

# MODEL DIPLOMACY

## Pop-Up Case: Prisoner Swap

*Two American citizens have been unjustly detained abroad, and although one was returned, another remains in Russia. The United States needs to decide what action to take when an American citizen's life is swept up in a geopolitical conflict.*

Use the following *hypothetical* case to spark discussion and help students to think through what they would do if they were decision makers. See the back of the page for some inspiration for how to structure your conversation.

### The Situation:

Paul Whelan, a U.S. citizen, was arrested while traveling in Russia on December 28, 2018, on accusations of spying and received a sixteen-year prison sentence. His case gained attention when, in February 2022, Brittney Griner, a thirty-one-year-old American basketball player, was arrested at an airport in Moscow on drug-related charges and sentenced to nine years in prison.

The arrests of Whelan and Griner were widely viewed in the United States as unjust. Their detentions unfolded as the United States' relationship with Russia became increasingly tense due to Russian aggression in Ukraine. Many experts have therefore seen the imprisonment of Griner and the continued detainment of Whelan as a political tactic by Russia's government, shaped by its deteriorating relationship with the United States.

A "prisoner exchange" or "swap" is a manoeuvre where opposing countries agree to release one imprisoned citizen in exchange for another. Many high profile examples of prisoner swaps have occurred throughout history, especially those relating to spies. More recently, everyday citizens have been imprisoned abroad, such as a case of a young American student detained in North Korea on charges of espionage.

Although swapping prisoners can be an effective tool for liberating Americans detained abroad, the method also has downsides. The United States must agree to exchange a foreign national deemed dangerous enough to incarcerate, which runs the risk that, once released, the individual will perpetrate further crimes against the United States or other countries. Swaps can also signal that the United States is willing to bargain with other countries, even when a negotiation could mean releasing a dangerous individual. Although research is limited, some evidence suggests [PDF] that swaps or other concessions made in return for detainees abroad can incentivize governments to arrest Americans to elicit a reaction from the United States.

In December 2022, the United States successfully negotiated Griner's release through a prisoner swap but failed in the same negotiation to liberate Whelan, leaving him imprisoned in Russia. The United States had initially requested to swap Russian arms dealer Victor Bout in exchange for both Whelan and Griner. The exchange of Victor Bout was controversial, as Bout's illicit arms deals have led to many deaths in multiple countries and world regions. The United States' next move could now determine whether or not Whelan is set free.

### Additional Resources:

1. [How Do Prisoner Swaps Work \(The Economist\)](#)
2. [Here Are Some Prisoner Swaps That Freed Americans \(New York Times\)](#)
3. [How Are Political Prisoner Swaps Negotiated \(Big World\)](#)



REUTERS/Dario Pignatelli

### Decision Point:

The president has convened the National Security Council (NSC) to determine a course of action concerning Whelan's detainment. The council should consider whether to negotiate for Whelan's release, what the optimal offer is—not just for Whelan but for U.S. interests and the preservation of American lives abroad—and how long to keep an offer on the table.

Note: Although U.S. policy does not prohibit private parties from paying ransom to release U.S. citizens held abroad, the United States discourages doing so and has not offered payment for Whelan. As a general rule, the United States does not pay for the release of its citizens held abroad out of concern that it will encourage further unjust detentions.

#### NSC members should consider the following policy options:

- *Offer a new one-to-one prisoner exchange for Whelan.* This proposal could help revitalize momentum for the release of Whelan but could signal U.S. weakness, given that the United States had initially demanded a more favorable deal in a two-for-one swap. The United States would also need to identify another Russian detainee it would be willing to swap who could potentially harm the United States or other parties once free.
- *Expand the deal, offering to release additional Russian prisoners or make other concessions such as payments or political concessions to expedite the swap.* Offering a more favorable deal to Russia is likelier to liberate Whelan, who has been languishing in detention for years. However, such actions could incentivize future wrongful detentions and could reduce U.S. credibility in the future.
- *Hold back on provisional proposals for a prisoner swap.* This option would demonstrate U.S. resolve, likely enhance U.S. credibility, and avoid releasing another dangerous foreign national imprisoned in the United States. It would also bolster the impression that the United States will not capitulate to bullying through wrongful detentions. It would, however, cause more suffering for Whelan and his family and run the risk of him dying in prison in Russia.

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## Pop-Up Case Guidelines

Pop-up cases from Model Diplomacy are short case studies on current events that put students in the shoes of policymakers facing the most pressing issues in international relations. There are lots of ways to organize a discussion using a pop-up case. It is always helpful to think about your goals for the discussion and then to consider any time or participation constraints you could have. If you are teaching online and cannot discuss synchronously, consider a short writing assignment or using an online discussion board (see some excellent tips [here](#) and [here](#)). If you are teaching face-to-face or over videoconference and are looking for some inspiration, here are a few ideas:

### Gauge Reaction:

If you want to show what students are thinking before diving into the discussion, here are two easy ways to do it. In one, often called “four corners,” assign each policy option to a corner of the room, and then ask students to stand in the corner associated with the policy option they support. In the other, if you want your students to think along a spectrum instead (e.g., interventionist-isolationist, unilateral-multilateral, more urgent–less urgent), put the ends of your spectrum at either end of your blackboard and have students stand along the board to indicate where along the spectrum they fall. With both approaches, everyone will sit down again with a sense of where they stand regarding the case. Use this knowledge to shape discussion—eliciting less popular opinions, challenging more popular ones, encouraging like-minded students to further develop their ideas, or having students who disagree discuss in small groups.

### Think-Pair-Share:

This exercise is particularly useful for groups where some students are hesitant. Ask everyone to spend a few minutes quietly gathering their thoughts and articulating them in a notebook (“think”), then have them turn to the person sitting next to them to compare notes (“pair”), and then have students report out to the whole group (“share”), knowing that everyone will have had time to think through something to say.

### Whiparound:

Ask students to briefly share their position one after the other without responding to each other. Typically, everyone speaks in the order they are sitting. This can be a way to see where everyone stands before launching into a discussion. If you expect a topic to be particularly contentious, you could have students listen to each other and then reflect in writing.



Don Pollard

### Simple Cabinet Simulation:

Appoint yourself (or a student) to be president. Ask students to debate the policy options (or come up with new ones), and try to reach consensus on a recommendation to the president. The president should ask questions and ultimately make a decision and explain their choice.

### Cabinet Simulation With Assigned Opinions:

While assigning individual roles for a brief case study is complicated, you could assign the class opinions. For example, divide your class into three groups, and assign each group one of the policy options presented in the case. Let the groups caucus for a few minutes, then present their policy options and debate them, leaving the final decision up to you (or another student) as president.

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