

U.S. Judge Says Egypt Knew of Murder Before Hijackers Were Freed

By Robert D. McFadden
New York Times Service

NEW YORK — An American judge who was a hostage aboard the cruise ship Achille Lauro said Sunday that the only reported witness to the murder of an elderly American had given the Egyptian authorities a full account of the slaying 12 hours before Egypt released the hijackers.

The judge, Stanley L. Kubacki, who said he heard the fatal shots, said he also spoke Thursday to an Egyptian official.

"I told him everything I knew," he said. "I showed him the spot where Mr. Klinghoffer was shot. We were talking and he told me: 'Don't worry anymore. They are in prison now.'"

President Hosni Mubarak and other Egyptian officials have contended that, at the time the terrorists were released Thursday night under a safe passage agreement that ended the hijacking, Egypt knew of no murder on board.

Judge Kubacki, 70, a jurist on Philadelphia's Common Pleas Court, said he had told the Federal Bureau of Investigation, which debriefed 15 Achille Lauro passengers when they arrived Saturday in the United States, that the chief bartender of the Achille Lauro told him he saw two terrorists shoot Leon Klinghoffer last Tuesday.

The judge, one of the four hostages who identified the captured hijackers in lineups in Sicily, said he did not know the bartender's name. The judge said the bartender had told him at length what he saw.

While the other Americans on board were taken by one gunman onto a deck near the bow of the ship, two terrorists took Mr.

Klinghoffer in his wheelchair onto the starboard side shortly after 11 A.M. Tuesday, with the vessel off the coast of Syria, the judge said.

The bartender, according to the judge's account, came upon the killing as he descended a nearby stairway.

"He said he was coming down onto the promenade deck," the judge said. "One of the terrorists shot the man in the chest. Then the other man, with a mustache, directed him to shoot Mr. Klinghoffer again. He put another bullet in him. He shot him in the middle of the forehead."

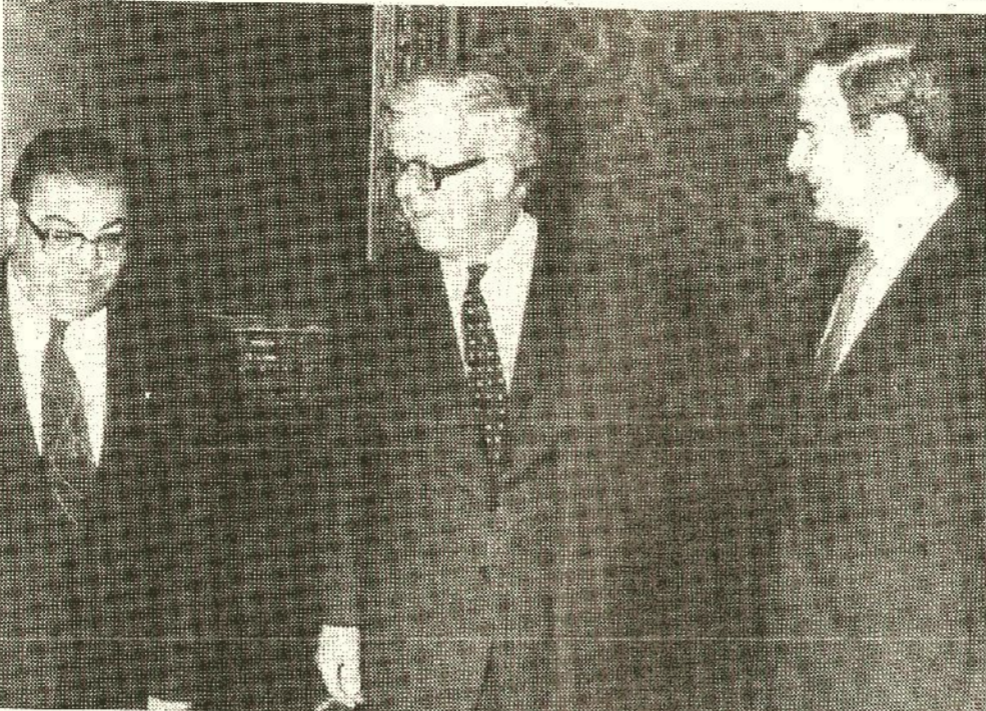
Late Thursday morning, after negotiations to end the hijacking were completed, the Achille Lauro arrived at Port Said, Egypt, and several U.S. and Egyptian officials went aboard in the late morning, Judge Kubacki said.

An Egyptian prosecutor, he said, took statements about the killing from at least three people: the bartender, Judge Kubacki and Seymour Meskin, 71, of Union, New Jersey.

"The bartender described the shooting," he said. "He talked to the Egyptian prosecutor and to Seymour and me, and he described the killing. He took the Egyptian prosecutor there to the spot where it happened. He saw the blood. It was the same spot Meskin and I pointed out."

Judge Kubacki and his wife said they were convinced that there were six hijackers on board, though they saw only four men with automatic rifles who guarded the passengers.

Besides these four, they said they believed there were at least two others.



Geoffrey Howe, Britain's foreign minister, center, meeting with two Jordanians, Deputy Prime Minister Abdul-Wahab al-Majali, left, and Foreign Minister Taher al-Masri.

Britain Calls Off Talks With PLO

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an members of the delegation which contained explicit references both to Israel's right to exist within secure and recognized borders, and to the right of the Palestinians to self-determination.

41 Killed in India Bus Crash

NEW DELHI — At least 41 people, including 24 members of India's border security force, died Sunday when a bus crashed into a gorge 100 miles (160 kilometers) from Jammu in northern India, United News of India reported Monday.

But British officials did not have direct contact with the PLO representatives until Sunday in London because they felt that Jordan was the proper channel to obtain PLO assent to the statement, the official said.

Asked what reasons may have been behind the PLO refusal to accept the statement, the official

indicated that death threats against the PLO envoys may have figured in their attitude.

"The men of violence have won a battle," the British official said. "We and the Jordanians kept their nerve, the PLO didn't."

David Owen, a former foreign secretary who now is leader of the centrist Social Democratic Party, called the affair "mind-boggling incompetence."

A Conservative member of Parliament, Robert Adley, head of a pro-Jordanian parliamentary group, blamed immense pressure "by the Americans and the Zionist lobby in Britain," and called it "a monumental slip in the face to King Hussein" of Jordan.

Mubarak Demands An Apology From U.S.

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humiliation, an affront to Egypt's dignity.

Coming atop the Israeli air raid on the Palestine Liberation Organization headquarters in Tunis, and President Reagan's public statement of approval, the forcing down of the plane stirred a wave of anti-American sentiment and was a severe embarrassment for Mr. Mubarak.

The Egyptian president, who is dependent on about \$2 billion this year in American aid, had gone out on a limb backing a peace initiative by King Hussein of Jordan.

The stalled initiative received another setback Monday when Britain decided not to meet after all with two Palestine Liberation Organization members who had been invited by Prime Minister Margaret Thatcher during an arms-selling trip through the Middle East.

Thus, diplomats said, Mr. Mubarak's appearance appeared at least in part designed for public consumption, as was his announcement Monday that the pilot and crew of the Egyptian jetliner that was forced down would be decorated for bravery for "gallant and heroic action."

[A U.S. official said that the Reagan letter "indicates a level of understanding" of the Egyptian position in trying to deliver the hijackers of the Achille Lauro to the Palestine Liberation Organization. The Associated Press reported, Egypt had said that the hijackers would be tried by the PLO.]

[But Mr. Mubarak has said he fears that placing the hijackers on trial in Italy will "not stop the violence," an apparent reference to reprisal attacks.]

Arafat Won't Visit UN

The United Nations General Assembly, under pressure from the United States and other countries, withdrew Monday a resolution inviting Mr. Arafat to attend the 40th anniversary session, The Associated Press reported.

U.S. officials had said that President Reagan might have cancelled his participation in the ceremonies if Mr. Arafat attended.

Mr. Arafat originally had not been invited to attend the Oct. 14-24 ceremonies.

But a resolution introduced by India and five other members of the nonaligned nations would have had the General Assembly invite the PLO leader and Sam Nujoma, president of the South-West Africa People's Organization, which is fighting South African administration of the territory.

PLO Official Is Reported To Have Left Yugoslavia

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World War II. The extradition is still pending, awaiting appeal.

A Veteran Militant

Nora Boustany of The Washington Post reported from Beirut: Mr. Abbas is a veteran of the Palestinian movement who aligned himself with Yasser Arafat, the PLO chairman, when the PLO split in 1983.

He heads a faction of the Palestine Liberation Front, the PLO group in which the four hijackers claim membership.

Mr. Abbas, for years identified with the most radical elements of the Palestinian movement, was named to the executive committee of the PLO a year ago and is said to be in its 10-member inner cabinet.

Mr. Abbas's early association

was with Syria, where he spent his early years and studied. His first ties to Palestinian politics and guerrilla actions have been traced to 1965, when he joined forces with a group headed by Ahmed Jibril, a former Syrian Army officer.

In alliance with the forces of Georges Habash's Popular Front for the Liberation of Palestine, Mr. Abbas and Mr. Jibril were blamed for a series of hijackings and other incidents directed against Israel.

They were based first in Jordan and ultimately in Beirut, where they split in 1977. Mr. Abbas took most of their forces with him. Their main disagreement seemed to concern allegiance to Syria. Mr. Jibril now heads the Syrian-backed Popular Front for the Liberation of Palestine-General Command.

2 Americans Win Nobel

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rowed, reducing blood flow and increasing the danger that a clot may block an artery. Blockage of a coronary artery may cause a heart attack, while blockage of a vessel to the brain can cause a stroke.

Cholesterol, taken in with fatty food, is present in all tissues. In moderation it is vital for normal bodily processes.

Reached at a hotel in Boston where he is attending a conference at the Massachusetts Institute of Technology, Dr. Brown, 44, said: "All I can say is I'm very surprised and honored."

Dr. Goldstein, 45, attending the same conference, said: "It's very exciting. I am still trying to believe it's true. I hope physicians and patients will become more aware of

the problem of cholesterol and atherosclerosis."

Dr. Brown and Dr. Goldstein first discovered the LDL receptor in 1973. It is a cell surface molecule responsible for binding LDL particles and removing them from the blood circulation.

The critical implication of the two men's work is that people with too few LDL receptors have high concentrations of cholesterol, making them high risk targets for atherosclerosis, heart attacks and strokes, medical experts said.

Dr. Brown and Dr. Goldstein learned that the mechanism underlying severe hereditary familial hypercholesterolemia, which can cause heart attacks even in children, is a complete or partial lack of functional LDL receptors, the Nobel committee said.

For U.S. and Its Allies, a Minefield of Conflicting Interests

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and Yugoslavia have been battling terrorists for years, and each asserts that it is adamantly opposed to terrorism.

Egypt has been vigilant in guarding against bombings and assassinations by Libyan agents. Italy has shown skill in curbing the Red Brigades. And Yugoslavia has carried on a worldwide campaign against Croatian nationalists and others opposed to a unified Yugoslavia.

Administration officials have pointed out that it is virtually impossible to persuade sovereign nations to take actions that cut across their political and diplomatic interests. This was evident in June, after the release of the last of the U.S.

hostages from the Trans World Airlines plane in Beirut. The United States announced a plan to "close down" the Beirut airport by barring flights to and from Beirut, and it called on other nations to follow suit.

A meeting of allied anti-terrorist specialists was held in Bonn and no other nation agreed to take part. Each had its own reason for declining the U.S. proposal. France owned 30 percent of Lebanon's national airline. Others did not want to be caught in what they feared might be a retaliatory Arab boycott of their own airlines.

In the case of the Achille Lauro and Mr. Abbas, neither Egypt, Italy nor Yugoslavia believes that its

interests would be served by arresting a close aide to Yasser Arafat, the PLO leader. The three governments share a belief that the PLO should play a central role in any Middle East settlement, that it represents the Palestinian people, and that it is not strictly a terrorist group.

Mr. Abbas was aboard the Egyptian plane that was intercepted by U.S. Navy aircraft because he had helped arrange the agreement that ended the hijacking and turned over the hijackers to PLO custody.

The Egyptians contended that Mr. Abbas had acted honorably in helping to end the hijacking before more people were killed, and in agreeing that the four hijackers

should be brought to trial by the PLO.

The Italian government had asked the PLO to use its influence to bring the hijacking to an end and felt indebted to Mr. Arafat's group and to the Egyptians, even though Italy ultimately agreed to try the four hijackers for the murder of the American.

Mr. Craxi's government was unwilling to evoke PLO outrage by arresting Mr. Abbas, particularly when the Egyptians seemed to be refusing to let the Achille Lauro leave port until he was freed.

The United States contended that Mr. Abbas was the leader of the hijackers and that his case

should be viewed as criminal, not political.

But it is difficult for governments to treat such a case in a dispassionate manner. To arrest Mr. Abbas would have been seen as a political statement against the PLO and a repudiation of the Palestinian cause. This, these governments seemed unwilling to do.

Mitterrand Is Visiting Brazil

PARIS — President François Mitterrand left Monday on official visits to Brazil and Colombia. He is expected to discuss Brazil's \$104-billion foreign debt in two meetings with President José Sarney.

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