

## The US and Iran's "hostage diplomacy"

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([www.rieas.gr](http://www.rieas.gr)) Publication date: 24 September 2023

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On September 18, 2023, U.S. and Iran finalized a prisoner swap after two years of negotiations through Qatar and Oman. Iran released five detained Americans accused of espionage in exchange for five Iranian nationals charged with sanctions violations and other federal crimes. In addition, Iran was given access to about \$6 billion of funds previously held in South Korea. President Biden thanked the governments of Qatar, Oman, Switzerland and South Korea for their assistance in securing the releases.<sup>1</sup>

The US dual citizens released include Siamak Namazi, 51, and Emad Sharqi, 59, both businessmen, and Morad Tahbaz, 67, an environmentalist who also holds British nationality. The identities of the fourth and fifth US citizens were not disclosed at their request given their desire for privacy.<sup>2</sup>

Iranian officials have named the five Iranians released by the US as Mehrdad Moin-Ansari, Kambiz Attar-Kashani, Reza Sarhangpour-Kafrani, Amin Hassanzadeh and Kaveh Afrasiabi. Two of the five Iranians landed in Qatar and three have opted not to return to Iran.<sup>3</sup>

US official said that that five Iranians were granted clemency. They have all been charged or convicted with non-violent crimes. Two of the five have been in prison and their sentences were about to expire and the other three were awaiting trial and had not yet been convicted.<sup>4</sup>

As part of the deal, Washington agreed to unfreeze nearly \$6 billion in Iranian oil revenue that has been frozen in a South Korean bank since 2018 due to U.S. sanctions. The funds were transferred to Qatar, which will oversee their administration. Under the agreement, Tehran can only use the money for humanitarian needs.<sup>5</sup> Some Republican lawmakers criticize the Joe Biden administration's deal with Iran to free Americans.

Qatar mediated indirect US-Iran talks on the prisoners while Switzerland, which represents US interests in Tehran because the United States and Iran do not have diplomatic relations, helped with the transfer of funds from South Korea to Qatar.<sup>6</sup>

A plane sent Qatar flew the five US citizens and two of their relatives out of Tehran after both sides got confirmation the \$6 billion was transferred from South Korea to Qatari accounts, a source briefed on the matter told Reuters.<sup>7</sup>

Alongside the release of the prisoners, the United States announced new sanctions against Iran that target its Ministry of Intelligence and former President Mahmoud Ahmadinejad. The new measures coincide with the one-year anniversary of 21-year-old [Masha Amini's death](#).<sup>8</sup>

### **The “Hostage- diplomacy”**

“Hostage- diplomacy” is an expression that is often used to describe the regime’s foreign policy. “Hostage diplomacy” is defined as the practice of a state using unlawfully detained civilian foreign and dual nationals to extract concessions from

other countries or advance its own agenda on the international stage. In other words, hostages are taken on domestic “legal” grounds for use as foreign policy leverage.

Although the taking of hostages has been prohibited by various conventions that most countries are signers on, including Iran, they still do it, and they use their supposed independent judiciaries as a front for taking hostages.<sup>9</sup>

Foreign civilians and dual nationals are arrested as individuals on spurious charges of espionage or other threats to the regime, before being convicted in highly opaque and politically motivated trials. They are then held as bargaining chips for negotiations against the countries of origin of these civilians.

### **The “Hostage- diplomacy” of Iran (1979 - 2023)**

Iran’s regime has engaged in hostage-taking diplomacy for decades (since 1979). Since then, the Islamic regime has continued to employ hostage-taking as an important tool of Iran’s foreign policy toolbox. Iran has seen the success of this practice and consequently is likely to continue engaging in it.

There are several motivations behind Iran’s regime resorting to hostage-taking diplomacy. One primary reason is to project power and intimidate its adversaries. By targeting foreign nationals, the regime seeks to send a message that it is capable of exerting control over individuals from other countries and is willing to use them as pawns to advance its interests.<sup>10</sup>

Iran uses hostages in a bilateral context to try and extract concessions from the governments of the citizens that they're holding. The regime has repeatedly demanded the release of its own nationals, mostly ‘diplomats’ involved in espionage and terror actions or illegal activities supporting the regime’s malign projects. This tactic is designed to exert pressure on other

nations and extract favorable outcomes that align with the regime's objectives.<sup>11</sup>

By presenting itself as a defender of national interests and taking a tough stance against perceived enemies, the regime seeks to rally its population around a common cause and divert attention from domestic challenges or criticisms.

The practice of hostage taking is now being carried out under the cover of law. Iran uses detainees' foreign citizenship to ground accusations of espionage or threats to national security, then subjects them to spurious criminal — often national security-related — charges and arbitrary prison — or even death — sentences. Arbitrary detention under cover of criminal law also frustrates diplomatic responses, as states are reluctant to comment on another sovereign country's legal system.<sup>12</sup>

The US has a long history of dealing with Iran over the hostage crisis. Every deal to release Americans involved often lengthy and complicated diplomacy — and usually at a controversial cost giving some concessions, such as trying to trade arms for hostages, unfreezing Iranian assets as well as sanctions relief.

The White House has declared hostage-taking to be a national emergency. In July 2022, President Biden issued an executive order outlining steps to deter the practice and help bring Americans back sooner.

Below is a chronology of major prisoner deals between Iran and the US:<sup>13</sup>

### **The US-Iran hostage crisis (1979-1981)**

In a diplomatic standoff between the US and Iran, which took place shortly after the Islamic revolution, Iranian students seized the US embassy in Tehran in November 1979, and took 52 Americans hostage for 444 days.

The US and Iran signed the "Algiers Accords" on January 19, 1981, following the mediation efforts by the Algerian government, after which the hostages were released in return for the US lifting all trade sanctions against Iran and agreeing on unfreezing all Iranian assets within its jurisdiction.

The hostages were released the day after the signing of the accords, minutes after Ronald Reagan's inauguration as the 40th president of the US.

### **"Iran gate" and Iran-Contra Scandal**

The scandal occurred between 1981-1989 involving secret US arms-for-hostages deal with Iran to free Americans kidnapped in Beirut by Hezbollah, Iran's most important proxy in the Middle East.<sup>14</sup>

Ronald Reagan's administration reportedly used money from the sales to fund anti-government Contra militias in Nicaragua, which then president Ronald Reagan denied having any knowledge of.

The arms sales to Iran met criticism at a time when Iran was subjected to an arms embargo in large part due to the 1979 storming of the US Embassy in Tehran.

Several White House officials, including National Security Council member Col. Oliver North, were convicted over the investigation, and Reagan apologized in a televised address.

### **Iran and US prisoners swap (2016)**

In January 2016, a prisoner swap occurred between the US and Iran. Iranian convicts in US prisons were exchanged for four Americans detained by Tehran, including the journalist Jason Rezaian and marine veteran Amir Hekmati.<sup>15</sup>

The Barack Obama administration was under fire from Republicans for transferring \$400 million in cash to Iran. Critics of the Obama administration said the cash payment to Iran was a ransom while the Obama administration denied the accusations. The funds were reportedly linked to a \$1.7 billion settlement between the US and Iran stemming from a failed arms deal with exiled Iranian monarch Shah Mohammad Reza Pahlavi. The military equipment was not delivered to Iran following the country's 1979 Islamic Revolution.<sup>16</sup>

Only months after the American hostages were welcomed home in the United States in January 2016, Tehran detained Xiyue Wang, a Princeton University graduate student, that August 2016.<sup>17</sup>

### **Iran and US prisoners swap (2019)**

Iran and the US conducted a prisoner swap in December 2019, which saw the release of the American graduate student Xiyue Wang in return for the Iranian scientist Massoud Soleimani held by Washington. US officials said no ransom was paid or any concession was made.<sup>18</sup>

### **Conclusion**

Hostage taking has been part of the Islamic Republic's "diplomatic" arsenal from its very foundation in 1979, starting with the notorious Iran hostage crisis, when the new regime in Tehran held more than 50 American diplomatic personnel for over a year.

The US has a long history of dealing with Iran over the hostage crisis. Every deal to release Americans involved often lengthy and complicated diplomacy and usually at a controversial cost giving some concessions, such as trying to trade arms for hostages, unfreezing Iranian assets as well as sanctions relief.

Critics of the last arrangement liken it to paying a ransom. They argue money not being spent by Iran on essentials could go instead to supporting Iranian-aligned militias in the Mideast, or its nuclear program. The deal also raises broader concerns about how Washington can deter Iran and other states from viewing hostage-taking as a profitable enterprise.

From Iran's point of view, there is every reason to carry on with "hostage diplomacy". Iran's leaders have learned that an excellent way to erode American sanctions is to take more hostages and this is a lesson not only for Iran but for other hostage-taking regimes, too.

The US and the international community must take severe actions and sanction against the Revolutionary Guards and all officials in Iran involved in hostage-taking and human rights violations.

## Notes

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<sup>1</sup> Henry Rome, The Iran Hostage Deal: Clarifying the \$6 Billion Transfer, The Washington Institute, Policy Watch 3784, September 18, 2023.

<sup>2</sup> Five US citizens land in Qatar as part of US-Iran prisoner swap, Al Arabiya, September 18, 2023.

<sup>3</sup> US-Iran relations from 1953 coup to 2023 prisoner swap deal, Reuters, September 10, 2023.

<sup>4</sup> Joseph Haboush, Biden administration defends Iran prisoner exchange deal, Al Arabiya, September 18, 2023.

<sup>5</sup> Alexandra Sharp, U.S.-Iran Secure Key Prisoner Swap, Foreign policy, September 18, 2023.

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- <sup>6</sup> Robin Wright, Why Now? The Tortured History of Iran's Hostage Seizures, United States Institute of Peace, September 20, 2023.
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- <sup>9</sup> Jason Rezaian, The Rise of Hostage Taking, CSIS, July 25, 2023.
- <sup>10</sup> Mahmoud Hamidi, Iran's Regime and Hostage-Taking Diplomacy, Iran news update, May 30, 2023.
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- <sup>17</sup> Jason Brodsky, Iran has a hostage-taking model. It's long overdue that the US build a policy around it, Atlantic council, August 22, 2023.



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<sup>18</sup> US-Iran prisoner swaps: Key exchanges in history, AA, August 22, 2023.