁸⁴
4.	1	Germany	March 12, 1992	Stones were thrown at a Turkish Airlines office during a protest march in Hamburg. ⁴⁸⁵
5.	3	United Kingdom	March 13, 1992	An incendiary device was thrown on the floor near an Air France ticket counter. The resulting small fire was quickly extinguished. ⁴⁸⁶
6.	1	Austria	March 21, 1992	Stones were thrown at the Turkish Airlines office in Vienna, destroying several windows. ⁴⁸⁷
7 & 8.	1	Sweden France	March 22, 1992	A Turkish Airlines office was bombed in Stockholm, and a fire was started at the Turkish Airlines office in Lyons. ⁴⁸⁸
9 to 13.	1	Belgium Greece Germany	March 23, 1992	Turkish Airlines offices in Belgium (one office), Greece (one office), and Germany (three offices) were attacked. Windows were shattered as weapons ranging from stones to Molotov cocktails were thrown. ⁴⁸⁹
14.	1	Switzerland	March 24, 1992	The Turkish Airlines office in Zurich was attacked and furniture was destroyed. ⁴⁹⁰
15 & 16.	1	Germany	March 25, 1992	Two Turkish Airlines offices in Berlin were attacked during the night. ⁴⁹¹
17.	1	Germany	March 25, 1992	A Molotov cocktail was thrown through the window of a Turkish Airlines office in Stuttgart, but it failed to explode. ⁴⁹²
18.	1	Denmark	April 2, 1992	A Turkish Airlines office in Copenhagen was vandalized. ⁴⁹³
19.	1	Germany	April 3, 1992	The Turkish Airlines office in Frankfurt was occupied. ⁴⁹⁴
20.	1	United Kingdom	April 5, 1992	The Iran Air reservations office in London was bombed. Slight damage was sustained. ⁴⁹⁵
21.	1	France	April 18, 1992	Demonstrators tried, and failed, to set fire to the Turkish Airlines office in Lyons. ⁴⁹⁶
22.	1	Turkey	July 16, 1992	The El Al office in Istanbul was attacked. ⁴⁹⁷

484. *Id.*

485. *Id.*

486. *Id.*

487. *Id.*

488. *Id.* at 17-18.

489. *Id.*

490. *Id.*

491. *Id.* at 18-19.

492. *Id.* at 19.

493. *Id.*

494. *Id.*

495. *Id.*

496. *Id.*

23.	1	Italy	July 24, 1992	A bomb was placed outside a tourist agency (affiliated with Iberia Airlines) in Naples. It was disarmed before it detonated. ⁴⁹⁸
24.	5	France	July 26, 1992	A helicopter was hired by a small group of individuals in Corsica. They overpowered the pilot and forced him to fly to the small island of Cavallo, where they bombed several luxury apartments before returning in the helicopter and abandoning the pilot and aircraft. ⁴⁹⁹
25.	1	Germany	July 29, 1992	A Molotov cocktail was thrown at the Turkish Airlines office in Stuttgart during the night. It failed to ignite. ⁵⁰⁰
26.	1	Italy	August 1, 1992	An explosive device was found at the Air France office in Milan. It was disarmed before it detonated. ⁵⁰¹
27 & 28.	1	Germany & Denmark	August 22, 1992	The Turkish Airlines office in Frankfurt was occupied while demonstrators marched outside. At the same time, the Turkish Airlines in Copenhagen was attacked and furniture was destroyed. ⁵⁰²
29.	6	Turkey	August 27, 1992	An aircraft was struck by gunfire as it departed from an airport in Turkey. It continued to its destination, where nine bullet holes were discovered in its fuselage. ⁵⁰³
30.	1	Germany	September 16, 1992	A Molotov cocktail was thrown at the Turkish Airlines office in Hamburg. There was no damage. ⁵⁰⁴
31.	1	France	September 22, 1992	Two Molotov cocktails were thrown at the Turkish Airlines office in Paris. They failed to ignite. ⁵⁰⁵
32.	1	Germany	October 12, 1992	The Turkish Airlines office in Hanover was vandalized, and a Molotov cocktail was thrown at it. ⁵⁰⁶
33.	1	France	November 28, 1992	The Trans World Airways office in Paris was attacked by demonstrators. ⁵⁰⁷
34.	1	United Kingdom	December 20, 1992	A bomb was placed outside the Air India office in London. It caused minor damage. ⁵⁰⁸

497. *Id.*

498. *Id.* at 19-20.

499. *Id.* at 20.

500. *Id.*

501. *Id.*

502. *Id.* at 20-21.

503. *Id.* at 21.

504. *Id.*

505. *Id.*

506. *Id.*

507. *Id.*

508. *Id.*

1993

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|----------|---|------------------------------|-------------------|--|
| 1. | 3 | Germany | February 11, 1993 | A man hijacked a Lufthansa plane with a starter pistol shortly after takeoff from Frankfurt. His sole demand was to be taken to New York. Once there, he exited the aircraft and surrendered. It was later discovered that the starter pistol was loaded with blank rounds. ⁵⁰⁹ |
| 2. | 1 | Germany | June 3, 1993 | Rocks were thrown at a Turkish Airlines office in Hamburg, Germany. ⁵¹⁰ |
| 3 to 9. | 1 | Germany
Denmark
France | June 24, 1993 | Four Turkish Airlines offices in Germany, one office in Denmark and one office in France were targets of attacks. An Istanbul Airlines office in Germany was also attacked. The primary damage was broken windows. ⁵¹¹ |
| 10. | 1 | France | June 26, 1993 | A Turkish Airlines office in France was the subject of an attack in which windows were broken and furniture and computer equipment were damaged. ⁵¹² |
| 11. | 1 | United Kingdom | October 29, 1993 | A Molotov cocktail was thrown through a window in the Turkish Airlines office in London. ⁵¹³ |
| 12. | 1 | United Kingdom | November 4, 1993 | A Molotov cocktail was thrown into the Turkish Airlines office in London. ⁵¹⁴ |
| 13. | 1 | Denmark | November 4, 1993 | The Turkish Airlines office in Copenhagen was the subject of an arson attempt. ⁵¹⁵ |
| 14 & 15. | 1 | Germany | November 4, 1993 | Turkish Airlines offices in Stuttgart and Frankfurt were the subject of bombing attacks. ⁵¹⁶ |
| 16. | 3 | France | December 10, 1993 | A domestic flight in France was hijacked by a man armed with a knife. He also claimed to have an explosive device. The hijacker was eventually apprehended by police, and it was discovered that he did not have an explosive. ⁵¹⁷ |

1994

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|----|---|---------|---------------|--|
| 1. | 5 | Finland | March 9, 1994 | A twin-engine Cessna at a small airfield in Finland was completely destroyed by an explosive device. The airfield was one that handles mostly cargo and small private planes. Insurance fraud was the suspected motive. ⁵¹⁸ |
|----|---|---------|---------------|--|

509. OFFICE OF CIVIL AVIATION SECURITY, U.S. DEP'T OF TRANSP., CRIMINAL ACTS AGAINST CIVIL AVIATION: 1993, at 28 (1994).

510. *Id.*

511. *Id.* at 29.

512. *Id.*

513. *Id.* at 29-30.

514. *Id.* at 30.

515. *Id.*

516. *Id.*

517. *Id.*

518. OFFICE OF CIVIL AVIATION SECURITY, U.S. DEP'T OF TRANSP., CRIMINAL ACTS AGAINST CIVIL AVIATION: 1994, at 20 (1995).

2 to 4.	2	United Kingdom	March 9, 11, & 13, 1994	Three attacks in a five-day period at London's Heathrow airport. Mortar rounds were fired at a runway from an automobile parked on the airport's perimeter (March 9). The rounds did not explode. ⁵¹⁹ The March 11 attack was aimed at the southern runway and Terminal 4. Again, none of the rounds exploded. The shots were fired from launch tubes buried in the ground outside the airport perimeter. ⁵²⁰ The last attack (March 13) was on Terminal 4. Again, none of the rounds exploded and the launch tube was found 1000 meters outside the airport covered by camouflage. ⁵²¹
5.	2	Germany	May 1, 1994	Fifty intruders cut a hole in the perimeter fence at Frankfurt International Airport and set fire to electrical distribution boxes and two passenger loading ramps. They eventually escaped through the hole in the fence. ⁵²²
6.	1	Albania	June 21, 1994	The Swiss Air ticket office in Tirane, Albania was robbed. ⁵²³
7.	5	Belgium	July 2, 1994	A chartered helicopter flight was hijacked on a flight from Belgium to the Netherlands. The passenger pulled a handgun and ordered the pilot to circle a prison. The hijacking was apparently part of an attempted prison escape; however, the prisoner never gave the signal. When the helicopter landed, the hijacker fled on foot. ⁵²⁴
8.	3	Greece	August 16, 1994	An improvised explosive device was discovered in a trashcan outside the door of an airport in Greece. The incident coincided with the arrival of several dignitaries on an incoming flight. ⁵²⁵
9.	4	Norway	November 3, 1994	An unarmed man hijacked a domestic flight in Norway. He claimed that he had armed collaborators among the passengers (there were none), and he claimed that ten explosive devices throughout Norway would detonate if his demands were not met. ⁵²⁶
10.	2	Germany	November 6, 1994	A perimeter fence at Frankfurt International Airport was cut and intruders gained access. The intruders set fire to runway illumination switch boxes and an old passenger ramp. There was significant damage, but no interruption of air traffic. ⁵²⁷

519. *Id.*

520. *Id.* at 20-21.

521. *Id.* at 21.

522. *Id.*

523. *Id.*

524. *Id.* at 22.

525. *Id.*

526. *Id.* at 22-23.

527. *Id.* at 23.

Not counted:	Sicily Germany	March 21, 1994	A hijacker claiming to have explosives hijacked a plane en route from Sicily to Italy. It was later determined that the device he carried contained no explosives. The hijacker was eventually arrested without incident. ⁵²⁸
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1995

1.	1	Austria	April 15, 1995	Two Molotov cocktails were thrown at a Turkish Airlines office in Vienna. ⁵²⁹
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2.	1	Denmark	May 2, 1995	Three Molotov cocktails were thrown at a Turkish Airlines office in Copenhagen. ⁵³⁰
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3.	7	Spain	July 29, 1995	A suspicious package was found and detonated on a parking lot bus ramp at an airport in Spain. Police later said that the package contained "little explosive content" and was "more of an incendiary device." ⁵³¹
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4.	4	Spain	September 3, 1995	An Air Inter flight was hijacked while en route from Spain to Paris. The hijacker claimed to have a remote control detonator. The device was later discovered to be a telephone with batteries and wires. ⁵³²
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Not counted:	Thailand Greece	November 3, 1995	A passenger took a knife from a food service tray and used it to threaten a flight attendant as a flight was on its final approach into Athens. All passengers were released upon landing, and the hijacker eventually surrendered. ⁵³³
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1996

1.	3	Cyprus	March 8, 1996	Hijacking of Cyprus Turkish Airlines while en route to Istanbul, Turkey by one hijacker who claimed to have a gun. It was later discovered that the gun was a toy and a bomb he claimed to have was really four perfume bottles filled with diesel oil. ⁵³⁴
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2.	2	Denmark Norway	March 10, 1996	Gunfire was exchanged between two gangs at two Scandinavian airports. Gang members were waiting outside the main terminal building when rival gang members flew into the airport. They started shooting in the parking lot. ⁵³⁵
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3.	1	Turkey	April 28, 1996	Pipe bomb detonated outside Aeroflot airlines office in Istanbul. ⁵³⁶
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528. *Id.* at 21. The FAA reports this incident as one that occurred in Germany. The incident has not been included in this tally, as the flight originated in Sicily. Thus, any security failure should have been prevented by security in the Sicily airport.

529. OFFICE OF CIVIL AVIATION SECURITY, U.S. DEP'T OF TRANSP., CRIMINAL ACTS AGAINST CIVIL AVIATION: 1995, at 20 (1996).

530. *Id.*

531. *Id.*

532. *Id.*

533. *Id.* at 21. The FAA reports this incident as one that occurred in Greece. The incident has not been included in this tally, as the flight originated in Thailand. Thus, any security failure should have been prevented by security in the Thailand airport. Arguably, there was no security failure since the knife was not taken on board by the hijacker, but was instead taken from a food service tray.

534. OFFICE OF CIVIL AVIATION SECURITY, U.S. DEP'T OF TRANSP., CRIMINAL ACTS AGAINST CIVIL AVIATION: 1996, at 20 (1997).

535. *Id.* at 20-21. The FAA report lists these two events as one incident.

536. *Id.* at 21.

4.	3	Turkey	May 12, 1996	Undetonated device found in a bathroom at an airport in Istanbul. ⁵³⁷
5.	3	Spain	July 20, 1996	Bomb exploded in passenger terminal in Spain. ⁵³⁸
6.	4	Spain	July 26, 1996	An Iberia flight was hijacked while in route from Spain to Cuba. It was later discovered that the hijacker had gone to the plane's restroom and assembled a fake bomb out of routine travel items. ⁵³⁹
7.	8	Malta	October 17, 1996	An Aeroflot flight was hijacked en route from Russia to Nigeria by a man claiming to have a knife. The hijacker boarded the plane in Malta. Two Austrian police officers (accompanying three Nigerians who were being deported) saw the commotion and overpowered the hijacker with pepper spray. ⁵⁴⁰

1997

1.	2	Spain	January 6, 1997	Five rifle grenades were launched at an airport in Madrid; there was no damage to airport property. The grenades were fired from launch tubes 800 meters from the airport perimeter. ⁵⁴¹
2.	4	Germany	January 7, 1997	An Austrian Airlines flight was hijacked en route from Germany to Austria. The hijacker had a wooden baton and a 3 1/2 inch knife, which was legal under airline regulations. ⁵⁴²
3.	1	France	January 28, 1997	A bomb exploded at the offices of Air France in Nice, France. ⁵⁴³
4.	1	Greece	April 4, 1997	In Athens, a bomb was placed at the entrance of an Italian airline's office. Police responded to a warning phone call, and the bomb was removed before it detonated. ⁵⁴⁴
5.	3	Malta	June 9, 1997	Two men hijacked an Air Malta flight and diverted it to an airport in Germany. One hijacker appeared to have dynamite strapped to his chest. It was later discovered that the explosives the two men claimed to have were fake. ⁵⁴⁵
6.	1	Greece	October 19, 1997	The Alitalia office in Athens was again targeted, but this time the bomb detonated. ⁵⁴⁶

537. *Id.*

538. *Id.*

539. *Id.*

540. *Id.* at 22.

541. OFFICE OF CIVIL AVIATION SECURITY, U.S. DEP'T OF TRANSP., CRIMINAL ACTS AGAINST CIVIL AVIATION: 1997, at 20 (1998).

542. *Id.*

543. *Id.*

544. *Id.* at 21.

545. *Id.*

546. *Id.*

1998

1. 4 Turkey February 24, 1998 Hijacking of a Turkish airlines during a domestic flight. The hijacker claimed to have an explosive device hidden in a toy panda bear. It was later discovered that he had no explosives or weapons, as he claimed.⁵⁴⁷
2. 4 Cyprus March 30, 1998 A Cyprus Turkish Airlines aircraft was hijacked by a man claiming to have a bomb while en route from Cyprus to Turkey. The plane was eventually stormed by Turkish security forces, which found no weapons or explosives on the plane.⁵⁴⁸
3. 1 Greece May 17, 1998 An improvised bomb was planted and detonated in front of the Olympic Airways ticket office in Athens.⁵⁴⁹
4. 4 Spain June 23, 1998 A plane en route from Seville to Barcelona, Spain was hijacked by a man claiming to have a remote control device that would detonate a bomb in the plane's cargo hold. It was later discovered that the device was a television remote control.⁵⁵⁰
5. 3 Turkey September 14, 1998 A domestic flight in Turkey was hijacked by a man who apparently only had a plastic toy gun.⁵⁵¹
6. 3 Turkey October 29, 1998 A man with a handgun and a grenade hijacked a flight departing from Adana. While the plane was landed for refueling, Turkish National Police stormed the plane and killed the hijacker in the cockpit.⁵⁵²

1999

1. 1 Italy February 20, 1999 Attack on a Turkish Airlines office in Rome in which demonstrators threw firecrackers and incendiary devices.⁵⁵³
2. 4 France March 2, 1999 Flight 5029, a domestic Air France flight, was hijacked by a male claiming to have an explosive operated by a remote control device that he carried. He eventually surrendered and was determined to be mentally ill.⁵⁵⁴
3. 1 Switzerland May 27, 1999 A small fire broke out in an American Airlines office in Zurich when a female lit an item in a shopping bag and threw it into the office.⁵⁵⁵
4. 2 France September 22, 1999 A bomb detonated in an hangar at Ghisonaccia Airport on Corsica.⁵⁵⁶

547. OFFICE OF CIVIL AVIATION SECURITY, U.S. DEP'T OF TRANSP., CRIMINAL ACTS AGAINST CIVIL AVIATION: 1998, at 15 (1999).

548. *Id.*

549. *Id.*

550. *Id.* at 16.

551. *Id.*

552. *Id.* at 16-17.

553. OFFICE OF CIVIL AVIATION SECURITY, U.S. DEP'T OF TRANSP., CRIMINAL ACTS AGAINST CIVIL AVIATION: 1999, at 20 (2000).

554. *Id.*

555. *Id.*

556. *Id.* at 21.

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|----|---|----------------|----------------------|--|
| 5. | 4 | Turkey | October 19,
1999 | A man hijacked an EgyptAir flight departing from Istanbul. He claimed to have a knife, but it was later believed that all he had was a ballpoint pen. ⁵⁵⁷ |
| 6. | 1 | Switzerland | November 25,
1999 | The American Airlines office in Zurich was attacked with firecrackers and burning sparklers. ⁵⁵⁸ |
| 7. | 1 | Turkey | December 8,
1999 | A pipe bomb was placed outside the Aeroflot-Russian International Airlines ticket office in Istanbul. ⁵⁵⁹ |
| 8. | 4 | Czech Republic | December 28,
1999 | A Lufthansa commuter jet was hijacked while en route from Prague to Germany. The hijacker demanded to be taken to the United Kingdom. Upon hearing that there was insufficient fuel for the trip, he allowed the plane to land in Germany. The passengers deplaned normally and were probably not aware of the incident. No weapons or explosives were found. ⁵⁶⁰ |

557. *Id.*

558. *Id.*

559. *Id.*

560. *Id.* at 22.