

HOSTAGE-TAKING: PREVENTION
OF PREVENTION AND CONTROL

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International Centre for
Comparative Criminology

Université de Montréal

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Justice and Criminology

University of Maryland

Final Report on
Management Training Seminar

HOSTAGE-TAKING
PROBLEMS OF PREVENTION AND CONTROL

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Montreal, September 1976

NCJRS

JUL 27 1978

ACQUISITIONS

This document constitutes the final report on the Management Training Seminar, "Hostage-Taking: Problems of Prevention and Control", held at the Imperial Place, in Santa-Margherita, Italy from May 13-15, 1976.

This conference was made possible by support from the Canadian Government and a grant from the Law Enforcement Assistance Administration of the U.S. Department of Justice, to the Institute of Criminal Justice and Criminology of the University of Maryland in cooperation with the International Centre for Comparative Criminology of the University of Montreal. Points of view or opinions stated in this report are those of the conference participants and authors and do not necessarily represent the official positions or policies of the U.S. Department of Justice or the Canadian Government.

ACKNOWLEDGEMENT

Special thanks to Jo Anne Ouellette and Dorothy Crelinsten for their invaluable assistance, without which the preparation of this report would not have been possible.

F O R E W O R D

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The following pages constitute the final report on a seminar held in Santa-Margherita, Italy on the subject of prevention and control of hostage-taking. It consists of a position paper, session summaries and an analysis of the proceedings written by Ronald Crelinsten, and prepared statements by those participants who served as chairmen or panelists, compiled and edited in collaboration with Danielle Laberge-Altmejd. It is the second seminar in a set of which the first was devoted to terrorism (see Crelinsten, R. and Laberge-Altmejd, D. The Impact of Terrorism and Skyjacking on the Operations of the Criminal Justice System, in press).

Within the framework of our sub-contract, this seminar is called a "management training seminar". The main objective of such a seminar is to examine the possibilities for transfer of experiences, knowledge and technology in a particular area, in this case, hostage-taking. This objective explains the selection of the participants, who came from all the horizons of game theory, physics, psychiatry, behavioural sciences and from private and public institutions (police departments, penitentiary services, airport and bank security, pilot

associations, INTERPOL, etc.). It appeared during the preparation that this was the first occasion that such a diverse interdisciplinary, inter-agency and international group has ever been convened. This is to suggest that the challenge in terms of intellectual and personal interaction among participants has been considerable. Both the participants and the seminar organizers had the feeling that this challenge has, on the whole, been met, as was clear from the written comments received after the seminar.

* * *

Hostage-taking is a very ancient form of criminal activity. In fact, it was even an accepted tool of diplomacy when used by legitimate authority. Of course, the hostage-taking with which we were concerned in this seminar is of a very contemporary variety: extortion to achieve political, monetary or psychological goals.

As far as the size of the phenomenon is concerned, we do not seem to face a phenomenon of epidemic proportions. Between 1968 and mid-1975, only 250 people were killed in terrorist episodes, not all of which even involved hostage-taking. This figure is considerably less than the annual homicide rate in any major American city. According to the testimony of Professor Richard Falk of Princeton University before the U.S. Congressional Committee on International Relations, there have been 647 cases of kidnapping in the U.S. in the past 30 years. All but three cases have been solved by the FBI, providing one

of the highest clearance rates of any criminal activity. The very harsh penalties and the near certainty of conviction seem to keep this particular form of hostage-taking (kidnapping for ransom) under control on a national basis.

However, the conviction rate at the international level is very low indeed. Authors of hostage-taking are almost assured of immunity from prosecution and punishment (cf. Crelinsten, R. and Laberge-Altmejd, D. The Impact of Terrorism and Skyjacking on the Operations of the Criminal Justice System, in press). The main problem seems to be hostage-taking at the international level.

Furthermore, as pointed out by Judith Miller in The New York Times Magazine (July 18, 1976):

... terrorism cannot be measured by statistics. It is violence in its most pernicious form; its victims are the innocent; it is unpredictable. And its impact is all the greater because it makes one's own government seem either helpless or heartless - unable to protect its citizens or callous in the remedies it employs. (p. 7).

So, the political and psychological potential of hostage-taking as a symbolic act of power is of the greatest magnitude. No social organization sharing in the power structure of any given society is immune. The fear inspired by the possible use of hostages by very small groups to exert pressure on very large groups within the existing power structure is potentially one of the most disruptive forces in technologically advanced societies.

What could be the contribution of science and technology to the protection of democratic societies from such a threat? First of all, to collect relevant information and data on the phenomenon. At present, such information is very scanty. We need data on the personality of aggressors and victims; on scenarios of incidents; analysis of the control and preventive programmes; etc. Second, interpretation and evaluation of this data represent a major heuristic challenge; all the theoretical resources of natural and behavioural sciences should be drawn on in order to present testable hypotheses for further research. Third, given the different historical and geographical and sociopolitical contexts of the cases, the comparative approach seems of crucial importance. In sum, a multi-disciplinary and comparative perspective is indispensable in the gathering and interpretation of facts and theories.

Concerning the public interest, it appears, in the light of this report, that there is an urgent need for decision-makers in private and public enterprises to be informed and to contribute to the analysis and understanding of this phenomenon, all of them being potential targets. This includes government, air transport, banks, penitentiaries, industrial plants, embassies, etc., etc. The majority of the data and the experience lies within these organizations. Only a joint effort of everyone can have the slightest chance of success in implementing a systematic study.

The importance of informed public opinion should not be underestimated in our political democracies. The extension of scientific inquiry may favour more rational understanding in this field and consequently a more dispassionate and less panicky appraisal of hostage situations. In addition, as far as politically motivated hostage-taking is concerned, scientific analysis may lead to a deeper appreciation of perceived feelings of injustice, discrimination, victimization, persecution, etc., by those using hostage-taking as a weapon.

It has been realized by all participants during this seminar that there was no appropriate forum or meeting-place for all concerned to engage in the scientific exploration of facts related to hostage-taking. The scientific community is traditionally concerned with theory and methodology. The practitioners not only have access to all data, but also are traditionally concerned with pragmatic, day-to-day problem-solving. Why should we not make an imaginative effort to combine everyone's interests and abilities to engage in the above-mentioned endeavour.

As pointed out by one participant, terrorism and hostage-taking will remain one of the major international crimes in the coming decades. The United Nations attach a high priority to the study, prevention and control of these phenomena. Only cursory treatment has been given to this area in our seminars to date, yet it appears that it is both realistic and productive to proceed with a more systematic

and detailed enterprise. In view of this, we feel that this joint, international effort should be continued and we are ready to prepare a concrete proposal to that effect.

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THE STUDY OF HOSTAGE-TAKING
A SYSTEMS APPROACH

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Introduction

In dealing with any particular criminal problem, two very important tasks should be undertaken as a preliminary step to understanding the problem and for developing strategies for controlling it.

First, the problem itself should be described and subjected to phenomenological analysis, i.e. it should be broken down into elements and the elements should be classified without any attempt at a causal explanation. Once this descriptive model is developed, one can then proceed to use it as a tool in working out control strategies. In this context, research on "cause and effect" develops quite naturally and theory and practice go hand in hand.

In practice, it is generally the case that control efforts lack this theoretical foundation and that, at best, such a foundation is built up very slowly through trial and error in the process of implementing control strategies. It is recognized that this is partly unavoidable, since many pressing problems need to be dealt with despite the lack of descriptive models which would provide the necessary knowledge and understanding. This should not mean, however, that the phenomenological analysis should be overlooked or set aside temporarily -- until things are "under control". It should be an integral element in all control strategies.

The second preliminary task is to describe and analyze those who wish to control the problem. Taken literally, this sounds a bit

like looking through the wrong end of a pair of binoculars; one wants to focus on the problem, not on those who are focusing on the problem! Yet the two are inseparable. Anyone who is concerned with a particular problem views that problem from his own perspective.¹ The second task is, therefore, to view the phenomenon of hostage-taking through the eyes of those who wish to control or study it. By doing so, one can analyze how the phenomenon itself varies according to the perspective used. This in turn should lead to a greater understanding of the phenomenon itself. By looking at an object from all angles, one gains a clearer picture of that object. Thus, the two tasks are related and the observer and the observed, the controller and the controlled, are indeed inseparable.

This paper attempts to set the stage for a fruitful attack on the problem of hostage-taking by sketching out the broad outlines for accomplishing these two important tasks. A model is developed in which the phenomenon of hostage-taking is broken down into easily identifiable elements. The interaction of these elements is then analyzed in terms of their applicability and generalizability to concrete situations or incidents. This is the first task outlined above. It is directly related to the problem of typology which is widely

¹ The phenomenon of hostage-taking as viewed by a potential kidnapper planning his strategy can be very different from hostage-taking as viewed by a director of security of a bank. Interestingly enough, and quite to the point, the director of security might gain considerable insight into how to go about his own task if he tried to view his own problem through the "binoculars" of the potential kidnapper. In fact, most hostage training courses use this technique implicitly, if not explicitly.

recognized as a necessary first step in dealing with the hostage problem.

Once the model is developed, the second task comes in. The model with all its components is examined from the various perspectives of those who are concerned with the phenomenon of hostage-taking. Depending on the goals implicit in that perspective, be it preventive security, sociopolitical analysis, police response to individual incidents or negotiation during an ongoing incident, one can analyze which elements of the phenomenon are more salient and thus gain insights into how the phenomenon is being perceived from that particular point of view.

The idea is to make the entire complex phenomenon of hostage-taking easily accessible to all interested parties, to recognize the needs, goals and experiences of each interest group and to increase understanding at all levels. Only then can one hope for effective communication and co-operation between different groups who share a deep concern with a particularly tricky and delicate problem.

A Phenomenological Analysis of Hostage-taking

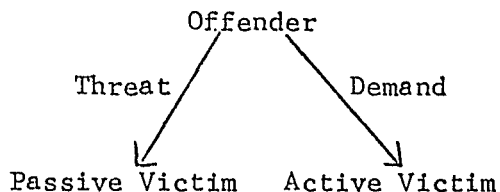
The most characteristic feature of hostage-taking is its triangular aspect -- three parties are involved. The hostage (a) is the means by which the hostage-taker (b) gains something from a third party (c). A booklet on hostage-taking put out recently by the French Ministry of the Interior (referred to hereafter as FMI, 1974) introduces the terms "passive victim" and "active victim" to

refer to the hostage and the party to whom the demands are made, respectively. These are very useful terms as they help to define clearly two of the basic elements of the hostage-taking phenomenon. The hostage-taker can variously be called "offender" or "perpetrator" or "hostage-taker". Thus, we have the first three basic elements of our analysis. They can be depicted as follows:

Offender -----> Passive Victim -----> Active Victim
(hostage)

The direction of the arrows indicates that the passive victim is a means to an end — an intermediary in an exchange between offender and active victim. It is the active victim who has it within his power to meet the demands of the offender — hence, he is "active", while the hostage is "passive". (See, however, page 8.)

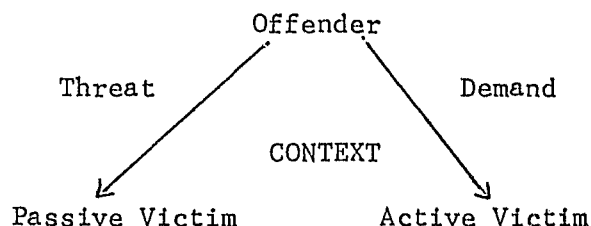
Two other elements come into the picture immediately to describe the relationship between the offender and his two victims. They are "threat" and "demand" and obviously refer to the passive victim and the active victim, respectively. The triangular relation now becomes clear as we depict the elements so far:



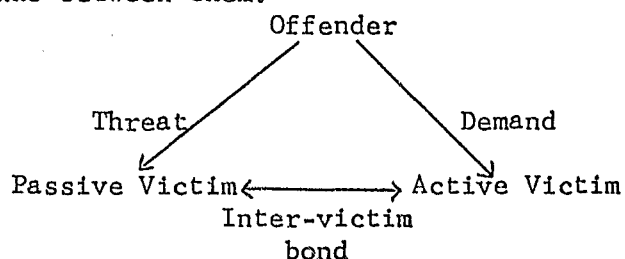
To complete the triangle, we would have to connect the two victims. It is clear that the relation between these two is a critical element in itself. If the active victim feels no great concern

about the passive victim and is loath to meet the demand in the first place, he is quite unlikely to accede to the demand, to avert the offender carrying out the threat.²

Taken together, these five elements describe the initial stage of any hostage-taking incident. A sixth element completes the picture and that is "context" — in a situational or physical setting sense. Thus, the incident may occur in a bank, inside an airplane in flight, inside a prison, in a store or on the street.

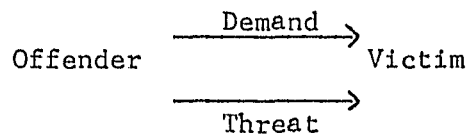


² We could come up with a label for this factor, e.g. "inter-victim bond", and the picture is complete with six elements: three persons and three links between them.



However, we are trying to develop a model based only upon observable elements. An inter-victim bond is a hypothetical construct and will therefore be omitted in further discussion. This applies also to the concept of "motive" (see page 20).

The picture as depicted so far certainly shares certain elements with other criminal activities, most notably extortion and blackmail. The only element really lacking in the latter is the passive victim or hostage. All the other elements are there -- the demand (usually financial) and the threat (often involving divulging of information). In this case, the picture could be depicted as follows:



More intriguing is the parallel between hostage-taking and strikes, as pointed out in FMI (1974). Both phenomena share the common feature that at least three parties are involved. In the case of hostage-taking, the passive victim is obviously the hostage and the active victim is usually determined by the demand and perhaps also by the threat, in the sense that those concerned with the well-being of the hostage, e.g. relatives, may get involved, even though they cannot meet all the demands, e.g. political ones. In the case of strikes, the passive victim depends on the parties involved or, to keep terminology consistent, the context. In the case of teachers striking against the government, the passive victims are primarily the students, although parents and even other institutions, be they in the job market or in higher education, may also be affected. In the case of mail service, the passive victim is the public and all

institutions carrying on business by mail.³ In the case of different types of industry, the passive victim can range from consumers to supporting industries (e.g. steel industry/auto industry).

One point which emerges from this comparison is that the terms "active" and "passive" used to distinguish between the two kinds of victims is not strictly accurate. The implication of these terms is that only one victim, the active one, can determine the outcome of the incident. This is not strictly true. In the case of strikes, particularly in the public sector, public opinion — admittedly closely tied to press reactions — is often a critical factor in influencing the outcome of the strike. So in a hostage situation, the hostage can influence the outcome of the incident. The "Stockholm Syndrome", whereby the hostage develops a positive identification with the hostage-taker, is evidence that the hostage can be far from passive. While the syndrome is based on the Swedish bank case, a much better example is the Patricia Hearst case, where Ms. Hearst was so active a hostage that she finally came to be prosecuted and convicted along with her captors.

In the light of this, it is suggested that the terms "active" and "passive" could be replaced with "primary" and "secondary",

³ In this case, private delivery services and phone service would be affected — either by a welcome boom in business or an unwelcome flood of business. This was the case during the recent postal strike in Canada. The point to realize here is that the primary event may have specific secondary effects which are determined by the context.

respectively. This preserves the distinction between victims and avoids the misleading implications concerning ability to respond or affect the outcome.⁴ The terms primary and secondary also convey the fact that the offender's primary target is the active victim's meeting his demands and that the hostage is merely a means to that end.⁵ The terminology also has the virtue of being extendable to "tertiary" victims, such as relatives of secondary victims, or airline companies, which must pay for planes destroyed in skyjacking incidents, even though they were neither primary nor secondary (hostage) victims.

We have analyzed the hostage-taking phenomenon in its initial stages, as it first occurs. We have also moved ahead into the later stages, in our discussion of "ability to respond or to influence outcome". Here we have moved beyond the initial stage and entered

⁴ It is admitted that many hostages are incapacitated by their captors and thus, the term "passive" would be appropriate. However, the term is not always appropriate while the term "secondary" remains appropriate whether the hostage is potentially active or not.

⁵ FMI (1974) points out that the constraints placed upon the two types of victim are different. There is a direct constraint placed upon the hostage, while an indirect constraint is placed upon the other. This distinction might imply that the term "primary" should be applied to the hostage, but this would contradict the fact that the hostage is merely a means to an end. The "active victim" is really the primary victim. Thus, we have an indirect constraint placed upon the 1^o victim via the placing of a direct constraint upon the 2^o victim.

the area of response and counter-response. The schema developed so far (see page 6) is a static one, depicting a system with its sub-components arranged in a particular array or pattern. As soon as response is considered, we move into a dynamic schema and temporal elements become important.⁶

Let us look at the primary or active victim first. He can choose to act alone or to involve other parties. These other parties could include superiors, police, press, friends and relatives. If involved in preventive planning, he could call in an entire hostage negotiation team.⁷ The instant other parties become involved, they become integral elements in the entire system to the extent that their responses affect other elements in the system. Thus, police sharpshooters could kill the offender or a superior of the primary victim could accede to the demand or a press reporter could, by his very presence, bolster the confidence of the offender, etc. A feedback mechanism is set up whereby the response of the primary victim and those whom he calls into the case feed back to the offender, who

⁶ Dawe (1976) identifies three stages in a temporal breakdown of hostage situations: the containment phase, the mobile negotiation stage and the relocation or change of venue phase.

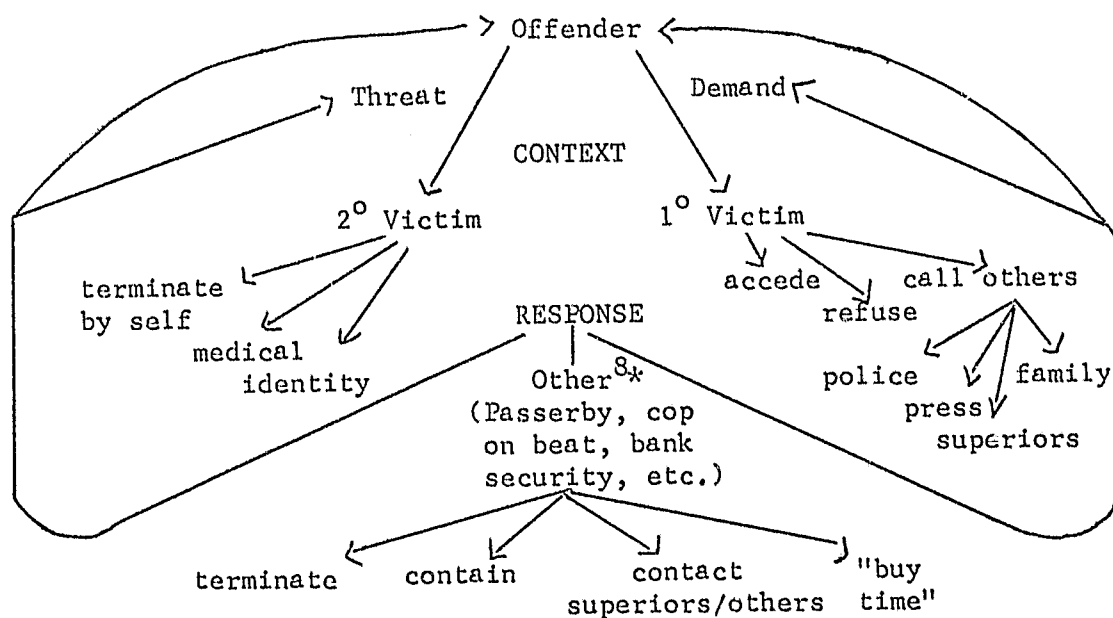
⁷ An analysis of what constitutes an effective hostage negotiation team in terms of types of personnel and expertise is a whole area worthy of study. It would be interesting to compare the make-up of the various teams in different cities and countries. It is interesting that Dawe (1976) lists four different training programmes to accommodate different elements of the crisis intervention team. The development of specialized training programmes is one area where the results of such an analysis could clearly be fruitfully applied.

then alters either the threat or the demand or both and so on. A continuous flow of back-and-forth interaction is not inevitable of course and various forms of stalemate, impasses, and communication blocks can occur. It is generally agreed that a primary goal in hostage situations is to generate and maintain this two-way flow of communication as much as possible. It is here that the temporal factors become important particularly as they relate to the psychology and physiology of stress.

Other parties can become involved even without being called in by the primary victim. Passersby are an obvious example. Also, the offender can contact the press directly and the press can then involve more people. In the case of the Bronfman kidnapping, some relatives of the hostage first found out that the youth was kidnapped through the press. A more common example, particularly in cases where hostages are taken in an enclosed, usually public, area (referred to as "barricaded situations" in police circles), is the "cop on the beat", who first comes in contact with the hostage-taker. He is typically faced with a list of alternatives different from but reminiscent of the list of alternatives faced by the primary victim. He could contact his superiors, initiate containment, terminate the incident himself, "buy time" until help arrives. This also would apply to the various security personnel who guard institutions or areas where hostage-taking could occur (see Appendix I, no. 6 - Context). Again, each party becomes an element in the total picture to the extent to which he influences any other element in the system.

Turning now to the response of the hostage, three main possibilities exist. First, there is an attempt by the hostage to terminate the incident himself. This can involve fight or flight (overpowering his captor or escaping) or convincing his captor to release him or to surrender. This tactic is generally discouraged by preventive training experts, as it is considered very dangerous. Second, there is what can be called a "medical response". Subsumed under this category would be heart attacks, fainting, hysteria, requiring medication which is not at hand, e.g. for diabetes or asthma. This type of response would likely introduce a new dimension into the demand element, that of medical help, and would potentially introduce a new party into the picture. Finally, there is the response of identification or the Stockholm Syndrome, whereby a sympathy is developed for the offender and, in the extreme case, the hostage "teams up", so to speak, with the offender.

To sum up the possibilities pictorially, we have:



* see next page

This picture describes the short-term responses and indicates some of the complexities of the intricate feed-back mechanism involved in negotiations. Hostage-taking, particularly when committed for political purposes, can involve several different and perhaps even conflicting interest groups. The picture can get very confusing and the basic model with its six elements can help to sort out the response picture.

The various interest groups who may or may not respond to a particular hostage-taking incident can be defined by the nature of:

- a) the primary or active victim(s)
- b) the secondary victim(s) or hostage(s)
- c) the demand(s)
- d) the threat(s)

and the inter-relationships between them.

⁸ Rather than introduce a new term "other", the term "Response" will be treated as a tripartite term, incorporating the response potential of both victim-types and all possible "others". The most common "others" are police and private security, while press and passersby are less common.

For example, hijacking three airplanes and landing them on an airstrip and threatening to blow up the planes with the passengers unless political prisoners are freed from three different countries involves at least the following:

- a) the three airlines⁹
- b) the three countries holding the political prisoners
(primary victims)
- c) the country where the planes landed.

Even if a) and b) agree to co-operate, if the police in c) decide to attack, the entire picture is changed. If a) and c) co-operate and two out of the three countries in b) accede to the demands, the third country could still refuse to co-operate and this would affect the total picture.

It is clear from the above that hostage-taking can involve two primary victims with conflicting interests. For example, the kidnapping of the director of Fiat in Argentina by Argentinian guerrillas:

- a) the nature of the secondary victim (hostage) and the threat (death) and some demands (ransom, re-hiring of workers, removal of police from factories) all involved Fiat;
- b) the nature of other demands (freeing political prisoners, publication of manifesto) involved the Argentinian government.

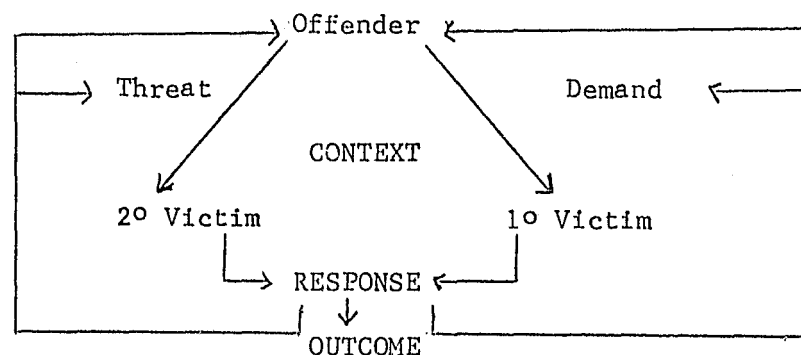
In this case, the hostage died; some of the demands were directed

⁹ In this case, the airlines are a kind of tertiary victim, as suggested previously (see page 9).

to an authority who did not care about the secondary victim. In a second kidnapping (of the director of Phillips), the demand was merely ransom and the primary victim was clearly Phillips alone, who paid and the hostage was freed. The Argentinian government stayed out of it (see Batigne, 1973, for details).

Sometimes the nature of the demands, although clearly implicating one specific primary victim, also involves other parties or serves other purposes. In the Hearst case, the primary victims were the hostage's parents, but the demands were designed to embarrass and undermine the existing public authority. In cases like this the primary victim is also a means toward an end-- a political one in this case -- and so the terminology could be shifted accordingly. Thus, the hostage becomes the tertiary victim, the parents the secondary and the government the primary. However, in this case, no demands were made on the government, so the terminology does not fit exactly.

So far, we have considered short-term responses or those aimed specifically at one on-going incident. The end result of this one incident can be another element in the whole picture of hostage-taking. The term "outcome" can be used. The picture is as follows:

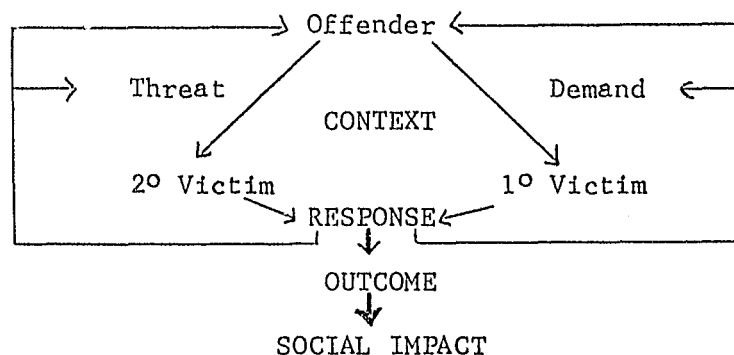


The outcome element has its own group of sub-elements. They include disposition of the offender, treatment of the hostage(s), debriefing of hostage negotiation teams, diplomatic repercussions, public and press attitudes, insurance claims, etc. These factors will vary according to the different possible outcomes.¹⁰ Of course, these factors will also be influenced by other elements in the whole system, such as the nature of the demand (particularly if met) and the identity of the hostage (particularly if the hostage is famous). This emphasizes the fact that all the various elements of the system interact and that their influences on external factors overlap. This makes it difficult and even at times impractical to isolate them from one another and, in fact, one should only delineate factors separately in order to better understand their inevitable interaction within a coherent system.

A final word about long-term responses to hostage-taking incidents. Each hostage-taking incident has its unique little story, its actors and its scripts, its climax, its resolution and its dénouement. Yet one single incident rarely stays in the public eye long enough to stimulate such a drastic response as the changing of a law or the

¹⁰ One possible outcome is what Dawe (1976) calls a "change of venue", and can be considered a change of context. This can occur when the offender and his hostage(s) move to another place. In this case, the intricate feedback system simply continues under new circumstances and all the elements interact accordingly. This type of outcome is really a pseudo-outcome as it is not a final state. The system does not come to rest, but merely starts all over again in a new context. Only when the system becomes static once again can we speak of a true "outcome".

staffing of a police force or prison with a hostage negotiation unit. It would be beyond the scope of this paper to try and analyze how a particular phenomenon comes to be regarded as a problem worthy of investment in time, money or personnel. The whole skyjacking story is an interesting example as is the more general one of "political terrorism". Criminalization probably comes closest to what this more global element is all about. Signs of it are the appearance of new laws and conventions, the development of training programmes and prevention and security programmes, and the increase in research and the frequent convening of seminars on the subject of hostage-taking. As with all elements in the system, this element influences the other elements and is in turn influenced by them. New response strategies developed by research and training efforts influence outcome and result in new types of demands, different secondary victims, unexpected contexts. And so laws are changed, research is intensified and control and prevention strategies are adapted to new contexts. This more global element can be termed "social impact". The final picture is then as follows:



The Problem of Typology

To understand any group of events or objects, we tend to classify them into types. To classify them into types, we need criteria by which to distinguish between types. To develop such criteria, we need to analyze the characteristics or elements which comprise these events or objects. To analyze and sort out these elements, we need to recognize them. To recognize them, we have to be impressed by them and we are only impressed by that which interests us. Thus, depending on one's interests, one recognizes certain elements and sorts them out in particular ways and develops particular typologies. Thus, our interests influence our understanding and the patterns of recognition which form the basis for this understanding.

Given the general consensus that hostage-taking is a criminal phenomenon which should be at best prevented and at least effectively controlled when it does occur, what kinds of classification are most useful in achieving these goals? Here is where the analysis of hostage-taking comes in. By breaking down the phenomenon into various elements, one can then begin to develop typologies. The key question is how we categorize and catalogue hostage-taking phenomena in order to facilitate the task of prevention and control. One can take each element in the picture already developed and use it as the criterion for developing a typology. Then we can see if it is useful in achieving

our goal. Appendix I presents an example of a typology of typologies, based on the elements derived in the previous section, to give some idea of what might be involved.

It is interesting to look at some of the ways in which various people have categorized the phenomenon. For example, the New York City hostage training program divides offenders into three categories — professional criminals, psychotics and terrorists — claiming that each requires a different approach. Obviously, the demands and the motives underlying them would tend to vary for the three groups and, in the case of similarities in demands, differing motives would perhaps require different response strategies. For example, a demand for money in return for the safe return of the hostage can have very different implications for a professional criminal or for a terrorist. While the former may use the money for personal luxuries, the latter may use the money to finance further terrorist activity. Similarly, a demand for safe departure from the country may have different implications for a convicted prisoner holding hostages within a prison or for a psychotic holding hostages in an airplane. Legal restraints might play a more vital role in the former case than in the latter.

Middendorff (1975) also has three categories of offenders: politically motivated offenders, those seeking to escape from something or to somewhere, and those seeking personal gain. Note that these categories are more explicitly motive-oriented than those

previously mentioned, although the motives of a "terrorist", a "professional criminal" and even a "psychotic" are implicit in the labels.

At this point, it should be noted that a new term, not previously mentioned (except in footnote 2), has entered the picture -- that of "motive". This term was deliberately omitted from the previous section as the object of the phenomenological analysis was to break hostage-taking down into observable elements without resorting to explanations. "Motive" is not observable, but is merely a hypothetical construct derived from behaviour. "Demand" and "motive" are intimately related, as is obvious from the two typologies under these titles (4 & 4a) in Appendix I, and so motive was implicit in the demand element. However, it is interesting to note that the motive element is often used, particularly in psychiatric perspectives, although the legal perspective is also quite concerned with this. The whole legal question of "justification" relates to the delicate balance between motive and act. However, police, for example, are rarely interested in motive. They must concern themselves with the acts committed. The whole question is a good example of how elements of the system depend on the perspective of the person looking at the system. This will be discussed further in the next section. Suffice it to say that motive and demand are intimately related but, as we saw above, the same demand need not have the same motive in all cases. So the two concepts "demand" and "motive" are not identical.

Bauer (1973) discusses the methods used by offenders, the personalities of the offenders and the response strategies of those attempting to release the hostages and apprehend the offenders. He classifies hostage situations according to who is called upon to pay the ransom, i.e. the primary victim. His five categories are: a bank, the hostage himself, relatives of the hostage, an airline or a national government. Such a typology is clearly designed with the idea of context in mind in that banks and airlines, in particular, have their own unique setting. It is explicitly based, of course, on a typology of primary or active victims.

In an article entitled "Hostage Incidents: the New Police Priority", R. Kobetz of the International Association of Chiefs of Police (IACP) lists five types of situation: 1) prison takeovers and escape attempts in which hostages are seized; 2) aircraft hijackings; 3) seizure of business executives, diplomats, athletes, and cultural personalities; 4) armed robberies in which bystanders are seized to aid in escapes; 5) incidents involving mentally unbalanced citizens who seize hostages in an attempt to gain recognition. Such a classification clearly involves a mixture of elements, including context, offender and motive. No one element applies to all categories. Interestingly, however, from an operational point of view, each category does have its own unique features which separate it from the others.

FMI (1974) has the longest list of types of hostage incidents.

They are: a) kidnapping of a minor to obtain ransom,
b) kidnapping of an adult to obtain ransom,
c) kidnapping of political personalities for political ends,
d) kidnapping of any persons whatsoever for political ends,
e) airline hijackings,
f) kidnapping for facilitating escape,
g) illegal restraint to facilitate commission of an infraction,
h) illegal restraint to make a demand successful,
i) kidnapping to attract public attention.

The list clearly reflects differences in secondary victim (a vs. b; c vs. d) and motive (a & b vs. c & d; f vs. i; g. vs. h). The fine distinctions most probably reflect legal considerations more than any other perspective.

The reasoning behind any typology is that it facilitates an attack upon the problem, be it preventive planning and response strategies or drafting legislation to cover all cases or whatever. In terms of prevention or control, this is most obvious in a typology based on context or locale. A hostage-taking incident in a prison may have unique implications which hostage-taking in, say, a bank may not. For example, in terms of the relationship between offender and hostage, in a prison, prisoners most often take guards hostage, although social workers and other "rehabilitation-related" personnel

seem to be popular too.¹¹ In a bank, the hostages are usually total strangers, collected at random. The psychological interactions between offender and victim are bound to be different in the two cases and the strategies for dealing with them should vary accordingly. In the prison situation, there is also the obvious factor of the presence of other inmates, which is unique to that particular context.

Political aspects of a hostage-taking are bound to add special implications to a response -- most notably press involvement and the willingness or even the possibility of acceding to demands. Demand typologies are probably the most important in terms of pre-planning and policy-making.¹² From the legal perspective, typologies based on motive seem to be useful, as are those based on context.

On the other hand, typologies do not necessarily facilitate effective handling of the myriad of hostage-taking phenomena. Here we come up against the question of generalizability or common denominators. What do all hostage-taking incidents have in common? If all incidents are basically the same, then typologies are, of course, irrelevant. One common denominator is, of course, the triangular relationship, although even here, there are exceptions.

As seen before, sometimes no demands are set and so the triangular

¹¹ It is interesting to note that prisoners rarely, if ever, take fellow prisoners hostage. Is this perhaps an empirical indication of a hypothetical "inter-victim bond"? If the hostage were a prison inmate, would the primary victim, the prison authority, really feel constrained to consider any demands?

¹² The effect of pre-determined policy on the response to individual incidents is an important area for research.

relation is potential at best. One way to approach this question is to consider hostage-taking from the perspectives of various people concerned with the problem: social scientists, security people, pilots, governments, police, lawyers, etc. Perhaps some typologies work well for some perspectives, while others are less relevant.

The Problem of Perspective

This section will consider various perspectives from which hostage-taking can be viewed to determine which typologies are most useful in accomplishing the various goals of those concerned with the problem. At the same time, we will be laying the groundwork for the second preliminary task described in the introduction, i.e. gaining an understanding of those who wish to control the phenomenon of hostage-taking by looking at it from their perspective. By analyzing how different perspectives interact, one can gain insights into the problems involved in understanding and co-ordinating the complexities of hostage-taking, which is a pre-requisite for its effective prevention and control.

The first perspective to be examined is the preventive one. How does one prevent hostage-taking from occurring in the first place? There are three typologies which are obviously relevant here: offender, victim and context typologies. Offender typologies can help in determining who is most likely to take a hostage or to commit an act involving hostage-taking. It is interesting to note the list of

13 characteristics of known hostage-takers within the Canadian Penitentiary Service (CPS) (see Dawe, 1976, pp. 22-23). In every incident within the CPS to date, hostage-takers have matched this profile (Dawe, pers. comm.). Dawe (1976) compares this profile with other profiles developed by others in other related contexts (e.g. escape-prone inmates or profiles of violent men or the skyjacker profile developed by D. Hubbard) and the similarities are striking. For the preventive security expert, such profiles can be very useful in developing typologies based on purely objective, observable criteria. There is no need to concern oneself with motive, for example. While from a psychiatric or a legal perspective, motive may be important, from the preventive security perspective, it is largely irrelevant, especially if objective indicators are available which perform well in the realm of prediction and after-the-fact assessment. In contexts such as prisons, where a pool of potential offenders is constantly at hand, offender typologies can be invaluable. To a police officer responsible for terminating an on-going hostage incident, they may be largely irrelevant, except as they may aid in deciding what response strategy to employ.

Victim typologies are useful in the sense of target-hardening. Individuals who are likely targets for hostage-taking can be trained on how to make it difficult for a potential kidnapper to take him hostage. Several companies or agencies now exist which specialize in such training programmes and offer them to large firms and

multi-national corporations whose personnel are high-risk targets for kidnapping.

Context typologies are also related to target-hardening. An obvious example is the skyjacking case, where certain techniques for identifying potential offenders and for screening passengers were developed. By working out a typology of potential contexts or target areas, one can adapt the prevention techniques learned in one context to another likely target.

Finally, there is the more long-term prevention approach which attempts to look beyond potential targets and offender types and tries to understand why people might resort to hostage-taking in the first place. Long-term research on attitudes toward human life, on violent behaviour and on the dynamics of the triangular relationship are involved here. Also, there is the more global attempt to understand hostage-taking as one tool in the wider context of offender motivations. Why do criminals, terrorists or psychotics do what they do, whether or not hostage-taking is involved?

The next perspective to be examined will be the police perspective. This brings us to the element of response, particularly in the context of ongoing negotiations. The main goal of police is to secure the release of the hostage unharmed and to apprehend the offender. The dual aspect of this goal adds a particular complexity to the police perspective. One or the other element may dominate and

the strategy may differ accordingly. The response typology (see Appendix I, no. 7 for an example) is key here. If apprehending the offender is deemed more important than saving the hostage, demands for safe passage may be ignored and an attack might be launched. If the release of the hostage is deemed of the utmost importance but demands cannot be met, sharp-shooters may attempt to kill the offender.

An appreciation of the complexities of the hostage-taking phenomenon is now greatly emphasized in police training programmes.¹³ It is widely felt that the best response strategy involves negotiations and the most common objective now is to rescue the hostage and apprehend the offender unharmed. It is now recognized that this is most effectively achieved by maintaining a continuing dialogue with the offender(s) via negotiators who do not have ultimate decision-making powers. This approach has only emerged in the wake of the recent wave of developments in crisis intervention, such as the formation of police hostage negotiation units and the creation of crisis intervention training programmes. Here we have a good example of the "social impact" element mentioned previously. Interestingly, this wave of developments stems indirectly from the surge in

¹³ While there is currently a popular trend to dichotomize strategies into negotiation tactics vs. special weapons and tactics (SWAT), most major police departments recognize that each situation is unique and both tactics are seen as available tools for bringing the incident to a satisfactory conclusion.

skyjackings and the attempts to control it. In fact, Hubbard's psychological profile for skyjackers was one source of inspiration for the New York Police Hostage Negotiation Programme and the resulting NY team has been instrumental in training other units across the U.S. and Canada and even in Europe. Similar teams in the FBI and the IACP perform similar services. There is considerable cross-fertilization on an international scale (witness the recent INTERPOL conference in St. Cloud, France) and is the basis for an ever-expanding transfer of technology from one context to the next.

Due to this widespread transfer of technology, there is now a sophistication in the police perspective on hostage-taking which was not present before. A good example of the previous approach can be seen in the case of the Southwest Airways skyjacking in 1972, where, after a long series of landings and take-offs which exhausted both crew and skyjackers, FBI agents finally shot out the tires of the plane when it landed to refuel at the MacCoy Air Force Base. The FBI action resulted in the wounding of the co-pilot and, according to the president of the American Airline Pilots' Association at the time (see Batigne, 1973, p. 25), negated ongoing attempts by the pilot to convince the skyjackers to release the passengers.¹⁴

¹⁴ This raises an interesting example of conflicting perspectives. One of the early responses to the rise in skyjacking was the Sky Marshall Plan, whereby armed agents were placed on airplanes. The airline pilots' associations objected strenuously to the presence of loaded guns on their planes. Clearly, the perspectives of the pilots, who had to fly the planes and were responsible for the safety of the passengers, differed from the sky marshalls and their superiors, whose goal it was to apprehend the offenders.

The police perspective re hostage-taking is a good example of how a knowledge of the complexities of the problem can lead to achieving one's own goals in concert with other goals represented by other perspectives. The success of the various hostage negotiation units which have developed attests to this.

The legal perspective is fraught with complications, most notably that of definition. FMI (1974) points this out by illustrating that any law specifying direct physical constraint of an individual by an individual physically present (as is usually the case in hostage situations) can be bypassed by the offender who places a direct constraint on individuals even though he is not present himself. As an example, the paper cites the possibility where a tele-controlled bomb on a plane is the means by which the constraint is placed on the hostages. Thus, we see that the legal perspective is concerned with defining hostage-taking in such a way as to facilitate the laying of charges and the legal disposition of offenders. For this reason, threat typologies are useful as they provide some basis at least for relating hostage-taking laws to laws involving other kinds of threats and constraints (see FMI, 1974 for some examples).

FMI (1974) suggests that any law should focus on the mechanism of hostage-taking to the exclusion of contingent considerations. This clearly implies that neither offender nor victim typologies are relevant to the legal perspective. It should not matter who takes a hostage nor

whom he takes hostage. Neither is the context typology relevant nor, of course, the response typology. The outcome typology is relevant in that other laws may be brought to bear on the offender, depending upon whether, for example, the hostage was killed or money was extorted.

It is instructive to read the definition of hostage-taking as cited in FMI (1974):

Hostage-taking is a criminal act which consists of taking hold of one or several persons, in order to use them, by threatening their well-being (intégrité corporelle) to the end of exerting a constraint on a third party. (translation mine)

Note how the definition is focused on the mechanism of the triangular relationship. Ironically, however, this definition is still not all-inclusive for it excludes cases where no specific demand is made.

For example, terrorists may take hostages and release them unharmed at a later date, merely as a kind of terroristic publicity stunt.

In such cases, the constraints placed upon a third party are psychological at best and more difficult to define precisely.¹⁵

Furthermore, there is no threat to the hostage's well-being. We can see, therefore, that the legal perspective is primarily concerned with defining hostage-taking as a criminal act and, as such, is not at all concerned with classifying the phenomenon in ways which are relevant to either the preventive or the police perspectives..

¹⁵ The fact that the absence of a demand creates problems for the legal perspective suggests that demand typologies are particularly relevant.

Another concern of the legal perspective is that of justification. While an act can be declared criminal and a penalty can be affixed to it, the legal perspective recognizes mitigating circumstances, particularly in the political context. In this case, the motive typology comes in, for example in determining if political motivations are involved. A clear application of this is in the whole area of extradition as it relates to skyjacking. The Swedish case in which a Greek political dissident hijacked a plane to Sweden, was welcomed as a hero, and only later arrested and tried for skyjacking is a case in point, (see Sundberg, in press). Rather than extradite the offender back to Greece, the decision was made to prosecute him in Sweden. This case is quite singular in that many countries which choose not to extradite skyjackers also fail to prosecute them. This whole problem is quite unique to the legal perspective and is an example of some of the significant conflicts which arise when comparing different perspectives. From the police perspective, for example, it is often quite frustrating to apprehend an offender, especially after a long and arduous ordeal, and then to see him released on some legal technicality. It should, however, be emphasized that such frustration and conflict can be minimized by gaining insights into other perspectives and trying to view the total picture as well as one's own privileged view.

The next perspective to be considered is that of potential victims, particularly primary victims. This includes airline companies,

businesses subject to ransom demands and banks. Here demand typologies are useful and focus primarily on ransoms, although some businesses, particularly in South America and the Middle East, have become embroiled in political demands as well. Of course, in the political realm, governments are prime targets for hostage-taking, witness the frequent kidnapping of diplomats.

It is interesting to note the difference between attitudes of various primary victims toward acceding to demands. There have been several recent cases in South America in which companies have paid spectacular ransoms to secure the release of executives taken hostage. This has angered governments, notably the U.S. and Israeli governments, whose policy regarding kidnapping of diplomats is to never accede to demands lest they encourage further incidents. There is probably also a sound basis for deploring the payment of large ransoms on the assumption that this probably contributes to the financing of further terrorist activity. One interesting manifestation of the conflict is the passing of laws forbidding the payment of ransoms to politically motivated hostage-takers. Here we have a clear example of how different perspectives on hostage-taking can conflict with one another. Such conflicts are not restricted to those between businesses and governments; they occur between different governments as well. For example, the Israeli and U.S. governments were upset when the Austrian government capitulated to PLO demands that they close down their way-station for Russian Jews enroute to Israel. Again, the

protests were based on fears that this would encourage further hostage-taking.

At times, the preventive perspective clashes with the target perspective, often for economic reasons. In the history of the control of skyjacking, the airline companies were loath to do anything about it, while government agencies concerned with prevention and control tried to convince them they had a problem. A major cause of the impasse revolved around the question of who would pay for the control programme. Meanwhile, pilots' associations were instrumental in forcing the two other parties to start co-operating, since they threatened to stop flying unless something was done. It is ironic that a threat similar in pattern (see page 7) to the hostage-taking itself was most effective in instituting attempts to control the phenomenon. . .

In terms of the target perspective, the most clearly relevant typologies are the context typology, the demand typology and the victim typologies. The latter can aid in deciding who is a likely target, as can the context typology, while the demand typology can help the potential target develop policies and strategies for dealing with incidents when they occur. In this light, the preventive perspective and even the police perspective complement the target perspective. It is now generally recognized that co-operation between preventive security personnel of potential target institutions and

police is crucial for effective prevention and control. Also, co-operation among various target personnel is also vital, particularly in the realm of transfer of technology.

The next perspective to be examined is the psychological or psychiatric perspective. While academics and practitioners often have difficulties communicating and co-operating, the area of hostage-taking has proven to be a fertile meeting ground. Hubbard's skyjacker profile was invaluable in the initial phases of the skyjacking control programme and was instrumental in getting hostage negotiation programmes developed and applied to the police perspective. Offender typologies have proven to be most effective in the prison context, especially in terms of "dangerosity indicators", to use Dawe's term (see Dawe, 1976, p. 25).

Another area where the psychiatric perspective promises to be most fruitful is in the area of hostage-captor interactions. The Stockholm Syndrome or the process of identification between secondary victim and offender is an element previously unrecognized and still not fully appreciated by all perspectives. Dawe (pers. comm.) cites a case where a guard being held hostage had been instructed to manoeuvre his captor in front of a window so that a sharpshooter could get a good shot at him. However, the hostage never attempted to do so and, in fact, warned his captor to stay away from the window at a time when the captor happened by chance to move in that direction. After the

incident, the hostage could not explain his actions. The article by Lynda Laushway in the February issue of Liaison (see Laushway, 1976) elaborates on this phenomenon. It also highlights very clearly how the hostage's perspective can be an important element in the successful outcome of negotiations. A case is cited in which the hostage felt that the negotiators cared more about apprehending the offender than about saving her life. This facilitated her identification with her captor and she points out how the negotiators failed to understand why she supported the demands of the hostage-taker. This relates directly back to some of the complexities of the police perspective mentioned before and emphasizes the main point of this entire section on perspectives that a complete understanding of hostage-taking can only be achieved when the phenomenon is viewed from all pertinent perspectives.

The psychological perspective can lead to some interesting paradoxes if viewed from other perspectives. Hubbard (1973) makes the point that virtually all skyjackers have "inadequate personalities" and that many of them harbour death wishes or suicidal tendencies. However, they literally do not have the courage to do it themselves. Many of them get a thrill out of the precarious position they are in when they hijack a plane. For this reason, Hubbard points out that applying the death penalty to skyjacking would have the effect of increasing the frequency of the act, since it would invite potential offenders rather than deter them. While this goes against common

sense views about the nature of deterrence, a psychiatric perspective on offender typologies reveals to us that the apparent paradox is no paradox at all, but quite logical. Thus, while from a police or a legal perspective, the death penalty or even the presence of armed sky marshalls on planes (especially if publicized) may seem like logical deterrent strategies, from a psychological perspective, we see that they are certainly not.

A brief comment about victim typologies and the area of victimology. Sir Geoffrey Jackson, British Ambassador to Uruguay (now since retired) was held hostage by the Tupamaros for 8 months and one day (January 8, 1971 - September 9, 1971). In his book (Jackson, 1973), he describes how he maintained his personal and official integrity throughout the period of his confinement. During this period, around forty different people took shifts guarding him and so, in effect, one man tied up forty members of the guerrilla organization. One may ask who was holding whom hostage! From the psychological perspective, it would be interesting to develop a victim profile, to gain insights into who would be a "good" hostage and who would crack under the strain; who would be susceptible to the Stockholm Syndrome and who would be resistant. The case of Patricia Hearst comes immediately to mind as another highly relevant case.

One perspective which should be mentioned briefly is that of the press. To the press, hostage-taking means headlines and stories and selling papers, often at the expense of effective

negotiations or the peace of mind of friends and relatives of the victims. It is interesting that, in June of 1975, a symposium entitled "Media and Hostage-taking" was held in The Netherlands to try and develop co-operation and understanding among the various perspectives in attendance, namely government, police, press and academic. As an example of the kind of problem involved, one particularly pressing problem identified was the effect of radio broadcasts on on-going negotiations. Appropriately enough, about six months after the symposium, an incident occurred in which this problem was quite relevant. The incident, involving the South Moluccans, ¹⁶ occurred in two parts which ran more or less concurrently: one in the Indonesian embassy in Amsterdam and one in a train near Beilen. The hostage-takers in the embassy had access to a radio and so could hear all press reports related to the Beilen incident, as well as their own. This might have hampered police action in Beilen, since feedback via the radio would affect negotiations in Amsterdam, had the press not co-operated in maintaining a local blackout in Amsterdam. As it happened, conflicts with the press did occur at the train site, involving clashes between police keeping the site clear and reporters trying to get pictures. Thus, it is clear that, in some instances of clear-cut dangers, as in the Amsterdam case, co-operation is possible, while in other cases, problems again revolve around conflicts in perspective and related goals.

¹⁶ As a direct measure of both the effectiveness of terrorist action in publicizing a cause and the integral importance of the press in this process, it is interesting to note that the term "South Moluccan" is now quite familiar in North America, whereas before December, 1975, when the incident occurred, it was virtually unknown.

The final perspective to be examined may be called the sociopolitical one, for want of a better term. This perspective relates primarily to the concept of social impact and the more widespread, long-term influences of hostage-taking, considered as a social phenomenon. As it is the most global, this perspective, quite naturally encompasses the other perspectives, in that each of the other perspectives can themselves be subjected to sociopolitical analysis, independent of their relation to hostage-taking in particular. Furthermore, while all the other perspectives tend to share the common assumption that hostage-taking is a criminal phenomenon, viewing it as a specific criminal act, the sociopolitical perspective goes beyond this criminological perspective to view hostage-taking as one specific example of human social and political behaviour. As such, this perspective can very easily float away into the upper strata and rarefied atmosphere of theory and speculation. This tendency is one which so often alienates the other perspectives more grounded in practical experience. However, this need not be so. The sociopolitical perspective is actually the key to achieving the integration of all the perspectives considered so far. But it can only achieve this if it itself recognizes the value and integrity of the other perspectives.

To be more concrete, the sociopolitical perspective views hostage-taking as a mechanism for ensuring that certain social contracts are adhered to. Historically, hostages have traditionally

been used as a means of diplomacy and government (see Batigne, 1973) and hostage clauses in treaties were the rule rather than the exception. Often a sovereign's own children would serve as hostages.¹⁷ Viewed in this way, the taking of hostages can hardly be called criminal per se. On the other hand, the use of hostages can be called criminal when it is associated with activity traditionally considered as criminal -- most typically material gain by illegal or socially unacceptable means.

A further dimension comes to mind. Hostage-taking as a criminal phenomenon is usually associated with traditional anti-social activities such as banditry and piracy. Bandits and pirates, as well as robbing and pillaging and abducting per se, instill fear into the hearts and minds of law-abiding citizens. They also tend to be romantic heroes to the oppressed or discontented members of society. Us and them; insiders and outsiders -- the political and criminal perspectives overlap. Thus, we enter the complex realm of terrorism and the use of hostages in this ill-defined context.

So we see how broad this sociopolitical perspective really is.

¹⁷ It is interesting to note that this arrangement is not so very different from the arranged marriages which, more often than not, functioned as diplomatic bonds between different families of European royalty. In light of this, it is fascinating to speculate on Claude-Lévi-Strauss' explanation of the incest taboo, by which incest is seen as counter-productive to the formation of alliances between tribes. The exchange of hostages may in fact be a cultural phenomenon with a sound sociobiological basis. If so, one must then seek for criminogenic factors elsewhere than in the nature of the act itself.

The social element relates to how individuals behave in groups, while the political element relates to how power is exercised both within and between groups. Taken together, these two elements relate to the whole question of the formation of cliques, power bases, interest groups, etc. and how they fluctuate in size and influence and how they develop, are maintained or disintegrate, and interact with one another.

Criminalization is one element in this total picture and relates to deviance from accepted or established norms, fluctuations in norms and the whole question of the development, maintenance and evolution of norms. Hostage-taking has always had its criminal or deviant element and its normal, established element and perceptions of these elements have undergone a radical change in recent history. Part of the reason for this change is due to the re-grouping of sociopolitical alliances and part of it is due to technological developments, particularly as related to communications and travel. While this has not significantly affected the financial aspect of criminalized hostage-taking, it has affected the political and social aspects.

In terms of social impact, recent developments in hostage-taking have affected police operations at local, national and international levels, national and international law, industrial security, airport design, political structure of certain countries and the direction and financing of research in criminal justice, to name a

a few things. Like its bigger brother, terrorism, the phenomenon has had a major impact on many of the most fundamental social institutions of our modern world. From the sociopolitical perspective, with its wide vistas of theoretical implications and models, hostage-taking could seem very picayune and much too specific or narrow a problem. However, an examination of the phenomenon from other narrower perspectives has clearly demonstrated that the phenomenon does not lend itself easily to narrow consideration. Its complexity challenges the limited vision of any one perspective and, in doing so, invites a more holistic view.

The picture of hostage-taking developed in this paper attempts to integrate the specific, more practice-oriented perspectives with this more global, theory-oriented perspective. In doing so, a systems approach to the problem has evolved, whereby the phenomenon of hostage-taking is seen both as one self-contained system with a finite number of distinct, interacting parts and also as one part in a larger, more global system. In this way, practice and theory complement each other and the phenomenon is comprehensible in both concrete and abstract terms, within specific and general contexts. Only by showing how such different approaches — fundamentally opposing each other as they so often do — actually complement each other, can a true understanding of any social phenomenon, criminal or not, be achieved.

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S E S S I O N I

BEFORE THE ACT

Louk HULSMAN
Chairman

W. G. ESTELLE
Robert KUPPERMAN
Jurgen LOOS
Panelists

We sincerely regret that we have not been able to include any report by Mr. Louk HULSMAN as unfortunately, in spite of many requests, he has been unable to send us his comments within the required time limit.

Panelist's Report
W. G. Estelle

There seems to be no question that, before the act of hostage-taking occurs and the control agencies need be involved, one of the most critical factors is that of gathering intelligence about those organizations and/or individuals representing the greatest potential for committing such an act. In today's world, this presents some very real political problems, not only on the domestic scene but obviously on the international scene as well. In a number of the western nations, and particularly in the United States of America, there is a growing concern about intelligence gathering domestically because of the potential for abuse that exists. The democratic community is, by definition, resistant to this type of police activity, especially during peace time or before there is significant justification due to overt acts being committed by any individual or organization we may wish to place under surveillance. This is an issue that is going to have to be met and resolved, though, in view of the increased activity and violence on the part of those who are prone to become involved in hostage-taking situations, some well-considered policies will be needed.

On the international scene, some of the problems center around which nations can exchange information without compromising the integrity of their intelligence systems. There are some rather apparent ideological and political differences between certain nations that have interests in common with groups and individuals in neighboring nations. This kind of problem is already becoming apparent within the organization known as INTERPOL, which could quickly be reduced to a statistics gathering organization of questionable value. The situation in the Middle East, and some of the terrorist activities that seem to be at least loosely related throughout the world, tend to make for difficulties in the exchange of intelligence information between nations that are trying to establish where the financial, political and/or ideological headquarters of a given group seem to be, and also where the next tactical target might be. On the international level, it is becoming increasingly apparent that sovereign policy in matters relating to energy, agriculture, and monetary matters can have as much impact on the availability of intelligence for exchange as does the very basic ideological and religious tenets of a nation. The circumstances, certainly, do not lend themselves to simple operational answers for those agencies that are expected to control international terrorism and the specific act of taking hostages.

There is a consensus that prior planning is an essential ingredient to be considered before the act, which consists of everything from knowing national policy regarding hostage situations to tactical

response. Certainly, no definitive work could be written covering universally applicable strategies due to the variations in national policy or agency policy, ranging all the way from an absolute denial of any negotiation to a total commitment to prolong negotiations. Other obvious variables include physical environment, geography, logistics, motivation and psychology of the hostage-takers, and number and well-being of the hostages. At the outset, in prior planning, one of the basic things that can be done is to ensure that the policy of the control system is understood both by the potential hostage-takers and the potential victims. This presupposes the recognition of the probability of being faced with hostage situations sometime in the future. A second factor in planning for hostage situations must be a definition of the mission of the control system in terms that can be measured. There seems to be an emerging opinion that the fundamental mission in hostage situations can be reduced to two basic measurable objectives; one is the safety of all concerned, and the secondary mission is the control of the hostage-taker. With the mission defined in that manner, plans can be developed that would cover contingencies that have occurred in past hostage situations. As in any crisis situation, plans need to be made that would streamline the normal chain of command within the control agency by having advanced, well-defined job descriptions, including limitations of authority. The situation commander should be prepared to delegate more responsibility than normal to subordinates. The plan must include at least proposals, if not prior specific arrangements, for financial and logistical

support for the operation. This element should include the development of a resource manual. There are few control systems that are capable of coordinating such an operation without cooperation from other political entities. In recognition of this, there should be a predesignated emergency operation procedure identifying support agency representatives, liaison personnel and their resource capabilities. Once such a plan has been collated, it must be thoroughly staffed in all agencies involved, tested, and periodically updated.

Prior planning for hostage situations, even under the assumption of reasonable exchange of intelligence information, is made more difficult by the fact that the act is never preceded by warning and the element of surprise is one of the principal factors in favor of the aggressor. Knowledge of these circumstances dictates that, prior to the act, there should be an identification of potential victims, who should then be informed of preventive measures they can take either as individuals or organizations. Personal and professional habits of potential victims need to be analyzed so they can avoid becoming unwitting accomplices by regularity of habit.

There is also an obvious need for a continuous process of categorizing and analyzing the approach and response that might be anticipated from the aggressor. There are obvious differences in the motivation and psychological make-up, individually and collectively, of potential hostage-takers. These differences can significantly affect the strategic and tactical response of the control agency.

While total prevention is almost inconceivable in the world as we know it; there are some physical defences that are being used and more to be developed. These are primarily in the electronic detection field supplemented by increased numbers of security personnel specifically trained for prevention of, and response to, the hostage situation.

One of the most difficult areas to deal with in planning for hostage situations is that of domestic and international policy concerning the control and deterrence of the aggressors. Political terrorists who have made a total commitment to their cause would find the threat of capital punishment of little concern, while it may be of significant concern to individuals involved in criminal acts of hostage-taking for monetary gain. Some nations still offering sanctuary to hostage-takers continues to be an unresolved problem. The very fact that there are significant numbers of governments today which have come to power through revolution that may have included acts of hostage-taking makes this issue even more complex to deal with on the international level.

It is suggested that, where hostage situations involve international violations, continued efforts must be made to develop an established policy on a world-wide basis at the same time recognizing that there will always be those who will ignore international law. Each state or nation should have established laws and policies

regarding hostage situations which are developed and controlled solely within the confines of their political system and geographical and logistical boundaries.

Panelist's Report
Robert Kupperman

If Alan Sherman, the late American folk singer, were still alive, I suspect he might have already written a song entitled, "My Son, the Terrorist." Terrorism has become an established form of political expression, an avenue for dissident political groups to gain high international leverage, a novel mode of operation for the criminal, and a method of surrogate warfare. Not only has terrorism been well-publicized by the media, it has become increasingly the subject of lurid novels, television dramas, and movies. Terrorism is theatre, the theatre of the absurd.

While terrorist groups have often engaged in kidnappings, bombings, hijackings and assassinations, the potential for violent, nationally significant acts is inescapable. A basic objective of the terrorist is to make government demonstrably helpless. Terrorists utilize the media, the panicky nature of government officials, and the facilities of friendly nations to impart fear and images of invincibility -- and, to some, romantic appeal -- that are generally in excess of their paramilitary abilities to inflict. Clearly, the

free world's vulnerability to terrorism should not be ignored. Whether in fanciful perception or fact, the threat of transnational terrorism is all too real.

During the more dramatic incidents, governments cease functioning and millions are obsessed with minute details. The Air France hijacking ordeal at Entebbe airport, the seizure of a trainload of passengers by a handful of Moluccans, the tragedy of the 1972 Olympics, and the attack upon OPEC are some of the more infamous episodes. There have also been dozens of lesser known, but successful kidnappings of industry officials, especially in Germany and South America. Many millions of dollars have been paid out in ransom to political pariahs whose tactics are often indistinguishable from the ordinary thug's.

The United States has had some experience with terrorism, having lost more than one diplomat to an assassin's bullet. It is not in our nature to be callous, to ignore the individual in jeopardy. We have moved heaven and earth to save the hopelessly trapped coal miner; tens of thousands of dollars have been spent to rescue the child lost in a cave; millions of dollars are spent annually to aid natural disaster victims in the United States and abroad. Certainly, the Mayaguez incident illustrated our sense of national resolve to protect our own. Yet our sentimentality and generosity should not be tested too often.

As bitter a pill as it has been to swallow, we have established --and we follow -- a policy of not granting concessions to terrorists. It may seem cruel to some, but we believe that the longer-run, strategic losses from concession exceed the momentary tactical gain. We must not allow America's sovereignty to be eroded by international hoodlums of any political persuasion. Capitulation is a short-lived palliative.

While terrorist acts are frightening at the time, their net effects thus far are of limited consequence. We have yet to face the shooting down of a commercial airliner, the credible threat of nuclear terrorism, or acts of sabotage causing regional cutoffs of electrical power. Confronted with terrorist threats of far higher magnitude than we have seen to date, no policy is sacrosanct. National leaders of every country will be forced to contend with the crisis on an ad hoc basis in order to avert disaster. However, if nations cower before today's terrorist, what must we pay in money, lives and political concession to the technologically sophisticated, better armed terrorists of tomorrow. Thus, we are faced with the dilemma of trading the lives of a handful of people during an ongoing situation for a deterrence concept that could save the lives of thousands, and possibly millions, sometime in the future. There are no immediate solutions that come to mind, for I find it impossible to set a price on the value of just one life, even though this has been done implicitly under many guises. Somehow we must mix the humanitarian

concerns of the present with the tough-minded determination needed to survive tomorrow - tactical agility leavened with strategic vision.

My comments focus upon the symptomatic treatment of the disease. Clearly, there are root causes that have festered in the hearts and bodies of the sick and homeless, but the roots run deep in the politically unscrupulous as well.

Three Lines of Defense

If we have prior intelligence of an impending attack we stand a reasonable chance of thwarting it. Unfortunately, reliable warning of a terrorist assault is very difficult to obtain, even if legal and ethical constraints were not placed on the collection of intelligence. Thus, of necessity we must sharpen and utilize other tools in order to cope with a growing problem. I emphasize that international cooperation is an essential ingredient of every form of counter-terrorism. While not strictly true from a theoretical point of view, the cliché, "United we stand; divided we fall" is a fair prognosis of our condition. We need only remember our difficulties in achieving solidarity during the oil embargo following the Yom Kippur War.

To borrow from a physical analogue, our goal must be the construction of a "band pass filter" that admits only the more qualified, technically adroit terrorist. If the more amateurish

villains can easily succeed, nations will squander their resources, striking out in all directions and not distinguishing adequately between threats of minor consequence and those which portend disaster.

Physical security is an important line of defense that is technologically based. For example, X-ray devices and magnetometers located at airports make it difficult to smuggle a gun on board an aircraft. In the same vein we must develop and deploy other detection equipment - nuclear, biological and explosives sensors are obvious examples. Without trying to dwell further upon this complex subject, let me suggest that the technology of physical sensing, as well as the technologies needed to reduce the vulnerability of power, communications and other vital networks, must be pursued vigorously.

The third line of defense is the management of the crisis itself. Given that intelligence and physical security means have failed, or if we were to have received a threat of a severe enough nature to suggest the likely failure of the first two lines of defense, we must be prepared to manage the crisis efficiently. We must have well organized emergency communications, data retrieval, medical, food distribution, power and other life support systems. Moreover, we must obtain competent technical advice quickly. If we are not prepared to act in a highly organized manner, the terrorists will have won. (Again, I remind you that the terrorist succeeds when government fibrillates.) If we are to decouple the physical damage and trauma of an incident from far more serious secondary social

repercussions, governments must be able to convince their publics that they know what they are doing and are operating on organized, highly tuned bases.

I submit that crisis management is a vital but virtually unexplored subject. If the initial lines of defense fail, as they are likely to, we cannot afford to overreact. Thus, we need existent contingency plans and equipment in order to appear as though government is operating smoothly. Otherwise, what can we expect of the public?

Some Concluding Remarks

I recall my White House years and the empty feeling in the pit of my stomach each time I had to face reporters in order to explain an economic or energy program that was barely conceived hours before. Like it or not, it has been my experience that the planning horizons for some of the more important governmental decisions are on the order of a day or less.

If, tomorrow morning, Palestinian terrorists were to use SA-7 rockets to shoot down a jumbo jet while lifting off from Kennedy International Airport, it would do little good to announce that we are looking into the root causes of terrorism and that we are going to rectify the present tragedy through diplomatic means. We must be in the position of being able to convince the American public -- and

indeed, the world -- that we are fully able to treat the downing of the aircraft as a serious law enforcement and intelligence matter. Government should not try to treat the incident as just another airplane crash; nor should we overplay it to the point that airline pilots decide to go on strike, charging that government is not doing its job.

Terrorism affects virtually every sector of society. It will not go away if we ignore it, nor will we accomplish much if we take panicky, repressive actions. We need a dispassionate, well thought-out program to combat terrorism. Informal meetings, such as today's, are essential to further international understanding and cooperation. Thank you for inviting me.

Panelist's Report
Jurgen Loos

You named me panelist for Session I "Before the Act". The discussion dealt mainly with the question of how to prevent hostage-taking (in the largest meaning of the word). As requested, I am now stating my personal opinion on the subject of hostage-taking, based mainly on my experience in civil aviation, due to the nature of my work.

From 1970 onwards, attacks against international air traffic happened more frequently and these hostage-takings were mostly motivated by the Arab/Israeli conflict. Unfortunately, the possibility of such political hostage-takings still exists. Therefore, the authorities' and airlines' most important task has been and still is to find appropriate preventive measures for such acts. Worldwide agreements have been proven necessary to reduce this kind of international terrorism.

The adoption of legal proceedings in case of hijackings and the introduction of security measures for the prevention of hijackings were the elements of an agreement prepared for ratification at an

extraordinary ICAO-conference in 1970. In spite of this agreement, that was signed later by most of the treaty-partners, hijackings can not be stopped completely, partly because there are still countries which either did not accept this agreement (and further agreements on the same subject) or (especially in the Arab world) do not - even after signing it - abide by it.

This situation led to the fact that highly endangered countries took up their own measures to prevent hijackings in their country as well as abroad. While in the USA the presence of so-called sky marshalls on international routes seemed to be the answer, Europe and especially the Federal Republic of Germany, started to employ strict security measures on the ground before boarding the aircraft.

Since it has been proven that it is more effective to make use of preventive measures as soon as we can and not to wait for a possible confrontation during the flight, this procedure has been slowly adopted by most airlines. Some airlines - more endangered than others - still apply both procedures (armed security guards on board as well as preventive measures on the ground before boarding the aircraft).

You may now ask why it is still possible that, in spite of this, airplanes have been successfully hijacked again and again. In case of the politically motivated hostage-taking, the answer lies undoubtedly within the detailed pre-planning of the attack by the

criminal or his organization, the kind of proceedings used during the hostage-taking (attacks by heavily armed hostage-taker), and, last but not least, the difficulty to secure air traffic completely and successfully against such hostage-takings. But it is a fact that the above-mentioned preventive measures, which include the spreading use of technical devices, slowed down the escalation of hostage-takings in civil aviation.

Therefore, in the future, the use of technical devices will take a vital part in the prevention of hostage-takings. This is already noticeable in other areas than civil aviation.

The fear that hostage-takers will move from the relatively tightly-secured areas (i.e. aviation) into other areas, is not completely unjustified; the best examples are the recent hostage-takings at embassies.

All endangered areas cannot be protected by strict security measures since there are too many "modus operandi" for hostage-taking. The protection of highly endangered areas requires flexibility. I believe that the responsibility to install security measures for the prevention of hostage-takings in all areas, civil aviation included, lies with the authorities of each country.

Some of the topics under discussion during the seminar are still in my memory and I would like to bring them to your attention:

1. Punishment

The participants of this seminar were debating whether or not more severe punishment would have a deterrent effect. Referring to the hostage-taking in civil aviation, I think it is possible that worldwide applied severe punishment could add substantially to the prevention of hostage-taking.

But, as long as hijackings are looked upon as a heroic deed, an incentive for further hijackings is being given. To fulfil worldwide agreements is imperative.

2. Information and Intelligence

In the interest of a future prevention of hostage-takings, it seems to me absolutely necessary to have a constant, worldwide experience-exchange about past hostage-takings.

During the seminar I have noticed, for example, that some participants who came from those countries which were never involved in politically motivated hostage-takings (including the spectacular hijackings) had — if any at all — only superficial knowledge of the assaults, motives, etc. In my opinion, it will be very difficult for them to make the right decision rapidly or to apply the appropriate preventive measures, if such an incident should happen.

Regarding information about intended hostage-taking, it is essential to ascertain that this information is drawn from a reliable source and that it will be transmitted to the proper authority.

Concerning "over-regional" hostage-takings (for example hijackings) such information should be channeled through certain organizations (for example IATA, Interpol, etc).

I would also like to mention that I never had knowledge beforehand in cases of politically motivated hostage-takings in civil aviation.

Session Synthesis

In the initial, free-ranging discussion (Discussion A) many disparate issues arose, reflecting the diverse backgrounds and perspectives of the assembled participants. Two kinds of prevention were generally recognized: one focused on root causes of hostage-taking (causal prevention) and one focused on strategies and tactics for preventing incidents from occurring (symptomatic or operational prevention). Issues relating to the root causes of hostage-taking focused primarily on the maintenance of dialogue between the governed and the governing. Emphasis was placed on the concept of trust. Greater stress was placed on operational prevention, however, as it was generally recognized that causal prevention was beyond the scope of the seminar.

Some of the most important issues which arose pertaining to operational prevention were: intelligence gathering, physical security or target-hardening, crisis management and contingency planning, policy guidelines for negotiation of on-going incidents, analysis of costs and profits. Prevention was seen to depend either on government

policy (in political contexts) or on simple law enforcement (in non-political contexts). Operational aspects included the technical side (e.g. specialized personnel and equipment) and the exchange of information (intelligence). The experience of INTERPOL indicated that information exchange pertaining to persons already convicted is very easy while, in the case of suspects, it is very difficult. (This suggests a useful differentiation between the prison context and other contexts). Information exchange on modus operandi of hostage-takers and on police tactics (reasons for success and failure) are very useful for operational prevention.

While few direct attempts were made to set up a typology or to differentiate one context from another, the most clear-cut distinctions which emerged from the discussion were those between political and non-political hostage-taking and between prison (closed institution) contexts and contexts where the site of a potential hostage-taking incident is not known beforehand. It was noted by the Italian delegate that preventive measures at specific sites, e.g. airports and banks have been effective, while measures aimed at kidnapping (e.g. for financial gain) have not. However, the problem of maintenance of effective security was also recognized and it was pointed out that, even in contexts where successful preventive measures have been implemented, there is always a danger of relaxing these measures in the face of reduced incidents, thus precipitating a new wave of incidents. It is here that cost/benefit analysis

becomes highly relevant. For example, figures on the cost of airport security in Holland indicated that the personnel and financial commitment is 25 million guilders/year and 500 men, for Schiphol Airport alone.

In terms of the uniqueness of the prison context, it was pointed out that "dangerousness indicators" or "pre-condition indicators" can be studied and analyzed more easily in such contexts, using, for example, data from other incidents like prison riots. The success of the Canadian Penitentiary Service crisis management programme is perhaps an indication that this point is valid. It was also pointed out, however, that, as convicted terrorists join the prison population, the differentiation between prison and other contexts becomes less useful. It was not made clear why this is necessarily so, particularly in view of the greater potential for intelligence-gathering in a closed institutional context.

The political context was seen to present some unique problems, most notably the problem of "good faith" negotiations and the question of policy. It was recognized that there is often a great disparity between policy guidelines set before any incident occurs and policy implementation during an on-going incident. It was felt by some that prevention in this context is really impossible and the only recourse left is to try to fulfill demands in ways which negate the usefulness of meeting the demands.

The more focused discussion (Discussion B) centred on two main issues: that of cost and that of government policy.

The cost issue initially focused on hijacking and a distinction between European and North American approaches. In Europe, hijacking is primarily viewed as a governmental problem and the costs are assumed by governments. When an airline is involved in a hijacking, the government is involved too. In North America, on the other hand, the airlines - not the governments - pay for costs. The implications of this difference were not analyzed in depth, but it is interesting to note that political hijackings are much more common in Europe and that most airlines in Europe are government carriers.

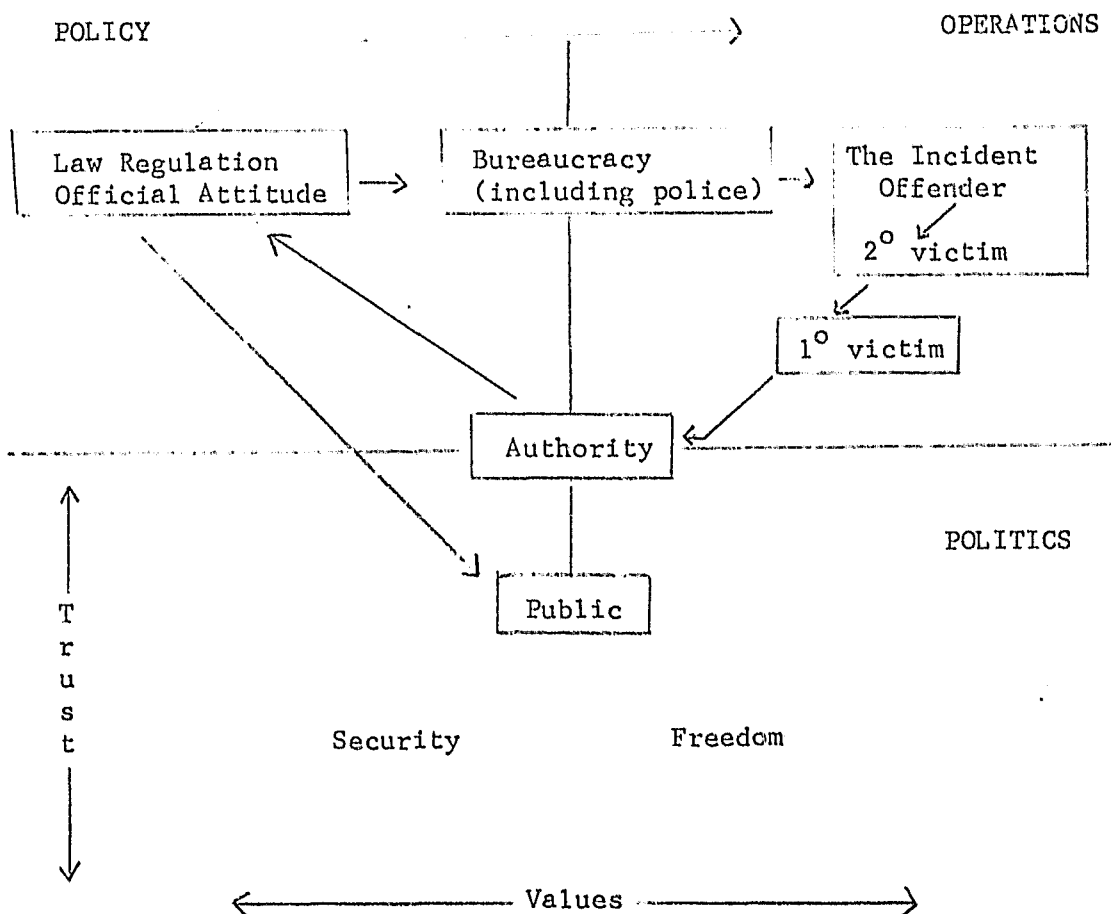
The major problem related to the cost element was seen to be that of crime displacement or shift of targets. In terms of cost/benefit analysis, this is clearly a major issue. Is it worth the cost of prevention, if the end result is merely a shift in target? One suggestion was that preventive measures should be appreciated as token symbols and that institutionalization of preventive measures should be avoided. It was pointed out that terrorist groups have their own fund allocation problems and, while the point was not made explicitly, it seems that a flexible approach to prevention, with an accent on the symbolic value of such measures, would alleviate the cost burden of a rigid institutionalized preventive regime, while placing a financial strain on the terrorists' shifting operations.

The main issues concerning government policy centred around the interactions between policy and operations. It was recognized that no matter what policies exist beforehand, individual responses will vary and that policy can affect the way the bureaucratic agencies manage an incident or solution. Some considerations involved in the actual response and its conformity to pre-set policy are: credibility of the threat, technical capabilities (to respond, to disarm), the emotional state of the decision-makers, the degree of commitment to organizational rules, the motivation of the decision-makers (e.g. the political decision-maker is highly motivated by public opinion and may therefore decide to avoid a decision or to make a pseudo-decision). It was generally agreed that control strategies and tactics should take into account that decision-making during and immediately after a hostage incident occurs under emotional stress rather than in an atmosphere free of time and stress constraints. Strict reliance on pre-determined, fixed plans was seen to be unrealistic and impracticable. Furthermore decision-making should not be in the hands of those directly involved (i.e. the active or primary victim).

Some important parameters involved in policy decisions were identified as follows: the maintenance of trust between the public and the authority responsible for policy; the conservation of a spectrum of values ranging from security to freedom, as opposed to a tendency to polarize toward security and a "police state"

mentality; flexibility in incident management, whereby rigid adherence to pre-set policy is avoided in favour of allowing a range of tactical options to the bureaucratic agencies responsible for incident control (i.e. law enforcement); preservation of life, both on a short-term and long-term basis (deterrence of future incidents being a prime consideration in weighing the balance between the two).

One participant proposed the following framework to depict the complex interactions among these elements.



In sum, the major concerns of this session were the operational aspects of prevention and the complex interactions between policy and operations as they relate to decision-making in crisis situations. The shifting focus of discussion highlighted the complexity of the problems involved and the difficulty of confining discussion to one particular context or perspective. However, the common interest in crisis intervention, incident management, decision-making and the interplay between policy and operations indicates a potential unifying focus for further inter-disciplinary discussion of prevention and control before the act.

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S E S S I O N I I

ACT OCCURS: INITIAL RESPONSE

Jacques LEAUTE
Chairman

Robin BOURNE
Anthony COOPER
Conrad HASSEL
Panelists

We sincerely regret that we have not been able to include any report by Mr. Jacques LEAUTE as unfortunately, in spite of many requests, he has been unable to send us his comments within the required time limit.

Panelist's Report
Robin Bourne

A. Notification of a hostage situation

The fact that a hostage situation exists would normally become known to a law enforcement officer or correctional officer or air transport authority at the field level. There may be occasion, however, when the first indication of a hostage situation may be by means of a telephone call from the news media or a news broadcast or a written or telephone message from the perpetrator to someone in authority.

B. Response Mechanism - the need for information

Whatever the method of discovery or notification, there are a number of basic questions which should be asked immediately and must be answered as soon as possible. These are:

- who is the hostage?
- who is the hostage-taker?
- where is the hostage being held?

- why was the hostage taken or what is the motivating issue?
- what demands have been made by the hostage-taker?
- is there a need to notify and involve government authority?
- what additional support resources are required?

C. Response Mechanism - alert system

Assuming that contingency planning has taken place, it would be clear that a number of persons, i.e. police and/or corrections and/or air transport authority, would be alerted and placed on "stand-by" to assist in resolution of the hostage situation. If, for example, the demands made by the hostage-takers were such that authority to grant them could only be made by the Federal Government authority (e.g. "Safe passage" to a foreign country) then the appropriate officials and Ministers of the Federal Government would be informed, including the Solicitor General, the Secretary of State for External Affairs and even the Prime Minister.

D. Response Mechanism - field level

The hostage-taker and his hostage must be physically located. Command channels must be clarified; the perimeter must be secured; the necessary communications network established; various support specialists marshalled and given instructions by the officer in charge at the scene. The local commander must assess the situation. He must then decide whether or not to try to establish contact with

the hostage-taker. He may decide that no dialogue will take place at least for the time being. This decision will be based on what knowledge he has, if any, about the hostage-taker and his motivation. He must decide whether to negotiate or whether to storm by force. The principle to guide this decision must be that there be no unnecessary risk of human life and that decisions made by the local commander will be held to his account.

The nature of the demands or the status of the victim may again influence the extent to which the local commander will be allowed to make his own decisions.

In general the local commander should be allowed to seize any opportunity which may present itself to resolve the hostage situation by force or other means. He should be instructed to move in with force if it is clear that the hostage(s) is being harmed by the hostage-taker or the hostage has attacked his captor.

E. Response Mechanism - the settling down process

If the local commander has not resolved the situation and it is clear that the authorities will have to contend with a long seige, the full weight of intelligence analysis, psychological strategy, persuasion, dialogue, should be brought to bear.

F. Response Mechanism - the news media

The best approach to gain cooperation and assistance of the news media is to keep it informed, as truthfully as possible, on a regular basis. If this is done the news will not be invented and a minor crisis will not escalate into a major one.

Panelist's Report
Anthony Cooper

It is offered as a fundamental premise that all counter-terrorist measures ought to constitute in themselves a civilized response to an uncivilized action. Such a requirement clearly limits the measures which might be appropriately taken in countries governed by the Rule of Law but, it is suggested, when seen in the overall policy context this ought not to mean an unacceptable limitation upon the general effectiveness of the struggle against terrorism. A basic philosophy must be established and adhered to operationally if the objectives the terrorist seeks to attain are to be denied him. Nowhere is such a philosophy of greater importance than in the area of measures to combat hostage-taking and this should be developed with care and preparation for it cannot be usefully fashioned on the spur of the moment under acute crisis conditions. Those who have operational responsibility for taking measures once a hostage-taking situation has developed are entitled to the clearest possible understanding of the priorities assigned to the values to be protected. Only in this way can the necessary plans be developed to meet the

contingencies and constantly changing situations likely to occur in the course of the action. Everything from the decision to negotiate, limitations upon concessions which might be offered, through the use of unlimited force for the purpose of securing the release of the hostages, is dependent upon this underlying philosophy. Much soul-searching and later recrimination is saved when these matters have been carefully and systematically thought through in advance.

Every operational system likely to be involved in a hostage-taking situation should have an up-to-date contingency plan, subject to periodic review, the contents of which should be ever present in the minds of those called upon to act. An important feature of such a plan is the assignment of responsibilities for making crucial decisions, as well as the command structure which will operate during the course of the hostage-taking incident. Hostage-takers will always seek to bargain at the highest level of responsibility. Without detriment to the success of the operation, it should always be official policy to interpose a buffer between the hostage-taker and the highest level of authority to which his demands are directed. This is necessary to give decision-making flexibility as well as to prolong the incident in such a way as to work to the tactical advantage of those entrusted with the counteraction. The importance of the incident will generally determine the level of responsibility at which decisions are and can be practically taken, but it is important to bear in mind that all decisions have potential political

implications. There is a vital need for smooth, inter-agency cooperation and no room at all for petty bickering over organizational, institutional or jurisdictional matters which the hostager-taker might turn to his own advantage. Special problems are posed in this regard where the incident takes on international dimensions, but the principles which should govern the establishment of the fundamental philosophy and operational procedures, especially contingency planning, are universal.

Essentially, all measures which are designed to counter the hostage-taking tactic should seek the goal of making this type of activity too difficult or too expensive for those who would engage in it. Basically, hostage-taking should be made a hard thing to do and it should go hard with the perpetrator if he engages in this tactic. The first consideration goes to preventive or deterrent measures and should be the subject of earlier concern than the matters dealt with here, which must assume the successful taking of the hostage or hostages. Here, the second consideration comes into play. How can we ensure the game is not worth the stakes for which it is played? At first sight, the advantage seems to lie with the hostage-taker. He has put a valuable social and individual interest at risk under circumstances which have given him a useful bargaining power in any civilized society. Were those interests held of no, or very low, account, clearly his action could bring him little but immediate retribution. Can we practically deny the hostage-taker

what he seeks within the civilized framework we are committed to defend? Experience suggests that we can. Only the plainly deranged want to die: the others may be prepared to, if necessary, but they want, more than anything else, to bargain. Time is on the side of society. The hostage-taker in a confrontation situation, at least, cannot afford wantonly to kill the hostage for he would thereby lose his bargaining power. Even in multiple-hostage situations his position is weakened if he is forced by circumstances to harm a hostage. A prolongation strategy must therefore be designed, for not only does this offer a sense of security to the hostages in many cases through the operation of the little understood Stockholm Syndrome, but it also increases the anxieties and tensions of the hostage-taker, creates doubts and frustration, which can be exploited both in negotiation and resort to direct action. The readiness of even the most hardened terrorists to bargain suggests not a merciful streak in their characters but rather a hard-nosed appreciation of the risks and a desire to emerge with a whole skin and at least some gain. These considerations must be understood and appreciated operationally by those engaged in selecting and applying the appropriate responses.

What the perpetrator will do is always an imponderable. If we knew from the outset that he would not, under any circumstances, harm the hostage or hostages, we would be content to exercise a great deal of patience and do little more than seek to contain the situation. Such a situation never really obtains and we would doubt

the evidence of our own senses were we to make an appreciation that even suggested it. The behavior of the hostage-taker is always unpredictable and it is not knowing what he might do, and the intelligent guesses that must be made in relation to his possible and probable conduct, that constitute the main interest of any initial response strategy. Very often, indeed, the hostage-taker does not know himself what he is likely to do, particularly in those cases where his initial action is largely unpremeditated and is itself a response to unexpected circumstances which have supervened. Hostage-taking is, therefore, from the outset fraught with uncertainty. As the situation develops, some of that uncertainty may be dissipated. Indeed, positive steps must be taken, as soon as the incident calls forth a response, to dispel at least some of those uncertainties. There thus arises an overriding need for what might be termed operational intelligence. Who is the hostage-taker? What does he want? Why does he want it? These are some of the more fundamental questions that must be asked and answered before any sensible appreciation can be made as to what he is likely to do under certain circumstances. A cold-blooded, professional, political terrorist is a very different proposition from a frightened bankrobber frustrated circumstantially in an attempt to flee. Appeals to reason and promises based on them are unlikely to have any high value to the ears of a paranoiac. The need to know is paramount at the moment of initial response. This need can only be satisfied by the availability of a fairly sophisticated intelligence apparatus and a swift and sure coordination of its

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workings with those of the force engaged in responding to the act. Some information will be gleaned at the scene. But even this must be tested and refined if it is to be of substantial utility in guiding the decision-maker. Intelligence, strategic and tactical, is crucial to the success of all operations against the hostage-taker. No dentist worthy of his profession would start pulling teeth until he had ascertained which had the cavities. Intelligence has come, of late, quite mistakenly, to have an unsavory meaning. It is really no more than the means of arriving at an informed decision. It is the key to all successful counter-action against the terrorist and requires the same careful preparation and planning as all other operational activities.

Those opposing the hostage-taker must seek to wrest the initiative from him. Sometimes, this will entail an immediate, forceful response designed to deny the perpetrator the advantages that any consolidation of his position might afford him. The action of the instant victim, the hostage, is crucial at this moment. Hostage-taking has, on occasion, been frustrated by immediate and resolute action on the part of the intended victim. Clear advice cannot be responsibly given as to the best course of action to take; what is advisable or even possible, will depend upon the character of the principal actors as well as innumerable other circumstances. It is probably extremely unwise for unprepared third parties to seek to thwart a skyjacking; it may, on the other

hand, be appropriate for the crew to do so. Calm detachment is exceedingly difficult to attain in such crises. Perhaps the best advice to the victim would be, if you cannot escape, immediately, with a reasonable prospect of success, no resistance is better than a mere token likely only to anger an already tense and desperate hostage-taker. The hostage's reaction is always important and, whenever possible, there should be an attempt to remain calm and ready to take advantage of whatever favorable circumstances present themselves. Those facing the prospect of being taken hostage can certainly prepare themselves not only to avoid capture but in the techniques of survival once it has taken place.

Panelist's Report
Conrad Hassel

Immediate Response:

The initial law enforcement presence on the scene of any hostage incident is often the patrol officer, who, in the performance of his normal patrol duties comes upon, or creates, by his action, a hostage-type situation.

Consider the context in which hostage situations arise:

1. As a result of stress, either environmental or social, in many cases added to by heavy use of alcohol, a domestic dispute arises. This dispute escalates to include either threats of violence or actual violence of husband against wife. The police are summoned, and the mere appearance of the officer further incites an already enraged individual who grabs a weapon and, in effect, holds his family hostage demanding that the police leave the premises.

In such a situation as described above, the initial action of the first officer on the scene is most critical. It is actually a life and death situation. In most instances the police officer on

the scene must make a critical decision.

A. He can back off and call for expert assistance of negotiators and special weapons teams.

B. He can attempt to defuse the situation himself. Police officers being basically action-oriented will usually attempt to defuse the explosive situation themselves without calling for assistance. It is impossible to tell how many of these types of incidents are successfully handled by the officer on the scene, and are never included in the general statistics on hostage matters.

2. Another common type of hostage incident is one, to some degree, created by increased police efficiency. It pertains to armed robbery response time. Over the past ten years response time for police arrival on the scene of an armed robbery in most metropolitan areas has been cut drastically. Often the first law enforcement officer is on the scene in less than five minutes. In the past the armed robber would have been well away from the scene before the arrival of the police. Today he is trapped inside the victim establishment, thus he takes hostages to assure his escape.

3. A third and less frequent confrontation is between the police officer and the mentally deranged person who also has the potential of taking hostages. This can manifest itself in a situation as described in number one (above) or where such a person, suffering from paranoid delusions might either skyjack an aircraft for redress

of imagined wrongs done to him or hold hostage a high ranking government official for the same reason. In such a case the first patrol officer on the scene would also have the responsibility of determining the extent and style of the immediate response. The danger to life when a mentally deranged person is involved is acute, inasmuch as the wrong word, gesture or attitude on the part of the law enforcement officer intervening in such a situation could trigger an explosive reaction on the part of the hostage-taker.

4. An increased number of hostage situations are occurring in prisons. These have had devastating results in loss of life, such as the Attica riots. The immediate response to these type situations is always made by the institutional personnel themselves. In such a case, inmates grab usually unarmed corrections personnel and hold them, making demands on prison officials which range from better food, longer visiting hours, to freedom itself. The demand of freedom is usually non-negotiable since it is a violation of the law to allow the release of an inmate even by corrections authorities.

The choice of what immediate action should be taken in such a situation devolves into a choice of containment and negotiation vs. early assault by armed police to effect the release of hostages and to put an end to the prison mutiny.

5. The last and least common situation, at least in the U.S. and Canada, is the terrorist group which uses hostages as a

tool of political power to force concessions from a national sovereignty.

The terrorist type of hostage situation is usually the best planned and operates on a military model. In some instances the terrorists are dedicated professionals who feel their cause is just and that the end justifies the means. Because of this fanatic commitment this type of situation becomes one of the most difficult to defuse.

Once again, the patrol officer may well be the first member of the law enforcement community to perceive the threat. He will undoubtedly be asked by the terrorists to contact someone in authority so the demands may be communicated to a person with decision-making power. Should the patrol officer then be left as the intermediary or should he be replaced by an expert negotiator at the earliest possible time? Any plan of immediate response should take into consideration this important factor.

It is easy to see that the quality of immediate response in almost every hostage-type situation will depend on the patrol officer. He will decide in the first instance whether the maximum expertise of any law enforcement organization will be brought into play, or whether he will handle the matter himself. The success of his response depends largely on his knowledge and training and what guidelines he has been given by the police administration.

Training

If immediate response depends on the patrol officer, he must at least be given a basic course in human motivation so he will be in a more favorable position to diagnose and thereby determine what type of response he should call upon. This training need not make every patrol officer an expert psychologist, but it should keep him from further aggravating an already dangerous situation.

Containment

Most well-formulated plans on hostage matters should, in the immediate response stage, call for the containment of the incident. This includes blocking forces to prevent the further takeover by the hostage-taker of a larger area and also evacuation procedures to ensure that he is unable to acquire more hostages than he already has. This is an isolation technique which can be planned on an ad hoc basis if trained forces are available to the command personnel. Evacuation includes the removal of all law enforcement personnel not immediately essential to the task of containment. Such a procedure should put a high priority on maintaining a low profile. Blatant display of weapons or combat-type vehicles can only inflame an already over-emotional hostage-taker. Detective personnel should be assigned to the task of gathering information on the perpetrator to help the negotiator in dealing with him, and to procure plans and blueprints of the building where the incident is taking

place, to assist possible assault forces.

Command Post

If the hostage situation is not ended within the first few minutes, a command post must be established in the near vicinity of the incident itself. Plans for such a command post must include, but should not necessarily be limited to:

1. Top commander and advisors,
2. Behavioral specialists,
3. Communication center,
4. Press room with press officer,
5. Public utilities personnel, i.e., gas, water, electric, etc.,
6. Personnel marshaling area out of sight of hostage-taker,
7. Emergency medical and fire department services,
8. Weapons and tactics specialists.

It has been shown through experience in the United States that, once the hostage situation is contained and some communication established with the hostage-taker, most frequently the perpetrator will release his hostages and surrender. An exception to this general rule may be the prison situation where perhaps immediate response should be an early assault before the inmates consolidate their positions and create a formidable bastion making assault more

difficult.

In summary, the immediate response phase in the hostage situation depends on the acute attention to the following:

1. Trained patrol officers,
2. Plan of containment and evacuation to isolate perpetrator and hostages,
3. Plan of command post with necessary personnel and equipment,
4. Establishing preliminary communications with perpetrator.

It can be seen that, once the machinery is put into gear by the trained patrol officer, immediate response is largely logistical, but an indepth assessment of personnel and equipment is necessary before such logistical plans can be made in detail. If the logistical plan works smoothly and expertly, the chances of loss of life of either the hostages, innocent bystanders, police or the perpetrator himself will be largely diminished.

Session Synthesis

Some of the issues raised during the initial discussion period (Discussion A) were: the problem of jurisdiction, the role of government, the TRAMS (Terrorism Research and Management Staff) concept, the problem of intelligence and information exchange (particularly between private and public sectors), the question of who first responds to a hostage incident and the question of payment of ransoms.

It was recognized that the biggest problems for command personnel responsible for any hostage incident are personnel management (how to deploy or send away available or unneeded personnel), whether to negotiate or not, and press relations. When a government is involved, the key issues were seen to be information exchange (with police), co-operation among governmental departments, possible governmental restraints on law enforcement, the appreciation of the governmental perspective by law enforcement and press relations.

The TRAMS concept, developed in the U. S., was brought up

as an example of contingency planning which was generally viewed as a key element in the initial response to any hostage incident. TRAMS was described as a research unit to assist planning and on-site action. Such a concept was seen as a potential bridge between the practical operations and police approach and political decision-making -- a bridge between operations and policy.

The discussion on the need for information exchange revealed a distinct lack of rapport between private and government sectors. In the words of one participant, "The private sector's only ally is the police. The government bungles things". It was pointed out that information gathered by INTERPOL is passed onto governments but is not in turn passed on to the private sector where the information is most relevant and needed. Legal restrictions on dissemination of information were cited as a prime reason for this state of affairs.

The problem of lack of co-operation between different sectors was seen in other contexts as well. For one thing it was pointed out that co-operation within the private sector itself, between various private security agencies, is not very good. For another, in the context of notification of a hostage incident, the point was made that, at least in bank cases involving managers' wives, the primary victim often fails to call the police. In Italy, where attempts have been made to legislate against payment of ransoms by relatives of hostages, the result has often been a refusal by the victim's relatives to co-operate with police or to report a kidnapping in the

first place. Now, co-operation between banks and police, whereby banks report any large withdrawals of money, is beginning to develop as a counter to the lack of co-operation of victims' relatives.

It is interesting to note that these tricky issues related to co-operation between various parties tended to be raised briefly and then passed over. In fact, in discussing initial operational response options to a hostage incident, participants seemed to focus almost exclusively on traditional and legitimate law enforcement personnel, while ignoring the initial response capabilities of the hostage himself, the primary victims, the press or government or institutional agencies not directly involved in law enforcement or incident management, but certainly directly involved in the progress of the hostage incident. This pattern of discussion is a good reflection of the complexity of the issues involved and the focus on contingency planning by a qualified command unit reflects the most rational and fruitful approach to the problem of initial response.

The second phase of discussion (Discussion B) started to focus on negotiations and the question was raised whether the current emphasis on negotiating is perhaps inhibiting the initial response capabilities of the officer-on-the-beat who first encounters a hostage incident. It was pointed out that negotiation is simply a management tool -- to be used or not used as discretion dictates.

In fact, during initial response, negotiation is really not relevant, the key question being to terminate or to contain. Interestingly, in the prison context, one participant reported on the recommendations of the American Correctional Association's Task Force on Collective Violence. They were: advance planning and contingency planning, a preference for immediate resolution and no negotiation. Another participant pointed out that there are even other alternatives which go beyond what he called the "law enforcement models" of "go in and terminate" or "negotiation". One model could be "no contact", whereby the entire situation is ignored!

Another issue which was discussed concerned the public climate in which the initial response was made. This was seen to be an important factor, especially in sensational cases such as the Munich case in 1972. Public opinion could greatly influence decisions and it is under such circumstances that contingency planning can be especially valuable. Good contact with the press was seen as critical in such cases. It was pointed out that, during the Beilen incident in Holland, 150 journalists from all over the world were at hand. This indicates the degree to which press can become involved.

As a final example of other factors which can influence the police response, one participant pointed out that, in the Federal Republic of Germany, at the time of the Munich incident, "shoot to kill" was forbidden by law. Now, a new law has been passed, allowing it. Thus, we see how legal factors can limit the range of alternatives

open to those responsible for initial response to a hostage incident.

In sum, this session highlighted some of the difficulties encountered when a hostage incident first arises. While discussion centred primarily on the police perspective, other perspectives kept cropping up, most notably the government, the private sector, the relatives of the victim and the press. In purely operational terms, advance contingency planning was seen to be critical and the following elements were seen to be essential in any initial response plan: clarity of command, availability of specialists, establishing secure location (containment), establishment of communications, control of fire power, option to negotiate, option to deploy special weapons, media briefings, accurate information gathering.

In the words of one participant in his written comments on the session:

"Incidents vary. In the relatively straight forward case (1) policy is clear and pertinent, (2) law enforcement command structure is suited to the situation, (3) some accumulated experience exists to guide the official responders, (4) interference from potentially disruptive sectors (political, media, relatives, curious public) is minimal. In the complex and dangerous case, policy is not clear, multiple jurisdictions fragment command, novelty necessitates planning de novo, police have relatively little control over extraneous intruders.

Perhaps the most important generalization is to avoid generalization. Some incidents will best be protracted, others resolved as soon as possible. Negotiations may help in some settings but not in others. Continuing training and research are critical. This should occur in closed settings which promote self-criticism and opportunity for growth".

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S E S S I O N I I I

NEGOTIATIONS

Albert REISS
Chairman

Douglas DAWE
Patrick MULLANY
Frank OCHBERG
Wolfgang SALEWSKI
Panelists

Chairman's Report
Albert Reiss

Negotiation is but one of a number of strategies or tactics that may be followed in resolving hostage-taking situations. Strategies may range from active refusal to enter into negotiation with the hostage-taker to active intervention to release the hostages and/or capture or kill the hostage-taker(s). Negotiation as a strategy is a process of establishing communication with a view to coming to terms or an agreement; the process itself may or may not end in an agreement. The process of negotiation may be the primary strategy chosen in an hostage-taking situation or it may be a tactic related to some other strategy, e.g. capturing the hostage-taker.

Whether or not negotiation is an advisable or feasible strategy or tactic will depend upon a number of factors. Among those to be taken into consideration are the following factors.

The role of values. There is a value preference in most societies to protect the lives of hostages and if possible to capture rather than kill the hostage-takers. Closely related to this is a

value preference for models that assume rational solutions to problematic situations and a grounding of solutions in rational appeals coupled at most with persuasion. Negotiation fits in well with these value preferences, particularly since there is always partial reinforcement that it works in a fair proportion of cases, either as a strategy or a tactic.

The involvement of an audience in the hostage-taking situation.

Under some circumstances, e.g., where prison guards or personnel are taken hostage in a prison surrounded by a community of families of the hostages, there are enormous pressures to secure the safe release of the hostages by negotiation. Failure to pursue negotiation, moreover, runs the risk that those responsible for solving the hostage-taking situation will be held accountable for any injury to the hostages if negotiation was not at least pursued as a tactic.

The development of a professional cadre of negotiators in hostage-taking situations and its routinization. In recent years, where hostage-taking has become a calculable risk to organizations or governments, one of the preferred strategies is that of negotiation. Personnel are trained to respond to their being taken as hostages and a special cadre is trained to negotiate for the release of hostages. The availability of such professional cadres predetermines to a large extent the choice of strategy and tactics since these personnel are ordinarily the only resource for immediate mobilization in an hostage-taking situation; negotiation is then likely to be a tactic

if not the final strategy chosen to deal with the situation. Major private companies such as Lufthansa in Germany or the London Metropolitan and New York police have established personnel training programs for hostage-taking situations and for teams of negotiators who are quickly mobilized whenever a hostage-taking situation arises.

The effect of operational difficulties. Situations will vary considerably in the degree to which they lend themselves to tactics or strategies other than negotiation. A hijacked airplane, for example, precludes effective use of most strategies and tactics other than negotiation, at least initially.

The hostage-target. Most commonly hostages are persons but there is growing evidence that hostages may be physical objects, e.g., a nuclear power plant or other holocaust facility, telecommunications, power facilities, or a major oil production site. Under these circumstances the potential damage may be considerable and limit the range of choice. Negotiation may become a major strategy whenever there is a considerable imbalance of power in favor of the hostage-taker.

The goals of the hostage-takers. Early on it may be apparent that the hostage-takers have goals that appear negotiable; in other circumstances they may lie beyond negotiable limits. Where the demands lie beyond negotiable limits, negotiation may be a preliminary tactic; where they appear reasonably negotiable, as is not uncommon

in hostage-taking situations such as in jails or prisons, negotiation will be a preferred strategy.

Once negotiation is accepted as a strategy or tactic, the question becomes who shall negotiate with whom, how, under what conditions, and within what limits. Each of these topics was given some consideration by the session.

Who shall negotiate? Much attention focused on the choice of negotiators. Both characteristics to be avoided and those preferred were considered. Among them are the following.

A major factor in the choice of negotiator is the degree of involvement of the negotiator in the situation creating the hostage-taking or in the present situation and its resolution. It was agreed that, in general, the negotiator should be as disengaged as possible from any personal or political involvement in the situation and its resolution. While persons with a past or present stake in the resolution of the hostage-taking situation often cannot and should not be disengaged from the negotiation process (indeed they may be essential to determining the limits of negotiation), they should not generally be in direct contact and communication with the hostage-takers. Both disengagement and direct communication by involved persons are essential if certain risks are to be minimized. A disengaged negotiator ordinarily has greater latitude for negotiation since he moves between parties to the negotiation; the mediator role

also buys time. Persons directly involved, moreover, may not always make rational decisions when they are in direct contact and communication. They likewise will have less opportunity to seek the advice which others can give if they are disengaged from direct negotiation.

Where the State is involved in negotiation because of the demands of the hostage-takers, as in political acts of terrorism, hostages may demand direct contact and communication with public officers. These officers also may opt to enter the crisis situation because of anticipated political consequences in failure to do so. There was some agreement that such direct involvement of officials can be avoided if there is prior planning and organization designating an official negotiating team that does not involve persons who will make decisions about the limits of negotiation.

Planned organization and courses of action appear to increase the successful resolution of hostage-taking events. The training of professional cadres of negotiators is ordinarily the preferred way to select negotiators. Yet not uncommonly the preferences of hostage-takers or their demands for a particular negotiator may be critical to the negotiation process. Under certain circumstances, e.g., the minority status of the negotiator, his language skills, or the degree of trust that all parties may place in the negotiator designated by the hostage-takers may be overriding considerations in selecting the negotiator.

With whom shall negotiation proceed? Under many circumstances, there is little opportunity to choose a principal negotiator among the hostage-takers. Where such latitude is possible and where there is information on the hostage-takers, as for example in prison hostage-taking, consideration will be given to selecting a negotiator who may be most easily persuaded yet still have power to persuade other hostage-takers. Where communication with the hostage-taker negotiator is also available to the other hostage-takers, the negotiator may direct appeals to the other hostage-takers with a view to their applying pressure to the persons in direct communication.

How shall negotiation proceed? There appeared to be general agreement that there should be few, if any, general rules about what should be done in dealing with hostage-takers, or to resolve the outcome of a hostage-taking situation but that there should be clear bureaucratic rules about procedures to be followed in negotiation situation. Thus there should not be rules about when to break off negotiations temporarily or what to negotiate first--though general guidelines may be helpful. One of the few rules that might be applied universally, it was agreed, is that one should never negotiate any condition that would increase the level of power or violence potential of the hostage-takers. To negotiate and give weapons that would increase the deadly force of the hostage-takers, for example, should be precluded.

Rules about bureaucratic procedures to be followed are, however, of considerable consequence. While specific rules may vary from agency to agency or by type of situation, the following deserve attention. There should be a clear line of command or authority. Such a line of authority should define who determines the conditions that are negotiable and those that are not and what are the outer limits of negotiation, including who is authorized to commit a course of action that the negotiator may seek as terms of action in negotiation. The line of authority should ordinarily designate a single negotiator who is in direct contact and communication with the hostage-takers. Whenever possible, however, both the decision-makers and the negotiators should be part of a team that advises them.

Techniques of negotiation. Considerable discussion was given over to the question of the choice of particular techniques of negotiation. Again there do not appear to be any clear choices with respect to matters of technique. Among matters that appeared to merit special attention for the development of information that would make possible both the selection of techniques and their successful use are these.

Much of the attention in negotiation has focused on how to deal with particular personalities or persons. Perhaps more attention should be given to how to defuse particular kinds of situations rather than particular persons. The focus of this inquiry might lie in pursuing tactics of deescalation of situations as well as considering

those that may escalate them. Attention to the physical comfort and wants of the hostages and hostage-takers, for example, may serve to deescalate many situations and make reasonable negotiation feasible.

At times too little consideration is given to the hostages in the negotiation situation. While under many circumstances it is difficult to have direct contact with the hostages, consideration should be given to how particular negotiations or their hostage situation may be affecting them and the overall negotiations. The possible courses of action of the hostages will have to be taken into account in the negotiations. There are times when the hostages interfere with a pattern of negotiation or they may resort to courses of action that increase the difficulty of negotiation. Such possibilities should be considered in selecting any course of action during the process of negotiation.

Concern was expressed over the role that the mass media play in the process of negotiation and the necessity to take them into account. The media can create problems that affect the course of negotiation, particularly when they have access to the hostage-takers, if only via the hostage-takers having access to the media's message. Developing prior relationships with the media may resolve some of these difficulties, particularly to secure their cooperation at critical phases in the negotiation to control information. It was recognized that this is no simple matter since these are critical free press and public information issues.

Panelist's Report
Douglas Dawe

The entire area of negotiation with criminals in the criminal acts of hostage-taking - regardless of its formal manifestation - be it hijacking, kidnapping, abortive criminal act, prison breach etc., poses a wide variety of philosophic and practical problems. It is essential that semantic and policy differences be resolved immediately and the concern raised about the difference between "dialogue vs. negotiation" is worthy of (in fact demands) priority consideration. I consider it essential that the schematic progression of communication from dialogue to the give and take of negotiation be the subject of Internationally/Universally acceptable definition. While precise items - procedures, constraints - may vary, the discussion clearly revealed the similarity and validity of philosophy and conceptual approach transcending international boundaries. Undoubtedly, my colleagues will address this subject in depth and thus I shall confine my remarks to a general reaction and to share a proposal for the selection and training of negotiators.

Since the purpose of this seminar has been proclaimed as a vehicle to generate thought and discussion toward improvement of understanding and response to hostage-taking situations, since the ice was well-broken yesterday and since, in spite of the presence of a master of language who is to ultimately write a scholarly text upon this matter, it is essential to dispel some myths and to focus directly upon the situation of "Negotiations in hostage situations" and to offer for your consideration some conglomerate of philosophy, policy guidelines, procedures, background information, views and observations which our chairman will later draw into a semblance of order from chaos.

I must assume that agreement has been reached establishing that a chain of command and control has been established. The situation has hopefully been compressed and activity contained. The respondents are aware of legal and policy constraints and a decision has been taken to implement a policy designed to:

a) ensure the well-being of the hostage(s) during the time that they are held captive,

b) effect the safe release of the hostages as quickly as possible without acceding to unreasonable demands, or resorting to measures which will:

(i) unnecessarily endanger lives or cause serious injury to any person

- (ii) compromise public safety
- (iii) establish dangerous precedent which could be used to advantage by the perpetrators of future events
- (iv) precipitate escalation of the occurrence, or
- (v) cause unnecessary concern or embarrassment to your organization or government.

I would assume that the response is that of a co-ordinated team of highly-trained personnel who are agreed that there can be but one of three acceptable possible solutions to the situation in hand:

- a) the captors recognize the futility of their actions - or as may be the case they get what they wanted - and surrender.
- b) the hostages effect their own release; or
- c) the hostages are rescued and the hostage-takers neutralized.

The first possibility has of course my personal preference, at least insofar as the first of its two parts is concerned. The second and third possibilities are fraught with danger. The former is difficult to predict and in the main uncontrollable. The latter must be preceded by planning and practice by well-trained and equipped specialists.

I did not have the opportunity to discuss my approach with my colleagues in advance and while this entire area of negotiations could well consume several days of discussion, time is extremely limited and I must therefore confine my remarks to the negotiator and proven basic negotiator policies as I have seen them practiced:

A hostage negotiator MUST accept, believe and practice

a) that the function of a negotiator precludes the individual from any decision-making authority to ensure the separation of negotiations from command, control and authority during hostage-taking situations;

b) the role of negotiator may require the application of action or reaction to prevent injury or death to the negotiator, a hostage or other innocent person and the negotiator should be prepared, if necessary, to physically intervene in the interest of saving human life;

c) the negotiator must be aware of and supportive of national policies in respect of hostage-taking response;

d) the negotiator must be in good physical condition;

e) the negotiator must present a mature appearance;

f) the negotiator must have the ability to withstand prolonged stress;

g) the negotiator must have the ability to observe and report; and

h. he/she must have communication skills and patience.

I believe that policies must prescribe what is or is NOT

NEGOTIABLE

- no guns
- no exchange of hostages
- no concessions - even good - without something in return

yet it was NOT possible to get agreement in this area. After considerable study I have prepared a proposed syllabus of training for negotiators. The syllabus has NOT been approved for implementation by my Service yet.

Panelist's Report
Patrick Mullany

While one can never imagine all the possible facets of managing a hostage crisis, there come to mind several areas where possible pitfalls might occur in hostage negotiations.

Much like any crisis management, one is more than likely to realize pitfalls in the most obvious and often-times simplistic areas of problem management. Absolute disaster can be achieved by joining together two individuals, two jurisdictions, or two nations whose basic objectives differ in hostage negotiations. Such a difference in objectives need not be so dramatic as to save lives, on one hand, and on the other, apprehend the culprits. The subtle difference of wanting, above all, to gain credit for the successful outcome or perhaps to avoid at all cost the crippling effect of being blamed for a disastrous outcome, can be seen as the cause.

What might very well be regarded as conflicting objectives can be the single most decaying influence in hostage negotiations. When one expands upon the crisis management decision not based on sound

objectives but rather on a variety of selfish goals, it is no wonder that the degree of probability for the loss of lives rapidly escalates.

Like many other crisis management problems, one, unwittingly, can add to the problem before it occurs. Hostage negotiations is a drama being played on a stage with unknown actors, be that platform criminal or political. It should be planned for and reacted to with reason. The pitfall of overdramatizing the hostage-taking situation can lead to overreaction on law enforcement's part. Training for hostage negotiating should be consistent with training for any other law enforcement function. After all, the police officer while directing traffic, seeing a car rebounding out of control, heading towards a crowded street corner, has no opportunity to save lives much less to negotiate. His performance is one of emergency reaction and reporting. Hostage negotiations, on the other hand, give us the opportunity to methodically save lives. To overdramatize this opportunity can only play into the hands of poor management. Hostage negotiations should be regarded as a police function, thereby demanding solid planning and flawless performance.

Misreading human cues in a hostage situation can be regarded as another major problem area. The individual, placed in ultimate control of the crisis, should be willing to test his judgment regarding the impressions he forms on the primary functionaries in a hostage situation. The wrong impression as to a perpetrator's

real motivations and/or state of mind; victim's reactions to the trauma; and endurance ability of those charged to him, can cause not only ineffective judgment of the situation, but escalating confusion and inept decision-making. With a willingness to test one's perceptions, the decision-maker comes closer to the goal that, despite what happens, he has judgmental objectivity.

With the ingredients of sound objectives, solid planning and performance without overreaction, and the ability to read human cues, one can still stumble into pitfalls during hostage negotiations. Keep those carrying out decisions informed. The crisis manager may be doing the most laudatory job possible, but if he is unwilling, or does not take the time to keep his decision performers well-informed, great danger is brought to bear. Decision-performers live on decisions. They look for them and are willing to carry through with them however negative they appear. Isolate them from information for a long period of time during a crisis and they cease to function as decision-performers. Quite rapidly once the decision-performer role is abandoned, they take on the role of decision-maker. A self-appointed decision-maker, coupled with isolation and an absence of information can blend into the primary functionary (e.g., SWAT) that detonates the goal of flawless performance. As Shakespeare once said, "Lawless are they that maketh their will their law".

Last, but by no means least, the concept of time can well be regarded as a major pitfall. In hostage negotiations, time is the greatest ally. It is for the most part in our favor, with few

exceptions. The American law enforcement community, by and large, finds this difficult to accept, whereas, notably in England, taking one's time and achieving calm is the rule rather than the exception. In managing a hostage situation, time must be managed. Hours, days, weeks must not go by unmanaged but rather used as the instrument to save lives. The well-informed will manage time wisely in manpower utilization. Instead of creating a physiological stress reaction within his command, he will be able to rely on well-rotated, well-rested, well-informed functionaries, thus avoiding the most elementary pitfall. Managing the time of the perpetrator is imperative. Will he endure time? What effect does time have on the perpetrator(s)? Does time escalate the perpetrator's potential for acting out or diminish it? The multi-faceted effects of time on the perpetrator should be charted and when time is used against him, it must be well planned for. So too, what effect does time have on the ultimate goal of saving the hostages? Will the adage, "The longer the hostage situation lasts, the less likelihood the victims will be killed," apply? Time, if it is not planned for, can have a deadening effect in any situation. In a hostage situation, it can have an equally deadening effect on the primary functionaries: perpetrator, hostages and law enforcement. The hostages find it impossible to plan their time in such a crisis. The perpetrator, at best, plans his time haphazardly. Time is to our advantage because we have the opportunity to plan for its use.

In summary, pitfalls can occur anywhere during hostage negotiations. If we have clear objectives, avoid overreaction caused by dramatization, test our perception of human cues, pay attention to our decision-performers and manage time to our favor, we have made great strides in the journey towards the goal of a successful crisis management - saving life. Such a successful accomplishment can only be enjoyed by those who plan for it.

Panelist's Report
Frank Ochberg

I. Definitions

Negotiation is the deliberate verbal clarification and reconciliation of differences in a dispute.

In certain arenas, such as collective bargaining, the procedure has evolved recognizable forms, roles, and techniques.

Negotiation may be face to face between disputants, or may involve advocates (e.g., lawyers) or third parties (e.g., mediators, arbitrators).

Attention in terrorist negotiation has focused on policy and technique employed by the victimized authority, be it government or industry.

II. Goals

The ultimate goals in negotiation are identical to the overall goals of the authority in responding to terrorist threat:

preservation of life, maintenance of trust between government and the governed, deterrence of further terrorism.

However, the negotiator facing a terrorist frequently has sub-objectives of drawing out the proceedings, keeping the terrorist and the authority from face to face contact, bargaining for release of some if not all hostages.

III. Policy

Governments are evolving policy regarding negotiation with terrorists. The principle content of such policy falls into the areas of when to negotiate, who will negotiate, what are negotiable issues. While some nations will refuse any concession to a terrorist, they may agree to enter into discussions. The United States will not pay ransom to transnational terrorists, but will negotiate. Israel apparently refuses to negotiate at all with terrorists; the Netherlands will negotiate on a broad range of issues.

A nation's policy regarding the choice to negotiate should specify distinctions between transnational situations, prison disputes, and intranational criminal scenarios.

Decisions about who negotiates involve jurisdiction, role of police, access of media. One generally accepted principle is to avoid, wherever possible, placing a principal decision-maker such as the governor, the company director, the ambassador in the role of

negotiator. These persons should not have to make important decisions under duress, should have the advantage of behind-the-scenes consultants available to help them filter information, and should be protected from the risk of capture themselves. There are other reasons to separate the roles of negotiator and principal decision-maker. Negotiators can be trained specifically for their task, can be drawn from police or military ranks and therefore be able to feed information to headquarters which will allow the police or military a tactical advantage, and they can be physically conditioned to withstand the rigors of a protracted terrorist negotiating session. The question of what are negotiable issues should be decided in advance and clearly understood in every jurisdiction or company likely to encounter a hostage situation. Most police departments in the United States will refuse to accede to a request for increased fire power. They will, however, provide transportation away from a barricaded scene. Prison officials should clarify in advance whether they will under any circumstance accede to demands for safe passage out of the country, amnesty, access to electronic media. More important than the content of the policy is the fact that a thoughtful policy is arranged in advance and meets the approval of the general public.

Whether or not nations should bargain with terrorists in "good faith" is certainly debatable. Some argue that concessions granted at gun point have no legal or moral validity. Others argue that on ethical and pragmatic grounds, the sovereign state must

always keep its word.

IV. Technique

This is not the place for a treatise on negotiation technique. However, some interpersonal skills and sensitivities are worth mentioning. Not infrequently, the negotiator will face an acutely disturbed, even psychotic individual. Observation and intuitive diagnosis are necessary skills. Is the subject depressed and suicidal? Is he psychotic and paranoid? The more commonplace emotional states of anger and anxiety in a person of relatively normal personality structure lend themselves to straightforward response. However, depression of suicidal dimensions may not be so readily recognizable by the untrained observer. In this case, a certain amount of warmth, empathy, conversation, may allow the individual to back out of his corner of self-debasement and self-destruction. On the other hand, paranoid individuals may be extremely suspicious of "empathy" and perceive warmth as a homosexual attack. Therefore, a certain amount of aloofness, precise choice of words, maintenance of dignity and respect is in order. Humor may be a useful device in some situations but is generally ill-advised with paranoid schizophrenics. Negotiation with the severely emotionally disturbed requires maturity, patience, and a great deal of experience in recognizing one's own repertoire of responses in the face of bizarre, unexpected human behavior.

V. Training

Training in general aspects of negotiations is provided in legal and diplomatic settings. The specific field of conflict mediation has brought forth several training centers including the Institute for Mediation and Conflict Resolution in New York and the National Center for Dispute Settlement in Washington, D.C. (the latter is having funding difficulties and may have already collapsed). The FBI and the New York Police Department offer specific training programs in terrorist negotiation. Harvey Schlossberg, author of "Psychologist With a Gun", is a pioneer in this field. As police develop their skills in domestic dispute intervention, following the principles of Mort Bard, more and more law enforcement officials will have the capability of handling volatile emotionally disturbed individuals.

It is worth emphasizing that techniques cannot be learned in an academic environment and transferred to the field. On the job apprenticeship, training, retraining is a necessity.

V. Ethics

A negotiator representing legitimate government or an industry has an awesome responsibility to contribute to the bloodless resolution of a dramatic and dangerous conflict. This responsibility extends to the hostage-taker as well as the hostage.

Since the negotiator described here represents one party in a dispute, his loyalties and perspectives should be clear. It is worth contrasting this position with that of the third party intervener who must maintain rapport and identity with both sides in a dispute. For a discussion of the ethical difficulties facing someone who assumes this role see Chapter 2, The Ethics of Intervening, in the APA Task Force report: Intervening in Community Crises: An Introduction for Psychiatrists. There have been situations in which a negotiator's job was to win the trust of a hostage-taker, get the subject to "let down his guard" and manipulate the scene to the advantage of a police sharpshooter who fires the killing shot. It is unlikely that a professional negotiator, motivated to resolve conflict verbally, could long endure such assignments. Practical as well as ethical considerations would suggest that skilled negotiators be trained and used primarily for nonviolent conflict resolution. However, in terrorist situations they must be prepared for the worst, emotionally, intellectually, and physically.

Panelist's Report
Wolfgang Salewski

Because of the escalation of brutality and violence during hostage-taking by violent intervention of police and the military forces, one likes to look for effective means to "overpower" the hostage-takers, "psychologically".

A useful means seems to be a special discussion with the hostage-takers. The aims are:

- to explore and determine the situation;
- to examine the personalities of the hostage-takers in order to be able to identify them and to draw conclusions from their behaviour;
- to gain time and win a delay, to wear them out psychologically;
- finally to get them to give up and release the hostages.

Experience during the training of suitable spokesmen for the negotiations has shown that a group of specialists is superior to a single spokesman at all events.

A suitable group should consist of a leader who arranges contact between operational control and the spokesmen, 2-3 spokesmen (a woman

should be among them) and experts (doctor, priest, psychologist, psychiatrist, translator etc.).

To be able to succeed, this group should

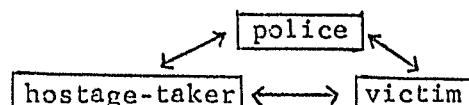
- be built along group-dynamic lines
 - size: five to seven persons
 - structure: exact casting of parts
 - ability of team: should be trained as a permanent group
- be trained in "active listening" and "social perception"
- have conversational techniques to determine intentions and motives
- learn to acquire hidden delaying techniques in adjustment for specific situations
- be able to judge the situation in question not only from tactical but also from psychological points of view.

Negotiation groups (ideally three groups of 5 - 7 persons) should train for a week twice yearly in group-dynamic laboratories.

They should also do two practical exercises.

Training of the group includes the following:

- the individual and the group, status and role in the group
- the magic triangle in hostage-taking:



who causes through his behaviour what happens to whom
at what point or in which situation

- problems of social perception, causes and abolition of prejudices, intensive listening
- conversational techniques to lessen verbal aggression during the negotiations
- conversational techniques to find out about attitudes and motives with the aim to get a personality profile of the hostage-taker(s)
- cooperation and coming to decisions inside the group
- possibilities and limits of technical aids.

The investigation of W. Salewski "Luftpiraterie: Verlauf, Verhalten, Hintergründe", München 1975 ("Hijacking: development, behaviour, background", Munich 1975) proved that hostage-takers behave "psychologically normal" even when their deed is beyond our norms. It can be concluded that hostage-takers can be influenced through psychological measures.

Between the alternatives of unconditional force and unconditional giving-in there is the way of psychological influence through skilled negotiations.

Session Synthesis

Some of the issues dealt with in this session were: what actually constitutes negotiations, who should negotiate, what is negotiable, forms and techniques of negotiation and pitfalls in negotiation.

Concerning just what negotiations are, a distinction was recognized between mere dialogue, where often the goal is simply to wear down the offender, and true negotiations, where there is a give and take, in which concessions are made on both sides. The role of negotiator in this sense could be seen as two-fold; that of maintaining dialogue and that of being a spokesman for the appropriate authority in the bargain for and exchange of concessions with the hostage-taker. There was general agreement that the negotiator should not be the decision-maker, although it was pointed out that this could sometimes lead to tragic results, whereby impatience on the part of the hostage-taker causes him to shoot the hostages rather than wait for the negotiator to communicate with the decision-maker. On the whole, however, it was recognized that the separation between

negotiator and decision-maker was a valuable factor in successful negotiations.

Several factors concerning the choice of a negotiator were highlighted: a knowledge of national or local policies, a mature appearance, ability to withstand stress, ability to observe and report, communication skills and patience, calm and the ability to retain poise. A typology of violent offenders was described by one participant to indicate what kinds of offenders might be encountered in hostage situations. A need for training and experience in dealing with such types was emphasized for any potential negotiator. Considering the nature of those violent offenders most likely involved in hostage situations, three additional guidelines for negotiators were seen to be no trickery, very little humour and not too much warmth, especially with the paranoid.

It was pointed out by one German participant that experience has shown that an offender who feels that he can achieve his objectives will remain calm and that therefore one goal of the negotiator would be to facilitate the offender's maintaining such a belief. Thus, a knowledge of the offender's objectives, motivation and attitudes is very important.

There was some discussion of the definition of roles in the negotiation process. Sometimes a clear distinction between negotiator and decision-making roles was seen to be impossible. One such

example raised was the airline pilot who must make vital decisions, especially if fuel is running low. As one participant, who is himself a pilot, put it: is the pilot a negotiator or a hostage? Another participant suggested that, in general, whoever makes initial contact with the hostage-taker should be allowed to maintain contact, even if it is the captain. In this context, the issue of credibility was raised and it was pointed out that, especially in a prison situation, the negotiator should have a rapport with the hostage-taker. However, a distinction should be made between a communication link and an agent of the hostage-taker. Credibility works both ways.

The role of the behavioural scientist in negotiations was seen to be much more sophisticated in the European context especially in Holland and the Federal Republic of Germany. In Holland, the behavioural scientist is involved in three different capacities: as a member of the policy team, as a negotiator and in selection and training of special negotiation teams and sharpshooters. The make-up and operations of the Munich police department's negotiation teams were described in some detail. A special "speaker group", separate from the decision-making headquarters, deals directly with the hostage-taker and communication between this speaker group and headquarters is a critical factor in negotiations. The make-up of the Munich team (3 separate teams are available at all times) is as follows: a policeman, a detective, a higher police official, a psychiatrist, a doctor, an engineer and a translator. The groups

train together and must develop a good relationship with one another. A team spirit manifests itself in the field. It was generally agreed that the Munich model was very sophisticated and worthy of emulation. Most noteworthy are the group dynamic aspects, the clear definition and wide range of roles and the separation of negotiators from decision-makers (speaker group vs. headquarters).

Concerning what is negotiable and what is not, it was agreed that this is usually or should be a question of pre-determined policy. One example cited was the increasing of the fire power of the hostage-taker. This was seen to be non-negotiable under any circumstances. There was some disagreement as to whether the negotiator should have any decision powers as to what was negotiable. Some participants felt he should have some powers, while others felt he should have none at all, other than the granting of minor, non-critical concessions related primarily to increasing the emotional stability of the hostages, "showing them you care". Some of the most contentious demands which frequently crop up in this context of negotiability are: access to media, immunity from prosecution, safe passage to a foreign country, release of "political" prisoners — domestic or foreign, and demand for a change in government policy.

No real conclusions concerning the question of negotiability were reached other than the fact that this is usually a policy decision which should not be in the hands of the negotiator.

Major areas for pitfalls in negotiations were seen to be with the negotiator himself, the victim or hostage, communications and external factors in the environment. The personality and temperament of the negotiator is a critical factor in successful negotiations. In the words of one participant, some negotiators "may be more interested in blowing the offender away" than in engaging in a dialogue. Lack of confidence or of patience are two other factors. It was pointed out that the concept of a negotiating team, such as in the Munich model, counterbalances such potential hazards since no one person carries the whole show. It is interesting that the hostage is seen as a possible pitfall to negotiations. The entire discussion was characterized by a lack of mention of the hostage other than as a potential disruptive element. It is generally agreed that a "good" hostage maintains a low profile and that it is dangerous for him to take matters into his own hands. The premises underlying these assumptions were not raised at all.

Communications between different elements of the negotiation team and the chain of command is obviously a critical factor in successful negotiations and this point was not dealt with any detail. Nor was the external environment factor.

The final topic for discussion was the role of the press and electronic media in negotiations. Cases were cited in which the press helped or facilitated negotiations and cases were cited where the press hindered negotiations. The effect of press publicity on

decision-making was mentioned as potentially disruptive. In general, it was agreed that timely press releases will usually result in press co-operation, while withholding information will antagonize the press. The establishment of a crisis centre with its own press outlet is now a standard procedure and reflects the general consensus that co-operation with the press is the only way to circumvent the most serious kinds of media interference. The point was made that freedom of information does not mean free access to information and that one can legitimately control access to certain areas and certain information.

In sum, this session focused on the nature of negotiations, which involves more than mere dialogue, i.e. the granting of concessions. Which concessions could be made were seen to depend on the context, since certain legal or moral restrictions exist in specific contexts. The psychological and group dynamic aspects of negotiations were examined and the Munich team model was described. Some of the unique problems provided by the airline and the prison context were recognized and the role of the negotiator was defined as separate from the ultimate decision-maker. The limits as to what was negotiable or not were seen to be a question of pre-determined policy, although the effect of this on the flexibility of developing negotiations was not discussed.

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S E S S I O N I V

OUTCOME

Jacob SUNDBERG
Chairman

Antonio FARIELLO
Willem FRACKERS
Karlheinz GEMMER
David GODFREY
Panelists

Chairman's Report
Jacob Sundberg

By "outcome" we mean what takes place after a hostage-taking situation has been resolved. At this time one has the benefit of hindsight; one knows whether the matter ended well or badly. Lawyers will decide what took place during the event, legally speaking. Politicians will try to make political mileage out of the event. Bankers will ask for the return of the money paid in ransom, and insurance men will or will not pay out the insured value. Police departments will send bills and tax payers will wonder.

This is what the outcome phase is about. To translate this "outcome" into a practical situation, I shall present the follow-up story of the Stockholm Syndrome by briefly relating the legal proceedings that followed the Norrmalmstorg robbery. I trust that this will illustrate the legal, economic, political -- national and international -- repercussions of the event, and, particularly, the feed-back of all this, as an example of how to behave in such a situation.

August 23rd, 1973, a bank robbery took place on the premises of Kreditbanken at Norrmalmstorg in Stockholm. The robber, whose identity remained unknown until he gave himself up, was armed and took three women and one man hostage. He also demanded that a renowned criminal, Clark Olofsson, who was serving a sentence for police murder, should be taken to the bank. On this occasion -- as opposed to the release of the Croat prisoners the year before -- the Swedish Government was very careful to satisfy the Constitutional formalities, and the Minister of Justice secured the formal mandate of the Cabinet to have Olofsson taken from prison to the bank and have him exchanged for the hostages. Confused by a smart move by the robber, however, the police let Olofsson join the robber without obtaining the release of the hostages. Olofsson's commitment depended only on the parting remark of the police: "If we now let you go down (to the robber), do you promise to do your best?"

Eventually, the robber gave up after a siege of several weeks, and Olofsson was prosecuted before the Stockholm City Court for complicity in kidnapping and for complicity in an attempt at gross extortion and aggravated robbery. The charge was that Olofsson had "by his own will allowed himself to be taken to the bank premises" and thereupon "as perpetrator of the crime, participated in the kidnapping that was planned and perpetrated by Olsson" (as the name of the robber turned out to be). Olofsson's defence that he had acted in an emergency was rejected by the City Court because the Court

believed that Olofsson has not had "any will to obstruct the desires of Olsson but had instead had the intention to do as Olsson wanted and to help him." The Svea Court of Appeals, however, looked at the matter differently. In its judgment, rendered on July 12th, 1974, the Court attached decisive importance to the fact that "the situation in which Olofsson had been placed with the complicity of the authorities and in which he had perpetrated the ... acts, had meant a situation of distress for Olofsson". The Court of Appeals thereupon quashed the prosecution in its entirety, invoking Ch. 24, sec. 4 of the Penal Code, "since it has not been proven that Olofsson has perpetrated the acts of which the Court of Appeals has found him guilty, with any other intention than to calm down Olsson and make the situation easier for the hostages". Consequently, Olofsson was entitled "to invoke the distress in which the hostages were placed as a cause for being free from punishment pursuant to Ch. 24, sec. 4 of the Penal Code".

But if this was true for the alleged accomplice of the bank robber, at the same time, the basis for the Swedish demand for extradition of the released Croats was made invalid. Obviously, the same thing could be said about the Croat prisoners about as much as it could be said about Clark Olofsson, namely "the situation in which they had been placed with the complicity of the Minister of Justice and in which they had perpetrated the alleged criminal acts -- i.e. to touch the revolver -- had meant a situation of distress" and that consequently, they should be entitled to invoke the passengers'

distress as a cause for being free from punishment". The very complicity of the Government created a justifiable cause for the alleged hijackers.

Panelist's Report
Antonio Fariello

The wave of terrorism and hijacking which in 1970 struck the airports and the other strategic targets of the countries of the world, endangering the security system of all traffic and causing the loss of many lives, has also created alarming problems for the Italian National Police.

The first case which, as a matter of fact, occurred in Italy was very unusual and was the work of one man only, an Italo-American U.S. Marine, who, for personal reasons, and certainly in a moment of mental confusion, forced the captain of an aircraft to change route and fly from the United States to Italy, alarming the security services of many different countries.

It was lucky that everything ended well, with no ill consequences and with no loss of lives. This was because the Commander of the Italian Airport Police in Rome understood the mental state of the hijacker and acted in such a way that the hijacker surrendered himself peacefully, without resorting to force as he could have done.

On the 31st of October, 1969, a young man of apparently 20 years of age, who was travelling on board a TWA Boeing 707 aircraft, en route from Los Angeles to San Francisco, unexpectedly shouldered an army rifle and compelled the captain of the plane to change route and go to Denver. There the hijacker allowed all the passengers to leave the plane. He kept as hostages however the Captain, his second pilot and a hostess. He then forced the plane to proceed to New York, demanding a new flight itinerary and two transatlantic experts to take him to Europe, and then to Cairo, where he said he intended to go. The young hijacker, who meanwhile said his name was Raffaele MENICHIELLO, and that he was a U.S. Marine Corporal, even opened fire on some policemen, whom he had just seen in the distance at the New York airport. It was lucky he hit no one.

The BOEING aircraft, after taking aboard two overseas pilots, continued its flight for Shannon, Ireland. From there it headed for Rome, where the hijacker already knew that there would have to be a short stop for refueling, before proceeding for Cairo, as he originally alleged was his plan. It was 5 o'clock in the morning when the plane landed at the Fiumicino airport in Rome. Obviously our airport police took all the necessary security measures to face the situation. The airport was crowded with armed policemen both in plain clothes and in uniform. Some of them were disguised as airport technicians. Here Raffaele MENICHIELLO revealed his true plans and confessed that he had reached his final destination. He asked the Airport Police commander

to go on board alone, with no jacket and unarmed. Dr. Pietro GULI', "vice questore", who was at that time the police commander of the airport agreed to meet the hijacker on the plane. On board, the hijacker ordered the officer to drive him in his ALFA ROMEO with which he had reached the aircraft. There he sat next to Dr. GULI' with a shotgun in his hand.

Dr. GULI', at the wheel of the car, left the airport by a secondary exit. The Police Officer started to talk to the young hijacker, who being of Italian origin, could speak Italian quite fluently. He learned with great surprise that the young man's intention was only to reach his family, native of Naples, and that this was the main motivation for his act. MENICHIELLO mentioned also that he had been unjustly accused of theft in California, where he was stationed, serving in the U.S. Army, having just returned from Viet Nam. Probably these were the main reasons for his behaviour. He wanted to escape what was happening in America and thought it was possible by this glamorous gesture of his.

The police officer, however, succeeded in establishing a friendly relationship with the hijacker. But the situation unexpectedly became tense because of the sudden appearance of a police car which stopped not far from them. MENICHIELLO told Dr. GULI' to get out of the car and to order the police vehicle to leave the place. He then wanted to be left on foot, ordering the police officer to go away.

He then disappeared in the countryside and only when the police patrol verified that Dr. GULI' was safe and sound, a search for the fugitive began. It was some hours later that he was found. He surrendered without offering any resistance.

Raffaele MENICHELLO was brought to Court where he was tried and found guilty. On November 11th, 1970, he was sentenced to a total of 7 years and 6 months imprisonment for the crime of continued unlawful detention of hostages, threats to kill, and carrying prohibited weapons.

He did not remain long in prison, however. As a result of an appeal his sentence was reduced and he also benefited from an amnesty. Once free, he found himself a job and since then, no more has been heard of Raffaele MENICHELLO.

Other events, the results of organized terrorist actions and therefore rather dramatic, put the security of the Italian airports to the test.

In truth, the Italian National Police used every special measure to control and protect their airports and the results obtained were good. On March 19, 1974, the Airport Police found four suitcases full of weapons which a terrorist squad had succeeded in planting in the Transit Lobby just near GATE 14. The suitcases were found to contain 4 submachine guns, 1,000 cartridges and 8 hand

grenades. On April 5, 1975 our Airport Police arrested two armed persons and seized 4 hand bombs and a pistol, and on September 5, 1974, in the vicinity of the Rome Airport, they even seized two modern missile tubes which allegedly were to be used to shoot at an aircraft as it was about to land. On this occasion 5 Arabs were arrested.

The control measures adopted by our Services thus proved adequate, and this must have been the opinion of a terrorist group as well. On the morning of December 17, 1974, realizing that it would have been impossible to elude the check point places in the airport, they decided to overwhelm these by attacking them directly in order to spread terror inside the airport premises as they could then proceed with their activities on the take-off and landing strips or on board aircrafts.

In fact, this time it was not a direct act to seize hostages, but a typical destructive action with the actual intention of killing.

This group of terrorists, consisting of about 10 persons, joined forces only on arrival in transit at the Airport of Rome. When the terrorists were at the check point of the airport, where our policemen were checking the luggage of the passengers in transit, they opened their luggage pretending to have it examined but suddenly they pulled out their submachine guns and opened an infernal barrage of shots all around. Although they fired upwards, not causing death,

they undoubtedly spread terror.

The reaction of our Airport Police was paralyzed by the flight and panic of the other passengers standing in the transit lobby. The terrorists took advantage of this fact to capture some policemen and hold them as hostages. Then, running, they went to the take-off strip where at Gate 14, three aircrafts, one of AIR FRANCE, directed to Damas, Syria, a LUFTHANSA plane, flying to Munich and a PANAM plane, Flight 110, directed to Teheran were ready to leave.

The commandos divided into two groups. The less numerous one got inside the PANAM aircraft, through the front and rear doors and, without saying a word, they threw inside the hand-grenades, causing a real massacre of the passengers sitting inside and causing the aircraft to catch fire. Meanwhile, the more numerous group, which was holding 6 policemen as hostages, took possession of the LUFTHANSA aircraft. The policeman who was on guard near the plane was killed when he tried to stop the terrorists. The Airport Fire Brigade had to intervene to put out the fire which was threatening the destruction of the whole airport. The other armed policemen could not use their weapons on account of the 6 policemen and the members of the crew who were held as hostages. The aircraft was also full of fuel and a bullet shot could cause a fire which in turn would have destroyed the airport as it was near the fuel deposits. This is why the terrorists could force the captain of the plane to start the engines and leave the airport, leaving behind 28 passengers, the dead policeman and many

wounded.

The plane landed in Athens, where the terrorists during the stop killed an employee of the firm in charge of the Rome airport and threw him overboard. The plane then proceeded for Kuwait where the terrorists surrendered themselves to the local authorities of that country and the hostages were finally set free.

The request for the arrest and extradition of these terrorists by the Italian authorities was not accepted and not even their names were given.

These are the most important cases of international hijacking which took place in Italy, although they have different characteristics, the second case being undoubtedly more dramatic. Since then we have had no other cases. The Italian authorities, aware of the threats to the security of the air routes, are continuing their work of prevention and control of air traffic.

Panelist's Report
Willem Frackers

Outcome of Hostage Affairs in The Netherlands

1. Hostage affair in the French Embassy in The Hague (13/17 September, 1974). On Friday, September 13th, 1974, 11 persons -- including the French Ambassador -- were taken as hostages in the embassy building in The Hague by 4 armed terrorists, members of the Japanese Red Army. The goal of this action was the release of their comrade FURUYA, then detained in France.

The terrorists wanted to leave with FURUYA in a Boeing 707 to a country of their choice. Furthermore they demanded a large amount of money. After a few days of negotiations the Dutch Government reached an agreement with the terrorists.

They were allowed to leave for a country of their own choice together with FURUYA, who had meanwhile been conveyed to Schiphol Airport by the French authorities.

They received an amount of \$300,000. In return, the terrorists had to release all the hostages before their departure and had to hand over all their weapons with the exception of their pistols.

The exchange procedure took place at Schiphol Airport on September 17th. On that day, at 22:22 hrs, a Boeing 707, with terrorists and FURUYA on board, took off with destination unknown.

Next day the plane landed in Aden to refuel. The authorities of South Yemen gave the terrorists no permission to disembark. When the plane was airborne again, the news came that the Syrian Government had given permission for the plane to land. After the landing and after some negotiations, the terrorists received permission to leave the plane, and they surrendered themselves to the Syrian authorities.

As far as is known, no criminal prosecutions were instituted against the terrorists.

2. Hostage affair in the Scheveningen Convict Prison in The Hague

(26/31 October, 1974). On the evening of Saturday, October 26th, 1974, 22 persons were taken as hostages by 4 armed men. Two of them were Dutch criminals, who -- after a hold up -- had taken hostages before. The third terrorist was a Palestinian hijacker and the fourth an Algerian criminal. The terrorists stated that they wanted to leave the country together with a still detained friend of the Palestinian. The Dutch Government refused to respond to these demands. After a few days the situation in the room where the hostages were held became more and more explosive, owing to the instability of the two Dutch criminals and because some disunity amongst the terrorists had arisen.

In view of this, the Government decided to end the affair by force. In the early morning of Thursday, 31st October, 1974, the room was stormed by a unit of Marines. The terrorists were subdued and the hostages liberated.

On March 11th, 1975, the terrorists were convicted by The Hague Districts Court. The two Dutch criminals were sentenced to 5 and 4 years imprisonment respectively, the Palestinian to 6 years imprisonment and the Algerian terrorist to 4 years. The Palestinian hijacker and his friend have since been expelled from the country.

3. Hostage affair in a stopping-train near Beilen. (2/14 December, 1975). On December 2nd, 1975, the stopper Groningen/Zwolle was forced to stop near Beilen by 7 armed South-Moluccan young men. A large number of train passengers were taken as hostages. When taking over the train, the driver was killed and his body was thrown on the railway track. The demands of the terrorists were rather confusing. At first they wanted to leave - with their hostages - for Schiphol Airport. Later they expressed many other demands, such as the release of a number of South Moluccans, detained for various reasons, and certain political demands. To enforce these demands, the terrorists shot a hostage on Tuesday, December 2nd. In spite of this execution the Government was not prepared to make any concession. When an ultimatum passed away on Thursday, December 4th, one more passenger was executed.

The next days followed with negotiations both direct and through intermediaries, and on Sunday, December 14th, the terrorists surrendered themselves without offering further resistance. The terrorists were convicted by the Assen District Court and sentenced to 14 years imprisonment each.

4. Hostage affair in the Indonesian Consulate in Amsterdam. (4/19 December, 1975). On Thursday, December 4th, 1975, 7 armed South Moluccans took 11 persons as hostages in the building of the Indonesian Consulate General in Amsterdam. Four persons succeeded in escaping from the terrorists by jumping out of windows from the third story.

One of these persons, however, was injured so seriously in his escape that he died some hours later. This affair was evidently inspired by the hostage-taking in the train near Beilen and its purpose was to reinforce that action. On December 19th, after many negotiations and efforts to mediate made by several persons, the terrorists gave up resistance and surrendered themselves. The Amsterdam District Court convicted the terrorists and sentenced each of them to 6 years imprisonment.

Panelist's Report
Karlheinz Gemmer

The determination of certain patterns in connection with cases of hostage-taking, from which strategical methods for the combatting of same could, perhaps, be deduced, proves to be extremely difficult. There is, indeed, no other criminal phenomenon characterized by such a variety of individual issues. From this follows that the outcomes of the cases concerned can hardly --if at all -- be compared with each other. This is proved by the experience of law enforcement officers in the Federal Republic of Germany, and it is, furthermore, confirmed by cases reported by participants in this symposium, especially by those who came from the United States, Canada and Italy.

If one tries to analyze the issues of the cases reported in order to come up with a general concept, one will -- of necessity -- have to adopt a flexible strategy in the combatting of this type of delinquency. This strategy will, however, have to be employed during the very development of the criminal act itself. .
Special importance is given, in this connection, to certain measures of prevention, such as -- for example -- advice to be given for the

improvement of self-protection and certain precautions to be taken on the part of the authorities in the interests of the potential victim and/or endangered buildings, etc. Furthermore, it is indispensable that the persons and institutions responsible for counteraction keep tactical and technological means ready to be used against any foreseeable variety of this type of offence.

The basis for this is a penal law, which takes into consideration the seriousness of the offence and which -- for reasons of crime policy -- provides for special penal mitigations in cases of a voluntary withdrawal of the threat and active averting of the effects of the wrongful act. In the Federal Republic of Germany, two new special penal provisions in connection with the punishment of kidnapping with extortion (article 239 a - German Penal Law) and of hostage-taking (article 239 b - German Penal Law) were introduced in 1971.

There must, of necessity, be available a system of information and communication, assisted by the most recent insight into data processing, a system, that is, that is laid out in such a way that it can supply rapid and immediate information on offenders and suspects, as well as on details of modus operandi and behaviour before and after the criminal act: for example, reconnaissance of the behaviour and modes of life as well as professional activities of the potential victim; the gathering of information regarding certain buildings; the acquisition of instruments to be used in the offence, such as

weapons, ammunition, identity documents, motor vehicles; renting of flats or of any other places to be used as deposits, strategical points for observation purposes, for the keeping of hostages, etc.

Furthermore, in the Federal Republic of Germany, we have uniform police provisions that comprise any immediate measures and also the tactical procedure to be followed by police, i.e., a kind of "operational calendar".

These provisions contain general principles but also detailed information on measures to be taken during operations, especially in cases of hijacking.

All over the territory of the Federal Republic of Germany, there are mobile operation units which, assisted by the normal search measures and by observation, gather information; there are also special units whose task it is to take measures aiming at the liberation of hostages and at the arrest of hostage-takers, under special consideration of the respective tactical circumstances.

In the meantime, these special units have been equipped technically in accordance with the most recent means available; in addition, they are staffed with well-trained men. There are additional "negotiating teams" which are guided by psychologists who possess police experience and whose main task it is to "psychologically" overcome the offender(s).

The combatting concept will for the moment remain restricted to examples and to more or less superficial case reports. But then, the concept in itself must never become rigid and lifeless, nor must it ever reach a point where it would serve solely its own purpose. It is the merit of international meetings -- such as of this particular symposium of the "International Centre for Comparative Criminology" -- that they are excellent occasions for an exchange of ideas and for a certain adaptation and harmonization of strategical concepts.

The outcome of a case of hostage-taking is decisively influenced by precaution and by preparatory strategy that can be an answer to foreseeable activities on the part of offenders.

The success of the persons responsible will always depend on the counteraction they have in store against the "input" of the offender, that is, against his special way of proceeding, the criminal intensity of his wrongful act, his aims, his motive. In other words -- their success will depend on their own flexibility, adaptability, their ability to improvise, their courage, personal engagement and readiness to meet a risk. Any decision they make will have to be made, of necessity, under the influence, and even under the pressure, of public opinion which is certainly guided by the mass media. It is obvious that, in spite of all experience and technical as well as tactical equipment, there will always remain so many imponderables that, in the end, Lady Luck -- and by this I do not mean unguided

coincidence - may frequently have a card to play in the final part of the game, i.e., in cases of hostage-taking.

Panelist's Report
David Godfrey

The outcome may be broken down into a number of factors.

For convenience I will do it as follows, but this is not exclusive:

1. The hostages
2. The hostage-takers
3. The sentence (if any) - Prevention
4. The money and/or other factors such as insurance claims,
liti ation of a civil nature, etc....

Hostages are worthy of study, both for their own sake and because, as participants in the "Theatre", they have knowledge and experience that can be used for future events and for prevention. The principle is that of a "war game" scenario: namely, to recreate the event by collecting all accounts, then analysing this to determine the simple hows and whys. What was right -- what was wrong.

Our aim here is to give some form of therapeutic treatment to those who were involved by providing them with an interested and participant audience, and to learn what happened and why the target

was chosen. In this context I have personally debriefed many air-crews, police and airport authorities involved in hijacking and intend to do the same with bank robberies.

Second, the hostage-takers themselves are a vital part of the drama. Like the other participants, they want and need to talk. Why did they do it, who impressed them, what would prevent them -- why this bank or airline and so on. This provides an essential piece of the jigsaw, which can be used for prevention.

Third, prevention: the action of the courts is a matter of protection, not necessarily related to deterrence. The court plays a part, the refusal of bail is vital, the final disposal -- all form section of the future prevention. Above all -- a plan of operation and prevention, based on study of facts, coupled with a police liaison programme and joint implementation, as the basis for future action. We are not helplessly waiting to be raped by dissidents or criminal elements. We have immense resources, money, experience, brains -- to put to good use to arm us against future events -- and experience to help us handle the future hostage situations.

The money aspects are worthwhile taking into final account, bearing in mind that our aim is to try and minimize future hostage situations, to defuse them and to ensure the release of the hostages. But we must anticipate that these very factors are self-evident but contradictory; they are mutually exclusive.

To pay money is to arm your enemy and encourage future attacks. To release hostages one may have to accede to demands and in so doing, we de-escalate tension.

The problem then is how to meet these contradictory requirements. Trickery? Deception? Submission? Resistance? Money is itself merely a commodity, often not even a vital factor, but it is not always easy to obtain at short notice and in large quantities -- nor should it be. Money should not be used before other alternatives have been fully explored, and it is obviously dangerous to pre-prepare a hostage-blackmail bundle and this may well contravene international currency regulations. So lastly, to the hypothetical implications of all this let us turn at once to the sanctity of human life. Is this an accepted fact? Is the slaughter of innocents ever justified? Who are the innocents? The PLO say they are none; you are for, or against.

A bank teller -- a bank customer -- their lives should be sacrosanct in this context. Or should they?

Should they be sacrificed in the public interest and what might that be? Who can say?

The sanctity of human life -- is it a really acceptable absolute? Is death a problem solver as it is to some aboriginals; could this be both a specious and an irrelevant argument?

To be really philosophical in the purist sense we should revert to the Platonic concept of "Nature and Convention". Is it wrong to kill under some circumstances? Why? Is it our natural instinct to ensure social survival or is it our socially created legal system that we utilise to justify our reaction to a set of circumstances?

Is the successful termination of a hostage situation of paramount importance for the hostage-taker to achieve any political purpose -- a grand gesture -- or is it to ensure that established social structures are safe from attack?

I realise that I have raised more questions than I have provided answers.

Answers to me are pragmatic. You will neither agree or like them. I believe that we wish and need to modify but still preserve our way of life -- our legal system, our values -- but also we need to recognise change -- social upheavals -- even financial responsibilities. So -- how does one protect these principles and yet ensure that society is not endangered -- lives lost and so on? As a security practitioner I would say: have a plan; work with the police; train our staff, the executive, their families; and try to minimize future riots; but I also recognize that we have philosophical and technical problems. We need a dynamic approach, but we must also bridge the gap between government/industry and other elements of

society and this is not fundamentally a police problem. True, the police are involved -- so are the courts and governmental agencies at all levels -- but it is still very vital to crystallize all elements, and indeed our aims are identical though our methods may differ. Our aim after the event is to ensure the future protection of life and property by all legal means available.

Session Synthesis

This session focused on what happens after a hostage incident is terminated. In the words of one participant, this is the day of the lawyers, the politicians and the insurance companies. Other phrases which were used to characterize this phase were "picking up the pieces", "debriefing", "figuring out what went right and what went wrong". One participant divided outcome into four categories, to facilitate discussion and to highlight typical outcomes. First, there are those incidents which no one talks about a week later. These are incidents which are "successfully" terminated. In the words of another participant, "a successful outcome is one in which the injured parties are, as nearly as possible, put back in the position in which they were before the incident occurred; the offender is apprehended and processed according to law; and the incident is resolved in such a way as to discourage a recurrence by other criminal elements". Second, there are those incidents in which there is a loss of money. Third, there are those incidents in which there is a loss of life (hostages or police). Fourthly, there are

those incidents in which there is a release of prisoners.

The main issues which arose during discussion involved debriefing, both as an investigative or evaluative tool focused on a specific incident and as training tool focused on policy recommendations for future prevention and incident management; the disposition of the offender, including the issues of amnesty and successful prosecution; the issue of deterrence, including the possible effects of good faith and bad faith bargaining on the probability of future incidents; and money issues, including who pays in the first place and who is ultimately responsible.

Some issues which were raised but not discussed included the problem of immunity from prosecution for those officials involved in the loss of life, if someone gets shot during an incident; the issue of safe passage for hostage-takers, particularly as related to sky-jacking and the effect of certain countries' open door policy, to terrorists, on the probability of future hostage incidents. While one participant recommended that a public statement be made concerning this last issue, no such statement emerged. In the words of another participant, in his written remarks on the session, "The observation by one participant that this august assembly possessed a powerful credibility base and thus the ability to function in the general interest and his recommended follow-up did not appear to generate the required response. However, I personally strongly support his view and stress the importance of the value of a joint academic/practitioner

position being made public".

The issue of debriefing was not really discussed in great detail, probably because its importance and necessity were generally assumed by all participants. While debriefing was seen to be important for the traditional purposes of "autopsy and redress", emphasis was also placed on its value for descriptive and interpretative research and in training for future incident management. An additional purpose, pointed out by one participant who has participated in debriefing of airline stewardesses after skyjackings, is the psychological benefit it affords those involved in the incident. Apparently, being able to talk to someone about what happened affords a kind of emotional release for those who were involved. However, one pilot made the point that victims or airline crews should not be subjected to lengthy questioning immediately following their release, warning that police and airline personnel often forget this in their zeal to glean as many details as soon as possible. Thus, we see that different perspectives view the debriefing process in different lights. One participant noted in his written comments that the victim is too often ignored, particularly after an incident is successfully terminated, and raised the possibility that considerable psychological effects could ensue. He suggested that possibilities for how such effects could best be redressed should be explored. Another participant suggested that outcome measures could go beyond the obvious (saving of lives, preserving important policies of the sovereign

state) to include measures of the impact on trust in government, sense of societal coping, and avoidance of emotional reductionism which is typical in sensational cases.

There was considerable discussion on the issue of successful prosecution of the offender and whether this is at all effective in deterring future events. One participant presented the following chronological chart to indicate the various stages at which and ways in which successful prosecution can be thwarted:

1. Immunity from arrest -- "amnesty"
2. After arrest
 - a. Before indictment Investigation stopped
 - b. After indictment; Before sentence Plea bargaining, Nolle prosequi
 - c. After sentence Parole, Pardon

Some participants felt that any agreement, e.g. promising amnesty, signed under duress should not be binding. This led to a consideration of the effect of such "bad faith" bargaining on the occurrence of future incidents. On the one hand, it was recognized that good faith bargaining establishes a credibility which can be advantageous in future incidents. On the other hand, the lack of credibility engendered by bad faith bargaining could remove some of the incentives for future hostage-taking, since no agreement achieved

during negotiations could be trusted. No mention was made of the possibility that bad faith bargaining could trigger retaliatory incidents of hostage-taking. Interestingly, it was pointed out that the problem of good faith was discussed at the recent INTERPOL symposium on hostage-taking. There, a distinction was made between promises made by police to criminals and those made by governments to ideologically motivated offenders. The latter type of promise should always be honoured, while the latter need not. This view was consistent with the views expressed at this conference, since the issue of good faith and its necessity was emphasized only in the political context in which governments are negotiating with ideological terrorists, while the non-binding character of agreement made under duress was consistently stressed for the prison and police contexts. In the political context, however, the fact that many hostage incidents can be viewed as acts of surrogate warfare does complicate the matter considerably and the participants did not pursue the implications of this warfare model. It is generally recognized that deterrence becomes almost irrelevant in a surrogate warfare context. In any case, this facet of the discussion again highlights the importance of context in determining the approach to the problem.

There was no real conclusion reached on whether successful prosecution has a deterrent effect.¹ As one participant pointed out, if the cost is high enough, there probably will be some general deterrence. As an example, the question was raised as to what the

¹ Ironically, in actual fact, successful prosecution has tended to instigate further incidents designed to secure the release of the convicted offender.

cost in lives for offenders and victims was for skyjacking. While there was some disagreement as to which figure would be higher, the participant from INTERPOL resolved the issue with the following statistics:

Cost in lives for 272 cases of skyjacking reported to INTERPOL

| | <u>Wounded</u> | <u>Killed</u> |
|-----------------|----------------|---------------|
| Hijackers | 9 | 40 |
| Crew | 18 | 20 |
| Passengers | 102 | 90 |
| Police officers | 7 | 1 |

Concerning skyjacking in the United States, one participant cited concrete evidence for only two clear-cut deterrent effects. First, in 1969, when Cuba agreed to return skyjackers, there was a dip in the number of skyjackings. Second, in 1973, when screening of passengers at airports was instituted, the incidence of skyjacking fell to zero. Note that neither of these deterrent effects relates to successful prosecution of the offender. This highlights the comment by one participant that there are other ways to approach deterrence than via prosecution, e.g. controlling opportunities to commit an offense in the first place (target hardening). Also, the "foreign policy approach", mentioned by several participants, is also highlighted by the Cuban effect.

One participant, who is a pilot, mentioned that pilots will not fly to countries which do not apply sanctions to skyjackings. In general, then, target hardening and governmental policy were seen to be most directly relevant to deterrence.

As far as money issues were concerned, nothing was discussed in great detail, but some interesting points were raised which throw some light on the complexities involved. Concerning who pays for the cost, in the skyjacking context, this appeared to vary according to country. In the U.S. and Canada, the company pays and, at least in Canada, the companies charge the passenger an average of \$8. extra per fare. In the Federal Republic of Germany, on the other hand, whenever demands are directed to the government and money is involved, the airline is not responsible. Again, we see an example of the different approaches taken in Europe and in North America.

It was pointed out by one participant that, even though skyjacking attempts have decreased, there has been a rise in the incidence of bomb threats. Therefore, one cannot necessarily assume that the prevention of one type of crime will reduce costs in general. There is the problem of crime displacement. Here, a cost-benefit analysis becomes highly relevant.

Some points were also raised concerning the role of banks in payment of ransoms. In Italy, for example, while there is some use by banks of pre-registered money for ransom payment, to facilitate

tracing, there is not always enough time to pre-register all the money. While one might argue that a reserve of money should be set aside for ransom purposes, one Canadian participant pointed out that banks in Canada tend to discourage such hoarding by potential victims as it takes large sums of money out of circulation. Again, the picture is more complex when looked at from a broader perspective.

In sum, this session focused primarily on two of the three aspects of a "successful" outcome described previously: disposition of the offender and deterrence. Restitution for victims was only briefly touched upon, and only as regards loss of money. Little was said about specific aspects of outcome such as loss of life or release of prisoners. The session did highlight the importance of the judicial process and of governmental policy in the general outcome picture and the complexities involved in trying to generalize to all contexts.

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S E S S I O N V

FOLLOW-UP AND TRANSFER OF TECHNOLOGY

Reinhard SELTEN
Chairman

André BOSSARD
Maurice CULLINANE
John GREACEN
Jack SHIELDS
Panelists

Chairman's Report
Reinhard Selten

A Simple Game Model of Kidnapping *

Hostage-taking situations such as kidnapping a rich person in order to extort ransom money undoubtedly have some game theoretical aspects. In the following a very simple game model will be developed which cannot claim to be more than a first attempt to gain some insight into the strategic problems faced by a kidnapper - he will be called player K - and by the hostage's family, called player F, who has to pay the ransom money.

The two-person game between K and F begins with a choice of player K who has to decide whether he wants to go ahead with his plan or not. This choice is modelled by a binary decision variable b:

$$(1) \quad b = \begin{cases} 0 & \text{Kidnapping does not take place} \\ 1 & \text{Kidnapping takes place} \end{cases}$$

The game ends if K selects $b=0$. If he selects $b=1$, he kidnaps the hostage and takes him to a hidden place unknown to player F and to the police. He then announces a ransom money demand D.

* This paper represents a more detailed description of the model presented during the closing session.

At this point it becomes necessary to look at the negotiation process between K and F which results if F is willing to pay but wants to reduce the amount. We are going to model this negotiation process in the simplest possible way: Player F makes an offer C, the amount he is willing to pay. Then player K either decides to accept C and to release the hostage or he kills the hostage.

This very simple description of the negotiation process should not be taken literally. Actually there may be some bargaining involving the reduction of initial demands and the increase of initial offers but eventually player K will take a firm stand and ultimatively demand D and player F will then have to make a final offer C.

Why should player K ever decide to execute his threat to kill the hostage? He cannot improve his situation by doing so. We can safely assume that he does not like the idea of killing. Nevertheless, his threat has some credibility. One must fear that under the strain of emotional pressure the kidnapper may react violently to an unsatisfactory offer in spite of the fact that this is against his long run interests. Therefore, we must expect that with a positive probability α the kidnapper will perceive an offer $C < D$ as an aggressive act and a strong frustration to which he will react violently by the execution of his threat.¹

¹ This assumption conforms to the well-known frustration aggression hypothesis [2]. For our purposes it is not important whether an aggressive reaction to frustration is a learned response or not and whether aggression is a necessary consequence of frustration or not.

It is reasonable to suppose that the probability α will depend on how high C is in relation to D . The danger will be greatest for $C=0$ and it will be virtually non-existent for $C=D$. In order to keep the analysis simple, we assume that α can be described by a linear function of C/D :

$$(2) \quad \alpha = a(1 - \frac{C}{D}) \text{ for } 0 \leq C \leq D$$

where a is a constant with

$$(3) \quad 0 < a < 1$$

If non-rational emotional pressures do not result in the execution of the threat, player K still can make a rational decision to execute his threat. This possibility is formally modelled by a binary decision variable e :

$$(4) \quad e = \begin{cases} 0 & \text{release of hostage for ransom } C \\ 1 & \text{execution of threat} \end{cases}$$

The analysis of the model will confirm our informal argument that it is never rational for player K to choose $e = 1$.

After the release of the hostage or the execution of the threat, the police will try to find the kidnapper and to capture him. It is assumed that this attempt will be successful with probability

q, where

$$(5) \quad 0 < q < 1$$

One might consider the possibility that the probability of detection q depends on whether the hostage has been killed or not; this will not be done here.

The players must attach utility values to the possible outcomes of the game: These payoffs are described by figure 1. The numbers w , x , y and z are positive constants. Several simplifying assumptions are implied by the table in figure 1.

First, utilities of K and F are assumed to be linear in money. Obviously, this is unlikely to be strictly true but in the framework of this very simple model it seems to be inadequate to burden the analysis with more complicated functional forms.

Second, several factors which may influence the players' utilities have been neglected, namely player K 's cost of preparing the kidnapping and player F 's non-monetary disutilities other than those incurred by the hostage's life. Thus, player F does not attach any value to the capture of the kidnapper.

Third, we assume that in the case where the kidnapper is caught after the release of the hostage, the ransom money is recovered and given back to F . Therefore, the utilities for this case do not depend on C .

| Outcome | Payoffs | |
|---|---------|----|
| | K | F |
| Kidnapping does not take place | 0 | 0 |
| Release of hostage for ransom payment C kidnapper not caught | C | -C |
| Kidnapper caught after release of hostage | -x | 0 |
| Kidnapper not caught after execution of threat | -y | -w |
| Kidnapper caught after execution of threat | -z | -w |

Figure 1: Payoffs

The kidnapper's disutility of being caught can be expected to be increased by the execution of the threat. Therefore we assume:

$$(6) \quad z \geq x$$

Formally the model is an extensive game with perfect information. At every point in the course of a play both players know the complete previous history. A short description of the game, where the decisions are listed in the sequential time order of their occurrence, is given in the following summary of the rules.

Rules

1. Player K chooses between $b = 0$ and $b = 1$. If he selects $b = 0$, the game ends and both players receive payoffs 0.

2. If player K selects $b = 1$, he has to announce a demand $D > 0$.

3. After player K has announced D player F must make an offer $0 \leq C \leq D$.

4. After the offer C has been made, a random choice decides whether a non-rational execution of player K's threat occurs or not. The probability α of a non-rational execution of player K's threat is given by (2).

5. If a non-rational execution of the threat does not occur, player K chooses between $e = 0$ and $e = 1$. If he selects $e = 0$, the ransom C is paid and the hostage is released. If he selects $e = 1$, he (rationally) executes his threat.

6. After the release of the hostage or the execution of the threat a final random choice decides whether the kidnapper is captured or not. The probability of capture is q . After this random choice the game ends with payoffs according to figure 1.

Solution concept:

The game is played non-cooperatively. It is natural to analyze the game with the help of the concept of a perfect equilibrium point in pure strategies. For the purposes of this paper, it is sufficient to define a perfect equilibrium point as a strategy combination with the property that not only in the game as a whole but also in every subgame no player can improve his payoff by a deviation from his equilibrium strategy if he expects the other players to stick to their equilibrium strategies.²

As we shall see, the game of this paper generally has a uniquely determined perfect equilibrium point which can be found by analyzing the game from behind in the well-known dynamic programming fashion. The choices prescribed by the perfect equilibrium point will be called "optimal".

The optimal choice of e:

We first look at the subgames which begin with player K's choice of e. Let V_0 be his expected payoff if he selects $e = 0$ and let V_1 be his expected payoff if he selects $e = 1$. These expectations are computed as follows:

$$(7) \quad V_0 = (1-q)C - qx$$

² This is the original definition of a perfect equilibrium point, first proposed in [4] and generalized to behavior strategies in [5]. The refined concept of [6] is not considered here.

$$(8) \quad V_1 = -(1-q)y - qz$$

In view of $C \geq 0$, $y > 0$ and $z \geq x$ and $0 < q < 1$ we always have

$$(9) \quad V_0 > V_1$$

This shows that $e = 0$ is the optimal choice of e . Player K will never rationally decide to execute his threat.

The optimal choice of C:

In the subgame which begins with player F's choice of C, player F knows that player K will choose $e = 0$. Under this condition the expected value of his utility is as follows:

$$(10) \quad U = -(1-a)(1-q)C - aw$$

With the help of (2), this yields:

$$(11) \quad U = -a(1-q)\frac{C^2}{D} + \left(\frac{aw}{D} - (1-a)(1-q)\right)C - aw$$

Equation (11) shows that U is a strictly concave quadratic function of C. In order to determine the optimal value \bar{C} of C we compute $\partial U / \partial C$.

$$(12) \quad \frac{\partial U}{\partial C} = -2a(1-q)\frac{C}{D} + \frac{aw}{D} - (1-a)(1-q)$$

Equation (12) shows that U assumes its maximum at

$$(13) \quad C = \frac{w}{2(1-q)} - \frac{1-a}{2a} D$$

if this value of C is in the interval $0 \leq C \leq D$. This is the case if D is in the closed interval between the following critical values D_1 and D_2 .

$$(14) \quad D_1 = \frac{a}{1+a} \cdot \frac{w}{1-q}$$

$$(15) \quad D_2 = \frac{a}{1-a} \cdot \frac{w}{1-q}$$

For $D < D_1$ the derivative $\partial U / \partial C$ is positive in the whole interval $0 \leq C \leq D$. Similarly $\partial U / \partial C$ is always negative in this interval for $D > D_2$. Therefore the optimal offer \bar{C} is given by

(16):

$$\bar{C} = \begin{cases} D & \text{for } 0 < D \leq D_1 \\ \frac{w}{2(1-q)} - \frac{1-a}{2a} D & \text{for } D_1 \leq D \leq D_2 \\ 0 & \text{for } D \geq D_2 \end{cases}$$

Note that with increasing D , the optimal offer \bar{C} first increases up to $D = D_1$ and then decreases until it becomes 0 at $D = D_2$. In the interval $0 \leq D \leq D_1$ player F eliminates the danger of the execution of the threat by yielding to player K 's demand. In the interval $D_1 \leq D \leq D_2$, the reduction of α obtained by an additional money unit added to C is the lower, the higher D is.

This explains that there the optimal offer \bar{C} is decreased by

an increase of D . For $D \geq D_2$ the influence on α is so small that it appears to be useless to offer anything at all.

The optimal of D :

We now look at the subgame which begins with player K's choice of D . Player K knows that player F will select his offer optimally and that later he himself will choose $e = 0$. We want to determine player K's payoff expectation V under this condition. Let $\bar{\alpha}$ and \bar{V}_0 be the values which α and V_0 assume at $C = \bar{C}$, respectively. We have

$$(17) \quad V = (1-\bar{\alpha})\bar{V}_0 + \bar{\alpha}V_1$$

In order to find the optimal value of D it is necessary to discuss the behavior of V as a function of D in the regions below D_1 , between D_1 and D_2 and above D_2 . For $C = D$ we have $\bar{\alpha} = 1$. This yields

$$(18) \quad V = (1-q)D - qx \quad \text{for } 0 < D \leq D_1$$

Here V is an increasing function of D . We now look at the interval $D_1 \leq D \leq D_2$. In order to show that there V is a decreasing function of D we first observe that V is a decreasing function of $\bar{\alpha}$ if \bar{V}_0 is kept constant. This is a consequence of (9). In the interval $D_1 \leq D \leq D_2$ an increase of D decreases \bar{C} and \bar{C}/D and thereby decreases \bar{V}_0 and increases $\bar{\alpha}$. The effect of an increase of D on V can be traced by first adjusting only $\bar{\alpha}$ and keeping \bar{V}_0 constant - thereby V is decreased - and adjusting \bar{V}_0 , whereby V is further decreased.

For $D \geq D_2$ the variables \bar{C} , $\bar{\alpha}$, \bar{V}_0 and therefore also V become constant.

We have seen that V as a function of D is first increasing up to D_1 , then decreasing up to D_2 and then constant. It follows that the optimal value \bar{D} of D is assumed at D_1 :

$$(19) \quad \bar{D} = \frac{a}{1+a} \cdot \frac{w}{1-q}$$

Player K's optimal demand \bar{D} can be characterized as the highest demand such that player F's optimal offer coincides with the demand. The probability α of a non-rational execution of the threat vanishes if the game is played optimally.

The optimal choice of b :

Let \bar{V} be the value of V assumed at the optimal value \bar{D} of D . Equations (18) and (19) yield:

$$(20) \quad \bar{V} = \frac{a}{1+a} w - qx$$

Obviously the optimal choice \bar{b} of b is $\bar{b} = 0$ for $\bar{V} < 0$ and $\bar{b} = 1$ for $\bar{V} > 0$:

$$(21) \quad \bar{b} = \begin{cases} 0 & \text{for } \frac{a}{1+a} w < qx \\ 1 & \text{for } \frac{a}{1+a} w > qx \end{cases}$$

In the border case $\bar{V} = 0$ both $b = 0$ and $b = 1$ are optimal choices. This is the only case where the game fails to have a uniquely determined perfect equilibrium point.

\bar{V} is player K's incentive to engage in the act of kidnapping. Note that the formula for \bar{V} does not contain y and z . This is due to the fact that in the optimal play of the game player K never executes his threat. Nevertheless, it is important for the derivation of the results that y is positive and that (6) holds.

Results:

With the exception of the border case $\bar{V} = 0$ the game always has a uniquely determined perfect equilibrium point. The optimal choice of b , D and C is given by (21), (19) and (16), respectively. The optimal choice of e is $e = 0$. Equation (16) shows how the optimal offer \bar{C} behaves as a function of the demand D . Up to a critical value D_1 , the optimal offer is equal to D , then it becomes a decreasing function of D up to another critical value D_2 . For $D \geq D_2$ the optimal offer is 0.

The optimal demand \bar{D} is the highest demand, such that the optimal offer is equal to the demand; \bar{D} is the critical value D_1 . If all choices are optimal, player K never executes his threat.

Policy conclusions:

As long as the crime of kidnapping does occur, it must be the aim of public policy to decrease the incentive to engage in the act

CONTINUED

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of kidnapping. (20) shows that \bar{V} is decreased by a decrease of a or w and by an increase of q or x .

The parameter w which can be interpreted as the value of the hostage's life from the point of view of player F , seems to be outside the range of the influence exerted by public policy.

Player K 's disutility x of being caught after the release of the hostage obviously depends on the punishment faced by the kidnapper. Here the policy maker may face the difficulty that a substantial increase of the length of the prison term for kidnapping may not have a noticable influence on x . Whether this is the case or not is an empirical question which cannot be answered here.

The probability of capture q can be increased by the allocation of additional resources to the efforts towards detection. This possibility of decreasing \bar{V} is limited by the availability of resources. It seems to be plausible to assume that a prohibitively high police budget would be needed to secure the capture of the kidnapper with certainty. Interestingly, the policy of increasing q is less effective than one might think, since it also increases player F 's chances to get the ransom money back and thereby increases his willingness to pay. An increase of q shifts the critical values D_1 and D_2 to the right and increases the optimal demand \bar{D} .

In the extreme case where $aw/(1+a)$ is greater than x , it is impossible to achieve the goal of making \bar{V} negative by an increase

of q . In this respect, the model is unrealistic for high values of q . Later, we shall show how this weakness of the model can be removed by the introduction of an upper limit M of player F 's ability to pay.

The parameter a is not completely outside the range of influence exerted by public authority. The way in which the authorities advise player F to handle a kidnapping case may help to decrease this psychological parameter. Seemingly unimportant details may have an important effect on the kidnapper's emotional state and thereby on the parameter a . Everything must be done in order to make it easy for the kidnapper to view his situation in a rational way. For this purpose, it may be important to communicate with the kidnapper in a non-aggressive way which does not enhance his fears and reduces his emotional stress.

Introduction of a limit of player F 's ability to pay:

The basic model can be modified by the introduction of an upper limit M of player F 's ability to pay. In the modified model, rule 3 is replaced by the following rule 3a, whereas all the other rules remain unchanged:

- 3a. After player K has announced D , player F must make an offer $0 \leq C \leq \min(D, M)$

Obviously $e = 0$ is optimal in the modified model, too. The optimal offer \bar{C} is determined as follows:

$$(22) \quad \bar{C} = \min (\bar{C}, M)$$

This follows by the strict concavity of U . In view of (22) it is clear that the optimal demand \bar{D} for the modified model is as follows:

$$(23) \quad \bar{D} = \min (\bar{D}, M)$$

Finally the incentive \bar{V} to engage in the act of kidnapping is replaced by a modified incentive $\bar{\bar{V}}$:

$$(24) \quad \bar{\bar{V}} = \min (\bar{V}, (1-q)M - qx)$$

In the modified model the optimal choice of b is $b = 0$ for $\bar{\bar{V}} < 0$ and $b = 1$ for $\bar{\bar{V}} > 0$.

Equation (24) shows that for

$$(25) \quad q > \frac{M}{M+x}$$

the value of $\bar{\bar{V}}$ is always negative, regardless of the values assumed by a and w .

As long as the optimal demand \bar{D} is smaller than M , the effects of small parameter changes are the same as in the unmodified model.

Extension of the model:

The basic model looks at kidnapping as a two-person game between the kidnapper and the hostage's family. Actually, there are many potential kidnappers and many potential victims. Additional insight can be gained by an extended model which explicitly includes all these potential participants.

Let k be the number of potential kidnappers, numbered from 1 to k and let m be the number of potential hostages, numbered from 1 to m . Each potential kidnapper is characterized by different payoff parameters, x_i , y_i and z_i and a different value w_j is associated to each of the potential hostages, such that the assumptions of the basic model are satisfied. The parameters a and q are assumed to be the same for all possible kidnapping cases.

According to the basic model, kidnapper i 's incentive to take hostage j is given by

$$(26) \quad \bar{V}_{ij} = \frac{a}{1+a} w_j - qx_i$$

In order to exclude the border case possibility of non-unique optimal behavior, we assume that the parameters w_j and x_i are

such that the following is true:

$$(27) \quad \bar{V}_{ij} \neq 0 \text{ for } i=1, \dots, k \text{ and } j=1, \dots, m.$$

define

$$(28) \quad h_{ij} = \begin{cases} 0 & \text{for } \bar{V}_{ij} < 0 \\ 1 & \text{for } \bar{V}_{ij} > 0 \end{cases}$$

If potential kidnapper i contemplates the kidnapping of potential hostage j , the value of h_{ij} will decide whether he actually will go ahead with his plan. The kidnapping will occur for $h_{ij} = 1$ and it will not occur for $h_{ij} = 0$

We do not assert that a potentially profitable kidnapping with $\bar{V}_{ij} > 0$ necessarily will occur. Potential kidnapper i must first turn his attention to his opportunity to take hostage j before he even begins to find out whether his incentive \bar{V}_{ij} to do so is positive or not. Ordinarily many criminal and non-criminal opportunities with a chance of profitability will compete for his attention and there will be only a small probability that he spends his limited planning and decision efforts on any one of them.

Let p_t be the probability for the event that at a given period of time t potential kidnapper i will contemplate the kidnapping of potential hostage j . For the sake of simplicity we assume that this probability is the same for all possible pairs i, j . Time is

viewed as a succession of discrete time periods $t = 0, 1, \dots$.

Let n_t be the number of kidnapping cases in period t . We assume that a profitable kidnapping opportunity which is contemplated in period $t-1$ will be realized in period t . Define

$$(29) \quad H = \sum_{i=1}^k \sum_{j=1}^m h_{ij}$$

The variable H is the number of profitable kidnapping opportunities. If k and m are large and p_t is small, n_t will be very near to its expected value which can be approximated as follows:

$$(30) \quad n_t = p_{t-1} H$$

Here we assume that in every period t every potential kidnapper contemplates at most one of his opportunities and we neglect the unlikely possibility that two potential kidnappers turn their attention to the same potential hostage.

It must be emphasized that the attention focusing process is viewed as a psychological mechanism outside the control of rational thinking. At this point, an important element of bounded rationality enters our theoretical considerations³. Only after the attention has

³ The concept of bounded rationality has first been introduced by H.A. Simon [7]. Relatively few efforts have been made towards economic theorizing on the basis of this concept, e.g. in [1], [3] and [9]. Existing microeconomic theory is almost exclusively built on the neo-classical view of economic man as an optimizing decision-maker.

been focused do rational calculations begin to determine behavior.

It is reasonable to assume that p_t is a function of n_t . If more kidnapping cases are observed and reported by the media, a potential kidnapper will be more aware of his possibilities. He will be more likely to think of a feasible plan and to consider its consequences. Therefore, we make the following assumption:

$$(31) \quad p_t = f(n_t)$$

where p_t is a monotonically increasing differentiable function. (30) and (31) together yield a first order difference equation for n_t :

$$(32) \quad n_t = Hf(n_{t-1})$$

Since p_t is a probability, the function f is bounded from below and above. This has the consequences that the limit of $f(n)$ for $n \rightarrow \infty$ exists. Define

$$(33) \quad p = f(0)$$

$$(34) \quad \bar{p} = \lim_{n \rightarrow \infty} f(n)$$

It is reasonable to assume that we have

$$(35) \quad 0 < p < \bar{p} < 1$$

and that the shape of the function f is similar to that of a logistic curve. The situation is illustrated by figure 2. The intersections of the curve with the 45° -degree line correspond to stationary solutions.

$$(36) \quad n_t = n^{(1)}$$

In the example of figure 2 we find three such stationary solutions. Our assumptions ensure that at least one stationary solution always exists.

If the process starts with an initial value n_0 such that $n_1 = Hf(n_0)$ is above the 45° -degree line, then the process will converge to the lowest stationary solution above n_0 . Similarly if $n_1 = Hf(n_0)$ is below the 45° -degree, the process will converge to the highest stationary solution below n_0 . This shows that only those stationary solutions are locally stable which correspond to intersections from above to below. In the case of figure 2 these are the stationary solutions $n^{(1)}$ and $n^{(3)}$. The stationary solution $n^{(2)}$ is unstable and is never reached by a process which does not begin there.

Policy conclusions:

An increase of H results in an upward shift of the curve Hf ; if the shift is sufficiently small the intersections from above to

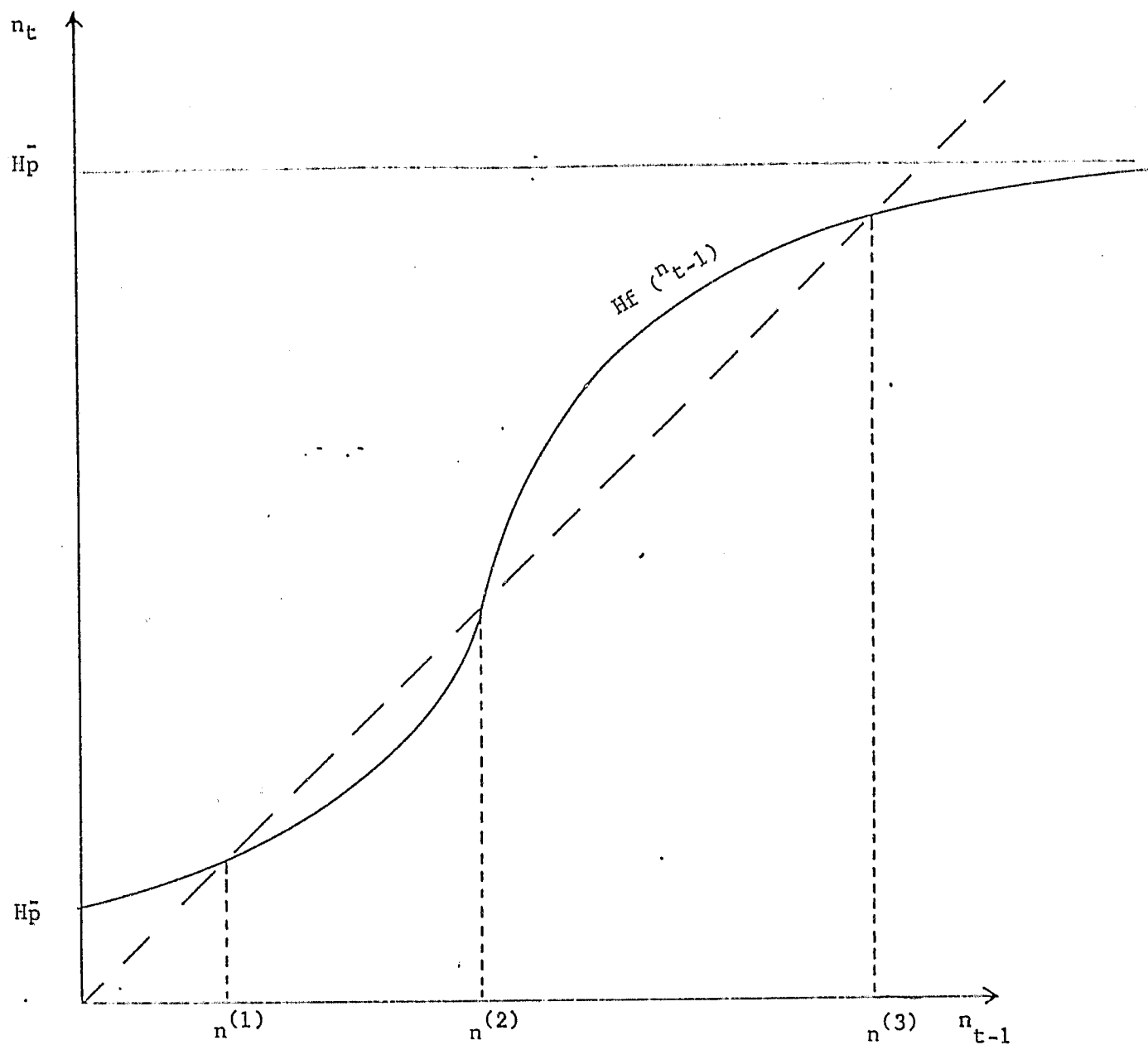


Figure 2: Graphical representation of the difference equation (32).

below are moved to the right and the stable stationary solutions will be increased. It is not surprising that an increase of the number H of profitable opportunities has the long run effect of increasing the number of observed cases. The short run effect on the next period's number of observed cases has the same direction but the long run effect is always stronger than the short run effect.

A special situation arises if an intersection disappears as a consequence of an increase of H . Suppose, for example, that in figure 2 the process has converged to $n^{(1)}$ and that from now on H begins to increase very slowly. In order to have something specific in mind we imagine that an increasing lack of police resources results in a decrease of the probability of detection q and thereby increases the number of profitable opportunities H . As H is increased and Hf is shifted to the above, $n^{(1)}$ and $n^{(2)}$ move towards each other until they meet and finally vanish. Once this happens the process which up to now was attracted to a slowly moving $n^{(1)}$ drastically changes its character since now it is attracted by the much higher stationary solution $n^{(3)}$. This explains why without any apparent reason the number of cases which has grown slowly for some time may suddenly begin to grow at an alarming rate.⁴

⁴ This phenomenon may be called a catastrophe in the sense of Thom [8]. In view of the simplicity of our case we have avoided the explicit use of catastrophe theory.

Suppose that special police measures are taken in order to reduce H to its previous level. If such measures do not come soon enough they may fail to bring the process back to $n^{(1)}$ in spite of the fact that H returns to the same value as before. Instead of this the process may converge to $n^{(3)}$.

There is only one way to move the number of observed cases from $n^{(3)}$ to the more desirable equilibrium $n^{(1)}$: a temporary reduction of H below the value where $n^{(2)}$ and $n^{(3)}$ vanish. This low level must be kept up long enough to permit the process to come sufficiently near to $n^{(1)}$. Afterwards the police efforts may be relaxed and H may be allowed to return to its previous level.

A parameter change which increases or decreases \bar{V} will move the number of profitable opportunities H in the same direction.

In this sense the policy conclusions derived from the basic model can be transferred to the extended model.

The extended model may be of interest beyond the subject of kidnapping. The explanation of the number of observed cases by a dynamic model involving a probability of opportunity recognition and the number of profitable opportunities may be applicable to other criminal activities.

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Panelist's Report
André Bossard

The aim of the International Criminal Police Organization is to facilitate and develop mutual assistance between police authorities concerned with the enforcement of ordinary criminal laws and the prevention of offences against such laws.

Such action is mainly undertaken through the National Central Bureaus which are police services in each of the 123 member countries; they are responsible for centralizing cases with international ramifications and initiating appropriate police action in response to requests from other countries or from the General Secretariat, which forms a sort of international co-operation headquarters. The Organization has no international operational units. In all cases, action is taken by the police forces of the country concerned. Co-operation within this framework may be bilateral, multilateral or fully international.

For several years the I.C.P.O. has been particularly concerned about serious forms of violent crime. Aiming especially at crime

prevention, it has concentrated on two sectors:

- a) Persons involved in such offences: National Central Bureaus exchange information and the General Secretariat publishes international wanted or warning notices about offenders who have been arrested for, or are liable to commit, highly violent crimes. Information is only exchanged after a detailed study of each case to ensure that the Organization's Constitution - which forbids intervention in cases of a political, military, religious or racial nature - is not violated in any way, but that effective measures can be taken to protect potential innocent victims.
- c) Circumstances surrounding the offences: It seems that careful study of the circumstances in which each offence was committed, of the modus operandi employed by the criminals and of the tactics, strategies and technical equipment used by the police, can be extremely valuable.

Two forms, for collecting the necessary information, have been distributed.

- 1) Following a resolution adopted by the Interpol General Assembly in 1970 the "CRIGEN AVIA" form was prepared. This form is intended to indicate the type of information that can usefully be exchanged in connection with aircraft hijackings. Use of the form has given good results and, to date, 272 aircraft hijacking cases have been reported.

2) An international symposium on cases involving hostages was held at the Interpol headquarters from February 3rd to 5th, 1976. During this Symposium, participants expressed the wish that technical information should be exchanged even in purely national cases (for example, hostage-taking during a bank robbery).

In response, the Interpol General Assembly adopted a second form - the "CRIGEN OT" form - at its 1975 session. A copy is attached.*

The Organization asks the National Central Bureaus to complete these forms in hostage cases, in accordance with the indications given on page 4 of the form. This page of the form thus gives an initial list of the information which is of value from a police viewpoint:

- Date, local time, place
- Particulars of the hostages, indicating their status (e.g. prominent figures, bank employees, prison guards, persons taken at random)
- Particulars of the offenders, specifying in particular whether they are escaped prisoners, etc.
- Circumstances, specifying whether it is a case of pre-meditated capture of hostages for ransom purposes, to back up some other demand, or to enable the offenders to escape after an armed robbery, or a case of kidnapping.

The information should cover the case from the start.

* The last page of this 4-page form is reproduced in Appendix II.

- Weapons or explosives used by the offenders: genuine or imitation
- Measures taken: particulars are requested about:
 - how the police were informed
 - initial police action
 - the command centre, its composition, where stationed
 - the task force involved: use of special units
 - technical equipment used by the police: telecommunications, weapons, vehicles, etc.
 - other measures.
- Negotiations: Under this heading particulars are requested about:
 - Negotiators: status (political figures, diplomats, police officers, lawyers, priests, members of the family, doctors, psychiatrists, etc.).
 - Means used to communicate with the offenders and hostages: whether or not it was possible to observe them, and monitor their conversations.
 - Offenders' demands and the authorities' reactions: acceptable demands, requests refused, concessions, etc.
 - Final stages of the case: surrender of the offenders, escape of hostages, payment of ransom, attack, etc.
 - Persons killed or wounded
 - Legal aspects: offenders suffering from mental disorders, type of offence (political or ordinary law

crime), charges, arrest warrants, extradition, etc.

- Remarks

- Detailed information about offenders and accomplices.

Since the beginning of 1976, 14 cases have been reported on these forms. This is not enough to permit valid assessment but we hope that more widespread use of the form will lead to positive results.

3) Information obtained

The information obtained allows the General Secretariat to advise police services in member countries about the modus operandi used by the criminals and the methods employed to counter them. Neither this information, nor the information about offenders and their accomplices, can be published.

On the other hand, it may be possible to envisage the publication for scientific circles, of information of a statistical nature, compiled from these forms. When a sufficient volume of information is available we shall have at our disposal figures on which to base valid studies of cases involving hostages, the types of criminals involved, the negotiations conducted and the results achieved.

Panelist's Report
Maurice Cullinane

A. Negotiations

The psychology of negotiation is based upon slowing down the initiative of the perpetrator(s). While this is a departure from the traditional police response to such situations, negotiations will buy time. Experience has indicated that time is the most important factor working for the police in hostage situations. Generally, the more time the perpetrator(s) spends with the hostage(s), the less likely he or she is to take the hostage's life because feelings appear to develop between one another. The allowing of time also gives the police an opportunity to prepare for different eventualities and allows for the perpetrator(s) to make mistakes.

It is unlikely that any two hostage situations will be the same. Because of this, no standard guidelines or procedures can be formalized for negotiators. The negotiator should never allow the perpetrator(s) to assume, nor should he portray himself as the decision maker. He must always make sure that the perpetrator(s) understand that there is someone above the negotiator who is responsible for the

ultimate decision. This will allow the buying of time and differing of decisions by the negotiator and brings about greater pressure on the perpetrator. It also allows for the negotiator to maintain his rapport with the perpetrator(s) when demands are delayed or actually refused, because it is someone over him who makes the final decision.

The professional criminal is usually the easiest to deal with in a hostage situation because he is a person who weighs the odds and assesses his position. After considering all the pros and cons, he will nearly always come to an agreement with the police and refrain from unnecessary violence or killing.

A psychotic person is much more difficult to deal with. This type of person is usually irrational and his actions cannot be predicted. His actions and even his language give valuable clues as to his mental state. In hostage situations the psychotic may feel powerful and important for once in his life. Attention is focused on him and he's calling the shots. Because of emotional tension, the psychotic expends a great deal of physical and mental energy and eventually tires.

The fanatic or terrorist groups are the most difficult of all to deal with. They can more or less be considered a whole group of psychopaths who feel they have a cause and are under the leadership of one in the group. These individuals rationalize that their criminal acts are justified because they are seeking social justice.

The specific tactics employed by a negotiator will vary with the type of incident. His negotiations must be based on his expertise in dealing with human behavior, obtained from his training and experience. The following psychological guidelines to negotiations will assist the negotiator in his task, but again, they are merely a general guide and are not designed to be absolute.

B. Guidelines for Negotiators

1. Negotiator must be selected with care. Only experienced or trained negotiators should be used in dealing with emotionally charged situations.

2. Measure emotional stability of the perpetrator(s). The ability to reason is affected by a person's emotional state.

3. Evaluate dedication to cause. It may deteriorate with the passage of time.

4. Stall for time. Delays create more favorable conditions for law enforcement to effectively function.

5. Never offer suggestions. Alternatives to demands may be offered; however, care must be taken that nothing is offered that would enhance the suspect's position.

6. Never agree to a demand without receiving something in return.

7. Keep perpetrator in decision-making status. Anxiety stemming from decision-making may prevent perpetrator(s) from concentrating on hostage(s).

8. Nurture escape potential. Perpetrator is more likely to bargain if a belief or hope of escape exists.

It is safe to say that, should a subject kill one of the hostages during negotiations, action should be taken to save the lives of any remaining hostages because once he or she kills one, they are likely to kill more.

While all demands are subject to negotiations, the following should not be negotiated.

1. Never supply weapons. Supplying a weapon to someone who may be bluffing with an unloaded or fake weapon would surely create a real danger.

2. No additional hostages (civilian or police) will be supplied or exchanged. A driver may be provided for an escape if a tactical advantage can be gained.

C. Legal Considerations

There is no known statutory, nor any significant body of decisional, authority which would enable anyone to determine in advance the legal liability that might be incurred for operational decisions

made during a hostage or terrorist situation. As in all police operations, law enforcement officers dealing with hostage or terrorist incidents must exercise prudent judgment and reasonable care to a degree commensurate with the dangerousness of the situation.

While there is nothing to prevent citizens from suing for injuries or damages incurred as a result of police actions in such cases, courts have traditionally taken into consideration the conflicting responsibilities and practical problem faced by governmental officials dealing with emergency situations. What must be weighed in each case is the danger to the hostages or victims if the criminal's demands are not met, as opposed to the danger to the general citizenry if the criminal's demands are met.

As a general rule, law enforcement officials should be extremely reluctant to take action which would enable a violent criminal to increase his access to potential victims. If a decision is made to furnish transportation to a criminal, every effort should be made to ensure a time of departure and a route of travel that will present the least danger of injury to the passerby, and the route of travel should be secured to the extent possible. Coordination should be made with all other jurisdictions involved.

It is difficult to imagine circumstances which would justify providing weapons to a violent criminal, since the criminal's presumed purpose for obtaining such weapons would be to kill or injure others.

In summary, each hostage or terrorist incident must be resolved on the specific facts of the situation, and there are no blanket immunities protecting the actions of law enforcement officers from claims of civil liability. Civil liability is predicated upon failure to adhere to a reasonable standard of care under the circumstances. Since grave danger is inherent to any hostage or terrorist incident, law enforcement officers must exercise great care in making operational decisions dealing with such incidents, and they must exercise great care in ensuring that their decisions are implemented in the safest possible manner.

Panelist's Report
John Greacen

The Accumulation of Knowledge on Hostage-Taking and Governmental
Response to It.

This final session of the conference is devoted to the question, "Where do we go from here?" This meeting has been an interesting and useful opportunity for us to share views, experiences, policies, and learnings with one another. Are there further steps, beyond the preparation of a conference report by Ron Crelinsten and the maintenance of some of the personal ties we have made, which could usefully be pursued?

I would be interested in seeing an attempt made to accumulate our knowledge on official responses to hostage situations in a systematic way. Too often we fail to learn from our past mistakes and successes, facing each new event as if it were unique and idiosyncratic. While it is true that we must approach each incident with flexibility and openness to its special dangers and opportunities, it is the challenge of law enforcement in our times to go beyond the

instincts of the officer on the scene to some body of broader principles and experience as a basis for action. We need to develop self-conscious and purposeful mechanisms for accumulating our experiences and maintaining them in a form useable for new incidents.

How can we go about it? I will comment on the nature of the knowledge accumulation process, on the levels at which it can occur, and of the need for developing an organizing structure for understanding the types of incidents and official responses in the hostage-taking area.

The nature of the process.

Law enforcement agencies have been woefully negligent in developing a literature on their techniques and examples of their efficacy and limitations. Typically, local, state and national police forces exist as isolated enclaves, trying to cope with their own day-to-day crises, believing their own problems to be unique, and ignoring the possibility that they have information which could be helpful to neighboring agencies and vice versa. The literature that we do have, focuses primarily on global organizational sorts of issues -- should the police be centralized or decentralized, professional or strictly disciplined, how do we deal with corruption, with personnel selection and promotion, with the need to manage police organization? Very few of our efforts have addressed police responses to specific problems which they face. What operational responses are used? What

factors seem most to contribute to success or failure? Hostage-taking is, I think, one subject on which law enforcement agencies could benefit greatly from a structured accumulation of experience --a cataloguing of the nature of incidents, the specific law enforcement responses, the consequences, and the learnings for the agency. Individual reports would be reviewed and the experiences synthesized by a sophisticated person or persons, and the accumulated learnings then prepared for dissemination back to the contributors and to other interested parties.

Levels at which accumulation can occur.

Knowledge synthesis and analysis about hostage-taking should occur at many levels:

-- the individual agency-- Each business, airline, or police department should organize itself to learn from its previous experiences. Chief Cullinane has shared with you some of the elementary sorts of learnings which police departments often overlook -- how to rotate officers on duty so they retain a fresh outlook, for instance. New York City's hostage unit is perhaps the best example of a local corporate memory on what is effective in responding to hostage situations. Lufthansa provides an excellent model for private industry of a unit dedicated to learning from its previous hijacking incidents and deriving general policies to guide future responses.

--national agencies-- a number of countries are now creating

organizations to collect experiences at the national level. In some of these, their role is the same as the local agency, for the national government plays a major decision-making role in many hostage cases. West Germany is a good example. The TRAMS proposal in the United States has a broader role of providing technical help and advice to other decision-makers at the U.S. state and local level, as well as standing ready to advise federal officials should incidents occur which require a federal response. Monsieur Bossard has shared with us some of the difficulties in gathering useful information on the national level; these are significant, but, in my view, not insuperable in most countries.

--international cooperation-- The real reward would come from accumulation of this sort of knowledge across international boundaries. Interpol would appear to be the obvious vehicle for this sort of effort, and it is now using a special reporting form for hostage incidents from member governments which would capture much of the useful data. The obstacles to an effective process are, as Monsieur Bossard has noted, the lack of adequate Interpol staff resources to analyze the reports, the lack of any means for carefully auditing the accuracy of the information supplied, and current confidentiality understandings which require the consent of a member government before the information from any of its reports are shared with other governments. The obvious advantages of Interpol, in terms of its existing reporting mechanisms and contacts throughout the world, argue strongly in favor of remedying these problems before

attempting to create a separate parallel instrumentality for accomplishing the goal of information-sharing on responses to hostage-taking incidents.

An Organizing Structure for the Knowledge.

For the process to be useful, we must develop and agree upon a uniform way of describing and categorizing the types of incidents and the crucial elements of an official response. We need:

-- a typology of hostage-taking events. It should be producible from the conference proceedings; I find Dr. Ochberg's listing complete and extremely useful for these purposes.

-- a listing of critical official response factors. This is the list of questions about which we accumulate knowledge. They should represent the specific decisions which law enforcement and other public officials must make in the course of, or prior to, a hostage incident. They will change from time to time. A few which have struck me in the course of the conference are:

-- what are the consequences of granting and denying demands by hostage-takers for escape?

-- what happens when we agree to, or refuse to agree to, demands for immunity from prosecution for kidnapping?

-- what are the consequences of public policies prohibiting the payment of ransom or the granting of political concessions to hostage-takers?

A few final remarks on the knowledge accumulation process. First, it is essential that we gather information on extremely practical issues and problems -- the smaller the problem, the more narrow the question, the more helpful our analysis is likely to be to policy-makers. Second, we should focus primarily on operational questions at first -- what did we do, and what happened, rather than on theoretical efforts to understand all the dynamics of a hostage-taking situation. The theory will slowly evolve to explain the real life phenomena which occur; when it does, it will be extremely helpful to us. But this is one of many law enforcement areas where the inductive rather than deductive approach is needed -- we need to observe the phenomena closely and then develop theories to explain them, rather than running the risk of an over-emphasis on theory which can blind us to what actually occurs in the real world.

Panelist's Report
Jack Shields

Of all the problems we have seen lately with terrorists and hostages, none is more spectacular than the events that occurred in early July in Uganda, with an Israeli raiding party coming to the rescue of the hostages, who were being held as the result of a hijacking. Involved in the incident were terrorists, purporting to be representatives of a Palestinian Liberation Group, France, whose flag carrier had been hijacked, the Governments of Germany, Holland, Greece and Israel which had prisoners which the terrorists wanted released. The governments of seven or eight more countries whose nationals were being held hostage were also involved. Eventually the host government, Uganda, succeeded in gaining the release of some of the hostages, but a majority of the Israeli/Jewish passengers were held by the terrorists and were only released by the raiding party.

When and if we finally are appraised of how negotiations in this incident were handled, I am certain that we will find one of the most complex problems yet seen in the field of terrorism, hostages, and negotiations.

The problem when an aircraft is involved is always much more complex than other terrorist/hostage situations in that any number of third party countries can become involved, and lines of communication can be taxed to the limit. Time can become a critical element since the terrorists may decide to extend aircraft fuel ranges beyond safe limits. Aircraft flight and cabin crews become exhausted while terrorist hijackers make impossible demands on governments miles away which may not have ownership of the aircraft or the airport used. In some cases, after endless hours of negotiations, flight crews have been required to take off again and fly to a different country. To say the least, safety under these conditions is compromised.

In order to negotiate with the terrorist, communications must be established over existing telephonic networks either of the airline companies involved, the government's or commercial long distance lines.

Responsible individuals will have to establish their credibility in regard to their positions in the government and/or airline company to the satisfaction of the terrorist prior to any meaningful dialogue. The initial verification of credibility usually begins with the terrorists presenting their demands to the flight captain. This then, is the first line of communication credibility.

TERRORIST ----- FLIGHT CAPTAIN

Demands presented to the Captain are then transmitted to third parties -- ground radio stations, airport control towers, etc. These can become more involved as third parties or any number of other individuals or governments are brought into the picture by the terrorist demands. However, it is the flight captain who is the accepted key to establishing communication. These third parties, who are to react to the terrorist demands, will accept information as relayed by the flight crew. It is doubtful if the terrorists would be accepted as credible in the initial negotiations with persons outside the aircraft.

At this particular time, if the aircraft is in the air, the captain still holds the ultimate responsibility for safety, and in every incident that has happened so far this responsibility has not been challenged by the terrorists. Once the aircraft is on the ground, then the ultimate responsibility shifts and the terrorist assumes the responsibility for safety. In many of the more recent hijack terrorist cases, the flight crew has been discarded as a bargaining medium by third parties to permit face to face confrontation of external authority with the terrorist. This is not the most desirable position for the third party to be placed in, since it eliminates negotiating and maneuvering possibilities provided by the crew members, and establishes a basis for a confrontation of wills between the adversaries.

We used to do the negotiating in a different way with much success. We never discarded the flight captain as a part of the negotiating team. The plan was that in almost all cases where the hijacked aircraft has been used by terrorists as a basis for bargaining, the flight crew has been used to validate the seriousness of the situation, and to relay information to third parties without the usual challenges of authority by either terrorists or interested third parties. Terrorists do RELY on the flight crew to relay information to ground stations on all matters relevant to the event. Terrorists may monitor the communications for responses, or they may rely on translations by flight crew members as to what the response from ground stations has been to their requests. There is rarely a question of authenticity. Terrorists seem to believe that this use of the flight crew establishes the terrorists' credibility and third parties will negotiate with the crew without tricks which could injure the crew. When we have proceeded this far, we then have extended the line of communication established and validated.

TERRORIST -- FLIGHT CAPTAIN -- THIRD PARTY(IES)

Each of these parties now has a role to play in the drama which will unfold. The terrorist continues to use the flight crew as his prime hostage and principle source of contact since the crew is recognized as credible, and is with the hijacker as the negotiations continue.

As long as this relationship prevails, chances are that a timely culmination of the problem can be reached with minimal risk. Keeping the flight crew involved seems to provide a safety valve, and to defuse actions by the terrorists on the one side and third parties on the other. As long as an involved person is acting as mediator, the chances of resolution are enhanced.

Lines of dialogue and problems of "Ultimate Wills" arise when negotiations get to the point of confrontation between terrorist and Government or superior authority. This is particularly true when the Government or superior authority is being dealt with by radio, or phone, and not in person. Terrorists have now captured the ultimate in propaganda when they can discuss and get DIRECT response from the highest offices of Government, or the President of a corporation.

Government officials, bound by regulation, cannot negotiate beyond a certain point, and because of this, Government agents do not have the flexibility of a third party. The same basics apply with corporate presidents as with government negotiators. They are the highest authority, the ultimate. No one else is above them. It is, at this point that negotiation reaches its most difficult phase because terrorists may believe the highest authority MUST be challenged.

In many cases the Airline Company can fulfil the part of a third party negotiator, and can be more flexible when discussing demands. Airline personnel can use the approach that they are being

victimized by both sides and need the terrorist to help arrive at an agreeable solution. Terrorists in some cases have been agreeable to deal through the company in the belief that they can gain more through the use of this ploy than they can through direct negotiations.

Airline companies and terrorists understand the critical element of time, where, in many cases, third party governments may not. Ignorance of this fact can be crucial to the negotiations. Eventually the negotiations will be terminated by one side or the other. Success on the part of the negotiators may rest on their understanding of the complex credibility problem as well as basic communication. When a breakdown occurs, fatalities and total destruction may be the result.

One of the prime lessons to be learned from our previous history with terrorists aboard aircraft is that the problem never returns to a more passive stage as a result of extremely violent actions. Each violent terrorist act seems to provoke a similar violent act on the part of Government. Innocent passengers, the hostages, are used as the faceless, nameless individuals who can be sacrificed by either side.

The case referred to in the beginning of this report ended with success on the part of a third party government. That terrorist act was terminated. However, a very short time later, more terrorists attacked another aircraft of the Government of Israel. Again, innocent

passengers were killed. The problem is again escalated to a greater degree of violence.

Reaction to terrorist acts must vary according to the occasion and the event. However, each event or occasion should provide a basic study of how to prevent terrorists from gaining entry to aircraft or areas where they can take control of aircraft. We can and must concentrate our efforts in the area of prevention, but, once the event is in progress, governments must recognize the value of the use of the flight crew and company representatives as a positive negotiating force who are closer to the event than the Government representatives involved.

I trust I have made a case here to be considered by the students of this problem of Hijacking and Terrorism. I believe that, in the past, all discussions and attitudes have been oriented toward this problem as one between Government (law enforcements, the military, etc.) and terrorists. Most position papers and studies ignore the availability of those persons who are closest to the scene of action, the flight crew and, the air carrier officials.

I hope that in future studies we will place the flight crew and airline officials back into the picture of responsible management of the terrorist hijack problems.

Session Synthesis

The theme of this session was follow-up and transfer of technology. As such, the primary issues dealt with were those concerning data collection, information transfer, research and the build-up of a bank of "experience" with which to guide future policies and training programmes. As pointed out by the chairman, implicit in such a focus is an aim of generalization, or the elucidating of commonalities among the varying kinds of incidents encountered in practice. While some participants expressed reluctance to generalize at all, stating that, in the final analysis, each case is unique and must be treated as such, it was realized that one must have some degree of generalization if follow-up is going to be at all meaningful or productive. Laws and policies can be changed according to newly perceived patterns and people with practical experience must give pertinent advice. Therefore, discussion focused on ways in which this procedure could be efficiently and effectively carried out.

The main topics discussed were: how to avoid elementary organizational mistakes (police perspective); the role of INTERPOL in data collection and information transfer; available data sources and

evaluation in the aviation industry, with comments on possible distortion of data which can clutter up the follow-up procedure; the value of a decision-oriented theoretical approach (research perspective); the application of game theoretic modeling to an analysis of hostage-taking.

A detailed list of things to do before and after any incident was outlined as an example of how to avoid the types of mistakes characteristic of hasty decision-making. It was stressed that the negotiation team should be left alone to do the negotiation and should therefore be freed from responsibility for all other possible problems. People should be pre-designated to deal with these other problems, including traffic problems at the site of the incident, crowd control, media handling and, of course, day-to-day operations and routine problems.

The use of 12-hour shifts was suggested for long sieges, since men get tired and faulty decisions become more probable. Other participants suggested 8-hour shifts, but the principle is the same. The use of tape recorders and a written log were recommended by several participants. The tapes are useful in the aftermath, for reconstruction of the incident, and the log is useful during the incident itself, for briefing substitutes and bringing them up to date when shifts are changed. Both the log and the tapes are useful in preparing the final report, whether it be for a governmental (parliamentary or congressional) inquiry, or for police records or as a source book for research. Here

we have an excellent example of how one small detail, if included in a pre-set checklist, can facilitate not only the management of any one incident, but also the follow-up and transfer of technology aspects.

Priorities should also be pre-set. These include: preservation of life (hostages, general public, police or government personnel); apprehension of the offender; recovery and/or protection of property.

One should pre-set policies in predictable situations. These may include: refusal to negotiate; isolation of hostage-takers and demand for surrender (e.g. in a prison setting); initiation of negotiations (give and take); assault. A list of negotiable items should be prepared in advance of any incident. Possible items include: food; drink (water, soft drinks, alcohol); drugs; transportation; freedom (e.g. prison context); weapons; money; exchange of hostages; media coverage. Note that while many of these points were made in previous sessions, the detail given here provides a clearer idea of the operational procedures involved. When one realizes that all these details should and can be considered before any incident ever occurs and that other details can be added on the basis of new experience, one gets a good impression of the crucial importance of contingency planning that was stressed so strongly in the opening sessions. Furthermore, the value of precise and pre-determined follow-up procedures can be better appreciated in the context of aiding and improving future contingency planning.

In this regard, the following points concerning what to do after the fact were made. The importance of a critique on what was done during the incident was stressed, both with a view to assessing the possibility of changing procedures and of changing training. Some questions which should be asked concern how seriously the safety of one's men (e.g. negotiation team) or others (e.g. passersby, hostages) was compromised, how one's actions and decisions were perceived by the public or one's support personnel. These questions reflect a concern for how the incident was viewed by all those concerned and how the various perspectives can be co-ordinated and reconciled. As such, this approach is highly consistent with a systems approach to the problem of incident management. The point was made that, at least in the United States, the weakest link in the whole system derives from the isolated way in which hostage phenomena are dealt with. A plea was made for collecting, co-ordinating and utilizing data on all cases, instead of operating on an individual basis.

As an example of such an approach to data collection, INTERPOL provides an interesting model at the international level. The participant from INTERPOL described the general procedures for data collection, pointing out that, although his organization is an international one, there is a need for centralization at the national level, before exchanging information at the international level. It is only the existence of national bureaus which allows INTERPOL to function. In 1970, a form on skyjacking was devised and sent to all

the national bureaus. The primary aim was not to collect data, per se, but to develop a bank of information to facilitate information exchange both at the bilateral level and at the international level. Items included: persons; modus operandi; tactics; techniques; methods of concealment of weapons. In 1975, following the conclusion of the first seminar on hostage-taking, a form was drawn up for cases involving hostages and was sent to member countries at the beginning of 1976. By May, only 14 answers had been received, but this was considered a good beginning. The form* contains 14 items and requests information concerning all hostage cases, even national ones with no international element. Any country can abstain from giving details about specific persons, e.g. in political cases, but other detailed information is useful.

While some participants felt that the international nature of the operation, with its political ramifications and its legal restrictions on certain kinds of information exchange, seriously diminished its overall usefulness, most participants were impressed with the operation's potential as a source of data for the "experience bank", which all agreed was essential for effective follow-up and contingency planning.

As regards the aviation industry itself, two sources for data and information regarding skyjacking and other acts such as bomb threats were mentioned: the Federal (U.S.) Aviation Administration (FAA) and the Air Transport Association of America (ATAA), the latter

* see Appendix II for information requested on this form.

of which has European and Middle Eastern counterparts. The FAA data is broken down into three areas: domestic orientation, world-wide acts and a supplement which lists Fedayeen international incidents and non-Fedayeen international incidents. The domestic data includes such items as how many threats with bombs have occurred, how many bombs exploded, how many hoaxes, potential hijackers. With regard to the supplement, it was pointed out that much of the information is "sanitized". Because of the way the information is collated beforehand, the facts are sometimes not recognizable in the final supplement report.

This clearly reflects the political difficulties which characterize international information exchange. A third way to gather information was mentioned and this one bypasses all such problems inherent in "official" statistics. Often, if a particular trouble spot develops, say in Latin America, one can simply establish correspondence directly with the authorities involved. In this way, one gains first-hand information "straight from the horse's mouth" so to speak.

One interesting pitfall involved in cycling of information was mentioned. Sometimes, the information passes around so many times that one gets old information and reacts to it as if it were new information! An example was cited where information concerning the use of SA-missiles by would-be terrorists re-appeared two years after the missiles had disappeared from the scene, resulting in a totally unnecessary airport alert. This highlights the fact that information exchange, if

it is to be effective, must be continually updated and kept as current as possible.

The need for greater co-operation and information exchange was stressed by several participants. By sharing accumulated experience across international boundaries, there is a greater potential for synthesizing knowledge and gaining a clearer view of the total picture. One participant pointed out, however, that if data collection is skewed in any way, e.g. due to differential reporting by different countries, then the results will be skewed too. This highlights the need for as widespread information as possible, at all possible levels, be they local, national or international.

As far as analysis of the data, once collected, one participant suggested that one should focus on the decision-making and analyze the common kinds of decisions that a policy man must make. While this method of analysis was not discussed at any length, it does seem that a type of data analysis which focuses on decisions made in various situations, and their ramifications on the outcome, would be a most fruitful approach for planning future policies and for contingency planning as regards future incident management.

As far as the value of game theoretical modeling in policy and contingency planning, it was pointed out that the purpose of a game model is to make the interdependencies among the various elements visible, not to give advice on what to do or not to do. However,

after a brief model was described by the chairman it became clear that such modeling, by making certain interdependencies clear, can indeed be useful to policy and contingency planners by clarifying how the decisions of the "players" in the game model (e.g. hostage-taker and primary victim) affect each other. While the main use of such models is not directly for policy, the insights into the interdependencies can then be used for studying specific questions, for example, the influence of policies on violators' (offenders') decisions.

One participant suggested that "coping theory", derived from psychological studies of individuals dealing with predictable life-cycle stress, e.g. birth, marriage, divorce, death, and extraordinary stress, such as severe burns, could be usefully applied to the hostage situation. Individual coping involves solving tasks, keeping anxiety within tolerable limits, maintaining relationships with significant others, retaining self-esteem, collecting information, rehearsing new roles, confronting criticism sensibly, and using just the right amount of denial to prevent an onslaught of depressing reality. It was pointed out that the study of individual coping is not based on psychopathology, but rather draws on close observation of the functioning of effective individuals. As such, it appears to have great potential for research on what makes a good negotiator, or even a hostage. Furthermore, it would seem to be a fruitful approach to the important question of decision-making under stress.

In sum, this session looked at some of the current sources of data on skyjacking and hostage-taking and looked at some of the methods of data collection and their possible shortcomings. The application of game theoretical modeling and other theoretical analyses, such as coping theory, to the problem of hostage-taking was also discussed. The implications of such research and data analysis for policy were examined. While no effort was made to define precisely the role of data analysis and theoretical research in policy-making and contingency planning, this issue was implicit in the shifting focus of discussion, which did cover some old ground, particularly those issues raised in the first session regarding the need for pre-determined operational procedures, etc., but within the context of follow-up, evaluation and research.

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FINAL SYNTHESIS
SUMMARY AND CONCLUSIONS

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Analysis and Conclusions

In the words of one participant, terrorism, with its attendant tool of hostage-taking, is an assault on civilization, not new in itself, but made new by the unique characteristics of our age: world-wide interdependence and technological advance. There were those at the conference who were concerned about this threat and whose jobs and occupations involved the awesome responsibilities of protecting human and technical resources. Then there were those who were intrigued by this threat and whose profession led them to consider the problem from a broader perspective, be it psychological aspects of human interaction, sociopolitical or criminological analysis or theoretical modeling.

Given this unique blend of perspectives, the most striking thing which emerged from the seminar is that certain points or issues consistently arose under various guises throughout the discussion, despite the apparent lack of co-ordination of the subject matter. Furthermore, despite the division of sessions into distinct temporal phases, a pattern began to emerge whereby the issues raised during

one particular session had some bearing on subsequent or preceding sessions; there was considerable foreshadowing and cross-referencing and downright repetition of issues. As stated in the working paper (see page 16), "one should only delineate factors separately in order to better understand their inevitable interaction within a coherent system". The extent to which it was difficult to confine discussion to the particular phase assigned to a session was a direct measure of the inter-relatedness of the various issues. Thus, for example, issues related to negotiations were raised in every session, even though Session III was specifically devoted to that topic.

In view of the above, it is clear that, in attempting to sum up and draw conclusions from a seminar of this kind, with its wide range and diversity of professional and national experience, one should not be fooled by the seemingly un-coordinated jumble of topics raised and by the apparent superficial treatment of many of these subjects, sometimes amounting to a mere mention of the issue without any follow-up discussion whatsoever. It is simply a question of expectations and objectives. If the conference participants had had more homogeneous backgrounds, one would have expected more in-depth discussion; if the session had not been divided into separate and distinct areas, there might have been a progressive focusing and narrowing and refining of the discussion over the course of the seminar; if each session had been chaired by the same person or if the panel had been the same throughout, there may have been a greater

co-ordination of topics; and so on. However, the purpose of the seminar was not to determine beforehand the scope or definition of the phenomenon under study, nor to analyze specific dimensions of the problem as opposed to others. The scope was purposely set as broad as possible, as reflected in the mix of participants, and the working method and division of sessions were so designed, to allow the greatest range and flexibility of discussion. The key element underlying this approach is "cross-fertilization". By providing a forum for the most diverse spectrum of experience and interest, it was hoped to gain a rich and fertile mix of information, viewpoint, opinion and conceivable priorities. This has, to a great extent, been achieved and, as a result, leaves us in a good position to sift through the material and distil out those issues which seemed to persist throughout the variegated discussion. In this way, the important issues emerge by themselves, so to speak, without any prompting from pre-arranged biases. That this did in fact occur is the first major conclusion which can be drawn from the seminar proceedings.

The major issue which kept colouring the discussion throughout the seminar was the question as to what degree of generalization was possible in discussing prevention and/or control of hostage-taking. Time and time again, a specific issue would be debated, e.g. the relative merits of good faith and bad faith negotiations, and the disagreements would eventually be traced to different contexts, e.g. the criminal vs. the political hostage situation, or differences in

national experience, etc. For this reason, some participants felt generalizations were meaningless and even potentially misleading, while others argued that some generalization was possible and even inevitable, if continued interprofessional and international co-operation were to bear any fruit. In view of the prevalence of this issue throughout discussion, it is interesting to note that no direct mention was ever made of the problem of typology, which was dealt with at length in the working paper. However, in the final session, the issue of typology was finally mentioned in the context of potentially fruitful research. One participant went so far as to suggest that the conference participants be put on a mailing list to facilitate exchange of information. It is clear that any effective research on typology and the elucidation of commonalities among the numerous kinds of hostage-taking phenomena depends primarily on as widespread and as unskewed an exchange of information as possible. This leads to the second major conclusion, that continued information exchange at all levels -- national, international, inter-agency and interprofessional -- is essential for a full understanding of the hostage phenomenon in all its facets.

As is usually the case in a polarization of opinion, in this case that commonalities exist and that generalizations are possible vs. that generalizations are not possible and each case must be dealt with separately, on its own merits, both viewpoints are, to some degree, correct. Certain important and useful distinctions did emerge repeatedly over the course of the discussions, as did certain

significant and meaningful commonalities. What follows is an enumeration first of the distinctions and then of the commonalities.

Useful distinctions

1. Skyjacking has some unique characteristics which separate it from other hostage situations.

a. The number of hostages is usually large. One implication of this, from an operational point of view, is that the hostage element (hostage behaviour, hostage needs, etc.) is much more significant in skyjacking situations than in, for example, a "simple" kidnapping.

b. The pilot and crew have ambiguous roles. The pilot, though technically a hostage, often turns out to be, if not the direct negotiator, at least the one who must make critical decisions which could directly affect ongoing negotiations or even the possibility of negotiating in the first place. Such decisions could involve the feasibility of certain navigational routes, the amount of fuel required to reach a desired destination (need to land to re-fuel), etc. Because they are privy to technical information which the skyjacker probably does not know, the pilot and his crew are in a position to either assure the skyjacker of his ultimate success (a useful tactic in negotiations) or mislead the skyjacker in some way, to gain time or to thwart some demand.

The stewardesses, though technically hostages, are usually responsible for taking care of the passengers. As such, they are

allowed more freedom of movement than the ordinary hostage and are often in constant face-to-face communication with the skyjacker. It is often the case therefore, that a stewardess can "befriend" a skyjacker or gain his trust to an extent which another hostage could not. This can be a critical factor in defusing a potentially explosive situation.

c. Human lives are not the only thing at stake. There is also the airplane, with its usual astronomical cost. This factor automatically involves the airline company in any skyjacking, as a kind of tertiary victim. This affects such issues as responsibility for damages, insurance claims, government policy (e.g. who pays for preventive measures) and even negotiations.

d. Unique technical problems exist which may affect negotiations. These include such items as landing rights (often a country will refuse permission to land), fuel (often there is not enough fuel to reach a destination demanded by the skyjackers and re-fueling stops or even a change of planes become necessary), navigational charts (sometimes skyjackers demand to go places far removed from the original flight plan of the aircraft), etc. All these factors can become crucial during negotiations.

e. Skyjacking is very potent melodrama, probably more so than any other hostage situation. Spectacular skyjackings almost automatically become international news and this plays directly into theatrical and publicity motivations of most skyjackers. Furthermore, imitative

patterns based on media reports appear to occur more often in the skyjacking context. The implications of this for policy-making and operational contingency planning are considerable.

Conclusion: policy-makers and contingency planners should take into account these unique features of skyjacking, especially from an operational point of view. Special attention should be given to the unique personnel involved, i.e. pilots, crew, stewardesses, control tower personnel, airline officials and ministry of transport officials, and their possible roles in a skyjacking situation.

2. It was found that differences in national and international experience often resulted in different approaches to common problems, differing success with common approaches to problems or different problems in the first place.

a. The relationships between airlines and governments differ in North America (N.A.) and Europe. In the United States and Canada, air-carriers are mostly owned privately and in Europe they are government-owned. In N.A., payment of ransom and/or costs due to damage or prevention measures are usually assumed by the airlines, while in Europe, such costs are generally assumed by governments. In view of these two facts, there is, in N.A., a certain degree of conflict between government policy and airline policy and there is an element of mistrust and lack of understanding which enters into any co-operative efforts. This is generally not the case in Europe and, at least in the Federal Republic of Germany, there are now existing laws stating

that a government must assume costs when terrorist demands are directed toward government. One participant suggested that this discrepancy in national experience in the skyjacking context indicates one area for further study and asked how governmental thinking in the U.S. and Canada could be more closely aligned with the airlines.

b. The incidence profiles for different types of hostage-taking differ in N.A. and Europe. In the U.S., the greatest amount of experience has been with the criminal type of hostage-taking, e.g. kidnapping or the barricaded felon trying to escape from the scene of a crime. Very little political hostage-taking has been encountered and political terrorism is quite rare. In Europe, there have been quite a number of political hostage-takings, not even including political skyjackings, and political terrorism is quite prevalent. The implications of this difference are several. First, hostage-taking is more often a simple police matter in N.A., while it more often involves governments in Europe. Thus, the potential for jurisdictional problems is greater in Europe, since political cases tend to be more complex. However, since, at least in the U.S., kidnapping is a Federal crime, thus involving the FBI, jurisdictional problems are certainly not unknown in N.A. They are just less likely to involve governments.

Another implication involves deterrence and crime displacement. It was generally agreed that the criminal offender is more easily deterred by preventive measures, e.g. target hardening, than is the

political offender. In the latter case, the offender will simply switch to softer targets, e.g. from planes to trains or embassies. One would therefore expect preventive measures to be less effective in Europe than in the U.S.

In addition, a frustrated criminal is less likely to become a martyr by refusing to negotiate or by killing his hostage(s) than is a political terrorist. Thus, negotiation tactics will likely differ with the type of the offender. The difference in national experiences was, in fact, reflected in the different approaches to negotiation in N.A. and in Europe. A greater sophistication in the use of the behavioural scientist at the policy level (e.g. Holland) and the team approach with its group dynamic training (e.g. the Munich negotiation team) found in Europe perhaps reflects the greater complexities demanded by the more commonly encountered political case. In the U.S., while the FBI and the New York Police both are known for their training programmes in hostage negotiations, most police departments do not have a "hostage team" specifically trained as such, but rely on teams with a broader range of duties, e.g. a "barricaded felon unit".

c. The great geopolitical diversity of Europe as opposed to that of N.A. complicates the skyjacking picture. In the U.S., the incidence of political skyjacking to Cuba dropped when Cuba began to return offenders. In Europe, even if some countries co-operate, safe havens still exist within reasonable distance and so political

skyjackings can still succeed. Also, in Europe, there is a much greater potential for multiple skyjackings which affect more than two nations and so the potential for complex, multinational cases is greater. This is also true for non-skyjacking cases, e.g. hostage-taking in embassies.

d. Some countries have greater experience with one particular type of hostage-taking due to a significantly higher incidence of such incidents. For example, Italy has experienced criminal kidnapping for ransom in almost epidemic proportions. Canada, particularly in Quebec and Ontario, has experienced a high incidence of bank-related kidnappings in which bank officials' families are kidnapped and a ransom is demanded. Such regional experiences result in regional expertise and regional problems. For example, Quebec Provincial Police have developed a programme specifically to deal with bank manager extortion via kidnapping and there is considerable co-operation between banks and police, although problems still exist. In Italy, special legislation has been passed to prohibit payment of large ransoms and there is, consequently, poor co-operation between police and primary victims (relatives of hostages). Such regional differences were the source of the most interesting cross-fertilization during the conference, as it was generally found that regional approaches to regional problems cast new light on related problems in other countries.

Conclusion: The strategies and tactics which one chooses to prevent

or control hostage-taking evolve out of the experiences which one has had. One's methods of prevention and control reflect the problems with which one has been faced. Regional differences in incidence of types of hostage-taking correlate highly with regional differences in strategies and tactics. As a result, the potential for cross-fertilization is greatest when these regional differences are shared. This does not mean, of course, that all lessons are applicable everywhere, but insights can be gained even though the particular details are not directly relevant to one's own situation.

3. Kidnapping (site unknown) vs. Barricaded situation. This distinction was highlighted not so much by direct reference to it during discussion, but by the fact that the former type of hostage-taking was rarely mentioned at all, except in the context of ransom payment. Also, the sample game theoretic model presented in the final session chose simple kidnapping as its basis. This was somewhat ironic as most of the discussion throughout the seminar dealt with hostage situations in which the site of the hostage is known and so the relevance of game theoretic modeling for analysis of hostage-taking was perhaps not as obvious and explicit as it might have been had the model used, say, a skyjacking or the barricaded felon, where certain options, e.g. attack, are available to the "players". A further irony is that, for modeling purposes, the kidnapping is the simplest case, while, in practice, it appears to be the most difficult to control. The following distinctions between kidnapping and barricaded situations emerged during the course of discussion.

a. There has been little success in controlling kidnapping.

This is perhaps why it was mentioned so little. It is easier to focus on areas where practical results have been achieved. When it was mentioned, e.g. in the Italian context, it was noted that efforts to control the payment of ransom, e.g. by legislation preventing withdrawal of large sums of money from banks, for ransom payment, met with resistance from relatives of hostages. The results of a French poll may help explain this. The majority of those asked if the police should interfere in a barricaded situation answered in the affirmative, while the majority said no to police involvement if their son or daughter were kidnapped. As pointed out by one participant involved with bank security, effective control is only possible when banks and their personnel co-operate with police. It seems that kidnapping, with the much greater involvement of the primary victim in critical decision-making, is more difficult to control.

b. In kidnapping, there is often a lack of co-operation on the part of the primary victim with those authorities responsible for prevention and control (blood is thicker than water). We have already seen an example of this lack of co-operation, with regard to payment of ransom. It is interesting to note that, in France, banks report large withdrawals to police in an attempt to trace ransom payments in cases not reported to the police. Whether this would be possible in, say, Switzerland, with its respect for the privacy of bank transactions, or the U.S., with its respect for civil rights, is highly debatable.

The most clear-cut manifestation of this lack of co-operation being more of a factor in kidnapping than in barricaded situations occurred during the discussion on initial response (Session II). There seemed to be an underlying premise throughout the discussion that the police (patrol officer on the beat) would be the first to encounter a hostage situation. Much of the discussion focused on the role of patrolmen, the need for special training of police and co-ordination between police and command units. When one participant tried to point out that primary victims often neglect or even refrain from calling police, a discussion arose as to the deplorability of bypassing the most appropriate agency for controlling hostage-taking situations, as foolish and short-sighted as not calling the dentist when one has a tooth-ache. However, the whole question as to why people fail to call the police was ignored by the majority of participants, although several tried to point out that few people trust the police when their loved ones are involved.

c. More sophisticated policies, particularly re co-ordination of various parties (e.g. police, government, press) exist for barricaded situations than for kidnapping. Complex and sophisticated command units and negotiation units and special weapons and tactics units have been devised and detailed policies for their deployment and co-ordination have been developed, but these have been employed almost exclusively for the barricaded situation or skyjacking and not for kidnapping. The Quebec Provincial Police's special unit for bank

extortion/kidnapping is, however, a praiseworthy exception. Do special negotiation units exist for kidnapping cases? No mention was made of any. Do policies exist for the setting up of a command unit the minute a kidnapping takes place? No mention was made of this. While banks and embassies, whose personnel tend to be favourite targets for kidnapping, do have pre-set policies for dealing with the problem, little mention was made of them and consequently comparisons between kidnapping control efforts and barricaded hostage control efforts were not possible.

Conclusion: The main difference between kidnapping and the barricaded situation is that the site of the hostage is not known in the former case. While this partly explains why control efforts tend to be less successful and less sophisticated, it also seems that the greater role played by the primary victim in critical decision-making (whether to call police, whether to pay ransom) is also a major factor. In general, because of the great emotional involvement of the primary victim, there is greater concern for the well-being of the hostage, surpassing theoretical and moral notions of the sanctity of human life, and consequently a greater reluctance to co-operate with those agents who, being vested with the authority for the control of a criminal phenomenon, look beyond the immediate goal of saving the hostage to other potentially conflicting goals, such as apprehension of the offender or deterrence of future incidents.

4. Political vs. Criminal hostage-taking. This distinction became clear especially during discussion centring around policy and the types of decisions which might have to be made during initial response or negotiations.

a. Governments necessarily become involved in political cases.

Immediately, certain jurisdictional problems must be faced, the chain of command becomes more complex and governmental policy becomes a potential limiting factor regarding options open to initial responders. For example, some countries (e.g. Israel), as a matter of government policy, refuse to negotiate with political terrorists. Others (e.g. the U.S.) refuse to pay ransoms to political kidnappers, yet will enter into negotiations. In the purely criminal case, none of these factors are necessarily present.

b. Governments should bargain in good faith. It was generally agreed that governments, when dealing with hostage situations, are not only responsible for resolving a specific problem, but, in doing so, must maintain public confidence in its actions and faith in its integrity. Therefore, a government should always keep promises it makes during negotiations. On the other hand, it was recognized that in the prison context or in a criminal case (e.g. a barricaded felon), promises made under duress need not and should not be binding. Bad faith bargaining was seen to be a useful tactic in these contexts. In the political context, however, bad faith bargaining was seen to be a harmful tactic, not only because it diminishes public trust

in the State, but also because of its possible effect on subsequent incidents, either precipitating additional, retaliatory incidents or causing future offenders to employ measures (e.g. retention of women, children or sick hostages who are often released early) to ensure meeting of demands and fulfillment of promises.

c. Disposition of the political offender is often more complex than that of the criminal offender. In international cases, most notably skyjacking, extradition is often thwarted by the political offense rule which refuses extradition for acts committed for political reasons which could jeopardize the civil rights of the offender if extradited. While the onus for prosecution then rests on the "host" country, it is often, even typically, the case that prosecution is waived and political asylum is granted. If prosecution is carried out, and the offender is found guilty, a pardon or reduced sentence or early release is often the end result.

Even if prosecution is successful, there is the problem that an imprisoned political terrorist becomes the object of further incidents, designed to secure his release. As a result of this pattern, some countries prefer to allow safe passage to offenders out of the country as a concession during negotiations rather than force the capitulation of the offender, as a result of which they would have to prosecute and run the risk of further terrorist activity.

It is interesting that, in N.A., the term "political prisoner" is not recognized and all acts of terrorism and hostage-taking are viewed as purely criminal. However, offenders who are aware of the grey area between criminal and political acts sometimes try to cast their initially purely criminal acts in a political light. On the other hand, legislators and prosecuting attorneys attempt to cast political activity of dissidents in a criminal light. Thus, the phenomenon of terrorism has begun to challenge criminal justice procedures which attempt to control clearly criminal acts, such as murder, sabotage, extortion and hostage-taking, which are carried out within a political context.¹

Legal concepts, such as mens rea, concern with motive, mitigating circumstances, amnesties, pardons, safe passage, aut dedere aut punire all become issues to a much greater extent with political cases than with purely criminal cases.

d. The political offender is more "dedicated" than the criminal offender. This factor emerged from discussions on negotiations and how to deal with different types of offenders and from discussions on deterrence. In general, as regards negotiations, it was recognized that a politically motivated offender may be willing to die for his cause, while a professional criminal would rather give in than die. The

¹ See Crelinsten, R. and Laberge-Altmejd, D. (eds). The Impact of Terrorism and Skyjacking on the Operations of the Criminal Justice System. Final Report on Basic Issue Seminar. In Press.

implications of this difference for the use of various tactics during negotiations were well elucidated during the conference. In general, the criminal offender was considered easier to deal with, more rational and less likely to kill the hostages if demands were refused.

As for deterrence, it was generally agreed that a political terrorist was unlikely to be deterred by stiff legal sanctions and would be more likely to look for softer targets in the face of preventive measures. A criminal seeking financial gain might be deterred by severe sanctions and might give up in the face of preventive measures. Again, the difference lies in the ideological zeal and "cause" of the politically-motivated individual.

Conclusion: The political case of hostage-taking seems, in general, to be more complex than the purely criminal case. The number of parties involved, the legal implications and the nature of the offender all have special bearing on the options open to initial responders, the conduct of negotiations, the disposition of the offender and the effectiveness of prevention measures. While most of the strategies and tactics discussed during the seminar were relevant to both political and criminal cases, it appeared that the political context added a new dimension to these strategies and tactics which were not relevant to the purely criminal case.

5. Uniqueness of the Prison context. As with skyjacking, certain unique features of the prison context made it clear at various points during the discussion that hostage-taking in prisons could be usefully distinguished from other types of hostage-taking for purposes of prevention and control policies.

a. There is a closed community of inmates and those responsible for watching over and caring for them. There are two factors which derive from this closed community aspect of the prison context. First, during any hostage-taking incident, there is the constant presence of other inmates and the resulting existence of a potential contagion factor. Logistics of containment, for example, will therefore differ somewhat from other hostage situations.

Secondly, the hostage-captor relationship is more likely to be tinged with hostility because of the characteristic community structure of a prison. Furthermore, unlike many other hostage situations, where the hostage and hostage-taker are strangers to each other, it is very likely that the inmate/captor knows his hostage and has interacted with him on a regular basis for some time. The psychological implications of these differences need not be elaborated.

b. Perhaps for the reasons cited in (a), it was recognized that early assault may be more appropriate than protracted negotiations in the prison context. Most prison policies explicitly state that no negotiations be initiated, although, in practice, it was seen that

negotiations more often than not do take place. However, during discussions on initial response and the decision to negotiate, when it was pointed out that negotiations is but one management tool among a variety of options and should not be viewed as the be-all-and-end-all of incident management, it was the prison context which highlighted this point most effectively.

c. There are legal restrictions on release due to the status of the offender. Safe passage out of the country or release from custody were seen as non-negotiable items due to the fact that offenders were convicted of previous crimes and serving sentences.

d. The opportunities for intelligence re potential offenders is greater in the prison context. Due to the existing correctional apparatus for data collection and storage of background information on convicted inmates, the facility of information gathering and exchange is great. Also, the opportunities for surveillance and analysis of "dangerosity indicators" is great. In fact, as compared with the problem of keeping track of the international operations of terrorist organizations, the intelligence picture is a dream. However, at least in the U.S. and Canada, there is a great concern with the civil rights of prison inmates and this tends to counter-balance the greater opportunities for information collection and the greater control over the distribution of potential offenders in the prison population.

Conclusion: Because of its special community structure, with its ever present pools of potential hostage-takers and potential hostages, the prison context can be meaningfully distinguished from other hostage situations. This is particularly true with respect to initial response and negotiations. The legal status of the offender also is unique, as are the opportunities for intelligence and monitoring of potential offenders.

Now let us turn to those points which seemed to be relevant to all types of hostage situation.

Significant Commonalities

1. The need for pre-set policies and advance contingency planning, (Be prepared). No matter what the context, there was unanimous agreement and repeated emphasis that policies and contingency plans should be prepared and set in advance, if effective prevention and control is to be achieved. Advance planning was seen to be relevant at all stages of any prevention and control programme.

a. POLICY GUIDELINES which are set in advance enable those responsible for incident management to adapt their strategies and tactics to conform with existing policy. The preceding survey of useful distinctions between different types of hostage-taking highlights the role of policy in determining what options are open to initial responders or negotiators. While it was recognized

that decision-making under crisis conditions cannot and will not always conform to pre-set policy, it was agreed that an awareness of such policy by those facing a hostage situation is critical if major mistakes are to be avoided. Furthermore, advance knowledge of policy needs can be integrated into contingency planning so that possible conflicts between policy and effective incident management can be avoided.

b. Pre-designation of PERSONNEL facilitates effective incident management. Advance planning enables one to recognize one's needs before a situation arises. Then one can decide beforehand who takes care of what, which kinds of special training and/or equipment are required, deployment of various units, whether shifts and replacements are required and how the different units are to be co-ordinated. For example, over and above containment, negotiation, assault and sharp-shooter teams, one should consider food supplies, medical supplies, hospital teams, public utility (gas, electricity, phone), traffic control, public relations, press liaison. Each function should have its own personnel responsible for its smooth operation.

c. Advance planning can facilitate CO-ORDINATION OF SEPARATE UNITS and thus circumvent jurisdictional problems. If it is recognized in advance which parties are likely to get involved in a particular type of hostage situation, a CHAIN OF COMMAND can be established in advance, thus avoiding jurisdictional conflicts and facilitating co-ordination of individual units. The establishment and maintenance of

a clear chain of command was seen to be a vital factor in effective control of all kinds of hostage situations.

d. PRIORITIES should be set in advance so that, during an incident, decisions can be made which conform to these priorities.

For example, preservation of life and apprehension of the offender are often conflicting priorities. If it is decided beforehand which priorities are paramount, decision-making during an incident is much smoother and more efficient.

e. A list of NEGOTIABLE ITEMS should be drawn up in advance of any incident. Again, this facilitates decision-making if, during an incident, negotiations become necessary.

Conclusion: Effective and smooth decision-making is made possible only by advance planning. Not only the broad issues, e.g. organizational strategies and tactics, priorities, policies and personnel, but also more detailed items, e.g. what items are negotiable, what supplies or facilities should be on hand, etc. should be considered in advance. Such advance planning allows one to consider the demands of each particular aspect of the problem under stress-free conditions. Furthermore, by drawing up a detailed contingency plan, key decisions which, during an ongoing incident, must be made under stress, are greatly facilitated by the existence of a carefully prepared contingency plan. Unexpected contingencies are thus highlighted and, after the incident is terminated, these new aspects can be considered and

incorporated into new, revised plans.

2. Certain operational procedures are almost universally applicable to all hostage situations. These procedures, whether they relate to initial response, negotiations or specific strategies and tactics, stand out because they were emphasized and re-emphasized throughout the seminar.

a. Clarity of command (see 1c above).

b. Special training personnel for each option available, e.g. negotiation team, sharpshooters, assault teams, support teams, public relations team.

c. Negotiator(s) should NOT be ultimate decision-maker. As summed up by one participant, "the person who is most involved should make the least important decisions. There is need for a buffer between the hostage-taker and the ultimate responsibility. However, there must be ability to act quickly and decisively."

d. The need for flexibility in decision-making. This point was emphasized in recognition of the fact that pre-set policies and contingency plans should not restrict or stifle on-the-spot decisions, especially in novel situations not accounted for in previous planning.

e. The use of written logs and recording equipment to ensure an accurate record of the incident.

f. Regular press releases and/or media briefings to ensure press co-operation and to avoid possible interference with incident management.

g. The need for debriefing after an incident is terminated.

h. The importance of information exchange both for follow-up and for future contingency plans.

Conclusion: The fact that clear-cut procedures applicable to all hostage situations exist and are common knowledge to all those responsible for dealing with hostage-taking is solid evidence that past experience has produced a pool of knowledge which is being used in the development of prevention and control programmes. As new programmes, based on new experience and continued exchange of information, develop and are refined, the pool of knowledge will grow and become more refined itself. While no one procedure or set of procedures is necessarily a "final solution", as long as there is a continuous exchange of information, analysis of experience and evaluation of current procedures in the light of new developments, one can expect that existing control programmes will reflect the most current expertise and thinking on the problem. One can ask for no more.

3. The press and media were seen to be a significant element in hostage situations. The relevance of the mass media to prevention and control of hostage-taking was a theme which ran through all facets of discussion.

a. The mass media provide the public forum and the mass audience for political cases of hostage-taking. They also tend to sensationalize spectacular cases, thus maximizing public impact.

b. The mass media can facilitate or hinder preventive measures, either by publicizing deterrent measures or by broadcasting current set-backs or problems in the preventive field. Also, media reports can trigger imitative patterns.

c. The press can play either a constructive role (as negotiator, go-between, information black-out, etc.) or a disruptive role (broadcasting police plans, facilitating communication between different offenders, providing a public forum for hostage-takers, etc.) during on-going incidents.

d. The mass media are instrumental in shaping public opinion and attitudes toward criminal justice policies, the seriousness of a particular criminal activity (e.g. hostage-taking), the need for co-operation, etc.

Conclusion: As mentioned at the outset of this analysis, our modern age is characterized by technological advance and world-wide interdependence. Nothing demonstrates this better than our mass media with its sophisticated technology and its almost instantaneous access to a world-wide audience. The problems involved in the prevention and control of hostage-taking also reflect these two characteristics of our age. Consequently, it should be no surprise that the mass

media plays a vital, multi-faceted role in prevention and control of hostage-taking. While current control programmes do take the role of the media into account, this seems to be a largely untapped area for further research and study, i.e. the possible role of the mass media in prevention and control programmes.

Having looked at those distinctions and commonalities which emerged from the proceedings, there remains to consider three more points, two of which generated some disagreement and one of which generated unanimous agreement. The first two points concern the role of the hostage and the effectiveness of deterrence, while the third point concerns the need for research.

The role of the hostage: While it was generally assumed by most participants that the hostage should assume a low profile and let others manage the incident, this was not universally accepted. In fact, the proceedings were characterized by scant reference to the hostage and little regard for the potential of hostages to terminate an incident. Some points which were raised concerning the hostage follow.

a. Hostage expectations will determine hostage behaviour.

A case was cited in which the West German Embassy in Stockholm was taken over by terrorists. Two hostages had weapons but did not use them because the West German government had previously advised

against the use of weapons. Subsequently, two hostages were killed and the embassy was blown up. In the future, diplomats may not refrain from using weapons because they have lost faith in the government's ability to handle such a situation.

b. Hostage identification with the captor (the Stockholm Syndrome) could be an important factor in incident management. Hostage-captor relationships should be studied to gain insights into the process of identification which occurs between the hostage and his captor. The potential for utilizing this knowledge, both in incident management and in training of potential hostages, as well as negotiators, has been vastly underestimated.

c. Post-incident treatment of hostages and restitution for hostages are not always commensurate with the trauma undergone by the hostage. Little is known about long-term effects of being held hostage and correspondingly little is done to aid victims after an incident is terminated. Also, debriefing of hostages can have both useful (opportunity to talk) and harmful (prolongation of stress) effects on a hostage. In general, not enough attention has been paid to the role of the hostage and so little is known about the needs of a hostage, both during and after an incident.

The Relevance and/or Effectiveness of Deterrence: Throughout the proceedings, it was clear that deterrence was considered an important issue, however, there was disagreement both as to the best

method of deterrence and as to the effectiveness of those methods traditionally employed. In view of the consensus that priorities should be set in advance of any incident, it is interesting to note that deterrence seemed to have a very high priority in the minds of most participants, but that little was said about how deterrence priorities could be effectively integrated into contingency planning and policy-making. Again, it seemed that too little was currently known about the effectiveness of current deterrent efforts (e.g. refusal to negotiate or pay ransoms, successful prosecution, stiff sanctions) to allow any fruitful discussion on the best way to deter future incidents.

The above two points, concerning the role of the hostage and the relevance of deterrence lead directly to the third point, on which there was unanimous agreement.

The need for research: The unique combination of seminar participants, with its mix of practitioners (police, government, airlines, corrections) and academics (theoreticians, researchers and social scientists) highlighted the great potential for research, both basic and evaluative, in the development of prevention and control programmes. The academics were impressed with the potential for applying theoretical studies or methods (e.g. psychological coping theory, game theoretic modeling, the study of situational aspects of violence) to hostage situations; the practitioners were impressed with the potential of research for programme evaluation, training programmes, cost-benefit analyses and other applied problems.

The two main points which were recognized as basic pre-requisites for effective research were:

- a) unskewed data collection and information exchange,
- b) development of a typology of hostage situations.

Furthermore, simply from the preceding analysis and resulting conclusions, the following topics emerge as potentially fruitful research topics.

- a) The effect of policy on incident management.
- b) Decision-making during crisis situations.
- c) Deterrent models of incident management.
- d) The potential role of mass media in prevention and control programmes.
- e) 1. The construction of operational flow charts for different
hostage situations.
2. A comparative analysis of the different flow charts constructed
in 1.
- f) The hostage-captor relationship and its relevance to incident
management.

Conclusion: It is clear that an analysis of the proceedings of an international seminar, whose participants reflect a wide range of interests and expertise, can generate research topics which are highly relevant to current problems faced in prevention and control of hostage-taking.

In view of this fact and in the light of the enthusiasm of the participants for this experimental type of seminar, it is concluded

that a follow-up programme of seminars should be implemented in the near future. It should employ the methodology of the present seminar, bringing a diverse mix of participants together to share ideas and experience concerning a specific problem. The only difference will be that the specific problem will be more narrowly defined in that it will be one aspect of the entire problem of prevention and control of hostage-taking discussed at the present seminar. Seminar proceedings will then be analyzed in a manner similar to the analysis in this concluding section, pinpointing those issues which persisted throughout the seminar and which emerged as major areas of concern to all participants.

Final Summary

This seminar represents an experimental approach to the scientific study of criminal justice operations concerned with crime prevention and control. The idea is to gather together untapped sources of knowledge and expertise in combination with traditional criminal justice experts. By bringing together a wide variety of national and professional experience and addressing one particular problem (in this case, hostage-taking), from a broad range of perspectives, it was hoped that a cross-fertilization of ideas and knowledge would be achieved, resulting in the opening up of new avenues of study and providing new insights into old problems. This aim was achieved to such a degree that all participants felt that further

seminars of this kind should be convened as soon as possible.

The interaction between academics and practitioners, researchers and policy-makers, private sector and public sector provided a unique opportunity to grasp the full complexity of the problems faced in dealing with a particular criminal problem. The result was that individual participants established new contacts which are deplorably rare in our hyper-specialized society. *In addition, an analysis of the proceedings provided clear guidelines on where to go next. This was accomplished by pinpointing which issues persisted throughout the seminar and by noting which issues seemed to be avoided or quickly passed over throughout the seminar. In this way, it became clear which problems were at the forefront of current knowledge and expertise and which problems seemed to pose difficulties or seemed easier to ignore because of lack of knowledge.

The following are the main conclusions emerging from the seminar.

1. The three pre-requisites for any effective research on prevention and control programmes for hostage-taking are:

a) continuous information exchange at all levels - interagency, interprofession, international;

b) unskewed data collection (see Appendix II, page 261, for the kind of data required);

c) the development of a meaningful typology of hostage situations based on operational needs.

2. As a prelude to any work on typology, the following distinctions were found to be useful:

- a) Skyjacking as compared to other hostage situations;
- b) Kidnapping (site unknown) vs. Barricaded situation;
- c) Political (terrorist) context vs. Criminal context (political offender vs. professional criminal)
- d) Prison context as compared to other (barricaded) hostage situations;
- e) Regional differences, such as North America vs. Europe.

In each case, the distinctions which could be drawn had direct relevance to some aspect of prevention or control, whether it was strategies and tactics, current policies within that particular context, psychosocial factors, negotiable items, legal implications, etc.

3. Advance planning is essential for effective incident management; priorities, policies, personnel and equipment needs, negotiable items, etc. should all be set in advance.

4. Certain well-tested procedures currently exist and are standard requirements in any effective control programme. These include:

- a) Clarity of command;
- b) Special training for specialized personnel (e.g. negotiators, sharpshooters, assault teams, public relations, crisis management);
- c) Negotiators should NOT be the ultimate decision-maker;
- d) Decision-making during an incident must be quick, decisive and flexible;

e) Written logs should be kept during an incident and events should be tape-recorded;

f) Regular press releases and/or media briefings;

g) Debriefing after an incident is essential.

4. The press and mass media pose special problems for effective prevention and control of some kinds of hostage-taking.

5. The role of the hostage is vastly underestimated and little is known about the hostage-captor relationship.

6. The relevance and effectiveness of deterrence regarding hostage situations is poorly understood.

7. Research, both basic and evaluative, can and should play a major role in the future development of prevention and control programmes. Based on an analysis of the seminar proceedings, the following topics emerge as possible subjects for research, as well as for future seminars:

a) The effect of policy on incident management;

b) Decision-making during crisis situations;

c) Deterrent models of incident management or, more generally, Deterrent models of prevention and control;

d) The potential role of mass media in prevention and control programmes;

e) A comparative analysis of operational flow charts adapted for different hostage situations;

f) The hostage-captor relationship and its relevance to incident management.

In conclusion, it is hoped that this report demonstrates the feasibility and value, as well as the great potential for future productivity, of an international seminar of the kind which gathers a wide variety of expertise instead of the more traditional unidimensional approach. A multidimensional problem such as hostage-taking requires a multidimensional solution.

APPENDICES AND RELATED PAPERS

A P P E N D I X I

POSSIBLE TYPOLOGIES FOR HOSTAGE-TAKING

APPENDIX I

POSSIBLE TYPOLOGIES FOR HOSTAGE-TAKING

1. OFFENDER

- a. Criminal in act of committing crime
- b. Convicted criminal in prison
- c. Terrorist
- d. Psychotic or "desperate character"
- e. Professional kidnapper

2. 1° VICTIM (to whom demands are made)

- a. Governments
- b. Airline companies
- c. Private institutions (companies)
- d. Police
- e. Public figures
- f. Wealthy figures
- g. Parents (child kidnapping)
- h. Family (relatives) of 2° Victim
- i. Public institutions (banks)

3. 2° VICTIM (hostage)

- a. Public figures (e.g. diplomats, politicians, cultural personalities, athletes)
- b. Private figures (e.g. business executives, wealthy individuals)
- c. Operators of vehicles, public or private (e.g. pilots, bus & cab drivers, captains of ships, etc.)
- d. Personnel of various institutions
 - security guards
 - bank tellers
 - train conductors
 - doormen (hotels)
 - ticket takers
 - waiters & waitresses
 - librarians
 - salesclerks and check-out personnel
- e. Transient occupants of various institutions or vehicles
 - customers
 - passengers
- f. Man-on-the-street (random choice)
- g. Children

4. DEMAND

- a. Payment of ransom
- b. Release of prisoners
- c. Safe passage to or from a particular place
- d. Publication of manifesto
- e. Cessation of police activity
- f. Alteration of existing conditions or situation
 - (e.g. rehiring of workers)
 - police in factories)
 - (e.g. in prisons)
- g. Amnesty (e.g. in prisons)

4a. MOTIVE

- a. Personal gain (money)
- b. Escape
- c. Terrorism
- d. Political (e.g. release of prisoners)
- e. Publicity (e.g. publication of manifesto)
- f. Warning to authorities
- g. Freedom from prosecution
- h. Death wish

5. THREAT

- a. Death of hostage
- b. Maiming of hostage (e.g. Getty case in Italy)
- c. Disappearance of hostage
- d. Further hostage-taking or terrorist acts

6. CONTEXT

- a. Escape from previous criminal activity
 - bank hold-ups or armed robbery
 - sequestrations
 - kidnappings
 - any violent crime
- b. Vehicles
 - airplanes
 - trains
 - ships
 - cars (e.g. driver is forced to drive somewhere)
 - school buses
- c. closed institutions (often with own security)
 - prisons
 - army bases
 - government buildings
 - restricted entry buildings (e.g. atomic power plants or classified research laboratories)

- d. open institutions
 - hotels (e.g. Tel-Aviv case)
 - factories or businesses (e.g. department stores)
 - banks
 - schools and universities
 - libraries
 - airports, train stations
 - hospitals
- e. private homes
- f. on the street; open country

7. RESPONSE

- a. Accede to demands
- b. Feign acceding to demands while planning attack
- c. Refuse all demands & ignore the situation
- d. Refuse all demands & attack or seek hide-out
- e. Offer exchange for present hostages
- f. Partial meeting of demands - attempt at compromise
- g. Negotiate via intermediary
- h. Wear hostage-taker out by incessant but trivial communication

8. OUTCOME

- a. Hostage(s) killed; offender killed or apprehended
- b. Hostage(s) released; offender apprehended or killed
- c. Offender surrenders peacefully
- d. Offender flies to other country with or without hostages
- e. Offender extradited
- f. Offender prosecuted and convicted
- g. Hostage joins captor; both escape or killed or apprehended

9. SOCIAL IMPACT

- a. Police and security training specialized
- b. Transfer of technology (e.g. airports → banks)
- c. New or altered legislation
- d. Increased international co-operation
- e. Aggravated public awareness (e.g. press, TV, movies)
- f. New forms of criminality
- g. New directions in research

A P P E N D I X I I

INFORMATION REQUIRED FOR INTERPOL

HOSTAGE-TAKING FORM*

* This form was drawn up in answer to a request made during the 1st International Symposium on cases involving hostages, held at Interpol Headquarters from 3rd to 5th February 1975. If in your opinion the case is one where Article 3 of the Interpol Constitution may be applicable, you may refrain from supplying certain items of information and from replying to questions 12 and 14, in particular.

(reproduced from 1st page of form)

INFORMATION REQUIRED *

1. DATE: Specific day, month and year
2. LOCAL TIME: When case started. Also give time of each important subsequent event.
3. PLACE: Name of area; precise location: centre of town, residential area, country area, bank, shop, embassy, airport, prison, house, apartment, etc. Precise location within building (if possible, attach plans or photographs).
4. HOSTAGES: Number, sex, age, nationality, status (e.g. prominent figures, bank employees, prison guards, persons taken at random).
5. OFFENDERS: Number, sex, names and first names and nationality (further details to be given on individual sheets, cf. 14). Status: e.g. escaped prisoners, related to hostages, etc.
6. CIRCUMSTANCES: Please specify: 1) whether this is a case of:
(a) premeditated capture of hostages for ransom purposes or to back up some other demand or (b) hostage-taking to enable offenders to escape after an armed robbery, etc...
2) whether this is a case of kidnapping. Give a brief description of the events from the start: reconnaissance of the site and the security arrangements by the offenders, assistance from various persons, use of motor vehicles (makes and registration numbers) etc. Specify where the offenders came from. Indicate the ways in which the hostages were threatened and whether the offenders consumed or used on themselves any drugs or medicines (if so, please specify precisely which drugs or medicines). For kidnappings, specify the routes taken by the kidnappers.
7. WEAPONS, EXPLOSIVES: Imitation/real, number, type, make, serial numbers, home-made.

* "Reprinted unedited from the fourth page of the original questionnaire".

8. MEASURES TAKEN:

Information: How were the police informed? (alarm signal, message, telephone call) By whom? (witnesses, hostages, offenders)

Initial police action: Was this taken by a patrol, emergency unit, the nearest police station?

Command centre: (Composition of command unit - location). Was the composition of the command unit determined in advance or was it specially set up to deal with the case in question?

Task forces involved: Ordinary police force (where stationed, number of officers, composition, weapons used). Special units of squads (give same details); indicate under whose command these were placed.

Technical equipment: Communications (radio, telephone, etc.). Ambulance and fire services. Firearms and and explosives experts, vehicles used by the police, vehicles made available to the offenders (type, origin, special equipment fitted - indicate whether these vehicles were modified in advance). Helicopters, aircraft (type, origin, crew). Other equipment (cameras, equipment for drilling through walls or piercing armour-plating, listening apparatus, location or detection equipment, loud-hailers).

Indicate, either under this heading or elsewhere, to what extent this equipment was used.

Other measures: Evacuation of the surrounding area. Measures taken with regard to the public. Contacts with the press, radio and television.

9. NEGOTIATIONS:

Negotiators: Political figures, diplomats, judicial authorities, police officers, lawyers, religious leaders, members of the family, friends, interpreters, doctors, psychologists, psychiatrists, etc.

Means used to communicate with offenders and hostages: (telephone, direct conversation with or without loud-hailers, written messages, intermediaries). Was it possible to observe the offenders and their hostages and/or monitor their conversation?

Offenders' demands and authorities' reaction:

- 1) Possible demands: the release of prisoners (specify), a ransom (amount, in what form), weapons (type), some means of transport for escape (vehicle, aircraft), a specific place of refuge, a specific country, immunity from prosecution or lenient treatment. Other demands.

- 2) Refusal, partial or total acceptance, concessions (on either side); exchange of hostages (proposed, refused, accepted, status of those involved in the exchange).
10. FINAL STAGES OF THE CASE: Surrender of offenders (reasons, circumstances). --- Escape of hostages (using trickery or force). --- Offenders overpowered, wounded, killed (by police shooting from outside, by the hostages, by third parties).))) Attack by task forces (number of men, tactics, weapons used, results). --- Handing over of ransom (circumstances, amount, type of notes, numbers recorded or not, whether notes specially treated). --- Exit of offenders from building (with or without hostages - number of hostages kept back -- sex, age, status). --- How did the offenders protect themselves ? Were police marksmen used or was this not possible? (give reasons). Departure of offenders (with or without hostages), means of transport, route (exchange of hostages). --- Pursuit organized by police (circumstances, means used, contact maintained or lost). --- Other pursuers not connected with the police (press, etc.). --- Arrest (place, circumstances). --- Place or country of refuge (if applicable).
11. PERSONS KILLED OR WOUNDED: Offenders, hostages, police officers, others (if the hostages were maltreated, describe the maltreatment and where it occurred; specify what drugs or medications, if any, were administered to them).
12. LEGAL ASPECTS: Motives (did the offenders appear to be in full possession of their mental faculties?). --- Type of case (ordinary law crime or political), judicial investigation, charges, arrest warrant (place issued, number, date, motive, issuing authority). --- Is extradition requested? (for which countries or regions?). --- Offender sentenced in his absence (date, place, sentence). --- Judgment after trial (date, place, decision).
13. REMARKS: Regarding the outcome of the case, unexpected difficulties, tactics, equipment used, conclusions regarding future preventive measures.
14. DETAILED INFORMATION ABOUT OFFENDERS AND ACCOMPLICES: Attach individual sheets giving the following details: name - first names (in correct order) - date of birth - place of birth (town and country) - father's surname - father's firstname - mother's surname (maiden name) - mother's firstname - state whether identity is correct - nationality (state whether this is correct) - marital status - usual address - other addresses - profession - passport (n^o, date and place of issue) - other identity documents - alias - detailed physical description - if possible please enclose fingerprints and photograph.

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TERRORISM, BARRICADED CRIMINALS, AND HOSTAGE NEGOTIATIONS

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Terrorism, Barricaded criminals, and Hostage negotiations

Part I - Dealing with terrorists.

Terrorism has no place in a free society, since to defend or protect its methods and goals is to glorify violence and encourage the terrorist to intimidate the general public and local authorities into accepting frequently irrational demands. In light of the disturbing increase in the number of terrorist acts, both nationally and internationally, it has become apparent that terrorism and violence are no longer a means of last resort. Now they have become a common method of communication for real or imagined grievances.

Certainly, despite all its faults and shortcomings, this country (the U.S.) offers many more avenues of peaceful solution to problems than any other political system in the world. With few exceptions, our national history is speckled with incidents of satisfactory and peaceful resolutions to seemingly irreconcilable differences of opinion. This is the great strength of a democratic and free society. Such a political system is able to accomodate a wide range of diverse and sharply divided opinions. As long as communications between opposing parties is tempered with rationality, reasonable men need never resort to violence in resolving differences.

Yet, in recent years, there has been an increase in this country of militant groups who have adopted foreign-bred terrorist tactics as their method of focusing attention on various political issues. For example, individuals affiliated with such groups as the Black Liberation Army, the Weathermen, and the Symbionese Liberation Front have been linked with the killing and wounding of police officers, the assassination of public officials, kidnappings, racist murders, bombings, jail-break attempts, prison riots, urban guerrilla warfare, and even posting public notices threatening death to anyone who

opposes them.

While all citizens should be alarmed and genuinely concerned with the threat of terrorist activities, law enforcement officials must pay particular attention to its dangers because lawful authority, as symbolized by the police, represents everything in an established society that the terrorist opposes and wants to eliminate. It is both ironic and paradoxical that in seeking to destroy precious constitutional processes, the terrorist does not hesitate to use these same constitutional guarantees to avoid apprehension and prosecution for his crimes.

The law enforcement profession must take a long hard look at its capability for stopping the growth of terrorism. All levels of the law enforcement profession must unite in an information exchange in order to effectively confront the multi-faceted threat of terrorist activities. It is an enemy against which solid public support, and all the training, skill, and determination at our command are required. It is little wonder then that since 1974 several hundred training conferences have been conducted by the FBI in cooperation with various local, state, and federal law enforcement agencies on such terrorist activities as kidnapping, hostage-taking, bombings, and civil disturbances.

Although pressure for some form of legal restraint on the use of terror is mounting in the United States and several Western European capitals, the fact still remains that terrorist tactics have become a useful instrument of national policy for many nations in the 1970's.

During 1972, 140 airplane passengers and crew members were killed and 99 wounded in terrorist acts affecting 30 airplanes from 14 countries. The world was horrified by the massacre of 26 persons by three Japanese Red Army terrorists at the Tel Aviv airport in May, 1972 and by the deaths of 11 members of the Israeli team at the summer Olympic games in Munich after a raid by the "Black September" Palestinian terrorists. International mail has been used for letter bombs directed at innocent, unsuspecting victims and in the past five years a total of 30 diplomats from 12 countries have been kidnapped, with six of them killed, for political ransom.

It is a grim and frightening tale, and perhaps the most depressing fact is the common belief among terrorist groups that Machiavelli was right when he said in The Prince that "the end justifies the means." Society seems to have lost its capacity to be shocked. But calloused indifference in the face of cruelty to others is hardly new: supposedly civilized people said and did nothing while Joseph Stalin purged millions and Adolph Hitler developed his "Final solution" to the Jewish population problem. Although terror in

general has been universally condemned in the "civilized" world as outside the norm of ethical conduct, the techniques of terror have always been, and are increasingly so today, used as a means of control in nearly every social order.

Terror is a symbolic act entailing the threat or use of violence and is designed to influence political behavior by producing a psychological reaction in the victim known as fear. In other words, terrorism is sometimes known as "politics by violence." Terrorist acts must be totally ruthless, for moral scruples and terrorism do not mix and one or the other must be rejected. There can be no such thing as a weak dose of terror. However, different people react differently to the same act of terror, ranging all the way from general apathy to complete psychological paralysis. Therefore, what terrorist acts are to be employed will depend on the cultural and moral fiber of the particular society involved. Basically, the type of terrorism to be used depends on who is doing what to whom; who is the subject or terrorist, and who is the object or target.

The rationale behind the use of terror is almost always the same: to gain social or political control over the target group. For example, an insurgent group may use terrorism against a branch of the government in order to take over power; or they may use it against a particular social group as a means to promote their cause and focus attention on an issue.

For what purpose do terrorists employ other tactics? Generally, terrorist objectives can be broken down into the following categories:

- 1) Political. The terrorist wishes to disrupt and embarrass the government and raise doubts about its ability to protect itself, let alone the citizens of the country. They want to destroy leadership at all levels and deter other potential leaders from assuming office. A prime example of this type of terrorist activity would be presidential assassinations.
- 2) Economic. The terrorist wants to bring industry and general business to a standstill; promote economic stagnation and general strike; discourage investment capital; and acquire money for their own movement by extortion and bank robberies.

- 3) Military. Terrorists plan to sabotage military installations and lower military morale in the process. They wish to drive a wedge between the military and civilian personnel and force the commitment of large numbers of troops to security duties.
- 4) Psychological. Through the tactic of fear, terrorists advertise their movement and gain public support. This increases motivation and morale within the terrorist group.

and

- 5) Social. Through the use of assassinations and kidnappings the terrorists destroy those elements of society that are a threat to their cause. This applies especially to government officials and private organizations that are trying to implement social programs and reforms.

As alarming as it may seem, the terrorist movement is not confined to any one particular locale in the world. From Berlin to Buenos Aires, from Quebec to Berkeley, California, from Tokyo to Chicago and Washington, D.C., one finds bomb and munitions factories, police snipings, arson, kidnappings, assassinations, and provocative demonstrations designed to undermine governmental authority and established political policies.

In recent years a couple of new twists have been added to the arsenal of the terrorist. Air piracy crimes in the form ... of skyjackings, airplane bomb threats, and ransom acts on airliners represent a new application of terrorism. Until recently most skyjackings took place because persons sought to escape from one country to another by free, quick, and safe transport for reasons of political asylum. But with the continual conflict of the Arab-Israeli war in the Middle East, skyjackings and airplane destruction have brought this latest terrorist tactic to full realization.

Another innovation in the tactics of terrorist groups, the kidnapping of diplomats and ambassadors, is as novel as skyjacking. Although holding diplomats captive is not new, this terror tactic is well designed for their purposes and difficult to counter. The terrorist simply applies pressure against the host government by threatening to kill or harm the diplomat if whatever political ends he desires are not met. With few exceptions, such kidnappings have been alarmingly successful as a lever for the release of political prisoners of the terrorist group, a kind of political ransom.

Although terrorism has had its fair share of success, it has also had its failures. Terrorism is a weapon of diminishing returns. If it is abused, it can turn against those who use it by sparking counterterrorist movements on the part of the government. It is a fundamental rule that terrorists cannot hope to succeed unless they have a ready supply of arms and the support of the majority of the population. It is common knowledge, even among terrorists, that such warfare is doomed to failure if its political objectives do not coincide with the aspirations of the people and if their sympathy, cooperation, and assistance cannot be gained. In places where the population support is half-hearted or confined to a minority, the terrorists are forced to spend their energies in an effort to keep what little support they have in line. I think this is the primary reason why in this country the terrorist movement has not caught on and such activities have been sporadic at best.

How does a government combat a siege of terror? How does one fight an enemy he cannot see, cannot find because he wears no uniform or identification and disappears into a friendly environment the moment after he strikes? There is no one answer to the problem because each application of terror is surrounded by different circumstances: the attitude of the government, the determination of the terrorist group, the social, economic, moral, and political climate of the country, and the presence of outside support by the populace. Experience indicates that the best approach to the problem is the judicious use of progressive social, economic, and political reform backed by an efficient and firm security force - the police. The government must identify and alleviate the genuine grievances of the people that can be exploited by terrorists. Sheer force alone is seldom effective in combating terrorism. Terrorism has been least successful when the central government has correctly judged terrorist operations to be rooted in social inequities and has set out to correct these injustices. Terrorism can be and has been broken; but only when the local population is out of sympathy with the terrorists and, in turn, supports measures of repression against terrorist activities.

The first step in combating terrorism is to understand it and base any countermeasures on this understanding. We must realize that terrorism is more than just the evil work of a few malcontents; it is rather a planned movement to undermine governmental authority.

Both the theorist and the pragmatist agree that there must be a combination of repressive measures and political advances. This method was successfully used by both the British and Philippine governments in putting down insurrections in their respective countries. In both cases the tables were turned by adopting enlightened methods in combination with military toughness and political and social progress.

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Of the various criminal activities undertaken by terrorists in this country, the murder of a police officer is among the most vicious. Loss of human life is always a tragedy, and when the individual is serving the public, the loss is particularly painful. But when a human being is slain because of his public service, his death becomes doubly tragic.

Statistics confirm the priority attention given by the terrorist to the police target. In 1973, 131 local, county, and state police officers lost their lives as a result of criminal activity. Thirteen of these killings resulted from known or suspected terrorist attacks. Another 61 officers were injured by suspected terrorists.

In all my years of police work, I have seen nothing more heartrending or defiant of logic than those cases involving the outrageous attacks on and murders of police officers. And then, as though understanding such crimes were not difficult enough, one can pick up any number of underground newspapers and read the gloating words of some fanatical group taking credit for the slaughter.

And in the same publications, one may also find articles of detailed instructions on how to lure police officers into death traps and, once the wounded officer is down, how to deftly remove his badge and revolver. There can be no conditions that justify such acts, no words that can give them reason.

The question invariably arises as to how such a relatively small number of fanatics can cause such substantial damage to our society. The answer is this: our nation holds very dear the freedoms it has won over the centuries. No major political power has ever enjoyed the degree of freedom known to Americans today. But with this freedom comes a cross of sorts. Until detected, the terrorist is granted as much freedom to operate as is the law-abiding citizen. Those who would destroy our freedoms can, at the same time, take refuge in them. Terrorist groups can multiply under the right to privacy. Inflammatory language can be distributed under the freedom of speech. Effective and legitimate police procedures can be hindered by the irrational accusation of police brutality. In other words, the terrorist can openly gain support, conduct training sessions, and hit and run from pad to pad, state to state, in virtual defiance of law enforcement efforts because he qualifies for the same degree of freedom as the ordinary citizen.

The threat of terrorist activities could be substantially reduced by extralegal or illegal law enforcement measures. Unconstitutional police raids and suppressive law enforcement practices could undoubtedly wipe out many of these pockets of terrorists overnight. But the cure would be far worse than the disease. The true

measure of valid law enforcement is not found in its ability to circumvent or abolish individual rights. It is found in the ability to protect these rights while controlling those who would abuse them.

Thus, we are confronted with groups that - although small in number - have a wide area of impact. The bomber, the skyjacker, the extortionist, the kidnapper can strike fear in countless citizens. Indeed, the entire country has felt this impact - and we're talking about a very small group of fanatics - in the past several years. One may question whether such a group could cause our government to fall. Even if they couldn't, the horror instilled in our citizens by the activities of terrorists is a high price to pay. Fear is an erosive element on freedom. Freedom from this type of fear should, therefore, be of primary importance to us as law enforcement officials.

Part II - Barricaded criminals and hostage negotiations

This brings us to the second part of our topic: how to handle a terrorist, especially if he barricades himself and takes a hostage in the process.

A person who has barricaded himself against apprehension and arrest presents an extraordinary danger to police officers, hostages, and even the suspect himself. In such a situation we are not only talking about the terrorist or fanatic with a cause, but also the criminal whose escape route has been blocked by police, and possibly even the psychotic with a deranged mind. Officers confronted with any one of these three examples must cease to function as individuals and quickly unite as members of a well organized and highly coordinated team. These are the two key elements to the successful resolution of any barricaded situation. At this point, it cannot be stressed too strongly the need for a uniform command and control over this coordinated team. The success or failure of any such operation may hinge on the actions of any one of the members of the team. Therefore, it is imperative that each person assigned a specific function during a barricaded or hostage situation be thoroughly familiar with what his mission is and who he takes his orders from. Since human lives are frequently at stake, the challenges facing police officers in such situations are delicate and critical. If there is no proper planning and training or if police actions are impulsive or uncoordinated, lives may be lost unnecessarily.

One important factor to remember here is that rarely will there be a necessity for making an immediate apprehension. Subsequent to

the initial act on the part of the felon of barricading himself, there will be periods of negotiations based on the objective of slowing down the actions of the suspect. This situation is one of the few police emergencies in which officers, who have taken the immediate steps necessary to seal off all avenues of escape and protect innocent bystanders by evacuation, may take whatever additional time necessary to gather the assistance of specially trained personnel, organize their efforts, and embark on a planned and coordinated course of action.

This brings us to the primary mission of a barricaded situation: the preservation of the lives of hostages and innocent bystanders, the apprehension of the barricaded person, and the establishment of complete operational control at the scene by obtaining tactical advantage over the barricaded criminal and causing him to release his hostages and surrender.

In nearly all cases, initial contact with incidents involving barricaded persons and hostages is made by officers of the patrol division in responding to calls for police assistance. Therefore, the patrol officer responding to such calls must remain alert and aware that a potential barricade or hostage situation may develop. If it does, the officer's initial response should be one of containing the suspect by covering all possible escape routes with the assistance of other patrol officers, requesting the assistance of specially trained personnel and officials of the department, and effecting the removal of innocent persons from the danger area. In addition, he should take up a position that affords protection and concealment, but which presents a position of direct visibility to the barricaded area for constant observation.

Once the special operations team arrives on the scene, the successful conclusion of the barricaded-hostage situation becomes their responsibility. With the aid of the patrol and traffic divisions in handling crowd control and traffic detours, they will set up an inner perimeter area in which only trained negotiators and police sharpshooters will be allowed. Why do we negotiate? The answer is obvious. In addition to an overriding concern for human life, negotiation accomplishes another tactical objective - that of buying time through the use of plain clothes officers specially trained in the psychological techniques of hostage negotiations. Hopefully, what this does is allows time for anxieties and tension to ease and allows the suspect to assess the situation rationally by engaging him in conversation.

Time is a most important factor working for the police. As a general rule, clinical psychologists tell us that the more time the felon spends with a hostage without taking his life, the less likely he will do so because they become acquainted and develop feelings for

one another. In addition to allowing these feelings to develop, the passage of time also gives the police an opportunity to prepare for various eventualities and increases the possibility that the felon will make a mistake. The more time he has on his hands, the more likely, at some point, he will make a mistake. A mistake by the barricaded criminal, when the police are prepared for it, is the "luck" you read about when a hostage situation is brought to a successful conclusion. As someone once observed: "Luck is the result of careful planning and proper preparation on the part of the police".

Who should be selected as a negotiator? It takes a singularly unique type of individual to deal unarmed, face to face, with an armed felon holding a hostage. He must be cool, resourceful, mature, and most of all, effective in verbal communication. Generally, plain clothes officers and detectives have developed these attributes through their experience in dealing with the public, interviewing witnesses, and interrogating suspects.

Since no two hostage confrontations are alike, there can be no standardized format for negotiations. Each situation has to be treated individually. However, the following insights are offered as a result of experiences within my own department and those of other agencies.

The negotiator should present a mature appearance so that he will be perceived by the hostage-taker as a person of authority. During negotiations, the negotiator should command the respect of the captor, but should not portray himself as the ultimate decision maker. The felon should be made to understand that there is someone of higher authority over the negotiator. This allows the negotiator to delay decisions and buy time. It also allows him to maintain rapport with the felon when demands are delayed or turned down since he (the negotiator) is not the one denying the felon's requests.

The negotiator should never bargain with the suspect to provide additional hostages or weapons. This only compounds an already dangerous situation. Neither should the negotiator offer suggestions. This speeds up the critical time factor — time that we are trying to lengthen not shorten. Besides, if the suspect has to take the additional time to think up alternatives himself, he won't be dwelling on the possibility of killing his hostages. So keeping the suspect in the decision-making stage keeps his mind busy and occupied and buys you additional time. Never agree to a demand without receiving something in return. This sets up a psychological atmosphere of give and take. And, finally, always keep the possibility of escape alive in the mind of the suspect. If you do, it may make negotiations a great deal easier and preserve the lives of your hostages. If you don't, the suspect may feel that all is lost and decide to kill the hostages.

The negotiator, should also be aware of the following psychological differences among barricaded hostage-takers. Usually the easiest type of hostage-taker to deal with is the professional criminal. He is considered a relatively rational thinker who, after assessing the situation and weighing the odds of getting away successfully, in most cases, comes to terms with the police and refrains from unnecessary violence or the useless killing of hostages.

The psychotic individual, on the other hand, presents a different and somewhat more complex problem. He tends to be irrational and, therefore, less predictable. His actions, the words he uses, and the demands he makes are often valuable clues to his mental condition. The psychotic harbors great inner conflict. He may even feel a degree of pleasure from his precarious predicament, as he now finds himself important and the center of attention, a position which may be unique to him. Time works for the police in this instance because the psychotic is emotionally tense and expends a great deal of physical and psychological energy which eventually wears him down and may cause him to make a mistake.

The fanatic or terrorist creates an even more difficult hostage situation. In a sense, they can be classified as a group of psychopaths with a cause. When caught in a criminal act, many of them rationalize their behavior by claiming to be revolutionaries who are merely seeking social justice and willing to die for what they believe in. But with the passage of time this resolve to die for a cause may deteriorate; thus again we see the importance of negotiations in buying time.

However, in any of these situations, if the captor kills one of the hostages during the period of negotiations, the police must be prepared to take some action to save the lives of any remaining hostages because once he kills one hostage he is likely to kill more. The plan here would be the use of a team of police sharpshooters in either dispensing chemical agents within the barricaded area or using direct firepower if the opportunity presents itself without endangering the hostages. The plan would then be to have a tactical team already in position to rush the stronghold and overpower the felon while he is either preoccupied by the gas or his control of the situation is reduced by being wounded. Regardless of what tactic is employed, be it negotiations or the use of force, every decision of this sort should be predicated on the philosophy that human life -- the hostage's, the police officer's, and the captor's -- is sacred and constitutes the first priority in devising any strategy and plan of action.

Up until now we have been talking mainly about the tactic of negotiations in resolving barricaded-hostage situations. But the real possibility also exists that a direct assault against the barricaded criminal and his stronghold might also be taken if the opportunity

presents itself and can be accomplished with the maximum chance of safety to the hostages. A second possibility also exists: that of the captor releasing his hostages in exchange for allowing him to flee the scene by providing him with an escape vehicle. We will now consider these two alternatives and the procedures to follow if such a situation presents itself.

Prior to any direct assault on the felon's stronghold, the following factors must be carefully considered and evaluated:

1. Has enough time been utilized to analyze the situation and other possible alternatives?
2. Have all means for a peaceful negotiated settlement been exhausted such as the use of close relatives, a pastor, guidance counselor, or friends in talking the felon out?
3. What is the mental condition of the felon? Will a direct assault trigger him into killing his hostages?
4. What are the odds of the hostages escaping death or serious injury if a direct assault is initiated?
5. Has a tactical plan been developed in which the special operations team is in a position to conduct a direct assault in the least amount of time and, thereby, maximize the chances of safe rescue of all hostages?
6. Is the physical layout of the stronghold conducive to such an assault? In other words, are there easily accessible points of entry into the building where the felon is barricaded?
7. Are the weapons to be used during such an assault effective enough to overpower the felon and his stronghold?
8. Have the barricaded criminal's demands been absolutely determined to be unreasonable and not to be met?

9. What is the possibility of the felon escaping if the plan for assault does not work?
10. Are you thoroughly familiar with the suspect's previous criminal background? Does he have a previous record of violent crimes which would lead you to believe that he would kill his hostages if an attack on his stronghold is conducted?
11. Do you have a detailed floor plan of the building showing the exact location of the suspect and his hostages?
12. Have you positioned your firearms experts in the most advantageous strategic position possible?
13. Has cover fire been arranged for your tactical team in case advance or retreat is necessary?
14. Has emergency fire equipment and ambulance service been arranged for in case of injury?
15. How many hostages are being held and what is their mental state?
16. If there is one or more hostages being held, what are their chances of subduing the suspect or escaping if the opportunity presents itself?
17. Would dispensing chemical agents be more effective and safer for everyone concerned than direct firepower?
18. If chemical agents are used, has every possible effort been made to prevent the suspect's escape by gassing adjacent areas first and then the suspect's exact location last?
19. Have you allowed enough time for the gas to work before assaulting the stronghold?

20. Do you have a clear indication that the suspect desires to surrender before exposing your police personnel to unnecessary danger?

To summarize, if you are going to conduct an assault on the felon's stronghold you had better consider carefully the odds of the situation being brought to a safe and successful conclusion without any unnecessary loss of human life. If you have any doubts as to the relative success of such a tactical plan, there is yet another alternative: that of providing an escape vehicle and escort service in exchange for the safe release of all hostages.

Generally, it should not be the policy of any police department to permit the suspect to leave his stationary, isolated, and contained barricaded situation and allow him to create a mobile one. However, if this course of action becomes necessary because the suspect holds the upper hand or such a move would benefit the tactical advantage of the police, you could agree to such a demand if the following conditions are also possible:

1. As much as possible, attempt to persuade the suspect to accept a vehicle of your choosing.
2. Then equip this vehicle with a transmitter bug so all conversation can be heard.
3. If the suspect requests a driver, use a plain clothes officer if it can be done safely.
4. You may want to conceal a weapon on the driver or somewhere in the car where he can reach it. You'd be surprised at the number of suspects who forget to search the driver of the escape vehicle because they are so preoccupied with getting away successfully. However, on the other side of the coin, if the suspect does search the driver and vehicle, all this does is put another gun in his hands and unnecessarily endangers lives. So whether or not you attempt this tactic will depend on what kind of individual you are dealing with.

5. If you can get the suspect to accept a vehicle of your choosing, mark the top of it so aerial observation and pursuit by helicopter becomes possible.
6. Try locking the doors on the side nearest the suspect so that he is forced to walk around the vehicle. What this may do is possibly expose the suspect to a surprise assault by the officer driving the vehicle or to the expert aim of one of your sharpshooters.
7. If this doesn't work, try some other diversion to distract the suspect's attention so your marksman may have an opportunity to fire.
8. Finally, if in spite of all the above tactics, the suspect still manages to flee the scene, have an unmarked pursuit vehicle follow on a parallel route. And be prepared to move in for apprehension or establish a perimeter site at a new barricaded location, because at some time or other the suspect is going to have to get out of that car he is in. But this time he won't have his hostages and sooner or later he is going to have to give it up or risk serious injury or death to himself.

In closing, if any analogy has to be made, we might compare barricade-hostage situations to that of a bomb threat. Just as we would send only trained bomb squad personnel to defuse an explosive, so too, should we send only trained negotiators to deal with these emotionally explosive hostage situations. Just as the training of bomb squad personnel stresses what makes a bomb tick and how to defuse it, the psychological training we give our detectives and plain clothes negotiators stresses what makes a hostage-taker tick and how to neutralize him.

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THE PREVENTION OF HOSTAGE-TAKING
STRATEGIES AND TACTICS

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In June of 1972 the Third International Symposium sponsored by the International Institute for Advanced Criminal Sciences (Siracuse - Italy) brought together a number of scholars, representing various disciplines from twenty-two nations to study "Terrorism and Political Crimes". Their deliberations were published in a document entitled "International Terrorism and Political Crimes" edited by Professor M. Cherif Bassiouni of DePaul University in 1975 and it is significant to note the following introductory comment:

"The problem of the prevention and suppression of "terrorism" arises in part because there is no clear understanding of the causes leading to conduct constituting "terrorism". The International Community has been unable to arrive at a universally accepted definition of "terrorism" and has so far failed to control such activity."

Hostage taking is a form or manifestation of individual or collective coercive conduct employing strategies of terror violence. This interpretation is based upon the premise that hostage taking is a conspicuously violent act, often intended to focus public attention and/or to coerce some body into a particular action by endangering, threatening or taking lives and jeopardizing fundamental freedoms. The United Nations Secretariat's study on the Origins and Fundamental Causes of International Terrorism describes the psychological conditions or states of being which sometimes lead, directly or indirectly, to the commission of acts of violence as "misery, frustration, grievance and despair" and recognizes the contagion factor resulting from modern media transformation of local events into national or even international news. The extent of the problem has not, until recently, been the subject of scholarly or even practitioner study and in some jurisdictions is even viewed as remote occurrences of little significance.

The Fifth United Nations Congress on the Prevention of Crime held in Geneva last fall did not deal specifically with the Prevention of Hostage Taking but it was significant to observe that most speakers who made a National Statement included reference to the subject of "Crimes Involving the Taking of a Hostage" and in some cases this reference was

given priority over "Hijacking". The Japanese National Statement, at page 13, provided a most succinct overview and is reproduced here as indicative of the current or wave of hostage taking facing all jurisdictions today:

Crimes Involving the Taking of a Hostage

Taking a hostage in order to achieve an unlawful purpose is one of the most vicious crimes. In 1974, there were 24 such cases in Japan.

Analysis of this kind of crime in Japan reveals that the most common form was seen when a single offender, 25 years or younger, after having committed a crime, took a hostage at knife-point in order to avoid arrest by the police some years ago.

The rescue of the hostages has been made by forcible arrest of the offender, in most cases, and also by use of persuasion. The clearance rate in the crimes involving the taking of a hostage has been 100 per cent. The established guiding principles for investigators for crimes of this category were: 1) to give a top priority to the rescue of the hostage without any injury, 2) to avoid any casualty among the police officials, reporters, cameramen, and the general public, and 3) to arrest the

offender without shooting him to death or causing him to commit suicide. In order to achieve these three objectives, intensive training of law enforcement officers is being provided including psychological techniques for persuading offenders and making safe arrests. In this connexion it is worth noting here that one housewife was taken as a hostage by three radical extremists armed with shotguns and rifles in February 1972. After many hours of effort, the hostage was rescued and all three offenders were arrested without injury. Two police officials, superintendent and inspector, however, were shot to death."

Earlier in this decade unlawful interference with aviation - hijacking - was in vogue. Studies of the crime, its history, development, strategies and tactics led to understanding, prevention, deterrence and a marked reduction in incidence. There are, however, remarkable similarities between the crimes of hijacking and hostage taking and, in fact, between the psychological profiles of the perpetrators of such criminal offences.

Finally, a potentially long-term - perhaps even permanent - psychological effect of hostage taking variously referred to as the Stockholm Syndrome or Survival Identification appears ill-understood and the cause of serious communication breakdowns between respondents and victims of hostage taking.

Thus, the purpose of this paper is to stimulate discussion, study and the exchange of interdisciplinary experience and expertise to further understanding and prevention of hostage taking.

PART TWO - DISCUSSION

Richard W. Kobetz, assistant director in the Professional Standards Division of the International Association of Chiefs of Police calls hostage taking the new police priority and suggests that while it is necessary to respond throughout the world, on a daily basis to:

- prison hostage takings;
- aircraft hijackings;
- armed robberies in which hostages are seized to facilitate escape;
- incidents in which mentally unbalanced persons seize hostages in an attempt to gain recognition; and
- seizures of business executives, diplomats, athletes, cultural personalities, etc.,

which have been steadily increasing both in frequency and ferocity; the prevention and response to such incidents is

inhibited by:

- inadequate identification and understanding of the nature and causes of hostage-taking incidents;
- inadequate sharing of information on effective training programs and research among law enforcement agencies and institutions;
- inadequate identification of the roles and tasks of responding personnel to hostage-taking incidents;
- inadequate identification of response objectives.

As an individual I must endorse Mr. Kobetz's general findings but at the same time, I am obliged to point out that the Canadian Association of Chiefs of Police, the Canadian National Advisory Network (of correctional services) and the Canadian Penitentiary Service have formally agreed that the Prevention of Hostage taking and effective response demands:

- the creation, maintenance and sharing of crisis situation information - particularly in respect of criminal and terroristic violence situations - between all components of the Criminal Justice System;

- the provision of suitable training courses to all components of the Canadian Criminal Justice System in respect of common philosophy practice and procedures relative to response in hostage situations; and
- the co-ordination of on-going Canadian research and development to reduce duplicity and effect speed of implementation in a cost-effective response to hostage situations.

The Canadian Penitentiary Service has implemented guidelines for the management of hostage-taking incidents which include a definition of hostage taking as follows:

Kidnapping - Forcible Confinement - Non Resistance

- (1) *Everyone who kidnaps a person with intent*
 - (a) *to cause him to be confined or imprisoned against his will;*
 - (b) *to cause him to be unlawfully sent or transported out of Canada against his will; or*
 - (c) *to hold him for ransom or to service against his will is guilty of an indictable offence and is liable to imprisonment for life.*

- (2) Everyone who, without lawful authority, confines, imprisons or forcibly seizes another person, is guilty of an indictable offence and is liable to imprisonment for five years.

The policy document also includes basic management objectives as follows:

Management Objectives in Hostage-Taking Situations

The primary objective will be to ensure the well-being of the hostage(s) during the time they are held captive and to effect their safe release as quickly as possible without exceeding to unreasonable demands or resorting to measures that will:

- (a) endanger lives or cause serious injury to any person or persons including the perpetrators;
- (b) seriously compromise the safety of the public or the security of the institution;
- (c) establish dangerous precedence that could be used to advantage by inmates in future events;
- (d) precipitate the escalation of a disturbance;
- (e) cause unnecessary concern or embarrassment to the Service or the government.

Why has it been necessary to develop such documents, policies and procedures?

Background

In a global sense the incidence of kidnapping or hostage taking appears to have accelerated sharply since 1968. Statistical data is not readily available in any complete or accurate form. It is known that some individuals - notably Harvey Schlossberg and Lt. Bolz of the New York City Police, Pat Mulhanney of the U.S. F.B.I., Inspector Ernie Rymer of the Calgary, Alberta, City Police and this author, whose list is at Annex A to this paper, have been endeavouring to collate incident data to establish trends and developments. The Council of Europe's Conference on Criminal Policy through the National Central Bureau of the ICPO - Interpol asked in 1975:

"What was the pattern of violent crime in your country over the period 1970-73 inclusive?

Please give detailed information, basing your reply on police and court statistics and on any other pertinent data. As far as possible, your reply to this question should include:

- (1) Data pertaining to the various categories of crimes of violence (murder, attempted murder*

manslaughter and acts of violence resulting in grievous bodily harm, with indications regarding certain particularly violent crimes such as bank and other armed robberies, the taking of hostages, unlawful interference with civil aviation, etc.);

(2) An assessment of the extent to which firearms are used in such crimes (please specify whether machine-pistols, other pistols and revolvers, or other firearms were used);

(3) A statement of the total monetary damage caused by bank robberies, other armed robberies, extortion through the taking of hostages etc.;

(4) An assessment of the extent to which violence was apparently gratuitous."

The replies indicated that three incidents had occurred in France in 1973; the Federal Republic of Germany provided no statistics but stated that:

"The use of violence was particularly prevalent in attacks on banks and during the transport of funds and it was surmised that the protection of bank counters with bulletproof glass made attacks on banks more difficult and contributed to the increased recourse to the taking of hostages."

Belgium, Iceland, Ireland, and Malta reported no hostage incidents between 1970 - 1973 and Austria, Denmark and Norway are said to have made no mention of hostage incidents. All of this at a time when over three hundred instances of sky-jacking (another form of hostage taking violence) was resulting in international reaction and the imposition of worldwide aviation security countermeasures. In New York, according to Kobetz of IACP, such incidents have been steadily increasing since 1968 - he goes on to suggest that the degree of escalation is from 120 situations in 1970 to over 300 in 1973 and that all indications point not only to an increase in frequency but also in intensity and ferocity. His observation has, unfortunately, proven to be accurate. Accurate statistics not being readily available, for other than Canadian Penitentiary Service related hostage situations, it may be of significance to note that the trend there since

1970 has been as follows:

| <u>Year</u> | <u>Number of Hostage Incidents</u> | <u>Number of Incidents Per 1,000 inmates</u> |
|-------------|--|--|
| 1970 | 5 | .6960 |
| 1971 | 4 | .4136 |
| 1972 | 3 | .5391 |
| 1973 | 5 | .6197 |
| 1974 | 0 | 0 |
| 1975 | 11 | 1.2522 |
| 1976 | 10 * (as at 1 May 76) | 1.2397 |

Thus if the six year average (including the zero occurrence year 1974) is taken as a base line - i.e. average 5.6 incidents per year or .7041 incidents per thousand inmates - the incidence in 1975 showed an increase of 101.03% over the previous high number of incidents and the year 1976 (first four months passed) shows a projected potential increase of some 200% IF THE CURRENT TREND CONTINUES. This increase in hostage taking is over ten times the reported increase in other forms of violence. For example, in Canada in 1964 there were 218 murders, but by 1974 there were 545; between 1973 and 1974 all crimes of violence increased from 117,764 to 126,353 - 7.8%. The incident rate is higher than the motor vehicle

accident death rate which in 1973 was .000036 and in 1974 increased to .000043 incidents per thousand persons.

Reaction

The responses of Canadian law enforcement agencies, the New York City Police, the Federal Bureau of Investigation and available documentation respecting other jurisdictions shows an urgent requirement for positive guidance and concerted effort to react to this trend which exceeds by 85% the reported 15% annual increase in violent crime. Thus it is proposed that three major steps should be taken now:

1. Establish repositories of information concerning hostage situations so that modus operandi and effective response data can be collected, collated, analysed and shared between authorities to improve effective prevention and response;
2. Make suitable training courses available to all components of the criminal justice system within political or geographical jurisdictions to ensure commonality and uniformity of response in respect of philosophy, practice, and procedures; and

3. Promote co-ordinated comparative research and development of response by all disciplines and both practitioners and theoreticians to reduce duplicity and effect efficient utilization of the research products.

The implementation of these three steps will result in positive action to:

- a. identify, study and understand the nature and causes of hostage-taking incidents;
- b. identify the roles and tasks of personnel who provide crisis intervention response;
- c. identify, evaluate and improve the objectives for these personnel;
- d. relate existing training programs to the knowledge and skills required for crisis intervention;
- e. incorporate contemporary learning techniques in crisis intervention training;
- f. the sharing of information; and
- g. the preparation of training materials.

Thus, one might be encouraged to proceed immediately toward the first objective and we have been brought together to further the exchange of information.

The first step in the development of a tactical response to any situation is, of course, to gather all of the facts on known previous situations. This is particularly true of the hostage-type situation. Fortunately some of this author's previous endeavours are directly related - for example in 1972 whilst still a senior Canadian Forces Security Branch Officer on loan to the Department of Supply and Services, it was necessary to research, collate and analyse all of the incidents of unlawful interference with civil aviation - aircraft hijacking. In furtherance of this task, it was most beneficial to meet and work with Dr. David G. Hubbard whose "Hijacker Profile" is credited with major impact on the measures which have reduced those incidents. Part of the chronology of incidents developed included the determination and development of a hostage taker profile which included factors such as:

- a. age
- b. family background
- c. racial background

- d. education
- e. disciplinary background and pattern
- f. criminal record
- g. stature
- h. marital status
- i. community involvement
- j. mannerisms
- k. record of violence; and
- l. other behavioural indicators. .

Over the past eighteen months my Division has been engaged in pre-incident indicator studies and in the identification of dangerous offenders. We have accordingly researched a great deal of literature. Our efforts have been tremendously assisted first by the field placement employment of a student in criminology two days a week during the last school year and all summer; secondly, by the award by the Ministry of the Solicitor General of a research grant to the Faculty of Ottawa University's Criminology faculty; and finally by the impetus necessitated by efforts in support of the Peace and Security package now being presented to Parliament and the Canadian people. We are finding that the studies of the Mohr Commission, of the American Corrections

Association, and of the 160 hostage situations fully recorded and studied show remarkable similarities. Perhaps these similarities are of sufficient significance to be considered indicative of a hostage-taker profile. A review of available literature and study of some 400 hostage-taking incidents in Canada, the U.S.A. and Europe reveals that the successful hostage reaction plan generally involves three distinct phases:

Phase One: The Containment Phase which occurs at the initial location and time when the hostages are first taken and confrontation occurs;

Phase Two: The Mobile Negotiation Phase, which is that period during which containment continues, negotiations are initiated and demands are presented, usually for transportation or other means of escape, and it is generally this phase which is of the longest duration.

Phase Three: The Relocation or Change of Venue Phase, which is principally a duplication of Phase One but which involves exposure of those holding the hostages, the possibility of protracting Phase Two, the possibility of arranging to reduce the number of hostages held, the

possibility of creating improved observation and containment conditions and thus enhancing opportunities to effect the safe release of hostages.

Techniques have been developed, tested and applied with considerable success in hostage taking situations. These techniques demand a co-ordinated team response by highly trained personnel. No two incidents will be identical, yet similarities in conditions may prevail. The over-riding consideration of authorities and response elements must be the preservation of life - hostages, the public, and the hostage-takers - in situations of extreme stress which thrust the mantle of arbitrator, psychologist, administrator, and law enforcement officer automatically upon the initial responder. He, or they, must react non-emotionally, rationally in the face of extremes of potential violence, abuse, profanity and criticism dealing with mind barriers to determine the intentions, objectives and capabilities of the hostage-takers and hostages. The first objective, if one cannot immediately and safely resolve the situation is to negotiate - to talk - to gain time.

In all instances, by all available accounts and experience, there are but three acceptable possible conclusions:

- a. the hostage takers may recognize the futility of their actions and surrender;
- b. the hostages may effect their own release; or
- c. the hostages will be rescued and the hostage-takers apprehended.

The first possibility is, of course, the preferred one. The second and third are fraught with danger. The former most difficult to predict and generally uncontrollable. The latter requiring planning, and precise response by well-trained and equipped specialists.

A methodology of crisis intervention through negotiations was developed for such situations in order to ease anxieties and tensions and, if possible, to allow the captor to assess the situation rationally. This methodology is based on an understanding of the psychological forces which are present during hostage confrontations.

since no two hostage confrontations are alike, there can be no standardized format for negotiations. Each situation is treated individually. However, the following techniques have been developed as a result of experiences and from the

outstanding efforts and leadership of the New York City Police:

- Members of the Hostage Negotiating Team should have a mature appearance so that they will be perceived by the captor as a person of authority.
- The negotiator should not portray himself as the ultimate decision maker. This will permit the negotiator to defer decisions, buy time and maintain rapport with the captor when demands are delayed or refused because he, the negotiator, is not the person denying the captor's request.

The negotiator should be aware of the following psychological differences among captor types according to Schlossberg, Bolz, Mulhanney and even Sir Robert Mark of Scotland Yard:

- Usually the easiest type of captor to deal with is the professional criminal. He is considered a relatively rational thinker who after assessing the situation and weighing the odds, in most cases, comes to terms with the police and refrains from unnecessary violence or useless killing.

- The psychotic individual, on the other hand, presents different and more complex problems. He tends to be irrational and therefore less predictable. His actions, the words he uses and the demands he makes, are often valuable clues to his mental condition. The psychotic harbors great inner frustration and conflict. He may even feel a degree of pleasure from his precarious predicament as he now finds himself important and the centre of attention, a position which may be unique in his life. Time works for us in this instance because the psychotic is emotionally tense and expends a great deal of physical and psychic energy, which eventually wears him down.
- The terrorist creates an even more difficult hostage situation. Many rationalize their behaviour by claiming to be revolutionaries seeking social justice. In these situations, the resolve to die for their cause may deteriorate with the passage of time, thus allowing mistakes to be made.

A review of the Canadian Penitentiary Service incidents reveals some rather startling information concerning the hostage-takers:

- a. Age: Average age of hostage-takers 22.6 years; in first two years of average minimum of four year sentence;
- b. Family Background: 87.3% from family of 4 or more children with inadequacies of finances and domestic stability;
- c. Racial Background: bears no significance;
- d. Education: Averages Grade 8.2
- e. Disciplinary Background and Pattern: Indicates 100% record of school truancy, 92.4% school bully or victim of school bully record, 83.4% record of foster home assignment and 81.8% record of running away;
- f. Criminal Record: in 91.08% of cases reported started at age 16 or earlier with petty theft and includes B & E and auto theft in a pattern of increasing violence; recivism was a factor in 63% of the cases;

- g. Stature: is a factor in 86% of cases where subject is under 5'10" in height and weighs less than 160 lbs.;
- h. Marital Status: Does not appear to be a major factor, although none of the individuals showed a strong marriage situation;
- i. Community Involvement: was negative in all cases;
- j. Mannerisms: Indicated an inadequate personality in 87.9 instances;
- k. Record of Violence: indicated a pattern of increasing violence from age of 13;
- l. Other behavioural indicators were present with a combination of at least five of the above; and
- m. Organized Crime figures were conspicuous by their abstinence.

When one considers that the population of federal penal institutions in the main, houses individuals who may generally be said to have exhibited anti-social characteristics and been caught, it is not surprising to expect a large proportion of the population to display some of the foregoing.

It is interesting, however, to compare these characteristics with the Cochrane-Johnson escape-prone inmate profile of eleven characteristics:

1. weak or non-existent home ties;
2. served less than forty per cent of term;
3. more than 18 months remaining before parole eligibility;
4. more than four years remaining before attainment of maximum sentence;
5. history of habitual offences;
6. not reached age thirty;
7. detainers (added warrants) on file;
8. poor employment record;
9. uncooperative attitude;
10. daring and aggressive personality;
11. mental instability and inferior intelligence.

One might then consider Hans Toch's ten classifications of violent men:

1. Reputation defenders
2. Norm enforcers
3. Self-image defenders
4. Self-image promoters
5. Self-defenders

6. Pressure removers
7. Bullies
8. Exploiters
9. Self-indulgent personalities
10. People who use violence as a catharsis

Hostage-taking in a penal setting is not unlike hostage-taking in any other setting. The risk, however, is greater due to the concentration of a particular type of individual already established as anti-social. Care must be taken to make every effort to identify - in advance - the potential hostage-taker and in so doing to remember also that conditions and circumstances may induce the action of the inmate who takes a hostage to create change, to achieve recognition, to enforce demands, to escape in an impulsive or planned reaction against the system and/or his/her particular circumstances.

Having said all this, what do we do to train adequate response resources. Our suggested topic coverage includes:

- a. Pre-incident indicators;
- b. Dangerosity indicators;
- c. Initial response to crisis situations;


- d. Hostage taking;
- e. Crisis Intervention;
- f. Crisis reporting;
- g. Crisis negotiation;
- h. Alert recall;
- i. Crisis situation assessment;
- j. Reconnaissance;
- k. Crisis response deployment;
- l. Crisis information collection;
- m. Crisis information analysis;
- n. Crisis decision making;
- o. Organization of Crisis Response;
- p. Situation appreciations;
- q. Canadian Law on the Use of Force;
- r. Electronic surveillance;
- s. Response force deployment;
- t. Armed response tactics;
- u. Narcotics;
- v. Weapons training;
- w. Gas training;
- X. Exercises;
- y. Report writing;
- z. Crisis response research;

- aa. Crisis response critiques;
- bb. Communications;
- cc. Equipment maintenance; and
- dd. Unarmed combat.

To meet the training requirement and with the full assistance and co-operation of our Correctional Staff College (particularly the Ontario Staff College) and the Canadian National Advisory Network's mandate to:

"Develop tactical plans and training programs in order to respond professionally to hostage-taking incidents"

a phased training program has not only been developed but presented as of this date to a respectable number of Penitentiary Service and other personnel as follows:

 Solicitor General Canada
Soliciteur general Canada
Penitentiaries Penitenciers

Ottawa, Ontario
28 April, 1976

Your file *Votre référence*
HQ9600/76 (DPS)
Our file *Notre référence*

HOSTAGE TRAINING SITUATION

In accordance with direction issued by the Commissioner of Penitentiaries on February 5th, 1976 under letter 34122/1 (1) (DPS) hostage taking preventive security training has been provided as follows:

| REGION | CPS | ESTAB | STAFF TRGN | NON-STAFF TRGN | REMARKS |
|----------|------|-------|---------------|-------------------|---|
| Atlantic | 579 | | 220 | 15 | Completion date is expected to be 31 May |
| Quebec | 1644 | | 211 | 0 | |
| Ontario | 1761 | | 1319 | | expected to be completed by 31 May 76 |
| Prairie | 1046 | | 900 | 79 | courses are scheduled until July 1975 |
| Pacific | 1026 | | 139 | | training is not expected to be completed until 1977 |
| Total | 6056 | | 2788 | 94 | |

identification of the problem, its location (audible and visual) and a capability to monitor the situation. Such systems are already in use by the Canadian Penitentiary Service on an experimental basis.

PART THREE - CONCLUSION

Hostage taking is a relatively new, but growing criminal and terroristic phenomena. It is intensifying in both frequency and ferocity. Richard W. Kobitz claims and recent Canadian experience confirms two reasons for the growing popularity of hostage taking can be isolated:

1. The "contagion factor" which spurs imaginative well-publicized acts; and
2. Society itself is becoming more violent, more readily accepting violence and the threat of violence.

Canada is experiencing, like Europe and the United States previously, realization that such incidents as:

The training proposed and in various stages of development includes:

- a. General Training - a one-day general staff preventive program as described in the detailed syllabus attached at Annex B to this paper;
- b. Management Training - a one week management/decision maker training course directed specifically toward crisis intervention;
- c. Negotiator Training - a one week specialist negotiator training course; and
- d. Tactical Training - a one month specialist emergency tactical team response course.

Technology too, plays an extremely important part in response to this violent phenomena and great care should be taken to ensure that technical equipment employed in response is cost-effective. A myriad of equipment is already available and other equipment off the shelf can be modified or adapted to meet envisaged requirements. To expose such technonogy would be foolhardy and compromise its effectiveness thus suffice it is to say that Personal Security Alarm Systems are available which provide immediate alarm,

- a. Prison takeovers and escape attempts in which hostages are seized;
- b. Aircraft hijackings;
- c. Seizures of business executives, diplomats,
- d. Armed robberies in which by-standers are seized to aid in escapes; and
- e. Incidents involving mentally unbalanced citizens who seize hostages in an attempt to gain recognition

are an increasing danger with which the community at large is, at present, not totally prepared to effectively deal in a co-ordinated common adequate defence.

While tactical response plans must ultimately be designed by individual departments or jurisdictions to meet specific needs, there are existing commonalities which relate overall to effective crisis intervention and further there is an urgent requirement for commonality of national crisis response and crisis intervention training.

PREVENTIVE SECURITY DIVISION

CANADIAN PENITENTIARY SERVICE

PROPOSED DETAILED SYLLABUS

CRISIS INTERVENTION - HOSTAGE SITUATIONS - NEGOTIATORS

COURSE POPULATION:

Specially selected personnel meeting prescribed prerequisites who have volunteered for hostage negotiator training and employment.

PURPOSE:

- a. To equip attendees with some of the special skills and recommended techniques established to be effective in negotiating the release of hostages and the surrender of hostage takers;
- b. To provide attendees basic behavioural guidelines to be followed to reduce the adverse effects of a hostage-taking situation;
- c. To provide attendees increased understanding of the motivations and typology of hostage takers;
- d. To provide attendees increased knowledge of the dynamics of interpersonal relationships of hostage takers and hostages;
- e. To provide attendees an understanding of prescribed hostage reaction policies;
- f. To provide attendees an opportunity to improve communication skills; and
- g. To provide the service an opportunity to further assess volunteers' potential as a hostage negotiator.

| SERIAL | TIME ALLOTTED | SUBJECT | REFERENCES |
|--------|---------------|---|--|
| 1 | 6 hours | Physical Fitness - 1 hour introductory lecture - 5 hours of daily workout sessions. | <ol style="list-style-type: none"> 1. Dr. Kenneth H. Cooper, <u>The New Aerobics</u>; Bantam Books, 1970 2. Mildred Cooper and Dr. Kenneth H. Cooper, <u>Aerobics for Women</u>; Bantam Books, 1972. 3. Dr. Arthur Vineburg, M.D.; <u>How to Live With Your Heart</u>; (The Family Guide to Heart Health), Optimum Piers, Montreal, 197 4. Frank Vitale; <u>Individualized Fitness Programs</u>; Prentice-Hall Inc.; N.J. 1973 5. Frederick B. Roby and Russel P. Davis; <u>Jogging for Fitness and Weight Control</u>; W.B. Saunders Co.; Toronto; 1970. 6. Robert Sorani, <u>Circuit Training</u>; W.C. Brown Co.,; Dubuque, Ohio; 1966. 7. Myers, Golding and Sinning; <u>The Y's Way to Physical Fitness</u>; Rodale Press Incl; 197 8. <u>Fit-Kit</u> - National Health & Welfare, Recreation Canada. |
| 2 | 2 hours | Introduction to Hostage Taking - Violence - Sit-ins - Riots - Hostage Situations - International - National - Penitentiaries - Patterns | <ol style="list-style-type: none"> 9. Akman, Dogan P. "Homicides and Assaults in Canadian Penitentiaries", Canadian Journal of Corrections, October 1966, Vol 8, No. 4 10. Dawe, D. "Chronology of Unlawful Interference with Civil Aviation", Canada, Department of Supply and Services, Dec. 197 11. Dawe, D. "The Prevention of Hostage Taking: Strategies, Tactics and History", Canadian Penitentiary Service, April 15, 1976. |

| SERIAL | TIME ALLOTTED | SUBJECT | REFERENCES |
|--------|---------------|---|---|
| 3 | 1 hour | Hostage Situations - Identification, Analysis, Assessment of Potential Problems. | <ol style="list-style-type: none">12. Desroches, Fred "Patterns in Prison Riot. Canadian Journal of Criminology & Corrections", 1975.13. Hubbard, Dr. David, "The Skyjacker", Collier Books, N.Y., 1973.14. Kobetz- Richard W., "Hostage Incidents - The New Police Priority".15. Martinson, Robert "Collective Behaviour at Attica", Federal Probation, September 1972.16. Middendorff, Wolf., "Seizure of Hostages and Kidnapping: Historical and Criminological Experiences". Kriminalistic, December, 1972, p. 553.17. McDonald, A.L., "A report on the Study of Pre-Riot Indicators", Canadian Penitentiary Service 1974.18. <u>Riots and Disturbances in Correctional Institutions</u>, Washington: American Correctional Association, 1970.19. Craigen, Dr. D., and Dawe, D., "Inquiry into the Ontario Regional Reception Centre on 2 February 1976", Canadian Penitentiary Service, 1976.20. Deutsch, Morton, <u>The Resolution of Confl - Constructive and Destructive Processes</u> New Haven and London: Yale University Press, 1973. |

| SERIAL | TIME ALLOTTED | SUBJECT | REFERENCES |
|--------|---------------|---------|--|
| | | | <ol style="list-style-type: none"> 21. Desroches, Fred, "The April 1971 Kingston Penitentiary Riot", <u>Canadian Journal of Criminology and Corrections</u>, 1974. 22. Ellis, D. Gresnick, H.G., and Gilman, B. "Violence in Prisons: A Sociological Analysis", <u>American Journal of Sociology</u>. 80(1), 1974. 23. Firestone, J.M., "Theory of the Riot Process", <u>American Behaviour Scientist</u>, 5(6), 1972. 24. Fox, Vernon, "Why Prisoners Riot", <u>Federal Probation</u>, 55 (11), 1971. 25. Garson, G. David, "Force Versus Restraint in Prison Riots", <u>Crime and Delinquency</u>. 26. Hartune, F.E., and Flock, M., "A Social-Psychological Analysis of Prison Riots: An Hypothesis", <u>Journal of Criminal Law, Criminology and Police Science</u>. 27. Hollister, H.W., "Why Prisoners Riot", <u>The Atlantic Monthly</u>, October 1955. 28. Interpol "First International Symposium on Cases involving Hostages - 1973" Classified. 29. Hassel, C.V., "The Hostage Situation" FBI Reprint. |

| SERIAL | TIME ALLOTTED | SUBJECT | REFERENCES |
|--------|---------------|--------------------------|---|
| 4 | 1 hour | Crisis Reaction Policies | <p>30. Canada, Privy Council Memorandum</p> <p>31. Canada, Criminal Code</p> <p>32. Canada, Canadian Penitentiary Service Commissioner's Directives and Divisional Instructions.</p> <p>33. Bourne, Robin, "Crisis Reaction Policies in Canada", a Presentation to Hostage Response Seminar, Ottawa, 1975.</p> |
| 5 | 1 hour | Command and Control | <p>34. U.S. Federal Bureau of Investigation Precipis, "Phased Development in Confrontation Management".</p> <p>35. Goldaber, I., "Checklist for Negotiation in Hostage Situations", International Association of Chiefs of Police Precipis.</p> <p>36. Carson, Dale G. and Richardson, Millard : "Mobile Emergency Command Centre". <u>FBI Law Enforcement Bulletin</u>, December, 1973, p. 16.</p> <p>37. Garson, G. David, "Force Versus Restrain in Prison Riots", <u>Crime and Delinquency</u>.</p> <p>38. Commissioner's Directive 101.</p> <p>39. "Hostage Squad; New York City's Detective Bureau Hostages Negotiating Team". <u>Newsweek</u>, June 24, 1974. p. 90.</p> |

| SERIAL | TIME ALLOTTED | SUBJECT | REFERENCES |
|--------|---------------|---|--|
| 6. | 1 hour | Liaison and Co-Ordination | 40. Kupper, Martin W. "Police Handling of Kidnapping Cases, the Taking of Hostages and Extortion". <u>Kriminalistik</u> , December 1973, p. 529. |
| | | | 41. "Labour-Management Relations and Psychological Stress - View from the Bottom", <u>Terry Eisenberg</u> , November 1975. |
| | | | 42. Brent, J.E. <u>Tension Management and Organizational Activism: Toward a Preventive Medicine for Prison Riots</u> . Washington: National Institute of Law Enforcement and Criminal Justice, 1973. |
| | | | 43. Beck, G.N. "SWAT - The Los Angeles Special Weapons and Tactics Teams", <u>FBI Law Enforcement Bulletin</u> , April, 1972, p.8. |
| 7 | .5 hours | Response Resources | 44. Westlake, W.C., "Guidelines for Crisis Response", Canadian Penitentiary Service March 1976. |
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49377

THE PHENOMENON OF HOSTAGE-TAKING
THE ITALIAN EXPERIENCE

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The wave of violence that has exploded all over the world since 1970, with in turn, socio-political and common criminal motivations, has also reached Italy, and Police Forces in our country have been confronted from several sides, each one with specific characteristics and methods of action.

In particular, the taking of hostages has proved to be a determining weapon at the disposal of terrorists, used on various occasions, and the weakness and uncertainty of governments in facing this phenomenon of taking of hostages for political purposes, or so claimed to be, has even favoured the development of a criminal mentality, by which the common thief, too, or the robber, caught in the act of committing a crime, thinks it is convenient to abduct innocent witnesses in order to ensure his own impunity, flight or profit.

As a matter of fact, the crime of abduction was already historically known in our country, even before the '70s.

Kidnapping in Italy, in fact, once occurred and was considered a typical crime of the mountains of Sardinia; in particular in the Province of Nuoro, where bandits and people wanted for murder took shelter. Kidnapping was also a crime of some secluded areas in Sicily and in Southern Calabria.

In the years between 1965 and 1972, we have had 50 cases of abduction in Sardinia, 13 in Calabria and 8 in Sicily. The Italian Police solved 44 cases and have identified and arrested 254 suspected people.

An important result was the arrest of the bandit MESSINA which took place in March, 1969. He was responsible for many cases of abduction. His accomplice, Miguel ATIENZA, a Spanish deserter of the Foreign Legion in Corsica, was killed a few days before MESSINA's arrest in a shoot-out between police members and bandits.

It is surprising to see, at this point, that the rapid increase in cases of abduction in Sardinia, from 1965 onwards, (between 1960 and 1965, there had been only 3 cases of abduction) was, socially and from a criminologicistic point of view, ascribed to police action when their preventive and repressive measures were better and the living conditions in Italy had changed to a better standard. In villages of Sardinia, the classical type of economical, agricultural and pastoral crimes of the island, such as cattle-stealing and robbery became less fruitful and more difficult to carry out.

Although every case of kidnapping has its own story, there were some constant, typical characteristics of techniques used in Sardinia which were followed. For example:

- 1) the individualization of the victim to be kidnapped and his possibility to pay the ransom price;
- 2) the study of his habits, in order to better choose the time and place of his kidnapping;
- 3) the arrangements made beforehand to find places (grottoes, ravines, huts, tents, or dwelling places) to hide, at different moments, the kidnapped person, until his ransom has been handed over.
- 4) the choice of itineraries specifying where to pass through and means of transportation to meet middlemen or negotiators.

The most dramatic aspect of this matter, in all cases, was formed by the fact that, after a victim had been captured, his relatives became the bandits' accomplices and the bandits were therefore given a remarkable advantage.

Among the many enquiries carried out by our police services, one, in particular, is worth mentioning, as it was possible, thanks also to the cooperation given by the victim's relatives, who were not from Sardinia, to prepare a good operational plan, making use of all modern techniques which our Services had at their disposal.

On September 1st, 1969, in the area of Silius, in the Province of Cagliari, Sardinia, one Mr. Enzo BOSCHETTI, an engineer, was kidnapped. He came from Padua, which is situated in the northern part of Italy, and was employed in Sardinia in a mining company. The technique used by the kidnappers to capture him was the usual one. The car which he was driving was brought to a halt by placing heavy stones in the middle of the road. He was caught and taken to the mountains through woods which exist in the area, and subsequently to the place of hiding of the bandits.

The reaction of the Police, at the beginning, was the classic one. Enquiries were started in the usual manner and every possible witness was seen and questioned. Police patrols were sent up to the mountains with police dogs. Road blocks were set up all around the district in the hope of intercepting the kidnappers and following their movements. And, this, in order to cause them difficulties.

The bandits turned up some days later and sent to the family of the kidnapped person a letter asking to pay a ransom of 60 million lire for his release. This time, however, the family and the managing staff of the Mining Company decided they were ready to cooperate with the police force.

It was therefore agreed that one Mr. CARABELLO, another engineer of the Mining Company, in charge of carrying out negotiations with the bandits, be accompanied by a driver, who was in this case a police officer, of Sardinian origin.

The engineer was given a radio-microphone, which he hid under his suit. The device was connected by radio to a taperecorder placed in the car operated by the driver, that is, the police officer. The latter was in possession also of a camera. The car was also equipped with a modulation oscillator, monitored to a receiver in another vehicle.

The meeting with the bandits was arranged some days later along a road in a deserted place. The engineer, on his arrival, had to get out of his car and walk into the woods. He could not see the faces of the bandits as they were wearing masks. He was not even able to understand from their speech and dialect accent from where they were coming from. But the radio-microphone worked properly and the police officer who was in the car could follow all the speech and tape-record it in full.

It was therefore possible to establish the district from where the bandits originated and other important factors. In fact, Mr. CARABELLO gave the bandits only part of the ransom, 10 million lire, pleading he had difficulties collecting the whole sum in so short a time. He asked to meet the bandits again and he promised that next time he would give them the remaining sum of ransom, which they agreed would be 25 million lire. The bandits, at this stage, obviously felt sure of themselves and gave him all the indications of the place to meet the second time. It was a determining factor for the final stage of the police enquiries. The police officer in the car was not able to take any pictures of the bandits and the power of the oscillator was too weak to be picked up by the other police vehicles. The Chief of the Provincial Police Headquarters in Cagliari, Dr. LI DONNI, therefore decided to use another device, a radio-goniometre (direction finder) when the bandits were met the second time. The

impulses of the radio-goniometre, could be easily picked up by an helicopter flying around the place of meeting.

Mr. CARABELLO's car was then equipped with this radio device which could be put in operation by simply closing a circuit and would send out a pre-fixed radio signal, to indicate the place where the meeting was taking place. This "signal" would be received by another apparatus on board a helicopter and put automatically into operation a device called "Homing", another radio finder, which would allow police to trace the car, even if it was covered by trees in the woods and out of sight.

On October 11, 1969, the operation took place according to the plan agreed upon. The car of Mr. CARABELLO left Cagliari, following an itinerary arranged in advance and which was about 50 kilometres long. At 11:20 in the morning, one of the helicopters caught the signal and found out that the place of meeting was at the 30th kilometre of a secondary provincial road. Guided by the first helicopter, the other helicopters, which were also equipped with the "Homing" device, surrounded the area and landed our policemen. At the same time the roads of the district were blocked.

Hidden inside the vegetation, two men were immediately found and arrested. Not far from them the money paid for the ransom was also found. As the money and the plastic envelopes containing the bank-notes were sprinkled with fluorescent powder, the two men were put through an ultra-violet test. Their suits and hands were found containing plenty of this powder. The criminals could but confess their crime. They even indicated where another accomplice of theirs, not very far from where they were caught, was holding the engineer in custody. The third criminal was not seen, however, because he took flight in time, but the engineer could free himself and run away safe and sound.

In all these cases which I have mentioned above, the abductors were typical as to their social-criminal characteristics. In fact, as far Sardinia is concerned, it was usually a question of shepherds, people accustomed to the hard life in the mountains, most of whom were in flight because they were wanted for some criminal case of violence which they had previously committed. Therefore, by committing the abduction they not only expected to obtain an economic advantage, more or less important, but they also found themselves compelled by the necessity of finding their means of support and the means of obtaining help and complicity in order to avoid being caught by the police.

In Sicily and in Calabria, the outstanding criminals involved in cases of abduction were, on the contrary, people connected with the organized crime world, particularly the "Mafia" type, and the

economic advantage was the principal motivation which brought about the criminal plan.

Then, in the years 1972-1973, some criminal cases of political terrorism occurred in various Italian cities, which caused the Police services to take special measures of surveillance in airports, aircrafts, embassies, railways, highways and prisons, as well as to protect Italian and foreign V.I.P.'s who --as was experienced either in Italy or in other countries --might have been at any time victims of attempts or taken as hostages.

It was just at that time that public opinion realized with fear and consternation that taking of hostages with the purpose of extortion might occur also in large Italian cities, where it proved to be even more suitable to carry out such crimes.

The cases we had in Piedmont, in Calabria and Latium, proved to follow a common line and some were very like the kidnapping case which took place in Sicily and in the Calabrian region.

1. The "technique" followed by the kidnappers was based on ambushes and on celerity when the kidnapping took place.
2. Before getting in touch with the families of the victims, the abductors deliberately allowed a long time to elapse, in order to increase the anguish of the families.
3. The negotiations for the release of the prisoners were handled, although seemingly in a patient manner, in a relentless and merciless manner because of the constant threats made of killing the victim.
4. The conditions under which the victims were held, according to what was narrated by the hostages freed, provided no respect for any of their physical needs and moral requirements.
5. The huge sum of money demanded for the ransom and the release of the prisoners, amounted nearly always to several thousands of millions of lire.

(Some papers wrote with a tragic sense of irony, that the bandits were better informed of the financial conditions of the persons kidnapped than the Revenue Office of the Government).

The technique used by the kidnappers was typical of that of the Mafia and the investigations were carried out in this direction.

Then, in the summer of 1973, we had the case of the kidnapping of Paul Getty III, a young American boy, nephew of the big petrol

company owner, which I am sure you have already heard about..

Following long and complex investigations, our investigators soon found out that they had to do with the Mafia group coming from the Calabrian region. When they found out that they would not get the 5 million dollars they asked for the ransom of the boy, they cut off his ear and sent it to his family. The family was therefore forced to pay the ransom. The conditions dictated by the bandits were that a car, with those in charge of paying the ransom on board, was to leave Rome for Naples and proceed to Salerno. Then along the autoroute in Calabria, go to a certain point and come back. After a 1,500 km drive, the car was to arrive at a point "x" where the bandits would have made signals for it to stop. The request was so made to make any action of the police impossible. The bandits were very clear in dictating their conditions: at the slightest doubt, they would kill the boy.

It was not an easy task for our Flying Squad men, that is to say, the Investigating Squad in Rome; in fact, the investigators, even though well aware of the extreme necessity of safeguarding above all the life of the boy, could not leave the field completely to the abductors and let the negotiators fall into a trap prepared by the bandits. It was therefore decided that three police officers, each riding a different car, would go to places where they could observe the movements of the bandits and report all information they could acquire for their identification. The cars were not to be equipped with any radio sets and the officers could not carry any camera or field glasses, so as not to make the bandits suspect anything.

The serial numbers of the bank-notes which were used to pay the ransom price were all introduced into the computer. The plan succeeded in full. Along the route, a car, (plate number CZ 103770) was occasionally seen, following the car of those in charge of paying the ransom. By telephone, this plate number was reported to the Police Headquarters in Rome and it was found out that it was owned by a well-known Mafia boss in Calabria.

Meanwhile, the car of Mr. Chase, the man in charge of paying the ransom by Getty's family, was ordered to stop at a linking road along the highway, by a shot of a hunting gun. Two individuals with masked faces told him to deposit the money on the ground and to go away. Luckily enough, one of our police officers who passed by soon after could see the bandits' faces well -- as in that moment, they were no longer wearing masks. He fixed their features in his mind as he could not arrest them or take pictures for fear of compromising the life of the kidnapped boy.

Later that night, in Rome, Mr. Chase and the officer could recognize by the pictures shown to them that the persons driving the car following Mr. Chase's car and one of the individuals seen carrying the sacks of bank-notes were Bros. MAMMOLITI Saverio and MAMMOLITI Vincenzo.

No action, however, was taken until Paul Getty was released, and this happened two days later. They were arrested in Calabria not far from the place where they collected the money for the ransom. All the members of the gang, consisting of 7 individuals, were arrested. Only one escaped being arrested. Part of the ransom money paid was also found and recovered. At the time of this writing, the trial of Paul Getty's case is taking place and he has arrived from the United States to attend the hearings.

The efforts of our Police Forces in cases of abduction were certainly important and we had successful results. Nevertheless, cases of abduction have progressively increased. From 8 cases we had in 1972, we passed to 17 cases in 1973, to 38 cases in 1974 and to 62 cases in 1975, despite the fact that, in November, 1974, a law was approved, increasing the punishment, as laid down in our Penal Code, up to 24 years of imprisonment.

The action of our Police services were adequate and out of 125 cases, 84 were resolved positively. 440 individuals were arrested or accused of this crime, of which 85 were arrested and 85 are still wanted.

It has been discovered that the authors of cases of abduction should have a different classification, according to whether they were members of the Mafia family, or Mafia members who moved to northern Italy and joined the local underworld organizations, or just criminals originating from the world of smugglers or free-lance abductors.

Drug smugglers, cigarette smugglers and professional bank robbers often prefer to leave their activities, where risks are much more and the profits limited, and dedicate themselves to cases of abduction where prospects were brighter and more interesting. In fact, they are free to choose their victim, the day and place of crime and ambush, sure that their booty will be more consistent and the intervention of the police hampered for fear of the life of the victim.

One of the more spectacular cases in this field took place recently in Rome. Our Flying Squad, in liaison with Interpol, was able to identify and arrest the members of an Italo-French gang of criminals which was involved in cases of robberies and murder and passed on to abduction and to taking of hostages. This gang was responsible for 5 sensational cases of abduction committed in 1974

and in 1975, in Rome and in other Italian cities.

The technique used by the police is now adequate to the circumstances and they have reacted adequately, both investigatively and technically, particularly whenever they got the indispensable cooperation of the relatives and friends of the victim.

Cases of hostage-taking involving armed kidnappers in Postal offices, banks and shops, with the purpose of assuring their flight when surrounded by Police forces, number — from 1966 to today — 30 cases in total. The hostages held were 58, four of which were killed.

An interesting study, based on either the experiences and the suggestions of the police service in this field, has been recently prepared by the General Direction of Public Security and has been put at the disposal of investigators and of all those who want to get acquainted with the measures to be taken in order to prevent an abduction.

As a matter of fact, abduction is to be regarded as a crime which can be carried out very easily and which is difficult to deal with for the police services because preventive and repressive action meets up with a number of difficulties due to the very nature of the crime itself.

The remarkable increase in the number of cases of abduction occurring in 1975 has revealed that harsher penalties are not sufficient to efficiently control this kind of crime and public opinion, increasingly alarmed, has demanded legislative measures to be taken which are capable of making it possible to overcome the difficulties met by the investigators, in their inquiries to find out the persons responsible for such crimes.

For instance, it has been proposed that:

- it would be advisable that the jurisdiction of a single case of abduction be given to the tribunal of the place where the crime has been committed and not to the court of the place where the victim has been released;
- among the other main issues that have been discussed with regard to this criminal phenomenon, there are some of particular interest, i.e.;
- the request to suspend the investigations often put forward by the relatives of the victim;
- the divulgence of information on the development of the case;

- the intervention of insurance companies concerning the risks connected with abduction;
- the seizure, ordered by the magistrate, of the victim's funds and other problems concerning the technology of the police services and their rapidity of intervention in such cases.

In a recent case of abduction, a magistrate in Milan ordered the police to take measures so that the extortion could not be brought to conclusion, by prohibiting the payment of the ransom price.

The decision to block the payment of the ransom price when the negotiators had already contacted the criminals, made it possible to seize big sums of money and this has brought, as a consequence, a decrease in crimes in that region.

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ORGANIZATIONAL ASPECTS OF HOSTAGE-TAKING
PREVENTION AND CONTROL IN THE NETHERLANDS

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THE NETHERLANDS - ORGANISATIONAL ASPECTS.

The Police Organisation

Each municipality of over 25,000 inhabitants has a municipal police force. The other municipalities are policed by the State Police Force. There are 134 municipal police forces, counting about 19,000 men, about 7,000 of them in the 3 largest towns. Each separate force is administered by the "burgomaster" and is competent only in its own territory, in effect, creating an enormous splintering of resources.

For the past 5 years we have been working on reorganisation, but this will most probably not come about for the next 10 years. The State Police Force polices the remaining approximately 700 municipalities and has an establishment of about 12,000. The force is administered centrally by the Minister of Justice.

Operationally, the police — municipal and state police alike — are subordinate to the "burgomaster" and the public prosecutor. The "burgomaster" is responsible for the maintenance of public order and the public prosecutor for the detection of criminal offences, a division which, I believe, is not known in the United Kingdom, since the dividing line between these two tasks is not clearly drawn.

It means that the "burgomaster" as well as the public prosecutor can give orders to the police. We call this, in our jargon: duality in authority.

In certain serious cases the police can receive assistance from military personnel. In the first place from the Royal Military

Police, which has an establishment of about 3,500 men and which force is, inter alia, also charged with the control of the frontier under the supervision of the Minister of Justice. In special circumstances also from what the Police Act calls "other military", in case of attacks on airports and of hostage-taking, such as the Royal Marines and armoured infantry battalions.

Organisation of the Judiciary

Now for a bird's eye view of the organisation of the Netherlands judiciary. The country is divided into five departments, in each of which there is a Court of Appeal. To each of these courts belongs an Attorney-General, who acts at the same time as Director of Police, which means that he sees to it that the police fulfil their task in aid of the judiciary properly. Each department is subdivided into a number of districts, in each of which there is a District Court. Attached to each District Court is a Public Prosecutor, who is responsible for the prosecution of criminal offences.

In this organisation the Attorney-General is the superior of the Public Prosecutor. Likewise, the Queen's Commissioners in each of the 11 provinces are the superiors of the "burgomasters". I give you this outline as a working-hypothesis. The reality is much more complicated.

In other words: in the handling of hostage situations, the following are involved:

the "burgomaster" of the municipality where the incident occurs; the chief of local police (in a State Police area a high-ranking Officer of the State Police Force);

the Public Prosecutor in whose district the site of the incident is situated;

the Attorney-General, acting Director of Police in question;

the Queen's Commissioner in the province.

The parts they play will presently be discussed.

A permanent squad of 17 police officers has been formed to detect, in advance, if possible, terrorist acts of national importance. It consists of members of the State Police and of municipal police forces and its activities are guided by a Public Prosecutor, who is attached to all district courts for giving guidance to investigations of this nature.

You will have noticed meanwhile that in these matters simplicity is not the seal of truth. I will return to this in due time when I discuss the investigative aspect.

The Organisation in cases of hostage-taking.

Immediately after the incident has been reported, three groups assemble to handle the case.

a. As close as possible to the place of the incident a special police headquarters will be set up. The site of the incident will be isolated. As a rule, the police make no effort at that moment to terminate the incident by violent means. For that matter, circumstances can be imagined in which immediate action would be justifiable, e.g., when there is only one assailant who would expose himself. In cases where there is no suitable accommodation in the vicinity of the incident, we use caravans which provide office room and other facilities. The police unit has direct telephone and two-way radio communications with what is termed "the competent authority".

b. This competent authority (i.e., the local Police Centre) meets at some distance from the location of the incident, preferably not much farther than about a ten minutes' drive by car. This is because frequent contacts between the two units is necessary. Leader of the Policy Centre is the Attorney General of the department in question. Hostage-taking is regarded as a most serious crime and as an incident that must not be treated as an infraction of local public order. As a result of this, the Minister of Justice is responsible for its handling, and on behalf of him the highest judicial authority in the area responsible for crime detection. Members of the Policy Centre are: the Queen's Commissioner, the local chief of police and the "burgomaster". To this group are added tactical and technical experts in the field of the behavioural sciences. I will return to these latter aspects later on.

c. At the Ministry of Justice in The Hague, a Crisis Centre will be formed, headed by the Minister of Justice. Taking part in the deliberations are, dependent on the case, the Prime Minister, the Ministers of Home Affairs, of Foreign Affairs and of Defence, and also, if necessary, another Minister whose domain is involved in the incident (e.g. the Minister of Transport in case of hijacking of an airplane). To the Crisis Centre are further attached officials of the Ministry of Justice, Home Affairs, Defence, Foreign Affairs (if it is a case with international aspects) and, if necessary, a representative of another Ministry involved in the case (e.g., Social Affairs in the cases of the Moluccans).

There is a special Steering Committee which is responsible for the preparation of measures for the suppression of terrorism.

Representatives of the Ministries of Justice, Home Affairs, Defence and of the Prime Minister deliberate in this committee under my chairmanship. This committee is responsible to the Minister of Justice for organisation, tactics and techniques. A sub-committee occupies itself with technical means and logistic problems, another one with the analysis of hostage cases in our country and abroad and a third one with training and equipment and tactical use of the special assistance-units.

The Investigative Aspect

I mentioned already that a special detective squad has been formed. This squad investigates cases in which there are suspicions that a terrorist action is being contemplated. It collects information, observes suspects, etc., in close co-operation with the local police. The squad is also fed with information by the Central Criminal Information Service and it in turn reports the information gained on its own initiative to this Service. The Central Criminal Information Service collects and compiles, compares and co-ordinates all information about convicted criminals as well as criminal intelligence; there is a close co-operation between the Central Criminal Information Service - which comes under the Ministry of Justice - and the National Security Service, which comes under the Minister of Home Affairs. The information compiled by the Central Criminal Information Service is forwarded, partly in the shape of general surveys, partly as reports on specific incidents, to the police forces involved and, if pertaining to the terrorist crime, also to the special squad.

Until now the criminal investigation services in The Netherlands have succeeded in preventing two hostage-takings. Some 10 months ago a conspiracy of Moluccans to take Her Majesty the Queen hostage was discovered. The conspirators were arrested and convicted. About six months ago, four Syrian terrorists who intended to hijack a train were arrested and convicted. Probably it was the discovery of this plan and the publicity it received, which inspired a group of Moluccans recently to hijack a train near Beilen.

The Tactical Aspects

In this connection a few words about the strategic approach. Hostage-taking is a serious encroachment on the legal order, which has

to be restored as soon as possible. This restoration must not be achieved by complying with the demands made by the terrorists. The lives of the hostages must in principle be saved. However, not at any conceivable cost. The aim to be reached is in principle the arrest of the terrorists and the liberation of the hostages, safe and sound. What, now, are the tactics that enable us to reach these aims as fully as possible? To begin with: it is necessary to establish as quickly as possible who the terrorists are and what their objective is. Sometimes this is immediately clear. In other cases (e.g., Beilen and Amsterdam) it takes contacts with the terrorists and further inquiries. Establishing contact is also necessary for another purpose, namely to keep the terrorists talking. Hostage-takings based on the illusion that the demands will be met within half a day, and, if not, that the hostages will be killed, have not been encountered so far. This is not to be expected either, for in that case the purpose of the action would not be reached, since publicity would be short-lived and utterly negative. Moreover, the terrorists would lose their lives or their freedom. Up till the present the impression has not been obtained that terrorists, however brave they pretend to be, are anxious to sacrifice their lives and to go down in the history of their group as martyrs. Should it be the intention to kill the hostages immediately, the terrorists would resort to other methods such as bomb attacks or other direct killings. This means that tactics may be based on the assumption that time as a rule will be available. This does not alter the fact, however, that the organisation, the communications and the necessary instruments of power must be put into a state of readiness as soon as possible.

In two situations the use of weapons will be necessary. Firstly, when the terrorists actually proceed to putting to death one hostage after the other. In that case they force the government to use armed intervention. Emergency plans for such intervention must therefore be prepared right after the hostage situation has arisen.

A second necessity to use force arises when the government, considering that the situation is dragging on too long, that the hostages are suffering excessive damage, or for other reasons, should decide to put an end to it. For this purpose, plans of attack should be devised immediately, and afterwards, the emergency and attack plans will merge into each other. Unless the circumstances are such that an intervention can with a high degree of certainty be carried out without bloodshed (e.g., Scheveningen prison), an intervention not induced by repeated killings by the other party remains an utterly dangerous undertaking, literally an ultimum remedium. In some cases a show of strength, and so intimidation, may have wholesome effects.

Technical Means

Group action by normal police units, aimed at the termination of a hostage situation, be it with use of weaponry differing from the standard police equipment or not, would in itself be in line with our notion that the handling of hostage situations is a task for the police. The following considerations have nevertheless induced us to reject this solution. In the first place, it is our opinion that training police officers for such duties would render them unfit for the exercise of normal police duty. Secondly, it stands to reason that such personnel would then have to be established in barracks so as to have them immediately at hand in the few instances that hostage situations occur and to enable continuous training. For these reasons, too, they would no longer be usable for daily police duty. And finally, the setting apart of a number of policemen would be utterly inefficient.

We must not forget that the Armed Forces have professional personnel, who, as regards training and discipline, are already of excellent quality and who need only a relatively small additional training to be able to act effectively in hostage situations. For this purpose a company of Royal Marines is now being trained and, in a sense, retrained. Retrained because their normal training is aimed at using violence with intent to cause a maximum of damage to the enemy. In a hostage situation, however, the damage caused by the action is to remain as small as possible. So they have to be taught what I would call for convenience's sake "controlled violence", at least utterly selective action. For this reason the Marines who receive this training are most thoroughly tested on mental stability. Their training is given in close co-operation with a psychiatric expert. They form a close combat unit of carefully selected men, hard trained in sports and combat, skilled in the use of all kinds of weapons and led by Officers, competent through study and experience to design plans of attack which enable termination of a hostage situation with a minimum of bloodshed. This as regards the close combat unit, which operates in platoons of about 25 men.

A second group that has been formed consists of sharpshooters. The group consists of two units, at present about 40 men each. One of these units is made up of officers of the State Police Force, and so an exception -- and in our opinion an acceptable one -- to the rule that policemen should not be specially trained for these purposes; the second, of Army personnel. They use Fal rifles and Heckler and Koch rifles, for distances of up to 500 and 350 meters respectively. They are regularly trained as a team to shoot at the same time at their targets at an order given by radio. Three marksmen will be assigned to one target.

Close combat unit and sharpshooters act in unison. As soon as the sharpshooters have terminated their action, the Marines take over and occupy the object. The lessons of Munich, where only sharpshooters carried out the action, lie at the base of this joint action. A Co-ordinating Officer, who also maintains the communication with the Policy Centre, co-ordinates the activities of the two units.

Finally, we can dispose, if necessary, of one or more battalions of armoured infantry to assist the police in sealing off the place of the incident.

This as regards the special means of power at our disposal in hostage situations. We use them - I repeat that - as an ultimatum remedium only. In this connection, I take the liberty to cite an undisputed expert on violence, namely Napoleon Bonaparte, in his Mémorial de St-Hélène: "Ce qui me frappe dans le monde, c'est l'impuissance de la violence; de ces deux puissances, la violence et l'intelligence, c'est à la fin la violence qui est toujours vaincue". Or in English: "What strikes me in this world is the impotence of violence; of these two forces, violence and intelligence, it's in the end always violence that is the loser".

Communications

Marines and sharpshooters communicate with each other by means of portable radio. Telephone lines, often specially installed for the purpose, connect the Police Headquarters with the Policy Centre. The enormous and often impeding interest of publicity makes it necessary to scramble the radio messages as much as possible and to check the telephone lines for tapping.

For the recording of arrangements in these confusing circumstances, a teletype communication will usually be indispensable. The General Post Office and the Police Communication Service attend to these things at the initiative of the Steering Committee.

Logistics

As a rule, the police, the assisting units and the staffs of the two centres will be able to provide for their own housing and catering as well as for food and drink for the hostages.

One can think of circumstances, however, - and this was actually the case at Beilen - in which it is difficult to make suitable provisions for these needs on the spot, head over heels. A

working group of the Steering Committee prepares the logistic provisions for food and drink and medical care, particularly for the hostages after the event. It seems unnecessary to build up a special logistics unit. What has to be done in advance is that arrangements must be made with medical services of the largest cities, with catering businesses, supply units of the Army, etc. It would be well to reckon with the possibility that scores of hostages will have to be sustained for weeks and weeks, possibly at places where central facilities are lacking.

Recording

Among the technical aspects, I also reckon the recording of everything that happens and that is being done. The purpose of this recording is in the first place to enable staff-members of the centres to work in relays, so that the centres are adequately manned day and night. Do not wear yourself out by remaining on the spot continuously and taking a dogsleep now and then. If you do that, your capacity will deteriorate; you will easily get irritated and that is unacceptable in such circumstances. The first 12 days, 12 hours per 24 hours on duty, and after that only 8 hours. So those functionaries who play a permanent part in the handling of the incident have to supply substitutes. By consultation of the logbook the latter can inform themselves in a short time about what has passed during their absence. If you had to tell them all that, it would cost you a lot of time and your account would probably be incomplete.

For this purpose we use memo-recorders, the tapes of which are typed out regularly. A second reason to record at the Policy Centre, as well as at the Crisis Centre, everything that happens, is that this recording makes it possible to compose a public report afterwards, which may also serve as a basis for discussions in Parliament.

The third reason is to create the possibility of analysing the incident afterwards and introducing improvements in organisation, tactics and techniques.

One more observation in this connection. The soldier marches on his stomach. But so does the general. See to it that you, your collaborators and all other personnel are well cared for as regards food and drink. Nothing proves more frustrating than to find it impossible to have a cup of coffee, a hamburger or a drink when you feel the need of it.

Other technical means

Other technical means such as thermic lances to remove locks and parts of walls, explosive devices to blow out closed doors (e.g., a door of a train) need further development and should be available.

Various kinds of roles of the psychological aspects

I remarked earlier that Napoleon already was aware of the fact that intelligence is of more value than violence. The intellectual means to be used also include, in our opinion, the knowledge gained by the behavioural scientists. Consequently, psychiatrists and psychologists are attached to the staff of the local Policy Centre. It is our experience that making an appeal ad hoc to a psychiatrist or a psychologist who happens to be present near the place of the incident is not the right thing to do. They, too, must have had the opportunity in advance to prepare themselves for such a situation, to think about it, and to consult literature on the subject. In view of this, we are now forming a group of four or five psychiatrists and psychologists who are willing and able to assist a Policy Team if needed. This assistance is not confined to the keeping up of contacts with terrorists and hostages but also extends to advice about the policy to be adopted. They may, e.g., have a say in the design of plans of attack and in the choice of the right moment to carry out such plans. To give an example: the use of much noise and of star shells — son et lumière — in the course of the termination of the hostage situation in the prison at Scheveningen was in part based on psychiatric advice.

Sometimes it will be best for a psychiatrist to act as a negotiator himself, in other cases it may be better to leave this task to a policeman, instructed by a behavioural scientist. This also depends on the man who arranges the first contact with the terrorists. We believe that the behavioural scientist, if he is to be able to give valuable advice, must have a place in the Policy Team. His place should not be on a side line, whence he will no doubt say wise things, but often things that are useless in practice, however.

I will not tire you with wisdom which I myself have largely from the mouths of behavioural scientists. I restrict myself to bringing a few slogans to your attention:

- Get to know who and what the terrorists are.
- How far they are trained
- How much stress they can take

- The terrorist lives in a state of narrowed consciousness. His functions of thought are aimed at one goal only, which, certainly if it is of a political nature, may become a "sacred" goal. In that case their end also sanctifies the means. They are prepared, or imagine so, to sacrifice their own lives for their goal, so why not someone else's too? The terrorist must have the impression that he is being taken seriously, in any case in the beginning. He must be "recognized". After all, he has the power over the hostages which he threatens. When the situation has been stabilised more or less, a second stage enters. At this stage we often see develop a strange relationship between terrorists and hostages. A relationship which sometimes continues long after the incident, as we have seen, particularly in the Beilen case.

Finally, the third and last stage, which may become very unstable again. The terrorist becomes less certain of himself and may then be tempted to show just once more who he really is. A sober-minded, contemplative, rational, realistic approach, demonstrating inner certainty --even if actually non-existing --is called for.

Until the present we have not yet trained police officers in the technique of negotiating as applied by the New York police. We are still in doubt on this point. The hostage-takings in the United States have so far essentially been criminally motivated and were carried out by Americans. We, on our part, have largely been confronted with politically motivated hostage-takings, in most cases carried out by aliens or people of foreign origin. In such cases the language problem starts playing a part. We are giving further thought to this subject.

"Publicity" and "Information"

We take the view that public relations officers should be posted at the site of the incident to take care of the communication between the Policy Centre and the news media. Such officers should for the same purpose also be present at the Crisis Centre, as well as at the Ministry of Justice. Since the Minister of Justice is the final one responsible for the handling of the incident, it is natural that the Information Service of his Ministry is charged with these duties. Without prejudice to its own responsibility, this Service may, and will, make use of public relations officers of other Ministries and organisations involved in the handling of the case. In this way the supply of information is in one hand, under clear ministerial responsibility.

To enable him to fulfil his task in the right way, the Head of the Information Service of the Ministry of Justice must be a member of the staff of the Policy Centre (and he must keep close contact with the Crisis Centre). Supply of good information forms part of the overall policy and should be made instrumental in a good solution of the incident.

In many cases one of the aims of the terrorists will be world-wide publicity for their cause. In principle, the policy to be adopted would therefore be to deny them this publicity. This, however, is a dream that may turn into a nightmare. For, the simple fact is, that a hostage situation does arouse worldwide interest. When the government itself fails to satisfy this curiosity as much as possible, the media will make their own inquiries and publish the results, which may lead to a disastrous flow of rumours. Another aspect is that the people have a right to know that the government is dealing with the situation in an adequate manner. For these reasons we strive for as much openness as possible as regards facts, backgrounds and the policy decided upon. This openness makes it possible sometimes to prevent, by mutual agreement with the media, publicity which might have damaging effects. As a prime example in this regard, I consider the preparations for an attack to end the hostage situation.

Apart from the external news supply, the public relations officers also have a task with regard to internal communication. They show the policy team how their policy is represented by the media to the public and advise them about the effects on the public of certain measures.

Both elements, external and internal supply of information, have to be attended to. The information officers are not only there to release news and to give interviews on being asked, but they also take active action, if possible, to release information immediately after new developments. This is necessary to prevent rumours.

Press conferences and interviews to be given by Ministers will be arranged by the public relations officers.

Following are two case reports which demonstrate all these organizational aspects "in action".

Case Report I

On Friday, the 13th of September, 1974, at 16:28 hrs, the police of The Hague received a report that an armed Japanese had forced his way into the French embassy. During an enquiry by a number of police officers, a shooting occurred between a terrorist and the police. Two constables and the terrorist got wounded. Later on, it appeared that 11 persons, the French Ambassador among them, were being held hostage by 3 armed Japanese, belonging to the so-called Japanese Red Army. The terrorists had ensconced themselves, with the hostages, in the office of the French Ambassador.

Immediately after the alarm, and in accordance with the existing directives, the necessary measures were taken. A policy-making centre and a crisis centre were set up. The Minister of Justice alerted the special assistance units and ordered them to the place of the incident. The embassy building was evacuated and cordoned off by the police. At 18:02 hrs, the terrorists made their first move. They threw a pamphlet out of a window, in which they stated their demands. They demanded the release of their comrade Furuya, who was detained in a French prison. This Furuya would have to join them in the Embassy. They further demanded that a bus should be made in readiness to take them to Schiphol Airport, where a Boeing 707 should be ready to take off immediately. All these demands would have to be complied with before 03:00 hrs on Saturday, September 14, otherwise hostages would be executed.

The negotiations with the Japanese terrorists took place by telephone through an interpreter of the Japanese embassy. In connection with the demands of the terrorists, the government took up contact with the French government. The French government decided to convey Furuya by airplane to the Netherlands. At midnight that day, the airplane with Furuya landed at Schiphol Airport. He remained under guard in the airplane at Schiphol. After contact between Furuya and the terrorists, it was agreed that Furuya would stay at Schiphol. The other demands of the terrorists were maintained. The ultimatum was extended several times because the terrorists' demands could only be granted by the French government, which cost much time. The Egyptian ambassador was found prepared to act as negotiator.

The Netherlands government took the view that on no account would it be possible to allow the terrorists to leave the country with one or more hostages and that everything possible should be done to prevent the terrorists from leaving by airplane, taking their arms with them. At first the French government refused to supply a French airplane and the terrorists did not accept a Dutch airplane, so that a stalemate occurred.

A visit by the Netherlands Prime Minister to Paris, on the evening of Saturday, September 14th, which was also used for a discussion between him and the French President, opened the possibility to break this dead-lock. The French viewpoint was formulated on the morning of Sunday, September 15th. It was to the effect that the French government would release Furuya in exchange for all the hostages. The exchange should take place on Netherlands territory and under Dutch guarantee. The departure of the terrorists was a matter within the competence of the Dutch authorities and could take place via an airplane of any nationality, provided no French crew operated the plane. That Sunday afternoon, a French Boeing 707 arrived at Schiphol. The terrorists reacted to this by releasing two female hostages and by granting permission for the catering of the hostages.

Next, the negotiations arrived at a new dead-lock, because the terrorists wanted to keep their arms when leaving. At the same time, they demanded one million dollars from the French government. The negotiations assumed an ultimative character again. The Netherlands government made a proposal. This proposal was: exchange of Furuya for all the hostages, handing in of all weapons, pistols excepted, supply of an airplane with a Dutch crew, supply of an amount of 300,000 dollars. At 08:30 hrs, on the morning of Tuesday the terrorists accepted these terms. About noon that day was the earliest that the agreement could be put into effect. At 19:45 hrs, the bus with driver arrived at the embassy. After searching the driver, one of the terrorists - fearing that during the drive, gas would be released in the bus - smashed all the windows. After all the hostages but three, who were released, and the terrorists had got into the bus, it left for Schiphol, under escort, by roads that had been cleared of traffic. In the meantime, Furuya had received the 300,000 dollars and he had inspected the airplane.

The bus stopped at 80 metres from the airplane. At that place, the Egyptian ambassador was already present. He was to supervise the exchange. After leaving the bus, the terrorists laid down their explosives and subjected themselves to a search by the Egyptian ambassador. They were allowed to keep two pistols. Then the exchange procedure started. Three hostages were exchanged for the crew. The remaining hostages, the French ambassador last of all, were exchanged for Furuya and the money. At 22:22 hrs on Tuesday, September 17th, the airplane took off from Schiphol.

After some wandering, the Boeing landed the next day in Syria, after the Syrian authorities had granted landing permission.

Case Report II

On Tuesday the 2nd of December, 1975, at 10:07 a.m., the Groningen - Zwolle stopping-train, soon after having left Beilen Station, was brought to a stop by means of the safety-brake. Inside the train a group of 7 young Moluccans, firing handguns, moved to the driver's cabin. By closing the door, the driver tried to keep them out. However, he was shot down through the door and badly wounded. Later on, in the luggage compartment, he was killed by the terrorists.

The train consisted of two carriages. The passengers in the front carriage were rounded up in the rearmost compartment, those in the second carriage remained under guard in that part of the train.

The passengers of the front carriage were forced by the Moluccans to blind the windows with newspapers and adhesive tape. The doors of the train were locked by means of chains and padlocks, to which they attached what looked like dangerous explosives, but afterwards appeared to be fireworks. Everyone who tried to find out what was going on was shot at by the terrorists.

After about an hour of uncertainty the responsible authorities were alerted in conformity with the existing directives. As of about 11:30 a.m., a policy-making centre at Beilen and a crisis centre at The Hague were in operation. The Minister of Justice called in the special assistance units (sharpshooters and close combat unit) and ordered them to the site of the incident. Without delay the necessary measures to cordon off the site of the incident were taken. An inner ring was formed at a distance of about 300 metres from the train and an outer ring of 8 kilometers in circumference. In forming this cordon, use was made of a battalion of armoured infantry, because there were rumours that quite a few Moluccans were on their way to the train.

At 11:15 a.m. three hostages were allowed to leave the train, bringing with them the demands of the terrorists. They demanded among other things: provision of a bus, handcuffs for the hostages and an airplane in readiness at Schiphol Airport. Obviously they wanted to move to Schiphol, taking a number of hostages with them. The destination of the airplane was not stated. Attached to these demands was an ultimatum, which expired at 12:45 hrs, when executions would follow.

The answer was to the effect that the demands had been passed on to the government, which had to decide.

At 13:47 hrs the murdered driver was thrown out of the train onto the track. A few minutes later some shots were heard. They were

fired at a hostage, who managed to avoid execution and who reached the police cordon.

At 15:02 hrs that day, a Moluccan appeared in the open door of the train with a handcuffed hostage. This hostage --a 22-year-old man --was executed while he was pushed out of the train.

After this execution new efforts were made to contact the terrorists. This was done through a State Police constable, who acted as a courier. In the days to come this courier was to be threatened repeatedly by the terrorists during his contacts with them. On some occasions he was even beaten. Maintaining their earlier demands, the terrorists asked for food, medicine, cigarettes and so on, while in addition they demanded a new driver for the train. The government agreed to the demands regarding food and medicine. It rejected the demands regarding the bus, the airplane and the train driver.

In the course of the night, from Tuesday the 2nd to Wednesday the 3rd of December, a number of hostages escaped from the then unguarded rear carriage of the train. The next night the remaining hostages escaped from that carriage. 31 hostages remained in the front carriage.

On Wednesday, December 3rd, the earlier demands were repeated with a new ultimatum, which would expire at 11:30 hrs. Prior to that hour, the policy-making centre answered that the demands regarding the supply of food and medicine would be met. The other demands were not yielded to. That day, with the consent of the terrorists, a field telephone was installed in the train. As from that day, the train would be provisioned every day. The ultimatum ran out without anything happening. After the installation of the field telephone the Moluccans talked with Mr. Manusama, their president. They asked for the Rev. Metiary and Pessireron to act as intermediaries. They maintained their demands. A new ultimatum was issued: the demands would have to be granted before 10:00 hrs on Thursday, December 4th,

On Thursday, December 4th, the captors handed a statement to Pessireron, which they demanded to be published by the press. They stuck to their other demands. The ultimatum was extended to 12:00 hrs. The answer of the government was that no bus would be supplied and that the statement would not be published until the aged hostages were released. The terrorists did not accept this and at 12:45 hrs they executed another male hostage. After this execution, they repeated their demands.

That same day, a number of young Moluccans occupied the Indonesian Consulate General in Amsterdam. In this case, too, a number of people were taken hostage.

Towards the end of the afternoon of this day, the terrorists changed their demands. They talked no more about the bus, the airplane and the engine driver. They now demanded the release of a number of Moluccans from prison and in addition made some demands of a political nature. No ultimatum was offered.

The period from the afternoon of Thursday, December 4th, till the evening of Sunday, December 7th, is to be regarded as the stage of negotiation.

For the negotiations with the terrorists, the government made use of a group of people, all of them South Moluccans, consisting of Mrs. Soumokil and Mssrs. Manusama, Kuhuwael and De Lima. They acted as a permanent group of negotiators.

On Friday, December 5th, the terrorists allowed the dead bodies of the killed hostages to be taken away. In the evening of that Friday, an accident happened in the train. It was due to clumsy handling of a firearm by one of the terrorists. In this accident this terrorist and one of the hostages were seriously wounded. The two wounded men were put outside the train, together with a hostage who suffered from shock.

During the other days of this period, the Moluccans stuck to their demands of December 4th, but in this period they released some of the elder hostages.

The period from Monday, December 8th, till noon of Sunday, December 14th, can be regarded as the closing stage. On the preceding days, the contacts with the terrorists had been kept limited on purpose. The waiting was for an initiative from their side. However, this waiting could not last too long because of the physical condition and the mental state of the hostages. In this, the freezing cold played an important part. The heating of the train functioned badly and as of Wednesday, December 10th, it failed altogether. In this period, a termination of the situation by use of force was seriously contemplated by the government. In the course of this period, a further number of hostages were released.

On Saturday, December 13th, after discussions between the terrorists, Mrs. Soumokil and Mr. Kuhuwael, the terrorists announced that they were willing to surrender, on the condition that they would be allowed to surrender to Mr. Manusama, who could next hand them over to the police. This announcement was a surprise for the government. Although the terrorists asked for a simultaneous termination of the hostage situation in Amsterdam, they did not make this a condition to their surrender.

At 12:00 hrs, on Sunday, December 14th, the terrorists left the train unarmed, accompanied by the members of the group of negotiators. At some distance from the train, they were arrested by the police.

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PROBLEMS, MEANS AND METHODS OF POLICE ACTION
IN THE FEDERAL REPUBLIC OF GERMANY

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Problems, means and methods of police action in the Federal Republic of Germany (FRG).

Criminalistic pat solutions or infallible models for action do not exist. One can only set up general principles, offer empirical knowledge in the form of aids to decision-making, and discuss suggested solutions for particular operational situations and particular problems.

Basically, the police are always called upon to solve the situation by employing their own, that is to say police, resources. But this already may involve problems of a most difficult nature, especially when police leaders are deprived of the initiative or the making of decisions, either temporarily or within certain fields of decision-making, on the grounds of overriding political considerations, be it that foreign policy requires a certain course of action to be taken, or that political influence is being exerted from abroad (which may even take the form of gentle pressure), or in the presence of domestic considerations or necessities (public opinion, factors of social policy, etc.). In all those cases, all that police leaders can do is to make consistent and unswerving use of conventional and tested, as well as of newly and empirically gained, principles and knowledge in the field of police tactics and police strategy in those areas where they are still able to decide for themselves. It is now proposed to discuss briefly those points which we have found to be the most important ones, looking at the tasks and problems involved.

There is no doubt that the supreme rule governing all police action and decisions is to protect the lives of the hostages; this means that the principle not to endanger human life has absolute priority over the necessities of law enforcement. Several incidents that occurred abroad and the way they were handled have shown, however,

that there may be -- and must be! -- exceptions to this fundamental rule for overriding reasons of state policy. Should the Federal Republic ever be blackmailed in an unacceptable way, reference must be made to the declining attitude which the Federal Government adopted on the occasion of the cruel assault of politically motivated violent offenders directed against the diplomatic representation of the FRG in Stockholm in February 1975.

Regarding the process of decision-making on the part of the police, the fact that in all relevant cases the offence is still in the course of being committed when the first action is to be taken has again and again been found to be particularly tricky and disadvantageous. An error or failure to act, especially in this phase of the incident, may have literally fatal consequences which it is afterwards impossible to undo; it is therefore imperative that this be always kept in mind and that all action and all decisions be planned and ensue with utmost caution. It is not infrequent that the offenders threaten to kill hostages and thus compel the police to passivity or almost complete inaction, which implies the loss of most valuable time urgently needed for clearing up the matter or securing evidence. Therefore, in these phases, pre-set comprehensive preparations must in every possible way be made, so that the whole police machinery can be massively and successfully set to work once police leaders have regained full freedom of action.

Often, police activities are rendered more difficult by a negative or irresolute attitude on the part of the relatives of, or those responsible for, the hostages, by opposing police intervention or -- for fear of incurring an additional risk for the hostages -- by not calling the police in time or by informing them only incompletely about the facts of the case. However, in such cases there must be no doubt that the police remain under the obligation to do all they can -- although under the best possible camouflage for their activities and with utmost caution -- to employ their own means so as to free the hostages, clear up the case, and have the offenders punished -- if need be, against the will of the relatives or those responsible.

Certainly, in all relevant cases reaching a certain level of impact -- be it as a result of the incident itself, or because of spectacular effects on the public -- it is indispensable to have an operation control team with a staff of leaders and -- depending on the requirements of the particular case -- a number of working groups or specialist teams. No complete enumeration of services which may be needed in this context can be given here; instead, some important experiences shall be mentioned that have been gained in the FRG during the past few years.

As it is practically always impossible to make an accurate estimate of how long a large-scale operation will take, it is necessary that all decision-making, coordinating, and liaison bodies and posts within such an apparatus be manned around the clock and always have at their disposal a complete stock of the latest information available, thus ensuring that instant decisions can be made at any time, including night-time (such as responses to demands or action on the part of the kidnappers, resumption of contacts established, etc.). Friction in the gears of the operation control apparatus, and delays thereby caused, are liable to start inadequate developments that are impossible to rectify afterwards. The setting up of an information room to which all intelligence and all information is centrally channelled on a permanent basis for processing and distribution to all personnel involved has been found to be particularly useful in such operational situations (for example, permanently updated situation reports, statements on the development of the case, summaries of measures taken and their respective success); like this, one can avoid a situation in which leaders of individual specialist teams make decisions or take action which in view of the whole situation might turn out to be out-of-date, or even rash or detrimental, under the aspect of overall strategy. At the same time, it is necessary for such a police apparatus, which often is a motley assembly of members from different police units and therefore constitutes a highly unhomogeneous machinery, to ensure that all working groups and specialist teams be immediately and comprehensively informed of any decisions made by the operation control staff and that, vice versa, all intelligence developed by these units be promptly and entirely channelled to the control centre. On the other hand, it must also be guaranteed that all confidential information, action planned, and operational plans meant for official use only will in fact be kept secret and will not, through neglectful handling, become known to persons outside the police, especially to press reporters. Too often already, rash press publications have seriously jeopardized the success of painstaking preparatory work.

In the event that not only local units of the detective, and uniformed, police forces are deployed but also officers from neighbouring, or non-police, forces, a well-defined chain of command is indispensable in order to avoid a confusion of orders and authority. It is clear that operations of that nature often involve difficulties in the relations with the public prosecutor - who under German law is the "master of the procedure" - especially when it comes to decisions in the field of police tactics and coercive measures (e.g., firing shots that are meant to kill); however, appropriate, that is to say pragmatic, solutions must be found for such problems within the framework of valid norms. Where police forces from various federal states and border police units or police cadet units are deployed together, it is necessary for the operation control staff to inform themselves in time on organizational structures, equipment and weaponry available,

and level of training, so as to avoid potential mishaps and setbacks in operation. Such considerations must be made, particularly when there is an intention to use helicopters, armoured vehicles, special equipment, precision firing teams or mobile operational units (details on these specialized units will be given later on).

Experience has shown that hostage-takers and kidnappers essentially make the following demands: do not call in the police or the press, pay a certain amount of ransom, and observe certain modalities when handing over the ransom. In case of the hostage-takers being in direct or indirect contact with the police, they normally demand to be granted safe-conduct and to be given escape vehicles as an additional condition for releasing the hostages. There are no objections to pretending to accept the kidnappers' demands. But apart from the fact that some of the additional demands that are sometimes made are downright impossible to fulfil (e.g., separation of a part of the country from the rest of the national territory, revocation of inalienable constitutional rights, humiliation of a government, etc.), there would be a great risk of escalation of this most brutal form of crime if the offenders could be generally sure that the police will strictly abide by the concessions forced upon the authorities. This also holds true entirely for the granting of safe-conduct which is demanded regularly.

Another essential objective which the police must aim at is to maintain contact with the kidnappers once it has been established, and in the course of negotiations to obtain above all an exchange of the hostages for money, without (if possible) making advance concessions. At the same time - and especially if there are no other sources of information - the police, while negotiating, must endeavour to learn significant details on the number of offenders, their weapons, the number and condition of the hostages (children, women, infirm persons) and the whole background of the incident, in order to be able to make a valid assessment of the situation, identify the offenders, draw up a psychological profile allowing one to analyze their personalities, and anticipate their actions and reactions. All experience gained so far goes to show that, especially in the initial hectic phase of events, it is appropriate to avoid affective or aggressive acts on the part of the offenders by seemingly complying with their demands and showing understanding for their specific situation, to try to gain time, and finally to practice delay tactics designed to tire and wear down the kidnappers. At the same time, it must be attempted to take over the initiative unnoticeably, and to aim at a clear and carefully prepared solution without, however, ever being at a loss for an equivalent alternative solution which could flexibly be adopted in case of a setback. In all those efforts, a mediator, if he is accepted by the hostage-takers, can be of great help. However, experience has shown that this may involve unpleasant surprises as well, for instance when the mediator after establishing contact with

the offenders invokes his professional secrecy - or an alleged secrecy he claims to have title to - and thereby, at least temporarily, impairs the work of the police (e.g., lawyer in the Luhmer case).

Among other possibilities, the making available of "substitute hostages" has been discussed and practiced in the FRG. As a general rule, this method does not appear to be an adequate means for putting an end to the situation; above all it does not improve the position of the law enforcement authorities. In one case of hostage-taking in Cologne in 1971, two senior police officers volunteered as substitute hostages for the offenders, and it was not least thanks to their assistance that the incident could be brought to a good end. Apart from the fact that the hostage-takers themselves generally do not go for substitute solutions of that type, such an intermediate solution is not a suitable model to follow; not the least reason for this is that - as is also the case when top politicians act as substitute hostages - the police (and in the case of the top politician, the government) too easily could get into a delicate situation, and in extreme conflict situations could have their freedom of action and their freedom of decision curtailed.

Another delicate problem of its own in all major cases of kidnapping or hostage-taking is the behaviour of the press. In spite of all legitimate shielding efforts on the part of the police, it often turns out to be practically impossible to evade the onslaught of the reporters and their detective instinct when hunting for sensational stories. In extreme cases, reporters have been known to literally siege the operation control centre permanently and sometimes even to keep watch on and follow members of the emergency staff, annoying them day and night only in order to obtain the latest information. In one case, such improper behaviour even made the offenders believe some busy press photographers to be police observers, whereupon they disappeared from the scene; and press reports published against the will of the police caused the kidnappers to call the press and communicate information designed to mislead the police (the Luhmer case). This state of affairs, which often leads to an intolerable strain on the officers in charge or on officers performing special tasks, can only be countered to some extent by setting up a press room staffed with a press liaison officer specially commissioned for that purpose by the operation control team and closely cooperating with them. If the flow of information is sparse, some press reporters must be expected to cause all kinds of trouble, possibly even including the threat to bring into play their good relations with persons having political influence if additional information is further denied. Extremely extraordinary circumstances have to be put up with by the police leaders and officers involved in the operation if - as it happened for instance in the case of the top candidate of the Christian Democratic Party, Lorenz, who was kidnapped just before the 1974 Berlin state elections - the kidnappers demand television time

for their political agitation and the demand has to be met, thus making the mass medium television become the immediate stage of events for the entire population of the FRG and a large part of the neighbouring countries. The task of keeping a level head then, in the face of reactions and emotions of all types, calming the turmoil of indignation, and at the same time remaining in control of the situation, no doubt is a psychological test of endurance that can hardly be surpassed.

Out of the numerous and manifold conclusions that have been drawn on the basis of the experience gathered in the FRG during the past few years, it is now proposed to discuss briefly at least some of the most important ones.

Normally it is impossible to foresee who will take whom hostage, nor when and where; experience goes to show, however, that in order to operate successfully, the kidnappers have to make most diverse preparations (e.g. selecting the victim or target; studying the victim's behaviour, habits, and professional activities, or the nature of the target; obtaining weapons, ammunition, identity documents, vehicles, and other means for carrying out their plan; renting flats or hide-outs to be used as store-rooms or strategic points of support, for observation purposes or accomodating the hostage, e.g., the converted basement of a rented shop in the Lorenz case). As such preparative work is generally carried out not only on a local, but also on a supraregional, and sometimes even international, basis, a central facility for collecting all relevant information has been created within the Federal Criminal Police Office at Wiesbaden, where immediate analysis of all incoming information, as well as appropriate processing of intelligence developed, takes place. As far as legislation is concerned, this situation has been taken into account by an amendment to the Law on the Establishment of the Bundeskriminalamt of June 29th, 1973, providing that the Bundeskriminalamt shall be the central information and communications agency for the police in Germany and handle the exchange of information within ICPO-Interpol. This law also authorizes the Federal Criminal Police Office to assist the Federal states in any way, through its own specialists and specialist facilities (in particular the Forensic Science, Criminal Identification, and Research departments), and to take enforcement action itself in certain cases of politically motivated delinquency. These provisions meant considerable progress in the close, and good, cooperation between police agencies on the Federal, and State, levels in the FRG. Practical experience has already shown that this cooperative system is a very good one, for instance in the prosecution and destruction of the hard core of the Baader-Meinhof gang and of the "Movement of the 2nd of July", a group sympathizing with the Baader-Meinhof gang and responsible for the Lorenz kidnapping.

In order to be in a position to plan, and carry out, joint operations of Federal, and State, police forces in a uniform manner, a permanent "regulations commission" has drawn up uniform service regulations for all German police forces to be observed in cases of kidnapping or hostage-taking; these were introduced with the Federal, and State, police forces in October 1973. These regulations govern the chronological preparation of such operations, immediate measures to be taken, and, in general, the tactics to be pursued by the police. They thus guarantee that police operations taking place in more than one area of jurisdiction or involving neighbouring police forces will be carried out along identical lines. But they also contain general principles, as well as detailed information, on measures to be taken in relevant cases and in particular in such incidents involving air-planes.

Experience gained in the FRG has led to the conclusion that when dealing with cases of serious crime involving the taking of hostages, particular importance must be attached to the use of a "negotiating team" whose task it is to operate in the forefield, so to speak, between the operation control staff and the hostage-takers. For some considerable time already, seminars for the training of such negotiating teams have been organized in Bavaria, and they are now also being held at the Federal Criminal Police Office and in other Federal states, or will be started shortly. In the main, the negotiating teams have the following overall mission: establish contact with the offenders, and conduct negotiations along the lines determined by the operation control staff, with the objective of "psychologically" defeating the offenders; try to gain time, delay, identify the offenders and study their personalities, particularities, and specific behaviour; obtain release of the hostages; make the hostage-takers give up their plan. In addition to detective officers acting as negotiation leaders and spokesmen, the teams include psychologists having police experience.

With a view to operational deployment, both the Federation and the Federal states have created specialized police units trained and equipped to deal with kidnappings and hostage situations. These units include:

"Mobile Operational Units": their main tasks are detective ones, and their working methods are largely the same as those of a State Investigative Team (collection and analysis of background knowledge, observation, ensuring an optimum of enforcement action directed against the perpetrators);

"Special Operational Units": their task essentially is to save the lives of persons endangered by violent criminals and to apprehend the offenders (for example by a serried advance -- either open or concealed -- and by coercive measures or a surprise attack);

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"Precision Firing Units": their deployment in cases of most serious crime has the objective of incapacitating the offenders in order to save the hostages' lives. They must not be brought into action unless this is the only remaining means of saving lives in danger;

"Border Police Group 9": this is a unit within the Federal Border Police that, with regard to organizational structure, training, and equipment, as well as its mission, constitutes a synthesis of Special Operational Units and Precision Firing Units.

In this connection, the reader might be interested to know that the Federal Criminal Police Office plans very shortly to conduct a study on the behaviour of hostage-takers from the points of view of criminalistics and the psychology of motivation. This survey is to be accomplished jointly with an acknowledged institute of psychology in Munich and has the following objectives: to study the effect of all the circumstances surrounding the crime on the behaviour of the offenders; to analyze the processes of interaction between offenders, police, victims, and mediator; in order to provide the security authorities — on the basis of results so obtained — with information and means helping them to deal with offenders in hostage situations, to make them aware of structures of motivation and patterns of behaviour, to make them realize the necessity of seeking psychological and tactical advice, and, in general, to give them more confidence and assurance in the way they cope with the situation and in their strategies and tactics.

Finally, considerable efforts have been made in the field of equipment and technical means for operational purposes.

A procurement programme for specially trained units has been carried out on the Federal level as well as in the Federal States, covering such items of equipment especially for cases of kidnapping or hostage-taking as tape recorders for phone calls, radio communications etc.

PROGRAMME
and
LIST OF PARTICIPANTS

PROGRAMME

Wednesday evening, May 12, 1976

8:00 - 10:00 Dinner

Thursday, May 13, 1976

8:00 - 9:00 Meeting of panelists* for the day

9:00 - 9:15 Opening Remarks

Denis Szabo (Canada)
Peter Lejins (U.S.A.)
Ronald Crelinsten (Canada)

Session I

Before the Act

Chairman*: L. Hulsman (Holland)
Panelists: W.G. Estelle (U.S.A.)
 R. Kupperman (U.S.A.)
 J. Loos (F.R.G.)

9:15 - 10:45 Discussion A+

10:45 - 11:00 Coffee break

11:00 - 12:00 Discussion B+

12:00 - 12:30 Summary & Conclusions
 (Panelists)

12:30 - 2:30 Lunch

* See Note on Procedure following this programme, for details on the role of panelists and chairmen.

+ The distinction between Discussions A and B is explained in the Note on Procedure.

Session II

Act Occurs: Initial Response

Chairman: J. Léauté (France)
Panelists: R. Bourne (Canada)
A. Cooper (U.S.A.)
C. Hassel (U.S.A.)

| | |
|--------------|--------------------------------------|
| 2:30 - 4:00 | Discussion A |
| 4:00 - 4:15 | Coffee break |
| 4:15 - 5:15 | Discussion B |
| 5:15 - 5:45 | Summary & Conclusions (Panelists) |
| 6:00 - 7:00 | Films |
| 7:00 - 8:00 | Cocktail |
| 8:00 - 10:00 | Dinner |

Friday, May 14, 1976

| | |
|-------------|----------------------------------|
| 8:00 - 9:00 | Meeting of panelists for the day |
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Session III

Negotiations

Chairman: A. Reiss (U.S.A.)
Panelists: D. Dawe (Canada)
P. Mullany (U.S.A.)
F. Ochberg (U.S.A.)
W. Salewski (F.R.G.)

| | |
|---------------|--------------------------------------|
| 9:00 - 10:30 | Discussion A |
| 10:30 - 10:45 | Coffee break |
| 10:45 - 11:45 | Discussion B |
| 11:45 - 12:15 | Summary & Conclusions (Panelists) |
| 12:30 - 2:30 | Lunch |

Session IV

Outcome

Chairman: J. Sundberg (Sweden)
Panelists: A. Fariello (Italy)
W. Frackers (The Netherlands)
K. Gemmer (F.R.G.)
D. Godfrey (Canada)

| | |
|--------------|--------------------------------------|
| 2:30 - 4:00 | Discussion A |
| 4:00 - 4:15 | Coffee break |
| 4:15 - 5:15 | Discussion B |
| 5:15 - 5:45 | Summary & Conclusions (Panelists) |
| 6:00 - 7:00 | Cocktail |
| 8:00 - 10:00 | Dinner |

Saturday, May 15, 1976

| | |
|-------------|----------------------------------|
| 8:00 - 9:00 | Meeting of panelists for the day |
|-------------|----------------------------------|

Closing Session

Follow-up or transfer of technology

Chairman: R. Selten (F.R.G.)
Panelists: A. Bossard (France)
M. Cullinane (U.S.A.)
J. Greacen (U.S.A.)
J. Shields (U.S.A.)

| | |
|---------------|--|
| 9:00 - 10:30 | Discussion A |
| 10:30 - 10:45 | Coffee break |
| 10:45 - 11:45 | Discussion B |
| 11:45 - 12:15 | Summary & Conclusions (Panelists) |
| 12:15 - 12:30 | <u>Closing Remarks</u> |
| | Denis Szabo (Canada) Lloyd Ohlin (U.S.A.) |
| 12:30 - 2:30 | Lunch |

Note on Procedure

1. Special note should be taken of the role of the panelists, as this has been slightly modified since the memo on structure and methods.

2. Panelists, including the chairman, will function as privileged discussion leaders, doubling as rapporteurs. The role of rapporteur, per se, has been dropped and his functions have been amalgamated with those previously conceived for panelists. In addition, the chairman is no longer conceived of as a mere policeman, but is a full-fledged panelist himself, with the extra duty of presiding over discussion and ensuring a fruitful exchange.

3. In principle, a panelist is expected to bring forth the issues, to ensure that no important perspective is overlooked, to delineate and integrate the various problems which emerge and to lay the groundwork for a composite picture of the inter-related problems and their possible arrays of solutions - or impasses.

4. The individual sessions have been so structured as to facilitate the achievement of these goals. The first part of each session (Discussion A) should be devoted to raising issues, exposing conflicting approaches, needs and concerns, and ensuring that all relevant perspectives are raised. The second part of each session (Discussion B) should be devoted to attempts to reconcile and integrate the various concerns and problems into a coherent

framework. (Here the working paper's analysis of the hostage-taking phenomenon should be useful.) In both these parts, discussion by all participants should be fully encouraged and it is here that the panelists will function as privileged discussion leaders. The chairman, although responsible for "keeping order", should also feel free to engage in active participation as a panelist.

5. In the final part of each session (summary and conclusions), the panelists will function primarily as rapporteurs. At this time, they should lay the groundwork for a final, written statement, summarizing and integrating the proceedings of the particular session. Structuring the discussion in this way allows for the panelists to benefit from one another's on-the-spot analysis and commentary. By scheduling it for the closing period of each plenary session, all participants will, in effect, be involved in this summing-up procedure, even though only the panelists will be doing the on-the-spot analysis.

6. Each panelist, including the chairman, will be expected to write a brief report (around 5 pages), reflecting his own personal perspective. These reports will be used in the final report on the proceedings, and will constitute a significant portion of the final publication.

7. While chairmen have already been designated, the bulk of the panelists will only be designated once the final roster

of participants is assembled at the conference site and last minute cancellations or unexpected arrivals are accounted for. Only then will the full range of expertise and perspectives be clear. Panelists will be chosen to ensure that all perspectives and all experiences relevant to the phase in question during a specific session will be represented. This will maximize the expertise of the group and will ensure that the panel reflects the whole complexity of the problem under consideration.

8. In sum, the sessions have been structured in the manner outlined above in order to facilitate and to maximize fruitful exchange. Participants should feel free to express their views fully and to relate their experiences when appropriate. However, it will aid the panelists, particularly the chairmen, if the distinction between discussion A and discussion B is fully appreciated and adhered to. Discussion A is for "getting" everything out in the open" - differences, agreements, statements, even insults, if delivered with finesse. Discussion B is for "making some sense out of the whole mess" or for making order out of chaos. Keeping this distinction in mind and working within this operational framework should go a long way toward ensuring a stimulating and productive seminar.

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