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Lebanese Accused of Killing U.S. Navy Diver to Go on Trial

By Robert J. McCartney
Washington Post Foreign Service

FRANKFURT, July 4—Shortly after 2:30 a.m. on June 15, 1985, two radical Shiite hijackers wearing Palm Beach suits and Italian shoes dragged U.S. Navy diver Robert Dean Stethem of Waldorf, Md., to the door of a TWA jet parked on a runway of Beirut International Airport, shot him in the head and hurled his body to the tarmac.

On Tuesday, in a $6.7 million, high-security courtroom built for the occasion, Lebanese Mohammed Ali Hamadei goes on trial on charges of having participated in the murder.

The trial will be scrutinized by Washington policymakers and Beirut kidnapers as a rare instance in which a suspected major international terrorist faces the court of a western democracy.

"We will be watching it closely as a measure of effective western response to terrorism," said L. Paul Bremer, the State Department's ambassador-at-large for counter-terrorism.

In Lebanon, the kidnapers of West German chemical company manager Rudolf Cordes also will be watching. They grabbed Cordes as a hostage four days after Hamadei's arrest in January 1986, to press for the defendant's release. Two other West Germans were later kidnaped in Lebanon but have been released.

The case carries considerable symbolic importance in the United States, because the dramatic 17-day hijacking is one of the best known instances in which terrorists directly challenged the U.S. government.

In many American memories, the image still is sharp of Capt. John L. Testrake's televised interview in the Boeing 727 cockpit while a hijacker pointed a gun at his head. Purser Ulrike (Uli) Derickson became a heroine for refusing the hijackers' demand that she pick out passports of passengers with Jewish-sounding names.

"This is an extremely important case because of the brutality of the crimes and the prolonged agony of the passengers who were held hostage," Bremer said.

Thirty-nine Americans out of the original 153 passengers and crew were held hostage for the full 17 days. More than 700 Moslem detainees held by Israel were released in stages, as the hijackers had demanded, after the hijacking ended.

Hamadei faces a mandatory life sentence if he is convicted of murdering Stethem. The prosecution plans to call 125 witnesses, including a large number of the American passengers, and the trial is scheduled to last until December.

It is understood that none of the witnesses actually saw which hijacker pulled the trigger. Under German law, however, a hijacker could be found guilty of murder if he was aware that the killing was planned and approved it.

Passengers have said they saw a man who resembles Hamadei drag Stethem to the front of the cabin, wave a gun in the air, and exult after the shooting.

There is a possibility that the maximum sentence could be reduced to 15 years if the court judges that it is important that Hamadei was under 21—and therefore not an adult—at the time the hijacking was planned. Persons between the ages of 18 and 21 can receive special treatment under West German law.

According to the birthdate on several official documents, Hamadei turned 21 the day before the hijacking began, and now is 24.

A document purported to be a Lebanese birth certificate indicating that he is four years younger—which would require that he be treated as a juvenile and face a maximum 10 years' sentence—is not taken very seriously even by his court-appointed defense attorney, Gabriele Steck-Bromrie.

Hamadei also faces sentences of up to 15 years' imprisonment if convicted on a variety of other charges, including hijacking, hostage-taking, aggravated robbery and what translates from German as "robber-like extortion." He faces lesser charges of causing grievous bodily harm, explosives violations and forgery.

The stakes in the case are mixed for West Germany, where Hamadei was caught 18 months ago at Frankfurt airport as he allegedly tried to smuggle in four bottles of highly explosive liquid disguised as wine.

West German authorities have pledged to prosecute Hamadei to the full force of the law, and they know that any backsliding will draw bitter protests from Washington.

Court officials here and federal officials in Bonn emphasized that the nation's judiciary is independent of outside pressures. But Bonn also wants to safeguard hostage Cordes in Lebanon and has already disappointed Washington by refusing a year ago to extradite Hamadei to the United States to stand trial.

MOHAMMED ALI HAMADEI
... accused of hijacking TWA je

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