

Hostage negotiations in the post 9/11 world

As the mandate of counter terrorism gains increasing importance in the security agenda of the international community, the process of hostage negotiations will come under intensified political scrutiny. This month's newsletter brings you information on the emerging debate concerning hostage negotiation in the post 9/11 world.

1.1 Toward an International Standard?

Both the Afghan and Italian governments have endured harsh criticism in light of the release of five incarcerated Taliban in exchange for Italian journalist Daniele Mastrogiacomo. The international community has taken notice of the potential of one country's actions in this area to have implications for the security of other countries. Therefore, along with flat criticism, there has been a renewed focus on appropriate ways for governments to respond in hostage crises, especially those involving insurgent, rebel or terrorist groups.

Although specific foreign hostage incidents feature prominently in the international media, there are relatively few people and organizations dedicated to the analysis of international hostage negotiation in general. To spur action, UN Secretary-General Ban Ki-moon recently appealed to the international community to develop draft legislation on hostage negotiation guidelines. Replies to his call will necessitate critical and practical assessments of current standards in international diplomacy.

In order to develop a coherent code of conduct in hostage situations, the international community will be forced to re-examine the diplomatic roles of state and non-state actors in crisis situations. For instance, should governments standardize the process of engaging aid workers and other non-governmental intermediaries during hostage situations? Major political issues including government responsibilities will be underscored if the international community elects to discuss the framework under which governments may negotiate for the safety of their citizens. Lessons from recent events in Afghanistan have demonstrated that, in the absence of international standards, governments engaged in dialogue with foreign hostage takers risk accusations that they are negotiating with "terrorists" (and dialogue with terrorists is severely looked-down upon in the international community). Ideally, hostage guidelines would tame future finger pointing by framing the extent to which any country is allowed and/or required to interact with the hostage takers. Proposals could even limit governments to engaging only in dialogue, and not full negotiations with insurgent, rebel or terrorist hostage takers. Regardless of their ultimate outcome, discussions of hostage guidelines will undoubtedly mark a milestone in the history of political and diplomatic theory.

Analysis on the practicability of international hostage negotiation guidelines and the risks associated with their development is beginning to emerge in government, academia and the media. As a starting point on this topic, I invite you to explore the links below.

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1.2 Governmental and Intergovernmental Organizations

United Nations Office for the Coordination of Humanitarian Affairs (OCHA), New York, US
This is the link to the OCHA's project on the Protection of Civilians in Armed Conflict. The OCHA facilitates the work of operational agencies that deliver humanitarian assistance. They have recently published *Humanitarian Negotiations with Armed Groups: A Manual & Guidelines for Practitioners*, part of OCHA's project on Humanitarian Negotiations with non-state armed groups. Here, the OCHA provides detailed guidelines and a manual for aid practitioners tasked with conducting these negotiations.

US Department of State FOIA Electronic Reading Room

The website is a reference point for US State Department records and other information access programs of the US government. The records include a set of guidelines for responding to hostage taking and kidnappings.

US Federal Bureau of Investigation (FBI) Investigative Programs Critical Incident Response Group, Washington, US

This website provides information on the FBI's Investigative Programs Critical Incident Response Group (CIRG). Among its services, the Group deploys investigative specialists to respond to domestic and international hostage takings. The FBI also publishes articles on hostage negotiation practices in their *Law Enforcement Bulletin*. See an informative article on this group's mission published by Canada Free Press.

1.3 Non-Governmental Organizations

International Crisis Group, Brussels, Belgium

The International Crisis Group is an independent, non-profit, non-governmental organization working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict. This group also publishes *Crisis Watch*, a 12-page monthly bulletin, providing a regular update on the state of play in all the most significant situations of conflict or potential conflict around the world.

Hostages for Prisoners - A Way to Peace in Columbia? by International Crisis Group, Brussels, Belgium

This briefing outlines the desirability, feasibility and political implications of a release or swap of hostages for prisoners. It examines the 2004 FARC proposal for the Colombian government to

release hundreds of its imprisoned members in exchange for some 60 military and political hostages. This document is also available in Spanish.

Columbia: Negotiating with the Paramilitaries, by International Crisis Group, Brussels, Belgium
This document contains a number of recommendations aimed at facilitating negotiations between the international community, Colombian government and paramilitary groups within Columbia. The document stresses that by turning a blind eye to paramilitary crimes, the state will undermine its own legitimacy and the rule of law. It explains how demonstrating both the good faith and strong resolution of the government is essential to the disarmament and reintegration of insurgents.

HDC Civilian Protection Publications, by Centre for Humanitarian Dialogue, Geneva, Switzerland
This series features publications related to the Centre for Humanitarian Dialogue's (HDC) mediation activities, which seek to prevent or stop civilian suffering before, during and after war.

International Committee of the Red Cross (ICRC), Geneva, Switzerland
The ICRC is an independent organization which seeks to ensure humanitarian protection and assistance for victims of armed conflict. In addition to their position on hostage taking, the ICRC site contains country and conflict-specific bulletins, additional publications and links to international conventions and treaties.

A Haunting Figure: The Hostage Through the Ages, by International Review of the Red Cross, Geneva, Switzerland
This document traces the evolution of the status of hostages in situations of armed conflict. The authors explain why Western democratic principles have become a vehicle for successful hostage taking. They also highlight core characteristics of modern-day hostage taking such as what they term preposterous motivations and demands.

OSLO Forum, Norway
The OSLO Forum is an annual event sponsored by the Norwegian Ministry of Foreign Affairs and the Centre for Humanitarian Dialogue. The Forum gathers senior mediators and key peace process actors to share their experiences in an informal setting. Although specific conclusions are generally kept confidential, the Forum issues background papers with the aim of stimulating dialogue within the wider international community.

Global Security.org, Alexandria, US
This website provides a consolidation of news headlines and media surrounding the topic of international security. They have also developed a database of background information on many of the world's known paramilitary groups.

1.4 Research and Academia

Accord: An International Review of Peace Initiatives, London, UK
This journal features differing perspectives from practitioners in the field of peacemaking and inter-group negotiation. Each publication is themed around a specific conflict and is meant to provide guidance for policymakers and practitioners.

Negotiating with Armed Groups: Sri Lanka and Beyond - Follow Up, by The Fletcher School, Medford, US

This is a summary of "Negotiating with Armed Groups: Sri Lanka and Beyond," a symposium hosted by the International Negotiation and Conflict Resolution Club at the Fletcher School. Panelists included the US Ambassador of Sri Lanka, Bernard Goonetilleke and Sri Lankan MP, G G Ponnambalam. Written transcripts and audio links of the symposium are accessible through this page.

Association for Conflict Resolution, Washington, US

The Association for Conflict Resolution's Crisis Intervention Section has produced a valuable resource in their bibliography, which includes several links relevant to hostage negotiations with armed groups.

1.5 Media and Interviews

Reuter's Foundation AlertNet, London, UK

Reuter's AlertNet news network is aimed at keeping professionals and the general public up-to-date on current humanitarian crises around the globe. Their services include crisis briefings, newsletters, maps, blogs and an array of articles on humanitarian themes.

UN supports common rules on hostage deals, by Reuters

In comments published before a meeting with Italian officials, UN Secretary-General Ban Ki-moon invites all states to present hostage negotiation guidelines to the General Assembly. Both of these articles include Ban Ki-moon's comments and a brief look at the NATO's possible role in the development of international standards for dealing with hostage situations.

Italy wants guidelines on ransom, by France 24

According to this article, Italy believes that the international community should establish codes of behavior for addressing hostage situations in war zones. Their foreign minister warns, however, that that these codes should not be too prescriptive and should take each country's domestic interests into account.

Should the West negotiate with the Taliban? by Spiegel Online International

This article examines the debate sparked by German politician Kurt Beck's proposition that the West begin negotiations with moderate actors within the Taliban.

Italy: The hostage negotiators, by ISN Security Watch, Zurich, Switzerland

This commentary examines domestic perceptions toward Romano Prodi's government in the context of international criticism of Italy's deal with the Taliban, which resulted in the release of journalist Daniele Mastrogiamomo.

Should we ever negotiate with terrorists? by NPR Talk of the Nation

This half-hour audio download includes calls from listeners and interviews with New York Times reporter Ian Fisher, Reporters Without Borders official Vincent Brossel and former UN hostage negotiator Gianni Picco.

Manila hints at ransom approval, by CNN International

This link includes an article and two video reports addressing the campaign to free 26 Filipino hostages held by the Nigerian rebel group Movement for the Emancipation of the Niger Delta. Esteban Conejos, Philippine undersecretary for migrant workers' affairs announces that his government, with the Nigerian government as an intermediary, is prepared to strike a deal for the release of the hostages. This case could prove especially interesting for the development of international hostage guidelines. Here, negotiators enjoy public support for their efforts and the intermediary between the rebel group and foreign government is another government.

Attempting to understand: An intermediary's perspective, by Conciliation Resources, London, UK
In this interview with Terry Waite, a former hostage and hostage negotiator, the interviewee shares some of his lessons learned. To facilitate engagement with armed groups, he advises establishing personal contact with key decision makers within the groups. In regard to the current situation in the Middle East, he believes that Western military methods have polarized the situation to such a degree, that negotiations are not likely until a withdrawal of allied troops takes effect.

Tough lessons for Putin in hostage showdown, by ISN Security Watch, Zurich, Switzerland
This article details how lessons learned in the North Ossetia hostage crisis will determine the future of rebel movements in the region. The author illustrates the importance of developing a government strategy for dealing with rebel forces.