

# BRINGING AMERICANS HOME REPORT 2023

Data current as of 31 July 2023, unless otherwise stated

The *Bringing Americans Home 2023* report is the fifth annual research report published by the James W. Foley Legacy Foundation. The purpose of the report is to provide, as much as possible, a comprehensive source of current statistics and a historical perspective regarding the crisis of hostage-taking and wrongful detention of U.S. nationals by non-state and state actors, respectively. In addition, the report offers independent recommendations of actions the U.S. government could take to return more Americans held captive abroad more quickly. *Bringing Americans Home* also includes and is informed by first-hand viewpoints from multiple recently returned captives – qualitative perspectives that offer a more holistic view of this national emergency.

## KEY FINDINGS<sup>1</sup>

- Current State:** As of August 23, 2023, at least 59 U.S. nationals are known to be held hostage or wrongfully detained in at least 15 countries.<sup>2</sup> Over 90% of these cases are wrongful detentions that interfere with U.S. foreign policy, national security, and economy.
- Recent Successes: Hostages** - Since our 2022 report, the number of U.S. nationals who continue to be held hostage has decreased by 29% from 2022 to 2023. No additional U.S. nationals have been taken hostage so far in 2023, and with the release of Jeffery Woodke in March 2023, there are currently no U.S. nationals being held by a jihadist organization for the first time since 2011 except for the Taliban. **Wrongful Detentions** - There has been a 31% decrease in the number of U.S. nationals who continue to be unjustly held by foreign governments since August 1, 2022.
- Enduring Challenges:** Of the current hostage and wrongful detention cases, six U.S. nationals, including one lawful permanent resident, have been held for over 10 years, an average of 14 years.
- Implications:** The findings described in *Bringing Americans Home 2023* (and 2022) illustrate that today more U.S. nationals are being held by foreign

U.S. Nationals Wrongfully Detained	U.S. Nationals Held Hostage
<p>While, over the past decade there has been a dramatic rise in the number of wrongful detentions of U.S. nationals, there was a <b>historically exceptional number of releases</b> (25) in 2022 and 2023. Almost half of these were facilitated through diplomatic engagement with involvement from an NGO.</p> <p>In 2022 and 2023, China, Iran, Russia, and Venezuela were responsible for the majority of U.S. nationals wrongfully detained and held overseas. In 2022, these countries were responsible 79% of U.S. nationals detained.</p>	<p>Since January 2022, six U.S. nationals have been taken hostage and five U.S. nationals have been released. <b>Four U.S. nationals are currently held.</b></p>
	<p>Five of the six U.S. nationals taken in 2022 were, or are, being held in Afghanistan by the Taliban.</p>
	<p>Resolving Taliban cases is complex. We assess there is a rising risk that the Taliban will use Westerners they hold as leverage against their governments.</p>
	<p>The U.S. government has not yet classified U.S. nationals held in Afghanistan as either hostages or wrongful detainees, nor designated a governmental lead, leaving hostages and their families in limbo.</p>

governments than by terrorist organizations and militant groups. The U.S. government's hostage enterprise was originally designed to support hostages held by non-state actors. The shift toward wrongful detentions means the U.S. government must reassess its approach to deter and bring justice to the innocent Americans who have been held hostage or wrongfully detained overseas.

<sup>1</sup> Statistics include five Americans held by Iran who on August 10, 2023, were released from prison but remain under house arrest as part of a prisoner exchange.

<sup>2</sup> <https://jamesfoleyfoundation.org/american-hostage-advocacy>

## RECOMMENDATIONS

- 1. Conduct a comprehensive review to evaluate the efficacy of the U.S. hostage enterprise.** A review is warranted given that the majority of captors are now nation states. The U.S. hostage enterprise structure is built upon recommendations from the 2015 National Counterterrorism Center study which was narrowly focused on hostage cases. Nation states that wrongfully detain U.S. nationals seek to directly interfere with U.S. foreign policy, our economy, and the freedoms of our citizens. This tactic makes negotiations to return captives more complex, requiring greater White House engagement.
- 2. Develop a comprehensive, consistent strategy to deter the kidnapping or wrongful detention of U.S. nationals targeted while abroad.** The lack of a holistic strategy of deterrence and accountability leaves the U.S. vulnerable to attempts by a terrorist organization or a foreign government to change or influence U.S. policies, demand concessions, or force prisoner swaps that ultimately impact our national security, economy, and foreign policies. The U.S. must identify best practices and develop new strategies to deter future wrongful detentions and hostage-takings.
- 3. Appropriate funds.** Congress should appropriate funds for flexible use by the office of the Special Presidential Envoy for Hostage Affairs and the Hostage Recovery Fusion Cell to satisfy the following needs:
  - Travel expenses for wrongful detainee families (akin to Victims of Crime Act of 1984 funding for hostage families) to engage directly with U.S. government officials and advocate for their loved ones.
  - Support for a recovered captive's flight home and any medical treatment received on the flight.
  - Essential, immediate needs of captives upon recovery (e.g., clean clothes and temporary housing).
  - Support to wrongful detainee families for expenses such as translators and attorneys to represent wrongful detainees overseas.
  - Support for wrongful detainee families to pay costs related to the ongoing imprisonment of their loved one (e.g., food, water, bedding, medicine, and other necessities).
  - Post-captivity physical, medical, or psychiatric support for at least two years for returned captives.
- 4. Create a new position at the National Security Council.** The U.S. government should create a new Deputy Assistant to the President and Special Coordinator for Detentions position within the NSC. Securing the release of wrongful detainees is often not the highest priority within regional directorates. This role would provide a focal point for detention issues within the NSC. Direct access to the President is critical to ensure that wrongful detainee issues are prioritized and understood.
- 5. Relocate the Hostage Recovery Fusion Cell.** Since its inception, the HRFC has been unfunded, led by a law enforcement official, and has had limited operational capabilities. In addition, due to its physical and organizational placement within the FBI, there is a perception that the Cell—an interagency task force—acts on behalf of the FBI. The U.S. government should consider relocating the HRFC, fully funding it, authorizing its operational capabilities, and institutionalizing rotating its leadership from among relevant agencies so that the Cell can remain neutral, impactful, and influential across the interagency.
- 6. Elevate the position of the Director of the Hostage Recovery Fusion Cell.** The U.S. government should elevate the position to at least a permanent Senior Executive Service rank. Input from external stakeholders should be solicited before an appointment to this position is made.
- 7. Mandate reporting on all wrongful detention requests.** The Department of State is not obligated to report when a review of a wrongful detention case has been conducted. Mandated reporting should convey all results, whether positive or negative, to the families who submitted a determination request. Reports should include an unclassified public version to enable outside parties to monitor Levinson Act implementation.
- 8. Classify U.S. nationals held in Afghanistan.** Additionally, the U.S. government must identify an entity to lead these cases to support U.S. nationals held by the Taliban and their families who advocate for them.