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**DISPARITY IN RANSOM PAYMENT POLICIES
OF WESTERN DEMOCRACIES:
ROOT CAUSES AND MOTIVATING FACTORS**

by

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**DISPARITY IN RANSOM PAYMENT POLICIES OF WESTERN
DEMOCRACIES: ROOT CAUSES AND MOTIVATING FACTORS**

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ABSTRACT

Paying ransoms to recover hostages endangers a larger population because it funds terrorist organizations' operations. To achieve counterterrorism strategy objectives, it is crucial that states consistently adhere to the international ban on ransom payments. Analyzing the factors that influence democracies' decisions to pay or not pay ransoms provides a better understanding of the political peculiarities that shape a state's ransom payment policy over time and influence its decision-making during a hostage-taking crisis. This thesis examined twenty abduction cases involving nationals of four Western democracies (France, Spain, the United States, and the United Kingdom) that occurred between 2001 and 2015. This thesis' findings demonstrate that public opinion and media perception of ransom payments are the most compelling factors influencing decision-makers. Also, policy legacies of paying or rejecting ransoms affected the political leaders of these four Western democracies. In addition to better preventing kidnappings, states should enact ransom payment bans through domestic laws and policy directives, which would likely constrain decision-making and alleviate public pressure. Moreover, educating the public and media about the greater risk created by ransom payments and the publicity given to kidnappings will help shape public opinion in favor of a ransom payment ban.

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TABLE OF CONTENTS

I.	WHEN TERRORISM PAYS: DISPARITY IN RANSOM PAYMENT POLICIES IN WESTERN DEMOCRACIES	1
A.	A BETTER UNDERSTANDING FOR MORE EFFECTIVE IMPLEMENTATION OF THE RANSOM PAYMENT BAN.....	3
B.	LITERATURE REVIEW	4
C.	POTENTIAL EXPLANATIONS AND ARGUMENTS	12
	1. Policy Legacy	12
	2. Hostage Recovery Capabilities and Alternatives	13
	3. Political Implications of Hostage Crises on Domestic Politics	14
	4. Strategic Interests	14
D.	RESEARCH DESIGN	15
E.	THESIS OVERVIEW	16
II.	POLICY ON KIDNAPPING AND RANSOM IN FRANCE AND SPAIN ...	17
A.	FRANCE	18
	1. Cases of Abduction	18
	2. The Response to Hostage Crises and Potential Decision-making Drivers.....	24
	3. Conclusion	31
B.	SPAIN.....	32
	1. Cases of Abduction	33
	2. The Response to Hostage Crises and Potential Decision-making Drivers.....	37
	3. Conclusion	44
III.	POLICY ON KIDNAP AND RANSOM IN THE UNITED KINGDOM.....	47
A.	CASES OF ABDUCTION.....	47
B.	THE RESPONSE TO HOSTAGE CRISES AND POTENTIAL DECISION-MAKING DRIVERS	53
	1. Policy Legacy	53
	2. Military Capability and Alternatives	58
	3. Domestic Politics	60
	4. Strategic Interests	63
C.	CONCLUSION	68

IV.	THE UNITED STATES	71
A.	CASES OF ABDUCTION.....	72
B.	THE RESPONSE TO HOSTAGE CRISES AND POTENTIAL DECISION-MAKING DRIVERS	78
1.	Policy Legacy	78
2.	Military Capabilities and Alternatives.....	83
3.	Domestic Implications of The Hostage Crisis.....	85
4.	Strategic Interests	88
C.	CONCLUSION	92
V.	CONCLUSION AND RECOMMENDATIONS.....	95
	APPENDIX: ALGERIA.....	101
A.	INTRODUCTION.....	101
B.	ALGERIAN AUTHORITIES' RESPONSE TO KIDNAPPING INCIDENTS	102
C.	ANALYSIS	104
D.	RECOMMENDATIONS.....	107
E.	CONCLUSION	110
	LIST OF REFERENCES.....	113
	INITIAL DISTRIBUTION LIST	139

LIST OF FIGURES

Figure 1. Factors Affecting Decision-makers through One Abduction Cycle 13

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LIST OF TABLES

Table 1.	French Cases of Abduction.....	19
Table 2.	Spanish Cases of Abduction	35
Table 3.	British Cases of Abduction	48
Table 4.	American Cases of Abduction	73
Table 5.	Factors Influencing Government Leaders’ Decisions to Pay or Refuse to Pay Ransom	95

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LIST OF ACRONYMS AND ABBREVIATIONS

Al-Shabab	Harakat Shabaab al-Mujahidin
AQAP	Al-Qaeda in the Arabian Peninsula
AQI	Al-Qaeda in Iraq
AQIM	Al-Qaeda in the Lands of the Islamic Maghreb
AREVA	French multinational group specializing in nuclear power
AU	African Union
CIA	Central Intelligence Agency
CNI	Centro Nacional de Inteligencia, Spanish intelligence agency
CPT	Christian Peacemaker Teams
CT	Counterterrorism
DGSE	General Directorate for External Security
ETA	Euskadi ta Askatasuna, Terrorist Group Engaged for Basque Independence
EUNAVFOR	European Union Naval Force counter-piracy military operation
FTO	Foreign Terrorist organizations
GWOT	Global War on Terror
Hezbollah	Lebanese Shia Islamist Political Party and Militant Group
IPSOS	Independent Polling System Of Society
IRA	The Irish Republican Army
ISAF	International Security Assistance Force
ISIS	Islamic State of Iraq and Syria
ISR	Intelligence Surveillance Reconnaissance

ITERATE	International Terrorism: Attributed of Terrorist Events
KFR	Kidnap for Ransom
MI6	British Military Intelligence Section 6
MUJWA	Movement for Unity and Jihad in West Africa
NATO	North Atlantic Treaty Organization
NGO	Non-governmental Organization
NSPD	National Security Presidential Directive
PLO	Palestine Liberation Organization
PPD	Presidential Policy Directive
RSF	Reporter without Borders
SAS	British Special Air Service
SEAL	U.S. Special Operations Forces Sea, Air and Land
Taliban	Islamic fundamentalist group, (Students in Pashtun)
The Swords of Righteousness Brigade	Terrorist group active in Iraq in 2005
The Vengeance Brigade	Terrorist group active in Iraq in 2005
UEI	Unidad Especial de Intervención, or Special Intervention Unit
UN	United Nations

EXECUTIVE SUMMARY

Paying ransoms to recover hostages endangers a larger population because it funds the operations of terrorist organizations. The consistency with which the international ban on ransom payments is adhered to is crucial for achieving the objectives of the counterterrorism strategy. Yet, there is unintended disparity in the implementation of the ransom payment ban, which is driven by a set of compelling factors that influence some democratic political leaders to prioritize the short-term over the long-term outcomes of their decisions to pay ransom. Analyzing the factors that influence democracies' decisions to pay or not pay ransoms provides a better understanding of each ally's political peculiarities, which shape a state's ransom payment policy over time and influence its decision-making during a hostage-taking crisis.

This thesis examined 20 abduction cases involving nationals of four Western democracies (France, Spain, the United States, and the United Kingdom) that occurred between 2001 and 2015. This thesis finds evidence supporting the notion that public opinion and media perception of ransom payments are the most compelling factors for decision-makers in 18 out of 20 cases studied. Also, the legacy of paying or rejecting ransoms by their predecessors influenced the political leaders of these four Western democracies in 16 out of 20 of cases studied.

In addition to enhancing the prevention of kidnappings, political leaders should enact a ban on ransom payments through domestic laws and policy directives because such a ban will constrain the leaders' decisions, reduce their personal involvement, and alleviate the pressure from supporters for a ransom payment solution. Moreover, educating the public and media about the greater risk created by ransom payments and the publicity given to kidnappings will help shape public opinion in favor of a ransom payment ban and may discourage further kidnappings. The findings of this thesis serve as arguments to support my recommendations presented in the form of a policy memorandum (included as an appendix to this thesis) aimed at Algerian political leaders to enhance the implementation of the international ransom payment ban with Algeria's counterterrorism allies.

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I. WHEN TERRORISM PAYS: DISPARITY IN RANSOM PAYMENT POLICIES IN WESTERN DEMOCRACIES

Most states around the globe agree on cutting funding to terrorist organizations and have accordingly passed laws prohibiting direct or indirect financial support for terrorist organizations.¹ Nonetheless, these states confront a policy dilemma when their citizens are abducted by a terrorist organization willing to exchange the hostages for a ransom payment, a prisoner release, or a foreign policy change.² As a result, policy makers have to choose from a set of options commonly having negative consequences. Depending on their decisions, states are either labeled *concessionary* states if they grant hostage-takers' requests or *non-concessionary* states if they do not give in to terrorist demands. Through examining 20 hostage crises involving four Western democracies, this thesis's findings support the following arguments. First, depending on how the public and media perceive ransom payments to terrorists, democratic decision-makers will prioritize either the short-term or long-term outcomes of their decision to pay or not pay ransoms. Second, decision-makers are influenced by the legacy from their predecessors' willingness to pay or refusal to pay ransoms, and they frequently rely on this legacy when unprepared for hostage crises. Although strategic considerations in the abduction country are likely to influence ransom decisions, domestic political ramifications and policy legacies are more compelling.

Ransom payments generate the most heated debate. Paying a ransom is a short-term solution for safe hostage recovery, but it has unethical aspects as it funds terrorist organizations' operations.³ Ransom payments are financial support to terrorist organizations, allowing them to improve their capabilities to execute terrorist attacks.

¹ UN Security Council, "Resolution 2133," UN Security Council, January 27, 2014, 1–3, <http://unscr.com/en/resolutions/doc/2133>; Barack Obama, "U.S. Nationals Taken Hostage Abroad and Personnel Recovery Efforts," Presidential Policy Directive/PPD-30, June 24, 2015, <https://irp.fas.org/offdocs/ppd/ppd-30.html>; Yvonne Dutton, "Funding Terrorism: The Problem of Ransom Payments," *San Diego Law Review* 53, no. 2 (2016): 338, <https://digital.sandiego.edu/sdlr/vol53/iss2/4>.

² Patrick T. Brandt, Justin George, and Todd Sandler, "Why Concessions Should Not Be Made to Terrorist Kidnappers," *European Journal of Political Economy* 44 (2016): 41–42, <https://doi.org/10.1016/j.ejpoleco.2016.05.004>.

³ Dutton, "Funding Terrorism," 339,366.

Furthermore, a ransom payment incentivizes hostage-taking, as it rewards the terrorist act, thus creating a moral dilemma for the concessionary state. States that break the no-concession policy and pay ransoms in some cases while they refuse to pay in other cases are arguably behaving unethically because they are not equally supporting all of their citizens.⁴ Consistency and unity in implementing a ransom payment ban seem to pose a complex problem among strong democratic allies such as the United States, Great Britain, France, and Spain.⁵

Since 2001, it appears that these democracies have approached the ban on ransom payments to terrorist organizations from different angles.⁶ Some scholars also underline the discrepancy between these allies' actions versus their political agreements and announcements in response to hostage crises.⁷ The United States, for example has adopted a non-concession ransom policy since the 1970s.⁸ Yet, despite official denials, different administrations did negotiate with terrorists to free their citizens, either by paying ransoms, making political concessions, pressing friendly governments to make concessions or relying on third party mediation.⁹ Since 2001, however, the United States and Great Britain

⁴ Jeffrey W. Howard, "Kidnapped: The Ethics of Paying Ransoms," *Journal of Applied Philosophy* 35, no. 4 (November 2018): 678,679,680, <https://doi.org/10.1111/japp.12272>.

⁵ Department of the Treasury, "Under Secretary Cohen to Visit France, Germany, Italy, and the United Kingdom, October 1–5, 2012," Weekly Schedule Updates, October 1, 2012, 1–5, <https://home.treasury.gov/news/weekly-public-schedule/10012012b>; Rukmini Callimachi, "The Horror Before the Beheadings," *New York Times*, October 25, 2014, sec. World, <https://www.nytimes.com/2014/10/26/world/middleeast/horror-before-the-beheadings-what-isis-hostages-endured-in-syria.html>.

⁶ Brian Michael Jenkins, *Does the U.S. No-Concessions Policy Deter Kidnappings of Americans?* (Santa Monica, CA: RAND Corporation, 2018), 3, <https://www.rand.org/pubs/perspectives/PE277.html>; Christopher Mellon, Peter Bergen, and David Serman, *To Pay Ransom or Not to Pay Ransom?: An Examination of Western Hostage Policies* (Washington, DC: New America, 2017), 3–4, <http://newamerica.org/international-security/policy-papers/pay-ransom-or-not/>; Joel Simon, *We Want to Negotiate: The Secret World of Kidnapping, Hostages, and Ransom* (New York: Columbia Global Reports, 2019), 153; and Brandt, George, and Sandler, "Why Concessions Should Not Be Made," 41–42,46.

⁷ Simon, *We Want to Negotiate*, 92.

⁸ Jeffrey David Simon, *The Terrorist Trap: America's Experience with Terrorism* (Bloomington, Indiana: Indiana University Press, 1994), 97,109,100; Jenkins, *Does the U.S. No-Concessions Policy Deter Kidnappings*, 3,4; Anja Shortland, "Governing Criminal Markets: The Role of Private Insurers in Kidnap for Ransom," *Governance* 31, no. 2 (April 2018): 345, <https://doi.org/10.1111/gove.12290>; Dutton, "Funding Terrorism," 338,339.

⁹ Jenkins, *Does the U.S. No-Concessions Policy Deter Kidnappings*, 10; Brandt, George, and Sandler, "Why Concessions Should Not Be Made," 41,43.

have adhered to their no-concession policies, but France and Spain have resolved to pay ransoms to terrorist organizations to free their citizens.¹⁰ The public statements of both France and Spain intimate an unspoken concession policy. For instance, France and Spain overtly stated that they succeeded in recovering their citizens held hostage by terrorist organizations.¹¹ What explains this difference in approach to resolving hostage crises? What makes the United States and the United Kingdom refuse to pay ransoms to terrorist organizations while France and Spain are willing to pay ransoms to free their hostages?

A. A BETTER UNDERSTANDING FOR MORE EFFECTIVE IMPLEMENTATION OF THE RANSOM PAYMENT BAN

A better understanding of every ally's political particularities is crucial to ending the cycle of hostage-taking because countering terrorism in general, and hostage-taking in particular, need a strong counterterrorism coalition based on mutual trust and standardized law enforcement procedures.¹² While scholars have pointed out the disparity in the hostage ransom policy among these allies, they have not elaborated on the drivers influencing the different hostage recovery policies. For instance, scholars, depending on their assertions, have studied these countries' hostage policies only to argue about the positive and negative results of the policy. This thesis attempts to explain the weight of these particularities in shaping a state's ransom payment policy in the long term, and in influencing its decision-making process during a hostage-taking crisis. Scrutinizing hostage-taking case studies involving American, British, French, and Spanish hostages in the same context and detained by the same terrorist groups can shed light on potential states' particularities influencing one state's response to an abduction crisis in contradiction with other states. Furthermore, through a comparative analysis of hostage recovery policies of the U.S., U.K.,

¹⁰ Brandt, George, and Sandler, "Why Concessions Should Not Be Made," 41–42; Jenkins, *Does the U.S. No-Concessions Policy Deter Kidnappings*, 13,17-18; and Mellon, Bergen, and Sterman, *To Pay Ransom or Not to Pay Ransom?*, 3–4.

¹¹ Simon, *We Want to Negotiate*, 40,41,51,57,61,82,96,101,113,119,120,157.

¹² Mellon, Bergen, and Sterman, *To Pay Ransom or Not to Pay Ransom?*, 14; Brandt, George, and Sandler, "Why Concessions Should Not Be Made," 41; Global Counterterrorism Forum, "Algiers Memorandum on Good Practices on Preventing and Denying the Benefits of Kidnapping for Ransom by Terrorists" (Algiers: Global Counterterrorism Forum, 2015), <https://www.thegctf.org/Portals/1/Documents/Framework%20Documents/2016%20and%20before/GCTF-Algiers-Memorandum-Eng.pdf?ver=2016-09-01-114738-100>; and Simon, *We Want to Negotiate*, 23.

France, and Spain in the last two decades, this thesis aims to identify outdated policies that are either based on misconceptions or that do not achieve their designed goals. Certainly, every state has its own particularities, such as a mixture of inherited laws and policy legacies, strategic national interests, and cultural influence that affect the decision-making process. Comparing these particularities may yield insights for hostage recovery policies.

This thesis aims, in general, to provide policymakers and scholars with best practices and suggestions on how counterterrorism allies should approach this recurring threat. More specifically, this thesis will inform Algerian officials and counterterrorism (CT) experts, who can benefit from its conclusion to avoid future kidnappings and implement the international ransom payment ban effectively. Algeria is a strong counterterrorism ally of Western democracies, striving to secure its borders and restore stability to the region. Having endured both the abduction of Westerners in 2003 and the effects of ransoms paid to Al-Qaeda in the Islamic Maghreb (AQIM), which probably served to finance their attacks in the Sahel region, Algeria is leading an initiative to deny the benefits of “Kidnapping for Ransom” to terrorist groups.¹³

B. LITERATURE REVIEW

To investigate why there is variation in democracies’ responses to hostage crises, scholars elaborate different perspectives on the rationales behind concessionary and non-concessionary policies. This thesis seeks to build on this rich literature by analyzing the factors influencing democracies’ choices to pay or not pay ransoms. However, before doing so, it is important to review previous studies on hostage recovery policies. First, the thesis reviews the work of scholars who approach hostage recovery policy from an *ethical perspective*, describing the role of the state in protecting its citizens both in the short- and long-term, such as Jeffrey W. Howard, Arnaud Emery, and Ariel Colonomos.¹⁴ Second,

¹³ J. Peter Pham, “The Dangerous ‘Pragmatism’ of Al-Qaeda in the Islamic Maghreb,” *The Journal of the Middle East and Africa* 2, no. 1 (January 2011): 16, <https://doi.org/10.1080/21520844.2011.567445>; Global Counterterrorism Forum, “Algiers Memorandum on Good Practices,” 2.

¹⁴ Howard, “Kidnapped,” 682–85; Arnaud Emery, “The Hostage as a Modern Lamb to the Slaughter” (master’s thesis, European Inter – University Center for Human Rights and Democratisation, 2013), 8,58,68,70.

scholars such as Yvonne Dutton, Elizabeth Bundy, and Anja Shortland scrutinize hostage recovery policy from a *legal standpoint*.¹⁵ Depending on their point of view, they either emphasize the coercive aspect of abduction or the ransom payer’s liability in funding potential future terrorist attacks. Third, the thesis reviews the research of other scholars who analyze different *hostage recovery policies’ efficiency* in saving lives and ending the hostage-taking cycle, such as Brian Michael Jenkins, Christopher Mellon, Peter Bergen, David Sterman, Patrick T. Brandt, Justin George, Todd Sandler, Seth Loertscher, and Daniel Milton, and who disagree on the deterrence effect of banning ransom payments even when analyzing the same target states.¹⁶ Fourth, the review examines the works of Alex Schmid, Jeffery Simon, and Joel Simon dealing with the hostage recovery policy as a *policy dilemma*, which reflects the complexity of counterterrorism policy design due to the evolving nature of terrorism.¹⁷ Finally, Aslihan Saygili’s and Chia-yi Lee’s respective investigation of the impact of *regime type and bureaucratic strength* on ransom payment policy choice are reviewed.¹⁸

Jeffrey W. Howard approaches hostage recovery policy from an ethical perspective, arguing that it is unethical for states to pay ransoms because in doing so they become the terrorists’ accomplices, while Arnaud Emery and Ariel Colonomos contend that refusing

¹⁵ Dutton, “Funding Terrorism,” 339–43; C. Elizabeth Bundy, “Rescuing Policy and Terror Victims: A Concerted Approach to the Ransom Dilemma,” *Michigan Journal of International Law* 37, no. 4 (2016): 718,719, <https://repository.law.umich.edu/mjil/vol37/iss4/4>.

¹⁶ Jenkins, *Does the U.S. No-Concessions Policy Deter Kidnappings*, 1,20; Mellon, Bergen, and Sterman, *To Pay Ransom or Not to Pay Ransom?*, 1,7; Brandt, George, and Sandler, “Why Concessions Should Not Be Made,” 41,42,47; Seth Loertscher and Daniel Milton, “Prisoners and Politics: Western Hostage Taking by Militant Groups,” *Democracy and Security* 14, no. 1 (2018): 1,12, <https://doi.org/10.1080/17419166.2017.1380523>.

¹⁷ Simon, *The Terrorist Trap*, 22,59,410; Schmid, Alex, “Handbook of Terrorism Prevention and Preparedness,” in *ICCT* (The Hague, NL: ICCT Press, 2020), 745, <https://icct.nl/handbook-of-terrorism-prevention-and-preparedness/>; Bundy, “Rescuing Policy and Terror Victims,” 728,729,735,746.

¹⁸ Aslihan Saygili, “Concessions or Crackdown: How Regime Stability Shapes Democratic Responses to Hostage Taking Terrorism,” *Journal of Conflict Resolution* 63, no. 2 (2019): 472–476,486, <https://doi.org/10.1177/0022002717736109>; Chia-yi Lee, “Democracy, Civil Liberties, and Hostage-Taking Terrorism,” *Journal of Peace Research* 50, no. 2 (2013): 235–37, <https://doi.org/10.1177/0022343312465424>.

to pay ransoms is unethical in the absence of other viable hostage recovery options.¹⁹ Howard initially contends that the argument of refusing to pay ransom because it may encourage future kidnappings of Western citizens is insufficient to absolve democracies of their unavoidable responsibility to preserve the lives of their citizens.²⁰ However, he identifies a greater objection to ransom payments than his initial claim; he argues that ransom payments fund terrorist organizations, allowing them to expand the scope of their attacks and threaten a larger vulnerable population.²¹ Thus, Howard concludes that paying ransoms to free a small number of Western hostages is an unethical response to hostage-taking crises, morally unjustifiable, and a wrongful act as states arguably become a terrorist accomplice.²² Emery concurs with Howard's claim that democracies' decision-makers adopt an unethical approach to ransom payments out of fear of fueling terrorism.²³ Contrary to Howard's claim, however, Emery explains that advocates of the non-concessionary approach justify the unacceptable sacrifice of hostages by their government as a lawful and necessary act.²⁴ Emery disapproves of this approach as it puts the hostages' right to life below the interests of the government.²⁵ Emery also condemns any unethical attempts to blame the hostages for their decisions to travel in high-risk regions.²⁶ Colonomos agrees with Emery and asserts that states have the moral obligation to negotiate a solution with the hostage-takers prior to engaging in justifiable use of force.²⁷ Furthermore, Colonomos argues that states leaving the fate of their nationals held hostage to the will of their hostage takers, whose use of excessive force endangers the lives of those

¹⁹ Emery, "The Hostage as a Modern Lamb to the Slaughter," 70; Ariel Colonomos, "Hostage Dilemmas: Learning from Hamas to Use against ISIS," *Haaretz*, September 10, 2014, 3, <https://www.haaretz.com/opinion/2014-09-10/ty-article/.premium/hostage-dilemmas-from-hamas-to-isis/0000017f-e1ae-d568-ad7f-f3ef7cd20000>.

²⁰ Howard, "Kidnapped," 676,677.

²¹ Howard, 677,678.

²² Howard, 682–85.

²³ Emery, "The Hostage as a Modern Lamb to the Slaughter," 70.

²⁴ Emery, 8,25,73.

²⁵ Emery, 3,17,43.

²⁶ Emery, 74.

²⁷ Colonomos, "Hostage Dilemmas: Learning from Hamas to Use against ISIS," 3.

states' citizens, or requiring their citizens to risk their lives resisting abduction are neither an effective deterrent nor a morally viable option.²⁸ One could infer that Colonomos is in favor of ransom payments in the absence of other viable alternatives to free hostages.

Scholars like Dutton, Shortland, and Bundy argue that democracies respond differently to hostage crises because the international community cannot enforce the ransom payment prohibition.²⁹ They examine the hostage no-ransom policies from both domestic and international legal perspectives and argue that the texts prohibiting ransom payments lack clarity.³⁰ Dutton and Bundy note that ransom payments exist in a gray zone between legal and illegal depending on states' domestic laws because international resolutions banning ransom payments are not really binding and domestic laws always trump international laws.³¹ One example is that the British government did not prohibit ransom payments to pirates, and thus, insurance companies were not prohibited from reimbursing ransoms paid by hostages' families or employers until 2014.³² Dutton and Bundy contend that the ransom payment ban is a normative mechanism based on governments' collaboration rather than on their accountability.³³ On one hand, states use the pretext of international legal accountability to avoid paying ransoms.³⁴ On the other hand, states that pay ransoms will do so again anytime they are unable to recover their abductees by alternative means.³⁵ The international ransom payments ban directs states to engage in self-restraint and press private entities for compliance.³⁶ Even if domestic and

²⁸ Colonomos, 4.

²⁹ Bundy, "Rescuing Policy and Terror Victims," 728,730,740,745; Dutton, "Funding Terrorism," 338,340,348,361.

³⁰ Bundy, "Rescuing Policy and Terror Victims," 718; Dutton, "Funding Terrorism," 338; Shortland, "Governing Criminal Markets," 345,354.

³¹ Dutton, "Funding Terrorism," 338,340,361; Bundy, "Rescuing Policy and Terror Victims," 718,730,742.

³² Ioannis Chapsos, "UK Banning Paying Ransoms to Terrorists, Pirates?," *The Maritime Executive*, December 5, 2014, <https://maritime-executive.com/article/UK-banning-paying-ransoms-to-terrorists-pirates-2014-12-05>.

³³ Bundy, "Rescuing Policy and Terror Victims," 728; Dutton, "Funding Terrorism," 337.

³⁴ Dutton, "Funding Terrorism," 343.

³⁵ Dutton, 337.

³⁶ Dutton, 349,350.

international laws agree on the idea of not funding terrorists, policymakers can always interpret those laws differently in terms of the threat's imminence versus the illegality of the ransom payment, which may reflect various degrees of tolerance across democracies.³⁷ For example, Bundy explains that some states may view a non-ransom policy in the absence of another plan to rescue the hostage as a violation of the right to life granted by international humanitarian law.³⁸

Regarding the legality and benefits of insurance companies covering Kidnapping for Ransom (KFR) risks, scholars are divided. On one hand, Shortland argues that insurance companies are better suited to negotiate ransom payments than national governments.³⁹ On the other hand, Bundy contends that states should take the lead from KFR insurers because an ill-equipped private sector cannot efficiently fulfill the state's role, while its legality is doubtful.⁴⁰ Bundy notes that the legality of KFR insurance policies varies among democracies; although these policies are tolerated to protect a democracy's strategic interests in high-risk zones, they often infringe on international law.⁴¹ Shortland disagrees with Bundy and argues that legalizing KFR insurance policies and delegating private negotiators to communicate with hostage-takers avoids conceding political legitimacy and ransom inflation.⁴²

Some scholars contend that hostage taking is an opportunistic, efficient tactic of war used by terrorists to exert pressure on Western democracies.⁴³ Brandt, George, and Sandler argue that removing the reward discourages terrorists from engaging in the abduction enterprise.⁴⁴ For instance, each time a democracy pays a ransom, it increases

³⁷ Bundy, "Rescuing Policy and Terror Victims," 728; Dutton, "Funding Terrorism," 350,351.

³⁸ Bundy, 734.

³⁹ Shortland, "Governing Criminal Markets," 343.

⁴⁰ Bundy, "Rescuing Policy and Terror Victims," 737.

⁴¹ Bundy, 736,739.

⁴² Shortland, "Governing Criminal Markets," 345.

⁴³ Schmid, Alex, "Handbook of Terrorism Prevention and Preparedness," 733,745; Jenkins, *Does the U.S. No-Concessions Policy Deter Kidnappings*, 17; Simon, *We Want to Negotiate*, 24,25,58; Loertscher and Milton, "Prisoners and Politics," 1-3,13.

⁴⁴ Brandt, George, and Sandler, "Why Concessions Should Not Be Made," 44.

terrorists' perceptions of their success in their hostage-taking planning process.⁴⁵ Since 2001, there is evidence that the number of kidnappings of citizens from nations known to pay ransoms has increased by 87%.⁴⁶ Simon and Jenkins suggest that kidnappings can only be minimized if an international coalition successfully increases security in ungoverned spaces.⁴⁷ Brandt, George, and Sandler, however, argue that refusing to pay ransoms is more effective than counterterrorism operations.⁴⁸ For instance, terrorist casualties do not affect the trend of terrorists' abductions if hostage-takers have religious motives.⁴⁹ Some academics dispute the lack of empirical evidence supporting the deterrent effect of non-concessionary policies.⁵⁰

Some academics argue that a democracy's no-concession policy does not affect the trend of terrorist abductions.⁵¹ Instead, Loertscher and Milton contend that the fate of the hostage is determined by the policy of the hostage's home state.⁵² They posit that U.S. and British captives have *four times lower* probability of being released than other Europeans.⁵³ Loertscher's and Milton's findings contradict Brandt, George, and Sandler's claims about the effect of a no-concession policy in preventing an increase in the targeting of a government's nationals.⁵⁴ Jenkins also casts doubt on Brandt, George, and Sandler's conclusions because their research did not consider the exposure factor: large numbers of

⁴⁵ Brandt, George, and Sandler, 44.

⁴⁶ Brandt, George, and Sandler, 42.

⁴⁷ Simon, *We Want to Negotiate*, 58,125; Jenkins, *Does the U.S. No-Concessions Policy Deter Kidnappings*, 22.

⁴⁸ Brandt, George, and Sandler, "Why Concessions Should Not Be Made," 47,51.

⁴⁹ Brandt, George, and Sandler, 50.

⁵⁰ Simon, *We Want to Negotiate*, 117, 160; Loertscher and Milton, "Prisoners and Politics," 18; and Jenkins, *Does the U.S. No-Concessions Policy Deter Kidnappings*, 22.

⁵¹ Mellon, Bergen, and Serman, *To Pay Ransom or Not to Pay Ransom?*, 2; Loertscher and Milton, "Prisoners and Politics," 1,12; and Jenkins, *Does the U.S. No-Concessions Policy Deter Kidnappings*, 17.

⁵² Loertscher and Milton, "Prisoners and Politics," 1,4,15.

⁵³ Loertscher and Milton, 14.

⁵⁴ Jenkins, 20.

concessionary governments' nationals are present in North Africa due to economic ties, making them more exposed to terrorist groups and the risk of abduction.⁵⁵

While scholars agree that ransom payments fund terrorist organizations, they disagree on how denying terrorist organizations the benefit of ransom payments affects their capabilities, as *little is known* about the amount of ransoms paid covertly.⁵⁶ Jenkins argues that the best hostage recovery policy is the one able to secure the life of the hostages without fueling further terrorist attacks.⁵⁷ Simon argues that some Western democracies are trapped and cannot change their policies much because abduction crises are highly politicized; he suggests rather a strategically ambiguous hostage recovery policy where governments refuse to negotiate and delegate negotiations to private entities under the supervision of government agencies for intelligence collection and the prosecution of hostage-takers.⁵⁸

Terrorist organizations choose to engage in hostage-taking because they view their strategies to be efficient in achieving their short-term goals.⁵⁹ Also, hostage-taking has shown its effectiveness in bolstering terrorists' propaganda and providing them with substantial financial assistance.⁶⁰ Moreover, it appears that eroding the prestige and legitimacy of the government is a priority for terrorist organizations.⁶¹ Therefore, if hostage-takers have political motives, democracies view negotiations and ransom payments as harmful to their prestige and legitimacy; as a result, they adopt a hardline stance to prevent terrorists from achieving their objectives.⁶²

⁵⁵ Jenkins, *Does the U.S. No-Concessions Policy Deter Kidnappings*, 20.

⁵⁶ Jenkins, 12.

⁵⁷ Jenkins, 22.

⁵⁸ Simon, *We Want to Negotiate*, 117, 160.

⁵⁹ Pham, "The Dangerous 'Pragmatism' of Al-Qaeda," 17,29; Carolin Goerzig, "Terrorist Learning in Context – the Case of Al Qaeda in the Islamic Maghreb," *Critical Studies on Terrorism* 12, no. 4 (2019): 634,635, <https://doi.org/10.1080/17539153.2019.1596623>.

⁶⁰ Maria Rasmussen, "Terrorist Learning: A Look at the Adoption of Political Kidnappings in Six Countries, 1968–1990," *Studies in Conflict & Terrorism* 40, no. 7 (2017): 548, <https://doi.org/10.1080/1057610X.2016.1237226>.

⁶¹ Rasmussen, 542.

⁶² Rasmussen, 542; Simon, *The Terrorist Trap*, 105.

Democracies' political leaders set hostage recovery policy precedents that become policy legacies.⁶³ Jeffrey Simon contends that political leaders who get personally involved in a hostage crisis become emotionally trapped and end up compromising national interests.⁶⁴ Although negotiating with a callous enemy can be repulsive, negotiations can provide valuable intelligence about the motives of an unknown enemy and a chance to influence the kidnappers.⁶⁵ Moreover, negotiations can fragment terrorist organizations by sowing discord within their ranks.⁶⁶ By contrast, negotiations can be counterproductive if leaders publicly acknowledge negotiating with terrorists, as it provides the terrorists with some legitimacy.⁶⁷

Governments' responses to hostage situations are influenced by regime type and democratic consolidation. Hostage-takers tend to target liberal democracies. In addition of being wealthy, liberal democracies approach hostage-taking crises with greater *delicacy* than in less liberal states because the combination of public accountability and electoral considerations makes short-term solutions preferable.⁶⁸ Lee contends that the democratic nature of valuing human life and defending press freedom creates a positive hostage-taking bargaining environment.⁶⁹ Thus, democracies are targeted more frequently than other types of regimes because the public's emotional response to abduction crises in a democracy serves the terrorist goal of spreading fear; in turn, the public's response encourages future hostage-taking.⁷⁰ Similarly, Saygili claims that during hostage crises, developed democracies are more inclined to make concessions.⁷¹

⁶³ Simon, *The Terrorist Trap*, 53,56,407.

⁶⁴ Simon, 83,97,408-410.

⁶⁵ Schmid, Alex, "Handbook of Terrorism Prevention and Preparedness," 741,743,745.

⁶⁶ Audrey Kurth Cronin, *How Terrorism Ends* (Princeton, NJ: Princeton University Press, 2009), 37.

⁶⁷ Cronin, 40; Martha Crenshaw, "How Terrorism Declines," *Terrorism and Political Violence* 3, no. 1 (March 1991): 79, <https://doi.org/10.1080/09546559108427093>.

⁶⁸ Lee, "Democracy, Civil Liberties, and Hostage-Taking Terrorism," 246.

⁶⁹ Lee, 235.

⁷⁰ Lee, 236,238.

⁷¹ Saygili, "Concessions or Crackdown," 2,4.

Lee claims that strong bureaucracies and institutions constrain democratic decision-makers from yielding to hostage-takers' blackmail whenever ransom payment undermine national strategic interests.⁷² This can explain why decisionmakers' concessions depend on the hostage-takers' objectives.⁷³ Without a strong institutional oversight, or horizontal accountability to maintain a no-concession principles, democracies' decision makers are tempted to negotiate with hostage-takers to protect hostages lives and their personal reelection interests.⁷⁴ However, Saygili disagrees with Lee on the role of democratic institutions in constraining the decision makers to maintain a no-concession policy and argues that in developed democracies, oversight institutions press the decision makers to successfully solve the hostage crisis rather than focusing on the government's loss of prestige.⁷⁵

C. POTENTIAL EXPLANATIONS AND ARGUMENTS

The aforementioned literature review suggests several potential explanations for the divergence in hostage recovery policies across democracies. Figure 1 depicts the factors that impact decision-makers, their varying weights, and how they interact during one hostage crisis cycle. Consecutive decisions to pay or refuse to pay ransom leave a policy legacy that influences future decisions. In turn, the outcome of the hostage crisis either reinforces or calls into question the legacy of the ransom policy.

1. Policy Legacy

Some Western democracies' hostage recovery policies are more constrained by previous policies than those of other democracies. Previous administrations' policy choices regarding hostage crisis management and ransom payments set precedents, and thus, departing from these precedents can incur political risk.⁷⁶ Fear of being held accountable

⁷² Lee, "Democracy, Civil Liberties, and Hostage-Taking Terrorism," 236,237,239.

⁷³ Lee, 237.

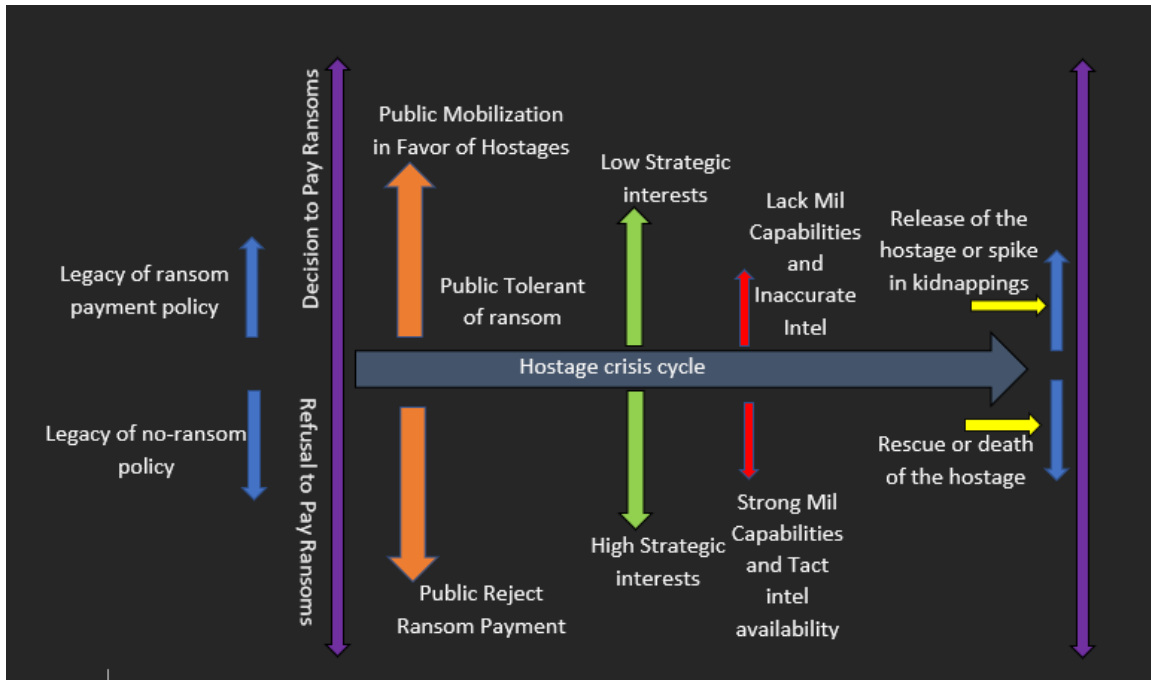
⁷⁴ Lee, 238,246.

⁷⁵ Brandt, George, and Sandler, "Why Concessions Should Not Be Made," 2,18.

⁷⁶ Jenkins, *Does the U.S. No-Concessions Policy Deter Kidnappings*, 06,07; Simon, *We Want to Negotiate*, 29-32,88,91,158.

for potential negative outcomes can make a decisionmaker in one democracy more hesitant to change a previous policy.⁷⁷

Figure 1. Factors Affecting Decision-makers through One Abduction Cycle



2. Hostage Recovery Capabilities and Alternatives

Democracies’ military capabilities in terms of hostage recovery missions vary from one state to another. This difference in military capability might explain why hostage-recovery policies differ, since it could limit or increase the number of options available to resolve the hostage crisis. Not all democracies have the intelligence capacity to determine where hostages are being kept, and even if they do, not all can deploy military forces. Hostage extraction missions are substantially risky, requiring thorough planning using tactical intelligence, projection platforms, and trained special forces teams able to extract

⁷⁷ Dutton, “Funding Terrorism,” 338,340; Saygili, “Concessions or Crackdown,” 468,501.

the hostages while avoiding collateral damage.⁷⁸ Thus, differing military capabilities imply distinct lists of possibilities presented to the decision maker for the safe recovery of hostages, which could explain the variation in ransom payment strategies among Western democracies.

3. Political Implications of Hostage Crises on Domestic Politics

Hostage abduction is perceived differently by the political elite and arouses a wide range of popular reactions and feelings across democratic states. Whereas in some democracies the population protests to support the hostages' families and condemns the terrorist attack, in other democracies popular protest is limited or absent.⁷⁹ When a hostage crisis lasts for prolonged period, these popular manifestations weigh even more heavily on policymakers' decisions.⁸⁰ In some cases, hostage support committees press their government to free the hostages by any means, even if it implies paying ransom to terrorist organizations.⁸¹ On the other hand, some societies may press their government not to concede to terrorist demands as it undermines their national pride.⁸² Furthermore, during an election period, policymakers can make an exception to their previous no-concession hostage recovery policy commitments because the stakes are high.⁸³ Thus, elections increase the political implications of the hostage crisis and influence the government's decision on paying ransoms.

4. Strategic Interests

The strategic interests of Western democracies vary and could influence their hostage recovery policies significantly. Some, for instance, have a worldwide footprint in

⁷⁸ Jenkins, *Does the U.S. No-Concessions Policy Deter Kidnappings*, 2,5; Mellon, Bergen, and Serman, *To Pay Ransom or Not to Pay Ransom?*, 9,12; and Rodney Hyatt, "Granting Concessions and Paying Ransoms to Terrorists: A Policy Options Analysis of the U.S. Policy on Hostage Recovery" (master's thesis, Naval Postgraduate School, 2016), 52,53, <http://hdl.handle.net/10945/49493>.

⁷⁹ Simon, *The Terrorist Trap*, 55,80; Simon, *We Want to Negotiate*, 30,35,155.

⁸⁰ Saygili, "Concessions or Crackdown," 03.

⁸¹ Simon, *We Want to Negotiate*, 20–23.

⁸² Simon, *The Terrorist Trap*, 55.

⁸³ Saygili, "Concessions or Crackdown," 03,05.

the form of economic, military, and diplomatic presence. The policymakers of these democracies choose to maintain a no-concession stance because they believe that refusing to pay ransom *dissuades* terrorist groups from targeting their nationals if hostage-takers are pursuing financial rewards.⁸⁴ On the other hand, Western democracies with a limited footprint or small expat population in risky areas may negotiate with kidnappers and often pay ransom as a *last resort*. Policymakers view ransom payments as necessary exceptions to support their nationals and maintain their strategic interests in a region.⁸⁵

D. RESEARCH DESIGN

This thesis explores these hypotheses through comparative case studies of four Western democracies that are partners in combating terrorism: United States, United Kingdom, France, and Spain. These countries have dealt with hostage-taking crises in the last two decades and there are plenty of credible reports and testimonies on their hostage-taking cases. These four Western NATO allies share similar democratic values; yet, they have diverged on their responses to hostage taking. The thesis focuses on the period from 2002 to 2015, during which these countries were concerned with combating violent Islamist extremists. It also explores mainly hostage crises perpetrated by the same terrorist group against the four states' nationals, in the same country and context, in order to isolate possible conflating variables. In total, 20 cases are available for investigation (See Tables 1–4): 6 cases committed by jihadist groups in Iraq, 6 cases committed by AQIM in the Sahel region (Mali, Niger, Mauritania), 4 cases committed by the Islamic State of Iraq and Al-Sham (ISIS) in Syria, 2 cases committed by Al-Shabab and its affiliates in Somalia , 1 case in Yemen committed by Al-Qaeda in the Arab Peninsula (AQAP), 1 case committed by the Taliban in Afghanistan. The thesis uses sources such as the global terrorism database ITERATE for case selection; and scholarly articles, international news releases, opinion surveys, and policymakers' biographies to evaluate factors such as policy legacy, domestic implications, and intelligence availability. To evaluate the strategic interests, the volume of trade between the hostage country and the country of abduction and the number of

⁸⁴ Jenkins, *Does the U.S. No-Concessions Policy Deter Kidnappings*, 12–13.

⁸⁵ Pham, “The Dangerous ‘Pragmatism’ of Al-Qaeda,” 23.

expatriates from the hostage country in the country of abduction are considered. In addition, the thesis evaluates the military capability of each country based on its defense budget, the number of troops, assets stationed in the region of the abduction, as well as previous hostage rescue mission experience.

E. THESIS OVERVIEW

There are five thesis chapters. The first chapter has exposed the reader to the challenge of hostage recovery policy from several vantage points. This chapter has addressed the subject of why Western democracies adopt divergent policies and respond differently to hostage-taking crises. The Second chapter examines France and Spain as case studies, both of which are known to be concessionary states. The United States and the United Kingdom, both non-concessionary democracies, serve as case studies in the third and fourth chapters, respectively. The fifth chapter summarizes the main findings and explains how public perception of ransom payments to terrorists, as well as domestic political implications, compel policymakers to make decisions that align with popular sentiment. It also describes how policy legacies, whether in favor of secret ransom payments or refusing to yield to terrorists' demands, constrain decision makers, particularly when such legacies are enacted by policy directives and legislation. An appendix containing policy prescriptions for combating hostage taking, with some tailored recommendations for decision-makers in my country, Algeria appears at the end of this document.

II. POLICY ON KIDNAPPING AND RANSOM IN FRANCE AND SPAIN

This chapter examines the kidnappings of French and Spanish nationals in order to gain a better understanding of the most likely factors influencing their governments' decisions to pay or not pay a ransom. First, I analyze case studies of French nationals kidnapped by terrorist groups in Iraq between 2004 and 2005, under the presidency of President Jaques Chirac. Second, I analyze case studies of French and Spanish nationals who were kidnapped by terrorist groups in the Sahel region between 2009 and 2012, under the presidency of President Nicolas Sarkozy and the Spanish Prime Minister, Jose Luis Rodriguez Zapatero. Third, I analyze case studies of French and Spanish nationals who were kidnapped in 2013 by terrorist groups in Syria under the presidency of French President François Hollande and Spanish Prime Minister Mariano Rajoy.

The analysis of the French and Spanish cases reveals that the state's decision to pay a ransom as part of making concessions is generally influenced by two factors. First, the current leader's political motivation to adhere to or depart from a policy legacy. For instance, inheriting a policy legacy of paying ransoms from predecessors allows leaders to be more lenient about paying ransoms. Second, the domestic political implications of abductions, such as the politicization of journalist kidnapping in France and, most likely, Spaniards from the Basque and Catalan regions, put their respective governments under enormous pressure to pay ransoms. On the other hand, low popular mobilization for the hostages and strong strategic interests, as in the case of France in Niger, helped the government resist paying ransoms. Finally, the absence of strategic interests was a significant factor in the Spanish government's decision to pay ransoms when the risks associated with those interests were low, such as when Spanish citizens were kidnapped in countries with few economic ties to Spain and few Spanish expatriates.

Before elaborating on the France and Spain case studies, it should be emphasized that because of the sensitivity surrounding the management of hostage crises, policymakers often deny or keep ransom payments secret. This extends beyond leaders' efforts to

maintain their prestige.⁸⁶ They often fear the contagion effect because the publicity surrounding ransom payments could encourage other terrorist groups to engage in kidnapping.⁸⁷ Moreover, this analysis uses both validated evidence and some allegations reported in the press. Should government documents become declassified or more evidence become available about the circumstances surrounding these hostages' releases, that information could enhance or alter the validity of this analysis.

A. FRANCE

1. Cases of Abduction

Daniel McGrory wrote in a 2006 article that “more than 250 foreigners have been kidnapped in Iraq since March 2003: 135 were killed, three escaped, six were rescued, and the fate of the other victims is unknown.”⁸⁸ Refer to Table 1 for French cases of abduction.

⁸⁶ Saygili, “Concessions or Crackdown,” 18.

⁸⁷ Brigitte L. Nacos, “Revisiting the Contagion Hypothesis: Terrorism, News Coverage, and Copycat Attacks,” *Perspectives on Terrorism* 3, no. 3 (2009): 3–4, <https://www.jstor.org/stable/26298412>.

⁸⁸ Daniel McGrory, “How \$45m Secretly Bought Freedom of Foreign Hostages,” *The Times*, May 22, 2006, <https://www.thetimes.co.uk/article/how-dollar45m-secretly-bought-freedom-of-foreign-hostages-j8vlt00znzx>.

Table 1. French Cases of Abduction

Date	Hostage Name	Nationality/ Occupation	Location of Abduction (Host Nation)	Terrorist Identity	Terrorist First Demand / Second Demand	Outcome of the Hostage Crisis	Probability of Ransom Payment	Hostage Crisis Duration
8-20-2004	Christian Chesnot Georges Malbrunot	French/ Journalist French/ Journalist	Iraq	Islamic Army in Iraq	Domestic policy change/ Ransom	Released	Certain, \$ 15 million paid by third country	121 days
1-5-2005	Florence Aubenas Hussein Hanoun	French/ Journalist Iraqi/ Interpreter	Iraq	Unknown Sunni Group	Ransom	Released	Very likely, \$ 10 million	135 days
4-x-2010	Michel Germaneau	French/Aid worker	Niger/Mali	AQIM	Ransom	Executed	No ransom	>120 days
1-7-2011	Vincent Delory and Antoine de Léocour	French / Expat	Niger	AQIM	Unknown	Killed during Rescue Mission	No ransom	01 day
9-16-2010	Francoise Larribe, one Togolese, and one Malagasy / Pierre Legrand, Thierry Dol, Daniel Larribe, and Marc Féret	French/ AREVA (Uranium Mine Workers)	Niger	AQIM	Ransom	Released Released	Certain. \$17 million. Certain. \$28 million	150 days More than 3 years
6-x-2013	Nicolas Henin, Pierre Torres, Edouard Elias, and Didier Francois	French/ Journalist	Syria	ISIS	Ransom/ Foreign policy change	Released	Very likely, \$18 million	>10 months

The first hostage crisis took place in Iraq on August 20, 2004. When the major uprising against foreign military presence on Iraqi soil degenerated into a civil war, Georges Malbrunot, a French journalist employed by *Le Figaro*, a French newspaper, was reporting from Iraq.⁸⁹ Later, he was joined by his countryman, Christian Chesnot. They assumed wrongly that they were safer than other Western journalists because France had not joined the U.S.-led coalition of Operation Iraqi Freedom.⁹⁰ That day, on their way to Najaf, a Shiite city in the south of Iraq, they were kidnapped along with their driver, Mohammed Al-Joundi. Shortly after that, it was confirmed that a terrorist group called the Islamic Army in Iraq was behind their abduction.⁹¹ The hostage takers first asked the French government to withdraw a law that prohibits schoolgirls from wearing Islamic scarves in French public schools. When confronted by a firm French government refusal, the hostage-takers shifted their demand to a ransom payment. First, the driver, Al-Joundi, was rescued on November 12 during a U.S. raid in Fallujah.⁹² On December 21, the two journalists were released after four months of captivity. According to both French journalists and *The Mail & Guardian*, the French government probably cooperated with the Qatari government to pay \$15 million for their release, which the Qatari government justified on humanitarian grounds.⁹³

The second hostage crisis took place in Iraq on January 5, 2005, when a reporter for the daily *Libération*, Florence Aubenas, and her interpreter, Hussein Hanoun al-Saadi,

⁸⁹ “RSF Dédie ses Vingt Ans à Florence Aubenas [RSF dedicates its twentieth anniversary to Florence Aubenas],” *Le Monde*, June 9, 2005, https://www.lemonde.fr/actualite-medias/article/2005/06/09/rsf-dedie-ses-vingt-ans-a-florence-aubenas_659965_3236.html.

⁹⁰ Julia Day, “French Journalist’s Kidnap Confirmed,” *The Guardian*, January 14, 2005, sec. World news, <https://www.theguardian.com/media/2005/jan/14/Iraqandthedia.iraq>.

⁹¹ “De Nouveaux Rapt Et Un Ultimatum Qui Expire Pour Les Deux Américains Et Le Britannique [New Kidnappings and an Ultimatum That Expires for the Two Americans and the British],” *Le Monde*, September 20, 2004, https://www.lemonde.fr/archives/article/2004/09/20/de-nouveaux-rapt-et-un-ultimatum-qui-expire-pour-les-deux-americaains-et-le-britannique_379752_1819218.html.

⁹² “Christian Chesnot et Georges Malbrunot dans leur 100e jour de détention [Christian Chesnot and Georges Malbrunot in their 100th day of detention],” *Le Monde*, November 27, 2004, https://www.lemonde.fr/archives/article/2004/11/27/christian-chesnot-et-georges-malbrunot-dans-leur-100e-jour-de-detention_388634_1819218.html.

⁹³ “Western Countries Reject Claims of Ransom Payments,” *Mail & Guardian*, May 22, 2006, <https://mg.co.za/article/2006-05-22-western-countries-reject-claims-of-ransom-payments/>.

were reported missing. On March 1, 2005, a video of Aubenas seeking help was made public.⁹⁴ The kidnappers were little known Sunni militants. On June 11, Aubenas and Hanoun al-Saadi, were freed.⁹⁵ Aubenas was flown back to France on board a French government plane. Upon her arrival at a French military airbase, President Chirac was the first person to greet her on the tarmac.⁹⁶ A few years later, the *Times of London* reported that France had paid a \$10 million ransom in exchange for Aubenas' release.⁹⁷ Bernard Kouchner, the French Foreign Minister, would confirm that ransoms were paid when he proposed a law that punishes kidnapping victims, saying that their carelessness cost a lot in terms of rescue missions and ransoms.⁹⁸

After Sarkozy assumed power in 2007, he shifted the French hostage recovery policy from paying ransoms to preferring military rescue missions, and then back to paying ransoms. The following hostage cases illustrate his policy changes. The third hostage case took place in April 2010, when an AQIM-affiliated group abducted Michel Germaneau, a French charity volunteer, in Niger.⁹⁹ On July 22, 2010, the General Directorate for External Security (DGSE, the French intelligence branch) led a rescue mission in Mali against one of AQIM's camps to free Germaneau. Unfortunately, he was not there, and

⁹⁴ "Reporter Pleads for Help in Video," CNN World, March 1, 2005, <http://www.cnn.com/2005/WORLD/meast/03/01/iraq.france/index.html>.

⁹⁵ Adam Sage, "Reporter Freed after Months in Cellar," *The Times*, June 13, 2005, <https://www.thetimes.co.uk/article/reporter-freed-after-months-in-cellar-ng9jdv22ktr>.

⁹⁶ "La libération de la journaliste Florence Aubenas, otage en Irak [The release of journalist Florence Aubenas, hostage in Iraq]," *Lumni Enseignement*, June 12, 2005, <https://enseignants.lumni.fr/fiche-media/00000001084/la-liberation-de-la-journaliste-florence-aubenas-otage-en-irak.html>.

⁹⁷ "Florence Aubenas, Christian Chesnot et Georges Malbrunot Libérés Contre Rançon Selon Le 'Times' [Florence Aubenas, Christian Chesnot and Georges Malbrunot released for ransom according to the 'Times']," *Le Monde*, May 22, 2006, https://www.lemonde.fr/proche-orient/article/2006/05/22/aubenas-chesnot-et-malbrunot-liberes-contre-rancon-selon-le-times_774366_3218.html.

⁹⁸ Adam Sage, "Hostages to Face Bill as France Tries to Recoup Cost of Rescues," *The Times*, July 31, 2009, <https://www.thetimes.co.uk/article/hostages-to-face-bill-as-france-tries-to-recoup-cost-of-rescues-c6626r8pjzk>.

⁹⁹ Scott Sayare, "North African Militants Kill Frenchman, 78," *New York Times*, July 26, 2010, <https://www.nytimes.com/2010/07/27/world/europe/27france.html>.

only a few terrorists were killed in the operation.¹⁰⁰ On July 25, 2010, Aljazeera TV retransmitted a video of AQIM's leader declaring the execution of Germaneau.¹⁰¹ AQIM's leaders claimed that France's attempt to free the hostages spoiled the negotiations.¹⁰² They added that, in contrast with Germaneau's killing, two Spanish hostages were freed after Spain satisfied their demands.¹⁰³

The fourth kidnapping took place on January 7, 2011. Two French nationals kidnapped in Niger by AQIM, Vincent Delory and Antoine de Léocour, were killed in another failed French rescue mission.¹⁰⁴ President Sarkozy abandoned further rescue attempts as he realized that rescue missions proved to be too risky and returned to a policy of paying ransoms. Sarkozy's advisor, Claude Guéant, declared after Germaneau's death that "whenever the life of a French national is at stake, France is always ready to negotiate."¹⁰⁵ Negotiating is certainly not paying ransom, but this argument will be fully supported later in this research.

The fifth incident took place in Arlit, Niger, on September 16, 2010. Five French nationals, one Togolese, and one Malagasy employee of the French firm AREVA were abducted by AQIM.¹⁰⁶ In February 2011, Marc Gadullet, a former French intelligence

¹⁰⁰ Jacques Follorou, "La Doctrine Fluctuante de la France sur Les Versements d'Argent [The fluctuating doctrine of France on payments of money]," *Le Monde*, December 9, 2016, https://www.lemonde.fr/international/article/2016/12/09/la-doctrine-fluctuante-de-la-france-sur-les-versements-d-argent_5046211_3210.html.

¹⁰¹ Christophe Ayad and Soren Seelow, "Les 20 ans du 11-Septembre: AQMI, l'Alliée d'Al-Qaida qui Voue une Haine Tenace à la France [20 years of September 11: AQIM, the ally of Al-Qaeda that has a tenacious hatred for France]," *Le Monde*, September 2, 2021, https://www.lemonde.fr/international/article/2021/09/02/2007-2011-aqmi-l-alliee-d-al-qaida-qui-voue-une-haine-tenace-a-la-france_6093077_3210.html.

¹⁰² Ayad and Seelow.

¹⁰³ Ayad and Seelow.

¹⁰⁴ Follorou, "La Doctrine Fluctuante de la France."

¹⁰⁵ "Paris Réaffirme N'avoir Jamais Négocié la Libération de Michel Germaneau [Paris Reaffirms That It Never Negotiated the Release of Michel Germaneau]," *Le Monde*, August 24, 2010, https://www.lemonde.fr/afrique/article/2010/08/24/paris-reaffirme-n-avoir-jamais-negocie-la-liberation-de-michel-germaneau_1402374_3212.html.

¹⁰⁶ Célian Macé, "Niger: Prise d'Otages Dans le Fief d'Areva [Niger: hostage-taking in Areva's stronghold]," *Libération*, September 17, 2010, sec. International, https://www.liberation.fr/planete/2010/09/17/niger-prise-d-otages-dans-le-fief-d-areva_679591/.

officer who was hired by AREVA, facilitated the release of three hostages for a €12.5 million ransom via intermediaries.¹⁰⁷ The former U.S. ambassador to Mali, Vicki Huddleston, confirmed that France paid at least \$17 (equivalent to €13) million to AQIM and intermediaries for the release of AREVA's employees held hostage.¹⁰⁸ The remaining French hostages, Pierre Legrand, Thierry Dol, Daniel Larribe, and Marc Féret, were released on October 29, 2013, after three years of captivity.¹⁰⁹ Pierre-Antoine Lorenzi, a former DGSE agent who negotiated their release, disclosed to the *Media Part Journal* that the French Ministry of Defense had reserved €30 million to secure their release.¹¹⁰ Admiral Édouard Guillaud, explained that although France's stance on ransom payments is "not a viable policy," the country would not rule out the option if the situation demanded it.¹¹¹

The sixth hostage case took place in June 2013, when four French journalists, Nicolas Henin, Pierre Torres, Edouard Elias, and Didier Francois, were abducted in Syria and kept as hostages by ISIS for over ten months, along with other Western nationals.¹¹² On April 20, 2014, President Francois Holland honored his predecessors' legacy by greeting the released hostages on the tarmac at the airport.¹¹³ According to the German

¹⁰⁷ Emmanuel Fansten, "Otages D'Arlit: Un Ex-Espion à La Barre [hostages of Arlit: An Ex-Spy Faces Trial]," *Libération*, February 23, 2018, sec. Société, https://www.liberation.fr/france/2018/02/23/otages-d-arlit-un-ex-espion-a-la-barre_1632007/.

¹⁰⁸ Alexandria Sage and Sophie Louet, "France Plays Down Report of Ransom Paid for Niger Hostages," Reuters, February 8, 2013, <https://www.reuters.com/article/us-france-hostages-idUSBRE9170YJ20130208>.

¹⁰⁹ Vincent Hugué, "Libération des Otages d'Arlit [Release of Arlit hostages]," *L'Express*, December 4, 2013, sec. Afrique, https://www.lexpress.fr/actualite/monde/afrique/liberation-des-otages-d-arlit_1295310.html.

¹¹⁰ "Otages Libérés: Une 'Rançon a Été Payée' [hostages Freed: A 'Ransom Has Been Paid']," *Le Figaro*, February 25, 2011, <https://www.lefigaro.fr/flash-actu/2011/02/25/97001-20110225FILWWW00622-otages-liberes-une-rancon-a-ete-payee.php>.

¹¹¹ Abdoulaye Bah, "Sahel Region: On Paying Ransom for Hostages," *Global Voices*, October 2, 2010, <https://globalvoices.org/2010/10/02/sahel-region-on-paying-ransom-for-hostages/>.

¹¹² Sunaina Karkarey, "Joyful Homecoming for Four French Journalists after Syria Captivity," Reuters, April 20, 2014, <https://www.reuters.com/article/uk-syria-crisis-france-idUKBREA3I03Z20140420>.

¹¹³ Karkarey.

magazine *Focus*, France had paid \$18 million for the French hostages' release.¹¹⁴ According to NATO sources, French Defense Minister Jean-Yves Le Drian brought the ransom money to Ankara through intermediaries who facilitated the deal.¹¹⁵ Later, it became certain that France paid a ransom to ISIS when President Barrack Obama stated that "the United States does not pay ransom to terrorists, but remarked with irritation that President François Hollande of France says his country does not, when in fact it does."¹¹⁶

2. The Response to Hostage Crises and Potential Decision-making Drivers

a. Policy Legacy

The legacy of ransom payment policy and the political use of hostage crises may have contributed to President Chirac's government's decision to pay ransoms in exchange for Aubenat, Malbrunot, and Chesnot's release. Jacques Chirac inherited a policy legacy of paying ransoms and greeting freed hostages at the airport that he himself had established while serving as prime minister. In 1988, Prime Minister Chirac, who was also running for the French presidency at the time, established a precedent by facilitating a \$3 million ransom payment to a Lebanese terrorist group affiliated with Hezbollah in exchange for the release of Jean-Paul Kauffmann, and two other French nationals.¹¹⁷ Chirac also greeted them upon their arrival at Villacoublay, a French airport.¹¹⁸ When he greeted Aubenat, Malbrunot, and Chesnot on the tarmac, he sent a symbolic message of relief to his

¹¹⁴ "France Denies It Paid Ransom for Syria Reporters," Reuters, April 26, 2014, <https://www.reuters.com/article/us-syria-crisis-france-ransom-idUSBREA3P0FE20140426>.

¹¹⁵ Reuters Staff.

¹¹⁶ Peter Baker, "Paths to War, Then and Now, Haunt Obama," *New York Times*, September 13, 2014, https://www.nytimes.com/2014/09/14/world/middleeast/paths-to-war-then-and-now-haunt-obama.html?smid=nytcore-ipad-share&smprod=nytcore-ipad&_r=0.

¹¹⁷ "Une " Rançon " Impayée de 3 Millions de Dollars? La France N'aurait pas Tenu ses Engagements après la Libération des Otages du Hezbollah Affirme le Journal ' Libération' [an Unpaid 'Ransom' of \$3 Million? France Would Not Have Kept Its Commitments After the Release of the Hostages of Hezbollah Says the Newspaper 'Liberation']," *Le Monde*, March 1, 1990, https://www.lemonde.fr/archives/article/1990/03/01/une-rancon-impayee-de-3-millions-de-dollars-la-france-n-aurait-pas-tenu-ses-engagements-apres-la-liberation-des-otages-du-hezbollah-affirme-le-journal-liberation_3959948_1819218.html.

¹¹⁸ "4 mai 1988, Libération des Otages Français au Liban [4 May 1988, release of French hostages in Lebanon]," Franceinfo, November 1, 2011, https://www.francetvinfo.fr/societe/4-mai-1988-liberation-des-otages-francais-au-liban_1613815.html.

electorate, which improved his popularity.¹¹⁹ This political message of a successful hostage crisis resolution was so important for French leaders that it could become an important driver of the ransom payment decision. Since then, French presidents have maintained the legacy; they have often paid ransoms to terrorist groups and followed the same ritual of greeting the freed hostages upon their arrival at the airport.

Sarkozy's personal tenets may have contributed to the French government's decision to not pay ransom for Germaneau's release. Sarkozy stated during this hostage crisis that French hostages were costly to the French government to express his commitment to move away from his predecessors' ransom policy legacy. Before that, Sarkozy followed his predecessors' policy of covertly paying ransoms. His foreign minister, Bernard Kouchner, declared, "We often oppose a French model that pays to the Anglo-Saxon model..., but these cases are not so simple, when you save a life, you see things differently."¹²⁰ In 2009, President Sarkozy shifted to preferring military rescue missions over ransom payments. He criticized previous ransom payments and stated that "a hostage costs a lot to the state," in reference to ransom payments.¹²¹ The French semi-presidential system offered Sarkozy enough constitutional authority to outweigh any resistance to his ransom policy change. However, when the rescue missions for Germaneau, Delroy, and de Léocour failed, Sarkozy abandoned his no-ransom payment policy.

Ransom payment policy's legacy and the political use of hostage crises may have contributed to President Hollande's decision to pay ransoms to secure the release of AREVA's employees and French journalists kidnapped, respectively, in Niger and Syria. When Hollande succeeded Sarkozy in 2012, he inherited AREVA's hostage crisis. Under the Sarkozy presidency, a ransom of \$12.5 million was allegedly paid to AQIM for the

¹¹⁹ Barbara Azaïs, "Présidentielle: Que Disaient Les Sondages Pour Mitterrand, Chirac et Sarkozy ?[presidential: What Did the Polls Say for Mitterrand, Chirac and Sarkozy?]," TF1 INFO, September 7, 2016, <https://www.tf1info.fr/politique/sondages-pour-2017-que-disaient-les-chiffres-pour-mitterrand-chirac-et-sarkozy-2001799.html>.

¹²⁰ Follorou, "La Doctrine Fluctuante de la France."

¹²¹ "Otages – A qui la Faute? [Otages – Who is to Blame?]," *Le Petit Journal*, July 27, 2010, <https://lepetitjournal.com/otages-qui-la-faute-185009>.

release of Mrs. Larribe and two other hostages in February 2011.¹²² The ransom policy legacy left by Sarkozy probably contributed to Hollande's government's decision to pay a ransom to secure the release of the four remaining hostages. In the case of the French journalists abducted in Syria in 2013, the ransom payment policy legacy may have also contributed to Hollande's decision to pay a ransom to grant their release because Hollande's predecessors succeeded in bringing the French journalists' safely home.¹²³ French journalists' abductions were consistently too politicized and had implications for French domestic politics.

b. Military Capability and Tactical Intelligence Availability

France's lack of military capability and tactical intelligence in Iraq, may have influenced Chirac's government's decision to pay ransoms to recover Aubenas, Malbrunot, and Chesnot. In 2005, France did not have any military presence in Iraq or in neighboring countries. France's refusal to participate in the Operation Iraqi Freedom coalition limited its intelligence capabilities in Iraq compared to governments having boots on the ground. The French intelligence branch, DGSE, led the negotiations for the release of the French hostages but suffered from a lack of local connections.¹²⁴ If the location of the hostages had been known, the French government could have attempted to free the hostages instead of paying the ransoms.

In contrast, Sarkozy's administration had the critical requirements for military rescue missions in the Sahel region, which may have absolved them of paying AQIM ransoms. France had an important military force deployed in Chad (Operation Epervier), a combined military intervention group with Mauritania, and ISR (intelligence, surveillance,

¹²² Agence France Presse, "Otages Libérés."

¹²³ "Villepin Remercie La Roumanie Pour La Libération De Florence Aubenas [villepin Thanks Romania for the Release of Florence Aubenas]," *Le Monde*, June 14, 2005, https://www.lemonde.fr/proche-orient/article/2005/06/14/villepin-remercie-la-roumanie-pour-la-liberation-de-florence-aubenas_662101_3218.html.

¹²⁴ "Les Services Français N'Excluent Aucune Piste, Ni Aucune Manipulation [the French Services Do Not Exclude Any Track or Manipulation]," *Le Monde*, March 2, 2005, https://www.lemonde.fr/proche-orient/article/2005/03/02/les-services-francais-n-excluent-aucune-piste-ni-aucune-manipulation_400021_3218.html.

and reconnaissance) platforms deployed in Mali and Niger.¹²⁵ Although Germaneau's rescue mission failed because of inaccurate tactical intelligence, the French intelligence branch already had well-connected agents tracking the hostage-takers.¹²⁶ Moreover, in the case of Delroy and Léocour, French ISR assets detected the hostage-takers' convoy on the same day of the abduction, which probably influenced the Sarkozy government's decision to launch a rescue mission.

Hollande's government had the military capability to rescue the AREVA employees but suffered a lack of reliable tactical intelligence in Mali, which may have contributed to its decision to facilitate ransom payments. Similarly, when French hostages were kidnapped in Syria by ISIS in 2013, Hollande's government had the military capabilities but may have lacked reliable tactical intelligence. France had at that time more than 200 soldiers and ten surveillance aircraft and was part of a large coalition fighting ISIS.¹²⁷

The lack of reliable tactical intelligence made rescue missions too risky and may have fueled Hollande's government's decision to pay ransoms, as it is perceived as the less bad option. Strong evidence supports that rescue missions are too risky. For instance, between 2010 and 2014, the deaths of *12 of the 16* French hostages were linked to military rescue missions.¹²⁸ It is important to emphasize that these unfortunate outcomes were not exclusive to France, but rather a worldwide fact, as one in two hostages died during rescue efforts in the last two decades.¹²⁹

¹²⁵ "Bilan de 50 ans des OPEX de la France: Quelles Leçons en Tirer? [50 years of France OPEX: what lessons can be learned?]," Fondation IFRAP, December 14, 2015, <https://www.ifrap.org/etat-et-collectivites/bilan-de-50-ans-des-opex-de-la-france-queelles-lecons-en-tirer>.

¹²⁶ Jokin de Carlos Sola, *French Espionage in Africa* (Pamplona, Spain: The Center for Global Affairs & Strategic Studies, 2021), <https://www.unav.edu/web/global-affairs/french-espionage-in-africa>.

¹²⁷ Laurent Borzillo and Justin Massie, "Le Canada, La France et La Guerre Contre Daesh [Canada, France, and the War against Daesh]," *Études Canadiennes / Canadian Studies*, no. 91 (2021): 199,200, <https://doi.org/10.4000/eccs.5331>.

¹²⁸ Mellon, Bergen, and Sterman, *To Pay Ransom or Not to Pay Ransom?*, 5.

¹²⁹ Mellon, Bergen, and Sterman, 5.

c. *Domestic Political Implications of the Abduction Crises*

The domestic political implications of hostage crises influenced Chirac's government's decisions to pay ransoms in exchange for the release of Aubenas, Malbrunot, and Chesnot. In both of these hostage crises, hostage support committees organized meetings and marches around France that drew tens of thousands of people, frequently with celebrities in the front rows.¹³⁰ Petitions with more than 170,000 signatures were collected and handed to the French presidency.¹³¹ A music concert at the "Olympia" was held where more than 2500 spectators expressed their support for the prompt release of the hostages.¹³² The French media emphasized the politicization of the hostage crisis, especially as the hostages were journalists. On the front pages of print newspapers, photos of hostages with their total days in captivity reminded the public of the hostages' tragedy.¹³³ Gigantic wall posters featuring photographs of the captives were suspended in Paris.¹³⁴ Associations such as RSF (Reporters Without Borders) had an extraordinary capacity to mobilize people; it also dedicated its 20-year anniversary to calling for Aubenas' release.¹³⁵

The lack of domestic political implications in the Germaneau abduction case could have influenced French leaders' refusal to pay or postponement of ransom payments. Sarkozy's government experienced less domestic pressure when it was confronted by hostage crises in the Sahel region compared to the Aubenas, Malbrunot, and Chesnot

¹³⁰ "Le Fil Des Événements du 6 Janvier au 31 Mars [the Thread of Events from January 6 to March 31]," *L'Obs*, April 23, 2005, <https://www.nouvelobs.com/monde/20050413.OBS3856/le-fil-des-evenements-du-6-janvier-au-31-mars.html>.

¹³¹ *L'Obs*, "170.000 Signatures Déposées À L'Élysée [170,000 Signatures Filed at the Élysée]," *L'Obs*, June 12, 2005, <https://www.nouvelobs.com/monde/20050607.OBS9262/170-000-signatures-deposees-a-l-elysee.html>.

¹³² "Soirée de Soutien ce Soir à l'Olympia [Support evening tonight at the Olympia]," *L'Obs*, February 14, 2005, <https://www.nouvelobs.com/monde/20050208.OBS8218/soiree-de-soutien-ce-soir-a-l-olympia.html>.

¹³³ *Le Monde*, "RSF Dédie ses Vingt Ans à Florence Aubenas."

¹³⁴ Frédéric Gouaillard, "L'artiste Qui Ramène Florence Aubenas à Paris [the Artist Who 'Brings Back' Florence Aubenas to Paris]," *Le Parisien*, April 29, 2005, sec. /paris-75/, <https://www.leparisien.fr/paris-75/l-artiste-qui-ramene-florence-aubenas-a-paris-29-04-2005-2005906944.php>.

¹³⁵ *Le Monde*, "RSF Dédie ses Vingt Ans à Florence Aubenas."

abductions because these hostages' cases were not excessively politicized. For instance, Germaneau did not have a family support committee, as all his family members had passed away. The only report by the French media was that the mayor of Marcoussis, an 8,000-person village, displayed banners in support of Germaneau.¹³⁶ In the case of Delroy and Léocour, the decision to engage the hostage-takers was made on the same day. So, it did not allow time for the hostages families and friends to form support committees.

The lack of domestic political implications in the AREVA employees' abduction case could have influenced Hollande's government's reluctance to pay the ransoms. Even if a ransom was eventually paid, it took nearly three years to free the hostages. Hollande's government did not experience domestic pressure. Both AREVA and the French government quickly engaged in negotiations with AQIM's intermediaries. Hence, the hostages' families probably avoided politicizing of the abductions because it could have spoiled the negotiations and reduced the chances of their loved ones being released.

The domestic political implications of kidnapping of Henin, Torres, Elias, and Francois' in Syria by ISIS may have influenced the Hollande administration's decision to pay a ransom for their release. This hostage crisis was significantly politicized. Media actors led a popular mobilization, pressing the French government to secure the hostages' release.¹³⁷ Hostage support committees were quickly formed.¹³⁸ During the ten-month duration of this abduction, committees organized meetings at the "Place de la Republique" on the sixth of every month, attracting several thousand people.¹³⁹ Thirty major media

¹³⁶ "Des Banderoles Pour L'Otage du Sahel [Banners for the Sahel hostage]," *Le Parisien*, July 23, 2010, sec. /essonne-91/linas-91310/, <https://www.leparisien.fr/essonne-91/linas-91310/des-banderoles-pour-l-otage-du-sahel-23-07-2010-1009770.php>.

¹³⁷ "Soirée De Soutien aux Journalistes Otages en Syrie [Evening in Support of Journalists Held Hostage in Syria]," Radio France, January 6, 2014, <https://www.radiofrance.com/actualite/soiree-de-soutien-aux-journalistes-otages-en-syrie>.

¹³⁸ "11h30 à Lille: Rassemblement de Soutien à Didier François, Edouard Elias, Nicolas Hénin, Pierre Torrès, Journalistes Otages En Syrie [11:30 a.m. in Lille: Rally in Support of Didier François, Edouard Elias, Nicolas Hénin, Pierre Torrès, Journalists Hostages in Syria]," Club de la Presse Hauts-de-France, March 6, 2014, <https://clubdelapressehdf.fr/11h30-a-lille-rassemblement-de-soutien-a-didier-francois-edouard,13911.html>.

¹³⁹ "Syrie. Mobilisation pour Les Journalistes Français Disparus [Syria. Mobilization for missing French journalists]," Ouest-France, July 8, 2013, <https://www.ouest-france.fr/europe/france/syrie-mobilisation-pour-les-journalistes-francais-disparus-430707>.

redactions signed a petition and addressed it to President Hollande to obtain the journalists' release.¹⁴⁰ Hollande replied that all the French state's means were committed to obtaining the hostages' release.¹⁴¹

d. Strategic Interests

Low French strategic national interests in Iraq may have contributed to the Chirac government's decision to pay ransoms to secure Aubenas, Malbrunot, and Chesnot's release. If a ransom was paid, there was little chance of endangering other French nationals in Iraq. In 2005, there were fewer than 50 French expatriates in Iraq, compared to 957 in Jordan and 828 in Kuwait.¹⁴² Moreover, French economic interests in Iraq were limited due to political disagreements between the French and Iraqi governments. France had less than 1% of the Iraqi market in 2005; it exported less than 243 million dollars' worth of goods to Iraq, compared to \$1 billion and \$2.85 billion dollars' worth of goods to Qatar and Iran, respectively.¹⁴³

High French strategic national interests in Niger might have contributed to the Sarkozy and Hollande administrations' refusal to pay ransom or to delay making ransom payments. Fear that paying ransoms would reinforce terrorist capabilities and compromise France's strategic interests in Niger and the Sahel region in general might have fueled the short no-ransom policy. France and Niger share a common history and have strong economic ties.¹⁴⁴ France is totally dependent on Niger in terms of the uranium necessary

¹⁴⁰ Ouest-France.

¹⁴¹ Ouest-France.

¹⁴² "Évolution Du Nombre de Français Inscrits Dans Les Consulats de France [Evolution of the Number of French People Registered in French Consulates]," Senat, January 23, 2014, <https://www.senat.fr/questions/base/2014/qSEQ140110108.html>.

¹⁴³ "France (FRA) and Iraq (IRQ) Trade," OEC – The Observatory of Economic Complexity, accessed February 1, 2023, <https://oec.world/en/profile/bilateral-country/fra/partner/irq?dynamicBilateralTradeSelector=year2005>; "France (FRA) and Iran (IRN) Trade," OEC – The Observatory of Economic Complexity, 2005, <https://oec.world/en/profile/bilateral-country/fra/partner/irn?dynamicBilateralTradeSelector=year2005>; and "France (FRA) and Qatar (QAT) Trade," OEC – The Observatory of Economic Complexity, 2005, <https://oec.world/en/profile/bilateral-country/fra/partner/qat?dynamicBilateralTradeSelector=year2005>.

¹⁴⁴ "Niger Major Trade Partners," All Countries in the World and Their Capitals, June 2019, <https://www.countryaah.com/niger-major-trade-partners/>.

for its nuclear power plants, which are considered critical infrastructure.¹⁴⁵ An important French expat community resides in the Sahel region, with an estimated 1,600 French citizens in Niger and 4,331 in Mali as of 2010.¹⁴⁶

Limited French strategic national interests in Syria may have contributed to the Hollande government's decision to pay the ransom to secure the release of Henin, Torres, Elias, and Francois. If a ransom was paid, there were few chances of endangering other French nationals in Syria. In 2013, the number of French nationals shrank by over 30%; there were fewer than 1397 French nationals registered in Syria, compared to 22525 in Lebanon and 1464 in Jordan.¹⁴⁷ Due to the Syrian Civil War, France had weak economic ties with Syria in 2013; it exported \$ 208 million in goods, compared to \$1.67 billion to Lebanon and \$526 million to Jordan.¹⁴⁸ Moreover, French leaders did not view the ransom payment as a game changer for ISIS's capabilities.¹⁴⁹ In comparison to ISIS's annual revenue, which exceeded \$1.9 billion, the ransom payments were relatively insignificant to ISIS' treasury.¹⁵⁰

3. Conclusion

Successive French governments probably paid ransoms due to the legacy of previous governments' political use of hostage crises to boost their popularity by bringing a happy ending to the uncertain fate of French hostages. All freed French hostages were greeted by French presidents at the airport in front of the media. Hostage crises in France

¹⁴⁵ "Uranium in Niger," World Nuclear Association Country Profiles, October 2022, <https://www.world-nuclear.org/information-library/country-profiles/countries-g-n/niger.aspx>.

¹⁴⁶ French Senate, "Évolution Du Nombre de Français Inscrits."

¹⁴⁷ French Senate.

¹⁴⁸ "France (FRA) and Syria (SYR) Trade," OEC – The Observatory of Economic Complexity, 2013, <https://oec.world/en/profile/bilateral-country/fra/partner/syr?dynamicBilateralTradeSelector=year2013>; "France (FRA) and Lebanon (LBN) Trade," OEC – The Observatory of Economic Complexity, 2013, <https://oec.world/en/profile/bilateral-country/fra/partner/lbn?dynamicBilateralTradeSelector=year2013>; and "France (FRA) and Jordan (JOR) Trade," OEC – The Observatory of Economic Complexity, 2013, <https://oec.world/en/profile/bilateral-country/fra/partner/jor?dynamicBilateralTradeSelector=year2013>.

¹⁴⁹ Simon, *We Want to Negotiate*, 20.

¹⁵⁰ Stefan Heibner et al., *Caliphate in Decline: An Estimate of Islamic State's Financial Fortunes* (London: International Centre for the Study of Radicalisation, 2017), <https://www.start.umd.edu/publication/caliphate-decline-estimate-islamic-states-financial-fortunes>.

were often personally managed by the president and his close circle, which increased the pressure to consider a ransom payment for successive leaders.¹⁵¹ They were also more immune to criticism about probable covert ransom payments because of the advantages offered by the semi-presidential system. The French semi-presidential system puts less restraint on French presidents in terms of oversight in the case of ransom payments compared to the parliamentary system.¹⁵² Additionally, a lack of tactical intelligence frequently influenced French leaders to probably authorize ransom payments while dismissing military hostage rescue mission options, even when France possessed the military capabilities to do so. Moreover, the availability of tactical intelligence combined with military capabilities for rescue missions in the Sahel region contributed to Sarkozy's decision to refuse paying ransoms. However, the elevated ratio of rescue mission failures linked to the unreliability of tactical intelligence may have also contributed to Sarkozy and his successors' decisions to opt more for ransom payments. Furthermore, mobilization of the public by the French media, especially when the hostage was a journalist, raised the political stakes of hostage crises. The domestic political implications of hostage crises influenced French leaders' decision to make covert ransom payments. In addition, when hostage crises were highly politicized and France's strategic interests were not crucial due to the small number of French nationals and economic interests in the country of abduction, France probably resorted to paying ransoms to recover its abducted nationals. Also, when hostage crises were not politicized and strategic interests were high in the country of abduction, the French leaders probably refused to pay or delayed making ransom payments, as the hostage crises took several years to be solved.

B. SPAIN

Prime Minister Zapatero introduced bold changes to both Spanish foreign and counterterrorism policies. Zapatero probably set multiple precedents for ransom payments

¹⁵¹ “Florence Aubenas: questions sur une libération [Florence Aubenas: questions about a release],” *Le Monde*, June 16, 2005, https://www.lemonde.fr/proche-orient/article/2005/06/16/florence-aubenas-questions-sur-une-liberation_662721_3218.html.

¹⁵² Dorle Hellmuth, *Counter Terrorism and the State* (Philadelphia, PA: University of Pennsylvania Press, 2016), 183.

and has left a policy legacy for his successors, which may have influenced Spain's ransom payment policy. The Spanish government may have been compelled to pay ransom due to a lack of tactical intelligence and few strategic interests, such as economic ties and the presence of Spanish expatriates in particular regions. Even though some hostage cases have likely had a significant impact on Spanish politics, especially when the hostages were from the Basque or Catalan regions, which are known for their active separatist movements, this analysis finds pieces of compelling evidence to support the view that this factor influenced Spain's ransom payment decisions.

1. Cases of Abduction

Table 2 gives an overview of the studied Spanish kidnapping incidents.

The first case studied was on November 29, 2009, when the Spanish Minister of Foreign Affairs announced that Albert Vilalta, Alicia Gámez, and Roque Pascual, members of the Catalan-based humanitarian organization Barcelona-Accio Solidaria, were kidnapped by AQIM in Mauritania.¹⁵³ On March 10, 2010, Gámez was first freed and taken to Burkina Faso, where a Spanish government plane was waiting to fly her to Madrid.¹⁵⁴ On August 23, 2010, Vilalta's and Pascual's release was finally announced. They were escorted from Burkina Faso to Spain by Spanish intelligence officers. In exchange for the hostages' release, AQIM probably received €7(\$8.4) million, as well as the release of one of its prisoners in Mauritania.¹⁵⁵ Spanish media reported that Spain had paid a ransom of \$5 million to AQIM and \$3 million to intermediaries for the release of two Spanish hostages, Pascual and Vilalta.¹⁵⁶

The second abduction was on October 23, 2011, when three aid workers (two Spanish and one Italian) were kidnapped from a Western Sahara refugee camp in Tindouf,

¹⁵³ Ignacio Cembrero, "When We Converted, We Were No Longer Hostages; We Were Brothers," *El País English Edition*, February 3, 2013, sec. Spain, https://english.elpais.com/elpais/2013/02/03/inenglish/1359897189_312564.html.

¹⁵⁴ "Spanish Hostage in West Africa Is Released," France 24, March 10, 2010, <https://www.france24.com/en/20100310-spanish-hostage-west-africa-released>.

¹⁵⁵ Cembrero, "When We Converted, We Were No Longer Hostages."

¹⁵⁶ Le Monde and AFP, "Paris Réaffirme N'avoir Jamais Négocié."

Algeria, by MUJWA, the Movement for the Unification of Jihad in West Africa, a terrorist group that split from AQIM.¹⁵⁷ The Spaniards were Enric Gonyalons, who worked for the

¹⁵⁷ “Three European Aid Workers Kidnapped in Algeria,” BBC News, October 23, 2011, <https://www.bbc.com/news/world-africa-15422929>.

Table 2. Spanish Cases of Abduction

Date	Hostage Name	Nationality/ Occupation	Location of Abduction (Host Nation)	Terrorist Identity	Terrorist First Demand / Second Demand	Outcome of the Hostage Crisis	Probability of Ransom Payment	Hostage Crisis Duration
11-29-2009	Albert Vilalta, Alicia Gámez, Roque Pascual	Spanish/ Aid workers	Mauritania	AQIM	Ransom	Released	Certain, €7 million	8 months (100 days for Gámez)
10-23-2010	Enric Gonyalons, Ainhoa Fernandez de Rincon	Spanish/ Aid worker	Sahrawi Refugee Camps, Algeria	MUJWA	Ransom	Released	Certain, €15 million	8 months
10-13-2011	Montserrat Serra Blanca Thiebaut	Spanish Aid Worker	Somalia	Al-Shabab	Ransom	Released	Very likely, €3.8 million	21 months
9-16-2013	Javier Espinosa Ricardo-Garca Vilanova	Spanish/ Journalist	Syria	ISIS	Ransom	Released	Very likely, € x million	194 days

Basque NGO Mundubat, and Ainhoa Fernandez de Rincon, who worked for an NGO supporting refugees from occupied Western Sahara.¹⁵⁸ The Spanish intelligence agency led the negotiations with hostage-takers in coordination with the Italian authorities.¹⁵⁹ On August 23, 2012, the three hostages were released, and the Spaniards were initially transported on board a Burkinabe helicopter to Ouagadougou and then flown to Barcelona.¹⁶⁰ The spokesman for MUJWA, Walid Abu Sahraoui, told the press in Bamako that they had obtained €15 million for the two aid workers and that MUJWA had freed Gonyalons for free because he had been injured during his kidnapping.¹⁶¹

The third incident was on October 13, 2011, when Al-Shabab kidnapped Montserrat Serra and Blanca Thiebaut, two Spanish relief workers who were helping in a primary care center in the Dadaab, Kenya, Somali refugee camp.¹⁶² The organization for which they worked, Doctors Without Borders, refused to pay a ransom. According to intermediaries assisting in the negotiations, the hostage-takers asked for \$15 million.¹⁶³ After 21 months of captivity, Catalan Serra and Madrilene Thiebaut were flown from Djibouti to Madrid on July 18, 2013.¹⁶⁴ Rajoy's government reportedly paid Al-Shabab €3.8 million in exchange for Serra and Thiebaut's release.¹⁶⁵

The fourth kidnapping occurred on September 16, 2013. NBC News reported that "ISIS kidnapped Javier Espinosa, a correspondent for the Spanish daily *El Mundo*, and

¹⁵⁸ Teresa Larraz Mora, "Spanish and Italian Aid Workers Appear in Video," Reuters, December 12, 2011, <https://www.reuters.com/article/us-algeria-hostages-spain-idUSTRE7BB1YE20111212>.

¹⁵⁹ Ignacio Cembrero, "A 2,2 Millions D'Euros, L'otage Espagnol En Afrique [A 2.2 Million Euros the Spanish Hostage in Africa]," *Orilla Sur*, August 4, 2014, <https://www.elmundo.es/blogs/elmundo/orilla-sur/2014/08/04/a-22-millones-de-euros-el-rehen-espanol.html>.

¹⁶⁰ "Freed Spanish Hostages Arrive in Burkina Capital," Reuters, August 23, 2010, <https://www.reuters.com/article/uk-spain-hostages-idUKTRE67M26U20100823>.

¹⁶¹ Cembrero, "A 2,2 Millions D'euro."

¹⁶² Ignacio Cembrero and Miguel González, "Spanish Hostages Freed in Somalia after a Year and Nine Months," *El País English Edition*, July 18, 2013, sec. Spain, https://english.elpais.com/elpais/2013/07/18/inenglish/1374167665_772085.html.

¹⁶³ Cembrero and González.

¹⁶⁴ BBC News, "Spanish Hostages Freed from Somalia," BBC News, July 18, 2013, <https://www.bbc.com/news/world-africa-23359943>.

¹⁶⁵ Cembrero, "A 2,2 Millions D'euro."

Ricardo Garca Vilanova, a freelance photographer.”¹⁶⁶ They were liberated near the Syrian-Turkish border following 194 days of captivity.¹⁶⁷ A Spanish government jet transported them to Torrejon de Ardoz, a Spanish airbase, where Spanish officials and their families were waiting.¹⁶⁸ Rukmini Callimachi, a *New York Times* journalist, reported that ISIS contacted the families of the 23 hostages, including Espinosa and Vilanova, to demand ransom.¹⁶⁹ She added that all hostages were released with the exception of those from nations known for not paying ransoms.¹⁷⁰ According to a U.N. report, ISIS received \$45 million in ransom payments from European governments in 2014.¹⁷¹

2. The Response to Hostage Crises and Potential Decision-making Drivers

a. Policy Legacy

Despite inheriting Aznar’s hardline CT policy legacy from the late 1990s until the end of his mandate, Zapatero’s own strong biases ostensibly led him to revise the CT policy of his predecessors, which influenced his probable ransom payment decisions. In 1995, ETA, a violent militant group in Spain, almost killed Aznar, who would serve as Spain’s prime minister from 1996 to 2004 and would maintain a hardline stance towards terrorism.¹⁷² According to Paddy Woodworth, Aznar would rather tolerate a certain level

¹⁶⁶ “Two Spanish Journalists Freed after More Than Six Months in Syria,” NBC News, accessed December 16, 2022, <https://www.nbcnews.com/news/world/two-spanish-journalists-freed-after-more-six-months-syria-n67436>.

¹⁶⁷ Martin Chulov, “Spanish Journalists Freed in Syria after Six-Month Ordeal,” *The Guardian*, March 30, 2014, sec. World news, <https://www.theguardian.com/world/2014/mar/30/spanish-journalists-javier-espinosa-ricardo-villanova-garcia-freed-syria>.

¹⁶⁸ Gillian Mohney, “Journalists Reunite with Families after Spending Six Months in Captivity in Syria,” ABC News, March 30, 2014, <https://abcnews.go.com/International/journalists-reunite-families-spending-months-captivity-syria/story?id=23120267>.

¹⁶⁹ Callimachi, “The Horror Before the Beheadings.”

¹⁷⁰ Callimachi.

¹⁷¹ “ISIS Received up to \$45M in Ransom in Last Year,” *New York Post*, November 25, 2014, <https://nypost.com/2014/11/25/isis-received-up-to-45m-in-ransom-in-last-year/>.

¹⁷² Paddy Woodworth, “Spain Changes Course: Aznar’s Legacy, Zapatero’s Prospects,” *World Policy Journal* 21, no. 2 (2004): 10, <https://www.jstor.org/stable/40209914>.

of terrorist activity than give concessions to ETA.¹⁷³ By the end of 2003, Zapatero finally found his voice as leader of the opposition when the Spanish military attaché and seven intelligence officers were killed in two separate terrorist attacks in Iraq.¹⁷⁴ Zapatero criticized Aznar's foreign and security policies as going against the traditional neutrality of Spain.¹⁷⁵ Upon assuming power after the 2004 Madrid attacks, Zapatero reversed many of Aznar's decisions. Under Zapatero, Spain's security policies became less aligned with the policies of the United States and the United Kingdom and more aligned with those of continental Europe.¹⁷⁶ He also broke the deal between the two major Spanish parties by unilaterally negotiating peace with ETA.¹⁷⁷ What is more relevant to this analysis is that Zapatero introduced a ransom-tolerant policy and made significant changes to Spanish CT policies, which likely influenced the ransom-payment policies of his successors.

Zapatero's strong political beliefs may have contributed to his administration's decision to pay a ransom in exchange for the release of Vilalta, Gámez, and Pascual.¹⁷⁸ Their kidnapping was a blow for Zapatero's government, which negotiated only ten days before the release of the 36-member crew of "Alakrana," a fishing vessel owned by a Basque firm; the crew were held captive by Somali pirates for 47 days and was released in exchange for a ransom of €2.7 million.¹⁷⁹ Prime Minister Zapatero did not reconsider his recent policy but was more committed to resolving this hostage crisis, which might have influenced his decision.¹⁸⁰ What reflected Zapatero's commitment was that he traveled especially to the African Union (AU) summit in Addis Ababa to meet with the presidents

¹⁷³ Woodworth, 12.

¹⁷⁴ Juan Pons, "The 8 of Iraq: Spain's Spies, and with Great Honour," Atalayar, October 10, 2022, <https://atalayar.com/en/blog/8-iraq-spains-spies-and-great-honour>.

¹⁷⁵ Woodworth, "Spain Changes Course," 18.

¹⁷⁶ Woodworth, 13.

¹⁷⁷ John Elliot, "Zapatero's Gambits," *The Economist*, November 11, 2008, 04, <https://www.economist.com/sites/default/files/special-reports-pdfs/12537915.pdf>.

¹⁷⁸ Simon, *We Want to Negotiate*, 42.

¹⁷⁹ "Pirates' Trial Reveals 'Alakrana' Payoff Was Made," *El País English Edition*, May 3, 2011, sec. Spain, https://english.elpais.com/elpais/2011/05/03/inenglish/1304400051_850210.html.

¹⁸⁰ Miguel González, "Zapatero mediará por la liberación de los cooperantes con Malí y Mauritania [Zapatero will mediate the release of aid workers in Mali and Mauritania]," *El País*, January 27, 2010, sec. España, https://elpais.com/diario/2010/01/27/espana/1264546809_850215.html.

of Mauritania and Mali to request their assistance in the negotiations with the hostage-takers.¹⁸¹ Moreover, some of Zapatero's assistants declared that negotiations were preferred in abduction crises and there was no advantage into taking a hardline approach.¹⁸² As in the cases of the Vilalta, Gámez, and Pascual kidnappings, Zapatero's government negotiations were frequently followed by media leaks of ransom payments, which Zapatero's close circle considered less problematic as long as they were accompanied by denial.¹⁸³

Mariano Rajoy's administration probably paid ransom in exchange for Enric Gonyalons, and Ainhoa de Rincon's release because of a ransom payment policy legacy set by his predecessor, Zapatero. When Prime Minister Rajoy assumed power, he reaffirmed his confidence in two high-ranking public servants involved in hostage crisis management: the Spanish diplomat Antonio Sánchez-Benedito and the head of the CNI, General Félix Sanz Roldan, who allegedly negotiated ransom payments during Zapatero's government.¹⁸⁴ Rajoy ostensibly continued Zapatero's ransom payment policy without acknowledging it but rather praising the positive outcomes of this policy.¹⁸⁵ Eventually, General Roldan was called by the Spanish parliament for testimony about Spanish ransom payment allegations, but details about this closed session were kept secret due to national security motives.¹⁸⁶

b. Military Capability and Tactical Intelligence Availability

Spain had the military capability to rescue hostages from Mali, Somalia, and Syria, but it lacked reliable tactical intelligence, which may have influenced the Spanish governments' tolerant policy on ransom payment. Insufficient intelligence regarding the location and the capabilities of the hostage-takers was a constraining factor in all studied

¹⁸¹ González.

¹⁸² Simon, *We Want to Negotiate*, 51.

¹⁸³ Simon, 60,61.

¹⁸⁴ "The Diplomat Assigned to Resolving Kidnappings," *El País English Edition*, December 11, 2011, sec. Spain, https://english.elpais.com/elpais/2011/12/11/inenglish/1323584442_850210.html.

¹⁸⁵ Simon, *We Want to Negotiate*, 52.

¹⁸⁶ El País, "Pirates' Trial Reveals 'Alakrana' Payoff Was Made."

cases. Moreover, the availability of a special fund reserved for Spanish intelligence agency expenditure abroad might have facilitated probable Spanish governments' decisions to pay ransoms.

Zapatero's government had at its disposal an elite military force called the UEI, (Unidad Especial de Intervención, or Special Intervention Unit), which had more than 30 years of experience in hostage rescue missions.¹⁸⁷ The UEI had, until 2008, led more than 375 operations, in which 563 hostages had been freed.¹⁸⁸ Also, UEI carried out operations abroad and was part of the EU ATLAS, a network of European rescue missions' elite groups.¹⁸⁹ Obviously, Zapatero's government was not restrained by its military capabilities, but it may have been because of poor tactical intelligence in Mali. Tactical intelligence provides information about the location and the hostage-takers' capabilities. Thus, it is essential for rescue missions' planning because it reduces the odds of friendly casualties. To free Vilalta, Gámez, and Pascual, Zapatero's government probably needed to know their positions. Pascual recounted that the hostages were geographically separated and moved every week around several locations in northern Mali, a region bigger than Spain's area.¹⁹⁰ Moreover, the reforms introduced to the CNI in 2007 might have also fueled Zapatero's ransom payment policy. The prominent Spanish journalist, Ramirez, reported that the CNI had a reserve fund for ransom payments.¹⁹¹ To obtain the release of Vilalta, Gámez, and Pascual, CNI agents traveled to Mali, seeking the assistance of intermediaries for negotiations. The CNI's most important mediator in Mali was Mustafa Chafi, whom the terrorists' leader, Belmokhtar, had always preferred as a mediator.¹⁹² Pascual recounted to Spanish media that one of CNI's agents in charge of the negotiations

¹⁸⁷ David Sanz Ezquerro, "Les Héros Anonymes de La Garde Civile [the Anonymous Heroes of the Civil Guard]," *El Mundo*, May 6, 2008, <https://www.elmundo.es/elmundo/2008/06/05/espana/1212677376.html>.

¹⁸⁸ Ezquerro.

¹⁸⁹ Ezquerro.

¹⁹⁰ Cembrero, "When We Converted, We Were No Longer Hostages."

¹⁹¹ Simon, *We Want to Negotiate*, 119.

¹⁹² Cembrero, "When We Converted, We Were No Longer Hostages."

told him that ransoms are paid from a special fund, which at the time was \$20 million per year dedicated to intelligence expenditure abroad.¹⁹³

Likewise, the lack of reliable tactical intelligence in Mali and Somalia may have influenced the decision of Rajoy's government to pay a ransom to free the hostages. In the case of Gonyalons and de Rincon, Rajoy's government may have been more convinced by the fact that AQIM was able to deceive CNI's agents, just as it had done a few months earlier with their French counterparts when they attempted and failed to rescue Michel Germaneau.¹⁹⁴ Similarly, the lack of tactical intelligence in Somalia may have influenced the decision of the Rajoy government to pay a ransom to free Serra and Thiebaut. Rajoy's administration had the military capability to launch a rescue mission. Spain was part of EUNAVFOR Atalanta, a European anti-piracy operation near Somalia's coasts. The Spanish navy had intervened before and arrested two of the pirates who captured the Spanish fishing boat, Alakrana.¹⁹⁵ However, insufficient intelligence regarding the location and capabilities of the abductors in Somalia constrained rescue mission planning.

The lack of tactical intelligence in Syria may have similarly influenced Rajoy's government's decision to pay a ransom for Espinosa and Vilanova's release. Spain was part of the international coalition against ISIS. Spanish forces were involved in training Iraqi forces and received adequate support from other allied forces.¹⁹⁶ Spain did not lack military capability but probably suffered a lack of tactical intelligence in Syria, which made rescue missions impossible or too risky. The rescue mission led by the United States to free the Western journalists who had been taken hostage along with Espinoza and Vilanova failed because the hostages had already been moved.¹⁹⁷

¹⁹³ Cembrero, "A 2,2 Millions D'euro."

¹⁹⁴ France 24, "Spanish Hostages Freed by Al Qaeda Return Home," France 24, August 24, 2010, <https://www.france24.com/en/20100824-spanish-hostages-freed-al-qaeda-return-home-mali-mauritania-aqmi>.

¹⁹⁵ El País, "Pirates' Trial Reveals 'Alakrana' Payoff Was Made."

¹⁹⁶ Miguel González, "The Spanish Green Berets' Training Role in the Upcoming Battle against ISIS," *El País English Edition*, September 15, 2016, sec. Spain, https://english.elpais.com/elpais/2016/09/15/inenglish/1473934760_666146.html.

¹⁹⁷ "US Military Tried but Failed to Free Foley," *BBC News*, August 20, 2014, sec. Middle East, <https://www.bbc.com/news/world-middle-east-28875827>.

c. *Domestic Political Implications of Hostages Crises*

The perception that ransom payments to foreign terrorist groups are an acceptable solution from the perspective of Spanish domestic politics may have influenced the decisions of successive Spanish governments to pay ransoms. For most Spaniards, hostages' lives were the priority, and they were not ready to sacrifice a Spanish citizen's life for a principle such as the necessity of talking tough to foreign terrorist groups.¹⁹⁸ In Spain, international and domestic terrorism are treated with completely different approaches. Spanish governments did not perceive hostages as a means of coercion against their foreign policy because Spain often had a symbolic military presence in the abduction areas.¹⁹⁹

The political ramifications, such as a political setback for the government in the event of a failed rescue mission due to unreliable intelligence regarding the hostage-takers, may have influenced the decision of Zapatero's government to make ransom payments. The deaths of Spanish military officers in Iraq due to Spanish intelligence failures were still fresh in the minds of Spain's political elite.²⁰⁰ Consequently, Zapatero drastically reduced his government's risk tolerance for international military engagement.²⁰¹ He limited Spanish military engagement to peacekeeping, avoiding a probable political blow in the case of Spanish casualties. Thus, Zapatero's government may have perceived a ransom payment as politically less harmful than a failed rescue mission.

The risk that Basque and Catalan separatists would use hostage crises with negative outcomes to further their secessionist narratives against Madrid may have influenced the Spanish government's decision to pay ransoms to secure the release of hostages from the Catalan and Basque regions. People in these potentially secessionist regions might have been outraged if their governments had refused to meet terrorists' ransom demands without

¹⁹⁸ Simon, *We Want to Negotiate*, 61.

¹⁹⁹ Simon, 120.

²⁰⁰ Pons, "The 8 of Iraq"; Tracy Wilkinson and Cristina Mateo-Yanguas, "Spain Mourns Loss of 7 Agents in Iraq, Weighs Sacrifices of Its Role," *Los Angeles Times*, December 1, 2003, <https://www.latimes.com/archives/la-xpm-2003-dec-01-fg-iraqspain1-story.html>.

²⁰¹ Pons, "The 8 of Iraq."

offering them another way to get the hostages back.²⁰² For instance, the fishing boat Alakrana was owned by a Basque firm, whereas Vilalta, Gámez, and Pascual were employed by a Catalan NGO. At that time, Zapatero was working to demobilize ETA through negotiations and reinforcing the Basque moderate parties' stance.²⁰³ Rajoy's government may have paid ransoms to obtain the hostages' release to avoid a political setback because of the rising tensions surrounding Catalonia's independence movement. Gonyalons was from Catalonia and worked for a Basque NGO. Similarly, Serra, the abducted aid worker in Somalia, was from Catalonia, as was Vilanova, the kidnapped journalist in Syria. The release of Spanish hostages who originated from these regions sent a strong message that Madrid could ensure the security of its citizens abroad and cares about their interests. Joel Simon asserts that the successive Spanish governments took credit for the release of hostages and used it for domestic political gain but denied ransom payments.²⁰⁴ If the hostages did not escape and were not rescued, then, strong chances are that Spanish governments paid ransoms in the cases. Nevertheless, Félix Sanz Roldan, the head of the Spanish intelligence agency, argues that no state would admit paying ransoms.²⁰⁵

d. Strategic Interests

Few strategic national interests were at stake in Mauritania and Mali, which may have fueled the decisions of both Zapatero and Rajoy's governments to pay ransoms for the release of Vilalta, Gámez, Pascual, Gonyalons, and de Rincon. It was unlikely that other Spaniards would be more endangered because of the decisions to pay ransom. In 2010, there were fewer than 113 Spanish expats in Mauritania and 33 in Mali, but there were 397 in Algeria and 247 in Senegal.²⁰⁶ Moreover, there were few Spanish economic interests in

²⁰² Simon, *We Want to Negotiate*, 48.

²⁰³ Woodworth, "Spain Changes Course," 24.

²⁰⁴ Simon, *We Want to Negotiate*, 53.

²⁰⁵ Simon, 60.

²⁰⁶ "La Oficina Del Censo Electoral [The Electoral Census]," INE Instituto Nacional de Estadística, accessed November 7, 2022, <https://www.ine.es/ss/Satellite?c=Page&cid=1254735793323&pagename=CensoElectoral%2FINELayout&L=0>.

Mauritania and Mali. Spanish businessmen had little interest in Mauritanian and Malian markets; in 2010, they exported less than \$116 million and \$43 million worth of goods to Mauritania and Mali, respectively, compared to \$186 million and \$3 billion worth of goods to Senegal and Algeria, respectively.²⁰⁷

Similarly, limited strategic national interests were at stake in Somalia and Syria, which may have influenced the decision of Rajoy government to pay ransoms. In 2014, there were no reported Spanish nationals in Somalia, compared to 203 in Kenya.²⁰⁸ There were fewer than 438 Spanish expats in Syria, compared to 1289 in Jordan and 1490 in Turkey.²⁰⁹ Spanish businessmen had negligible interest in Somalia and Syrian markets; in 2014, they exported \$1 million and \$42 million worth of goods to Somalia and Syria, respectively, compared to \$103 million and \$414 million's worth of goods to Kenya and Jordan, respectively.²¹⁰

3. Conclusion

Zapatero's own strong biases ostensibly led him to revise Aznar's hardline CT policy legacy and probably contributed to his decision to pay ransoms. Even if Zapatero's ransom payment tolerant policy appeared to be fueling more kidnappings at times, he was more committed to resolving hostage crises through ransom payments while denying doing so. Later, Rajoy's administration probably paid ransoms in exchange for the hostages' release because of a ransom payment policy legacy set by his predecessor. Spain had the military capability to rescue hostages from Mali, Somalia, and Syria, but it lacked reliable

²⁰⁷ "Spain (ESP) and Algeria (DZA) Trade," OEC – The Observatory of Economic Complexity, accessed November 8, 2022, <https://oec.world/en/profile/bilateral-country/esp/partner/dza?dynamicBilateralTradeSelector=year2010>.

²⁰⁸ Instituto Nacional de Estadística, "La Oficina Del Censo Electoral."

²⁰⁹ Instituto Nacional de Estadística.

²¹⁰ OEC, "Spain (ESP) and Somalia (SOM) Trade," OEC – The Observatory of Economic Complexity, accessed November 20, 2022, <https://oec.world/en/profile/bilateral-country/esp/partner/som?dynamicBilateralTradeSelector=year2010>; OEC, "Spain (ESP) and Syria (SYR) Trade," OEC – The Observatory of Economic Complexity, accessed January 29, 2023, <https://oec.world/en/profile/bilateral-country/esp/partner/syr?dynamicBilateralTradeSelector=year2014>; OEC, "Spain (ESP) and Kenya (KEN) Trade," OEC – The Observatory of Economic Complexity, accessed January 29, 2023, <https://oec.world/en/profile/bilateral-country/esp/partner/ken?depthSelector=HS2Depth&dynamicBilateralTradeSelector=year2014>.

tactical intelligence. The deaths of Spanish military officers in Iraq due to Spanish intelligence failures were still fresh in the minds of Spain's political elite.²¹¹ Rescue missions were risky and often failed, even when carried out by highly capable allies, due to intelligence failures. The availability of a special fund reserved for Spanish intelligence agency expenditure abroad may have facilitated Spanish governments' decisions to use this fund to pay ransoms. Domestic political implications may also have contributed to the decision to pay ransoms. Spanish governments did not perceive hostages as a means of coercion against their foreign policy because Spain often had only a symbolic military presence in the abduction areas. Moreover, the risk that Basque and Catalan separatists would use hostage crises with negative outcomes to further their secessionist narratives against Madrid may have influenced the decision to pay ransoms to secure the release of hostages from the Catalan and Basque regions. Furthermore, few Spanish strategic interests in Mauritania, Mali, Somalia, and Syria facilitated the decision of the Spanish governments to pay ransom, as Spain had few trade relations, economic interests, and Spanish expatriates in the abduction countries.

The domestic political implications and policy legacy appear to be the most compelling driver for France, outweighing strategic interest, military capability, and intelligence availability. For Spain, the strongest driver for its ransom policies is limited strategic interests, as they outweigh the implications of domestic politics, military capability, and intelligence availability drivers. While the policy legacy is often a solid driver for the ransom payment policies of both France and Spain, sometimes the political leaders' tenets are strong enough to alter these longstanding policies.

²¹¹ Pons, "The 8 of Iraq."

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III. POLICY ON KIDNAP AND RANSOM IN THE UNITED KINGDOM

The longstanding policy of the British government is to give no significant concessions to kidnappers. The British government believes that paying ransom raises the likelihood of future kidnappings and funds terrorist activity.²¹² This policy was established by the British government in the 1970s in response to an increase in kidnappings, the inflation of ransom demands, and the threat posed by Irish separatist terrorists. Since then, it has become a legacy that is difficult to change. Indeed, the Terrorism Act of 2000 makes it illegal to give payments to terrorists.

The British no-ransom policy was heavily influenced by domestic politics. Refusing to pay ransoms resonated better with the British public because it had the political symbolism that “we are coercing terrorists” rather than the other way around. Since British policymakers were engaged in controversial military interventions, it was politically too risky to take unpopular decisions such as paying ransoms. The presence of significant military capabilities in an abduction region was also an influential factor, as it provided the British government with the alternative of rescue missions. However, due to a lack of reliable intelligence, they proved to be too risky and backfired politically. Moreover, strategic interests were a less compelling driver in British policymaking, as analysis showed that when they were significant, strategic interests had an influence, but when they were low, they did not outweigh other drivers.

A. CASES OF ABDUCTION

This chapter examines five cases of kidnapping of British nationals in various contexts and under different political party rule between 2001 and 2015: two in Iraq under Labour leader Tony Blair, one in Afghanistan and another in Mali under Gordon Brown’s Labourite government, and one in Syria under Conservative David Cameron. See Table 3 for cases of British abduction.

²¹² “Libya: Sahel Region,” Foreign travel advice, accessed October 23, 2022, <https://www.gov.uk/foreign-travel-advice/libya/sahel-region>.

Table 3. British Cases of Abduction

Date	Hostage Name	Nationality/ Occupation	Location of Abduction (Host Nation)	Terrorist Identity	Terrorist First Demand / Second Demand	Outcome of the Hostage Crisis	Probability of Ransom Payment	Hostage Crisis Duration
9-16-2004	Kenneth Bigley	British/ Expatriate Engineer	Iraq	AQI	Policy Change/ Ransom	Executed	None	24 Days
11-26-2005	Norman Kember	British/ Peace Activist	Iraq	The Swords of Righteousness Brigade	Prisoner Release/ Ransom	Rescued	None	04 Months
1-22-2009	Edwin Dyer	British/ Tourist	Mali	AQIM	Ransom	Executed	None	>04 Months
9-5-2009	Stephen Farrell	British/ Journalist	Afghanistan	Taliban	Ransom	Rescued	None	04 Days
11-22-2012	John Cantlie	British/ Journalist	Syria and Iraq	ISIS	Ransom	Uncertain/ Killed	None	> 04 Years

The first abduction occurred in Baghdad on September 16, 2004. Eugene Armstrong, Jack Hensley, and Kenneth Bigley were kidnapped by a group linked with Al-Qaeda in Iraq (AQI), the Tawhid and Jihad group commanded by a terrorist, called Abu Mousab Al-Zarqawi.²¹³ The kidnapers initially demanded that the U.S. and British governments free all female prisoners in Iraq. The hostage-takers, according to Bigley's brother, switched their demand to a ransom payment.²¹⁴ According to CNN, the Americans and the British tried to rescue the hostages, but intelligence about their location was not reliable.²¹⁵ Armstrong and Hensley were reported to have been killed on September 20.²¹⁶ Two days later, Bigley appeared on video, asking the British prime minister for help.²¹⁷ British Foreign Secretary Jack Straw said that messages were exchanged with Bigley's kidnapers through an intermediary in Iraq.²¹⁸ On October 9th, an Abu Dhabi TV channel reported that Bigley was killed by his abductors and refused to broadcast a video showing his execution.²¹⁹ *The Times* reported that money was paid for intermediaries in Iraq but that no ransom was paid in Bigley's case.²²⁰ The British Prime Minister, Tony Blair, commented, "I feel desperately sorry for Ken Bigley and his family, who have behaved with extraordinary dignity and courage."²²¹

The second incident took place on November 26, 2005, when Norman Kember, a British professor emeritus of Biophysics, and three other antiwar activists from Canada and the United States with the Christian Peacemaker Teams (CPT) were abducted in

²¹³ "U.S. Tried to Save Hostages," CBS News, October 13, 2004, <https://www.cbsnews.com/news/us-trying-to-save-hostages/>.

²¹⁴ Cahal Milmo, "The Life and Death of Kenneth Bigley," *The Independent*, October 8, 2004, sec. News, <https://www.independent.co.uk/news/world/middle-east/the-life-and-death-of-kenneth-bigley-27664.html>.

²¹⁵ CBS News, "U.S. Tried to Save Hostages."

²¹⁶ CBS News.

²¹⁷ Milmo, "The Life and Death of Kenneth Bigley."

²¹⁸ Milmo.

²¹⁹ Milmo.

²²⁰ McGrory, "How \$45m Secretly Bought Freedom of Foreign Hostages."

²²¹ Milmo, "The Life and Death of Kenneth Bigley."

Baghdad.²²² This case shows how the kidnappers can change their demands from prisoner release to ransom payment to end up requesting a safe exit. On November 29, 2005, a group of Iraqi insurgents called the Swords of Righteousness Brigade posted a video in which they claimed responsibility for the kidnapping and issued a one-week deadline, threatening to murder the hostages if all Iraqi detainees were not freed.²²³ At that time, KFR was widespread in Iraq; reports indicated an average of 30 kidnappings per day; more than 30 foreigners were kidnapped, and 18 were released during the Kember abduction period.²²⁴ After his release, Norman Kember recounted that his abductors collected a \$2 million ransom for another abduction.²²⁵ On January 27, 2006, the abductors issued a second ultimatum, threatening to slaughter the hostages if their requests were not satisfied.²²⁶ U.S. citizen, Tom Fox, was discovered dead in Baghdad on March 10, 2006. The three remaining hostages were freed by coalition forces on March 26, 2006.²²⁷ According to Colin Freeze of *The Globe and Mail*, British intelligence was able to locate the hostage-takers, contact them, and offer them a safe exit in exchange for the hostages safety.²²⁸

The third abduction took place in Mali. On January 22, 2009, a British national, Edwin Dyer, along with two Swiss and one German national, were kidnapped by local tribesmen, who would sell them to a terrorist group affiliated to AQIM.²²⁹ According to the British Foreign Secretary “a UK team in Mali had made ‘strenuous efforts’ to secure

²²² Gada Mahrouse, “Transnational Activists, News Media Representations, and Racialized ‘Politics of Life’: The Christian Peacemaker Team Kidnapping in Iraq,” *Citizenship Studies* 13, no. 4 (2009): 312, <https://doi.org/10.1080/13621020903011005>.

²²³ Mahrouse, 312.

²²⁴ Michael E. O’Hanlon and Andrew Kamons, *Iraq Index Tracking Variables of Reconstruction and Security in Post-Saddam Iraq* (Washington, DC: Brookings Institution, 2006), 17, <https://www.brookings.edu/wp-content/uploads/2017/11/index20060731.pdf>.

²²⁵ “Kidnapping Had ‘Moments of Kindness’: Loney,” CBC News, June 7, 2006, <https://www.cbc.ca/news/canada/kidnapping-had-moments-of-kindness-loney-1.589607>.

²²⁶ Mahrouse, “Transnational Activists, News Media Representations,” 312.

²²⁷ Mahrouse, 312.

²²⁸ Colin Freeze, “Blessed Were the Peacemakers: How James Loney Was Freed,” *Globe and Mail*, April 11, 2011, <https://www.theglobeandmail.com/news/world/blessed-were-the-peacemakers-how-james-loney-was-freed/article576088/>.

²²⁹ Helen Pidd, “Background: The Kidnapping of Edwin Dyer,” *The Guardian*, June 3, 2009, sec. World news, <https://www.theguardian.com/world/2009/jun/03/edwin-dyer-hostage-killed-al-qaida>.

Dyer's release."²³⁰ The hostage-takers initially asked that the British authorities free Abu Qatada, a Jordanian closely associated with Al-Qaeda's top leader.²³¹ The British foreign secretary, David Miliband, declared: "We continue to work with our Swiss colleagues to secure his safe release without substantive concession and urge the hostage-takers to release him immediately and unconditionally."²³² At the time, Algerian news said that AQIM had asked for €10 million (£8.6 million) for Dyer and the Swiss captive.²³³ AQIM released German national Marianne Petzold and Swiss national Gabriella Greitner in April, but the latter's husband, Werner Griener remained in captivity. In June 2009, Reuters reported that AQIM declared that they killed Dyer because the British government failed to satisfy their demands.²³⁴ Prime Minister. Brown said: "This tragedy reinforces our commitment to confront terrorism. It strengthens our determination never to concede to the demands of terrorists, nor to pay ransoms."²³⁵

The fourth abduction took place in Afghanistan on September 5, 2009, when Stephen Farrell, a 46-year-old war correspondent of British and Irish nationality, was kidnapped with his Afghan fixer, Sultan Munadi, by a Taliban-affiliated group.²³⁶ Farrell was reporting for *The New York Times* from a Taliban-controlled area outside of Kunduz, where a NATO airstrike had just happened.²³⁷ On September 9, 2009, Farrell was rescued following a British special forces raid.²³⁸ Sadly, Munadi was killed by friendly fire, and

²³⁰ Matthew Weaver, "British Hostage Edwin Dyer 'Killed by al-Qaida,'" *The Guardian*, June 3, 2009, sec. UK news, <https://www.theguardian.com/uk/2009/jun/03/edwin-dyer-hostage-killed-al-qaida>.

²³¹ Weaver.

²³² Weaver.

²³³ Weaver.

²³⁴ Weaver.

²³⁵ Weaver.

²³⁶ Declan Walsh, "British Journalist's Rescuers Left Dead Afghan Behind," *The Guardian*, September 10, 2009, sec. World news, <https://www.theguardian.com/world/2009/sep/10/journalist-rescue-stephen-farrell-body>.

²³⁷ Walsh.

²³⁸ Nick Schifrin, "Kidnapped Reporter Stephen Farrell Freed; Afghan Aide Killed," ABC News, September 9, 2009, <https://abcnews.go.com/International/nyt-reporter-freed-afghan-aide-killed/story?id=8525021>.

one member of the rescue squad was killed in action.²³⁹ Prime Minister Gordon Brown reiterated that it is against British policy to pay ransom and stated that “whenever British nationals are kidnapped, we and our allies will do everything in our power to free them.”²⁴⁰ He ultimately took responsibility for the mission’s results and acknowledged the risky nature of rescue missions.²⁴¹

The fifth kidnapping incident took place in Syria on November 22, 2012. John Cantlie, a veteran British war correspondent, was kidnapped by ISIS.²⁴² According to Rukmini Callimachi, Cantlie was mistreated and subjected to torture alongside other Western hostages.²⁴³ Under duress, ISIS utilized his journalistic skills to support its propaganda against Western countries.²⁴⁴ To free Cantlie and five other Western prisoners, ISIS demanded an astronomical ransom of \$100 million.²⁴⁵ Due to inaccurate intelligence, Cantlie could not be rescued; a U.S.-led coalition rescue operation failed because Cantlie and a group of Western hostages held alongside him were relocated a few days before the raid. In 2016, he was reportedly killed in an airstrike against ISIS in Mosul.²⁴⁶

²³⁹ Schifrin.

²⁴⁰ Pamela Constable, “Afghan’s Death in Raid to Free Briton Sparks Ire,” NBC News, September 9, 2009, <https://www.nbcnews.com/id/wbna32771163>.

²⁴¹ Schifrin, “Kidnapped Reporter Stephen Farrell Freed.”

²⁴² Shiv Malik, “John Cantlie Speaks about Failed U.S. Attempt to Rescue Hostages in Isis Video,” *The Guardian*, November 21, 2014, sec. World news, <https://www.theguardian.com/world/2014/nov/21/john-cantlie-failed-us-attempt-rescue-isis-hostages-raqa-video>.

²⁴³ Callimachi, “The Horror Before the Beheadings.”

²⁴⁴ Malik, “John Cantlie Speaks about Failed U.S. Attempt.”

²⁴⁵ Dipesh Gadher, “‘They Hate Us Here’: Isis Hostage John Cantlie’s Smuggled Final Letter,” *The Sunday Times*, April 16, 2022, <https://www.thetimes.co.uk/article/they-hate-us-here-isis-hostage-john-cantlies-smuggled-final-letter-3sdkm63pj>.

²⁴⁶ Malik, “John Cantlie Speaks about Failed U.S. Attempt.”

B. THE RESPONSE TO HOSTAGE CRISES AND POTENTIAL DECISION-MAKING DRIVERS

1. Policy Legacy

British governments have typically declined to pay ransoms since 2001.²⁴⁷ This policy is fueled by a policy legacy that dates back at least to 1979, when British Prime Minister Margaret Thatcher proclaimed that the government would neither negotiate with terrorists nor pay ransoms.²⁴⁸ This policy was set in stone after the IRA's failed attempt to kill Thatcher in 1984; British governments typically react to terrorists by being firm.²⁴⁹ According to Dorle Hellmuth, governments, such as the United Kingdom, that endure direct attacks on their territory have a different sense of the threat and are more likely to choose decisive actions than make concessions.²⁵⁰ In 1988, when the French prime minister greeted French hostages at the airport, British captives, including the journalist John McCarthy, who had been kidnapped in 1986, were still being held in Lebanon.²⁵¹ Sir William Benyon, a Conservative member of parliament, questioned Prime Minister Thatcher on her intentions regarding the allegation that France paid ransoms to terrorists.²⁵² She answered, "Our policy on hostages has not changed. We do everything that we can to inquire about them ... We will not pay a ransom ... to obtain the release of hostages. We have asked the French... [and] they have assured us that they have not paid a ransom."²⁵³ In 1990, John Major succeeded Margaret Thatcher as prime minister and

²⁴⁷ Mellon, Bergen, and Sterman, *To Pay Ransom or Not to Pay Ransom?*, 3.

²⁴⁸ Jonathan E. Pearl, "We Do Not Negotiate with Terrorists," *Concordian*, April 16, 2020, <https://www.concordian.net/post/we-do-not-negotiate-with-terrorists>; Harmonie Toros, "'We Don't Negotiate with Terrorists!': Legitimacy and Complexity in Terrorist Conflicts," *Security Dialogue* 39, no. 4 (August 2008): 407, <https://www.jstor.org/stable/26299800>.

²⁴⁹ Simon, *The Terrorist Trap*, 216.

²⁵⁰ Hellmuth, *Counter Terrorism and the State*, 242.

²⁵¹ Johnathan Mayo, "How Beirut Hostage John McCarthy's Harrowing Five-Year Hostage Ordeal Ended 30 Years Ago This Week," *Daily Mail Online*, August 2, 2021, <https://www.dailymail.co.uk/news/article-9850273/How-Beirut-hostage-John-McCarthys-harrowing-five-year-hostage-ordeal-ended-30-years-ago-week.html>.

²⁵² Margaret Thatcher, "House of Commons PQs," Margaret Thatcher Foundation, May 5, 1988, <https://www.margaretthatcher.org/document/107232>.

²⁵³ Thatcher.

pursued the same “no-ransom policy” as his predecessors. He subsequently engaged in secret negotiations with the IRA, but no ransom payment was reported during his mandate.²⁵⁴

In Bigley’s case, Tony Blair’s government was both unprepared and had inherited a strong policy legacy of not paying ransoms, which might have influenced its refusal to pay a ransom. In his memoirs, Blair explains that he was unable to convince his party to shift its position toward negotiations with the terrorist organization, the IRA, through the conventional policymaking mechanisms, and that he also did not anticipate British nationals being abducted in Iraq.²⁵⁵ Aldrich and Herrington argue that when policymakers are surprised by a hostage crisis, they tend to lean on previous cases for decision-making.²⁵⁶ When the terrorists killed two American hostages who were abducted with Bigley, Blair’s government tried to communicate with the hostage-takers but did not pay a ransom, in contrast with the Italian government, which allegedly paid a \$1 million ransom to obtain the release of two Italian nationals, Simona Pari and Simona Torretta.²⁵⁷ Bigley’s killers declared that Blair’s government was to blame for Bigley’s death for refusing to pay a ransom.²⁵⁸ In reaction to Bigley’s killing, the Foreign Office spokesman declared that the British government will not change its position on ransom payments. He justified the government’s decision by stating that “We just cannot... It would be open season for the terrorists.”²⁵⁹

²⁵⁴ Lewis Herrington and Richard Aldrich, “Secrets, Hostages, and Ransoms: British Kidnap Policy in Historical Perspective,” *Review of International Studies* 44, no. 4 (October 2018): 757, <https://doi.org/doi:https://doi.org/10.1017/S0260210518000098>.

²⁵⁵ Tony Blair, *A Journey* (London: Hutchinson, 2010), 159.

²⁵⁶ Herrington and Aldrich, “Secrets, Hostages, and Ransoms,” 758.

²⁵⁷ Edward M. Gomez, “World Views: Agony in Britain Over Bigley Beheading, Especially for Blair; Islam’s Public-Relations Problem; and Garcia Marquez’s Scandalous New Novel Worth More Than Oil,” SFGATE, October 14, 2004, <https://www.sfgate.com/politics/article/WORLD-VIEWS-Agony-in-Britain-over-Bigley-2687823.php>.

²⁵⁸ Gomez.

²⁵⁹ “Blair Tries to Appease Hostage’s Family,” *Daily Mail Online*, September 21, 2004, <https://www.dailymail.co.uk/news/article-318631/Blair-tries-appease-hostages-family.html>.

In the case of Kember, the legacy of the British no-concession policy may have influenced Blair's government's a priori refusal to yield to terrorist demands. Nonetheless, the killing of U.S. hostage Fox could have been more persuasive given Blair's government's willingness to negotiate. Still, not all ongoing negotiations result in substantial concessions. To maintain their foreign policy in Iraq, the British leadership required a favorable outcome. Blair's government was under pressure when Kember appeared in a video pleading for help and criticizing Blair's decision to send troops to Iraq.²⁶⁰ Shortly after, Foreign Secretary Jack Straw reacted as follows: "If the kidnappers want to get in touch with us, we want to hear what they have to say... We have people in Iraq ..., and they are ready to hear from the kidnappers."²⁶¹ In contrast with Bigley's case, the Foreign Secretary's offer to communicate and likely negotiate with Kember's abductors indicates that Blair's government was either better prepared to handle abduction cases in Iraq, less influenced by British policy legacies, or under compelling pressure to show flexibility. Moreover, the happy resolution to Kember's abduction may have reinforced the British policy legacy of refusing to pay ransoms, whether Kember's release was as officially reported through a successful rescue mission or an unverified third-party mediation.

The legacy of the British "no ransom" policy is so strong that even the fiercest political opponents agree with it and do not reconsider it after rising to power. In 2007, when Gordon Brown replaced his old friend and political adversary Tony Blair, he reaffirmed his predecessor's no-ransom policy and committed to toughening British counterterrorism policy.²⁶² The treatment of Dyer's kidnapping confirmed this. Brown's administration rejected a Burkinabe offer to act as a mediator; he revealed that the British refused to communicate with the kidnappers, possibly out of concern that it would be

²⁶⁰ Terry Weber, "'Free Us All from This Captivity,' Hostage Pleads," *Globe and Mail*, December 8, 2005, <https://www.theglobeandmail.com/news/world/free-us-all-from-this-captivity-hostage-pleads/article1131808/>.

²⁶¹ Weber.

²⁶² Colm Murphy, "Kinship to Daggers Drawn: Tony Blair and Gordon Brown," Institut Montaigne, July 5, 2022, <https://www.institutmontaigne.org/en/analysis/kinship-daggers-drawn-tony-blair-and-gordon-brown>; Adrian Croft, "Brown Plans Tougher Counter-Terrorism Law," Reuters, November 5, 2007, <https://www.reuters.com/article/uk-britain-politics1-idUKL0545618020071106>.

viewed as negotiating with terrorists linked to Al-Qaeda.²⁶³ Since Dyer's kidnappers first asked for the release of a terrorist with ties to Osama Bin Laden before asking for a ransom, Prime Minister Brown was more committed to preserving the British legacy.²⁶⁴ In Farrell's case, the British no-ransom policy legacy might have influenced the British government's decision to refuse direct negotiations with the Taliban and to launch a rescue mission. Jonathan Powell, Tony Blair's chief of staff, has contended that British governments take time to recognize changes in terrorist groups and first refuse to negotiate with them.²⁶⁵ Before he left his job in 2008, he recalls suggesting engagement with Hamas, the Taliban, and Al Qaeda, but most of his colleagues deemed the negotiations with these three organizations absurd, although they deemed the negotiations with the Palestinian Liberation Army (PLO) and Irish Republican Army (IRA) acceptable.²⁶⁶ Afghan negotiators blamed Brown's government for the rescue mission collateral damage, claiming they were days away from negotiating the hostages' release.²⁶⁷ Brown's government defended their decision by asserting that negotiations with the Taliban were fruitless because they demanded a ransom for the release of the two hostages.²⁶⁸ The rescue mission was not pragmatically the best option, as it resulted in the release of Farrell, the deaths of his fixer, one British soldier, and two locals, sparking debate within the British government about who authorized the raid and calling the legacy of the no-ransom policy into question.²⁶⁹ In contrast with Kember's happy ending, in Farrell's case, saving one

²⁶³ Rukmini Callimachi, "Paying Ransoms, Europe Bankrolls Qaeda Terror," *New York Times*, July 29, 2014, sec. World, <https://www.nytimes.com/2014/07/30/world/africa/ransoming-citizens-europe-becomes-al-qaedas-patron.html>.

²⁶⁴ Weaver, "British Hostage Edwin Dyer."

²⁶⁵ Jonathan Powell and Gordon Corera, *Negotiating with Terrorists*, April 23, 2015, 3, https://www.chathamhouse.org/sites/default/files/field/field_document/20150423%20Negotiating%20with%20Terrorists%20QA.pdf.

²⁶⁶ Powell and Corera, 3,4.

²⁶⁷ David Batty and Richard Norton-Taylor, "Freed British Journalist 'Ignored Advice by Travelling to Taliban Area,'" *The Guardian*, September 11, 2009, sec. World news, <https://www.theguardian.com/world/2009/sep/11/stephen-farrell-ignored-advice-taliban>.

²⁶⁸ "Brown Says Miliband Gave Green Light for Special Forces Raid to Save Reporter That Left Para Hero Dead," *Daily Mail*, September 10, 2009, sec. News, <https://www.dailymail.co.uk/news/article-1212144/UK-commando-killed-Taliban-pre-dawn-raid-rescue-kidnapped-British-journalist-Stephen-Farrell.html>.

²⁶⁹ Daily Mail Reporter.

British life without conceding to pay a ransom had terrible outcomes, which, as has been argued before, made it hard for Brown's government to maintain the legacy of the British no-ransom policy.

Even after conservative leader David Cameron replaced Gordon Brown as British prime minister, he reaffirmed the no-ransom policy. One could argue that both major British parties agree on preserving the British no-ransom policy legacy. For instance, David Cameron, a ferocious opposition leader who, according to a 2016 quantitative study, made the most hostile comments by an opposition leader toward British Prime Ministers since 1979, did not criticize and/or review the previous government's position on ransom payments when he rose to power.²⁷⁰

The British no-ransom policy legacy may have influenced the British government's decision not to pay a ransom for Cantlie's release. Although Cantlie's family found it difficult to comprehend the British no-ransom policy, Prime Minister David Cameron stated that it makes sense and that he was working diligently to bring all British hostages home safely.²⁷¹ It was politically impossible for David Cameron to pay a ransom to free Cantlie and other British hostages while also leading an international effort to ban ransom payments; he stated twice at the G8 and the United Nations that collective efforts to respect the ban were essential.²⁷² He openly blamed ransom-paying Western governments for endangering world security and financing future terrorist attacks.²⁷³ When asked about the benefit of negotiations in defeating ISIS, the minister of defense, Michael Fallon, answered that "[ISIS] is not an organization with which we can possibly negotiate...; it has to be

²⁷⁰ Maurice Waddle, Peter Bull, and Jan R. Böhnke, "He Is Just the Nowhere Man of British Politics': Personal Attacks in Prime Minister's Questions," *Journal of Language and Social Psychology* 38, no. 1 (2019): 61,75, <https://doi.org/10.1177/0261927X18767472>.

²⁷¹ "No Ransom Payments to Terrorists, Cameron Tells Nato," *BBC News*, September 4, 2014, sec. UK, <https://www.bbc.com/news/uk-29072940>.

²⁷² Patrick Wintour and Ian Cobain, "David Cameron Scolds Nato Leaders Over Islamic State Ransom Payments," *The Guardian*, September 4, 2014, sec. Global, <https://www.theguardian.com/politics/2014/sep/04/david-cameron-isis-ransom-hostage-david-haines>.

²⁷³ Wintour and Cobain.

defeated using all means at our disposal.”²⁷⁴ After ISIS killed Western hostages held alongside Cantlie in retaliation for airstrikes on ISIS positions, David Cameron countered ISIS’s narrative by deciding that British airstrikes against ISIS would be part of a coalition that included non-Western states.²⁷⁵ In December 2014, Cameron’s government proposed a new Counterterrorism Bill, which would further reinforce the no-ransom policy legacy by closing a loophole and prohibiting insurance companies from both reimbursing and paying ransom payments to terrorist groups.²⁷⁶

2. Military Capability and Alternatives

The British government’s disposal of military capabilities and tactical intelligence in Iraq facilitated its decision to launch raids to rescue Bigley and Kember and bolstered its commitment not to pay ransoms. Between 2003 and 2009, the British government spent \$14 billion and stationed 46,000 personnel on Iraqi soil, backed up by more than 200 aircraft.²⁷⁷ Furthermore, Blair’s government had already deployed a Special Air Service (SAS) Regiment in Iraq, composed of personnel trained in intelligence collection and hostage rescue. According to Robin Horsfall, a former SAS member, “the hardest part of a [rescue] mission is gathering the information and making sure you have the right place.”²⁷⁸ In Bigley’s case, tactical intelligence was inaccurate, and attempts to rescue him failed twice.²⁷⁹ In Kerman’s case, the hostage rescue mission led by the 22nd SAS Regiment was successful due to the combination of an elite squad and precise tactical intelligence.²⁸⁰ The intelligence obtained on the location of the captives was not a matter of chance but the

²⁷⁴ “Oral Answers to Questions,” UK Parliament Hansard, November 23, 2015, <https://hansard.parliament.uk//commons/2015-11-23/debates/1511232000004/OralAnswersToQuestions>.

²⁷⁵ Tom Wilson, “Will Hostage Bring Cameron into the War?,” *Commentary*, September 4, 2014, <https://www.commentary.org/tom-wilson/will-hostage-bring-cameron-into-the-war/>.

²⁷⁶ Chapsos, “UK Banning Paying Ransoms to Terrorists, Pirates?”

²⁷⁷ “Iraq War in Figures,” BBC News, August 29, 2010, <https://www.bbc.com/news/world-middle-east-11107739>.

²⁷⁸ James Sturcke, “British Troops Make ‘Flawless’ Hostage Rescue,” *The Guardian*, March 23, 2006, sec. World news, <https://www.theguardian.com/world/2006/mar/23/iraq.jamessturckel>.

²⁷⁹ CBS News, “U.S. Tried to Save Hostages.”

²⁸⁰ Sturcke, “British Troops Make ‘Flawless’ Hostage Rescue.”

result of massive multinational efforts; the British forces arrested and interrogated 47 suspects as a consequence of extensive phone surveillance and 50 raids on suspects' homes.²⁸¹

Similarly, the British government's disposal of military capabilities and tactical intelligence in Afghanistan influenced its decision to authorize a raid to rescue Farrell and his fixer. First, Brown's government had a significant military capability ready for use. In 2009, the U.K. had 8,300 troops deployed in Afghanistan and spent a total of \$64 billion on defense.²⁸² By 2012, the U.K. had spent over £37 billion on military operations in Afghanistan, nearly its average yearly defense budget.²⁸³ Moreover, as part of a large coalition, the International Security Assistance Force in Afghanistan (ISAF), the British forces were promptly able to determine the location where the Taliban kept Farrell and his fixer by sharing intelligence with their American ally.²⁸⁴ Thus, Brown's government had the critical requirements to plan Farrell's rescue mission. Still, the results of this raid were controversial, with one hostage and one British soldier killed to rescue one British national. Prime Minister Brown tried to justify his decision by declaring that "the British policy is never to pay ransom... whenever British nationals are kidnapped, we and our allies will do everything in our power to free them."²⁸⁵ Even when rescue missions are possible and offer an alternative to ransom payments, they are too risky.²⁸⁶

Cameron's government had the military capabilities but suffered from insufficient intelligence to rescue the hostages in Syria. The release of hostages from other European countries called into question the no-ransom payment policy efficiency. Cameron's

²⁸¹ Freeze, "Blessed Were the Peacemakers."

²⁸² Michael Clarke and Valentina Soria, "Charging up the Valley: British Decisions in Afghanistan," *RUSI Journal* 156, no. 4 (August 2011): 156, <https://doi.org/10.1080/03071847.2011.606654>; "U.K. Military Spending/Defense Budget 1960–2023," Macrotrends, accessed January 4, 2023, <https://www.macrotrends.net/countries/GBR/united-kingdom/military-spending-defense-budget>.

²⁸³ Richard Norton-Taylor, "Afghanistan War Has Cost Britain More than £37bn, New Book Claims," *The Guardian*, May 29, 2013, sec. World news, <https://www.theguardian.com/world/2013/may/30/afghanistan-war-cost-britain-37bn-book>.

²⁸⁴ Daily Mail Reporter, "Brown Says Miliband Gave Green Light."

²⁸⁵ Schifrin, "Kidnapped Reporter Stephen Farrell Freed."

²⁸⁶ Mellon, Bergen, and Sterman, *To Pay Ransom or Not to Pay Ransom?*, 5.

government had the necessary military might to promptly launch a rescue mission to free hostages held by ISIS. It ordered over 1200 airstrikes and spent over £300 million in its war against ISIS in Syria and Iraq between 2014 and 2016.²⁸⁷ Since 2014, at least 45 members of the British Special Forces have permanently worked with coalition partners on covert operations against ISIS and the training of Syrian rebels.²⁸⁸ However, as Cantlie himself revealed in ISIS-produced videos, it was the absence of accurate tactical intelligence that prevented the British government from freeing the hostages and led to the failure of two U.S. rescue missions.²⁸⁹ Despite this setback, Cameron's government held firm to its no-ransom payment policy. Yet, ISIS did not lower the exorbitant ransom amount, preferring to feed its propaganda with the slaughter of hostages and videos presented by Cantlie, undermining the legitimacy of the British government.²⁹⁰

3. Domestic Politics

In Britain, domestic politics has consistently deemed ransom payments to terrorist groups as unacceptable, which supported British decision-makers in all five cases. For the majority of British citizens, preserving the nation's dignity, interests, and foreign policy has been of utmost importance. According to a series of polls conducted by YouGov (a British-owned data research group) in conjunction with the Cambridge University Politics Center, when people were asked if the government should pay ransoms to Islamist terrorist groups, 58% were opposed and 19% were uncertain in the U.K, while 50% were opposed and 17% were uncertain in France.²⁹¹ Britons were reluctant to yield to terrorist extortion and instead preferred fighting foreign terrorist groups with all their resolve.

²⁸⁷ Chris Cole, "Cost of UK Air Operations in Iraq and Syria Tops £2bn with No End to Strikes in Sight," *Drone Wars*, January 27, 2022, <https://dronewars.net/2022/01/27/cost-of-uk-air-operations-in-iraq-and-syria-tops-2bn-with-no-end-to-strikes-in-sight/>.

²⁸⁸ Chris Hughes, "RAF Scramble to Save SAS Soldier Wounded in IED Explosion in Syria," *Mirror*, March 5, 2020, sec. World news, <https://www.mirror.co.uk/news/world-news/raf-scramble-save-sas-soldier-21642140>.

²⁸⁹ Malik, "John Cantlie Speaks about Failed U.S. Attempt."

²⁹⁰ James Harkin, "The Last Hostage: The Story of John Cantlie," *British GQ*, November 20, 2021, <https://www.gq-magazine.co.uk/politics/article/the-last-hostage-the-story-of-john-cantlie>.

²⁹¹ YouGov, "YGC Western Attitudes to Ransom Payment" (Cambridge, UK: YouGov-Cambridge Centre for Public Opinion Research, March 2020), <https://docs.cdn.yougov.com/wimy0s4p66/YGC%20Western%20attitudes%20to%20ransom%20payment.pdf>.

The domestic political implications influenced Blair's government's decision not to pay ransoms. Tony Blair contends in his memoirs that he led the Labour Party to victory in the 1997 elections by adopting a slogan that opposed making concessions to terrorists.²⁹² British politics discourages negotiations with terrorists and strongly rejects ransom payments. Blair adds that the stakes were enormous if negotiations with terrorists failed, but low if they succeeded.²⁹³ The reasoning is that paying ransoms to free the hostages would have hurt his government's popularity because the kidnappings coincided with a contested military intervention in Iraq, the country where the hostages were held. Paying ransoms to free Bigley and Kerman would have undermined Blair's government mobilization efforts for the Iraq war. Blair recalls his government facing significant domestic pressure, such as in 2007, when British activists clashed violently with police outside Stormont, where Irish political parties were meeting, not over North Ireland issues but over the legitimacy of the Iraq war.²⁹⁴ Ultimately, Bigley's death did not lead to a political setback; opposition parties did not criticize the government's performances. Bigley's brother was the only one to voice criticism, saying Blair cared more about trains than saving Bigley's life.²⁹⁵

Farrell's abduction by the Taliban had domestic political ramifications, which may have prompted the British government to launch a rescue mission to send a strong message to both its political rivals and voters about its resolve to refuse to make ransom payments. First, it is important to note that Prime Minister Brown kept denying negotiations with the Taliban despite evidence that his government, through the British foreign intelligence service (MI6), negotiated with them two years before Farrell's abduction.²⁹⁶ The leak led

²⁹² Murphy, "Kinship to Daggers Drawn."

²⁹³ Blair, *A Journey*, 162.

²⁹⁴ "Stormont Police Injured in Iraq War Protest," *Irish Examiner*, May 8, 2007, sec. IE-Main/NEWS, <https://www.irishexaminer.com/news/arid-30309690.html>; Blair, *A Journey*, 199.

²⁹⁵ Sophie Morris, "The Family That Fought to the End for Their Man," *Belfast Telegraph*, July 4, 2008, <https://www.belfasttelegraph.co.uk/imported/the-family-that-fought-to-the-end-for-their-man-28202487.html>.

²⁹⁶ Thomas Harding and Tom Coghlan, "Britain in Secret Talks with the Taliban," *The Telegraph*, December 26, 2007, <https://www.telegraph.co.uk/news/uknews/1573687/Britain-in-secret-talks-with-the-Taliban.html>.

to harsh criticism from both the opposition and U.S. leaders.²⁹⁷ In Farrell’s case, MI6 supported the military option because it had credible tactical intelligence shared by U.S. counterparts.²⁹⁸ The Brown government’s decision to launch a rescue mission was an excellent opportunity to demonstrate its resolve in fighting terrorists rather than making humiliating concessions to the Taliban, who were responsible for the deaths of hundreds of British soldiers until 2009.²⁹⁹ In addition to the inherent political pressure tied to hostage crisis management, Brown’s government had to gain political support for its decision to increase the number of British troops in Afghanistan despite domestic pressure to withdraw them soon.³⁰⁰ However, the rescue mission outcomes drew harsh criticism from the opposition and even British military leaders, who expressed regret that a British soldier had died for the sake of an imprudent journalist.³⁰¹

Similarly, the domestic political implications in Cantlie’s case may have influenced the conservative-led British government’s refusal to pay ransoms to ISIS. Both the Labour and Conservative parties describe ransom payments as humiliation for the nation, legitimization of terrorists, and a danger to national security and interests in their respective statements.³⁰² First, Cameron’s government benefited from a media blackout on Cantlie and other Western hostages held by ISIS in Syria between 2012 and 2013.³⁰³ By abstaining from publicizing Cantlie’s and other British nationals’ abductions, the British media relieved the British government from unnecessary popular pressure to find an urgent solution, such as paying ransoms. In 2014, ISIS terrorists claimed the abduction of Western

²⁹⁷ Harding and Coghlan.

²⁹⁸ Jon Boone, Julian Borger, and Richard Norton-Taylor, “Questions Raised over Bloody Raid to Free British Journalist in Afghanistan,” *The Guardian*, September 9, 2009, sec. World news, <https://www.theguardian.com/world/2009/sep/09/raid-afghanistan-journalist-diplomat-questions>.

²⁹⁹ “UK Military Deaths in Afghanistan: Full List,” BBC News, October 12, 2015, <https://www.bbc.com/news/uk-10629358>.

³⁰⁰ Clarke and Soria, “Charging up the Valley,” 81.

³⁰¹ Batty and Norton-Taylor, “Freed British Journalist ‘ignored Advice.’”

³⁰² Daily Mail, “Blair Tries to Appease Hostage’s Family”; “Analysis: Fate of ISIS Hostage Intensifies Pressure on Britain,” NBC News, September 3, 2014, <https://www.nbcnews.com/storyline/isis-terror/analysis-fate-isis-hostage-intensifies-pressure-britain-n194776>.

³⁰³ Harkin, “The Last Hostage.”

hostages and demanded political and financial concessions in exchange for their freedom. Prime Minister David Cameron avoided paying covert ransoms to ISIS because, at that time, it was an unpopular decision that might have been exploited by his rivals. The political stakes were high, as elections were only a few months away. It is important to highlight that ISIS changed the perception of its threat among British voters by retransmitting scenes of killing Western hostages to spread fear and outbid other terrorist organizations. Britons who had been opposed to military interventions such as those in Iraq and Afghanistan became supporters of airstrikes and the use of special forces to free Western hostages held by ISIS. According to YouGov polls, 55% of Britons supported launching hostage rescue missions against ISIS on September 26, 2014, increasing to 68% on October 14, 2014, and 60% supported airstrikes against ISIS (two videos showing the executions of British hostages David Haines and Alan Henning were released during the polling time frame).³⁰⁴ Moreover, Prime Minister Cameron was cautious in sending the right political message of resolve against ISIS, as he failed by 13 votes in August 2013 to convince lawmakers to approve airstrikes in Syria and had to convince the British Parliament to endorse his decision to join the U.S.-led coalition against ISIS in September 2014.³⁰⁵ He had also to demonstrate diligence in avoiding conceding to ISIS demands, fueling its propaganda, and preventing attacks on British soil by homegrown ISIS militants, and ensure that his decision aligned with the British public's sentiment of mixed outrage and fear.³⁰⁶

4. Strategic Interests

While families and employers may place a higher priority on a hostage's life, British governments have to balance their desires for hostage recovery with their strategic

³⁰⁴ Joel Rogers de Waal, "Report on British Attitudes to Defence, Security and the Armed Forces," YouGov, October 25, 2014, <https://yougov.co.uk/topics/international/articles-reports/2014/10/25/report-british-attitudes-defence-security-and-armed-forces>.

³⁰⁵ Claire Mills, "Parliamentary Approval for Military Action," UK Parliament House of Commons Library, April 17, 2018, <https://commonslibrary.parliament.uk/research-briefings/cbp-7166/>.

³⁰⁶ Jane Onyanga-Omara, "Cameron Announces New Fight against Homegrown Extremism," *USA TODAY*, July 20, 2015, <https://www.usatoday.com/story/news/world/2015/07/20/cameron-home-grown-extremism/30406277/>.

interests, such as foreign policy, defense, counterterrorism policy objectives, and economic interests.³⁰⁷ British strategic interests were at stake in Iraq, which might have influenced Blair's government's refusal to pay ransoms in Bigley's and Kerman's cases. First, British foreign policy interests were in reinforcing the transatlantic alliance by aligning with U.S.-led war on terror objectives, such as defeating terrorism and ensuring Iraq's democratic transition.³⁰⁸ Thus, refusing to pay ransoms was full of political symbolism, implying that the British government and its U.S. ally were coercing and defeating terrorists, not the other way around. Second, paying ransoms to free two British hostages would have endangered a larger number of British nationals; when Bigley and Kember were kidnapped, there were more than 8,100 British soldiers and 261 expats registered with the British embassy in Iraq.³⁰⁹ Moreover, British governments had to consider wide Britain's wide global footprint, as in 2005, more than 5 million Britons lived overseas, including 26,000 in Saudi Arabia and 45,000 in Pakistan, two countries known for hosting Islamist extremist militants.³¹⁰ Third, British economic interests at that time were a less obvious motive for refusing to pay ransoms, as bilateral trade between the United Kingdom and Iraq was low compared to other countries in the region. It was just \$193 million in 2005, compared to \$1.3 billion with Kuwait and \$1.1 billion with Iran.³¹¹ Nevertheless, Iraq is a major global energy producer, and denying financial support to terrorists operating on its soil would

³⁰⁷ Robert G. Picard and Hannah Storm, *The Kidnapping of Journalists: Reporting from High-Risk Conflict Zones* (London: Bloomsbury Publishing, 2016), 15–17.

³⁰⁸ Caroline Kennedy-Pipe and Rhiannon Vickers, "'Blowback' for Britain? Blair, Bush, and the War in Iraq," *Review of International Studies* 33, no. 2 (2007): 218, <https://www.jstor.org/stable/40072162>.

³⁰⁹ "Number of United Kingdom (UK) Armed Forces Personnel Deployed in the Iraq War from March 2003 to June 2008," Statista, March 30, 2016, <https://www.statista.com/statistics/581312/number-of-deployed-united-kingdom-uk-armed-forces-personnel-in-iraq/>; "Select Committee on Foreign Affairs Minutes of Evidence," UK Parliament House of Commons, November 2, 2004, <https://publications.parliament.uk/pa/cm200405/cmselect/cmfaff/436/43609.htm>.

³¹⁰ Lisa Smith, "Where Do British Expats Live?," iExpats, May 26, 2020, <https://www.iexpats.com/where-do-british-expats-live/>.

³¹¹ "United Kingdom (GBR) and Iran (IRN) Trade," OEC – The Observatory of Economic Complexity, accessed December 29, 2022, <https://oec.world/en/profile/bilateral-country/gbr/partner/irn?dynamicBilateralTradeSelector=year2005>; "United Kingdom (GBR) and Iraq (IRQ) Trade," OEC – The Observatory of Economic Complexity, accessed December 30, 2022, <https://oec.world/en/profile/bilateral-country/gbr/partner/irq?dynamicBilateralTradeSelector=year2015>.

have enhanced its security, stabilized the global energy market, and indirectly benefited the British economy.³¹²

Foreign and defense policy objectives, in addition to the large number of British nationals present in Afghanistan, influenced Prime Minister Gordon Brown's decision to launch a rescue mission rather than paying ransom in Farrell's case. British foreign policy goals focused on alliance solidarity with the United States, as the Atlantic alliance had to be preserved even at great cost, as well as with other ISAF partners engaged in Afghanistan.³¹³ The refusal to pay ransoms was loaded with political symbolism, implying that the British government and its allies were coercing the Taliban to stop hostilities rather than the opposite. British defense interests centered on the achievement of the Global War on Terror (GWOT) objectives, which included defeating the Taliban, and the development of Afghan security forces capable of preventing terrorist groups from using Afghanistan as a safe haven. The refusal to pay ransom was intended to prevent the endangerment of a greater number of British citizens, as 8,300 British troops and 1,000 British civilians were present in Afghanistan in 2009.³¹⁴ Moreover, the prestige of British forces was stained at that time; their sustainability and effectiveness were questioned by the British elite as their withdrawal from Iraq was considered a strategic defeat.³¹⁵ They also suffered important losses, as by 2010, 78% of the improvised explosive device (IED) attacks in Afghanistan occurred within the British-controlled Helmand province.³¹⁶ Instead of paying a ransom, a humiliating concession to the Taliban, the British government planned for a flawless rescue mission of a prominent British journalist to compensate for strategic disappointment

³¹² "Chapter 3: Current Policy and Current Illusions," *The Middle East: Time for New Realism* Contents, accessed December 30, 2022, <https://publications.parliament.uk/pa/ld201617/ldselect/ldintrel/159/15906.htm>.

³¹³ Shashank Joshi, "Assessing Britain's Role in Afghanistan," *Asian Survey* 55, no. 2 (2015): 426,427,430-432, <https://doi.org/10.1525/as.2015.55.2.420>.

³¹⁴ Smith, "Where Do British Expats Live?"; Georgina Lee, "Does UK Government Know How Many Brits Are Still in Afghanistan?," Channel 4 News, August 25, 2021, <https://www.channel4.com/news/factcheck/does-uk-government-know-how-many-brits-are-still-in-afghanistan>.

³¹⁵ Joshi, "Assessing Britain's Role in Afghanistan," 421,422.

³¹⁶ Michael Clarke, *Committing Britain to War in Helmand, 2005-06* (London: Routledge, 2012), 7,8, <https://doi.org/10.4324/9780203096284>.

in the performance of its forces.³¹⁷ British economic interests were not an obvious reason for refusing to pay ransoms, as bilateral trade between the United Kingdom and Afghanistan was minimal compared to other nations in the region. In 2009, it was only \$104 million, compared to \$1.97 billion for Pakistan and \$847 million for Iran.³¹⁸ Moreover, there was a strategic interest in containing the Taliban, as they were involved in the world's largest opium production, and the British consumed at least 4% of the global production of this poison.³¹⁹

However, in Dyer's case, there were low strategic interests in Mali and Niger, but this factor was less compelling than others to influence the Brown government to pay ransom to AQIM. The U.K. had a very limited footprint, no military presence, and no reported expatriates living in these two countries apart from diplomats, compared to the 4,400 Britons living in neighboring Libya and 630 living in Algeria who could have been endangered by a decision to pay ransom.³²⁰ The U.K. had few economic interests; it traded only \$9 million with Mali and \$42 million with Niger in 2009.³²¹

Cameron was strategically interested foremost in protecting British troops in Iraq, but also in dissuading home-grown terrorism in Britain and protecting costly assets in Iraq, all of which probably influenced his decision to launch a rescue mission instead of paying

³¹⁷ Joshi, "Assessing Britain's Role in Afghanistan," 425.

³¹⁸ "United Kingdom (GBR) and Iran (IRN) Trade"; "United Kingdom (GBR) and Afghanistan (AFG) Trade," OEC – The Observatory of Economic Complexity, accessed December 30, 2022, <https://oec.world/en/profile/bilateral-country/gbr/partner/afg?dynamicBilateralTradeSelector=year2009>; and "United Kingdom (GBR) and Pakistan (PAK) Trade," OEC – The Observatory of Economic Complexity, accessed December 30, 2022, <https://oec.world/en/profile/bilateral-country/gbr/partner/pak?dynamicBilateralTradeSelector=year2009>.

³¹⁹ Mark Malloch-Brown, "Opium Production in Afghanistan," *BMJ: British Medical Journal* 336, no. 7651 (May 3, 2008): 1,2, <https://doi.org/10.1136/bmj.39554.402199.BE>.

³²⁰ Tim Finch, Holly Andrew, and Maria Latorre, *Global Brit: Making the Most of the British Diaspora* (London: Institute for Public Policy Research, 2010), 151, 153, https://www.ippr.org/files/publications/pdf/global-brit_2010.pdf; British-Consulate, "The British Consulate in Niamey," British Consulate Abroad, accessed December 31, 2022, <https://www.british-consulate.net/uk/United-Kingdom-Consular-Assistance-Niamey>.

³²¹ "United Kingdom (GBR) and Mali (MLI) Trade," OEC – The Observatory of Economic Complexity, accessed December 31, 2022, <https://oec.world/en/profile/bilateral-country/gbr/partner/mli?dynamicBilateralTradeSelector=year2009>; "United Kingdom (GBR) and Niger (NER) Trade," OEC – The Observatory of Economic Complexity, accessed December 31, 2022, <https://oec.world/en/profile/bilateral-country/gbr/partner/ner?dynamicBilateralTradeSelector=year2009>.

a ransom in Cantlie's case. British strategic interests were centered on defense, foreign policy objectives, and economic interests. British defense interests in defeating ISIS were indisputable, as ISIS posed a genuine threat to British security. ISIS was able to export terrorism to Europe by inspiring homegrown radicals, as in the 2015 Paris attacks; ISIS had 800 Britons fighting in Syria who could pose a domestic threat upon their return; and ISIS provoked a massive migratory flow of refugees to Europe, estimated at 1.2 million by 2015, which exacerbated the need for security services to deny terrorists infiltration into Europe.³²² In the long term, ISIS would have made Iraq and Syria a launching pad for terrorist attacks against the West, as it controlled a territory larger than the British Isles, had an estimated \$2 billion in assets, and mastered the use of social media to recruit jihadists.³²³ ISIS's destabilization of Mideast oil-rich friendly states and its persecution of Syrian and Iraqi minorities were irreconcilable with British foreign policy objectives in promoting peace and stability in the region. Refusing to pay a ransom to ISIS in exchange for Cantlie's release was loaded with political symbolism, implying that the UK would not be coerced by ISIS and would continue to be a prestigious and trusted ally to the United States and other partners fighting ISIS, even at great sacrifice.³²⁴ The UK's large footprint and economic interests in the Middle East and Iraq in particular influenced the British government's refusal to pay ransoms to ISIS, as such payments would have encouraged terrorists to target over 100,000 Britons living in the Middle East in 2015.³²⁵ It would have also exposed over 800 British companies working on reconstruction projects to additional risks.³²⁶ Iraq produced one-tenth of the world's oil and was key to British energy security

³²² UK Parliament Select Committee on International Relations, "Chapter 3: Current Policy and Current Illusions."

³²³ "The Growing Strategic Threat of Isis" (Washington D.C: The U.S. Government Publishing Office, February 12, 2015), <https://www.govinfo.gov/content/pkg/CHRG-114hhr93284/html/CHRG-114hhr93284.htm>.

³²⁴ Lara Seligman, "U.S.-Led Coalition Set to Launch Final Fight against ISIS in Syria," *Foreign Policy*, August 1, 2018, <https://foreignpolicy.com/2018/08/01/u-s-led-coalition-set-to-launch-final-fight-against-isis-in-syria/>.

³²⁵ Smith, "Where Do British Expats Live?"

³²⁶ Branko Marcetic, "'The Fix Is In': How the Blair Government Helped U.K. Companies Profit from the Iraq War," *In These Times*, August 15, 2016, <https://inthesetimes.com/article/in-lead-up-to-war-u-k-officials-and-businesses-planned-on-dividing-the-spo>.

and affordability. Facts demonstrate the significance of British economic interests in Iraq, as British Petroleum alone invested \$2.85 billion in Iraq's oil production in 2013.³²⁷ In 2015, the United Kingdom traded \$492 million with Iraq, \$1.96 billion with Kuwait, and £7 billion worth of defense products with Mideast Arab partners.³²⁸

C. CONCLUSION

In summary, domestic politics and policy legacy seem to have the most influence compared to military capabilities and strategic interests, which fluctuated from case to case but did not always impact the British government no-ransom policy. The previous analysis leads to four major findings.

First, the strict no-ransom policy legacy was more compelling, as when British leaders were unprepared for an abduction crisis, they relied on past crises' experience. Regardless of partisan affiliation or political animosity with their predecessors, British decision-makers respected this no-ransom payment policy legacy.

Second, due to domestic political factors, such as elections, British politicians were unwilling to negotiate with terrorists. According to several studies, the British public favored action over negotiation or even paying ransom. As the British military engagements in Iraq and Afghanistan became unpopular, the British government's refusal to pay ransoms was loaded with the political symbolism of refusing to be coerced by the enemy, regardless of the cost. British media blackout on some hostage cases helped the British government maintain the legacy of the no-ransom policy. Moreover, ISIS's strategy to undermine the legitimacy of the British leaders by justifying the hostage executions as a result of the government's refusal to pay the ransom instead instilled fear and outrage in the British public, bolstering support for the British no-ransom policy.

³²⁷ Aref Mohammed, "BP to Invest \$2.85 Billion in Iraq's Largest Oilfield," Reuters, May 22, 2013, <https://www.reuters.com/article/us-iraq-energy-rumaila-idUSBRE94L0PP20130522>.

³²⁸ UK Parliament Select Committee on International Relations, "Chapter 3: Current Policy and Current Illusions"; "United Kingdom (GBR) and Kuwait (KWT) Trade," OEC – The Observatory of Economic Complexity, accessed December 30, 2022, <https://oec.world/en/profile/bilateral-country/gbr/partner/kwt?dynamicBilateralTradeSelector=year2015>; "United Kingdom (GBR) and Iraq (IRQ) Trade."

Third, having strong military capabilities in Iraq and Afghanistan helped British policymakers escape the hostage dilemma by opting for rescue missions rather than paying ransoms, but the lack of reliable intelligence made rescue missions extremely risky. Rescue missions were a double-edged sword. When successful, they bolstered policymakers' stance and reinforced the no-ransom policy legacy, but when casualties occurred, they frequently aroused criticism and called the no-ransom policy into question.

Fourth, strategic interests motivated the British government's refusal to pay ransoms. Since the vast majority of hostage takers between 2001 and 2015 were terrorists opposing British foreign policy by attacking British soldiers and allied forces, British foreign policy has viewed ransom payments as legitimizing their enemies, an intolerable humiliation, and a self-defeating policy. Moreover, the U.K. led international efforts to ban ransom payments. The U.K.'s refusal to pay ransoms demonstrated its dedication to international advocacy. Furthermore, defense policy influenced the British government's no-ransom policy; the British forces' withdrawal from Iraq and their poor performances in Afghanistan were viewed as strategic defeats. So, refusing to pay ransoms was a way to reassert that British forces were coercing and defeating terrorism, not the opposite. Moreover, ISIS posed a domestic threat by exporting terrorism through homegrown radicals. Refusing to pay ransom was to prevent reinforcing ISIS' capabilities and bolstering its narrative. Moreover, the large British footprint in Iraq, Afghanistan, and the Middle East in general also influenced the British no-ransom policy. Refusing to pay ransom was intended to prevent endangering a large number of British nationals present in the region by disincentivizing their abduction. The importance of Iraqi oil production to British energy security and affordability played a role in the British government's refusal to pay ransoms to terrorist groups seeking to destabilize an Iraqi-friendly regime. What makes economic interests less compelling is that the U.K. did not pay a ransom in Mali and Niger, in contrast to Iraq, where British economic interests and presence were limited.

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IV. THE UNITED STATES

The United States has consistently not paid ransoms to terrorists since 2001 and has advocated internationally for adherence to this principle to reduce the threat level. It also keeps diplomacy and other means of communication open with kidnappers while denying doing so.³²⁹ U.S. Secretary of State Mike Pompeo explained the logic behind this no-ransom policy when he addressed families of American citizens held hostage abroad at a State Department event. Pompeo stated, “Please remember that any payment to a terrorist or a terrorist regime gives money so that they can seize more of our people; we cannot accept that risk, and you wouldn’t ask that of us.”³³⁰ The U.S. Department of Treasury’s Undersecretary for Terrorism Financial Intelligence, David Cohen, also encouraged the European allies to stop paying ransoms, as it would break the cycle of kidnappings.³³¹

The refusal of the U.S. government to pay ransoms was primarily motivated by domestic ramifications. Regardless of political affiliation, the majority of Americans have steadfastly rejected making ransom payments to terrorists. By adhering to the no-ransom policy, U.S. officials have ensured that their decisions were consistent with public sentiment. U.S. leaders are also constrained by the legacy of the U.S. no-ransom policy, which was enacted through successive administration directives. The no-ransom policy is bolstered by foreign and defense policy interests and the government’s ability to launch rescue missions. Although numerous and strong economic interests appear to support the no-ransom policy, when they are few, they do not outweigh other factors or compel the U.S. government to pay a ransom.

³²⁹ H.R., *Terrorist Financing and the Islamic State: Hearing before the Committee on Financial Services*, House of Representative, 113th Cong. 2 (2014), <https://www.govinfo.gov/content/pkg/CHRG-113hhrg92874/html/CHRG-113hhrg92874.htm>.

³³⁰ Conor Finnegan, “Hostage’s Release in Uganda Reignites Debate over Why U.S. Does Not Pay Ransoms,” ABC News, April 9, 2019, <https://abcnews.go.com/Politics/hostages-release-reignites-debate-us-pay-ransoms/story?id=62252502>.

³³¹ Simon, *We Want to Negotiate*, 87.

A. CASES OF ABDUCTION

This chapter examines five cases of U.S. citizens kidnapped by terrorist organizations after September 11, 2001: one humanitarian activist and one female journalist kidnapped in Iraq during the second Iraq War during the administration of Republican President George W. Bush; one female aid worker kidnapped in Somalia; one journalist kidnapped in Yemen; and another journalist kidnapped in a region controlled by ISIS that extends across both Syrian and northern Iraqi soil during the administration of Democratic President Barack Obama. Table 5 summarizes the American Abduction cases.

The first abduction occurred simultaneously with the second British hostage case study, which dealt with the kidnapping of Norman Kember in Iraq. Tom Fox, a U.S. citizen and member of the CPT, was kidnapped by the Swords of Righteousness Brigade, a group of Iraqi insurgents.³³² On November 29, 2005, the terrorists holding the hostages threatened to kill them if all Iraqi inmates were not freed within seven days.³³³ On January 27, 2006, the hostage-takers made a second death threat if their previous demands were not met. Six weeks later, Tom Fox was found dead.³³⁴ Later that month, Fox's co-abductees were liberated in a raid, in which no shots were fired.³³⁵ Over 53 Western hostages were kidnapped at the same time by different groups in Iraq.³³⁶

³³² Mahrouse, "Transnational Activists, News Media Representations," 312.

³³³ Mahrouse, 312.

³³⁴ "FBI: Body of U.S. Hostage Found in Iraq – Mar 10, 2006," CNN, March 11, 2006, <https://www.cnn.com/2006/WORLD/meast/03/10/fox.killed/index.html>.

³³⁵ Mahrouse, "Transnational Activists, News Media Representations," 312.

³³⁶ Thomas Hegghammer, *The Iraq Hostage Crisis: Abductions in Iraq, April-August 2004*, FFI/RAPPORT-2004/03105 (Kjeller, Norway: Norwegian Defence Research Establishment, 2004), 24, <https://ffi-publikasjoner.archive.knowledgearc.net/bitstream/handle/20.500.12242/1772/04-03105.pdf>.

Table 4. American Cases of Abduction

Date	Hostage Name	Nationality/ Occupation	Location of Abduction (Host Nation)	Kidnappers Identity	Terrorist First Demand / Second Demand	Outcome of the Hostage Crisis	Probability of Ransom Payment	Hostage Crisis Duration
11-26-2005	Tom Fox	American/ Peace activist	Iraq	The Swords of Righteousness Brigade	Prisoner release/ Ransom	Executed	None	102 days
1-7-2006	Jill Carroll	American/ Journalist	Iraq	The Vengeance Brigade	Prisoner release/ Ransom	Released	Low/ likely through diplomacy + unofficial prisoner release	81 days
10-25-2011	Jessica Buchanan	American/ Aid worker	Somalia	Group linked to Al-Shabab	Ransom	Rescued	None	3 months
9-2013	Luke Somers	American/ Journalist	Yemen	AQAP	Ransom	Killed while being rescued	None	> 14 months
11-22-2012	James Foley	American/ Journalist	Syria and Iraq	ISIS	Ransom	Executed	None	>21 months

The second incident was the kidnapping of a freelance journalist, Jill Carroll, in Baghdad. On January 7, 2006, Carroll was kidnapped, and her interpreter, A. Enwiyah, was shot down as they left the building of A. Dulaimi, a Sunni politician with whom Carroll hoped to have an interview.³³⁷ She made the news, as she was the only American woman held captive in Iraq at the time.³³⁸ The hostage-takers, the Vengeance Brigade, demanded that the Iraqi and U.S. authorities release all Iraqi female prisoners by February 26, otherwise they would execute the hostage.³³⁹ On February 28, the Iraqi interior minister declared that Carroll was alive and would be released soon.³⁴⁰ According to the proprietor of the Al Rai satellite station, Jassem Boudai, the demands of the kidnappers were “more precise” than the release of all Iraqi women prisoners.³⁴¹ He also suspected that Carroll’s abductors were also the ones who kidnapped two Italian humanitarians in September 2004 and demanded a \$1 million ransom.³⁴² Carroll was freed on March 30 in front of the office of an Iraqi politician who had been calling for her release.³⁴³ First, a U.S. government official told CNN that a hostage negotiation group in Baghdad made a “significant effort” on Carroll’s case.³⁴⁴ In contrast, the U.S. ambassador to Iraq, Zalmay Mamozy Khalilzad, stated that “no American officials engaged in any negotiations with anyone” to gain Carroll’s liberation.³⁴⁵ When asked about the release of Carroll, President George W. Bush stated, “Thank God--- thank those who worked hard for her release...”³⁴⁶ Five Iraqi female

³³⁷ Kirk Semple, “American Reporter Kidnapped in Baghdad Is Released,” *New York Times*, March 30, 2006, sec. World, <https://www.nytimes.com/2006/03/30/international/american-reporter-kidnapped-in-baghdad-is-released.html>.

³³⁸ Semple.

³³⁹ Semple.

³⁴⁰ Semple.

³⁴¹ “Carroll’s Kidnappers Set New Deadline,” CBS News, February 10, 2006, <https://www.cbsnews.com/news/carrolls-kidnappers-set-new-deadline/>.

³⁴² “Kidnappers Set Feb. 26 Deadline,” *Deseret News*, February 10, 2006, <https://www.deseret.com/2006/2/11/19937684/kidnappers-set-feb-26-deadline>.

³⁴³ “Carroll Walks Unharmed into Sunni Party Office,” CNN World, March 31, 2006, <http://www.cnn.com/2006/WORLD/meast/03/30/carroll/>.

³⁴⁴ CNN.

³⁴⁵ Semple, “American Reporter Kidnapped in Baghdad Is Released.”

³⁴⁶ Semple.

prisoners were discharged by the U.S. authorities, but U.S. officials said that this was routine and unrelated to Carroll's release.³⁴⁷ Even if it was known that the hostage-takers would demand a ransom, it seems that the United States did not pay a ransom but may have secured Carroll's release through diplomatic pressure and the release of a few female Iraqi prisoners.

The third case study is the abduction of Jessica Buchanan, a 32-year-old American humanitarian worker, and Poul Thisted, her Danish colleague, who both worked for the Danish Refugee Council.³⁴⁸ On October 25, 2011, the two aid workers were intercepted on the road in central Somalia, a chaotic region rife with bandits and Al-Shabab-affiliated terrorist groups.³⁴⁹ The hostage-takers were criminals who demanded a \$10 million ransom.³⁵⁰ The greatest concerns were that the abductors were linked to Al-Shabab and would either sell the hostages or use the ransom to support terrorist attacks. The hostage-takers started a long negotiation with the Danish Refugee Council liaison bureau in Kenya. Buchanan's case became urgent, as she suffered a bad kidney infection. On January 25, 2013, the Obama administration ordered a rescue mission led by the U.S. elite rescue team, the Navy SEAL, who successfully rescued the two hostages and killed a group of nine hostage-takers.³⁵¹ A U.S. helicopter transported the freed hostages to a U.S. airbase in Djibouti.³⁵² President Obama commented on this success by stating that "the United States will not tolerate the abduction of our people and will spare no effort to secure the safety of our citizens and to bring their captors to justice."³⁵³

³⁴⁷ CNN, "Carroll Walks Unharmed into Sunni Party Office."

³⁴⁸ Karen DeYoung and Greg Jaffe, "Navy SEALs Rescue Kidnapped Aid Workers Jessica Buchanan and Poul Hagen Thisted in Somalia," *Washington Post*, January 25, 2012, sec. National Security, https://www.washingtonpost.com/world/national-security/us-forces-rescue-kidnapped-aid-workers-jessica-buchanan-and-poul-hagen-thisted-in-somalia/2012/01/25/gIQA7WopPQ_story.html.

³⁴⁹ DeYoung and Jaffe.

³⁵⁰ DeYoung and Jaffe.

³⁵¹ Chris Lawrence, "U.S. Special Forces Rescue Somalia Aid Workers," CNN, January 25, 2012, <https://www.cnn.com/2012/01/25/world/africa/somalia-aid-workers/index.html>.

³⁵² Lawrence.

³⁵³ Lawrence.

The fourth kidnapping case occurred in September 2013 in Yemen. Luke Somers, a 33-year-old U.S. photojournalist for *The Yemen Times*, was abducted from Sanaa by a group affiliated with Al-Qaeda in the Arabian Peninsula, AQAP, known for kidnapping for ransom.³⁵⁴ On November 25, 2014, a U.S. Special Forces mission in Yemen rescued eight hostages held in a mountain cave by AQAP militants.³⁵⁵ Sadly, Somers's kidnappers had relocated him before the raid. Bernadette Meehan, the spokesperson for the U.S. National Security Council, indicated that the mission's objective was to rescue Somers.³⁵⁶ On December 4, 2014, Somers appeared in a video asking for his life; the video also showed an AQAP leader threatening U.S. officials that they had 72 hours to satisfy their demands or Somers would be executed.³⁵⁷ On December 5, 2014, a second U.S. rescue operation was launched to free Somers, but it failed as the hostage-takers fatally wounded both Somers and Pierre Korkie, a South African hostage, whose presence was not known to the U.S. Navy SEALs.³⁵⁸ AQAP had previously kidnapped Korkie and his wife and asked for a ransom of \$3 million.³⁵⁹ Korkie's organization, Gift of the Givers, allegedly paid a \$200,000 ransom and expected to recover Korkie before the ultimatum.³⁶⁰ President Obama reacted to the tragic loss of the hostage by stating, "...I am grateful to the U.S. forces who carried out this mission as well as the previous attempt to rescue Luke, and to the dedicated intelligence...who supported their efforts...and I reiterate our strong

³⁵⁴ Karen DeYoung and Adam Goldman, "U.S. Hostage Luke Somers, South African Pierre Korkie Killed in Yemen," *Washington Post*, December 6, 2014, sec. World, https://www.washingtonpost.com/world/hagel-us-hostage-murdered-in-yemen/2014/12/06/959c0e4c-7d33-11e4-9a27-6fdb612bff8_story.html.

³⁵⁵ "U.S.-Led Hostage Rescues Rarely Successful, Always Dangerous," CBS News, December 8, 2014, <https://www.cbsnews.com/news/u-s-led-hostage-rescues-rarely-successful-always-dangerous/>.

³⁵⁶ "U.S. Discloses Failed Attempt to Rescue American in Yemen," Reuters, December 4, 2014, <https://www.reuters.com/article/us-mideast-crisis-yemen-usa-idUSKCN0JI0Y320141204>.

³⁵⁷ Reuters Staff.

³⁵⁸ DeYoung and Goldman, "U.S. Hostage Luke Somers."

³⁵⁹ "Yemen Militants Demand Ransom for South African," AP News, January 21, 2014, <https://apnews.com/article/7a244323d60b410d9faaba5819f77bf4>.

³⁶⁰ Rukmini Callimachi, "At 6, Awaiting Hostage's Release. After 8, Learning That He's Dead.," *The New York Times*, December 8, 2014, sec. World, <https://www.nytimes.com/2014/12/08/world/middleeast/hostage-nearly-free-on-ransom-killed-during-seal-raid.html>.

commitment to combating the shared threat posed by AQAP.”³⁶¹ In this case, Obama’s administration was resolute in its refusal to pay ransoms and favored rescue missions despite their high risk nature.

The fifth abduction case occurred in northern Syria on November 22, 2012. ISIS kidnapped James Foley, an American war correspondent for GlobalPost, an online digital media. One year later, both his family and his employer got an email from ISIS confirming that he was alive and asking for a \$132 million ransom.³⁶² Mr. Balboni, the CEO of GlobalPost, stated that the ransom demanded by ISIS was not serious because other Western hostages were allegedly released for less than \$5 million.³⁶³ ISIS sent ten emails to Foley’s family, in which their demands varied from a change in U.S. foreign policy to the release of prisoners, before settling on a ransom demand.³⁶⁴ On July 4, 2014, the U.S. government tried to rescue Foley and other Western hostages at an abandoned oil refinery in Syria; however, the mission failed because the hostages were not there.³⁶⁵ ISIS sent the final email to the Foleys on August 13, 2014, which included a death threat against Foley in retaliation for U.S. airstrikes against it.³⁶⁶ On August 20, 2014, a video showing the gruesome killing of Foley by a foreign ISIS fighter was condemned internationally. According to *The Guardian*, at least two million people watched Foley’s murder video in less than 24 hours before Google and Twitter removed it.³⁶⁷ ISIS made their demands

³⁶¹ Barack Obama, “Statement by the President on the Death of Luke Somers,” White House – Barack Obama, December 6, 2014, <https://obamawhitehouse.archives.gov/the-press-office/2014/12/06/statement-president-death-luke-somers>.

³⁶² James Gordon Meek, Rhonda Schwartz, and Brian Ross, “Could Money Have Saved James Foley? ISIS ‘Wasn’t Serious’ About Demands, Officials Say,” ABC News, August 21, 2014, <https://abcnews.go.com/Blotter/james-foley-money-saved-us-journalist-isis-wasnt/story?id=25073010>.

³⁶³ Chelsea J. Carter, Barbara Starr, and Ashley Fantz, “James Foley’s Final Months: Mock Executions, Failed Rescue Attempt,” CNN, August 22, 2014, <https://www.cnn.com/2014/08/21/world/meast/isis-james-foley/index.html>.

³⁶⁴ Meek, Schwartz, and Ross, “Could Money Have Saved James Foley?”

³⁶⁵ Brian Ross and James Gordon Meek, “US Military Launched Secret Rescue Operation in Syria for James Foley, Other Americans,” ABC News, August 20, 2014, <https://abcnews.go.com/Blotter/james-foley-us-military-launched-secret-rescue-operation/story?id=25060796>.

³⁶⁶ Carter, Starr, and Fantz, “James Foley’s Final Months.”

³⁶⁷ Charles Arthur, “Naked Celebrity Pics and the James Foley Video: How Many Have Clicked?,” *The Guardian*, September 3, 2014, sec. Technology, <https://www.theguardian.com/technology/2014/sep/03/naked-celebrity-pictures-james-foley-jennifer-lawrence-how-many-viewed>.

unachievable; they were most likely uninterested in ransom negotiations because they assumed that the publicity generated by Foley’s execution would better serve their goals of spreading terror, attracting more recruits, and delegitimizing U.S. leaders.³⁶⁸ Following this tragic case, President Obama introduced a change in U.S. hostage policy that would absolve hostage families of legal prosecution in the event of a ransom payment.³⁶⁹

B. THE RESPONSE TO HOSTAGE CRISES AND POTENTIAL DECISION-MAKING DRIVERS

1. Policy Legacy

The United States has consistently adhered to its policy of not paying ransoms from 2002 to 2015.³⁷⁰ According to both credible sources and even diplomatic leaks, no ransom payments were made to terrorist groups. During this time period, the only recorded concessions linked to U.S. administrations were prisoner exchanges with the Taliban for a U.S. serviceman and with Iran and China for U.S. citizens unjustly detained.³⁷¹ This is in contrast to before 2001, when the U.S. no-ransom policy was more of a slogan than a policy.³⁷² The U.S. no-ransom policy is based on denying the harm caused by the ransom, weighing the lives of the hostages against those who may be at greater risk.³⁷³ The more consistent U.S. no-ransom policy since 2001 stems from U.S. no-ransom policy legacy. To support this claim, I provide a brief overview of U.S. policy toward ransom payments since the 1950s. I recount this policy from a broader perspective, as U.S. policymakers frequently referred to it as no-concessions policy rather than no-ransom policy. Still, the no-ransom policy is unequivocally embodied in a much broader no-concessions policy.

³⁶⁸ Mellon, Bergen, and Sterman, *To Pay Ransom or Not to Pay Ransom?*, 11.

³⁶⁹ Julie Hirschfeld Davis, “Obama Ordering Changes in U.S. Hostage Policies,” *New York Times*, June 23, 2015, sec. World, <https://www.nytimes.com/2015/06/24/world/obama-ordering-changes-in-us-hostage-policies.html>.

³⁷⁰ Brandt, George, and Sandler, “Why Concessions Should Not Be Made,” 46.

³⁷¹ Mellon, Bergen, and Sterman, *To Pay Ransom or Not to Pay Ransom?*, 8.

³⁷² Simon, *We Want to Negotiate*, 92.

³⁷³ Mellon, Bergen, and Sterman, *To Pay Ransom or Not to Pay Ransom?*, 12.

U.S. presidents through the 1950s and 1960s refused to make concessions to free hostages. First, President Dwight Eisenhower refused to make concessions in order to recover American hostages in East Germany and China for foreign policy or publicity reasons.³⁷⁴ His secretary of state, John Dulles, stated that “the U.S. will not make any concessions to free its citizens, who are being held hostage.”³⁷⁵ Eisenhower adopted the policy of patient hostage-recovery. He responded to each abduction with an adequate response depending on the context and did not try to make decisions to please Congress, which called for a tough and immediate response.³⁷⁶ He was fortunate to have a brief hostage situation and little media coverage compared to modern 24/7 broadcast media. For Eisenhower’s successors, the development of transportation, communication technologies and the spread of transnational terrorism would pose greater challenges.³⁷⁷ In the 1960s, President Lyndon Johnson pursued a pragmatic policy that acknowledged the *fait accompli* and focused on recovering hostages without making concessions to enemies, such as when North Korea detained the crew of the U.S. Navy ship “Pueblo.”³⁷⁸

In the 1970s, President Richard Nixon anchored the U.S. no-ransom policy by prioritizing U.S. foreign and defense policy interests. When he was confronted by an unprecedented spike in abductions, he enacted a tough, military-backed hostage recovery policy.³⁷⁹ Since then, U.S. decision-makers have struggled to free hostages without yielding U.S. principles.³⁸⁰ The legacy of Nixon’s no-ransom policy was not consistently followed, but rather served as a facade to emphasize the determination of U.S. administrations to combat terrorism.³⁸¹ U.S. administrations would also pursue the strategy of denial of concessions, a common tactic to maintain U.S. prestige while pressing

³⁷⁴ Simon, *The Terrorist Trap*, 56.

³⁷⁵ Simon, 56.

³⁷⁶ Simon, 58.

³⁷⁷ Simon, 59.

³⁷⁸ Simon, 95.

³⁷⁹ Simon, 102.

³⁸⁰ Simon, 105.

³⁸¹ Simon, 110.

governments firmly to ensure the safety of U.S. diplomats on their soil and implying that they could pay ransoms .³⁸²

In 1979, the Iranian hostage crisis proved to be a trap for President Jimmy Carter, leading to a decline in his popularity and contributing to his electoral defeat. His diplomacy approach failed to resolve hostage crises abroad; he also failed to usher in a new moral era in U.S. hostage recovery policy.³⁸³ Jack Valenti, President Johnson’s assistant, criticized Carter for acting in practice as if “the lives of hostages always come first,” despite Carter’s assertion that “the honor of the country comes first before the lives of the hostages.”³⁸⁴ A few days after his election, President Ronald Reagan set the precedent of greeting freed American hostages held at the U.S. embassy in Tehran at the airport.³⁸⁵ He declared that his “policy will be swifter and more effective” than Carter’s patient and standstill policy.³⁸⁶ Reagan attempted to project a tough stance during the abduction crises, but he made covert concessions such as the Iran Arms Deal to secure the release of American citizens kidnapped by pro-Iranian groups in Lebanon.³⁸⁷ Reagan’s Secretary of State, George Shultz, explained the core of the U.S. no-ransom policy by stating, “The U.S. firm response to hostage taking is based on lowering the value of hostages and increasing the cost of the attack for the hostage takers.”³⁸⁸ On this ground, National Security Decision Directive 207 was issued in 1986 under the direction of Vice President George H.W. Bush, which institutionalized the no-ransom policy and insured it would not be revised.³⁸⁹ In 1988, the Bush administration reinforced the no-ransom policy legacy by acknowledging that, despite its short-term effects, it preserved national security in the long run .³⁹⁰ In the

³⁸² Jenkins, *Does the U.S. No-Concessions Policy Deter Kidnappings*, 1,5.

³⁸³ Simon, *The Terrorist Trap*, 122.

³⁸⁴ Simon, 137.

³⁸⁵ Simon, 144.

³⁸⁶ Simon, 167.

³⁸⁷ Simon, 166.

³⁸⁸ Simon, 181.

³⁸⁹ White House, *The National Program for Combatting Terrorism*, NSDD-207 (Washington, DC: White House, 1986), 1,2, <https://nsarchive2.gwu.edu/NSAEBB/NSAEBB55/nsdd207.pdf>.

³⁹⁰ Simon, *The Terrorist Trap*, 235.

late 1990s, President Clinton reaffirmed, through Presidential Decision Directive 39, that the United States would not pay any ransom to terrorists.³⁹¹

Based on the George W. Bush administration's reaffirmation of Clinton's no-ransom policy and its own decisions in previous hostage incidents, policy legacy probably influenced its refusal to pay ransoms in the hostage cases in Iraq. As John Bolton, the U.S. ambassador to the UN in 2006, asserted, "It has long been America's unwavering, bipartisan policy not to negotiate with terrorists, especially for the exchange of hostages."³⁹² Despite partisan differences, President Bush supported President Clinton's previous initiative regarding how federal agencies should respond to hostage-taking crises.³⁹³ In 2002, he appointed General (Ret.) Wayne Downing to lead a team of experts to formulate National Security Presidential Directive 12 (NSPD-12, U.S. Citizens Taken Hostage Abroad).³⁹⁴ The NSPD-12 procedures have remained classified due to their sensitivity, but their core is to reaffirm the legacy of the no-ransom policy while considering various types of hostage-taking.³⁹⁵ In both the Fox and Carroll cases, the Bush administration was influenced by its own legacy, as evidenced by its no-ransom policy in Iraq between 2003 and 2006, where 13 Americans were kidnapped; four, including Tom Fox, were killed, four were freed, and five had an uncertain fate.³⁹⁶ After Fox's killing, the U.S. State Department demanded the release of the remaining hostages without

³⁹¹ William J. Clinton, "U.S. Policy on Counterterrorism (U) [PDD-39]," Presidential Decision Directives, June 21, 1995, 1,2, <https://irp.fas.org/offdocs/pdd39.htm>.

³⁹² John Bolton, "The High Cost of Obama's Reckless Taliban Swap," *New York Post*, June 2, 2014, <https://nypost.com/2014/06/02/the-high-cost-of-obamas-reckless-taliban-swap/>.

³⁹³ Judith Miller, "U.S. Plans to Act More Rigorously in Hostage Cases," *New York Times*, February 18, 2002, sec. World, <https://www.nytimes.com/2002/02/18/world/us-plans-to-act-more-rigorously-in-hostage-cases.html>.

³⁹⁴ George W. Bush, "National Security Presidential Directives [NSPD] George W. Bush Administration," Federation of American Scientists, December 17, 2019, <https://irp.fas.org/offdocs/nspd/index.html>.

³⁹⁵ Cynthia Loertscher, *Bringing Americans Home 2021: A Nongovernmental Assessment of U.S. Hostage Policy and Family Engagement* (Washington, DC: New America, 2021), 20, <http://newamerica.org/international-security/reports/bringing-americans-home-2021/>.

³⁹⁶ O'Hanlon and Kamons, *Iraq Index Tracking Variables of Reconstruction*, 17.

conditions.³⁹⁷ Instead of breaking the no-ransom policy legacy to free U.S. journalist Jill Carroll, the Bush administration secured her freedom through Iraqi religious mediation and the alleged release of three female Iraqi inmates.³⁹⁸

The no-ransom policy enacted in NSPD 12 in 2002 and reiterated in 2008 probably influenced the Obama administration's decision to launch rescue missions for Buchanan, Foley, and Somers. When President Obama was elected in 2009, he inherited from his predecessor the NSPD-12, which was first drafted in 2002 and then revised in 2008.³⁹⁹ The 2008 version of the NSPD-12 reiterated the importance of refusing ransom payments and provided clear guidance to decision-makers to respond to hostage crises with rescue missions whenever possible. The annexes added to this directive illustrated the role of different U.S. departments in the prevention of hostage taking, preparation, and execution of the rescue mission.⁴⁰⁰ First, President Obama considered the rescue of Buchanan in Somalia the hallmark of U.S. rescue missions.⁴⁰¹ It has sent a clear message to U.S. adversaries that not only will the United States not pay ransoms, but it will prosecute anyone who ever threatens U.S. citizens.⁴⁰² The success of Buchanan's rescue mission bolstered the no-ransom policy legacy, demonstrating its viability and deterrent effect. In contrast, the failure of two rescue missions in less than six months, in the cases of Foley and Somers in Syria and Yemen, respectively, put into question the no-ransom policy legacy, driving President Obama to initiate a review of the U.S. hostage recovery policy in

³⁹⁷ "American Hostage Tom Fox Killed in Iraq," Fox News, January 13, 2015, <https://www.foxnews.com/story/american-hostage-tom-fox-killed-in-iraq>.

³⁹⁸ Mellon, Bergen, and Sterman, *To Pay Ransom or Not to Pay Ransom?*, 7.

³⁹⁹ Loertscher, *Bringing Americans Home 2021*.

⁴⁰⁰ Chad Sterr, "Strategic Rescue Vectoring Airpower Advocates to Embrace the Real Value of Personnel Recovery," *Air & Space Power Journal* 25, no. 3 (Fall 2011): 29,30, <https://original-ufdc.uflib.ufl.edu/AA00058216/00034>.

⁴⁰¹ DeYoung and Jaffe, "Navy SEALs Rescue Kidnapped Aid Workers."

⁴⁰² Barack Obama, "Statement by the President on Successful Hostage Rescue," White House – Barack Obama, January 25, 2012, <https://obamawhitehouse.archives.gov/the-press-office/2012/01/25/statement-president-successful-hostage-rescue>.

2015.⁴⁰³ This review resulted in the establishment of Presidential Policy Directive 30 (PPD-30), which reaffirmed the no-ransom policy but allowed family members to negotiate with hostage-takers without fear of prosecution and with limited help from the U.S. government.⁴⁰⁴ So far, two U.S. presidents from different parties have adhered to the no-ransom policy reiterated by the PPD-30.⁴⁰⁵ The amendments introduced in 2015 improved interagency coordination during hostage crises. Both the PPD-30 and the Levinson Hostage Recovery and Hostage-Taking Accountability Act of 2020 reinforce the U.S. no-ransom policy legacy.⁴⁰⁶

2. Military Capabilities and Alternatives

The Bush administration possessed significant military capabilities but lacked reliable tactical intelligence in Iraq, making adherence to the no-ransom policy difficult, as rescue missions in the cases of Fox and Carroll proved impossible. General Sir Frank Kitson argued in 1971 that “ if it is accepted that the problem of defeating the enemy consists very largely of finding him, it is easy to recognize the paramount importance of good information.”⁴⁰⁷ His assertions were applicable to hostage crises in Iraq. The rescue of Fox’s co-hostages by U.S.-led coalition forces a few days after the recovery of his dead body is symbolic of the frustration felt by decisionmakers as to the cost of maintaining the U.S. no-ransom policy, especially in the absence of reliable and timely intelligence. In 2005, the Bush administration spent \$79 billion, deployed at least 141,000 personnel, and had significant intelligence-collection assets; the Central Intelligence Agency (CIA) alone

⁴⁰³ Reuters Staff, “U.S. Discloses Failed Attempt to Rescue American in Yemen”; BBC News, “US Military Tried but Failed to Free Foley”; and Brian Michael Jenkins, “Why the U.S. Swaps Prisoners but Doesn’t Pay Ransom,” *The RAND Blog* (blog), September 2, 2014, <https://www.rand.org/blog/2014/09/why-the-us-swaps-prisoners-but-doesnt-pay-ransom.html>.

⁴⁰⁴ Loertscher, *Bringing Americans Home 2021*, 23,52-58,68,74.

⁴⁰⁵ Loertscher, 09,74.

⁴⁰⁶ Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act, S.712 (2020).

⁴⁰⁷ Frank Kitson, *Low Intensity Operations: Subversion, Insurgency, Peacekeeping* (London: Faber and Faber, 1971), 95, <https://files.libcom.org/files/low-intensity%20operations.pdf>.

counted more than 800 intelligence operatives in Iraq.⁴⁰⁸ The fact that fifty raids were executed on the homes of potential suspects prior to rescuing Fox's co-hostages demonstrates that intelligence agents were battling a lot of inaccurate information.⁴⁰⁹ Freeing Carroll without paying a ransom or firing a shot, on the other hand, reassured U.S. decision-makers that diplomacy was a viable option, despite its acknowledged low success rate.

The Obama administration, on the other hand, had at its disposal both military capabilities and actionable intelligence in Somalia, which probably influenced the decision to launch raids to rescue Buchanan instead of paying ransoms or making concessions. U.S. decisionmakers benefited from actionable intelligence that informed them about a "window of opportunity."⁴¹⁰ According to an Obama administration official, Buchanan's rescue mission was carried out by Navy SEAL Team 6, comprised of the most highly trained and experienced U.S. military personnel.⁴¹¹ Moreover, U.S. surveillance and support assets in Djibouti, within a short distance from the hostage location, were key in the planning and the success of the mission.

In 2013, Brian Jenkins pointed out the shift in the U.S. administration's policy as it opted for more special forces operations due to its growing capabilities in transforming promptly collected intelligence into operational opportunities.⁴¹² He predicted that rescue missions would be conducted for psychological deterrence and based on threat assessment, as statistics showed that 60% of hostages were killed by their captors if the ransom demand

⁴⁰⁸ Bruce Hoffman, *Insurgency and Counterinsurgency in Iraq* (Santa Monica, CA: RAND, 2004), 10; Amy Belasco, *The Cost of Iraq, Afghanistan, and Other Global War on Terror Operations Since 9/11*, CRS Report No. RL33110 (Washington, DC: Congressional Research Service, 2014), 14,15,83, <https://sgp.fas.org/crs/natsec/RL33110.pdf>.

⁴⁰⁹ Freeze, "Blessed Were the Peacemakers."

⁴¹⁰ DeYoung and Jaffe, "Navy SEALs Rescue Kidnapped Aid Workers."

⁴¹¹ DeYoung and Jaffe.

⁴¹² Brian Michael Jenkins, "How War on Terrorism Has Evolved," *The RAND Blog* (blog), October 24, 2013, <https://www.rand.org/blog/2013/10/how-war-on-terrorism-has-evolved.html>.

was not met, compared to 25% for rescue missions.⁴¹³ The Obama administration had the military capability to sustain its no-ransom policy, but inaccurate intelligence caused rescue missions to fail and fueled criticism about the viability of the no-ransom policy. The Obama administration possessed of significant military capability; it spent \$10 million per day and had at least 1,300 soldiers fighting ISIS.⁴¹⁴ If rescue missions are possible and successful, they end the hostage misery, deter future kidnappings, and reinforce the no-ransom policy legacy. However, they are complex, risky operations that often fail. Foley's rescue mission failed because of inaccurate intelligence; his captors had relocated him a few days prior to the raid. In the case of Somers, inaccurate intelligence also caused the failure of his first rescue mission and led to the failure of the second raid because his rescue team lacked the element of surprise, as Somers's kidnappers anticipated their arrival. According to a 2017 New America study, one out of every five hostages has died during a rescue mission since 2001, and six of the twelve hostages who perished during rescue operations were either American or British.⁴¹⁵

3. Domestic Implications of The Hostage Crisis

The abductions of Fox and Carroll by terrorist groups in Iraq had domestic ramifications in the United States. The American public opinion against making ransom payments reinforced the Bush administration's refusal to pay the ransom. At that time, the U.S. leaders aimed to send a strong message to American voters about their resolve to defeat terrorists rather than make humiliating concessions. In 2006, 2,178 U.S. soldiers had died in Iraq, and President Bush needed public support for his plan to boost the number of U.S. forces fighting Iraqi insurgents.⁴¹⁶ Brigitte L. Nacos argues, based on her research on

⁴¹³ Brian Michael Jenkins, "A Grim Choice: The Attempted Rescue of Hostages," *The RAND Blog* (blog), December 19, 2014, <https://www.rand.org/blog/2014/12/a-grim-choice-the-attempted-rescue-of-hostages.html>.

⁴¹⁴ Kristina Wong, "Cost of ISIS War Exceeds \$1B since June," *The Hill*, October 7, 2014, <https://thehill.com/policy/defense/219970-cost-of-isis-war-11-billion-since-june/>.

⁴¹⁵ Mellon, Bergen, and Sterman, *To Pay Ransom or Not to Pay Ransom?*, 5.

⁴¹⁶ Dexter Filkins, "844 in U.S. Military Killed in Iraq in 2005," *New York Times*, January 1, 2006, sec. U.S., <https://www.nytimes.com/2006/01/01/world/middleeast/844-in-us-military-killed-in-iraq-in-2005.html>.

the media and terrorism, that U.S. decision-makers, regardless of their political parties, were influenced by the prevalent and consistent public disapproval of ransom payments.⁴¹⁷ Opinion polls during hostage crises in the 1970s and 1980s indicated that the majority of Americans rejected paying ransom to terrorists.⁴¹⁸ Even when hostage-takers used the media to intimidate governments and sway public opinion, only a small percentage of Americans shifted their views in favor of negotiations, but they remained opposed to ransom payments. Moreover, the United States is a consolidated democracy, in which news of covert ransom payments would have inevitably leaked and undermined the popularity of U.S. leaders.

In the cases of Buchanan and Somers, popular rejection of ransom payments constrained the Obama administration, while widespread public support for rescue missions seemed to make them the best alternative. Although there is little evidence of public pressure to conduct rescue missions, the overall public sentiment enthusiastically supported rescue missions, especially in morally justified cases. First, U.S. leaders anticipated domestic criticism for ransom payments, as they are generally viewed by the public as humiliating concessions that fund terrorist groups. According to a 2014 Quinnipiac University survey, 70% of U.S. respondents rejected ransom payments.⁴¹⁹ In both the Somers and Buchanan cases, ransom was not an option because the hostage-takers were part of terrorist organizations well-known by the public for being on the Foreign Terrorist Organization list (FTO), AQAP, and a group affiliated with Al-Shabab.⁴²⁰ Second, the Obama administration ordered rescue missions despite the lack of domestic pressure to do so since the abductions of Buchanan and Somers were not widely publicized.⁴²¹ Further, Danielle. Gilbert and Lauren. Prather argue that U.S. leaders order

⁴¹⁷ Brigitte L. Nacos, *Terrorism and the Media* (New York: Columbia University Press, 1994), 79.

⁴¹⁸ Nacos, 10.

⁴¹⁹ Karlyn Bowman, "Paying Ransoms," American Enterprise Institute – AEI, December 16, 2014, <https://www.aei.org/multimedia/paying-ransoms/>.

⁴²⁰ "Foreign Terrorist Organizations," Terrorist Designations and State Sponsors of Terrorism, accessed January 14, 2023, <https://www.state.gov/foreign-terrorist-organizations/>.

⁴²¹ DeYoung and Jaffe, "Navy SEALs Rescue Kidnapped Aid Workers"; DeYoung and Goldman, "U.S. Hostage Luke Somers."

rescue missions more for the nation's prestige.⁴²² A 2016 survey of 1,300 Americans revealed that Americans support rescue missions, particularly for those deemed deserving of state assistance; as 72% of respondents supported rescue missions, with support rising to 84% for perceived deserving hostages who were on a mission and compliant with safety rules when abducted.⁴²³ According to Gilbert and Prather's findings, Buchanan, a white female aid worker, and Somers, a journalist both of whom respected the security precautions, met the conditions for broad public support, which might have comforted U.S. decisionmakers' stance regarding the cost and mission outcomes.⁴²⁴

James Foley's abduction had domestic implications, in refusing to yield to ISIS demands, which most likely influenced the Obama administration's decision not to pay ransoms to ISIS and instead launch a rescue mission. The posting of Foley's beheading on social media strengthened the American resolve to fight ISIS even harder instead of criticizing their government. In 2014, in response to the threat posed by ISIS, the Obama administration deployed a significant number of troops and assets to Iraq.⁴²⁵ As the midterm elections approached, the U.S. Democrat-led administration needed to send the right political message to their electorate, one that conveyed the administration's resolve to combat ISIS. Officials also had to ensure that their decisions aligned with the popular stance toward ISIS terrorists, as polls showed that Americans perceived ransom payments to jihadists as humiliating concessions and supported the no-ransom policy as they recognized its benefits. This is supported by numerous and diverse polls. First, the Reuters-IPSOS survey of 4,685 Americans conducted between August 12 and August 25 found that 62% supported the U.S. no-ransom policy while only 21% opposed it.⁴²⁶ Later in November of that year, Quinnipiac University polled 1,623 U.S. voters and found that 70%

⁴²² Danielle Gilbert and Lauren Prather, "No Man Left Behind? Explaining Public Support for Hostage Recovery," in *2019 Meeting of the Peace Science Society*, 2019, 3,4,15.

⁴²³ Gilbert and Prather, 22,23.

⁴²⁴ Gilbert and Prather, 27,28.

⁴²⁵ Zeke J. Miller, "Obama to Deploy Special Forces to Iraq," *Time*, June 19, 2014, <https://time.com/2901449/obama-iraq-isis-troops/>.

⁴²⁶ Kendall Breitman, "Poll: Most Back Not Paying Ransom," *POLITICO*, accessed January 15, 2023, <https://www.politico.com/story/2014/08/poll-us-ransom-policy-james-foley-110344>.

of respondents rejected ransom payments, and to a subsequent question, 83% claimed that ransom payments encourage additional abductions.⁴²⁷ These trends in U.S. public opinion shortly before and after the public airing of James Foley’s beheading reflect the growing public pressure for stricter adherence to the no-ransom policy and decisive military actions. This case was widely publicized, as a survey revealed that 94% of Americans were aware of Folley’ killing, more than any news in the previous five years.⁴²⁸ While ISIS aimed to undermine the U.S. leaders’ legitimacy using the media, it produced the opposite effect. After Foley’s murder, 74 percent of 1,000 U.S. voters polled by NBC and the Wall Street Journal supported military action against ISIS.⁴²⁹ Americans implicitly constrained their leaders from making concessions by supporting a coercive response to the ISIS threat.

4. Strategic Interests

The Bush administration had foreign, defense, and economic interests in Iraq—more than 150 000 U.S. nationals and 150 U.S. firms were present in Iraq—which probably influenced its refusal to pay ransoms in Fox and Carroll’s cases. U.S. leaders have to balance their desires to recover hostages with U.S. strategic interests such as foreign policy, defense, counterterrorism policy objectives, and economic interests. President George W. Bush stated, “We have to make a decision on sound principle.”⁴³⁰ First, U.S. foreign policy objectives consisted of demonstrating to both U.S. allies and foes the U.S. resolve to defeat terrorism and ensure Iraq’s democratic transition.⁴³¹ Hence, refusing to pay ransoms was crucial to maintaining U.S. prestige. It was also rich in political symbolism, since it emphasized U.S. reliability as a trusted ally by aligning its policy with its actions

⁴²⁷ “American Voters Split on Obama’s Immigration Move, Quinnipiac University National Poll Finds; President’s Approval Near All-Time Low,” Quinnipiac University Poll, November 25, 2014, <https://poll.qu.edu/Poll-Release-Legacy?releaseid=2115>.

⁴²⁸ Hart Research Associates, *NBC News/Wall Street Journal Survey Study #14901* (Washington, DC: Hart Research Associates, 2014), app. Q29a, <https://www.wsj.com/public/resources/documents/WSJNBCpoll09092014.pdf>.

⁴²⁹ Hart Research Associates, app. 29b.

⁴³⁰ Ivo H. Daalder and James M. Lindsay, *The Bush Revolution: The Remaking of America’s Foreign Policy* (Washington, DC: Brookings Institution, 2003), 4, <https://www.brookings.edu/wp-content/uploads/2016/06/20030425.pdf>.

⁴³¹ Daalder and Lindsay, 5.

and demonstrated that the United States was an implacable foe to terrorists attempting to influence its foreign policy.⁴³² Second, defense policy interests were at stake, as paying ransoms to free U.S. hostages would have endangered a larger number of U.S. nationals, because it would increase the terrorists' perception of success.⁴³³ The United States has a significant global footprint; U.S. leaders had to consider how their decision would affect the safety of 141,100 U.S. soldiers, 5,000 U.S. expats present in Iraq, and 1,000 U.S. embassy employees in Baghdad in 2006.⁴³⁴ In addition, almost 300,000 Americans resided in the Middle East.⁴³⁵ Third, U.S. economic interests in Iraq were at stake. Denying terrorist organizations' funding improves Iraqi security and indirectly benefits the U.S. economy. Investment prospects, the bilateral trade balance, and the significance of Iraqi oil output to U.S. energy security all reflect U.S. economic interests. As in 2006, over 150 U.S. firms were granted a combined total of \$78 billion in rebuilding contracts.⁴³⁶ The U.S. trade balance with Iraq at that time exceeded \$11.8 billion, compared to \$6 billion with Kuwait and \$240 million with Iran.⁴³⁷ Further, Iraq is a major oil producer, and its security is vital to oil affordability; the contrary leads to speculation; since according to

⁴³² Daalder and Lindsay, 7.

⁴³³ Mellon, Bergen, and Sterman, *To Pay Ransom or Not to Pay Ransom?*, 8.

⁴³⁴ Iraq Study Group, *The Iraq Study Group Report* (New York: Vintage Books, 2006), 7, <https://www.govinfo.gov/content/pkg/GPO-IRAQSTUDYGROUP/pdf/GPO-IRAQSTUDYGROUP.pdf>.

⁴³⁵ Amber Hobert, "What Country Has the Largest Population of American Expats?," *DakotaPost*, September 16, 2022, <https://www.dakotapost.net/blog/what-country-has-the-largest-population-of-american-expats#other-countries-with-american-expats>.

⁴³⁶ Antonia Juhasz, "The Corporate Occupation of Iraq," *Global Policy Forum*, December 11, 2006, <https://archive.globalpolicy.org/security/issues/iraq/contract/2006/1211occupation.htm>; Jackie Northam, "What Went Wrong with the Rebuilding of Iraq?," *NPR Morning Edition*, May 16, 2007, <https://www.npr.org/2007/05/16/10204557/what-went-wrong-with-the-rebuilding-of-iraq>.

⁴³⁷ "United States (USA) and Iraq (IRQ) Trade," *OECD – The Observatory of Economic Complexity*, accessed January 18, 2023, <https://oec.world/en/profile/bilateral-country/usa/partner/irq?dynamicBilateralTradeSelector=year2006>; "United States (USA) and Iran (IRN) Trade," *OECD – The Observatory of Economic Complexity*, accessed January 18, 2023, <https://oec.world/en/profile/bilateral-country/usa/partner/irn?dynamicBilateralTradeSelector=year2006>; and "United States (USA) and Kuwait (KWT) Trade," *OECD – The Observatory of Economic Complexity*, accessed January 18, 2023, <https://oec.world/en/profile/bilateral-country/usa/partner/kwt?dynamicBilateralTradeSelector=year2006&productSpaceYearSelector=year06>.

experts, a 20% decrease in Iraq's oil production results in a 10% increase in global oil prices.⁴³⁸

There were fewer strategic interests in Somalia and Yemen at the time of the Buchanan and Somers kidnappings. Still, no expats and minimal economic interests were a less compelling factor in the Obama administration's decision to launch rescue missions and refuse to pay ransoms. Ransom payments, if made, would probably have no direct impact on the safety of a large number of U.S. citizens, as the United States had a very limited presence in these two countries and the Department of State discouraged its citizens from traveling there.⁴³⁹ The United States had broad foreign policy interest in defeating Al-Qaeda affiliated groups and securing the Horn of Africa, but they represented a low threat compared to ISIS. When Buchanan was kidnapped, the U.S. Embassy in Mogadishu had been closed since 1991; there were no reported U.S. expats or military presence in Somalia. Similarly, the United States' presence in Yemen was minimal.⁴⁴⁰ The U.S. Embassy in Sanaa had few diplomats and was completely evacuated in 2015; a small U.S. military force was fighting Al-Qaeda in Yemen covertly, and some 600 U.S.-Yemeni dual nationals resided there.⁴⁴¹ Further, the United States had few economic interests; it traded only \$16 million with Somalia in 2012 and \$769 million with Yemen in 2014.⁴⁴²

⁴³⁸ Joint Economic Committee, *War at Any Price? The Total Economic Costs of the War beyond the Federal Budget* (Washington, DC: Congress, Senate, 2008), 11, https://www.jec.senate.gov/public/_cache/files/e8a3298d-0007-40c8-9293-8bdb74e6d318/febiraupdate0.pdf.

⁴³⁹ "Notice to All U.S. Citizens Residing in or Traveling to Yemen," U.S. Embassy in Yemen, February 24, 2015, <https://ye.usembassy.gov/notice-u-s-citizens-residing-traveling-yemen/>; "Somalia Travel Advisory," Department of State Travel Advisories, accessed January 20, 2023, <https://travel.state.gov/content/travel/en/traveladvisories/traveladvisories/somalia-travel-advisory.html>; and "US: Somalia Travel Warning," Hiiraan Online, December 27, 2012, http://www.hiiraan.com/news4/2012/Dec/27476/us_somalia_travel_warning.aspx.

⁴⁴⁰ Barbara Starr and Elise Labott, "US Military Plans for Possible Evacuation of Embassy in Yemen," CNN Politics, November 11, 2014, <https://www.cnn.com/2014/11/11/politics/yemen-us-embassy-evacuation-plan/index.html>.

⁴⁴¹ Umar A. Farooq, "Americans in Yemen Left to Fend for Themselves and Find Own Way Home," Middle East Eye, October 22, 2020, <http://www.middleeasteye.net/news/americans-remain-stranded-yemen-over-expired-travel-documents>.

⁴⁴² "United States (USA) and Somalia (SOM) Trade," OEC – The Observatory of Economic Complexity, accessed January 18, 2023, <https://oec.world/en/profile/bilateral-country/usa/partner/som?dynamicBilateralTradeSelector=year2012>; "Yemen (YEM) and United States (USA) Trade," OEC – The Observatory of Economic Complexity, accessed January 18, 2023, <https://oec.world/en/profile/bilateral-country/yem/partner/usa?dynamicBilateralTradeSelector=year2014>.

U.S. strategic interests such as defeating ISIS and ensuring the stability of friendly oil-producing states in the Middle East were a major influence on the Obama administration's decision to launch a rescue mission rather than pay ransom in Foley's case. U.S. strategic interests in Iraq and Syria were centered on defense, foreign policy objectives, and economic interests to a lesser extent.⁴⁴³ U.S. defense interests in defeating ISIS were indisputable, as ISIS posed a genuine worldwide threat to the United States' closest allies, from the Philippines to Britain. ISIS was able to export terrorism to Europe by motivating homegrown extremists or foreign fighters returning to Europe without the need for an entry visa. Long-term, ISIS would have used Iraq and Syria as a launching pad for terrorist strikes against the West, given its control over an area larger than Indiana, its estimated \$2 billion in assets, and its mastery of social media recruitment of jihadists.⁴⁴⁴ The destabilizing of oil-rich friendly governments in the Middle East by ISIS and its persecution of Syrian and Iraqi minorities were incompatible with U.S. foreign policy goals of supporting regional peace and stability. Refusing to pay ransom to ISIS in exchange for the release of James Foley was fraught with political symbolism, suggesting that the United States will not be coerced by ISIS, even at great cost. The U.S. administration's unwillingness to pay ransoms to ISIS was motivated by the country's significant footprint and economic interests in the Middle East, and Iraq particularly, since ransom payments would have encouraged terrorists to kidnap Americans residing in the Middle East if the chance arose. ISIS seized Northern Iraq's wealthy oil area, which had an impact on U.S. energy security and affordability since Iraq generated 10% of the world's oil. Facts demonstrate the significance of U.S. economic interests in Iraq, although they were modest in the case of Syria. In 2014, the United States traded \$ 14.5 billion with Iraq, and \$2.5

⁴⁴³ H.R. *The Growing Strategic Threat of ISIS*.

⁴⁴⁴ Carla E. Humud, Robert Pirog, and Liana Rosen, *Islamic State Financing and U.S. Policy Approaches*, CRS Report No. R43980 (Washington, DC: Congressional Research Service, 2015), 13, <https://sgp.fas.org/crs/terror/R43980.pdf>.

billion with Jordan compared to \$ 19 million with Syria due economic sanctions on the Syrian regime.⁴⁴⁵

C. CONCLUSION

Through the analysis of different partisan U.S. administrations' responses to hostage crises in different contexts, there are four major findings. First, the domestic implications were more compelling compared to other factors, as in the United States there is significant popular demand for the no-ransom policy. Different polls showed that most Americans, regardless of their political affiliation, consistently opposed ransom payments to terrorists, regarding them as humiliation, funding enemies, and an illegal act. By adhering to the no-ransom policy, U.S. leaders ensured that their decisions aligned with public opinion, as it sends a strong political message to their electorate that Americans are coercing terrorists rather than the opposite. This was especially compelling when the terrorist threat was high or when U.S. leaders needed public support for military interventions, mostly against the hostage-takers or their partners. Domestic politics do not appear to have affected decisions to conduct rescue missions as an alternative to paying ransoms, but Americans backed these decisions regardless of the missions' outcomes. Furthermore, there was no public demand for an exception to the no-ransom policy if the hostages were military personnel or journalists on a mission who followed the safety rules; however, there was greater support for the rescue mission, regardless of the cost and risks, because Americans viewed the hostages as deserving of the nation's assistance.

Second, the U.S. no-ransom policy legacy was influential on successive U.S. administrations' refusal to pay ransoms but also bolstered the American public's rejection of such payments. The recent U.S. no-ransom policy stems from U.S. policy legacy. Prior to 2001, the U.S. no-ransom policy was more of a facade, a symbol of the U.S. resolve to resist terrorist blackmail. However, successive directives (NSDD 207, PDD 39, NSPD 12,

⁴⁴⁵ "United States (USA) and Syria (SYR) Trade," OEC – The Observatory of Economic Complexity, accessed January 20, 2023, <https://oec.world/en/profile/bilateral-country/usa/partner/syr?dynamicBilateralTradeSelector=year2014>; "United States (USA) and Iraq (IRQ) Trade"; and "United States (USA) and Jordan (JOR) Trade," OEC – The Observatory of Economic Complexity, accessed January 20, 2023, <https://oec.world/en/profile/bilateral-country/usa/partner/jor?dynamicBilateralTradeSelector=year2014>.

and PPD 30) enacting the no-ransom policy reminded U.S. decision-makers of the no-ransom policy's legacy. President Bush adopted a firmer no-ransom policy compared to the one he inherited. His administration introduced amendments toward better agency coordination and planning of rescue missions. Despite two failed rescue missions, the Obama administration also maintained the no-ransom policy. It also passed amendments to U.S. hostage policy that did not challenge the core of the no-ransom policy but allowed hostage families to engage in direct negotiations with hostage takers without fear of legal prosecution, as well as improved government support for hostage families.

Third, having military capability with accurate tactical intelligence proved influential as it provided decisionmakers with the best alternative to ransom payments. When there was a window of opportunity, the U.S. administration carried out several successful raids on terrorist groups, which might have reinforced the no-ransom policy's legacy. However, when they failed, rescue missions fueled a need for policy adjustment without reviewing the core of the no-ransom policy. Moreover, military capabilities through rescue missions offered only a limited alternative to ransom payments because they frequently suffered from a lack of reliable tactical intelligence, or the "surprise effect."

Fourth, the U.S. leaders' refusal to pay ransoms was probably motivated by a need to protect U.S. foreign policy objectives and prestige while demonstrating that the United States is a reliable ally whose actions match its statements.⁴⁴⁶ During hostage crises, strategic considerations take primacy.⁴⁴⁷ Defense policy interests influenced consecutive U.S. administrations' refusal to "pay a ransom," which served as a deterrent to ISIS, AQAP, and Al-Shabaab and conveyed a strong message that the United States cannot be coerced. U.S. policymakers' consideration of America's large footprint in the Middle East influenced their refusal to pay ransoms, which advanced the security of a larger group over the cost of a few hostages.⁴⁴⁸ The logic is that paying ransom could have fueled more abductions if terrorists perceived it as a winning strategy. The importance of Iraqi oil

⁴⁴⁶ Simon, *The Terrorist Trap*, 128.

⁴⁴⁷ Mellon, Bergen, and Sterman, *To Pay Ransom or Not to Pay Ransom?*, 12.

⁴⁴⁸ Simon, *We Want to Negotiate*, 149.

production, which contributes to U.S. energy security and affordability, may have played a role in the U.S. administration's refusal to pay ransom in order to restore peace and stability in Iraq by denying terrorists financial support. However, having a small footprint and few economic interests in Somalia and Yemen did not influence ransom payments but rather led to a military response. The ISIS case study proved that sometimes terrorists are more interested in the media effect of executing a hostage than in the ransom, which pushes for reflection on how to deny this gain to terrorist groups.

V. CONCLUSION AND RECOMMENDATIONS

The main objective of the international ban on ransom payments, which is to drain terrorist organizations' funds, cannot be achieved without a well-designed and implemented strategy. Since this strategy is based on the collaboration of sovereign states, understanding what factors influence the leaders of those states to adhere or not adhere to the ransom ban can be helpful in achieving better results when addressing this complex problem. In this thesis, I explore 20 abduction cases of Western nationals kidnapped by terrorist groups between 2002 and 2015. The analysis and arguments presented in the preceding chapters show that four drivers influenced decision-makers in France, Spain, the United Kingdom, and the United States to varying degrees (weights) and that those influences intersect with each other. Domestic politics was the most compelling factor, likely influencing leaders' decisions in 18 of the 20 investigated incidents, followed by the influence of hostage recovery policy legacy in 16 cases, strategic interests in 12 cases, and military capability and tactical intelligence availability in six cases (refer to Table 5).

Table 5. Factors Influencing Government Leaders' Decisions to Pay or Refuse to Pay Ransom

Factors	France	Spain	UK	USA	Total
Domestic Implications of Hostage Crisis	4/6*	4/4*	5/5*	5/5*	18/20
Policy Legacy	4/6*	2/4	5/5*	5/5*	16/20
Strategic Interests	1/6	4/4*	4/5	3/5	12/20
Military Capabilities and Tactical Intelligence Availability	2/6	0/4	2/5	2/5	6/20

* Factor most weighing on leaders' decisions for solving hostage crises

First, public opinion and other political ramifications influenced French and Spanish leaders' decisions to pay covert ransoms and British and U.S. leaders' decisions to reject ransom payments. In the case of the French governments, hostage crises were highly politicized, as public sympathy toward the hostages rose quickly to become a popular demand pressing the French leaders for a prompt solution. This was especially fueled by the media and support committees, especially when one of the hostages was a journalist. However, when the hostage crises were not politicized, French leaders rejected ransom payments, opted for rescue missions, or delayed the ransom payment for several years. This was possible because French presidents were not constrained by their party, like their British counterparts were, nor did they face a greater degree of separation of powers that their American counterparts did.⁴⁴⁹ Political ramifications around hostage crises in Spain were less influential compared to France, but they likely influenced Spanish leaders' decisions to pay ransoms. The logic was that as long as hostages were safely recovered, Spanish leaders were relieved of domestic pressure about the best solution to choose in hostage crises. Spaniards probably did not rally to manifest their support for the hostages because their leaders clearly stated and acted as though recovering the hostages was their first priority, which reassured both the public and the media. For instance, there was no public pressure on the Spanish government to pay or reject ransom demands because ransom demands were not perceived a means to coerce Spanish foreign policy. The fact that the majority of hostages were from regions known to host separatist movements may have played a role in the Spanish governments' decisions to pay ransoms to prevent the spread of a narrative undermining Madrid's legitimacy, but still more evidence is needed to support this claim. Moreover, the public did not favor rescue missions as an alternative to ransom payments because an anti-military Spanish foreign intervention sentiment was prevalent among Spaniards in addition to the fresh memory of military losses in Iraq.

In contrast, the wide, consistent public rejection of ransom payments in the United States and the UK probably influenced the British and U.S. governments' refusal to pay

⁴⁴⁹ Hellmuth, *Counter Terrorism and the State*, 184.

ransoms as it conveyed the political symbolism of refusing to be coerced by the enemy. In the case of the UK, surveys showed that the majority of Britons supported more military actions than negotiations because of the perceived threat posed by terrorists.⁴⁵⁰ The British public's rejection of ransom payments influenced British leaders' refusal to pay ransoms because the opposite would have been political suicide. This was more compelling in light of the fact that British leaders were trying to gather public support to increase the number of troops deployed despite growing unpopularity over the Iraq War, controversy over Britain's poor military performance and human losses in Afghanistan, and heated debates over the appropriate response to the ISIS threat prior to elections. In the case of the United States, the public rejection of ransom payments was clearly supported by several polls, which probably influenced the U.S. leaders' refusal to pay ransoms. The U.S. leaders needed to align their decisions with the wide public rejection of conceding to terrorists' ransom demands, especially when the United States was engaged militarily in the country of the abduction or when the hostage takers were terrorists threatening the American nation or trying to coerce U.S. leaders to make a change in U.S. foreign policy.

Second, the policy legacy proved to be a strong driver (in 16 cases out of 20 studied cases) that influenced France, Spain, the UK, and the United States to either pay ransom or refuse to pay, even at a high cost. In the case of France, during the 1980s, French politicians set the precedent of using the release of hostages to increase their popularity by giving a happy ending to the hostage drama. They established the rite of greeting the hostages upon their arrival and making public statements, and since then, French leaders, regardless of their political affiliation, have followed this tradition. President Nicolas Sarkozy tried to move away from this policy legacy of paying ransoms with denying doing so, but his attempt to break this tradition failed. In the case of Spain, socialist Prime Minister Zapatero established a policy legacy of bringing Spaniards home, despite criticism from strategic allies over ransom payments. Prime Minister Zapatero's successors maintained the same policy of paying ransoms while publicly denying having done so as their predecessors had. For instance, Spain has the best record in terms of the rate of

⁴⁵⁰ Hellmuth, 242.

hostages brought safely home (100%).⁴⁵¹ In contrast, British leaders' refusal to pay ransoms was fueled by the no-ransom policy legacy, as they relied on previous governments' experiences and decisions whenever they were unprepared to deal with hostage crises. The British no-ransom policy was respected regardless of leaders' party affiliation, which in turn reinforced the policy's legacy. In the instance of the United States, the no-ransom policy has been a constraining policy legacy since 2001. This legacy was enacted by consecutive binding presidential directives. Moreover, this no-ransom policy legacy has withstood setbacks such as when rescue missions failed or when American hostages were killed while other Western hostages were reportedly released in exchange for ransoms.

Third, strategic interests such as foreign and defense policy interests, the number of expats exposed to the risk of kidnapping, and economic interests influenced the inclination of decision makers to pay or refuse to pay ransom (in 12 cases out of 20 studied cases). When strategic considerations were paramount, they bolstered the other drivers fueling the no-ransom policy (in 08 out of 20 studied cases). However, in the cases of the U.K. and the United States, low strategic interests in the Sahel, Yemen, and Somalia did not outweigh other drivers pushing for ransom payment refusals. In the instance of France, high strategic concerns were not strong enough to counter the intense public pressure that tolerated ransom payments. However, high strategic interests were more influential in refusing or delaying ransom payments when public and media pressure in favor of the hostage was weak. This was evident in the case of the French hostages kidnapped in the Sahel region. In the instance of Spain, there was little public pressure in favor of the abductees, but low strategic interests made the government's choice to make secret ransom payments politically viable.

Fourth, when governments had military capabilities within close range and accurate tactical intelligence to rescue their hostages, they offered their leaders an escape from the hostage dilemma. The combination of military capability and accurate tactical intelligence might have influenced Western leaders' decisions to pay or reject ransoms. When rescue

⁴⁵¹ Mellon, Bergen, and Sterman, *To Pay Ransom or Not to Pay Ransom?*, 4,6.

missions were successful, they reinforced the stance of U.S. and British leaders. However, French and Spanish leaders probably dismissed rescue missions due to their risky nature, the high failure rate, and the lack of accurate intelligence in favor of covert ransom payments. Also, the Spanish intelligence branch had money for its expenditures abroad, which might have facilitated the ransom payments.

The list of factors and arguments discussed in this thesis is not exhaustive. One argument worth investigating is the media coverage of hostage crises and media cultural differences, but future research can also shed light on other factors that are typical of one state or related to a specific context but do not apply to other states.

The appendix which follows this concluding chapter contains a set of policy recommendations tailored to Algerian policymakers and security experts, but certain of these recommendations can apply to a wide range of states.

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APPENDIX: ALGERIA

A. INTRODUCTION

I extend my thesis conclusion to address the question of how Algerian leaders could benefit from my research. I first review the Algerian stance on KFR and ransom payments to terrorist organizations. Then, I examine how the Algerian authorities responded to kidnappings of Western nationals in the Algerian Sahara Desert and kidnappings of Algerian nationals abroad. My analysis of the Algerian government response's to three kidnapping incidents shows that it adhered to the international ban on ransom payments because of the no-ransom policy legacy enshrined in domestic law and because foreign and defense policy objectives were at stake. I conclude this chapter with policy recommendations to improve the prevention, deterrence, and resilience to kidnappings.

Algerian leaders place great importance to states' adherence to the international ban on ransom payments to terrorist groups. One reason is that the Algerian government is wholeheartedly engaged in counterterrorism operations to contain remnants of AQIM-affiliated groups along its southern borders with Libya, Mali, and Niger. Algeria was directly affected by the ransoms paid by some European governments between 2003 and 2012, as the surge in terrorist attacks following these ransom payments is well documented.⁴⁵² These Algerian-partner governments chose to pay covert ransoms while probably underestimating the long-term consequences of their decisions. For instance, AQIM and its splinter group, MUJWA, used ransoms paid by European governments to fund their attacks on economic installations (Tiguentourine 2013) and car bombings on law enforcement buildings in southern Algeria (Tamanrasset 2012).⁴⁵³

⁴⁵² Mellon, Bergen, and Sterman, 10,11,13.

Luca Raineri and Francesco Strazzari, "State, Secession, and Jihad: The Micropolitical Economy of Conflict in Northern Mali," *African Security* 8, no. 4 (2015): 253,257-259,261, <https://www.jstor.org/stable/48598909>; David Cohen, "Remarks of Under Secretary David Cohen at Chatham House on 'Kidnapping for Ransom: The Growing Terrorist Financing Challenge,'" U.S. Department of the Treasury, January 23, 2023, <https://home.treasury.gov/news/press-releases/tg1726>.

B. ALGERIAN AUTHORITIES' RESPONSE TO KIDNAPPING INCIDENTS

I examine three cases of abduction in different contexts between 2003 and 2014. I study initially the Algerian government response to the abduction of Western tourists in the Algerian Desert in 2003, then the kidnapping of Algerians abroad: diplomats kidnapped and murdered by AQI in Iraq in 2005, and diplomats kidnapped by MUJWA in Mali in 2012.

The first kidnapping occurred in February 2003, when the Salafist Group for Preaching and Combat (GSPC), led by former Algerian paratrooper Amar Saifi, also known as Abdel Razzak Elpara, abducted 32 European tourists who had illegally entered Algeria with the alleged motive of stealing antiquities.⁴⁵⁴ The abductees were from Germany, Austria, Switzerland, the Netherlands, and Sweden.⁴⁵⁵ To recover them, the Algerian government led a massive joint military campaign across the vast Sahara Desert. On May 13, after three months, the Algerian security forces were able to locate the hostages. Following a raid led by Algerian special forces, a first group of 17 hostages was freed.⁴⁵⁶ Nonetheless, the terrorist leader managed to escape, taking with him 15 hostages to the northern region of Mali. Meanwhile, Germany and Austria attempted to negotiate the hostages' release in secret via intermediaries (Malian and Libyan authorities).⁴⁵⁷ Finally, on August 18, 14 of the remaining captives were released in exchange for a \$6 million secret ransom at the Algerian-Mali border; one German died of sunburn.⁴⁵⁸

The second incident occurred on July 21, 2005, when Al-Qaeda in Iraq (AQI) seized two Algerian diplomats working at the Algerian Embassy in Baghdad: Ali Laroussi

⁴⁵⁴ Salima Mellah & Jean-Baptiste Rivoire, "El Para, the Maghreb's Bin Laden," *Le Monde Diplomatique*, February 1, 2005, <https://mondediplo.com/2005/02/04algeria>.

⁴⁵⁵ Craig Whitlock, "'Bin Laden of the Sahara' Captured in Chad," NBC News, October 28, 2006, <https://www.nbcnews.com/id/wbna15453201>.

⁴⁵⁶ Whitlock.

⁴⁵⁷ Swissinfo, "Les Otages du Sahara sur Le Chemin du Retour [the Hostages of the Sahara on Their Way Back]," SWI swissinfo.ch, August 19, 2003, <https://www.swissinfo.ch/fre/les-otages-du-sahara-sur-le-chemin-du-retour/3466362>.

⁴⁵⁸ Whitlock, "Bin Laden of the Sahara."

and Azzedine Belkadi.⁴⁵⁹ The hostage-takers attempted to deny the newly created Iraqi government international legitimacy by compelling representatives of foreign countries to leave the country. Six days later, AQI declared the execution of the captives in support of the Algerian-based terrorist group GSPC and as punishment for Algeria's cooperation with what they called "western conquerors."⁴⁶⁰ Algerian authorities withdrew diplomatic personnel and stated that this crime would not go unpunished.⁴⁶¹

The third abduction case occurred on April 5, 2012, when militants affiliated with MUJWA took control of the Algerian consulate in Gao and abducted the Algerian consul along with six other Algerian consulate personnel.⁴⁶² At that time, the terrorist organization MUJWA and a group of Tuareg militants were leading an uprising against the Malian government. The kidnappers sought 15 million euros for the captives' release, but the Algerian government refused and restated its stance on ransom payments.⁴⁶³ While the Algerian interior minister asserted the government's resolve by stating that "Algeria never negotiates with terrorists," the Foreign Minister, Mourad Medleci, reassured the hostages' families that "there are other parties in the region who are trying to find a solution to the problem, and if there is to be mediation, it requires confidentiality."⁴⁶⁴ Further, an official of the Arab Movement of Azawad (MAA), Ali Zaoui, revealed that the MAA played the role of mediator with the kidnappers and successfully obtained the liberation of the

⁴⁵⁹ Edward Wong, "Gunmen Abduct Algeria's Top Diplomat and a Colleague in Baghdad," *New York Times*, July 22, 2005, sec. U.S., <https://www.nytimes.com/2005/07/22/world/middleeast/gunmen-abduct-algerias-top-diplomat-and-a-colleague-in.html>.

⁴⁶⁰ Aljazeera, "Algeria Confirms Iraq Envoys Killed," July 27, 2005, <https://www.aljazeera.com/news/2005/7/27/algeria-confirms-iraq-envoys-killed>; Jean-Pierre Filiu, "The Local and Global Jihad of Al-Qa'ida in the Islamic Maghrib," *Middle East Journal* 63, no. 2 (2009): 222, <https://www.jstor.org/stable/25482634>.

⁴⁶¹ Aljazeera, "Algeria Confirms Iraq Envoys Killed."

⁴⁶² Algerian Press Service, "Les Deux Derniers Otages Algériens Enlevés à Gao Enfin Libérés [last Two Algerian Hostages Kidnapped in Gao Finally Freed]," *Le Matin d'Algérie*, August 30, 2014, <https://www.lematindz.net/news/15075-les-deux-derniers-otages-algeriens-enleves-a-gao-enfin-liberes.html>.

⁴⁶³ Ahmed Mesbah, "L'Algérie ne s'y Pliera Pas [Algeria Will not Give in]," *L'Expression*, May 3, 2012, <https://www.lexpressiondz.com/nationale/lalgerie-ne-sy-pliera-pas-153027>.

⁴⁶⁴ Mesbah.

Algerian diplomats while affirming that no ransom was paid.⁴⁶⁵ Though the captives were freed after 28 months, two of them perished in the process. The terrorists murdered Taher Touati, and the consul, Boualem Saies, died as his health deteriorated.⁴⁶⁶

C. ANALYSIS

Algeria clearly adhered to the international ban on ransom payments. Using open sources, my research did not uncover any report, allegation, or press release supporting the claim that the Algerian government paid a ransom to terrorist organizations. The analysis of the first incident demonstrates that the Algerian government was committed to repressing and deterring terrorists rather than conceding to their demands since the kidnapping occurred on its soil. Moreover, the Algerian government sought to gain international prestige by rescuing the hostages, but not to the extent of giving in to terrorist coercion. The Algerian government, pressed by European governments, tolerated European governments negotiating with the kidnappers but did not change its stance on ransom payments as it continued its military efforts to free the hostages.⁴⁶⁷ The analysis of the second incident is limited in terms of officials' statements, as the abduction crisis lasted only a week. However, Algerian leaders were unwilling to pay ransoms since AQI claimed that the abduction was in support of the Algerian-based terrorist group, GSPC.⁴⁶⁸ The speed with which the kidnappers murdered the two Algerian diplomats shows that they were more interested in publicity than in the ransom, as they sought to intimidate both the Algerian and Iraqi governments.⁴⁶⁹ The Iraqi government justified its inability to rescue the hostages by stating that the Algerian Embassy employees refused to have Iraqi security

⁴⁶⁵ Salim Aggar, "L'Etat Algérien a Honoré sa Promesse"[The Algerian State Has Honored its Promise]," *L'Expression*, September 1, 2014, <https://www.lexpressiondz.com/nationale/letat-algerien-a-honore-sa-promesse-201245>.

⁴⁶⁶ Algerian Press Service, "Les Deux Derniers Otages Algériens Enlevés à Gao Enfin Libérés [last Two Algerian Hostages Kidnapped in Gao Finally Freed]."

⁴⁶⁷ Callimachi, "Paying Ransoms, Europe Bankrolls Qaeda Terror."

⁴⁶⁸ Filiu, "The Local and Global Jihad of Al-Qa'ida in the Islamic Maghrib," 222.

⁴⁶⁹ Pete Lentini and Muhammad Bakashmar, "Jihadist Beheading: A Convergence of Technology, Theology, and Teleology?," *Studies in Conflict & Terrorism* 30 (2007): 318,320, <https://doi.org/10.1080/10576100701200140>.

escorts.⁴⁷⁰ The Algerian government promised that it would bring the hostages to justice counting on the support of both U.S. and Iraqi intelligence services. In the case of the kidnapping of Algerian diplomats in Mali, the Algerian government refused to pay ransoms or release terrorists detained in Algerian prisons. Fortunately, the weight of Algerian diplomacy, using leverage gained from its role as a mediator between the Malian government and insurgents and the positive influence of a few Tuareg leaders, led to the release of the hostages. However, the use of diplomacy as an alternative to ransom payments is rarely efficient. It took more than twenty-eight months and the deaths of two hostages in captivity to end this hostage crisis.

The Algerian government's refusal to pay ransoms was driven by a number of interconnected factors, most notably the policy legacy of a tough response to terrorism enshrined in domestic law and also public opposition to funding terrorists posing a high-level threat.

Firstly, the impact of policy legacy is reflected in Algerian domestic laws passed in 1999, 2005, 2010, 2015, and 2023 that criminalize financial support for terrorism.⁴⁷¹ Paying ransom is considered a terrorist act because it constitutes financial support for terrorism, regardless of whether the funds were or were not used for the planning or execution of an attack.⁴⁷²

Secondly, even if Algerian leaders' stances differed regarding amnesty provisions and negotiations with terrorists in general, they were unanimous in their refusal to pay

⁴⁷⁰ "Algerian Diplomats Abducted in Baghdad," accessed March 3, 2023, <https://www.southcoasttoday.com/story/news/nation-world/2005/07/22/algerian-diplomats-abducted-in-baghdad/50438088007/>.

⁴⁷¹ Algerian Presidency, *Contribution de l'Algérie au Rapport du Secrétaire Général des Nations Unies Relative aux "Mesures Visant à Éliminer le Terrorisme International" [Contribution of Algeria to the Report of United Nations Secretary General Relating to "Measures Aimed at Eliminating International Terrorism"]* (New York: UN General Assembly, 2020), 6,8,9,10,23-29, https://www.un.org/en/ga/sixth/75/int_terrorism/algeria_f.pdf; Algerian Presidency, "La Prévention et la Lutte Contre le Blanchiment D'argent et le Financement du Terrorisme [Law on Combating and Preventing Money Laundering and Funding Terrorism]," *Official Journal Algeria Democratic Popular Republic* 62, no. 08 (February 8, 2023): 6,7,8, <https://www.joradp.dz/FTP/jo-francais/2023/F2023008.pdf>.

⁴⁷² Algerian Minister of Justice, "Loi N° 05–01 La Prévention et à La Lutte Contre Le Blanchiment D'Argent et Le Financement Du Terrorisme [Law 05–01 of 02–06-2005 Combating Money Laundering and Funding Terrorism]," Pub. L. No. 05–01, Criminal Code (2005), 05,06, https://droit.mjustice.dz/sites/default/files/loi_prevent_lutte_blanchim_argent_financem_terrorisme.pdf.

ransoms because of domestic political ramifications. Algerian leaders would be committing political suicide if they considered paying ransoms to those who claimed responsibility for car bombing attacks.⁴⁷³ The Algerian government was praised by the U.S. Department of State many times for their resolve and leading regional role in combating terrorism; thus, making ransom payments would have undermined this strategic cooperation by creating mistrust.⁴⁷⁴ Moreover, the public's perception of the threat of a resurgence of terrorism trumped other domestic political considerations, such as the moral obligation to recover the hostages.⁴⁷⁵ For instance, under constant security pressure, terrorist groups moved to desert-inhabited areas or fragile states bordering Algeria (Mali, Libya, and Niger) and engaged in KFR to fund their attacks. Algerians never forgot the sacrifices that were made to bring back security and contain terrorist groups. Even the amnesty laws passed by referendum in 2005 were heavily criticized for being too lenient on terrorists.⁴⁷⁶ Thus, ransom payments were widely rejected by both the Algerian public and political leaders.

Thirdly, Algeria's strategic interests prioritize the destruction of terrorism, with the ban on financial support for terrorism an essential prerequisite for achieving this goal. Ransom payments to AQIM, for instance, enabled the terrorist group and its affiliates to carry out large-scale attacks (the car bombings of the UN representation in Algiers in 2007, the Tamanrasset gendarmerie station in 2012, and the Tiguentourine gas plant barricade in

⁴⁷³ Faouzia Zeraouia, *National Reconciliation and Peacebuilding in Algeria: Lessons for Libya?* (San Domenico di Fiesole, Italy: European University Institute, 2022), 13–16, <https://doi.org/10.2870/444271>.

⁴⁷⁴ Nardjes Flici, “«Il Est Urgent de Stopper Le Paiement des Rançons» [It Is Urgent to Stop Ransom Payments],” *L'Expression*, November 20, 2010, <https://www.lexpressiondz.com/nationale/il-est-urgent-de-stopper-le-paiement-des-rancons-84498>.

⁴⁷⁵ Ikram Ghioua, “‘La Sécurité Est Notre Priorité’ [the Security Is Our First Priority],” *L'Expression*, October 30, 2013, <https://www.lexpressiondz.com/nationale/la-securite-est-notre-priorite-183580>.

⁴⁷⁶ Rafael Bustos, “Le Référendum Sur La Charte Pour La Réconciliation Nationale En Algérie Et Ses Textes D'application [the Referendum on the Charter for National Reconciliation in Algeria and Its Implementing Texts],” *L'Année du Maghreb*, no. II (March 1, 2007): 223–29, <https://doi.org/10.4000/anneemaghreb.109>.

2013).⁴⁷⁷ Moreover, the refusal to pay ransoms served Algeria's foreign policy, as it reaffirmed that it is a reliable state that matches its words with deeds, especially given that it ratified the international convention against terrorism.

Lastly, despite the fact that Algerian decision-makers had the military capability to launch rescue missions when confronted by an abduction crisis, two significant obstacles prevented them from doing so. The first was a lack of reliable tactical intelligence, and the second was the Algerian constitution, which restricts the role of military forces to border defense unless prior permission is granted by neighboring states, allowing the pursuit of terrorists on their soil.⁴⁷⁸

D. RECOMMENDATIONS

Denying terrorists financial support by ensuring state compliance with the international ransom payment ban is accomplished through kidnapping prevention, deterrence, and overall resilience to terrorism. Prevention helps to avoid the hostage dilemma, and deterrence reduces the number of kidnappings. This can be achieved by a comprehensive counterterrorism policy based on educating people prone to being taken hostage about prevention measures, maintaining continuous security pressure, arresting or killing terrorists, and refusing to pay ransoms. The aim of this strategy is to increase the cost while decreasing the benefit of hostage-taking, thereby decreasing the value of the kidnapping enterprise.⁴⁷⁹ Also, the policy memo I offer to Algerian policymakers should be implemented in close cooperation with international partners by sharing intelligence that helps get better results and reduce the strain on Algeria's security forces. Moreover, since the oil industry is vital to Algeria's economy and tourism revenues in the south have

⁴⁷⁷ Brian Michael Jenkins, "The Dynamics of the Hostage Situation at Amenas," *The RAND Blog* (blog), January 30, 2013, <https://www.rand.org/blog/2013/01/the-dynamics-of-the-hostage-situation-at-amenas.html>; Agence France Presse, "Al Qaeda Offshoot Launches Strike on Algerian Military Base," *France 24*, March 3, 2012, <https://www.france24.com/en/20120303-algeria-tamanrasset-suicide-bomber-strikes-security-base>; Ernest Harsch, "Uniting against Terrorism across the Sahara," *Africa Renewal*, January 18, 2012, <https://www.un.org/africarenewal/web-features/uniting-against-terrorism-across-sahara>.

⁴⁷⁸ Abdennour Benantar, "Sécurité aux frontières : Portée et limites de la stratégie algérienne [Border Security: Scope and Limitations of Algeria's Strategy]," *L'Année du Maghreb*, no. 14 (June 28, 2016): 147–63, <https://doi.org/10.4000/anneemaghreb.2712>.

⁴⁷⁹ Brandt, George, and Sandler, "Why Concessions Should Not Be Made," 51.

been declining, preventing kidnappings should be done in a way that doesn't put pressure on Algeria's economic actors in the south. Any changes to the current policy should consider the problems caused by the additional costs companies in the Sahara Desert must incur to reduce the risk of kidnapping, as well as the damage to the local economy caused by fewer tourists visiting the area due to inaccurate travel warning reports.

Thus, I invite all Algerian institutions concerned about counterterrorism strategy to consider the following recommendations :

First, domestic counterterrorism policy measures aimed at deterring terrorist KFR while avoiding alienating the local population and addressing the root of grievances.

- Continue to track and crack down on terrorist groups and deny them from using the southern Algerian border as a safe haven.
- Maintain a highly trained military force ready to liberate hostages if an opportunity presents itself and serves as a deterrent for terrorist groups.
- Improve public services and stimulate the local economy in order to address any source of local grievances in remote regions.⁴⁸⁰

Second, public outreach measures aimed at gaining public support to prevent and solve kidnapping crises.

- Involve local businesses and gain the support of civil society in elaborating counter-abduction measures (Phase 1: policy design).
- Run a communication campaign to explain the kidnapping prevention measures and their benefits to counter terrorist propaganda (Phase 2 : inform the public about the policy objectives).
- Associate people in high-risk areas in intelligence gathering by providing an easy, accessible, and free means to report suspicious

⁴⁸⁰ Global Counterterrorism Forum, "Algiers Memorandum on Good Practices," 3.

behavior to the law enforcement agencies (free call number, text messages, and/or social media).

- Consider co-producing, subsidizing documentaries with media actors that educate the general public about the negative consequences of ransom payments, bearing in mind national and international targeted audience cultural biases.
- Conduct regular polls to mitigate or discard counterproductive measures.

Third, abduction prevention measures tailored to foreign visitors to Algeria.

- Inform tourist agencies and foreigners planning to visit Algeria's remote areas, where the risk of abduction is significant, so they can either avoid these regions, contract an escort with a state-vetted private security provider, or request escorts from security forces if their visit converges with the Algerian government's broad objectives.
- Provide foreigners invited by Algerian authorities with travel risk assessments and offer adequate additional protection if they wish visit high-risk desertic regions.
- Invite academics and security experts to lead seminars and workshops on how to develop kidnapping prevention measures that don't put an excessive burden on security forces, limit tourist freedom of movement, result in economic losses, or discourage foreign investments.

Fourth, enhanced states' security cooperation for a better counter- abduction policy results.

- Assist Algeria’s vulnerable neighboring states with border security (combined border patrols, intelligence sharing, education, and military training), in accordance with the GCTF recommendations.⁴⁸¹
- Deny the terrorists’ benefit from covertly paid ransoms by enhancing regional financial intelligence cooperation to prevent money laundering and investigate suspicious money transfers.⁴⁸²
- Reinforce Algeria’s cooperation with its international counterterrorism partners by gathering and sharing intelligence on terrorist groups’ movements, capabilities, and ransoms paid for prevention and prosecution.

E. CONCLUSION

Algerian policymakers should keep in mind that terrorist groups adopt KFR when they can for funding and/or publicity. During an abduction crisis, it is crucial to deny terrorists the benefits of ransoms and publicity. This can be achieved by refusing to pay ransoms and playing down the kidnapping in the media. Terrorists will be less inclined to engage in kidnapping for ransom. However, positively influencing the public and media response to abduction crises can only be achieved over the long term, as they can only be culturally constructed in democracies. Thus, preventing the abduction is much better than trying to rescue the hostages. Moreover, military power is useless without intelligence about the hostage’s location. Thus, intelligence is crucial in preventing, solving, and deterring kidnappings.

Finally, since kidnapers are opportunistic, seeking both valuable and vulnerable victims, prevention can be achieved by reducing the vulnerability by improving the security awareness of valuable targets. Even if all risk mitigation and kidnapping countermeasures

⁴⁸¹ Global Counterterrorism Forum, 3.

⁴⁸² Global Counterterrorism Forum, “Good Practices: Preventing & Denying the Benefits of Kidnapping for Ransom by Terrorists” (Algiers: Global Counterterrorism Forum, 2012), 3, <https://www.thegctf.org/Resources/Interactive-Content/Videos/ArtMID/802/ArticleID/175/Good-Practices-Preventing-Denying-the-Benefits-of-Kidnapping-for-Ransom-by-Terrorists>.

are implemented, there will be fewer cases of kidnapping, but the ransom price will fall.⁴⁸³ Besides prevention and deterrence, resilience to terrorism is paramount, as it prevents the spread of fear following kidnappings and will relieve decision-makers from unnecessary pressure that adds a layer to the complexity of abduction crises.

⁴⁸³ Simon, *We Want to Negotiate*, 159.

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