

“Negotiating Hostage Crisis with the New Terrorists”

by Adam Dolnik and Keith M. Fitzgerald

FORWORD

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September 11, 2001 left an indelible mark on Americans and on much of the world. Terrorists had done the unthinkable. Through the global span of the news media, the entire world community shared the unforgettable images of brutal terrorism in its most brazen and audacious form. This act left us shocked and confused. It turned our perception of safety and security upside down. Where else could terrorists strike? What drove these individuals to such hatred and inhumanity? How can we protect ourselves against such fanaticism and reckless savagery? Citizens of the world asked these questions and more, as did their leaders and elected officials. In response, nations have undertaken steps to combat terrorism, to uncover its support network and structure, initiated efforts aimed at preventing terrorist acts, and finally they prepared to effectively respond to those incidents that do occur despite the best prevention efforts. While perhaps not the most likely act of terrorism today, the taking of hostages by terrorists seeking to gain worldwide attention or force substantive concessions from governments is an ever present danger. How prepared are nations to confront and effectively resolve such incidents? “Negotiating Hostage Crises with the New Terrorist” addresses the key challenges any nation will face when attempting to peacefully resolve attacks in which terrorists hold the lives of many hostages in the balance.

Authors Adam Dolnik and Keith M. Fitzgerald have undertaken an important and landmark study of several key hostage taking dramas to examine the conduct of the “new terrorist” and to analyze the impact of the governmental responses on the resolution of the incidents. Focusing primarily on the Beslan School and Moscow Theater hostage crises, the authors undertake a detailed examination of the planning and execution of these horrific acts of terrorism. Their research is meticulous in identifying the behaviors, goals, and negotiation skills of the terrorists. In both incidents, many lives were lost, primarily after Russian authorities decided that they had to use force to resolve the situation. Important questions are raised concerning the need to use force. Were proper negotiations first undertaken that would have lowered the potential for a violent resolution? Might such efforts have yielded a safe and peaceful resolution, or at least secured the release of a larger number of hostages, thereby saving those fortunate ones from the inevitable fate that so tragically befell so many others? The critical question is

whether or not the authorities exercised good judgment and proper negotiation skills when confronting these challenging situations.

As nations seek to combat terrorism and eliminate terrorists, are they carefully weighing the consequences of their actions? The authors provide ample evidence to support the belief that punishing the terrorists became the primary objective of the Russian authorities, with the safety of the hostages a distant secondary concern. Were their decisions driven by a lack of understanding about negotiation principles? Did their preconceived notions about terrorist behavior leave doubt in their mind that the terrorists could be effectively dealt with through negotiations? Did a tactical resolution strategy become a singular approach, with negotiation efforts simply viewed as a stalling tactic until force could be applied? The answer to these questions seems to be a clear “yes.”

This book provides a strong case for the application of negotiation skills in even the most challenging and desperate hostage sieges. While terrorists maybe willing to die for their cause, there is ample information to suggest that they are just as ready to embrace a resolution that provides them with some sense of accomplishment or victory. In short, they are willing to die but would prefer to live another day in all but the most extreme cases. The authors make a good argument that terrorists simply bent on death and destruction have no need to barricade themselves with hostages and press for demands. Yet, the perception on the part of most authorities is that negotiations will not work. This view helps drive decision making toward an inevitable attempt to resolve by force what has not been fully attempted through negotiation.

In my lengthy FBI career as Chief of the FBI Crisis Negotiation Unit, I know very well the importance of negotiations as a key component to stabilizing any crisis conflict. De-escalation of any incident through the use of communication skills can foster meaningful dialogue and create a channel of contact through which alternatives to violent resolutions can be explored. In addition to buying time and gaining important intelligence, the negotiation process provides much needed time to assemble tactical teams and prepare them for their critical mission if the negotiation process does not ultimately succeed in securing a peaceful surrender. We also know that in many cases, despite loss of life and unobtainable demands, the negotiation process is almost always successful in securing the safe release of at least some of the hostages during the ordeal. In addition, when given support by Command decision makers, a flexible and creative negotiation strategy is often successful in preventing further loss of life and has a good chance of bringing the incident to a safe resolution. Sadly, key Command decision makers, be they police officials or government representatives, do not often understand the capabilities of negotiation teams. Not understanding the methodology and skills of the negotiation team often leads such decision makers to unduly interfere with the strategy, play to an external political audience, or make unhelpful press statement that only make the situation worse.

During the FBI's 52 day management of the Branch Davidian siege in Waco, Texas in 1993, effective negotiations were often stymied by an ill prepared On-scene Commander whose anger and frustration at the manipulations of David Koresh led to

counter-productive decisions that hindered successful negotiations. When the negotiation team was able to secure the release of some individuals the Commander would say that not enough had come out. In his anger and inexperience, he ordered tactical movements of armored vehicles that nullified the progress achieved by the negotiation team. Watching my negotiation team secure the safe release of 35 individuals and then have that success thwarted by poor Command decision making was heartbreaking. As with the Beslan incident, at Waco many children died in part as a result of poor decision making on behalf of the leadership. While the hostage takers are ultimately responsible for the outcome, governments must ensure they do not undertake actions which make a dangerous situation even worse. Fortunately, the FBI learned from its mistakes at Waco and three years later during the 81 day siege of the Freeman militia group in Jordan, Montana, the negotiation team was given the time, total support, latitude, and flexibility to resolve the incident peacefully with no loss of life and not a shot fired. At one point the FBI even allowed one of the Freeman leaders to leave the compound and meet with other leaders who were in jail, then return into the crisis site. While not in any negotiation handbook, this unprecedented but successful and creative initiative played a key role in securing a non-violent resolution.

Clearly, negotiators and their teams must undertake greater efforts to better understand today's "new terrorist" so aptly described in this book. Negotiators must understand the group they are confronting, its goals and objectives, its prior history of incidents, and modus operandi. This "new terrorist" is a different challenge than the one faced by law enforcement negotiators in classic hostage/barricade/suicide incidents throughout the world today. The lessons learned in those cases may have to be altered in order to be more effective in dealing with the "new terrorist." Being creative in finding ways to open and maintain effective communications is critical. Yet, perhaps the biggest challenge for negotiation teams is really negotiating with law enforcement and political leadership, convincing them to support a thoughtful and creative negotiation process. We used to call this challenge the "crisis within the crisis." As a negotiation instructor of many years, I would begin my instruction by saying that the most important aspect of negotiations is "self-control." If a negotiator cannot control his or her own emotions, how then can they be expected to influence an emotionally distraught individual or a desperate terrorist? In this regard, police decision makers and politicians must understand the importance of controlling their own emotional state in the decision making process. They need to trust and rely on their negotiation team to conduct meaningful negotiations, not just to buy time for an assault, but to actually seek out an accommodation to resolve the incident peacefully, as recommended by the authors in this book.

In 1996, I flew to Lima, Peru in response to the MRTA's takeover of the residence of the Japanese Ambassador. That 120 day long siege was the longest in history. The terrorists came to negotiate, yet President Fujimori initially refused to talk with them and presented a tough public stance against terrorism for his domestic audience. Despite Fujimori making one poor management decision after another, the MRTA did not respond by killing hostages, although they had a huge supply of victims to choose from, rather they continued to seek negotiations. Under pressure from western governments Fujimori finally allowed a form of negotiations to proceed, yet his entire focus was to prepare for a

tactical assault. He wanted to punish the MRTA. After 120 days Peruvian commandos entered the residence through tunnels and succeeded in killing all of the terrorists. One hostage and one commando died in the effort. While Peruvians took much pride in this heroic and successful rescue operation, was it necessary? Might misfortune have turned the operation into a total tragedy resulting in a significant loss of hostage lives? Perhaps a group of terrorists with superior preparedness might have been able to repel the rescue operation, or through their determination made it more costly in terms of loss of life. The “new terrorists” described by the authors have demonstrated that they have learned from past operations. Their commitment and adaptations could make casualty-less hostage rescues less likely to succeed in the future. While success was achieved in Lima, would the Peruvians have been wise to have seriously pursued a less risky strategy that attempted to achieve a peaceful resolution through quality negotiations? In managing a conflict, governments and law enforcement officials can make bad decisions yet still achieve success, but does that mean they made the correct decisions? The old adage about “better lucky than good” should not be the guide when innocent life is at stake. As the risk of catastrophic outcomes increases as a result of tactical operations, it is essential that governments understand and place appropriate emphasis on alternative approaches.

Finally, the authors rightfully question the wisdom of governments declaring they will not “negotiate with terrorists.” While this tough position helps win popular domestic support for a politician, does it have a practical application in the effort to save hostage lives in a dangerous situation? Would the FBI not negotiate with hijackers on a plane which landed in Washington or New York? Of course they would. Politicians need to understand that tough statements, especially during an incident are often inflammatory and unhelpful to seeking a peaceful resolution. This book should be read by all officials in law enforcement and government who play a role in such matters. If officials have a responsibility for managing a terrorist hostage siege, they need to learn the lessons of the past so they can avoid the common mistakes made by others. For those who do not learn from history are destined to repeat it. As I used to tell my negotiation students, “don’t get even, get your way.” Being tough is fine for elections, but we must be smart and flexible in saving lives. Only when key leaders come to appreciate and fully support the negotiation process, will we avoid the tragic incidents profiled in this book.