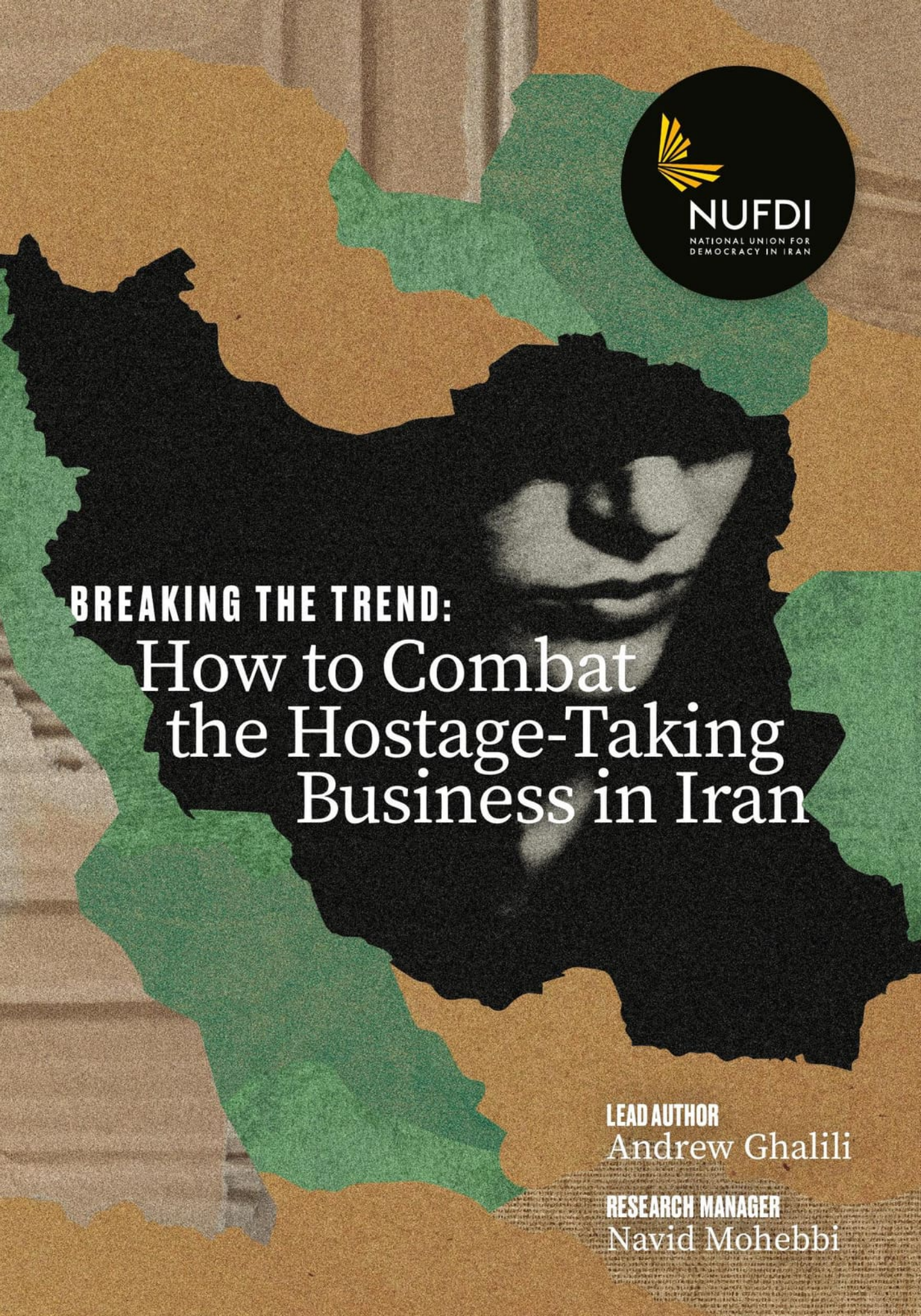


BREAKING THE TREND:
How to Combat the Hostage-Taking Business in Iran

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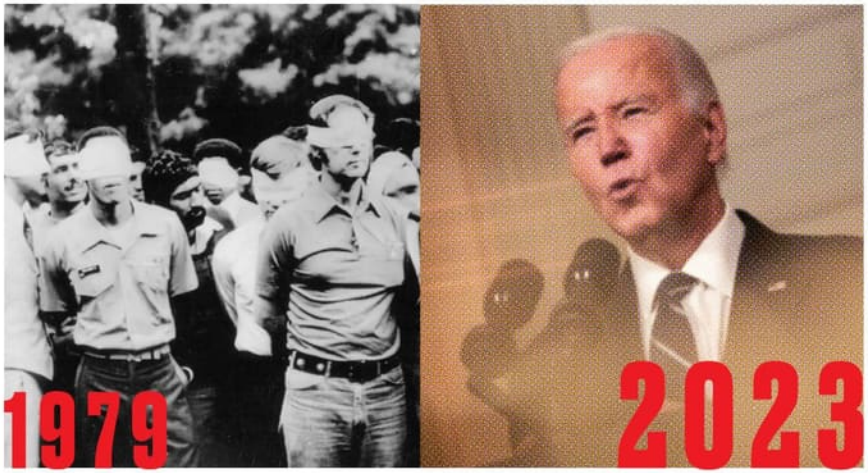
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The Islamic Republic in Iran has a long history of hostage-taking, beginning with the attack on the U.S. embassy in Tehran in 1979. However, after the establishment of the government of "reformist" president Mohammad Khatami in 1997, the regime began specifically targeting dual and foreign national citizens in Iran for hostage-taking. The practice has been lucrative for the regime.

Most recently, in September 2023, the United States agreed to a hostage deal that included the release of at least $6 billion in frozen Iranian funds held in South Korea and five Iranian nationals serving prison sentences in the U.S. in exchange for the Islamic Republic releasing five American citizens that had been held hostage in Iranian prisons.[1]

But for the Islamic Republic, hostage-taking is more than mere criminal activity. It is a consistent, publicly-stated foreign policy and economic tool, similar to North Korea's prolific cyber robbery—a tool for common criminals turned into a pillar of statecraft. Former regime officials like Akbar Hashemi Rafsanjani and Mohsen Rezaei have openly acknowledged the regime's use of hostages as a tool of diplomatic and economic leverage. Rezaei, during his 2021 presidential campaign, stated that he would fix Iran's economic issues by "taking 1,000 Americans hostage so America will have to pay billions of dollars in exchange for their freedom".[2]

This practice has not only further strained Iran's global reputation but has also raised significant human rights concerns. In this report, we will examine the regime's hostage-taking, including the targets it chooses and the motivations driving this practice. We will also analyze the U.S. response and recommend new strategies and policies to help the United States deter and counter this threat.

In response to Iranian hostage-taking, the United States has employed a range of diplomatic and economic tools, including indirect diplomatic negotiations, sanctions, pressure campaigns, and hostage rescue missions. While these efforts have had some success in securing the release of hostages, they have failed to deter the regime from continuing to employ this tactic. To counter the threat of regime hostage-taking more effectively, the United States should adopt a comprehensive strategy that includes both preventive measures and responsive actions. Our recommendations are summarized here and are listed, in detail, at the end of the report.

It is imperative that the United States imposes targeted and irreversible economic sanctions, in response to each hostage-taking event by the Islamic Republic. Furthermore, seized Iranian assets should not be left in escrow to eventually be given to the Islamic Republic; instead, they should be repurposed, such as for advancing internet access in Iran, aiding the families of hostages, or developing a labor strike fund for protesting Iranian workers.

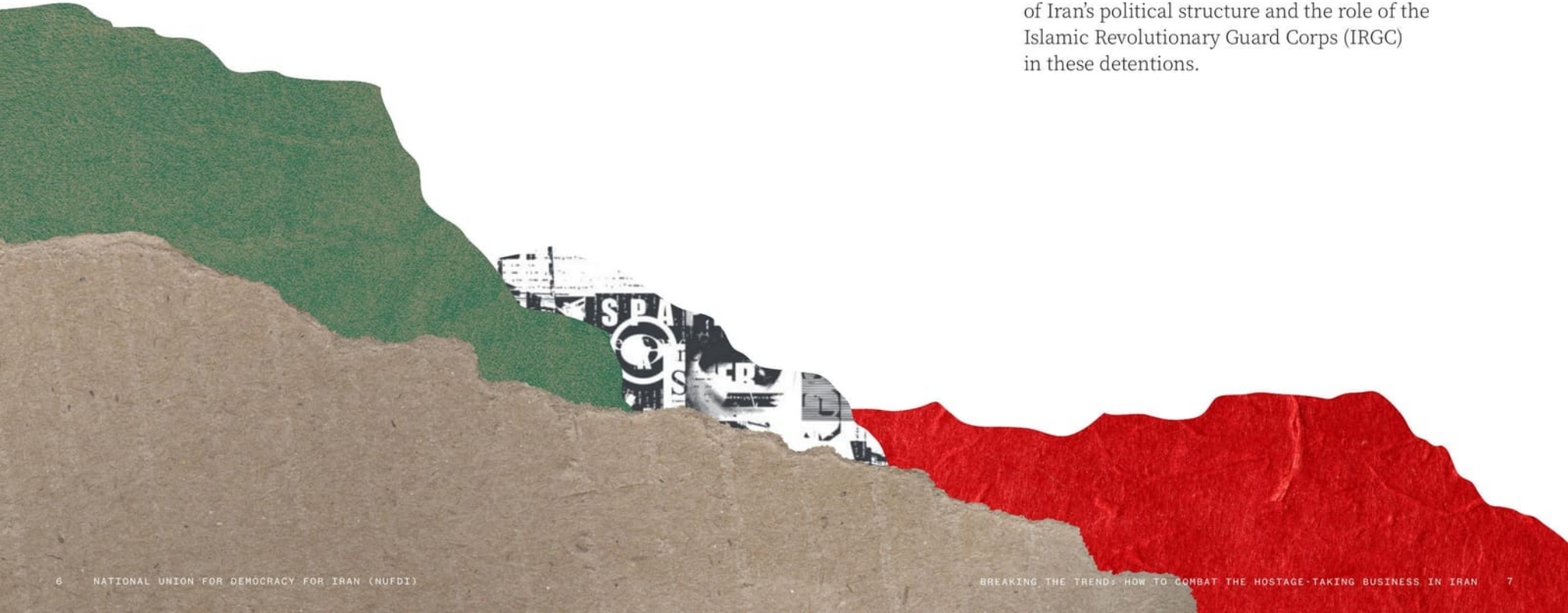
Diplomatically, the wrongful detention of foreign nationals in Iran is a significant breach of international norms. The United States should therefore advocate for the regime's removal from key United Nations roles, restrict travel for key regime officials to the United States, and issue and enforce Interpol Red Notices for officials linked to hostage-taking. The United States and its allies should also consider targeting the Islamic Republic's vast terrorist proxy network. When the United States announces such actions, the messaging surrounding such actions should make it clear to the regime that they were taken as a direct response to its hostage-taking, letting the Islamic Republic know its actions have consequences.

A detailed registry of individuals involved in the taking of American hostages is also crucial, and these individuals should be met with sanctions, travel bans, and potential legal action. Given the associated risks, the United States should prohibit the use of its passports for travel to or through Iran. Furthermore, Western nations need to formally recognize the Islamic Republic's actions as hostage-taking in official discourse and educate potential travelers about the inherent risks. Lastly, the families of hostages require enhanced support, bolstered financial and logistical aid, and greater transparent communication..

The Islamic Republic's use of hostage-taking as a tool of diplomacy and economic leverage not only poses a significant threat to the safety and rights of individuals, but also to international security and stability. By understanding the regime's strategies and motivations and developing effective countermeasures, the United States and its allies can protect their citizens and deter this ongoing threat.

1 BRIEF OVERVIEW: HOSTAGE-TAKING IN IRAN

To fully understand the nature of these cases, it is important to have a basic understanding of Iran's political structure and the role of the Islamic Revolutionary Guard Corps (IRGC) in these detentions.



THE RISING INFLUENCE OF THE IRGC



Iran's political system is mainly based on Islamic law. Though the president and parliament are "elected" by popular vote, the Supreme Leader, the highest authority in the country, is appointed by a religious body known as the Assembly of Experts (50% of whose members the Supreme Leader himself appoints).

The Islamic Revolutionary Guard Corps (IRGC), originally created as a counter-balance to the army out of the revolutionaries' mistrust and fear of the traditional armed forces who were dedicated to Iran's territorial integrity and national sovereignty, has since expanded into the leadership's personal Praetorian Guard with significant involvement in economic activities and intelligence gathering.

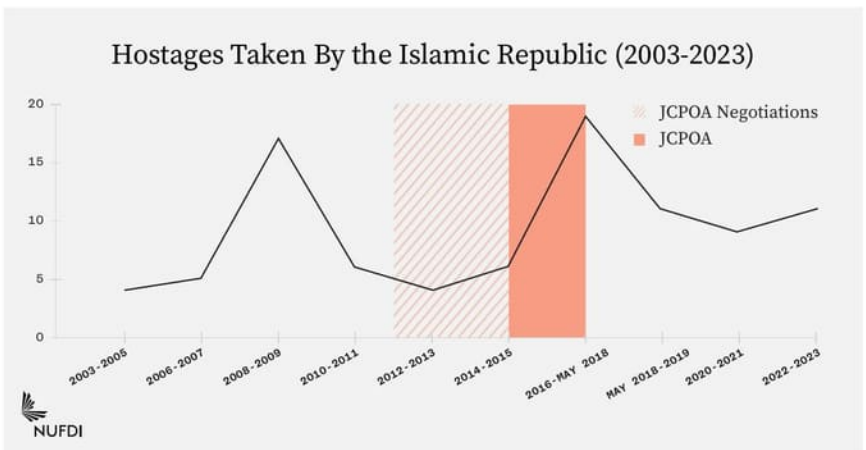
In recent years, the IRGC has become increasingly involved in the detention of foreign and dual nationals. According to Kylie Moore-Gilbert, a British-Australian who was taken hostage in Iran and will be highlighted in further detail later in this report, it was the IRGC who arrested, tried, and held her for a majority of her time in prison.[5] Moore-Gilbert described the IRGC as "a state within a state: ruthless, brutal..." Detained individuals are typically baselessly accused of espionage or posing a threat to national security and are not given a fair trial. Instead, they are often held incommunicado for long periods of time and subjected to torture or other forms of abuse. The IRGC's use of wrongful detention as a political tool is not new, having long been practiced on Iranian political prisoners and dissidents. However, data shows that the regime's practice of wrongfully detaining foreign and dual nationals has become more common in recent years, particularly since the signing of the Joint Comprehensive Plan of Action (JCPOA) in 2015.[6]

Regime Laws Used to Arbitrarily Imprison Foreign and Dual Nationals

Under the Islamic Republic, certain legal provisions, often vaguely defined and rooted in the regime's interpretation of Islam, are used to detain, imprison, and even execute foreign and dual nationals. Due to their inherent lack of specificity, these amorphous laws and charges—such as espionage, moharebeh (waging war against God), propaganda against the system, and Ifsad-e-Filarz (spreading corruption on Earth—give authorities wide discretion to enforce them arbitrarily or solely for political reasons. It should be noted that in addition to lack of specificity, these laws are often applied randomly, with no evidence whatsoever.

I. ESPIONAGE

Espionage is loosely defined in the Criminal Code of the Islamic Republic, making it a useful prosecutorial tool for the regime against many dual and foreign nationals. Article 501 of the Criminal Code of the Islamic Republic defines espionage as "Anyone who, knowingly and intentionally, provides maps or secrets or documents and decisions regarding the national or international policies of the State to those who are not authorized to have access, or who informs them about their content in a way that constitutes espionage," while Article 508 says, "Anyone who cooperates by any means with foreign



States against the Islamic Republic of Iran, if not considered as mohareb, or one who wages war against God, and executed, shall be sentenced to one to ten years' imprisonment."[7]

These legal definitions, while seemingly comparable to other international examples, are in fact quite broad. Numerous individuals have been convicted of espionage in Iran for simply sharing non-confidential, public materials regarding the Islamic Republic with non-Iranian organizations.[8]

Further examples can be found in cases such as the detention of three American hikers in 2009 and the detention of Emad Shargi in 2018. On July 31, 2009, three American hikers, Joshua Fattal, Sarah Shourd, and Shane Bauer, were detained near the Iraqi border with Iran.

Joshua Fattal and Shane Bauer would be arbitrarily sentenced to eight years in prison for "espionage" more than two years after their initial imprisonment. Shortly following their sentencing, the hikers would be released on September 21, 2011, after a payment of $465,000 was paid for the "bail" of each hiker by the Sultan of Oman.[9]

On April 23, 2018, Iranian-American businessman Emad Shargi was arrested and held in Evin prison. Shargi had been living and working in Iran as a representative of international sales for a high-profile Iranian venture capital fund when security forces raided his home and arrested him. Despite being released on bail and cleared of all espionage charges in 2019, the regime refused to return Shargi's passport to him, forcing him to remain in Iran. Shargi was then arrested again at a checkpoint in the province of Western Azerbaijan, about 12 miles from the Iraq border, trying to escape Iran. He was held until he was taken to a Tehran court on November 30, 2020, where he was told that he had been convicted of espionage without a trial and had been sentenced to ten years in prison.[10]

Ahmad Reza Djalali, a Swedish-Iranian physician and academic, was charged with espionage, in addition to other crimes, for allegedly helping Israel prepare attacks on Iranian nuclear scientists and subjected to a forced confession aired on Iranian state TV in 2017.[11] Djalili has been sentenced to execution and remains hostage in Evin prison. Joshua Fattal, Shane Bauer, Emad Shargi, and Ahmad Reza Djalali are only a few of the numerous examples of foreign or dual nationals who have been arbitrarily charged with "espionage."

Charges of espionage under Iranian law often overlap with the charge of moharebeh and can lead to execution.

II. MOHAREBEH (WAGING WAR AGAINST GOD) (محاربه)

Moharebeh is an Islamic charge derived from Sharia law that, under the Islamic Republic, is levied against those who commit violent acts against the regime. The Criminal Codes of the Islamic Republic of Iran define a mohareb, or person who has committed moharebeh, as "Any person resorting to arms to cause terror, fear or to breach public security



(FROM TOP LEFT TO RIGHT) SARAH SHOURD, SHANE BAUER, JOSHUA FATTAL; HAMID GHASSEMI-SHALL; NAHID TAGHAVI; (FROM BOTTOM LEFT TO RIGH) BENJAMIN BRIERE; EMAD SHARGI; AHMAD REZA DJALALI.

and freedom." In many, if not most instances, however, the claim of the use of arms is fabricated entirely. Canadian-Iranian businessman Hamid Ghassemi-Shall was arrested in Iran in 2008 and sentenced to death later that year after an unfair trial in which he was convicted of moharabeh "relating to alleged espionage".[13] Ghassemi-Shall denied all charges against him and despite the Supreme Court upholding the sentence, he was released after serving five years in prison.[14] The fact that the regime released Ghassemi-Shall after just five years despite charging him with a crime as serious as moharabaeh indicates how flippantly the regime uses the charge.

The majority of these cases are tried behind closed doors and the punishment for committing moharebeh is death.

III. PROPAGANDA AGAINST THE SYSTEM

The Islamic Republic has set the precedent remarkably low on what qualifies as criminal propaganda. This makes it an easy tool for the regime to quickly imprison and hold individuals, especially if it is attempting to keep them imprisoned as they build further cases against them or is attempting to use them as quick diplomatic leverage. Article 500 of the Criminal Codes of the Islamic Republic simply states, "Anyone who engages in any type of propaganda against the Islamic Republic of Iran or in support of opposition groups and associations, shall be sentenced to three months to one year of imprisonment."[7]

German-Iranian Nahid Taghavi, who as of October 2023 remains a



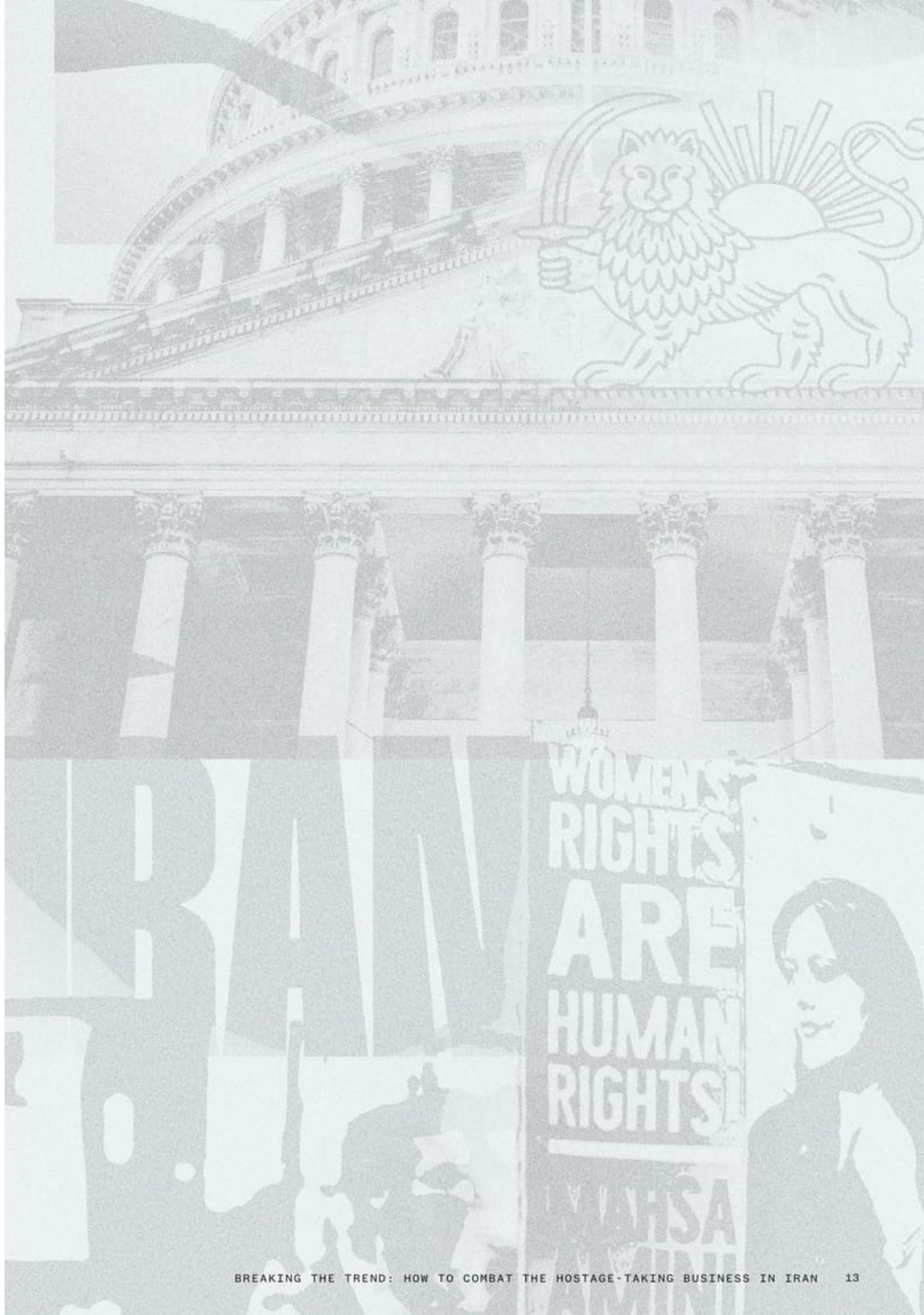
hostage in Evin prison, was arrested in October 2020 and charged with "propaganda against the system." She was kept in solitary confinement, her trial was conducted behind closed doors, and she was sentenced to more than ten years in prison. A German official said of the case, "The charges are baseless and the verdict a farce."[15]

In 2021, French national Benjamin Brière was also charged with spreading propaganda against the system, in addition to espionage. Despite an Iranian appeals court clearing Brière of all charges and ordering his release in February 2023, he remained in prison until he was released in May 2023.[16, 17]

IV. IFSAD-E-FILARZ (SPREADING CORRUPTION ON EARTH) (افساد فی‌الارض)

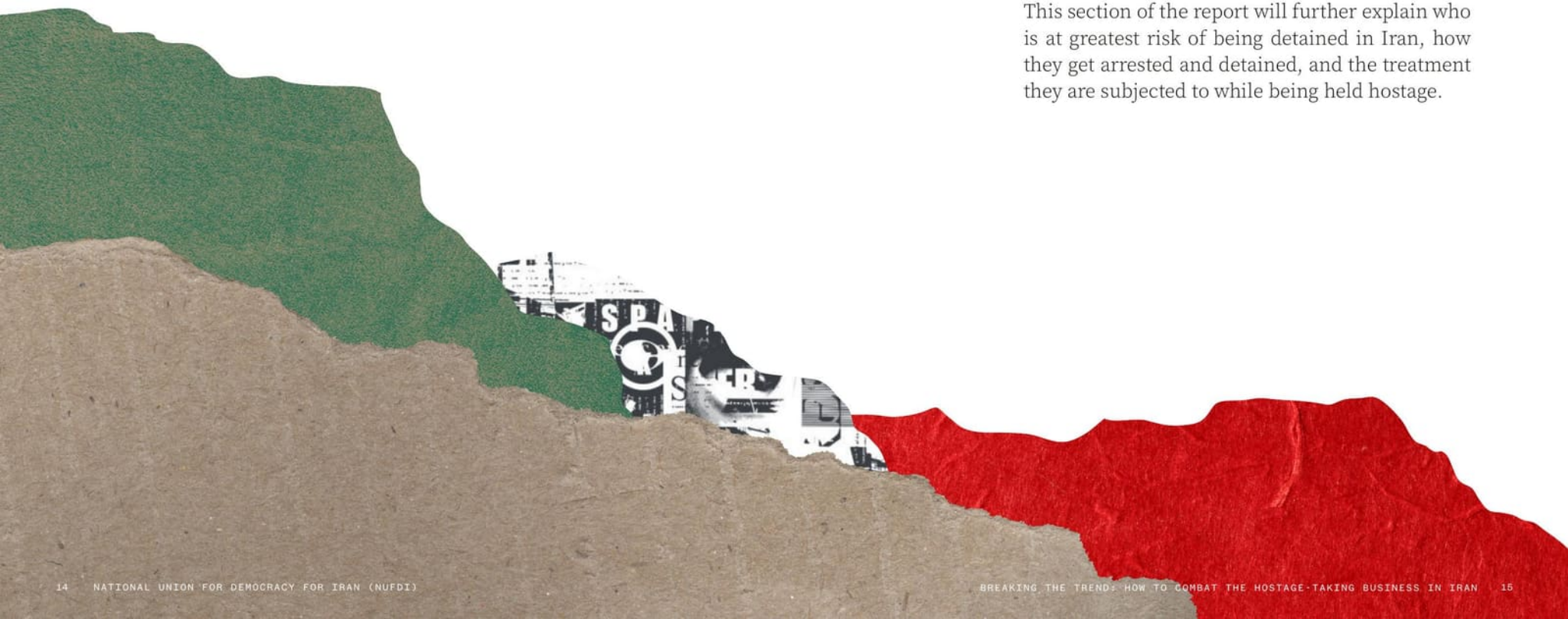
Ifsad-e-Filarz is a catchall charge levied by the Islamic Republic against political dissidents, foreign nationals, and dual nationals. Article 286 of the Criminal Code of the Islamic Republic of Iran states that any who have engaged in the "commission of widespread crimes against the masses, crimes against the homeland, spreading rumors or uttering slander, causing disturbance in public order, spreading hazardous substances, widespread moral corruption and offenses..." will be considered mofsed-e-filarz (corrupt on Earth) and sentenced to death.[18]

In addition to his espionage charges, Ahmad Reza Djalali was convicted of "spreading corruption on Earth" and sentenced to death. According to the BBC, Djalali's "lawyers said the court relied primarily on evidence obtained under duress and alleged that he was prosecuted solely because of his refusal to use his academic ties in European institutions to spy for Iran."[19]



2 TARGETS AND METHODS OF THE ISLAMIC REPUBLIC'S HOSTAGE TAKING

This section of the report will further explain who is at greatest risk of being detained in Iran, how they get arrested and detained, and the treatment they are subjected to while being held hostage.



WHO IS AT RISK?


DOCTOR REVEALS WHAT HAPPENED TO CANADIAN ZAHRA KAZEMI IN IRAN

Rape, torture and lies

What the doctor found

Her entire body carried strange marks of violence.'

- Tehran ER physician Shahram Azam

Bruised from forehead to ear
Skull fracture
Two broken fingers
Broken and missing fingernails
Severe abdominal bruising
Evidence of 'very brutal rape'
Swelling behind the head
Left ear membrane

IN 2003 CANADIAN-IRANIAN PHOTOJOURNALIST ZAHRA KAZEMI TRAGICALLY DIED IN THE CUSTODY OF IRANIAN AUTHORITIES FOLLOWING SEVERE MISTREATMENT, INCLUDING BEING BEATEN, TORTURED, AND RAPED.

The Islamic Republic has a long history of unlawfully detaining foreign and dual nationals. These individuals are often targeted for their nationality, their work, or their political views. They are subjected to incommunicado detention, abuse, and unfair trials.

Foreign & Dual Nationals

In general, foreign nationals and Iranian dual nationals, especially those who are also citizens of the United States, the United Kingdom, European Union nations, or Canada, are particularly vulnerable to detention because the Islamic Republic is able to use them to extract concessions from those nations, who have generally hostile relations with the regime. Dual nationals often face particular complications as Iran does not recognize dual citizenship, denying them consular assistance from their home countries.

The Iranian diaspora, compared to other diasporas, is extremely well-connected to Iran. Iranians in the diaspora, particularly in the United States, have familial, linguistic, and other long-standing ties to Iran which lead many to travel there with frequency. Thus, even as members of the diaspora create lives in different countries around the world, they often still have family in Iran and they are still heavily invested in Iran's cultural, social, and political health. As such, Iranian dual nationals tend to continue to travel to Iran.

Journalists

Journalists—especially, but not exclusively, those who report on sensitive topics such as human rights abuses or government corruption—are often targeted by the regime in Iran. The Islamic Republic does not permit journalists or any Iranians to report negatively on the regime from within Iran. Arresting and detaining journalists is one way for the regime to control them and their reporting.

Canadian-Iranian photojournalist Zahra Kazemi was arrested while taking pictures of prisoners' families outside Evin prison in 2003. She died in regime custody 18 days after her arrest from what state-run news agency IRNA reported as a stroke. Kazemi's story did not gain global attention until almost two years later when Shahram Azam, a former staff physician for the Defense Ministry, released a statement saying that he examined Kazemi four days after her arrest and had found obvious signs of brutal torture and rape.[20] Both intelligence agents charged with her death were acquitted.[21] In 2014, Zahra Kazemi's son, Stephan Hashemi, said, "The government of Iran is fully responsible for the death under torture of my mother Zahra Kazemi.[22] It is also a very clear and proven case of cover-up by the Iranian government."

Jason Rezaian, an Iranian-American, served as The Washington Post's correspondent in Tehran and was taken into custody in July 2014.[23] Rezaian was released in a hostage deal in 2016 in which the United States freed seven Iranian



TOP LEFT TO RIGHT: KIAN TAJBAKHSH, ALI SHAKERI, JASON REZAIAN
BOTTOM LEFT TO RIGHT: PARNAZ AZIMA, KAVOUS SEYED-EMAMI, HALEH ESFANDIARI



(TOP, FROM LEFT TO RIGHT): KYLIE MOORE-GILBERT, XIYUE WANG
(BOTTOM, FROM LEFT TO RIGHT): SIAMAK NAMAZI, HOMA HOODFAR, ASSUD MOSSAHEB, OLIVIER VANDECASTEELE

prisoners and dropped charges on 14 others in exchange for Rezaian and three other Iranian-Americans being held hostage. The deal was part of the negotiations for the 2015 Joint Comprehensive Plan of Action (JCPOA) and included the United States transferring $1.7 billion to the Islamic Republic as well.[24]

Academics

Academics—especially, but not exclusively, those who research or teach about controversial topics such as women's rights or environmentalism—are also at risk of detention. In 2007, Haleh Esfandiari, an Iranian-American academic, was arrested and held in solitary confinement in Evin prison for 105 days.[25] Esfandiari was taken into custody after refusing to deliver a false confession to having taken part in anti-government activities.

Esfandiari was one of four dual U.S.-Iranian citizens to be detained by the regime under similar circumstances in 2007, the others being Radio Farda correspondent Parnaz Azima, Ali Shakeri of the Center for Citizen Peacebuilding at the University of California at Irvine, and Kian Tajbakhsh, an Iranian-American scholar and American citizen who taught in New York City. Tajbakhsh was arrested again in Iran in 2009 for allegedly engaging in activities against national security and released in the same deal as Jason Rezaian, mentioned above.

In February 2016, Homa Hoodfar, a Canadian-Iranian anthropology professor at Concordia University, known for her research on women's roles in Muslim societies, was arrested and detained for three months. Similarly, Canadian-Iranian Kavous Seyed Emami, a sociology professor at Imam Sadiq University and prominent environmentalist, was arrested on January 24, 2018 and died in regime custody.[26] On February 11, 2018, the regime reported his death as a suicide, a claim which his family vehemently refutes.

Kylie Moore-Gilbert, a British-Australian lecturer in Islamic Studies at the University of Melbourne, was arrested in 2018, abused in prison, and later freed in a prisoner swap in November 2020.[27] Moore-Gilbert was held in the high-security unit of Evin prison, spending months in solitary confinement in a tiny cell with lights on 24 hours a day and being blindfolded when permitted to leave her cell.

Even academics researching seemingly non-controversial topics are targeted. Xiyue Wang, a Chinese-American studying the Qajar dynasty at Princeton University, was arrested in August 2016 despite his research having no contemporary political implications. Wang was freed in a one-for-one prisoner swap deal in which the United States released an Iranian scientist charged with violating sanctions on Iran.

Businesspeople

Individuals who do business with or who have investments in Iran are also at risk of detention. Siamak Namazi, an Iranian-American businessman, was arrested in 2015 and held virtually incommunicado for a year. Siamak Namazi was originally arrested with his father, Baquer Namazi. Baquer Namazi was released due to medical conditions in 2022.[28] Siamak Namazi would go on to be one of five Iranian-Americans freed in the 2023 hostage deal.[29]

Emad Shargi, mentioned earlier in the report and who conducted business in Iran, temporarily moved to Iran from the United States in 2017 and was detained in 2018. His daughters wrote in the Washington Post in April 2021 that he was "trapped in terrible conditions" in prison and that he had only been allowed a couple of short, monitored phone calls.[30]

Austrian-Iranian businessman Massud Mossaheb was subjected to similar treatment following his arrest in January 2019. Mossaheb was later released from prison in 2022 on indefinite medical leave due to his deteriorating physical state.[31]

For a more complete list of the individuals who have been or are currently detained by the Islamic Republic and their professions, see Annex A.

HOW DOES IT HAPPEN?



EVIN PRISON, IRAN

The regime in Iran often uses a variety of methods to wrongfully detain foreign and dual nationals. Nearly every dual national held in an Iranian prison is faced with one or all of the following:

Arrest Without a Warrant

Individuals are typically arrested without a warrant and without being told why they are being detained. Belgian aid worker Olivier Vandecasteele was arrested on February 24th, 2022 during a short visit to Tehran, taken in order to end his apartment rental contract and relocate some belongings. According to UN experts, the seven plain-clothed law enforcement officers who arrested Vandecasteele failed to show an arrest warrant and refused to provide information regarding the charges against him.[32] Vandecasteele was not explicitly made aware of the charges against him until he was brought before a judge in November 2022, more than eight months after his arrest. In a sham trial, Vandecasteele was sentenced to 40 years imprisonment and 74 lashes on charges of espionage, cooperating with the U.S., currency smuggling, and money laundering. On May 26, 2023, Vandecasteele was released after 455 days of imprisonment as part of a prisoner swap for Assadollah Assadi, an Iranian diplomat who was allegedly a senior official in the Iranian Ministry of Intelligence and was convicted of plotting a terrorist attack in Paris.[33]

Refusal to show warrants is used by the Islamic Republic in order to both limit detainees' ability to build a defense and to give the regime more freedom to fabricate charges against the detainee. British-Iranian dual national Kamal Foroughi was arrested on May 5, 2011 by plain-clothes officers who, according to Amnesty International, did not show an arrest warrant or explain the charges against him.[34] Foroughi would not find out the charges against him until the day before his court hearing in early 2013, over a year later, and was unable to return home to the UK until April 1st, 2020, over nine years after his initial detention.[35]

Incommunicado Detention

Detainees are often held incommunicado, meaning that they are not allowed to contact their family, friends, or lawyers. This can include extended stays in solitary confinement. Emad Shargi was was first arrested in April 2018 and held in Section 2-A of Evin prison completely incommunicado, with no access to the outside world whatsoever, for 44 days.[36] This practice is utilized often by the Islamic Republic, with isolation periods of varying durations being imposed on almost all dual-national and foreign-national detainees.

According to his daughter Gazelle Sharmahd, the Iranian-born German citizen and U.S. national Jamshid Sharmahd, who currently faces a death sentence in Iran and who the United States neglects to acknowledge as wrongfully detained, was held in solitary confinement for over 1,000 days.[37] Previously mentioned Siamak Namazi was also held incommunicado for a year following his arrest in October 2015.[38]

Similarly, British-Iranian businessman Anoosheh Ashoori was held incommunicado and in solitary confinement from August to December 2017.[39] In January 2018, Iranian-American conservationist and co-founder of the Persian Wildlife Heritage Fund (PWHF) Morad Tahbaz was arrested along with eight other PWHF-affiliated individuals.[40]

Iranian authorities claimed that Tahbaz's environmental projects, such as tracking the critically endangered Asiatic cheetah, were a cover to gather classified military information. Following Tahbaz's arrest, he was held incommunicado in Section 2-A of Evin prison with no access to a lawyer prior to or during his trial and no ability to contact his family until after his closed



trial was completed, and he was sentenced to ten years in prison for "contacts with the U.S. government". Tahbaz was also released in the 2023 hostage deal between the United States and Iran.

According to UN human rights experts, the previously mentioned Swedish-Iranian Ahmad Reza Djalali's case "was marred by numerous reports of due process and fair trial violations, including incommunicado detention, denial of access to a lawyer, and forced confession."[11]

Abuse

The conditions of confinement are often inhumane, including overcrowding, insufficient supplies, and exposure to diseases including COVID-19. Detainees are often subjected to physical and psychological abuse, including torture. Austrian-Iranian businessman Kamran Ghaderi was arrested and detained in January 2016.[41] For the first three months of his detention he was held in solitary confinement and physically tortured until he signed a forced confession that he was a spy working on behalf of the Austrian and U.S. governments.

Jamshid Sharmahd, a political activist, was abducted while in the United Arab Emirates and brought to Iran where he was imprisoned and tortured in order to extract a forced confession.[42] During a phone call from prison, Sharmahd reported that he lost nearly 20 pounds and only had about two of his teeth remaining intact, suggesting he had been violently beaten.

Australian-British academic Kylie Moore-Gilbert was beaten several times and put into solitary confinement during her detention for socializing with other inmates.[43] The Islamic Republic uses physical and psychological torture in order to obtain forced confessions and generally weaken the will of detainees. In an interview with Sky News, Moore-Gilbert said, "It's an extreme solitary confinement room designed to break you. It's psychological torture. You go completely insane. It is so damaging. I would say I felt physical pain from the psychological trauma I had in that room. It's a 2-meter by 2-meter box."[44]



FROM TOP LEFT TO RIGHT: JAMSHID SHARMAHD WITH HIS DAUGHTER GAZELLE, KARAN VAFADAI WITH WIFE AFARIN NEYSARRI

Unfair Trials

Detainees are denied a fair trial, including the right to a lawyer, the right to a speedy trial, and the right to confront their accusers. Belgian national Olivier Vandecasteele was sentenced to 40 years in a trial brought more than eight months after his initial detainment, already violating his right to a speedy trial.[32]

Vandecasteele's trial, which took place in mid-November 2022, lasted a total of only 30 minutes, during which he was not permitted to speak. Several aspects of Vandecasteele's right to a fair trial were egregiously violated during his conviction, including his rights to access a lawyer of his own choosing, to an adequate defense, to meaningfully challenge the legality of his detention, and to be tried by an independent, competent, and impartial tribunal.

British-Iranian dual national Mehran Raoof was sentenced to ten years in an unfair trial where he was not permitted to communicate with his lawyer.[45] Raoof was completely denied the right to access legal counsel, even from the judiciary-approved lawyer that his family retained on his behalf. Iranian authorities also completely refused to allow Raoof's lawyer access to any case files prior to the day of the trial. German-Iranian dual national Nahid Taghavi was also sentenced to ten years alongside Mehran Raoof in this unfair trial.[45]

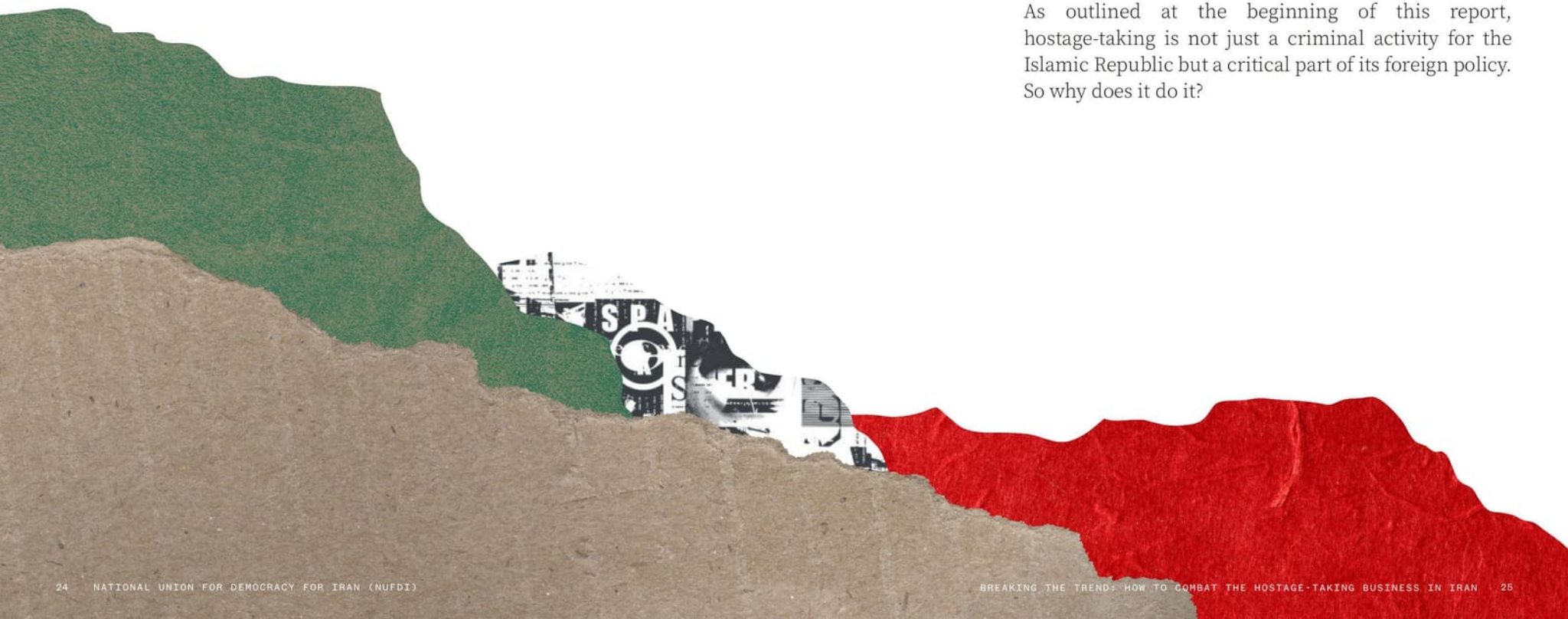
Previously mentioned Kylie Moore-Gilbert was sentenced to ten years in an unfair closed-door trial.[27] Moore-Gilbert was tried by Abolqasem Salavati, known as "The Hanging Judge" for the number of capital sentences he has imposed. Salavati marked the case an "urgent matter of national security" in order to conceal the lack of evidence against Moore-Gilbert.[46]

British-Iranian dual national Kamal Foroughi was convicted of espionage and possession of alcohol and sentenced to seven years and one year, respectively, in an unfair closed-door trial for which he was not present.[34] Foroughi was only permitted to communicate with a lawyer one day prior to his hearing, more than a year into his detention.

Zoroastrian Iranian-American dual national Karan Vafadari was detained in July of 2016 along with his wife, U.S. permanent resident Afarin Neysarri, with no warrant and no charges presented for at least nine months.[47] According to Vafadari's son, "Despite the fact that their due process under Iranian laws and human rights were repeatedly violated after their arrest, including a one-month imprisonment in solitary confinement and five months in a small room with two other people, they respected the legal channels in Iran, certain that their innocence would soon lead to their release. But after Judge Salavati refused to allow them to choose their own lawyers, Iran's judiciary sentenced Karan to 15 years in prison and Afarin to ten years in a secret trial in Tehran. My parents are not allowed to read the file and the evidence against them."[48]

3 WHY DOES THE ISLAMIC REPUBLIC TAKE FOREIGN NATIONALS HOSTAGE?

As outlined at the beginning of this report, hostage-taking is not just a criminal activity for the Islamic Republic but a critical part of its foreign policy. So why does it do it?





FROM LEFT TO RIGHT: NAZANIN ZAGHARI-RATFCLIFFE; CECILE KOHLER & JACQUE PARIS

This section examines the motivations behind the Islamic Republic's strategy of taking hostages, focusing on the ways in which hostage-taking serves as a tool to achieve Iran's foreign policy goals. The analysis will encompass the use of hostages as leverage in diplomatic and financial negotiations,the promotion of cooperation and espionage, as well as other objectives that are served by this practice.

Leverage in Diplomatic Negotiations

A primary motivation behind the Islamic Republic's hostage-taking strategy is the use of detained foreign nationals as bargaining chips in diplomatic negotiations. Detaining foreign nationals provides the regime in Iran with leverage to extract concessions from foreign governments. Such concessions may include the release of Iranian prisoners held abroad or the easing of sanctions. In many instances, the regime has successfully used detained foreign nationals to negotiate favorable diplomatic outcomes, including as side deals to negotiations on the nuclear file, as seen with the JCPOA.

As previously mentioned, on May 26th, 2023, it was announced that Olivier Vandecasteele would be freed in a prisoner exchange for Assadollah Assadi, an Iranian "diplomat" convicted of plotting a bomb attack in Paris and sentenced to 20 years imprisonment in Belgium.[49] In this case, the Islamic Republic regime imprisoned Vandecasteele, a Belgian national, explicitly because Assadollah Assadi was imprisoned in Belgium. The regime was able to successfully use Vandecasteele's arbitrary imprisonment to compel Belgium to free Assadi.

In August of 2016, Xiyue Wang was imprisoned under charges of espionage while conducting archival research and attending Persian language classes in Iran. Despite the fact that the JCPOA had gone into effect in January of 2016, the regime was straightforward with its intent in his capture. He was to be used as a pawn in exchange for the U.S.-held Iranian prisoners. Wang was freed in December of 2019, more than three years after his initial detention, in exchange for Iranian stem cell scientist Massoud Soleimani, who was imprisoned for sending biological materials from the United States back to Iran without the proper licenses.[50]

The scope of what the Islamic Republic regime hopes to gain through hostage-diplomacy is not in any way limited to prisoner exchanges. In 1988, then-Speaker of the Parliament of Iran Akbar Hashemi Rafsanjani wrote, "In exchange for the freedom of American hostages... the Americans are ready to release our blocked assets, to support our views... and to allow American manufacturers to sell us needed military equipment through a third country."[3] The Islamic Republic views hostage-diplomacy as an almost universal answer to a wide range of diplomatic and economic issues that it faces.

Financial Consideration

Another motivation behind the Islamic Republic's hostage-taking strategy is the creation of pressure points that the regime can use as leverage over foreign governments in order to compel the provision of financial aid. In other words, the Islamic Republic views hostage-taking as a tool to raise capital, whether it be through releasing frozen Iranian assets, posting exorbitant bails, paying the Islamic Republic for debts from pre-1979 deals with the Imperial State of Iran, or any other number of methods that the regime uses to financially exploit these detainees.[51, 52]

In the case of Nazanin Zaghari-Ratcliffe, for example, Iranian officials repeatedly conditioned her release on the UK settling an outstanding military debt. According to Zaghari-Ratcliffe's husband, Richard Ratcliffe, "The Iranian judge in charge of parole and early releases confirmed to Nazanin that she would not be released, given parole, or shown clemency until the UK government's debt is repaid."[53] In this case, the debt in question arose from a 1976 military order by Iran, which was never delivered due the to rise of the Islamic Republic.

The release of American hostages in 2016 coincided with the implementation of the Iran nuclear deal and a prisoner swap that saw the release of several Iranians held in the United States on sanctions-related charges, shortly followed by a U.S. payment of $400 million to Iran reportedly for undelivered military equipment. Similarly, the 2011 release of American hikers Shane Bauer and Joshua Fattal followed negotiations between Iran and Oman, which played a mediating role in

the resolution of the case.[54] Iran's judiciary reportedly set bail for each prisoner at five billion rials ($500,000). Oman previously paid bail of a similar amount for the release of Sarah Shourd, who was arrested along with Bauer and Fattal.

Of course, the 2023 hostage deal between the United States and Iran saw the administration of President Joe Biden release at least $6 billion—and up to $16 billion—of frozen Iranian funds in exchange for the release of five Americans held hostage by the Islamic Republic.[55,56] The deal also included the release of five regime agents arrested in the U.S. for sanctions violations and assisting the regime. In the months before the hostages were released, the Islamic Republic also reportedly reached an understanding with the Biden administration that included up to an additional $7 billion in special drawing rights (SDR) from the International Monetary Fund (IMF).

As mentioned previously, the idea of hostage-taking for payment is so prevalent in the Islamic Republic that high-ranking Iranian officials, particularly former IRGC commander Hassan Abbasi, have gone so far as to call Iran's hostage-taking strategy the "solution" to Iran's economic problems and has even suggested balancing's Iran's budget through the taking of "ten or 20" U.S. hostages.[4]

Encourage Cooperation and Espionage

Another motivation behind the regime's hostage-taking strategy is to promote cooperation and espionage by foreign nationals, particularly those of Iranian descent. By detaining dual citizens on trumped-up charges of espionage or activities against national security, the Iranian regime seeks to create an atmosphere of fear and uncertainty among expatriate communities. The regime has also attempted to coerce foreign or dual nationals into spying on their country for the Islamic Republic. Moore-Gilbert, for example, reportedly rejected an offer to spy on behalf of the regime in exchange for her release from prison.[57]

During an interview with Sky News, Moore-Gilbert said, "I knew that the reason that they didn't engage in any meaningful negotiations with the Australians [for my release] was because they wanted to recruit me, they told me they wanted me to work for them as a spy."[44] Maziar Bahari, a Canadian-Iranian Newsweek reporter who was imprisoned in Iran from June 2009 to October 2009, also stated, "Before I was released, they asked me to sign a paper saying when I leave Iran, I'm going to cooperate with the government and I'm going to spy for the government."[58]

This approach serves two purposes. First, it sends a message to those living abroad that they are not beyond the reach of the Iranian regime, and any perceived disloyalty may result in severe consequences. This fear can make individuals more susceptible to coercion and pressure to collaborate with Iranian intelligence agencies, providing valuable information or support for the regime's activities. Second, the threat of arbitrary detention can discourage foreign nationals, particularly dual citizens, from engaging in activities that may be perceived as critical of the Iranian regime or supportive of its opponents. This includes participation in civil society organizations, political activism, or even academic research that may be construed as detrimental to the Islamic Republic's interests.

Retaliation and Deterrence

The Islamic Republic's hostage-taking strategy also serves as a form of retaliation and deterrence against perceived hostile actions by foreign governments. By taking hostages, the regime sends a clear message to its adversaries that any aggressive actions will be met with a response. This can help deter potential threats to the regime's stability and dissuade foreign governments from pursuing policies that may be harmful to the regime's interests.

Retaliating against the arrest of Assadollah Assadi, for example, the Islamic Republic detained nearly a dozen new hostages in Iran shortly after his trial in Belgium began. Assadi even threatened Belgian authorities, warning them of the retaliation that was to come if his case had an "unfavorable outcome."[59] Another example can be seen in the wrongful detention of Cecile Kohler, a Swedish national who was baselessly arrested in Iran two weeks after an Iranian, Hamid Noury, was sentenced to life in prison in Sweden on charges related to the killings of prisoners in Iran during the 1980s.[60] French citizen Jacque Paris was taken hostage along with Kohler.

Conclusion

The Islamic Republic's strategy of detaining foreign nationals, including dual citizens, as hostages has evolved over the past four decades. The regime's motivations for this practice include leveraging hostages in diplomatic negotiations, retaliation, and deterrence against perceived hostile actions, domestic political consolidation, and financial desires. The selection of hostages typically reflects the regime's political and geopolitical considerations, mostly targeting Westerners.

Broadly, the Islamic Republic's arbitrary detention of foreign and dual nationals has largely accomplished its foreign policy and economic goals of gaining leverage in international diplomatic talks, retaliating against and deterring adversaries, and securing handsome ransom payments. Still, despite achieving some short-term objectives, the Islamic Republic's hostage-taking strategy has had negative long-term consequences on its international relations. The practice has strained diplomatic ties, led to some economic sanctions, and brought increased scrutiny to the regime's human rights record. As Tehran navigates an increasingly complex geopolitical landscape, its continued reliance on hostage-taking as a political tool will ultimately prove to be a self-defeating strategy—but only if the United States and its allies take a more coordinated and strategic approach to responding to the regime's hostage-taking. If changes are not made to Western policy, the Islamic Republic's policy will continue to pay dividends.

4 U.S. RESPONSE TO HOSTAGE-TAKING BY THE ISLAMIC REPUBLIC: LAWS, GUIDELINES, AND STRATEGIES

The United States has faced multiple instances of hostage-taking by the Islamic Republic, involving U.S. nationals and dual citizens. The United States government employs various strategies to address these cases, often navigating a complex web of laws, guidelines, and policy considerations. This section will examine the key aspects of the U.S. response to regime hostage-taking, highlighting the legal and policy frameworks that guide and restrict the American approach.



LEGAL AND POLICY FRAMEWORKS



Several laws and policy guidelines shape the U.S. response to hostage-taking by foreign entities, including the Islamic Republic. The most prominent legal and policy frameworks include:

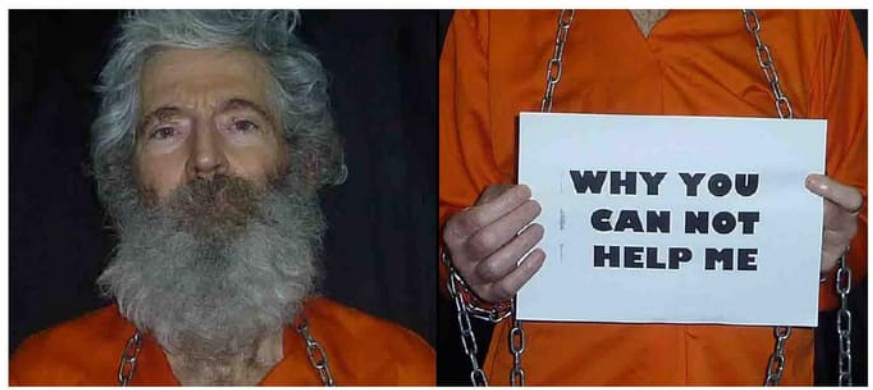
The Presidential Policy Directive 30 (PPD-30)

In 2015, President Barack Obama signed the Presidential Policy Directive 30 (PPD-30), which aimed to improve the U.S. government's efforts to prevent and respond to hostage-taking incidents. PPD-30 reaffirmed the U.S. policy against making concessions to hostage-takers but established a more coordinated and comprehensive approach to hostage recovery. PPD-30 established several key changes and initiatives, including:

- Creation of the Hostage Recovery Fusion Cell (HRFC): The HRFC is an interagency group responsible for coordinating the efforts of various U.S. government agencies in hostage recovery. This includes intelligence gathering, diplomatic engagement, military planning, and providing support to the families of hostages.
- Appointment of a Special Presidential Envoy for Hostage Affairs (SPEHA): This senior official is responsible for coordinating U.S. government efforts to recover hostages, engaging with foreign governments on hostage-related matters, and representing the United States in international hostage policy discussions.
- Improved communication with hostage families: PPD-30 mandates better and more transparent communication between U.S. government agencies and the families of American hostages, providing them with timely information about efforts to secure the hostages' release.
- No prosecution for families paying ransom: Although the U.S. government maintains its policy of not paying ransom, PPD-30 clarifies that the government will not prosecute families who choose to pay ransom to secure the release of their loved ones.
- Periodic reviews of the hostage policy: PPD-30 requires the National Security Council to regularly review the effectiveness of the U.S. hostage policy and make recommendations for improvements.

The Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act

- The Levinson Act was signed into law on December 27, 2020, as part of the Consolidated Appropriations Act of 2021 (P.L. 116-260). It codifies key elements of hostage and wrongful detention policy and provides a framework for the Secretary of State to review cases and make wrongful detention determinations where appropriate. The act is named in honor of former FBI agent Robert Levinson, the longest held hostage in U.S. history, who was abducted and died in Iran.
- "Wrongful Detention" is defined in the Levinson Act, and incorporated into Department of State guidance, as the detention of a U.S. national, notably including Lawful Permanent Residents (LPRs), when certain criteria are met.
- In assessing whether a U.S. national is wrongfully detained by a foreign government, the Department of State "looks at the totality of the circumstances, and may consider factors including, but not limited to, the fairness of the judicial process, the veracity of the charges, and motivation or other circumstances surrounding or related to the arrest or the detention."[61]



RETIRED FBI AGENT ROBERT LEVINSON PICTURED IN CAPTIVITY.

United States Legal and Policy Frameworks to Respond to Hostage-Taking by Foreign Entities

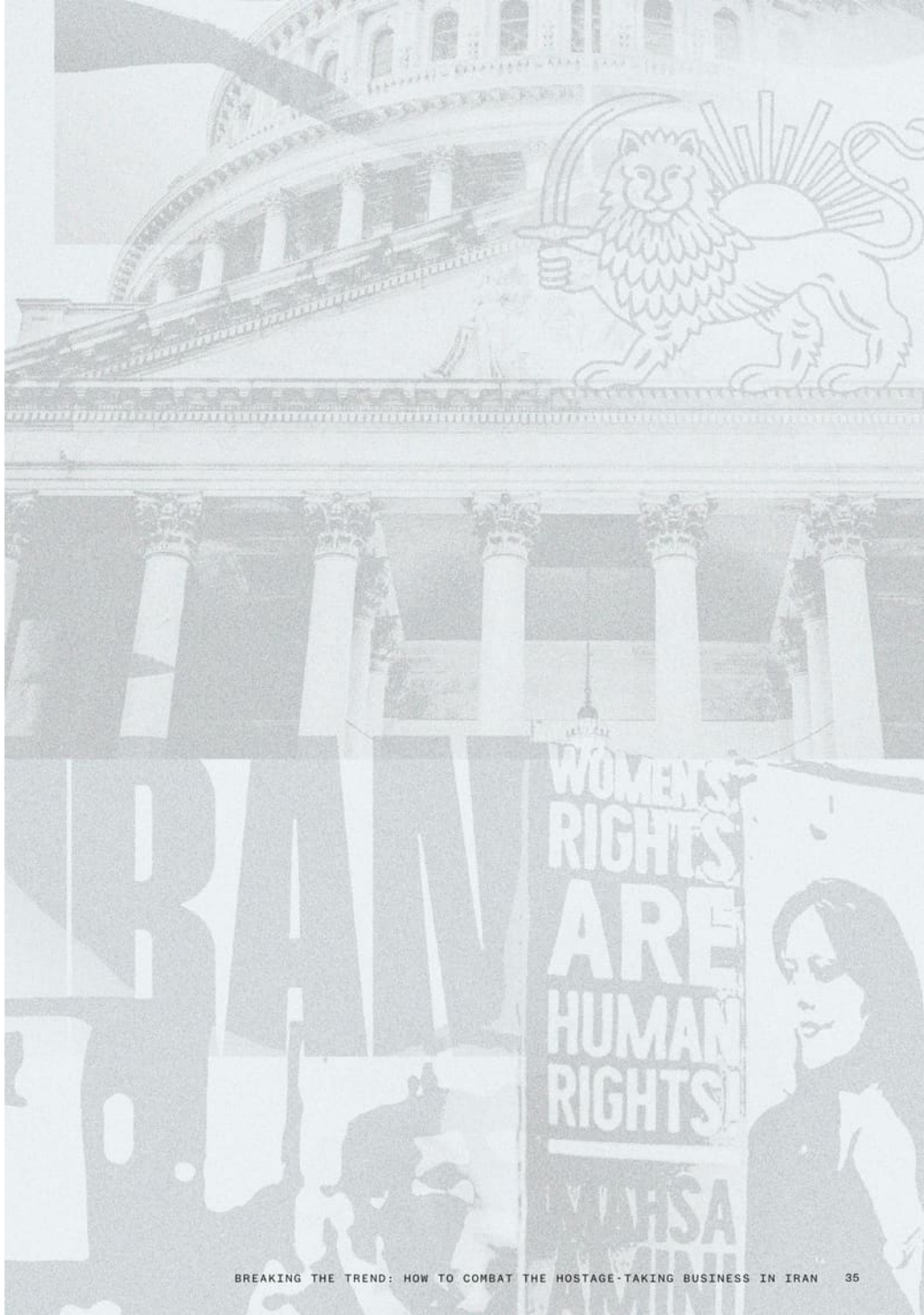
THE PRESIDENTIAL POLICY DIRECTIVE 30 (PPD-30)	THE ROBERT LEVINSON HOSTAGE RECOVERY AND HOSTAGE-TAKING ACCOUNTABILITY ACT	EXECUTIVE ORDER 14065

NUFDI

Executive Order 14065

In July 2022, President Joe Biden issued a new executive order "on Bolstering Efforts to Bring Hostages and Wrongfully Detained United States Nationals Home", addressing the ongoing issue of hostage-taking and wrongful detention of United States nationals abroad. The executive order contains several provisions aimed at addressing the issue of hostage-taking and wrongful detention:

- **Reinforcement of Existing Processes:** The order maintains the roles and responsibilities outlined in Executive Order 13698 and PPD-30, ensuring the continuity of existing efforts to secure the safe release of U.S. nationals.
- **Expansion of Interagency Coordination:** The Hostage Response Group (HRG) is tasked with convening on a regular basis to develop strategies and options for securing the release of U.S. nationals held hostage or wrongfully detained abroad.
- **Increased Diplomatic Engagement:** The Special Presidential Envoy for Hostage Affairs (SPEHA) is responsible for coordinating diplomatic engagements and strategies related to hostage and wrongful detention cases.
- **Deterrence and Consequences:** The order seeks to deter hostage-taking and wrongful detention by identifying and imposing consequences on those responsible for such acts.
- **Designation of Foreign Officials:** The Secretary of State is authorized to designate or identify foreign government officials involved in wrongful detentions.
- **Blocking of Property and Suspension of Entry:** The order blocks property and interests in property of those involved in hostage taking.



STRATEGIES AND APPROACHES IN U.S. HOSTAGE RECOVERY EFFORTS



Given the legal and policy framework, the U.S. government employs a range of methods to secure the release of American hostages held in Iran and by other foreign entities. These strategies include diplomatic pressure, the use of intermediaries, targeted sanctions, public advocacy, and military operations.

This section will detail the available strategies, some of which the United States has previously employed. As some of these strategies can be ill-advised and indeed serve to encourage additional hostage-taking in the future, this report will then provide recommendations on how to improve the U.S. response to Islamic Republic hostage-taking.

Diplomatic Pressure

In striving to negotiate the release of hostages, the United States frequently employs diplomatic pressure on the Iranian regime. Due to the prevailing diplomatic estrangement, these discussions commonly occur via third-party conduits, as Iranian officials consistently avoid and reject requests for direct interactions with their American counterparts. These intermediaries can be other countries, international organizations, or private individuals with connections to the Iranian regime. For example, Oman has played a significant role in mediating several hostage cases involving U.S. citizens. The Swiss government has also served as a protective power for the United States in Iran since the two countries severed diplomatic relations in 1980, providing consular assistance and facilitating communication in some hostage cases.

Unfortunately, the utility of diplomatic pressure in achieving its desired outcome appears skewed more in favor of the Islamic Republic than the United States. The predominant framework through which diplomatic pressure has facilitated the release of foreign or dual nationals from Iranian detention centers tends to involve a reciprocal exchange of prisoners plus economic benefits, frequently linked with sanctions relief and the release of frozen funds.

Though the Trump administration managed to apply enough pressure to negotiate two one-for-one swaps in 2019-2020, in which the Islamic Republic freed two American hostages in exchange for the United States releasing two Iranian criminals held in U.S. prisons, the previous administration handed over roughly $1.7 billion plus seven Iranian prisoners in exchange for five American hostages in Iran in 2016. The Biden administration has employed the same strategy. The regime has continued to arbitrarily detain American nationals at an alarming rate, even wrongfully detaining two more U.S. citizens in the summer of 2023 after a deal had reportedly been made to release the three already detained. Its desired outcome appears skewed more in favor of the Islamic Republic than the United States. The predominant framework through which diplomatic pressure has facilitated the release of foreign or dual nationals from Iranian detention centers tends to involve a reciprocal exchange of prisoners plus economic benefits, frequently linked with sanctions relief and the release of frozen funds.

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Targeted Sanctions

The U.S. government has the authority to impose targeted sanctions on individuals and entities involved in hostage-taking, human rights abuses, and other illicit activities. These sanctions can include asset freezes, travel bans, and restrictions on doing business with U.S. entities. The Global Magnitsky Act, for example, while never yet used on an Iranian

never yet used on an Iranian official, allows the U.S. government to impose sanctions on foreign individuals responsible for human rights abuses, including those involved in hostage-taking. Furthermore, numerous executive orders provide the Executive Branch with the authority to impose human rights and terrorism sanctions on Iranian individuals and entities. By imposing targeted sanctions, the U.S. seeks to punish those responsible for hostage-taking and deter future incidents by demonstrating the potential costs of such actions.

Although the United States has placed many targeted sanctions on Iranian officials, especially since the withdrawal from the JCPOA in 2018, very few target the detention of U.S. nationals, as they are instead focused on the Islamic Republic's nuclear program and energy industry, its conducting and funding of terrorism, its targeting of U.S. officials, and its human rights abuses against the Iranian people. On April 27, 2023, the United States Department of the Treasury's Office of Foreign Assets Control (OFAC) sanctioned four senior officials of the IRGC Intelligence Organization (IRGC-IO) responsible for the detention of U.S. nationals in Iran, as part of a "first round" of sanctions targeting Russia and Iran for engaging in hostage-taking and the wrongful detention of U.S. citizens abroad. On December 14, 2020, the Treasury Department designated two senior officials of Iran's Ministry of Intelligence and Security (MOIS), who were involved in the abduction of Robert A. "Bob" Levinson on Iran's Kish Island on or around March 9, 2007.

Public Advocacy

Public advocacy and awareness campaigns can play a crucial role in the U.S. government's efforts to secure the release of hostages held in Iran. By highlighting individual cases and drawing attention to the Islamic Republic's human rights abuses, the U.S. government has the ability to exert pressure on the regime and rally international support for its efforts to secure the release of hostages. Public advocacy efforts may include statements by high-ranking officials, social media campaigns, or engagement with human rights organizations and the media.

Key figures within the White House—from the President, to the Secretary of State, and the National Security Advisor—persistently convey diplomatic pressure via public addresses, usually reiterating a variant of the message, "We are determined to secure their freedom and ensure all Americans who have been wrongfully detained by Iran can return home." Still, this message appears to be ineffective, both in terms of pressuring the Islamic Republic to release American hostages as well as deterring the regime from arbitrarily detaining additional foreign and dual nationals.

The impact of simple acknowledgement of a hostage case can be seen clearly in the case of Jamshid Sharmahd. After being kidnapped in Dubai, the United States was silent about Sharmahd for years. However, after months of intense advocacy from Sharmahd's daughter Gazelle, Deputy Special Envoy for Iran Abram Paley met with Sharmahd's family and published a photo of the meeting on Twitter, writing, "I welcomed the opportunity to meet with Jamshid Sharmahd's family today. He should have never been detained in Iran, and we hope to see the day he is reunited with his loved ones." The Islamic Republic responded by requesting clarification on the United States' position on Sharmahd's case. In a case like this, where the individual wrongfully detained is facing a death sentence, public statements from leading U.S. officials such as Paley's can buy valuable time for the hostage.

Though the United States Department of State has numerous platforms available to assist its public advocacy efforts, including USAbehFarsi and Voice of America, it has generally failed to go beyond occasionally

Strategies and Approaches in
United States Hostage Recovery Efforts

I	II	III	IV
DIPLOMATIC PRESSURE	TARGETED SANCTIONS	PUBLIC ADVOCACY	MILITARY OPERATIONS

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DEPUTY SPECIAL ENVOY ABRAM PALEY WITH GERMAN-AMERICAN NATIONAL JAMSHID SHARMAHD'S SON SHAYAN AND DAUGHTER GAZELLE.

tweeting messages of support for the hostage(s) currently held in Iran.

Military Operations

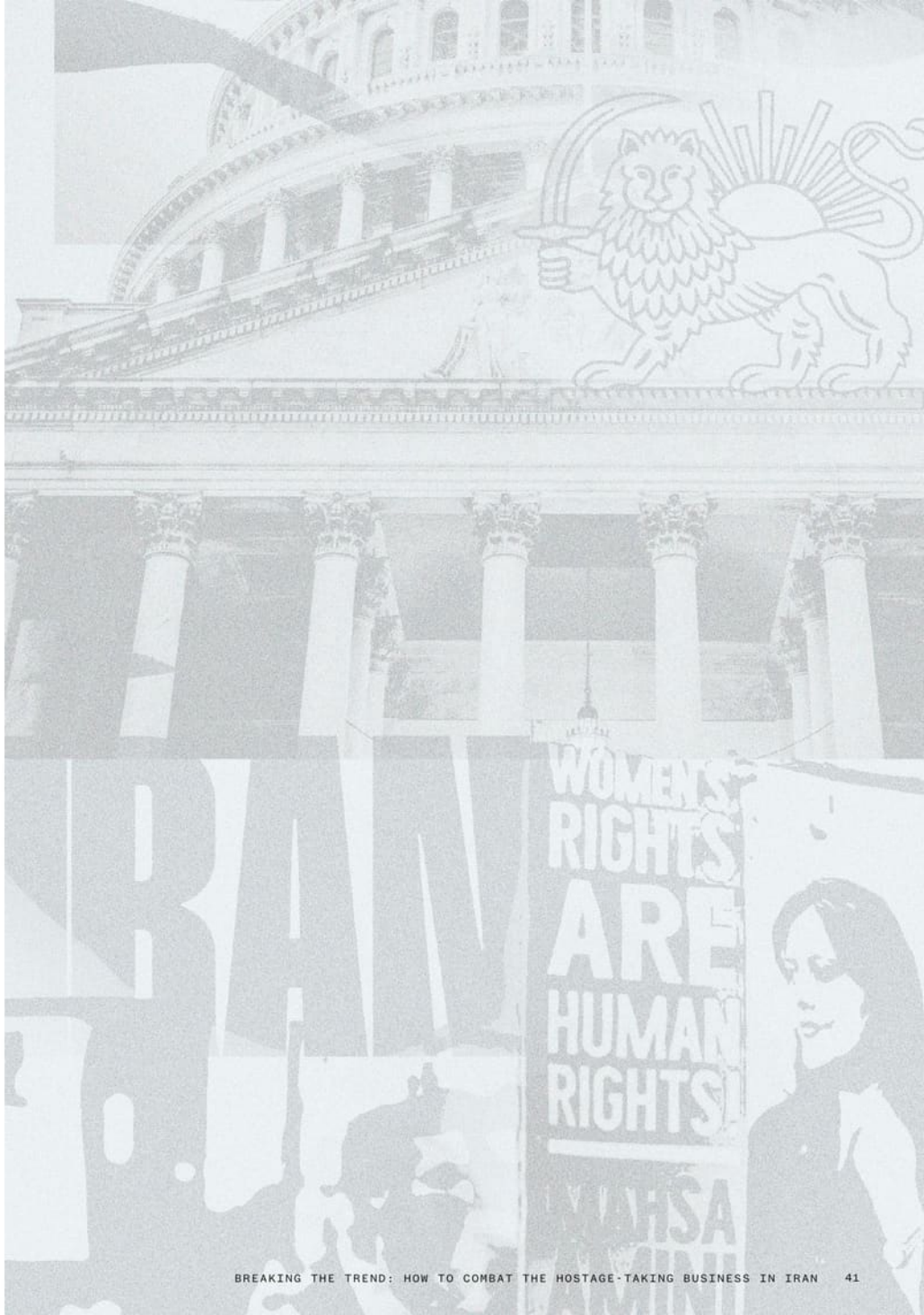
Although military operations to rescue hostages are relatively rare and often carry significant risks, the U.S. government has used military force to attempt the rescue of hostages held by foreign entities, including the Islamic Republic. The most notable example is Operation Eagle Claw, a failed mission in 1980 to rescue American hostages held in the U.S. Embassy in Tehran. While military operations can be a last resort, the potential for collateral damage, escalation of tensions, and the risk to the hostages themselves often make this option less viable. There have been some examples of successful military operations to free hostages in other countries.[62]

Military strategies are unlikely to work in the Iranian context, as most hostages are held in full-scale prisons in Iranian territory, the capacity for collateral damage would be significantly heightened, and the defense capabilities of the Islamic Republic, especially when operating within Iran, would place any American military personnel involved in the operation at extreme risk.

Conclusion

Despite attempting to use multiple tools at its disposal, the United States has failed to end the scourge of the Islamic Republic's hostage-taking. This failure and the continuing risks posed to American nationals are a result of several factors. First, the regime has an asymmetric advantage by refusing to play by the rules of international diplomacy while Western powers are bound by international norms. The act of hostage-taking puts the regime in a position of power to begin with, allowing it to force concessions. Second, a recurring willingness on behalf of American administrations (particularly the Obama and Biden administrations) to, in effect, pay ransoms for the release of American hostages offers the regime in Iran a financial incentive to continue its hostage-taking. Third, the regime has not faced any serious financial, diplomatic, or other consequences for its hostage-taking. All of these have led to a victory for the Islamic Republic and an ongoing loss for the United States, Western powers, and innocent citizens taken hostage. If Western policy does not change, the dictatorship in Iran will continue to take hostages.

Thus, a new U.S. approach to deter and respond to the Islamic Republic's hostage-taking is necessary. The United States government will need to use a variety of strategies to secure the release of American hostages and deter future incidents.





5 NUFDI

NUFDI'S RECOMMENDATIONS FOR U.S. RESPONSE TO ISLAMIC REPUBLIC HOSTAGE-TAKING



The United States and its allies can take a number of steps to improve its response and enhance the prospects of securing the release of hostages. The following tactics offer the U.S. an improved and more comprehensive means of tackling the challenge of the Islamic Republic's hostage-taking.

Impose measurable, irreversible sanctions on the Islamic Republic for its hostage-taking

The Islamic Republic is setting a higher price tag on every hostage it takes. The United States and its European allies need the regime to know that it, too, will pay a higher price for each hostage taken. Every time the regime takes a Western hostage, the retaliation it faces in the form of economic sanctions should increase in intensity.

When sanctioning the Islamic Republic in response to the taking of a hostage, it is critical that the regime understands that such action is being taken specifically because of its hostage-taking. The United States should increasingly place restrictions on regime officials and regime assets while specifically including in the messaging that it is doing so as a direct response to and consequence of hostage-taking. This would send a clear message to the regime that its practice of wrongfully detaining foreign nationals in order to extract concessions such as sanctions relief will not be tolerated and will instead be met with actual consequences.

The sanctions imposed on the Islamic Republic should be measurable and, where possible, irreversible. For example, Islamic Republic assets that are frozen or confiscated as a result of the regime's hostage-taking should not be kept in escrow. This would risk such assets being released in the future, as recently done by the Biden administration in the 2023 hostage deal. Instead, the United States should deploy those assets as it sees fit, thus making the penalty imposed on the Islamic Republic irreversible.

Precedent for such irreversible action was set recently by the Biden administration itself when it sent weapons confiscated from the Houthis, an Islamic Republic proxy force, to the Ukrainian defense forces.[63] In this case, the frozen assets can be deployed to inflict maximum consequences on the Islamic Republic by funding, for example:

- Internet access for the people of Iran.
- Democracy promotion efforts in Iran.
- A labor strike fund for Iranian workers
- The families of former hostages and other victims of the Islamic Republic.

Impose measurable diplomatic consequences on the Islamic Republic for its hostage-taking

The wrongful detention of foreign nationals is among the foremost breaches of international diplomacy. Therefore, just as it is important to enact financial consequences on the Islamic Republic for its hostage-taking, so too must diplomatic consequences be imposed on it for its ongoing breaches of diplomatic protocol.

The United States should use its diplomatic leverage amongst allies at international institutions to hold the Islamic Republic accountable. Suggested steps include:

- **Lobby to remove the Islamic Republic from United Nations committees and leadership positions.** As a violator of international norms, the regime does not belong in any leadership positions in the world's foremost international forum.
- **Ban travel for Islamic Republic officials to the United States.** Just as the United States has banned the travel of criminal leaders of other nations attempting to attend the United Nations General Assembly, such as Yasser Arafat, so it should be for the Islamic Republic. At the very least, it should force Islamic Republic officials such as the President or Foreign Minister to travel with limited staff by denying visa applications for their vast traveling entourage, who often harass journalists and Iranian-Americans.[64]
- **Issue and pursue Interpol Red Notices.** The United States should issue more Interpol Red Notices for regime officials involved in the crime of hostage-taking. It should also use its diplomatic relations to pressure allies to turn over those officials of the regime currently under Red Notices when they travel to their countries, as was the case with Mohsen Rezaei traveling to Nicaragua.[65]

When taking such steps to diplomatically pressure the regime in response to its

hostage-taking, the U.S. government's messaging must be clear that such steps are taken as direct consequences of the regime's hostage-taking.

Consider retaliatory measures against the regime's proxies

As explained throughout this report, the Islamic Republic targets innocent civilians, including journalists, academics, businessmen, and ordinary foreign nationals visiting Iran. The United States and its Western allies could and should never replicate such an inhumane practice. What they can do, however, is more aggressively target and detain actual criminals, like regime affiliates and the Islamic Republic's vast terrorist proxy network.

There are legitimate targets available worldwide, particularly among the regime's proxies, many of whom are involved in terrorist activities. If all other avenues have been thoroughly explored and proven ineffective, the consideration of targeting these individuals would be warranted. Implementing this approach could yield promising results, as it would place the regime in a position similar to the one it imposes on other countries.

Establish a comprehensive register of regime hostage-takers

The United States should establish a comprehensive register of individuals involved in the apprehension, targeting, and mistreatment of American hostages. This list should encompass various individuals, including judges, prosecutors, agents, prison guards, and anyone else implicated in such acts. Not only should these individuals face property confiscation sanctions and be barred from obtaining visas and traveling, but they should also be subjected to prosecution. By emphasizing the importance of accountability, the United States can convey a resolute message that countries affected by hostage-taking against their citizens will not remain silent. Furthermore, this action would serve as a stern warning to agents of the regime, discouraging them from further engaging in such crimes.

Ban the use of U.S. passports for travel to or through Iran

There are many reasons to visit the beautiful country of Iran. Whether for academic or journalistic research, for business, or to visit family. Traveling to Iran from a Western country can be very enticing, especially for diaspora Iranians longing to return home. Nonetheless, that appeal cannot and does not outweigh the risks and consequences of going to Iran while the Islamic Republic continues to occupy its government and employ a consistent strategy of wrongfully detaining foreign nationals. The risk of being wrongfully detained and the consequences, including physical torture and giving the regime leverage to extract concessions like sanctions relief and billions of dollars from the detainee's home country, are too high a price to pay. Since the United States and its allies are the ones consistently paying the price for those detained while visiting Iran, such measures are needed to protect innocent lives and unnecessary political costs.

While the majority of the Islamic Republic's hostage supply comes from Iranian dual nationals visiting using an Iranian passport, the United States can still prevent non-Iranian Americans from traveling to Iran by making it illegal to use U.S. passports for travel to or through Iran. This would prevent future cases like Xiyue Wang and Michael White while also further protecting Iranian-Americans from traveling to Iran. The United States took similar action after the treatment of Otto Warmbier in North Korea, banning the use of U.S. passports to North Korea, a policy that was renewed for another year in August 2023. In addition to the practical consequences of limiting the regime's supply of American hostages, this action would deal a further blow to the Islamic Republic's reputation, placing them in the same tier of rogue regimes as North Korea.

Formally recognize the regime's hostage-taking

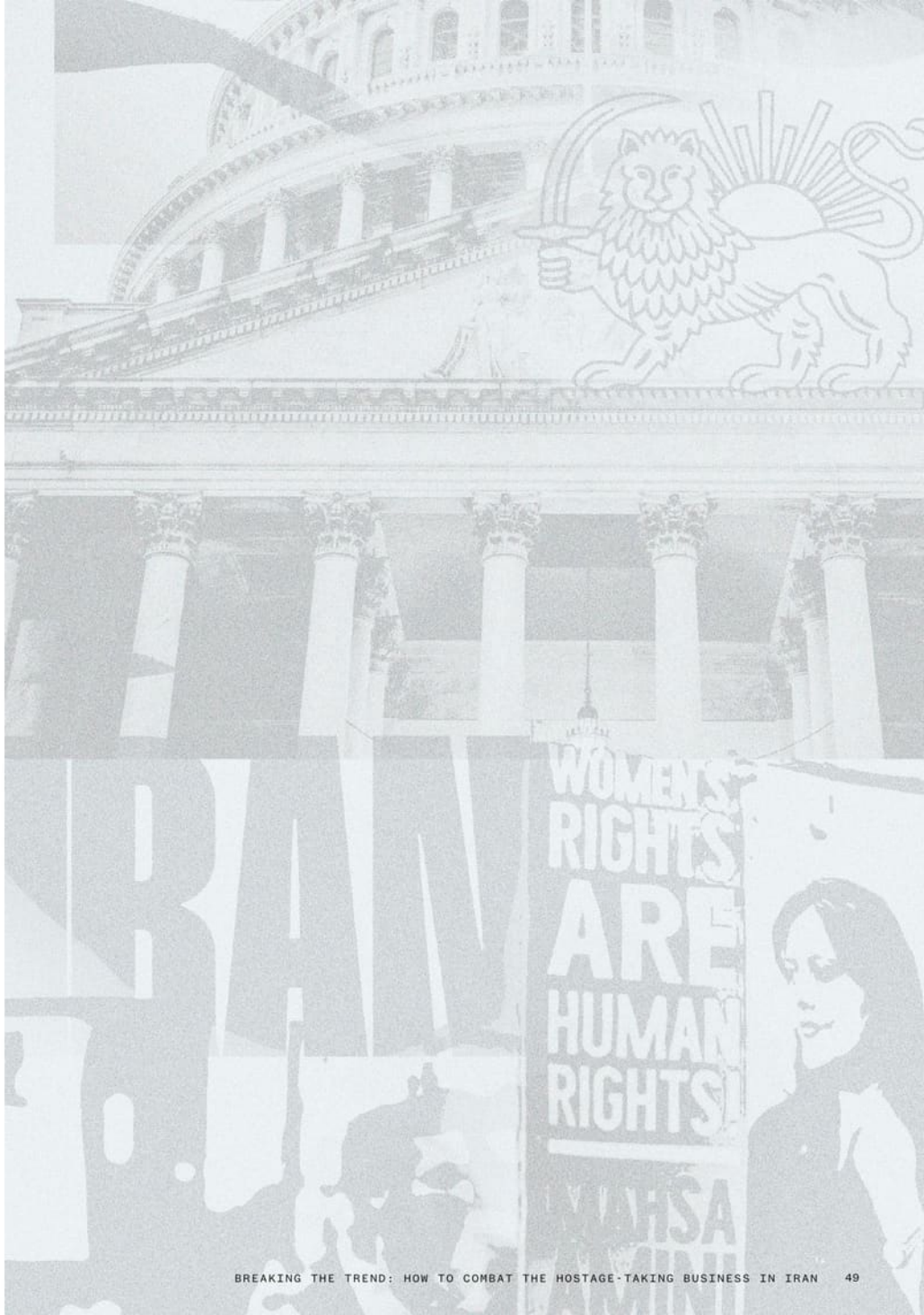
Publicity plays a major role in the Islamic Republic's hostage-taking, as it helps dictate the regime's strategy and who it takes hostage, how hostages are treated while in detention, and how much pressure the regime feels to free the hostages. It would thus behoove U.S. and Western governments to accurately label the regime's practice of hostage-taking for what it truly is, acknowledging the victims as hostages rather than mere prisoners. Moreover, it is crucial for the governments of these countries to formally recognize the Islamic Republic as a regime that engages in hostage-taking. This recognition should take place within parliamentary discussions and debates, effectively intensifying political pressure on the regime in Iran. By employing accurate terminology and establishing official recognition, Western countries can highlight the gravity of the situation and further strengthen their stance against this unacceptable practice.

As a United Kingdom House of Commons Foreign Affairs Committee report found, "The Government and its allies [including the United States] have missed key opportunities to publicly demonstrate the importance placed on the release of UK nationals, both privately and in public."[66] In addition to diplomatic and legislative efforts, it is essential to extend the naming and shaming campaign into the media. The regime of the Islamic Republic must be widely acknowledged as a perpetrator of hostage-taking, particularly to ordinary citizens. This campaign should be globally disseminated, ensuring that when individuals contemplate traveling to Iran, they are mindful of the potential risks associated with being taken hostage. Raising awareness in this manner serves as a cautionary measure, dissuading foreign citizens from visiting Iran and impacting the regime's limited financial gains derived from foreign investments.

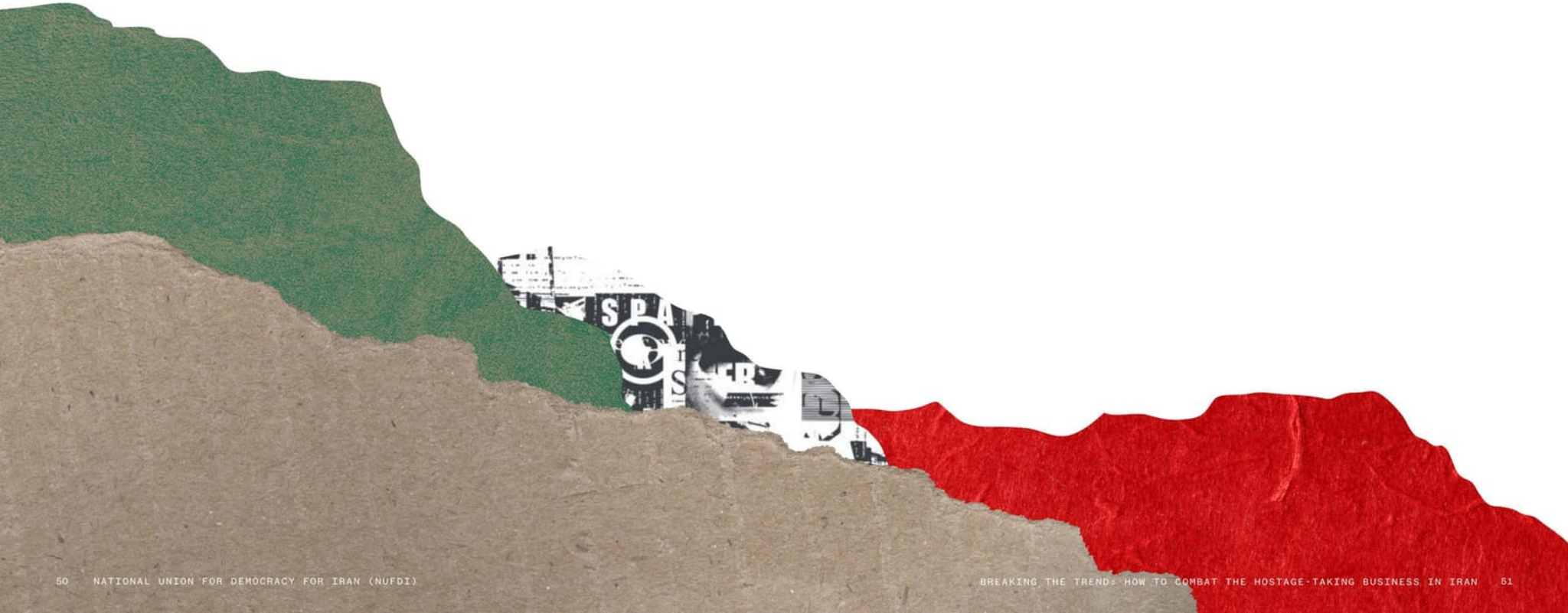
Provide greater financial and logistical support to the families of hostages.

As mentioned, PPD-30 set out "to significantly enhance engagement with

hostages' families" by mandating better and more transparent communication between U.S. government agencies and the families of American hostages, providing them with timely information about efforts to secure the hostages' release.[67] Still, many families of Iranian-Americans being held hostage in Iran have expressed concern and discomfort with the level of support provided to them by the U.S. government. For example, the families of Jamshid Sharmahd and Shahab Dalili were forced to hold a sit-in in front of the State Department in Washington, DC, in order to secure a simple meeting after being ignored by the U.S. government for several years. As the U.K. House of Commons report added, "Families should never be left to feel that the only way the Government will prioritize their case is by acting against advice and, in some cases, their better judgment, by going to the media and to Parliament."[66]



6 APPENDIX



HOSTAGES TAKEN BY THE ISLAMIC REPUBLIC

HOSTAGE NAME	PROFESSION	DATE TAKEN	CITIZENSHIP	STATUS (DIE, FREED, ETC.)
Abdolrasoul Dorri-Esfahani	Businessman	August 1, 2016	Canada/Iran	*Still in Detention*
Afarin Neyssari	Architect	July 20, 2016	United States/Iran	*Freed*
Afsaneh Azadeh	Businesswoman	May 13, 2012	United States/Iran	*Freed*
Afshin Sheikholeslami Vatani	Political Activist, Civil Engineer, Environmentalist	June 27, 2020	Iran/U.S. resident	*Freed*
Ahmadreza Djalali	Doctor	April 1, 2016	Sweden/Iran	*Still in Detention*
Alan B. Golacinski	Security officer	November 4, 1979	United States	*Freed*
Ali Shakeri	Businessman	May 1, 2007	United States/Iran	*Freed*
Amir Hekmati	Marine Veteran	August 29, 2011	United States	*Freed*
Ana Diamond	Political Commentator, Human Rights Advocate	January 10, 2016	England	*Freed*
Andrew Barber		June 21, 2010	United Kingdom	*Freed*
Andrew Pyke	Businessman	August 27, 1980	United Kingdom	*Freed*
Anoush Ashoori	Businessman	August 1, 2017	United Kingdom/Iran	*Freed*
Aras Amiri	Artist Affairs Officer, British Council	March 1, 2018	United Kingdom/Iran	*Freed*
Baquer Namazi	Former Governor, Khuzestan Province	February 22, 2016	United States/Iran	*Freed*
Barry M. Rosen	Press Attaché, U.S. Embassy	November 4, 1979	United States	*Freed*
Benjamin Brière	Blogger	May 1, 2020	French	*Freed*
Bernard Phelan	Consultant	October 1, 2022	Ireland/ France	*Freed*
Bert C. Moore	Counselor for Administration	November 4, 1979	United States	*Freed*
Bridget Thackwray	Journalist, Expedition Earth	July 9, 2022	New Zeland	*Freed*
Bruce W. German	Budget Officer, U.S. Embassy	November 4, 1979	United States	*Freed*
Capt Paul M. Needham, Jr.	Air Force Logistics Staff Officer, U.S. Embassy	November 4, 1979	United States	*Freed*
CDR Donald A. Sharer	Naval Air Attaché, U.S. Embassy	November 4, 1979	United States	*Freed*
Cécile Kohler	French Trade Unionist	May 1, 2022	French	*Freed*
Charles A. Jones, Jr.	Communications Specialist, U.S. Embassy	November 4, 1979	United States	*Freed*
Clair Cortland Barnes	CIA Officer, U.S. Embassy	November 4, 1979	United States	*Freed*
Clotilde Reiss	Academic	July 1, 2009	France	*Freed*
COL Charles W. Scott	Army Officer and Military Attaché, U.S. Embassy	November 4, 1979	United States	*Freed*
COL Leland J. Holland	Military Attaché, U.S. Embassy	November 4, 1979	United States	*Freed*
Col Thomas E. Schaefer	Air Force Attaché, U.S. Embassy	November 4, 1979	United States	*Freed*
Cpl Steven W. Kirtley	Marine Guard	November 4, 1979	United States	*Freed*
CW3 Joseph M. Hall	Military Attaché with Warrant Officer Rank	November 4, 1979	United States	*Freed*
Daniel Baumann	Author	March 8, 1997	United States/Switzerland	*Freed*
Dariush Zahedi	Academic	July 10, 2003	United States	*Freed*
David Rabhan	Businessman	September 1, 1979	United States	*Freed*

HOSTAGES TAKEN BY THE ISLAMIC REPUBLIC

HOSTAGE NAME	PROFESSION	DATE TAKEN	CITIZENSHIP	STATUS (DIE, FREED, ETC.)
Diego Mathieu		September 16, 2009	Belgium	*Freed*
Donald J. Cooke	Vice Consul, U.S. Embassy	November 4, 1979	United States	*Freed*
Donald Klein	Businessman	November 29, 2005	Germany	*Freed*
Elizabeth Ann Swift	Chief of Political Section, U.S. Embassy	November 4, 1979	United States	*Freed*
Emad Shargi	Businessman	November 30, 2020	United States/Iran	*Freed*
Fariba Adelkhah	Anthropologist	June 5, 2019	France/Iran	*Freed*
Frank Skinner	Businessman	April 27, 1981	United Kingdom	*Freed*
Frederick Lee Kupke	Communications Officer, U.S. Embassy	November 4, 1979	United States	*Freed*
Gary E. Lee	Administrative Officer, U.S. Embassy	November 4, 1979	United States	*Freed*
Gerald Seib	Journalist	January 31, 1987	United States	*Freed*
Ghoncheh Ghavami	Lawyer, Activist	June 20, 2014	United Kingdom/Iran	*Freed*
Habib Farajollah Chaab	Political Activist	October 1, 2020	Sweden/Iran	*Executed*
Haleh Esfandiari	Academic	May 8, 2007	United States/Iran	*Freed*
Hamid Ghasemi-Shall	Computer Technician	May 24, 2008	Canada/Iran	*Freed*
Helmut Hofer	Businessman	September 1, 1997	Germany	*Freed*
Helmut Szimkus	Businessman, Alleged Spy	June 1, 1989	Germany	*Freed*
Homa Hoodfar	Academic	June 6, 2016	Canada/Iran	*Freed*
Hossein Derakshan	Journalist	November 1, 2008	Canada/Iran	*Freed*
Iason Athanasiadis	Writer, Photographer, Political Analyst, and Television Producer	June 17, 2009	United Kingdom	*Freed*
Idesbald Van den Bosch		September 5, 2009	Belgium	*Freed*
Duane L. Gillette	Navy Communications and Intelligence Specialist, U.S. Embassy	November 4, 1979	United States	*Freed*
Jacques Paris	French Trade Unionist	May 2, 2022	French	*Freed*
Jamshid Sharmahd	Journalist	July 1, 2020	Germany/U.S resident	*Still in Detention*
Jason Rezaian	Journalist	July 1, 2014	United States/Iran	*Freed*
Jens Koch	Photographer	October 10, 2010	Germany	*Freed*
Jerry J. Miele	Communications Officer, U.S. Embassy	November 4, 1979	United States	*Freed*
Jerry Plotkin	Businessman	November 4, 1979	United States	*Freed*
Johan Floderus	Swedish Diplomat	April 17, 2022	Sweden	*Still in Detention*
John E. Graves	Public Affairs Officer, U.S. Embassy	November 4, 1979	United States	*Freed*
John W. Limbert, Jr.	Political Officer, U.S. Embassy	November 4, 1979	United States	*Freed*
Jolie King	Travel Blogger	July 1, 2019	Australia/United Kingdom	*Freed*
Jon Pattis	Telecommunications Engineer	June 16, 1986	United States	*Freed*
Joshua Fattal	Co-director, Environmental Education Center	July 1, 2009	United States	*Freed*
Kamal Alavi	Businessman	June 1, 2017	Sweden/Iran	*Freed*

HOSTAGES TAKEN BY THE ISLAMIC REPUBLIC

HOSTAGE NAME	PROFESSION	DATE TAKEN	CITIZENSHIP	STATUS (DIE, FREED, ETC.)
Kamal Foroughi	Businessman	May 5, 2011	United Kingdom/Iran	*Freed*
Kameel Ahmady	Scholar, Anthropologist	August 11, 2019	United Kingdom/Iran	*Freed*
Kamran Ghaderi	Businessman	January 2, 2016	Austria/Iran	*Freed*
Karan Vadafari	Businessman	July 20, 2016	United States/Iran	*Freed*
Kathryn L. Koob	Cultural Officer, U.S. Embassy	November 4, 1979	United States	*Freed*
Kavous Seyed-Emami	Academic, Conservationist	January 24, 2018	Canada/Iran	*Died*
Kian Tajbakhsh	Academic	May 1, 2009	United States/Iran	*Freed*
Kylie Moore-Gilbert	Academic	September 1, 2018	Australia/United Kingdom	*Freed*
L. Bruce Laingen	Chargé d'Affaires, U.S. Embassy	November 4, 1979	United States	*Freed*
LCDR Robert Engelmann	Naval Attaché, U.S. Embassy	November 4, 1979	United States	*Freed*
Louis Arnaud	Businessman	September 8, 2022	French	*Still in Detention*
Lt Col David M. Roeder	Deputy Air Force Attaché, U.S. Embassy	November 4, 1979	United States	*Freed*
Maciej Walczak	Academic	September 1, 2021	Poland	*Freed*
Malcolm K. Kalp	State Department, U.S. Embassy	November 4, 1979	United States	*Freed*
Marcus Hellwig	Journalist	October 10, 2010	Germany	*Freed*
Mark Firkin	Travel Blogger	July 1, 2019	Australia	*Freed*
Masoud Jamali		June 1, 2012	United States/Iran	*Freed*
Massud Mossaheb	Mechanical Engineer	January 1, 2019	Austria/Iran	*Freed*
Matthew Trevithick	Writer	December 7, 2015	United States	*Freed*
Maziar Bahari	Activist	June 21, 2009	Canada/Iran	*Freed*
Mehran Raoof	Trade Unionist	October 16, 2020	United Kingdom/Iran	*Still in Detention*
Meimanat Hosseini-Chavoshi	Research Fellow	December 1, 2018	Australia/Iran	*Freed*
Michael Howland	Security Aide, U.S. Embassy	November 4, 1979	United States	*Freed*
Michael J. Metrinko	Political Officer, U.S. Embassy	November 4, 1979	United States	*Freed*
Michael White	Navy Veteran	July 1, 2018	United States	*Freed*
Mohammad Reza Eslami	Law Professor	May 1, 2020	Canada/Iran	*Still in Detention*
Moorhead C. Kennedy, Jr.	Economic and Commercial Officer, U.S. Embassy	November 4, 1979	United States	*Freed*
Morad Tahbaz	Businessman, Conservationist	January 1, 2018	United States/United Kingdom/Iran	*Freed*
MSG Regis Ragan	Defense Attaché's Office, U.S. Embassy	November 4, 1979	United States	*Freed*
Nahid Taghavi	Architect	October 12, 2020	Germany/Iran	*Still in Detention*
Nazak Afshar	Employee, French Embassy	March 12, 2016	France/Iran	*Still in Detention*
Nazanin Zaghari-Ratcliffe	Philanthropist	April 3, 2016	United Kingdom/Iran	*Freed*
Nelly Erin-Cambervelle	Businesswoman	October 21, 2018	France	*Freed*
Nik Moradi	Businessman	October 31, 2007	United States/Iran	*Freed*

HOSTAGES TAKEN BY THE ISLAMIC REPUBLIC

HOSTAGE NAME	PROFESSION	DATE TAKEN	CITIZENSHIP	STATUS (DIE, FREED, ETC.)
Nizar Zakka	Businessman	September 1, 2015	Lebanon/U.S resident	*Freed*
Nosratollah Khosravi-Roodsari	Adviser, FBI	June 1, 2015	United States/Iran	*Freed*
Olivier Vandecasteele	Humanitarian Worker	February 1, 2022	Belgium	*Freed*
Philip Engs	Engineer	December 2, 1986	Canada	*Freed*
Phillip R. Ward	Administrative Officer, U.S. Embassy	November 4, 1979	United States	*Freed*
Ramin Jahanbegloo	Academic	April 1, 2006	Canada/Iran	*Freed*
Reza Taghavi	Businessman	May 1, 2008	United States	*Freed*
Richard Morefield	Consul General, U.S. Embassy	November 4, 1979	United States	*Freed*
Robert Alan Levinson	FBI	March 9, 2007	United States	*Died in Absentia*
Robert C. Ode	Retired Foreign Service Officer, U.S. Embassy	November 4, 1979	United States	*Freed*
Robert O. Blucker	Economics officer, U.S. Embassy	November 4, 1979	United States	*Freed*
Robin Shahini	Graduate Student	July 1, 2016	United States/Iran	*Freed*
Roger Cooper	Businessman	December 7, 1985	United Kingdom	*Freed*
Roland Marchal	Sociologist	June 1, 2019	French	*Freed*
Roxana Saberi	Journalist	January 31, 2009	United States/Iran	*Freed*
Roya Saberi Negad Nobakht	Activist	June 1, 2013	United Kingdom/Iran	*Still in Detention*
Sabri Hassanpour	Network Executive Director	April 19, 2016	Netherlands/Iran	*Freed*
Saeed Abedini	Christian Pastor	July 28, 2012	United States/Iran	*Freed*
Saeed Malekpour	Web Designer	October 1, 2008	Iran/Canada resident	*Freed*
Sarah Shourd	Social Worker	July 1, 2009	United States	*Freed*
SFC Donald R. Hohman	Army Medic, U.S. Embassy	November 4, 1979	United States	*Freed*
Sgt Gregory A. Persinger	Marine Guard, U.S. Embassy	November 4, 1979	United States	*Freed*
Sgt James M. Lopez	Marine Guard, U.S. Embassy	November 4, 1979	United States	*Freed*
Sgt John D. McKeel, Jr.	Marine Guard, U.S. Embassy	November 4, 1979	United States	*Freed*
Sgt Kevin J. Hermening	Marine Guard, U.S. Embassy	November 4, 1979	United States	*Freed*
Sgt Paul Edward Lewis	Marine Guard, U.S. Embassy	November 4, 1979	United States	*Freed*
Sgt Rodney V. (Rocky) Sickmann	Marine Guard, U.S. Embassy	November 4, 1979	United States	*Freed*
Sgt William Gallegos	Marine Guard, U.S. Embassy	November 4, 1979	United States	*Freed*
Shahab Dalili	Iranian Shipping Official	March 20, 2016	Iran/U.S. resident	*Still in Detention*
Shane Bauer	Freelance Journalist	July 1, 2009	United States	*Freed*
Siamak Namazi	Businessman	October 13, 2015	United States/Iran	*Freed*
Silva Harotonian	Coordinator for IREX's Maternal and Child Health Education	June 26, 2008	Armenia	*Freed*
SSG Joseph Subic, Jr.	Military Policeman, U.S. Embassy	November 4, 1979	United States	*Freed*
SSgt Michael E. Moeller	Head of Marine Guard Unit, U.S. Embassy	November 4, 1979	United States	*Freed*

HOSTAGES TAKEN BY THE ISLAMIC REPUBLIC

HOSTAGE NAME	PROFESSION	DATE TAKEN	CITIZENSHIP	STATUS (DIE, FREED, ETC.)
Stephane Lherbier	Businessman	November 29, 2005	France	*Freed*
Steven Lauterbach	Administrative Officer, U.S. Embassy	November 4, 1979	United States	*Freed*
Thomas L. Ahern, Jr.	CIA Operations Officer, U.S. Embassy	November 4, 1979	United States	*Freed*
Topher Richwhite	Journalist, Expedition Earth	July 9, 2022	New Zeland	*Freed*
Victor L. Tomseth	Senior Political Officer, U.S. Embassy	November 4, 1979	United States	*Freed*
Vincent Boon-Falleur		September 5, 2009	Belgium	*Freed*
William B. Royer, Jr.	Assistant Director, Iran-America Society	November 4, 1979	United States	*Freed*
William E. Belk	Communications and Records Officer, U.S. Embassy	November 4, 1979	United States	*Freed*
William F. Keough, Jr.	Superintendent of American School in Islamabad, Pakistan,	November 4, 1979	United States	*Freed*
William J. Daugherty	Third Secretary, U.S. Embassy	November 4, 1979	United States	*Freed*
Xiyue Wang	Academic	August 8, 2016	United States	*Freed*
Yulia Yuzik	Journalist	October 2, 2019	Russia	*Freed*
Zahra Bahrami	Dancer	December 27, 2009	Netherlands/Iran	*Died*
Zahra Kazemi	Journalist	June 23, 2003	Canada/Iran	*Died*

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