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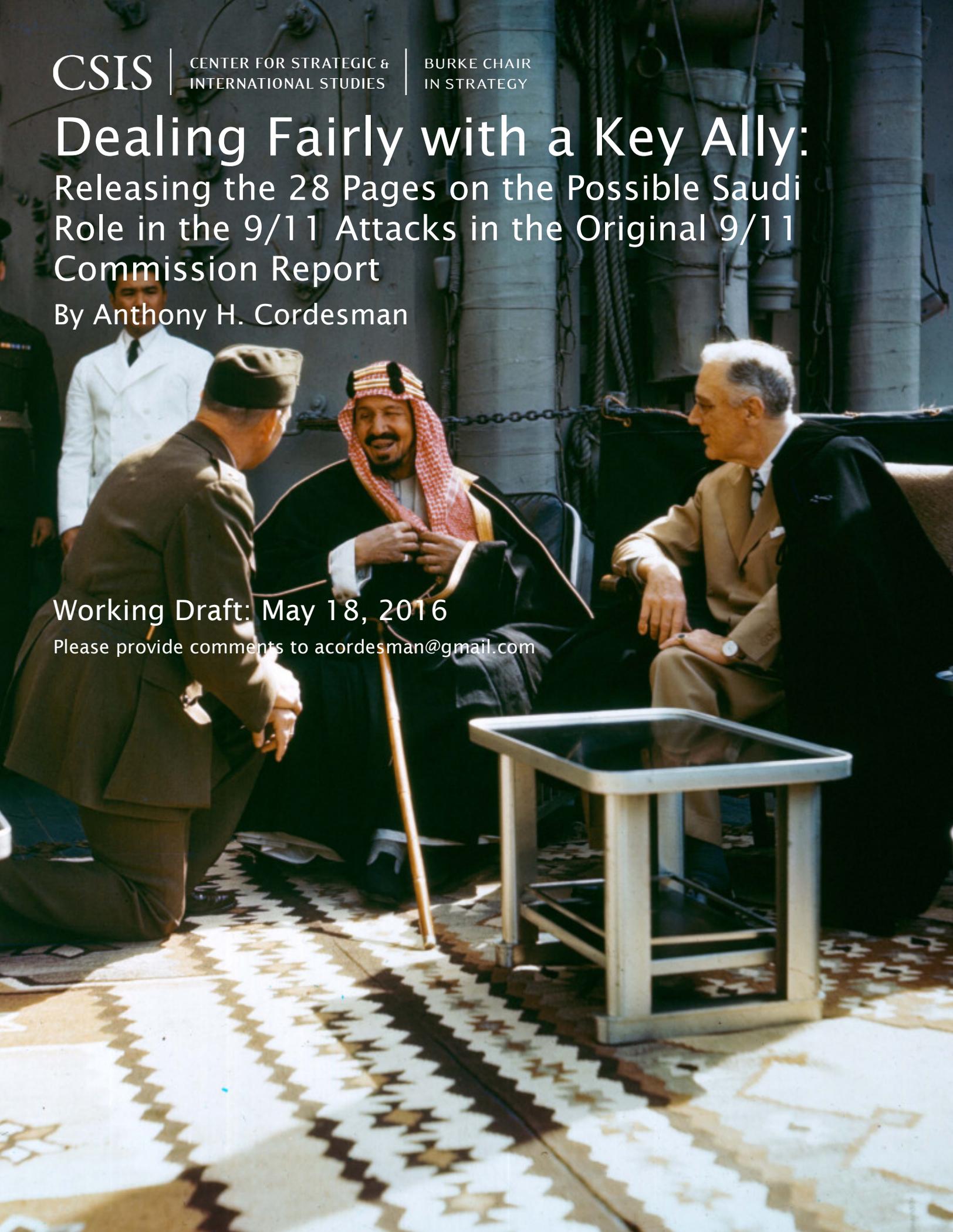
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# Dealing Fairly with a Key Ally: Releasing the 28 Pages on the Possible Saudi Role in the 9/11 Attacks in the Original 9/11 Commission Report

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## **Dealing Fairly with a Key Ally: Releasing the 28 Pages on the Possible Saudi Role in the 9/11 Attacks in the Original 9/11 Commission Report**

**Anthony H. Cordesman**

The United States needs to exercise extraordinary care in taking any action that could accuse a key ally of providing support for terrorism, particularly support for a tragedy as great as the attacks on the World Trade Center and the Pentagon on 9/11. No real guilt for such action should ever be ignored for the purpose of diplomatic convenience. At the same time, no unsupported accusations that blame a country for the actions of its individual citizens should ever be made in ways that ignore the weight of evidence, giving the accusations the appearance of official legitimacy because they are issued out of context and without a full examination of the evidence.

The United States risks doing this if it simply releases 28 classified pages that were drafted in preparing the original the 9/11 Commission Report that are said to indict Saudi Arabia for complicity in the 9/11 terrorist attack. Releasing unvalidated material out of context, and that was prepared for different reasons over twelve years ago, raises critical issues in terms of both U.S. relations with a major ally, and in the fairness of any such release.

It is not possible to address whatever charges are in the 28 pages in any detail. No one can fully discuss the contents of these classified material who has not had full access to those pages and to the background information behind them. I have not seen the 28 pages, and have no way to evaluate them in depth. In fact, I am struck by the fact that anyone who attempts this task must try to do something even more impossible than prove or disprove a negative. Evaluating the 28 pages means being asked to address issues where you not only lack access to the evidence, but lack access to the charges.

I have, however, spent some four decades working on Gulf security and terrorism. I do have a familiarity with Saudi Arabia that is based on both service in the U.S. government, and extensive research outside it. Based on this experience, I cannot exclude the possibility that some Saudi officials were involved, but there is no country in the region or the Islamic world which does not have some officials that have supported Al Qaeda or other violent Islamist organizations, and even the U.S. military suffered a major terrorist attack by a U.S. military officer.

Far more is involved here than making accusations public that can support lawsuits if the Justice Against Sponsors of Terrorism Act is passed and becomes law. The problem is whether any such charges relating to 9/11 are valid, and to put them in the proper context.

### **The Importance of Strategic Partnership**

All my experience indicates that the Saudi government has never supported such acts of terrorism and has never had any motive to do so. There is also a large mass of evidence to show that by the early 1990s, senior members of the Saudi royal family and the Saudi government had every reason to oppose bin Laden and Al Qaeda, and saw them as a direct threat to Saudi Arabia.

My experience also indicates that Saudi Arabia has had to fight much the same fight against terrorism and extremism that the United States has fought, and that Saudi Arabia remains an important ally in both counterterrorism and providing military security a troubled region that is of vital strategic importance to the United States.

The United States and Saudi Arabia do have different values and there are many areas where Saudi Arabia needs to make further reforms. Our alliance exists in spite of many important differences between the United States and Saudi Arabia. Saudi Arabia is a monarchy, whereas we are a democracy. Saudi Arabia has a radically different political and social structure from the United States, and it is a deeply religious state that practices a conservative and puritanical version of Islam.

We also, however, have long shown that our two countries have more than enough common goals and values to be lasting strategic partners, both in military terms and in counterterrorism terms. We have seen that our partnership has been of great value to the United States, as well as to Saudi Arabia.

Accordingly, I believe we need to take great care in addressing any material that could threaten that partnership and that we must do so in ways that surface all of the relevant evidence and put it in the proper context. Furthermore, I believe that any review of 9/11 that focuses narrowly on the Saudi role in that tragedy must be evaluated in the broader context of the actions of other states in the region, and the key role that Saudi Arabia has played—and still plays—in counterterrorism and regional security.

### **Conspiracy Theories and “Disproving a Negative”**

This need for caution and perspective is particularly important if—as I suspect—much of the 28 pages consists largely of unvalidated charges and conspiracies. I spent several years as the Director of Intelligence Assessment in the Office of the Secretary of Defense. During that time, I saw far too many well-structured reports of conspiracies that could not be substantiated.

Many of these conspiracies came from the Middle East, and I learned all too well that it is a region that exports even more conspiracy theories than it does petroleum, although it is also a region where conspiracy theories are sometimes all too real. The problem is that the vast majority of such charges do not prove to be real or valid. Yet all too often, they seem remarkably convincing until they are subjected to full-scale analysis using all of the intelligence sources available, and are put in the proper context.

Looking over the various press reports on the still-classified 28 pages, I see far too many similarities to past conspiracy theories. I do not see any serious indication mention of new evidence of the involvement of senior Saudi officials, and I do see some Saudi names in the press that have been key figures in encouraging Saudi and U.S. cooperation in counterterrorism and regional security before and after the 9/11 attacks.

Moreover, while I can scarcely claim to have read all of the material involved in advancing such conspiracy theories, there is an amazing lack of discussion in any of the various media reports on those calling for release of the 28 pages regarding any clear motive on the part of the Saudi individual involved, much less any collective motive on the part of the Saudi government or the Saudi Royal Family. There is not only is no credible evidence of “who,” there is no credible mention of “why.”

Given the level of sophistication in other Gulf conspiracy theories, I have to assume that there must be something more about motive in the 28 pages, but I have no idea of what it could be. In a Washington that tends to “leak” almost everything, the fact there is nothing by way of consistent rumors or reports of motive actually does say something.

### **The Evidence – or Lack of it – Since the Original 9/11 Commission Report**

This is why I have tried to go as far beyond conspiracy theories as I can in preparing for this report, and find more credible official data than the material already made public in the original 9/11 Commission Report. However, to the extent I have found an unclassified official attempt to go beyond the Original 9/11 Commission report, it consists of a relatively brief section at the end of an FBI report issued in March of last year.

#### *The FBI Report of March 2015*

This FBI report was developed by Bruce Hoffman, Edwin Meese, and Timothy J. Roemer. It was titled *The FBI: Protecting the Homeland in the 21<sup>st</sup> Century, Report of the Congressionally directed 9/11 Review Commission To The Director of the Federal Bureau of Investigation*. (<https://www.fbi.gov/stats-services/publications/protecting-the-homeland-in-the-21st-century>)

The report notes that the FBI never ceased what it called its PENTTBOM and sub-file investigations into the 9/11 attacks. It also has a chapter on “New Information Related to the 9/11 Attack.” Like the original Commission Report, the FBI report cannot cite much of the evidence involved because of its classification and sensitivity. It does, however, sum up the impact of the evidence gathered since the original 9/11 Commission Report as follows (p. 101):

- Based on the available information obtained and considered, the Review Commission concludes that there is no new information to date that would alter the original findings of the 9/11 Commission regarding the individuals responsible for the 9/11 attacks or for supporting those responsible for the attacks.
- There is new evidence, however, that confirms and strengthens the cases against previously known co-conspirators who are awaiting trial.
- The Review Commission also concludes that media reports regarding a possible FBI source with access to UBL in the early 1990s or suspicions regarding a Saudi family resident in Sarasota before the 9/11 attacks did not hold up under scrutiny.
- The Review Commission commends the FBI for continuing its active investigation into the 9/11 attacks.

It is striking that the FBI report does not name any member of the Saudi royal family or senior Saudi official. It does not name any Saudi official at all—except for Fahad al-Thumairy, the Imam at the King Fahad mosque near Los Angeles. al-Thumairy was not a Saudi official in the classic sense, but he was an accredited diplomat at the Saudi consulate in Los Angeles.

As the original Commission Report indicated, al-Thumairy met two of the 9/11 hijackers on Flight 77—Nawaf al-Hazmi and Khalid al-Mihdhar—when they spent time in San Diego in 2000 (See pages 218-224 of the original Commission Report). The new FBI report goes on to note, however, that, “Based on the evidence available at the time, the 9/11 Commission concluded that there was no evidence that al-Thumairy provided assistance to al-Hazmi and al-Mihdhar.”

It is clear from pages 102-103 of the report that some internal debates do still exist within the FBI over some aspects of the evidence that has surfaced since the 9/11 Commission Report. It also is clear, however, that none of this evidence relates to Fahad al-Thumairy or any other Saudi official, and the new report does not mention any other Saudi official, any member of the Saudi Royal Family, or the bin Laden family.

These points are of particular importance because the current debate over the 28 pages has triggered an inevitable round of new reports and conspiracy theories. For example, an article by Phillip Shenon in the *Guardian* on May 12, 2016, mentions al-Thumairy as if he were a career diplomat, and “five Saudi government officials who were strongly suspected of involvement in the terrorists’ support network” who are not named. Other reports refer to Saudis who “may” have had ties to Saudi intelligence.

If the 28 pages are released without any effort to update or review the data they present, or without effort to review the new charges that have not been mentioned in latest year’s FBI report, the net result will be the fueling of every conspiracy theory involved, regardless of the facts.

***The Need to Put the Original 9/11 Commission Report and Any Release  
of the 28 Pages in the Proper Context***

The fact the FBI found *no* new evidence, however, is only part of the need to put the 28 pages in full context. Saudi Arabia has been a key ally to the United States on many occasions. Saudi and U.S. forces have cooperated closely ever since the British withdrawal from East of Suez, and Saudi Arabia and the United States have cooperated in checking and deterring Iran ever since the fall of the Shah in 1979. They have also cooperated in dealing with the threats posed by the Iran-Iraq War during 1980-1988, and Saudi and US troops fought together against Saddam Hussein in 1991.

While many Americans are not aware of this, Saudi Arabia experienced its own “9/11” in the form of Al Qaeda attacks on Saudi soil in 2003. As the annual U.S. State Department Reports on terrorism make clear, Saudi Arabia has become a key partner in counterterrorism. Moreover, Saudi Arabia has long been a key partner in both Gulf and regional security, as Department of Defense factsheets issued in the last month make clear. If the U.S. government is to release the 28 pages, it needs to address the overall support Saudi Arabia has given the United States as a strategic partner in both counterterrorism and military terms.

It is equally important to fully update and expand the portions of the 9/11 Commission report that deal with Saudi efforts to control bin Laden, which are now more than a decade old, and put them in the fully update context of the actions that the Saudi government had taken against Bin Laden and Al Qaeda before 9/11.

Like the United States, Saudi Arabia failed to fully anticipate the fact that al Qaeda could ever pose the level of threat that produce 9/11. Like every other state in the region, Saudi Arabia failed to actively control every domestic aspect of support for Islamic extremism, including charities that posed as fronts for extremist fundraising.

*But*, this scarcely means that Saudi Arabia did not begin to treat bin Laden and al Qaeda as serious threats nearly a decade before 9/11. If the U.S. government is to release unsubstantiated charges, it cannot do so out of context, it must update the information involved, and must establish the full chronology of events that shaped Saudi government dealing with bin Laden and al Qaeda.

Some key facts in this chronology are very public and very clear. The Saudi royal family and government came to see bin Laden as a threat long before 9/11. The Saudi government first had to openly confront bin Laden when he objected to the Saudi partnership that allowed U.S. military forces to enter Saudi territory in 1990 in preparation for the liberation of Kuwait. Its efforts to control bin Laden forced him to leave Saudi Arabia in 1991 – a decade before 9/11.

As a result, bin Laden had to shift his operations to the Sudan and went to live there in 1992. In the process, he expanded the focus of his operations to cover Bosnia and created a broad network of extremist efforts focused on a wide range of countries.

At the same time, bin Laden also stepped up his attacks on the Saudi royal family. This led King Fahd to revoke his citizenship in March 1994, and demanded that the Sudan seized bin Laden's passport so that he no longer could travel. The Saudi government also pushed the bin Laden family into cutting off a stipend that some sources report was worth up to \$7 million a year.

This effort failed, and bin Laden began to focus heavily on Egypt, as well as Saudi Arabia, and became directly involved with the Egyptian Islamic Jihad (EIJ). Bin Laden also became involved in attacks and attempted attacks in Algeria and Yemen. His ties to extremist movements went far beyond Saudi Arabia and his anger against the United States. As a result, a number of reports suggest that Egypt and the United States cooperated with Saudi Arabia in pressuring the Sudan to the point where bin Laden had to leave for Afghanistan in 1996.

It was at this point bin Laden went to Afghanistan, first to Kabul and then to the center of Mullah Omar and the Taliban's operations in Kandahar in 1997. He again broadened his targets, with one key change of major possible relevance to 9/11. He set up camps that trained a variety of militants, including the training of Pakistani militants to fight in Kashmir, evidently with the direct support of the Pakistani ISI.

At the same time, bin Laden sharpened his focus on the United States. As virtually every history of bin Laden notes, bin Laden and Ayman al-Zawahiri, (a leader of Egyptian Islamic Jihad), co-signed a fatwa (religious edict) declaring:

[t]he ruling to kill the Americans and their allies civilians and military—is an individual duty for every Muslim who can do it in any country in which it is possible to do it, in order to liberate the al-Aqsa Mosque (in Jerusalem) and the holy mosque (in Makka) from their grip, and in order for their armies to move out of all the lands of Islam, defeated and unable to threaten any Muslim. This is in accordance with the words of Almighty Allah, 'and fight the pagans all together as they

fight you all together,' and 'fight them until there is no more tumult or oppression, and there prevail justice and faith in Allah.'

Osama bin Laden also gave the United States all too clear a tangible level of strategic warning as to how serious his attacks could be when al Qaeda carried out truck bomb attacks on the United States Embassies in Dar es Salaam, Tanzania, and Nairobi, Kenya. The United States responded by trying to have his assets seized, offering a \$5 million reward, sanctioning his execution, and launching cruise missiles against his training facility. Bin Laden and key al Qaeda operatives and coordinators also seem to have had responsibility for the attack on the USS Cole in Yemen in 2000 (See the original Commission Report, pp. 152-153, 190-197).

There is no detailed public record of U.S. efforts to work with Saudi Arabia and other states to deal with bin Laden during this period, and the Original 9/11 Commission Report only touches briefly on some aspects of that cooperation that directly relates to 9/11. It scarcely seems possible, however, that such efforts did not occur well before 9/11. This is why providing an official record of the full chronology of such U.S. and Saudi cooperation from the first reports of possible bin Laden attacks on U.S. troop targets in the Gulf in 1992 to the actual 9/11 attack is so relevant in putting Saudi government efforts in context.

Certainly, focusing on the fact that Saudi Arabia did not want a potentially charismatic political prisoner back in the Kingdom in 1996, or focusing on later efforts like those of Prince Turki—then head of Saudi Intelligence—to have the Taliban bring bin Laden under control in the period before 9/11 is not enough. It can only tell only part of the story, can only provide a limited window into bin Laden's ability to sponsor the 9/11 attacks, and can only provide part of the picture of any given government's responsibility for the attacks.

The original 9/11 report, for example, describes Saudi efforts to bring bin Laden under control after the August 1998 U.S. missile strikes on al Qaeda targets in Afghanistan following the al Qaeda attacks on the U.S. embassies in Kenya and Tanzania strikes as follows,

For a brief moment, it had seemed as if the August strikes might have shocked the Taliban into thinking of giving up bin Laden. On August 22, the reclusive Mullah Omar told a working-level State Department official that the strikes were counterproductive but added that he would be open to a dialogue with the United States on bin Laden's presence in Afghanistan. Meeting in Islamabad with William Milam, the U.S. ambassador to Pakistan, Taliban delegates said it was against their culture to expel someone seeking sanctuary but asked what would happen to bin Laden should he be sent to Saudi Arabia.

Yet in September 1998, when the Saudi emissary, Prince Turki, asked Mullah Omar whether he would keep his earlier promise to expel bin Laden, the Taliban leader said no. Both sides shouted at each other, with Mullah Omar denouncing the Saudi government. Riyadh then suspended its diplomatic relations with the Taliban regime (Saudi Arabia, Pakistan, and the United Arab Emirates were the only countries that recognized the Taliban as the legitimate government of Afghanistan). Crown Prince Abdullah told President Clinton and Vice President Gore about this when he visited Washington in late September. His account confirmed reports that the U.S. government had received independently. (Original 9/11 Commission Report pp. 121-122)

The original report then notes a lack of Saudi government cooperation of allowing U.S. experts to directly interrogate prisoners in Saudi custody in 1997-1998, but does not put

this in the full context of the tensions in U.S. and Saudi security relations at the time. Furthermore, it later notes that, “The Saudi government, which had a long and close relationship with Pakistan and provided it oil on generous terms, was already pressing Sharif with regard to the Taliban and bin Laden. A senior State Department official concluded that Saudi Crown Prince Abdullah put “a tremendous amount of heat” on the Pakistani prime minister during the prince’s October 1998 visit to Pakistan” (p. 123). It also does not identify the source of other aid given by “friendly government” for security reasons (p.128-129).

### ***The Limits to the Coverage of the Original 9/11 Commission Report***

More broadly, it is critical to remember that the 9/11 Commission Report focused on the chain of events that led to 9/11. It did not address the connection between U.S. support of Afghan rebels against the former Soviet Union, the full nature of the role Pakistan played in implementing that support, or the extent to which the U.S. government ignored the fact that Pakistan deliberately used these U.S. resources to support Islamist extremists that it felt would give Pakistan influence over Afghanistan (see the original 9/11 Commission Report, pp. 122-126, 182-184, 206-207). The 9/11 report never addressed the role of Pakistan’s ISI in supporting extremist movements and terrorists before or after 9/11—a role that has been a critical problem for the United States during the entire war in Afghanistan.

More arguably, it is unclear that the original report fully examined all the links that Khalid Sheikh Mohammed, “the principal architect of the 9/11 attacks” and other key figures had to other organizations and countries in what the report describes as his “rather tortuous path to eventual membership in al Qaeda” (Original Report, pp. 145-153)

The narrow focus of the 9/11 Commission Report also ensured that it did not address the overall patterns of support for bin Laden, al Qaeda, and other violent Islamist extremist movements from other regional states, their officials, members of their large royal families, and private individuals.

These are not casual issues. I do not want to add rumor to rumor, but there is enough official and media reporting on the broader efforts of the U.S. intelligence community, and the financial counterterrorism efforts of agencies like the U.S. Treasury, to indicate that some unofficial support for bin Laden and al Qaeda came from a broad range of regional countries – some of which made fewer and/or slower efforts to control these efforts than Saudi Arabia.

Before we release any uncertain conspiracy reports on Saudi Arabia, we need to put Saudi efforts in this broader context. It is also particularly important to have a declassified summary of the current knowledge of the ties between bin Laden’s operatives in Saudi Arabia that are not fully developed in the original 9/11 Commission Report and its sections that partly address the issues evidently laid out in the 28 pages. Sections like: “Dissent Within the al Qaeda Leadership (pp. 250-252.); the flights of Saudi nationals (pp. 329-330); and the role of Iraq, which does not address the role of other countries (pp. 334-336).

## **Saudi Arabia's Role as An Ally**

I think it is equally critical to provide a clear evaluation of the role Saudi Arabia has played as an ally, and not to limit any release of material to charges against a few members of the Saudi royal family, Saudi officials, or *possible* Saudi officials out of context.

One key piece of evidence regarding both the Saudi role and motive is the extent to which the Saudi government has been a strategic partner to the United States, has fought its own fight in counterterrorism, and been a partner with the United States in counterterrorism. The context of the demands for release of the 28 pages is, after all one which potentially would hold an entire government liable for the actions of few individuals—somewhat equivalent to saying that the U.S. government should be liable for the various Islamist extremist attacks on its own soil.

### ***U.S. Government Statements Describing the U.S.-Saudi Strategic Partnership***

Here, it is important to note what the U.S. has already said. If one only looks at the most recent public statements, A U.S. State Department “Factsheet”—issued on March 1, 2016—highlights this partnership. It is entitled “U.S. Security Cooperation With Saudi Arabia,” and it states that,

Saudi Arabia plays a crucial role in maintaining security in the Middle East, due to its economic, political, and cultural importance and its strategic location. Given the complex and dynamic security challenges facing the region, including countering violent extremism from the Islamic State of Iraq and the Levant as well as other extremist groups, the United States will continue to work with Saudi Arabia to support counterterrorism efforts and a shared interest in regional stability. In addition, building on the May 14, 2015 Camp David Summit, we are working with the Gulf Cooperation Council to increase cooperation on maritime security, military preparedness, arms transfers, cybersecurity, and counterterrorism. Toward that end, the United States will continue to collaborate with Saudi Arabia to improve training for special operations and counterterrorism forces, integrate air and missile defense systems, strengthen cyber defenses, and bolster maritime security.

Through foreign military sales, the United States has supported three key security assistance organizations in the Kingdom. The U.S. Military Training Mission provides training and advisory services and administers the U.S. military cooperation program with the Saudi Ministry of Defense. The Office of the Program Management-Saudi Arabian National Guard assists in the modernization of the Ministry of the National Guard. The Office of Program Management-Ministry of Interior supports critical infrastructure protection and public security. Since the 1950s, the U.S. Army Corps of Engineers has also played a vital role in military and civilian construction in Saudi Arabia.

Saudi Arabia is the United States' largest FMS customer, with nearly \$100 billion in active FMS cases.

- In November 2015, the United States approved a possible FMS case to Saudi Arabia for air-to-ground munitions and associated equipment, parts and logistical support for an estimated cost of \$1.29 billion.
- In October 2015, the United States approved a possible FMS to Saudi Arabia for Multi-Mission Surface Combatant ships and associated equipment, parts and logistical support for an estimated cost of \$11.25 billion.

- In December 2011, the United States finalized our largest international defense sale in history — worth approximately \$29.4 billion — to Saudi Arabia. This sale included 84 advanced F-15SA fighter aircraft and updates to the Kingdom's existing 70 F-15S aircraft.
- Other large programs include 36 AH-64D Block III Apache helicopters, as well as ammunition for the Royal Saudi Land Forces; 24 AH-64D Block III Apache helicopters and 72 UH-60M Blackhawk helicopters for the Ministry of the National Guard; and numerous PATRIOT air defense systems and upgrades. These sales promote our commitment to stability in the region and to Saudi Arabia's defense development.
- Most recently, the U.S. Government has made plans to sell Saudi Arabia 10 MH-60R multi-mission helicopters, 600 Patriot Advanced Capability-3 missiles, and more than \$500 million in air-dropped munitions and ammunition.

As a result of U.S. security assistance, the Kingdom has foiled numerous terrorist attempts against Saudi and foreign targets, and contributed to coalition operations against ISIL in Syria. The United States remains committed to providing the Saudi armed forces with the equipment, training, and follow-on support necessary to protect Saudi Arabia, and the region, from the destabilizing effects of terrorism and other threats.

(U.S. Department of State, U.S. Security Cooperation With Saudi Arabia Fact Sheet, Bureau of Political-Military Affairs, March 1, 2016, <http://www.state.gov/t/pm/rls/fs/2016/253853.htm>)

### ***U.S. Government Statements Describing the U.S.-Saudi Partnership in Counterterrorism***

Similarly, the latest U.S. State Department Country Report on Terrorism describes the Saudi role in counterterrorism and its partnership with the U.S. as follows:

**Overview:** For the first time in several years, al-Qa'ida in the Arabian Peninsula (AQAP), based in Yemen, was able to conduct a successful attack on Saudi soil with a July raid on the Wudayah Border Crossing and Ministry of the Interior (MOI) General Investigation Directorate (Mabahith) office in Sharurah (near the Saudi-Yemeni border), which resulted in the death of four Saudi security officers. AQAP continued efforts to inspire sympathizers to support, finance, or engage in conflicts outside of Saudi Arabia and encouraged individual acts of terrorism within the Kingdom.

In addition to facing the enduring threat from AQAP, Saudi counterterrorism efforts were increasingly focused on the threat posed by the Islamic State in Iraq and the Levant (ISIL), as well as Saudi citizens returning from fighting in Syria. The Saudi government continued domestic and bilateral efforts to build, augment, and refine its capacity to counter terrorism and extremist ideologies in the Kingdom while increasing participation in international counterterrorism conferences and engagements. Saudi Arabia continued to maintain a robust counterterrorism relationship with the United States and supported enhanced bilateral cooperation to ensure the safety of both U.S. and Saudi citizens within Saudi territories and abroad. Saudi Arabia stood as a member of the Global Coalition to Counter ISIL, taking military action in support of coalition efforts.

The Saudi government took a zero-tolerance stance on ISIL by condemning the organization's activities and participating in Global Coalition military action to counter the group in Syria and Iraq. Its external action against ISIL was complemented by an aggressive campaign by both official clerics and Saudi King Abdullah to discredit the group and condemn their activities as acts of terrorism. The Kingdom of Saudi Arabia welcomed UN Security Council Resolutions 2170 and 2178, expanding existing counterterrorism programs and rhetoric to address the phenomenon of foreign terrorist fighters, and leveraged terrorist finance provisions of its Law for Crimes of Terrorism and Terrorist-Financing (CT Law) to combat funding of violent extremist groups in Iraq and Syria.

**2014 Terrorist Incidents:** Several attacks on both Saudi nationals and Westerners occurred, despite Saudi efforts to detect and disrupt terrorist activity.

- On July 4, the most organized of the incidents, carried out by AQAP, targeted a Saudi border checkpoint in Sharurah near the Yemeni border, which resulted in the death of four Saudi security officers and five AQAP assailants.
- On October 14, there were two shooting events involving Western targets, including one targeting two American contractors working in Saudi Arabia who were shot at a gas station in Riyadh by a dual Saudi/U.S. national. There were indications that extremist propaganda influenced the attacker, a former employee of the victim's organization.
- On November 3, a group of gunmen killed five Saudi nationals and wounded nine others in the town of al-Dalwah in Saudi Arabia's Eastern Province. The Saudi government has alleged that the gunmen had ties to ISIL.
- On November 22, a Danish national survived being shot three times by three assailants who were arrested by Saudi authorities on December 11. Initial Saudi investigations determined that the three Saudi attackers had unspecified links to ISIL.

In all cases, the Saudi government worked closely with the United States to clarify the circumstances regarding these attacks and responded quickly to ensure proper security measures were in place to better secure U.S. installations and interests.

**Legislation, Law Enforcement, and Border Security:** In February, Saudi Arabia's robust legal counterterrorism apparatus was bolstered by the introduction of a new counterterrorism law containing 41 articles that further refined existing counterterrorism laws. Human rights activists have criticized the counterterrorism law, claiming that an overly-broad definition of terrorism greatly inhibits freedom of expression and association. Saudi Arabia has a specialized criminal court for handling counterterrorism cases; it was also used in 2014 to try human rights defenders.

Throughout 2014, Saudi Arabia continued its efforts to disrupt terrorist activities in the Kingdom by tracking, arresting, and prosecuting terrorist suspects. The Saudi General Investigations Directorate, also known as the Mabahith, is responsible for conducting counterterrorism investigations in the Kingdom and, upon its discretion, will cooperate with other elements of the Saudi government to further investigations into specific cases. Once the investigation is complete, the case is transferred to the Special Investigations and Public Prosecutions Office in the Saudi Ministry of Justice for the duration of the trial. The Saudi government continued its programs to improve physical border security through the employment of biometric systems, aerial reconnaissance, thermal imaging, and remote unattended sensors along the border region, especially considering the deteriorating security situation with neighbors Yemen and Iraq. Saudi Arabia's MOI hosted the 17<sup>th</sup> Annual International Conference and Exhibition for Industrial Security, Fire, and Occupational Safety and Health in Riyadh in early November, which focused on strengthening industrial security practices and coordination between the government and private sectors to protect key infrastructure from terrorist attacks.

Neighborhood police units engaged and worked directly with community members in Saudi Arabia, encouraging citizens to provide tips and information about suspected terrorist activity. The government offered rewards for information on terrorists, and Saudi security services made several announcements throughout the year pertaining to the arrest of AQAP militants and supporters, as well as the successful disruption of a more than 70-member ISIL cell active in Saudi Arabia.

Saudi Arabia continued to cooperate with the United States to prevent acts of terrorism both through engagement in bilateral programs and through information exchange agreements with the United States. Despite the absence of a bilateral mutual legal assistance treaty, Post's Legal Attaché office brokered and enhanced direct engagement between Department of Justice Office of International Affairs and MOI's Department of Legal Affairs and International Cooperation. This year witnessed the first case in which Saudi Arabia produced certified bank records in response to a mutual legal assistance request.

**Countering the Financing of Terrorism:** Saudi Arabia is a member of the Middle East and North Africa Financial Action Task Force, a Financial Action Task Force (FATF)-style regional body, and its financial intelligence unit is a member of the Egmont Group of Financial Intelligence Units. The Saudi government affirmed its commitment to combating terrorist fundraising and sought to further establish itself as a regional leader in disrupting terrorist finance efforts in the Kingdom. It continued to provide specialized training programs for bankers, prosecutors, judges, customs officers, and other officials from government departments and agencies as part of its efforts to maintain financial programs designed to combat terror financing. The Saudi Arabian Monetary Agency (SAMA) has standing requirements to all Saudi financial institutions to implement all the FATF Recommendations regarding money laundering and terrorist finance. The February 2014 counterterrorism law further outlined the Saudi government's ability to combat terrorist financing. Despite these efforts, however, foreign charities with suspected links to terrorist groups continued to leverage social media to solicit funds from Saudi donors, a trend the Saudi government worked to combat. In 2014, the FATF decided to enable a small expansion of membership, and the Kingdom was selected as a candidate for potential membership. For further information on money laundering and financial crimes, see the *2014 International Narcotics Control Strategy Report (INCSR), Volume 2, Money Laundering and Financial Crimes*: <http://www.state.gov/j/inl/rls/nrcrpt/index.htm>.

**Regional and International Cooperation:** Saudi Arabia cooperated regionally and internationally on counterterrorism issues, including by participating in the Global Counterterrorism Forum. Saudi Arabia has been a member of the Global Initiative to Combat Nuclear Terrorism and the Proliferation Security Initiative since 2008; Saudi Arabia is also a member of the Gulf Cooperation Council (GCC), which itself is a member of the FATF. Saudi officials issued statements encouraging enhanced cooperation among GCC and Arab League states on counterterrorism issues, and the Saudi government hosted international counterterrorism conferences on subjects including countering violent extremist ideology and combating terrorist financing. In April 2014, the Saudi government participated in the U.S.-GCC Strategic Cooperation Forum Task Force on Counterterrorism and Border Security.

**Countering Radicalization to Violence and Violent Extremism:** As part of its strategy to counter violent extremism, the Saudi government focused on increasing public awareness campaigns and conducting outreach, counter-radicalization, and rehabilitation programs. Some of these efforts involved seminars that refuted radical Islamic interpretation and ideology. Public awareness campaigns aimed at reinforcing the values of the Islamic faith and educating Saudi citizens about the dangers of extremism and terrorism. Methods used included advertisements and programs on television, in schools and mosques, and at sporting events. The Saudi government expanded these programs to address the rising threat to youth from recruitment efforts from groups like ISIL and to dissuade its citizens from engaging as foreign fighters in Syria.

The Ministry of Interior continued to operate its flagship de-radicalization program (the Sakina Campaign for Dialogue), as well as its extensive prison rehabilitation program to reduce recidivism among former inmates. The Saudi government also continued its ongoing program to modernize the educational curriculum, including textbooks used in religious training criticized for intolerance of other religious traditions. The Ministry of Islamic Affairs continued to re-educate imams, prohibiting them from incitement of violence, and continued to monitor mosques and religious education.

(U.S. Department of State, "Saudi Arabia, Country Reports On Terrorism 2014, June 2015, pp. 207-210, <http://www.state.gov/documents/organization/239631.pdf> )

### ***Saudi Government Statements Describing the Saudi Role in Counterterrorism***

It also seems relevant to evaluate the Saudi government's side of the story, and its claims. If we are to release any report with unsubstantiated claims about senior officials or

members of the royal family, they should be matched by an official and substantiated discussion of the role Saudi Arabia has played in counterterrorism—before and after 9/11—by senior officials from the King down to the Ministers of the Interior, the heads of Saudi intelligence, and within the Saudi security services.

There should be some evaluation of the repeated Saudi government claims that it has been a key partner in the fight against terrorism from the period before 9/11 to the present. One illustration is the claims made by in a recent Saudi Embassy fact sheet:

International terrorism threatens the Kingdom of Saudi Arabia, its allies and the global community. Defeating the terrorist enemy requires sound policies, concerted government efforts and international cooperation.

**Combating Terrorism:** The late King Abdullah bin Abdulaziz called for the establishment of an international center to combat terrorism more than 10 years ago out of his firm belief that terrorism can be most effectively fought when nations work closely together in all areas, including the sharing of information.

- In 2005, Saudi Arabia hosted the historic Counter-Terrorism International Conference in Riyadh where more than 55 countries participated and during which the proposal for the establishment of the United Nations Counter-Terrorism Centre (UNCCT) was unanimously adopted. In 2008, King Abdullah pledged \$10 million to the United Nations to establish the Centre and, in 2011, Saudi Arabia signed an agreement with the U.N. to launch the UNCCT. In 2014, King Abdullah provided the Centre with a donation of \$100 million to enhance its capabilities and effectiveness in helping countries combat terrorism.
- In 2014, a royal decree on counterterrorism was issued. The decree reinforced that acts of terrorism, including membership in terrorist organizations, and participation in hostilities outside Saudi Arabia, will not be tolerated.
- In late 2015, Saudi Arabia announced the formation of a multi-state Islamic military coalition to combat terrorism, with a joint operations center based in Riyadh.
- Saudi Arabia continues to undertake effective initiatives in support of countries combating terrorism around the world. Examples include:
  - Yemen – Saudi Arabia is the largest donor of aid to Yemen. In 2015, Saudi Arabia responded to an appeal for assistance from Yemeni President Hadi by forming an international coalition and launching military operations in support of the people of Yemen and the legitimate government of Yemen.
  - Syria – Saudi Arabia is among the coalition nations of Operation Inherent Resolve conducting airstrikes against Daesh (ISIL) in Syria.
  - Iraq – Saudi Arabia has contributed \$500 million to the Iraqi people, regardless of religion or ethnicity, in order to help the Iraqi people overcome the hardships they have endured and to help thwart the spread of extremism.
  - Saudi Arabia has also provided financial support to other countries, including Egypt, Jordan, Pakistan, Afghanistan and Mauritania to help enhance counterterrorism capabilities.

**Combating Terror Financing:** Terror networks thrive on illicit funding, often hiding

behind charitable organizations. To combat this threat, Saudi Arabia has put in place one of the world's strictest financial control systems to prevent funds going to support terrorism.

- Saudi Arabia, the United States and Italy are co-chairs of the Counter ISIL Finance Group (CIFG) The CIFG was established in 2015 with the aim of enhancing the sharing of information and developing coordinated countermeasures to disrupt ISIL's financing.
- All Saudi financial institutions have implemented the 40 recommendations of the Financial Action Task Force (FATF) of the G-8 regarding money laundering and the eight recommendations regarding terror financing.
- Saudi charities are prohibited from transferring money abroad. The collection of cash contributions in mosques and public places is prohibited.
- The Saudi Arabian Monetary Agency (SAMA) offers programs and has implemented a technical program to train judges and investigators on legal matters involving terrorism financing and money laundering methods, international requirements for financial secrecy, and methods exercised by criminals to exchange information.
- Saudi Arabia works closely with the United States, Britain, France, Italy, Canada, Australia and other allies to combat terror financing on a global scale.

**Overcoming Extremism:** As home of the Two Holy Mosques of Islam, Saudi Arabia will not tolerate extremists who have misused religion to advance perverted agendas. Saudi officials and religious scholars have publicly and unequivocally condemned terrorist acts, and have aggressively sought to discredit deviant terrorist ideologies.

- Saudi Arabia has launched a nationwide effort through the Kingdom's Ministry of Islamic Affairs to ensure mosques have not been used as sources of extremism. The Senior Council of Ulema (religious scholars) has issued a fatwa (religious edict) prohibiting terrorism and declaring any support for terrorism is a violation of Islamic law.
- To combat the spread and appeal of extremist ideologies among the population, Saudi Arabia initiated a Counter-Radicalization Program. This effort educates at-risk groups about the dangers of violent extremism and provides positive, alternative outlets.
- 2011, The King Abdullah bin Abdulaziz International Centre for Interreligious and Intercultural Dialogue (KAICIID) was founded in Vienna to promote mutual understanding among followers of different religions and cultures around the world.

(Royal Embassy of Saudi Arabia, U.S. Security Cooperation With Saudi Arabia Fact Sheet, Combating Terrorism and Terror Financing, April 2016, [http://www.saudiembassy.net/files/PDF/Fact\\_Sheet\\_Combating\\_Terrorism\\_and\\_Terror\\_Financing.pdf](http://www.saudiembassy.net/files/PDF/Fact_Sheet_Combating_Terrorism_and_Terror_Financing.pdf))

## **“Unproving” the Saudis As Guilty Without Attempting to Establish the Facts**

Let me again stress that I do not know all the facts relating to the 28 pages, and that only the U.S. government can hope to gather all of the evidence—including classified and sensitive data—and establish those facts. It is all too clear, however, that releasing the 28 pages out of context will do nothing to establish those facts, and will instead fuel more conspiracy theories and enrich a handful of lawyers and professional terrorism alarmists.

At best, releasing the 28 pages out of context may give families that suffered because of 9/11 some money, but the 28 pages can only provide an illusion of closure. Releasing the 28 pages out of context will also trigger broad doubts in the United States about a critical strategic partner as a critical time, as well as create anger and hostility in Saudi Arabia against the United States, and feed the kind of al Qaeda and ISIS propaganda that charges the United States as the enemy of Islam and Muslims.

It may well be too late not to address this issue, no matter how uncertain the content of the 28 pages may be. If the U.S. government is to address this issue at all, however, it must do so fully and release all of the relevant data now available, not simply 28 pages from a report written nearly 12 years ago and with a narrow focus on the events of 9/11. It must also address the role of the officials and military in other countries, particularly Pakistan.

As Americans, we are often rightly critical of the rule of law in other nations, including Saudi Arabia. We also stress the goal of holding everyone innocent until proven guilty, and of surfacing all of the evidence in a given case. At present, there seems to be all too great a risk that we will release unsubstantiated charges that assume the Saudis are guilty until proven innocent, seem to prove that guilt to many regardless of the full truth, threaten a key U.S. strategic partnership, and feed charges that the United States is intolerant of Islam and other cultures in ways that actually add to the anger and distrust that feed extremism and terrorism.

I am not arguing that we should conceal the facts or any real element of guilt. I am arguing that if the U.S. government is to address this issue, it has a clear obligation to establish all the facts that can establish innocence as well as guilt, and to put the history of events into a full and proper perspective.