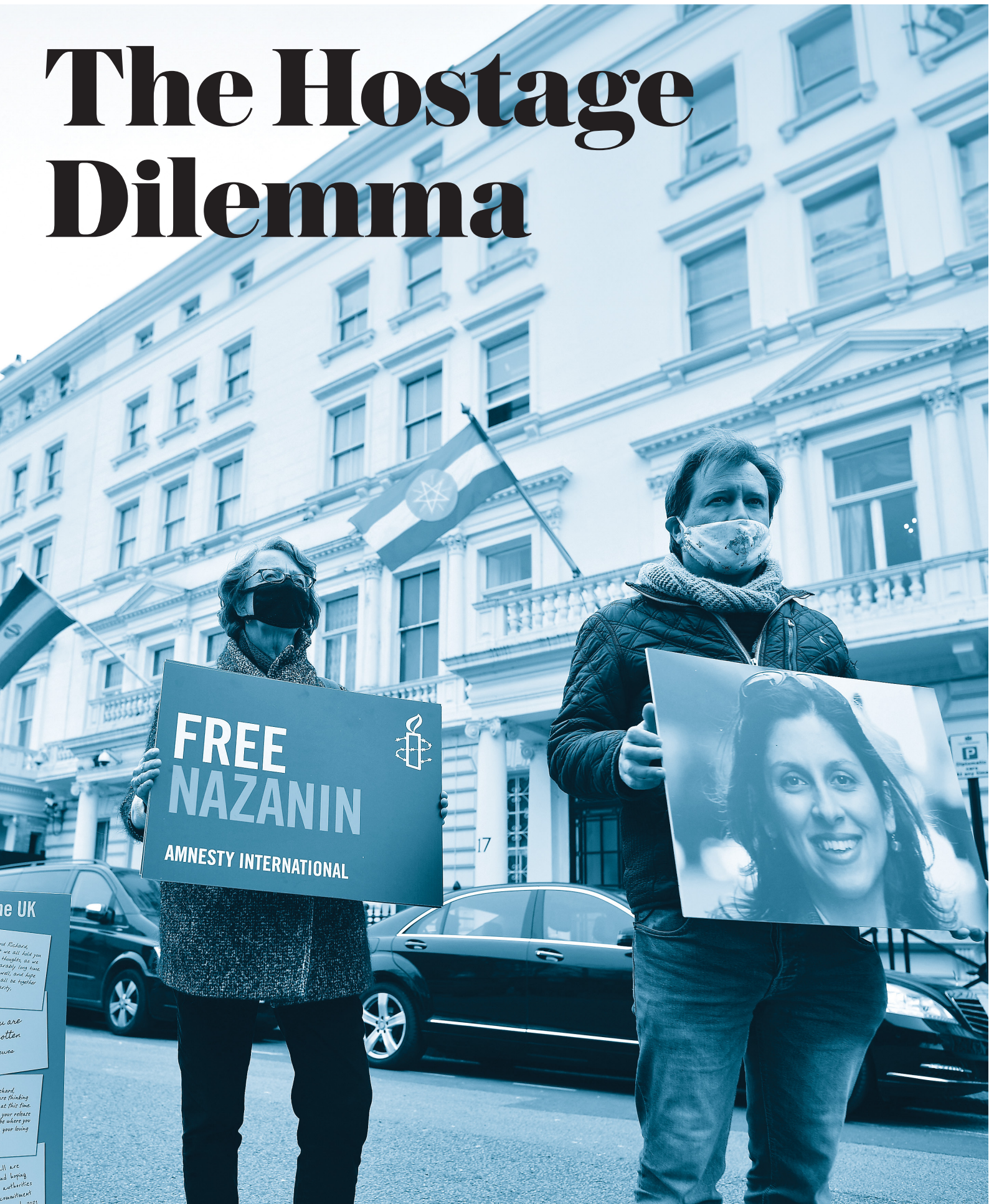


The Hostage Dilemma



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INTRODUCTION

This September the US and Iran freed five detainees each in a controversial swap involving the unfreezing by the Joe Biden administration of \$6 billion of Iran's oil money.

In an elaborate and delicate diplomatic deal, months in the making, the five Americans — some of whom had been held for nearly a decade — were taken from hotels in Tehran to an aircraft that flew to Washington, via Qatar.

The deal was applauded by some and condemned by others. The International Crisis Group welcomed the move, describing the negotiation as ending “the suffering of American hostages in Iran” and explaining that it “could give a much-needed economic reprieve to the Iranian people.”¹

At the other end of the spectrum The New York Sun ran a report criticizing the deal, with the headline: “How much will it cost to ransom the next American taken hostage by Iran, after Biden sets going rate of \$1.3 billion per detainee?”²

Richard Ratcliffe, the husband of British-Iranian dual national Nazanin Zaghari-Ratcliffe, who was held hostage for six years in Iran, warned in the aftermath of the deal that “Iran will keep taking

hostages — because no one is willing to stand up to them.”³ The Free Nazanin campaign said that Iran’s “hostage diplomacy” was becoming normalized, and called for a more coherent response.⁴

In October the unprecedented events in Israel saw a mass hostage-taking of Israelis by Hamas, whose victims included children and elderly people. A “significant number” of Israeli civilians and soldiers were being held hostage by Hamas in the Gaza Strip, the Israeli military acknowledged.⁵

In the era of smartphones and social media the capture of many of those hostages was caught on camera, yielding dramatic footage of terrified individuals whose faces appeared on the front pages of newspapers around the world the following day.

The militants answered the phones of some of their victims, telling the relatives simply: “Kidnap. Gaza. Gilad Shalit.” In 2011, Hamas negotiated the release of hundreds of Palestinian prisoners in exchange for one Israeli soldier, Gilad Shalit, who had been held for more than five years.⁶ Hamas knows that Israel has a track record of leaving no hostage behind and will likely try the same play again.

So, what is “hostage diplomacy?” What are its objectives? Is this a recent or more historic phenomenon and how effective is it in delivering for those who adopt it?



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American businessman Emad Shargi was released in Sep. 2023, after five years in an Iranian prison. AFP

At first glance there is a long list of standard hostage-taker demands, ranging from the release of prisoners or funds to more complex ones, such as changes to a sanctions regime. Who the hostage takers are matters hugely. There is a substantive difference between state actors partaking in strategic hostage-taking and non-state actors doing so. Things are further complicated when state and non-state actors act in concert to take hostages, as witnessed by actions taken by Lebanon's Hezbollah in the 1980s.

Equally there is a huge range in types of non-state actors, ranging from those who control territory and display state-like responsibilities, groups including Hamas and Daesh, to those closer to the criminal end of the spectrum, such as the pirate entities that have operated more opportunistically off the coast of Somalia.

This research paper explores these questions with a focus on Iran's use of the tactic, adopted by the new leadership that took power after the 1979 revolution in the country.

TEHRAN'S TACTIC OF CHOICE

Less than a year after the "Islamic Revolution" in Iran a hostage crisis emerged that became a pivotal episode in the history of Iran-US relations. The November 1979 storming

of the US embassy breached one of the most basic tenets of international relations — the inviolability of sovereign embassy space. Yet this was followed up by a group supportive of the new revolutionary leadership taking 52 American embassy employees' hostage, an ordeal that lasted 444 days. The Iran hostage crisis consumed the last year of the Jimmy Carter presidency, contributing to a perception of weakness and saddling the American leader with an unwanted legacy.

The Iranians did not invent hostage diplomacy. The tactic can be traced across history with prominent examples from ancient China and Rome. Yet Tehran taking on one of the superpowers in the midst of the Cold War gave the act a profile like none other.

The Algiers Accords, officially known as the "Declaration of the Government of the Democratic and Popular Republic of Algeria," and agreed on Jan. 19, 1981,⁷ played a crucial role in resolving the crisis. The hostages were released the following day, but at a cost of significant US political capital. The US government agreed not to interfere in Iran's affairs and to remove the freeze on the latter's trade and assets.

This solution was adopted by the US only after the disastrous Operation Eagle Claw, a failed rescue attempt on April 24, 1980, that ended in the death of eight US personnel. And

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Five American captives returned home in a deal with the US to unfreeze Iranian oil money. AFP

which ultimately had to be scrubbed because of the loss of one too many of the helicopters deemed necessary for the successful completion of the mission.

Thirty-five years later, former president Carter was still haunted by the “one big regret” from his time as president, saying: “I wish I had sent one more helicopter to get the hostages, and we would’ve rescued them, and I would’ve been re-elected.”⁸

So if hostage-taking can make such a clear difference in the election of the most powerful person in the world, what is it about the tactic that makes it so effective?

Taking foreign nationals hostage, as opposed to killing them, creates a very human story of uncertain fate, of living conditions, of distraught relatives campaigning for their release, all which combines to maintain political pressure on the governments of the countries from which those citizens come.

Campaign groups, unsurprisingly, are committed to bringing home their sons and daughters. Yet politicians are also keen to avoid the criticism of being seen to be weak, while also hopeful of reaping the rewards of securing the release of hostages. One has only to think of the number of occasions upon which returning hostages have been greeted on the tarmac by their political leaders⁹ or invited into the corridors of power upon their return.¹⁰

Media-sensitive politicians are very aware

that, in a world where people suffering in conflicts or climate-related disasters numbers in the tens of millions, the human stories of individual hostages resonate in the media and in popular imagination in a way that statistics never can.

If there is drama and convention to hostage-taking, one can see why it lies in the strategic interest of Iran, a country more isolated and sanctioned than most, to pursue it. Practicing it for decades, Iran has developed it into a more subtle art. If the storming of an embassy and seizing Americans is the most obvious tactic, more modern methods have tended to focus on picking up dual nationals and charging them with spying, a crime which is almost impossible to disapprove, considering the clandestine nature of the act.

All this does is seek to add a veneer of legitimacy to the tactic from Tehran’s perspective. In January 2016 Iran detained 10 US Navy sailors whom they accused of having strayed into Iranian territorial waters in the Arabian Gulf. The sailors were released the following day, likely a reflection of the high-stakes nature of capturing hostages from another country’s military.

In 2009 three American hikers who had crossed into the country from Iraq accidentally were held for 26 months.¹¹ Such is the litany and diversity of hostages taken by Iran that Siamak Namazi, one of the five US citizens released, described Evin prison

Huawei CFO Meng Wanzhou was detained in Canada in Dec. 2018 on fraud charges at US request. AFP



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where he was held as a “dystopian United Nations of Hostages.”¹²

A GLOBAL ISSUE

Russia has become increasingly involved in hostage-taking. Wall Street Journal reporter Evan Gershkovich was arrested in March on espionage charges, breaking the long-standing convention of not arresting foreign journalists to whom the state had given visas. Gershkovich’s mother told CNN’s Anderson Cooper recently that her son remains “defiant” six months after he was detained in Russia on charges which he and the newspaper strenuously deny¹³ — a classic reminder of the power and access to media that family advocates have in hostage cases.

On a more day-to-day basis, Russia and Ukraine regularly exchange prisoners. But historically Moscow has had little appetite for negotiating with non-state groups who take hostages, as evidenced by the storming of the Beslan school in 2004, which resulted in the deaths of 333 people, including 186 children,¹⁴ and the disastrous liberation of the Moscow theater seized by Chechen terrorists in 2002, which left more than 118 hostages dead.¹⁵

It has even been argued that Russia’s scuppering of the 2022 UN Black Sea Grain Initiative constitutes an indirect attempt to hold recipients of the grain hostage to their immediate demands. Linda Thomas-

WSJ’s Evan Gershkovich was arrested in Russia on March 29, 2023, on spying allegations. AFP

Greenfield, the US ambassador to the UN, accused Russia of “simply using the Black Sea as blackmail. It’s playing political games and holding humanity hostage.”¹⁶

There have been incidents where the reasons for seizing foreign nationals have blurred intent on criminal and political grounds. Take for instance the US arrest of senior Huawei executive Meng Wanzhou. The deputy chair of the board and chief financial officer of the Chinese firm was detained in Canada on fraud charges in December 2018 at the request of the US. Meng was eventually released almost three years later, but the case caused a diplomatic firestorm and prompted accusations that China had detained Canadian citizens in retaliation, which China denied.¹⁷

NON-STATE ACTORS

Although the impact on the victims themselves can be devastating, the seizure of hostages by countries such as Iran and other state actors is at least underpinned by the logic, albeit warped, of diplomacy and national interest. When it comes to non-state armed groups, however, the issue becomes far more complex and potentially deadly. At the peak of its power in 2015 Daesh became notorious for the killing of hostages linked to impossible demands, such as the complete withdrawal of the US military from Iraq. Its treatment of hostages



India detained 18 suspected Somali pirates in 2011, after their boat drifted to Gujarat. AFP

set a shocking new standard of brutality, whether setting a Jordanian pilot on fire in a cage, or summarily executing a long line of captive Syrian soldiers.

Such gruesome displays of terror helped the group to build a sinister profile and attract a global following of millions. Some hostages were even coerced into playing a central role in the group's own media operation. After the British journalist John Cantlie was kidnapped in 2012, in 2014 he began appearing as a "reporter," critical of Western governments, in a number of Daesh propaganda videos. The American journalist James Foley, who was kidnapped with Cantlie, was beheaded in August 2014. Cantlie's fate is unknown, but he is presumed also to have been killed.¹⁸

Even a hostage's remains can have a price. Irish-born aid worker Margaret Hassan, kidnapped in Baghdad in October 2004 and killed a few weeks later, was the first female hostage killed by militants in Iraq.¹⁹ And five years after her death her body had still not been recovered, with reports of a demand of \$1 million for revealing the location of her grave.²⁰

Somali pirates managed to capture over 3,639 hostages over a period of five years²¹ and had clear demands. In 2012 alone Somali piracy was estimated to have cost the global economy between \$5.7 billion and \$6.1 billion and at the peak in January 2011, Somali pirates held 736 hostages and 32 boats.²²

A NEW APPROACH?

One of the Americans freed in September's complex exchange deal after being imprisoned for nearly eight years in Iran urged the Biden administration to launch a "game-changing global endeavor" to end Tehran's longstanding practice of holding foreign nationals hostage.²³

Perhaps the most challenging response to hostage diplomacy is the inconsistent policies of states towards it. In the UK a special envoy for hostages would be appointed if Labour wins power, shadow Foreign Secretary David Lammy announced recently, telling British citizens held abroad: "You are not forgotten."²⁴

The UN Security Management System, or UNSMS, has developed a comprehensive policy, guidelines and training for managing hostage incidents. Its policy stipulates that it "will not pay ransoms or make any substantial concessions to hostage-takers, nor shall it intervene with Member States concerned to make exchanges for hostages. Ransom or other concessions for the release of a hostage encourages potential hostage-takers and thus increases the danger that other personnel might face in the future."²⁵

Only if there is a globally agreed position such as this, which makes it clear that state or non-state actors will never benefit from taking hostages, will states be able to avoid becoming mired in the political bargaining process described in this paper.

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