

POLITICO

May 11, 2018

Trump Frees Some Jailed Americans Overseas — But Endangers Others

Even as the president celebrated the release of three U.S. citizens from North Korea, the relative of two more detained in Tehran said he was 'crushed' amid spiking hostility with Iran.

By Nahal Toosi

In one 24-hour span this week, President Donald Trump managed to do two strangely contradictory things: He won the release of three imprisoned Americans while seeking a nuclear deal with North Korea. But he also likely prolonged the captivity of several other Americans by quitting a nuclear deal with Iran.

Hours before Trump triumphantly welcomed the men released by North Korea early Thursday morning, a relative of two U.S. citizens held in Iran pleaded with Trump not to forget his family amid spiking tensions between the countries.

The contrasting dramas underscore the complex and emotionally wrenching role that prisoners and hostages can play in foreign policy decisions — a dynamic likely to haunt Trump's presidency as it has those of all his modern predecessors. More than a dozen Americans are believed imprisoned in at least three countries on what human rights advocates call baseless charges. As president, Trump, who considers himself a master negotiator, finds himself bargaining not for real estate but for human lives.

“The most important thing is patience,” said Gerald Feierstein, a former senior State Department official. “You don't want to make the other party think that you would do anything to get the prisoners released, because if you raise the value of the prisoners then you get into a situation where it becomes more difficult, not less, to get them released.”

Patience is not Trump's signature trait, and he has shown little of it when it comes to Iran.

But Babak Namazi, whose 46-year-old brother and 81-year-old father have been held in Iran for more than two years on vague espionage charges, wants Trump to keep talking to Iran

and says the U.S. president should consider a prisoner exchange with the Iranians. He described himself as “thrilled” for the Americans released from North Korea but “crushed” over the fate of his relatives.

During a meeting with top Trump aides at the White House on Wednesday, Namazi handed over a laminated copy of an October 2016 Trump tweet, posted after reports about the detention of his relatives. “Well, Iran has done it again,” Trump wrote. “Taken two of our people and asking for a fortune for their release. This doesn't happen if I'm president!” One of the Trump aides said he'd share the document with the president.

“The plight that we're going through is extremely painful,” Babak Namazi told reporters after the meeting. “Every day it gets more difficult.”

Trump's decision Tuesday to abandon the 2015 nuclear deal could have serious consequences for five Americans known to be held in Iran, including the Namazis. While the U.S. already lacked formal relations with Iran, Trump's scuttling of the agreement has enraged Tehran and makes the sort of diplomatic dialogue that can lead to prisoner releases very unlikely in the near future.

Instead, Trump plans to reimpose sanctions on Iran and increase pressure on its Islamist-led government. And while Trump wants Iran to return to the nuclear bargaining table, Tehran says that won't happen.

Former New Mexico Gov. Bill Richardson, who has helped to negotiate the release of several Americans imprisoned abroad, said Trump's decision to quit the nuclear deal likely means Iranian President Hassan Rouhani will not release any U.S. citizens in the near future.

“It makes him look weak,” Richardson said.

The U.S. president is taking a nearly opposite approach toward North Korea. After months of sanctions and threats against the Asian country, Trump is now pursuing engagement with Pyongyang and plans to meet with North Korean leader Kim Jong Un at a June 12 summit in Singapore. Trump has already begun softening his tone towards Kim, whom he once called “little rocket man” but now says has been “very honorable.”

Trump learned the stakes for American prisoners and their families the hard way last June, after North Korea returned a 22-year-old detained American, Otto Warmbier, to the U.S. in a vegetative state. Warmbier died just days later, an outcome Trump called a “total disgrace.”

Trump had a much happier result three months into his tenure, when he persuaded Egypt to free American charity worker Aya Hijazi, who was accused of child abuse and human trafficking on charges that human rights advocates called bogus.

The White House even released a custom-made video celebrating Hijazi's release, set to the song, “Proud to be an American,” and closing with an image of Trump greeting a freed Hijazi in the Oval Office.

But Egypt is also a country that Trump has been willing to court, setting aside concerns about its government's domestic human rights abuses. Despite Trump's good ties with the country's authoritarian president, Abdel Fattah el-Sisi, a handful of Americans are said to be wrongfully imprisoned in the Arab state, including Ahmed Etiwy and Moustafa Kassem, who have been held since 2013.

What the Namazis need now, as they have need throughout the administration, is simply for Trump to be good to his word — nothing more and nothing less," said Jared Genser, a lawyer working with the Namazis.

The cases of at least four of the Americans known to be in Iran's custody date to the presidential tenure of Barack Obama. Although Obama was unable to bring them home, his administration persuaded Iran to release five other Americans, four as part of a prisoner exchange.

The release of those Americans was negotiated on a parallel track as Obama aides worked out the nuclear deal. Still, on the sidelines of talks about the deal, Obama aides repeatedly urged Iran to free the Americans, several of whom also have Iranian citizenship.

The prisoner exchange was criticized by Republicans after it was revealed that the Obama administration also settled a financial dispute with Iran dating back decades that led the U.S. to pay Tehran \$1.7 billion. Republicans decried the payment as a ransom.

Since Trump took office, Iranian officials have publicly expressed concerns about other Iranian citizens imprisoned by the United States and hinted they are open to another prisoner swap.

Namazi and Genser stressed that they don't have a position on the Iran nuclear deal. But they said the detainee issue should be dealt with on a separate, humanitarian-focused track, and that Trump should consider another prisoner exchange.

"We believe that this needs to be the basis for a private humanitarian dialogue about getting these kinds of cases resolved," Genser said, adding that he and Namazi were not suggesting the U.S. pay any ransom.

The two declined to say whether the Trump aides they met were open to the idea of a prisoner exchange. But Genser noted that such an exchange could be structured to include other countries as well where Iranians are held in custody. Iran also has detained several foreign nationals beyond just Americans on questionable pretexts.

Asked for comment on such possibilities, a National Security Council spokesman said: "President Trump places a high priority on securing the return of all Americans unjustly detained or held hostage in foreign countries. His administration continues to work with all available tools to achieve this goal."

Richardson said the cause is not hopeless, and that Iran could ultimately find reasons to free the Americans unrelated to its nuclear policy.

The three men released by North Korea are Kim Sang-duk and Kim Hak Song, who taught at the Pyongyang University of Science and Technology and who were detained in spring 2017; and Kim Dong Chul, a businessman held in 2015, allegedly for spying on behalf of South Korea.

Babak Namazi's brother, Siamak, was a Dubai-based businessman before being taken into custody. His father, Baquer Namazi, a former United Nations aid official, has been in fragile health.

"The only priority I have is for my family to be released and to come home," Namazi said. "I, of course, can't wait to be thanking President Trump personally for his efforts to release my family, and I hope that day comes soon."

The number of Americans imprisoned by foreign governments is not entirely clear: Some families choose not to make the cases public, hoping for leniency. And in many cases the Americans are justly convicted of crimes.

There also are an unknown number of Americans held hostage by terrorist groups and other nonstate actors, including al-Qaida and the Islamic State. In those cases, families often try to work quietly to secure their loved one's release. But eventually some decide to go public. Some choose to avoid enlisting the U.S. government until they must.

Earlier this month, the FBI announced it would offer up to \$1 million reward each for information that leads to the safe recovery of Kevin King and Paul Edwin Overby. King, 61, taught at the American University of Afghanistan, and was abducted near its campus in Kabul in August 2016. Overby, 75, is a writer who vanished in Afghanistan's Khost province in May 2014.

On Thursday evening, Trump announced he had chosen Robert Charles O'Brien, an attorney with diplomatic and international arbitration experience, to serve as a special envoy for hostage affairs. It wasn't immediately clear, however, whether O'Brien would play a role in negotiating for the release of Americans held prisoner by foreign governments as opposed to those held hostage by nonstate actors.

There also are some Americans whose whereabouts are unknown; they include Robert Levinson, a retired FBI official who disappeared in Iran in 2007.

With the fate of their relatives at stake, many American families affected are exceedingly cautious about what they say in public. That's especially the case when the U.S. has an adversarial relationship with the government holding the U.S. citizen.

One sensitive case is that of Josh Holt, who has been imprisoned in Venezuela since mid-2016 on weapons charges his family says were baseless.

Holt has gotten support from Republican Sen. Orrin Hatch of Utah and other lawmakers who've pushed to have him freed. But his imprisonment comes as U.S.-Venezuelan relations have nosedived over U.S. concerns about Venezuelan President Nicolas Maduro's authoritarian moves and failed economic policies.

The Trump administration has imposed sanctions on Venezuela repeatedly. Asked this week about the latest developments in North Korea, Holt's mother, Laurie, declined to offer extensive comment.

"We appreciate the continued efforts from Senator Hatch and others to bring Josh home and believe they will succeed," Holt said in a written statement.