

# ASSESSING THE HUMAN RIGHTS SITUATION IN SAUDI ARABIA

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## HEARING BEFORE THE SUBCOMMITTEE ON MIDDLE EAST, NORTH AFRICA, AND GLOBAL COUNTERTERRORISM OF THE COMMITTEE ON FOREIGN AFFAIRS HOUSE OF REPRESENTATIVES ONE HUNDRED SEVENTEENTH CONGRESS

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## **ASSESSING THE HUMAN RIGHTS SITUATION IN SAUDI ARABIA**

**Thursday, March 18, 2021**

HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE ON THE MIDDLE EAST, NORTH  
AFRICA, AND GLOBAL COUNTERTERRORISM,  
COMMITTEE ON FOREIGN AFFAIRS,  
*Washington, DC.*

The committee met, pursuant to notice, at 10:07 a.m., via Webex, Hon. Theodore E. Deutch (chair of the subcommittee) presiding.

Mr. DEUTCH. The subcommittee on the Middle East, North Africa, and Global Counterterrorism will come to order. Without objection, the chair is authorized to declare a recess of the subcommittee at any point.

All members will have 5 days to submit statements, extraneous material, and questions for the record, subject to the length limitation of the rules.

We have been joined by the chair of the Foreign Affairs Committee, Chairman Meeks. Thank you so much for being here.

As a reminder to members, please keep your video function on at all times, even when you are not recognized by the chair. Members are responsible for muting and unmuting themselves, and please remember to mute yourself after you finish speaking.

Consistent with House Resolution 8 and the accompanying regulation, staff will only mute members and witnesses as appropriate when they are not under recognition to eliminate background noise.

I see that we have a quorum. I'll recognize myself for opening remarks.

Pursuant to notice, we are holding a hearing on human rights in Saudi Arabia. For decades, American presidents, both Democrats and Republicans, elevated human rights and advanced a values-based foreign policy, not because of altruism.

Human rights and a principled foreign policy provided important advantages to the United States and strategic competition, and still does today, a competition with authoritarian rivals, from Putin's Russia to Khamenei's Iran to Xi's China.

The U.S.-Saudi partnership forged in the aftermath of the Second World War is more than three quarters of a century old. It has persisted for more than 75 years through very different eras guided by very different kings and presidents because the United States and Saudi Arabia do share important interests.

Working constructively and honestly with Saudi Arabia can advance U.S. interests and stability both in the Middle East and globally.

However, human rights are a longtime point of contention in our relationship, and I believe that we must always ensure human rights are at the forefront of our foreign policy.

The cold-blooded murder of journalist Jamal Khashoggi by Saudi operatives in October 2018 and the Trump administration's response, which prioritized business opportunities over values, forced the reconsideration of the role that human rights play in U.S.-Saudi ties.

The brutal murder of Khashoggi, a Washington Post journalist and Virginia resident in Mr. Connolly's district, was a rebuke to the values for which America stands.

Approved by the highest levels of the Saudi government, as the recently declassified U.S. intelligence report made known, the killing undermined Americans' confidence in our partnership with the kingdom and inflicted enormous damage on the bilateral relationship.

Other recent Saudi actions have tested the relationship, including the arrest and alleged torture of women's rights activist Loujain al-Hathloul, who simply advocated for the right of Saudi women to drive.

Loujain was recently released but Saudi Arabia upheld her original sentence, so she still faces 3 years of probation in addition to her travel ban. Her probation also stipulates that anything perceived by Saudi authorities as political activism could result in re-arrest.

Saudi Arabia also imprisoned the blogger Raif Badawi, who is serving a 10-year sentence on bogus charges related to his writing and peaceful activism, Dr. Walid Fitaihi, a U.S. citizen and medical doctor who worked to build bridges between his native and adopted countries, was sentenced in December to 6 years in prison, and Dr. Bader al-Ibrahim, a journalist from northern Colorado who was targeted for his peaceful advocacy for social reforms.

Saudi authorities also detained Salah al-Haidar, a writer and journalist, on baseless charges, and Aziza al-Yousef, a woman's rights activist who remains on provisional release.

Both Mr. al-Haidar and Ms. al-Yousef are constituents of our colleague, Mr. Connolly, and as I mentioned earlier, Jamal Khashoggi was also a resident of Mr. Connolly's northern Virginia district, and I'd like to just take a moment to commend Mr. Connolly's tireless efforts on their behalf and for his work to uphold human rights in Saudi Arabia and around the world.

Saudi Arabia is a partner, but we cannot be afraid to speak truth to our partners and we cannot sacrifice American values, especially when certain actions threaten the foundation of a relationship that advances U.S. interests.

And while I acknowledge and appreciate recent Saudi reforms that provide greater rights to women and will reform elements of the Saudi judicial system, the Saudi government must take additional actions to address American concerns about the treatment of our citizens and residents. It must stop targeting Saudi dissidents and political activists, and must ensure fundamental human rights in the kingdom.

Two and a half years after the murder of Jamal Khashoggi, we must reinforce this message already delivered by broad bipartisan

majorities in Congress. We have passed multiple bills and resolutions calling for accountability for the murder of Khashoggi, the release of unjustly detained American citizens and Saudi political prisoners, and an improved human rights environment in Saudi Arabia.

Additional measures, which we will hear about today, have been introduced in recent weeks by our colleagues on this subcommittee. Our focus must be on building a more balanced, healthy, and principled relationship with the kingdom.

President Biden understands the role of values in our approach to the world. In fact, he has spent nearly 50 years advocating and implementing a principled U.S. foreign policy. The president believes, and I quote, “The reason why we lead the world is not merely because we have the most powerful military in the history of the world. The reason we’re followed is not because of the example of our power, but the power of our example, our value set. That’s what’s been able to persuade the world to move in the direction we want to move,” closed quote.

That’s why the Biden Administration recently declassified and released the American intelligence community’s assessment of the Khashoggi murder.

I commend the Administration for taking this important and overdue step toward transparency, accountability, and justice for Jamal including the State Department announcement of visa restrictions and the Treasury Department’s announcement of sanctions.

These actions make clear the United States will not tolerate those human rights abuses, including the targeting of dissidents. But these actions should not be the last word.

Congress must work with the Biden Administration on this difficult but necessary process of recalibrating U.S.—Saudi relations and ensuring that the tenor of bilateral ties always reflect our values as well as our national interests.

I’d like to thank the witnesses for their testimony. I look forward to discussing this issue, which is so critically important to U.S. foreign policy, and to the protection of human rights around the world.

And with that, I now yield to my friend from South Carolina, our ranking member, Joe Wilson, for any opening comments he may have.

Mr. WILSON. Thank you, Mr. Chairman, and thank you, Chairman Ted Deutch, for calling this important hearing on the status of human rights in Saudi Arabia, America’s 75-year partner providing for stability in the Middle East.

With Crown Prince Mohammed bin Salman’s increased policy role in recent years, there’s been a shift in messaging coming from the kingdom.

The ongoing domestic initiatives of Vision 2030, an agenda aimed at diversifying revenue, increasing tourism, and presenting Saudi Arabia as a modern kingdom ready to do business around the globe, all are hailed as revolutionary.

More still can be done, though, to accomplish the kingdom’s goals of being accepted and being, again, a very appreciated ally of the United States. It seems that the image being portrayed to the

world does not reflect the realities of life of the citizens of Saudi Arabia.

The release of the declassified report by the director of National Intelligence confirms that a team of operatives carried out the brutal murder of journalist and Saudi government critic, Jamal Khashoggi, who was living in Virginia.

In recent years, there has been increased use by the Specialized Criminal Court officially designated to counter terrorism to prosecute journalists, activists, and political dissidents.

I hope our witnesses will speak to how the United States can use its policies to promote accountability for the past crimes and ongoing abuses.

There have been positive developments regarding the rights of women, such as the reversal of the archaic ban on women driving, more ability for women to participate in social and cultural events, and some changes in guardianship policies.

Small steps toward progress should be recognized. Sadly, these policies have been accompanied by an ongoing crackdown on activism and dissent. Reports by some female activists allege torture, imprisonment, and arbitrary charges and sexual abuse while detained. These abuses should be fairly investigated.

For years, the Kingdom of Saudi Arabia has also pledged to address the issue of promoting extremist views toward religious minorities through its educational material.

The Office of International Freedom at the State Department and organizations have indicated that the textbooks in Saudi Arabia classrooms incite hatred and rejection of other religions.

Phrases that explain jihad as, quote, “a joined battle against disbelievers,” end of quote, have been frequently found in Saudi textbooks. I was grateful to introduce the bipartisan H.R. 554, Saudi Educational Transparency and Reform Act in 2019 with the distinguished Member of Congress from Massachusetts, Representative Bill Keating to require an annual review of Saudi Arabia’s textbooks, ensuring that there is full implementation of its commitment to reform. Also, a country seeking modernity must not be involved in propagating hate in its textbooks and sowing extremist sentiments in children.

I appreciate that the witnesses here are before us today and we were very grateful to have them here. Look forward to their perspectives, and it’s also very important that we understand in the Middle East how important Saudi Arabia is standing firm against the murderous regime in Tehran, which has attacked the kingdom with rocket attacks over the last 2 years.

And with that, I yield back.

Mr. DEUTCH. Thank you, Mr. Wilson.

I’ll now recognize the chair of the Committee on Foreign Affairs, Mr. Meeks. Chairman Meeks, we’re very glad to have you with us today for this important hearing and are honored by your presence, and you’re recognized for any opening remarks you may have.

Chairman MEEKS. Well, good morning, and thank you, Chairman Deutch, for holding this timely hearing and for your excellent opening statement. I want to associate myself with it in its entirety.

To our distinguished witnesses, I want to also thank you for your insights on this important topic. Saudi Arabia is a long-standing and critical U.S. partner in a complex and changing region.

Our political, economic, and commercial interests intersect in important ways and many of our regional goals align. These goals are essential to the security of our country and that of our closest allies, and must be pursued together.

Nonetheless, for far too long, Saudi Arabia's routine suppression of basic rights and free expression has gone unaddressed. From the lack of religious freedoms and minority rights to the act of suppression of public debate, free speech, and a criminalization of dissent, such actions are a thorn in the side of this important bilateral relationship.

Though Saudi Arabia has taken steps toward reform, such as granting women the right to drive and obtain travel documents, recent years have been marred by the Saudi government's brutality against dissidents, most notably the detention and abuse of numerous peaceful protesters and a brutal killing of The Washington Post journalist and U.S. resident, Jamal Khashoggi.

Despite overwhelming evidence of the Saudi government's role in this murder, the previous administration did little to ensure our relationship with Saudi Arabia remained consistent with American values.

In contrast, the Biden Administration's release of the DNI report was a good step toward accountability for the killing of Mr. Khashoggi, finally following a bipartisan legal requirement the previous administration refused to comply with for over 1 year.

Now, I look forward to the witnesses' testimony today and will close with this thought. We can and should maintain a strategic relationship with Saudi Arabia while being firm and clear about our values as a country, especially when it comes to the targeting of journalists, political dissidents, and the imprisonment of U.S. citizens.

I look forward to hearing from the witnesses. Thank you, Mr. Chairman, and I yield back.

Mr. DEUTCH. Thank you very much, Chairman Meeks.

I will now introduce our distinguished witnesses. Ms. Suzanne Nossel is chief executive officer at PEN America. She previously served as chief operating officer of Human Rights Watch, executive director of Amnesty International U.S.A.

She also served in the Obama Administration as deputy assistant secretary of State for international organizations, leading U.S. engagement in the U.N. and multilateral institutions on human rights issues, and in the Clinton Administration as deputy to the U.S. Ambassador for U.N. management and reform. She is the author of "Dare to Speak: Defending Free Speech for All."

Dr. Hala Aldosari is a scholar of social determinants of health and gender-based violence research. She examines the influence of gender norms on women's political, economic, legal, and health statuses in the Arab Gulf States.

Dr. Aldosari has worked as a biomedical scientist and consultant for the Ministry of Health of Saudi Arabia and as a lecturer of health sciences. She has been selected for fellowships and scholar

residencies at multiple top universities, and she was the Washington Post's first Jamal Khashoggi Fellow.

And Ms. Kirsten Fontenrose is the director of the Scowcroft Middle East Security Initiative at the Atlantic Council. Previously, she served as senior director for the Gulf at the National Security Council, leading the development of U.S. policy toward the GCC, Yemen, Egypt, and Jordan.

Her interagency experience includes 5 years at the State Department, leading the Middle East and Africa team in their Interagency Global Engagement Center, and she spent a year in the private sector consulting on specialized projects in the national security space.

Thanks to all of the witnesses for being here today. I will now recognize witnesses for 5 minutes each, and without objection, your prepared written statements will be made a part of the record.

Ms. Nossel, you are recognized for 5 minutes.

**STATEMENT OF SUZANNE NOSSEL, CHIEF EXECUTIVE  
OFFICER, PEN AMERICA**

Ms. NOSSEL. Thank you, Chairman Deutch and Ranking Member Wilson, for convening this timely hearing.

PEN America unites writers and their allies to celebrate creative expression and defend the liberties that make it possible. We're grateful for the opportunity to testify today on the ongoing assault on human rights and free expression in Saudi Arabia.

PEN America has been vocal and active in advocating for justice following the murder of Jamal Khashoggi. In 2019, we awarded our PEN/Barbey Freedom to Write award to Saudi women's rights activists and writers Nouf Abdulaziz, Eman Al-Nafjan, and Loujain al-Hathloul.

We recognize them for their fearless work exposing the deprivations of Saudi's infantilizing guardianship system over women and launched a global campaign for their freedom.

While the recent conditional release of Hathloul and several other Saudi writers and women's rights activists is welcome, it must not blind us to the ongoing reality of sustained repression.

Legal harassment, detention, and the threat of execution constrict the freedoms of those who dare speak out on sensitive subjects.

Even those released are far from free, subject to travel bans, surveillance, and the risk of renewed imprisonment. The regime's determination to hunt down dissenters instills a fear—a sense of fear from which there is no escape, even far beyond Saudi borders.

Saudi Arabia has long been one of the most restrictive countries in the world for human rights, including freedom of expression in the press. Crown Prince Mohammed bin Salman is sometimes described as a modernizer. But his updated policies and practices must not be mistaken for true liberalization, much less any commitment to human rights.

The Crown Prince has sought to consolidate his shaky hold on power by pairing social reforms popular with young Saudis with an intensifying crackdown on dissent and free speech.

Measures to loosen restrictions on dress, entertainment, social media, and women's autonomy have been paired with a clamp down on the country's most potent rights advocates and dissenters.

Loujain al-Hathloul is a striking example. Women were granted permission to receive driver's licenses in June 2018. But just weeks prior, she and others who had campaigned for years to secure this freedom were arrested, entering a nearly 3-year legal odyssey involving incommunicado detention and torture.

The Crown Prince claimed glory for lifting the unpopular ban on driving, but went to extreme lengths to prevent those who had championed the cause from receiving credit or moving on to wage new fights for rights.

Further waves of arrests of writers and activists in April and November 2019 evinced utter imperviousness to international outcry in the wake of the Khashoggi murder.

The present moment represents a critical juncture to reorient U.S. policy on Saudi Arabia, making good on President Biden's promise to tip the scales in the direction of human rights.

Saudi Arabia also represents an essential proving ground for an administration that aims to restore the U.S.'s legitimacy and leadership on human rights worldwide. Prisoner releases within weeks of President Biden's inauguration demonstrate the leverage the Administration can wield if it chooses to do so.

After taking the crucial step of releasing the DNI report, the decision to spare the Crown Prince from sanction in order to protect other facets of the U.S.-Saudi relationship risks overshadowing the Administration's rhetoric and actions in the name of accountability.

These include, importantly, the creation of a global Khashoggi ban, allowing visa restrictions for officials responsible for extraterritorial attacks on journalists. Robust further measures are now essential to ensure that neither Saudi Arabia nor the rest of the world are left with the impression that the U.S.'s commitment to human rights and press freedom will be traded away when the stakes are highest.

The Crown Prince must face meaningful personal consequences for having directed the crime that shocked the conscience of the world. Otherwise, the shroud of untouchability shielding not just him but other abusive autocrats with whom the U.S. does business will stiffen with grave implications for global press freedom, free expression, and human rights.

Congress should pass several bills that have been introduced to advance accountability for human rights violations in Saudi Arabia. These include the Saudi Arabia Accountability for Gross Violations of the Human Rights Act, introduced by Representatives Malinowski, McGovern, and Kim, the Protection of Saudi Dissidents Act reintroduced this year by Representative Connolly, and the Jamal Khashoggi Press Freedom Accountability Act, introduced by Representative Schiff and Senator Klobuchar.

As for the Biden Administration, it should make good on its view voiced during the campaign that it would be necessary to seek a set of pledges from the Saudi government to ensure atrocities like the Khashoggi murder do not occur.

They should make clear that such progress is a condition of future stable partnership with the U.S., including and particularly if the Crown Prince is to become king.

The Biden Administration's commitment to rejoin the United—the U.N. Human Rights Council presents one vehicle. Saudi Arabia has been a member of the Council for 12 of the last 15 years since it was created in 2006.

In running for election to the Council, the kingdom has pledged to consider joining key human rights treaties and cooperating with U.N. human rights mechanisms. But so far, these have been empty promises.

In 2020, their candidacy was, thankfully, defeated in what the kingdom considered an embarrassing blow. The Biden Administration and the U.S. Congress should now push Saudi Arabia to adopt the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, key human rights instruments that Saudi Arabia has never joined.

Saudi Arabia should be pressed to permit entry by U.N. special procedures to carry out their work within country and to establish a U.N. Office for Human Rights in the kingdom that would help implement and assess planned legal and judicial reforms and advance further measures to uphold rights.

Loujain al-Hathloul's sister Lina shared these words with us: "Loujain was released thanks to international pressure, and the fight for her should not end here. Loujain is a symbol of Saudi Arabia's human rights defenders and giving up on her now is giving up on the fight for freedom. We thank the many Members of Congress who have raised their voices on behalf of writers, activists, and other human rights defenders in Saudi Arabia. It makes a difference and we must keep up and step up the fight."

Thank you.

[The prepared statement of Ms. Nossel follows:]



## WRITTEN TESTIMONY FOR THE RECORD

### ASSESSING THE HUMAN RIGHTS SITUATION IN SAUDI ARABIA

Suzanne Nossel  
Chief Executive Officer, PEN America

Testimony prepared for a hearing of the  
House Committee on Foreign Affairs Subcommittee  
on the Middle East, North Africa, and Global Counterterrorism

Thursday, March 18, 2021

Thank you, Chairman Deutch, and Ranking Member Wilson, for convening this timely hearing on the human rights situation in the Kingdom of Saudi Arabia.

PEN America, founded in 1922, unites writers and their allies to celebrate creative expression and defend the liberties that make it possible. We are grateful for the opportunity to testify today on the ongoing assault on human rights and free expression in Saudi Arabia.

The defense of individual writers at risk around the world lies at the heart of PEN America's work. We have been vocal and active in advocating for justice following the murder of Jamal Khashoggi through statements, letters, events, and engagement with U.S. officials and policymakers. In 2019, we awarded our annual [PEN/Barbey Freedom to Write Award](#) to Saudi women's rights activists and writers Nouf Abdulaziz, Eman Al-Nafjan, and Loujain Al-Hathloul. We recognized them for their fearless work exposing the indignities and deprivations of Saudi's infantilizing "guardianship" system over women.

When Saudi Arabia hosted last year's virtual G20 proceedings in Riyadh, PEN America mounted a [Counter-Summit](#) and campaign to uplift the voices of those whom the Saudi government seeks to silence. The event, translated into Arabic and broadcast live on Twitter, featured human rights experts, family members of prisoners of conscience, and legislators from several countries. In 2019, we published a first-ever annual global census of writers who are imprisoned for their work, the PEN America [Freedom to Write Index](#). In that inaugural count, Saudi Arabia was the world's second worst jailer of writers and intellectuals, with 38 behind bars, second only to China.

While the recent, conditional release of several Saudi writers and women's rights activists, including Loujain Al-Hathloul, is welcome, it must not blind us to the ongoing reality of sustained repression. Legal harassment, detention, and physical violence constrict the freedoms of those who dare to speak out on sensitive subjects. Even those who are released are far from free, still subject to travel bans, surveillance, and the risk of renewed imprisonment. The long arm of Saudi Arabia's brutality was chillingly demonstrated by the Khashoggi murder. The regime's

determination to hunt down dissenters wherever they are instills a sense of fear from which there is no escape, even far beyond Saudi borders.

#### **Free Expression in Saudi Arabia**

[Saudi Arabia](#) has long been one of the most restrictive countries in the world for human rights, including freedom of expression and the press. Crown Prince Mohammed bin Salman (known colloquially as MBS) is sometimes described as a “modernizer.” But changes to policies and practices must not be mistaken for true liberalization, much less a commitment to human rights. The Crown Prince has sought to consolidate his hold on power by pairing social reforms popular with young Saudis with an intensifying crackdown on dissent and free speech. This is a deliberate, two-pronged strategy to tamp down challenges to his authority by mollifying those willing to be appeased, while viciously attacking any who resist. Measures to loosen restrictions on dress, entertainment, social media, and women’s autonomy have been paired with a clampdown on the country’s most potent rights advocates and dissenters. Loujain Al-Hathloul’s case offers a striking example. Women were granted the right to receive drivers’ licenses in June 2018. But just weeks prior, she and other women who had campaigned for over a decade to secure this right were arrested, entering a nearly three-year legal odyssey involving incommunicado detention and torture. The Crown Prince took the credit for lifting the unpopular ban on driving but went to extreme lengths to prevent those who had championed the cause from receiving credit or moving on to wage new fights for rights.

In further waves of arrests in April and November 2019, Saudi authorities detained prominent writers and activists in a move evincing utter imperviousness to international outcry in the wake of the Khashoggi killing. Examples include Redha Al-Boori, a writer and journalist who was detained for almost two years in an unknown location; Moqbel Al-Saqqar, a novelist noted for his support of women’s rights, who was held in pretrial detention without access to legal counsel for almost two years; Bader Al-Ibrahim, a doctor and author of a book on Shiite Muslim politics; and Saudi feminist writer and online commentator Khadija Al-Harbi, arrested alongside her husband, the journalist and blogger Thumar Al-Marzouqi, while in the late stages of pregnancy. The practice of arbitrary detention continued into 2020: for example, several writers—notably, the novelist Ali Al-Shadwi, writer and professor Aql Al-Bahili, and writer and economist Abdulaziz Al-Dukhail—were detained in April 2020 for [making public statements to express condolences](#) following the death in custody of prominent activist and reformer Abdullah Al-Hamid. In many of these cases, individuals spent multiple years in detention [without charge](#), a practice commonly used against writers and public intellectuals in Saudi Arabia.

Even when charges eventually do materialize, the Saudi judicial process is opaque and arbitrary; detainees are often not provided access to adequate legal counsel or are not allowed to choose their own lawyer and are often informed that a court hearing has been scheduled only days or sometimes even hours in advance. Sentences are lengthy and extreme, designed to send a repeated message that dissent will be punished with severe consequences. After 3 years of arbitrary detention, economist and writer Essam Al-Zamil was sentenced to 15 years in prison on trumped-up terrorism charges in October 2020 after he criticized Aramco, the Saudi national oil company, and its inflated valuation on the stock market.

Other long-standing cases of writers, intellectuals, and activists jailed for extended periods have largely disappeared from the headlines but should not be forgotten. Blogger and activist Fadhel Al-Manasef has been in some form of state custody since 2011. Blogger and creator of the website Free Saudi Liberals Raif Badawi has been jailed since 2012 on charges of blasphemy and was sentenced in 2014 to 10 years in prison, 1,000 lashes, and a fine of 1 million Saudi

riyals; he remains in prison. Reportedly, authorities are considering [charging him](#) with additional "crimes" in order to extend his incarceration. Writer Nadhir Al-Majid was arrested in 2017 and sentenced to 7 years in prison and an additional 7-year travel ban upon expiration of his prison sentence for his writings. In all of these cases, the only "crime" committed was the exercise of the universal right to free expression.

#### **Recent Trends and Ongoing Issues of Concern**

At least 36 writers and public intellectuals were detained or imprisoned in Saudi Arabia during 2020. While recent months have seen some prominent dissidents and activists released, in almost all cases they continue to face stringent conditions and ongoing legal proceedings that prevent them from traveling, speaking publicly, or returning to their writing, activism, or professional life. Loujain Al-Hathloul, a women's rights advocate and writer who was one of PEN America's 2019 Freedom to Write honorees, was conditionally released in February of this year after more than two years in prison that included periods of solitary confinement and torture. Loujain's case received significant international attention, and there is little doubt the Saudi regime released her in part to burnish its tattered image, especially in the eyes of the new Biden administration. However, as her family has noted repeatedly, she cannot be considered truly free. The conditions of her release include a five-year travel ban and three years of probation, during which the threat of rearrest will limit her ability to speak freely or engage in any activism. Just last week, a Saudi court upheld her original sentence and affirmed the restrictive conditions of her release. Her attempts to seek redress for the grave abuses she endured while in state custody have thus far failed. Loujain's brother Walid asked us to share this message on her behalf: "Loujain is released but she is not free. Any restriction on her movement and ability to speak are proof that the Saudi government continues to harass her indirectly."

Other released writers, journalists, and rights defenders including Eman Al-Nafjan, Bader Al-Ibrahim, and Salah Al-Haider have reportedly also faced restrictions including house arrest, travel bans, or the inability to return to their professional jobs, and have not been able to speak and write freely in the public sphere. Yet even the exact terms of many individuals' releases are difficult to determine, given the opacity of judicial processes in Saudi Arabia. Detainees and their families often fear that making the details of their cases and detention public will prompt the government to snatch back whatever small amount of freedom it has granted.

The recent releases, while a step in the right direction, are insufficient while the broad restrictions on free speech remain in place. Ongoing challenges to free expression in the country include the harsh repercussions—primarily in the form of incommunicado detention and politicized legal charges—directed at dissident voices within the Kingdom who dare to speak out, as well as their families. The long arm of Saudi repression reaches into the diaspora as well; Saudi activists in exile face online surveillance, hacking, trolling, or other forms of intimidation designed to create fear and chill their writing or advocacy abroad.

#### **The Path Forward**

The present moment represents a critical juncture to reorient U.S. policy on Saudi Arabia, making good on President Biden's promise to "re-calibrate" the relationship, to tip the scales in the direction of human rights. Saudi Arabia also represents an essential proving ground for an Administration that hopes to restore the U.S.'s legitimacy and leadership on human rights worldwide. The timing of the release of Loujain Al-Hathloul and other activists within weeks of President Biden's inauguration was no coincidence. It demonstrates the leverage the administration can wield, if it is willing to do so. After taking the crucial step of releasing the Office of the Director of National Intelligence (DNI) report confirming MBS's complicity in the

Khashoggi murder, the Biden Administration announced that the U.S. would sanction 76 Saudis—but not the Crown Prince. The decision to spare the Crown Prince in order to protect other facets of the US-Saudi relationship risks overshadowing other important measures taken, including the adoption of the “Khashoggi Ban” that allows visa restrictions for officials responsible for extra-territorial attacks on journalists. Robust further measures are essential to ensure that neither Saudi Arabia nor the rest of the world are left with the impression that the American commitment to human rights and press freedom will be traded away when the stakes are highest.

The Crown Prince must face meaningful personal consequences for having directed a gruesome crime that shocked the conscience of the world. Otherwise, the shroud of untouchability shielding not just him but other abusive autocrats with whom the U.S. does business will stiffen, with grave implications for global press freedom, free expression, and human rights.

With respect to MBS, Congress and the Administration must remain focused on visible steps to ensure that the Crown Prince is not seen to have gotten away with murder simply by virtue of his status. Representatives Tom Malinowski (D-NJ), James McGovern (D-MA), and Andy Kim (D-NJ) have introduced the Saudi Arabia Accountability for Gross Violations of Human Rights Act that would restrict the grant of a U.S. visa to MBS and the others named in the DNI report. This would formalize what we all know, which is that the Crown Prince must not be welcomed back onto the world stage, not anytime soon and not absent visible, substantial, and durable change. The bill would also require the administration to certify that the Saudis are no longer engaged in a pattern of intimidation or harassment of people inside the United States in order to continue buying arms from the U.S.

Additionally, Congress should pass the Protection of Saudi Dissidents Act, reintroduced this year by Representative Gerry Connolly (D-VA), in order to help deter further harassment and violence against activists and dissidents by the Saudi government. This legislation would prohibit arms sales to Saudi intelligence, internal security, or law enforcement until Saudi Arabia meets certain human rights conditions.

Congress should enact the Jamal Khashoggi Press Freedom Accountability Act, introduced by Representative Adam Schiff (D-CA) and Senator Amy Klobuchar (D-MN), which would prohibit U.S. foreign assistance to governments that commit human rights violations against journalists, and sanction their leaders.

Last summer, National Security Adviser Jake Sullivan, at the time the foreign policy advisor to then-candidate Biden, outlined necessary U.S. responses to the Khashoggi killing. Alongside condemnation and investigation, he referenced the need for “securing a set of pledges from the Saudi government about what they were going to do going forward to make sure that this kind of thing and things like it don’t happen again.” In the context of a bilateral relationship vital to both parties, the Administration should insist that such pledges be made in order to fortify and enable future partnership with the U.S. The Biden Administration’s commitment to rejoin the UN Human Rights Council presents one vehicle. Saudi Arabia has been a member of the UN Human Rights Council for 12 of the 15 years since the Council was created. In running for a Council seat the Kingdom has voluntarily pledged to consider joining key human right treaties and cooperating with UN human rights mechanisms. But they have never made good on these promises. The **Biden Administration and the U.S. Congress** should press Saudi Arabia to publicly adopt both the Universal Declaration of Human Rights and the International Covenant on Civil and

Political Rights, both universal human rights instruments that Saudi Arabia has never joined. Saudi Arabia should be pressed to permit entry to UN special procedures to carry out their work within the country, and to establish a UN office for human rights in the Kingdom that would help implement and assess planned legal and judicial reforms. These measures would offer the Saudis a way to signal that they take seriously the US's insistence on concrete pledges as a predicate to continued good relations. Most importantly, they could lay a foundation for ensuring follow-up actions and implementation to make good on expanded human rights commitment.

Loujain Al-Hathloul's sister Lina shared these words with us: "Loujain was released thanks to international pressure, and the fight for her should not end here. Loujain is a symbol of Saudi Arabia's human rights defenders, and giving up on her now is giving up on the fight for freedom. Having an absolutely free Loujain could help path the way for real reforms in Saudi Arabia, and could help hundreds of other political detainees." Many members of Congress have been actively engaged in speaking out on behalf of writers, activists, and other human rights defenders in Saudi Arabia, and that action has made a difference. Together we must keep up the fight.

Mr. DEUTCH. Thank you very much, Ms. Nossel.

Dr. Aldosari, welcome back to the subcommittee. You are recognized for 5 minutes.

**STATEMENT OF DR. HALA ALDOSARI, SCHOLAR IN WOMEN'S  
HEALTH AND ACTIVIST FROM SAUDI ARABIA**

Dr. ALDOSARI. Thank you, Mr. Chairman and distinguished members of the House for organizing this important event and for including my voice and voices in the region in your deliberation.

I present my statement here as a citizen of Saudi Arabia who was forced into exile because of my advocacy for women and human rights in my country. I'm one of hundreds of Saudis, scholars, activists, who were forced in the last few years to seek refuge in other countries because of their writings or demands for reforms.

Saudi Arabia has become one of the most repressive countries while pursuing certain legal reforms. The brutal murder, as mentioned, of Jamal Khashoggi has actually revealed the reality on the ground.

Human rights in Saudi Arabia are severely limited because of the absolute monarchical system of governance. There is no political parties, independent media associational life for the civil society or any other means for peaceful safe public engagement in political affairs.

The Royal Advisory Council is made up of appointed members without legislative or oversight power. Only two-thirds of the municipal council seats are open for election, and candidates are routinely disqualified if they were engaged in any public discourse on reforms.

While activists and advocates for reforms are routinely targeted and silenced, the situation has become more aggressive both in scope and severity since the Crown Prince, Mohammed bin Salman, came to power in 2017.

Several waves of arrests, as mentioned by my other colleagues, have targeted people of different backgrounds: religious reformers, bloggers, businessmen, Statesmen, members of the ruling family and men and women activists under various pretexts like fighting political Islam, corruption, or treason.

The Presidency of State Security established by Mohammed bin Salman in 2017 reports directly to court or to Mohammed bin Salman with the authority of utilizing any institutional resources or manpower to conduct its operations without any kinds of judicial oversight.

Testimonies of several detained individuals indicate an alarming use of torture to coerce confessions or to seize personal assets. Laws on counterterrorism and cybersecurity are repeatedly cited in targeting peaceful advocates for reforms.

In his 2018 mission report, the Special Rapporteur on the promotion and protection of human rights and fundamental freedom while countering terrorism expressed his concern that confessions obtained under torture were admissible and decriminalized in the specialized criminal court, and this is a quote often used to try activists and advocates for reforms.

He also noted that there were 3,000 allegations of torture were formally recorded but without any kinds of persecution of officials

involved. There are no safeguards against torture or ill treatment and most individuals are held incommunicado for extended periods of time.

We have learned only from, you know, those who were recently released or the relatives of those who were detained about the different forms of torture used and how systematic it became as part of the State investigation.

Electric shock, waterboarding, severe beatings, starvation, sleep deprivation were common practices in Saudi interrogation. In addition, the woman activist have also been exposed to sexual abuse and threats of rape and killing.

They all have pointed to the role of the masked individual from the State Presidency Security and for individuals such as Saud al-Qahtani, who is an advisor or close advisor of Mohammed bin Salman and who has been cleared from any kinds of responsibility and the Khashoggi killing.

So despite very good reforms to ease the restrictions on women's autonomy and women mobility, women remain vulnerable to discrimination and abuse. These reforms do not protect women from their guardians asking for—you know, revoking any kinds of rights because of this obedience or absence from home.

Sponsorship system remains problematic, despite the reforms that have been in effect, and we, as a people, have come together to establish a vision for reform that puts people in exile—I mean, Saudi people in exile—have put the people's vision for reforms that centers human rights and social justice as key measures or benchmarks for any meaningful reforms.

And I thank you. I do not want to speak more, but we can definitely discuss this at length in questions.

Thank you.

[The prepared statement of Ms. Aldosari follows:]

**Statement on the human rights conditions in Saudi Arabia**

Hala Aldosari, PhD

Scholar in women's health and activist

Non-resident Fellow, Democracy for the Arab World Now (DAWN)

Committee of Foreign Affairs

Subcommittee on the Middle East, North Africa, and Global Counterterrorism

March 18<sup>th</sup>, 2021

"Assessing the Human Rights Situation in Saudi Arabia"

Mr. Chairman and the distinguished members of the House,

Thank you for organizing this important hearing and for including voices from the region in your deliberation. I present my statement to you as a citizen of Saudi Arabia who was forced into exile because of my advocacy for women and human rights in Saudi Arabia. I am one of hundreds of Saudis who were forced in the last few years to seek refuge in other countries for fear of persecution because of their writings, advocacy or demands for reforms. Saudi Arabia has become one of the most repressive countries while pursuing certain legal reforms. The brutal murder and dismembering of the US-based, Saudi journalist Jamal Khashoggi at the Saudi consulate in Istanbul has revealed the extent of such repression and the regime's total disregard for the international laws and diplomatic norms.

Human rights in Saudi Arabia are severely limited under an absolute monarchical system of governance. Political parties, independent media, civil society associations and other forms of public engagement in political affairs are banned. The Royal advisory Council is made up of appointed members and has no legislative power or oversight authority. Only two third of the municipal council seats are open for election and candidates are disqualified, even if eligible for participation, if they were publicly engaged in discourse on reforms. While activists and advocates for reforms are routinely targeted and silenced by the state, the situation has become more aggressive, both in scope and severity, after the de facto ruler and Crown Prince, Mohammed Bin Salman, known as MbS, came to power in 2017.

Several waves of arrests targeting hundreds of people of all backgrounds and affiliations were conducted under the direction of a new Presidency of State Security. Religious reformers, bloggers, scholars, businessmen, statesmen, members of the ruling family and men and women activists were targeted under various pretexts of fighting political Islam, corruption or treason. The Presidency of State Security reports directly to the Royal Court, or to MbS, with the authority to utilize any institutional resources or manpower to conduct its operations or investigations without a judicial oversight. Testimonies of several detained individuals indicate an alarming use of torture to coerce confessions or to seize personal assets. Laws on counterterrorism and cybersecurity are repeatedly used to convict politically targeted individuals in trials that lack any safeguards of justice. In his 2018 mission report, the special rapporteur on the promotion and protection of human rights and fundamental freedom while

countering terrorism expressed his concern that confessions obtained under torture were admissible in the specialized criminal court; often used to try activists and advocates for reforms. He noted as well that between 2009-2015 more than 3000 allegations of torture were formally recorded but no officials were prosecuted for committing acts of torture or ill-treatment.

There are no safeguards against torture or ill-treatment as most of individuals are held incommunicado for extended periods. We have learned from some of those detained at the Ritz and the women activists that they were subjected to brutal torture and ill-treatment in secret detention facilities equipped with torture chambers. Testimonies describe the use of electric shocks, waterboarding, severe beating, starvation and sleep deprivation as common practices. Women activists were additionally subjected to sexual abuse and threats of rape and killing. One testimony of a woman activist mentioned that Khalid Bin Salman, MbS's brother and the previous ambassador to the United States was present during her torture and boasted about his own power. Saudi Al-Qahtani, a close advisor of MbS, was also present in the torture sessions of women and other individuals and he was cleared from any wrongdoings by the Saudi legal system after a sham trial of suspects for Khashoggi's killing.

Despite legal reforms to ease the restrictions on women's autonomy and mobility, women remain vulnerable to discrimination and abuse. While reforms allowing women to travel, drive or obtain national identifications without a male guardian's consent are significant, they are rendered ineffective for women without a supportive guardian. A male guardian is allowed by law to charge a woman with disobedience or absence from home if she challenges his authority or lived away from home. Once detained or imprisoned because of disobedience, a woman will not be able to exit a state run-shelter or prison without a consenting male guardian. In several cases women report being coerced into marriage to be able to leave the institution if her guardian did not approve of her release. Women activists were formally applying for a permit to establish a shelter for survivors of violence under the new associational law but were actually charged with plotting to destabilize the foundations of the state. The general prosecution considered me a "hostile element" and charged women activists with the crime of contacting me, journalists and diplomats in the country<sup>1</sup>. Women who were released remain under probation and travel bans; they are unable to resume their jobs let alone their advocacy for rights. Many women remain imprisoned without a due process and their families are unable to advocate for their release for fear of retribution. Families who dared to publicize the details of the arrests and interrogation of their family members were placed under collective punishments of travel bans or prosecution.

Half of the workforce in Saudi are made of migrant workers who are living under the sponsorship system. The state announced some reforms to the system that would allow foreign workers to change jobs and exit the country without the consent of their sponsors. However, those who are most vulnerable to abuse by their sponsors, such as domestic workers and foreign wives who are sponsored by their husbands, are excluded from this reform. During COVID-19 pandemic, thousands of migrant workers who are forced into Saudi Arabia by the Houthi militia in Yemen were killed or detained in inhumane and unhygienic conditions without

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<sup>1</sup> <https://www.loujainalhathloul.org/arrest-torture-charges>

access to legal redress. COVID-19 has exacerbated the conditions of foreign residents who are requested to pay high fees to renew their residency permits while facing increased unemployment or risk detained in overcrowded and unhygienic deportation centers. At NEOM, forced displacement of local tribe was actively taking place and several members of the tribe were arrested for defying the relocation order and one man was killed for refusing to leave his home. Similar reports of forced relocation appeared to be taking place at other sites as well without a legal redress.

Saudi youth are also facing higher rates of unemployment without transparency or means to effectively engage in public discourse on economic policies. The state is pursuing privatization without a comprehensive social welfare system that can protect those who are most vulnerable from its impact. Economists were reportedly arrested for voicing concerns from the lack of transparency, corruption of the royal court, or inconsideration of public interests in economic policies. During COVID-19 pandemic, the state banned all visits to prisons, and in some cases family calls. One prominent writer, Saleh Al-Shihi died of COVID-19 shortly after being released from prison and another prominent advocate for constitutional reforms, Dr. Abdullah Al-Hamid, died in his cell due to medical neglect during the same period. Under the pandemic lockdown that lasted for months, reports of domestic violence have escalated without any meaningful redress. Several prominent activists in prisons had to go on hunger strikes to receive family calls or improve the conditions of their imprisonment. The lack of response to communications with officials became the norm in the last few years.

The regime is able to indulge in such excessive abuses because of the impunity granted by its allies. It resorts to a dangerous, ultra-nationalist sentiment against any constructive criticism or entity, including the United States. There is no alternative but to impose balances and checks on the absolute power of the monarchy and that of MbS. Saudi scholars and activists in exile has launched an alternative, people's vision for reforms<sup>2</sup>. The vision considers human rights and social justice as the most significant benchmarks for reforms. It calls for the immediate release of thousands of activists and prisoners of conscience, a respect for freedom of expression, the right of association and political participation, protection for women's rights and the women activists, the freedom to believe, safeguards of justice in the legal system, end of torture and death penalty, migrant and stateless rights, social justice and respect of international law in foreign interventions. We believe that only by facilitating such measures and using the leverage that the United States and other democratic nations have that such vision for reforms can be realized. A piecemeal fashion approach to reforms do not address the lack of political constraints on power and does not guarantee that those who are most vulnerable are protected by legal reforms.

Sincerely,  
Hala Aldosari, PhD

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<sup>2</sup> <https://peoples-vision.com/en/vision>

Mr. DEUTCH. Thank you very much, Dr. Aldosari.  
Ms. Fontenrose, you are recognized for 5 minutes.

**STATEMENT OF KIRSTEN FONTENROSE, DIRECTOR, SCOW-CROFT MIDDLE EAST SECURITY INITIATIVE, ATLANTIC COUNCIL**

Ms. FONTENROSE. Chairman Deutch, Chairman Meeks, Ranking Member Wilson, and members of the subcommittee, thank you for your attention to an interest in shaping the future of the U.S.-Saudi relationship.

The U.S. has an opportunity now at the start of an administration that has made it clear that the U.S.-Saudi relationship will be recalibrated to set a course for the bilateral that protects and advances both human rights and U.S. strategic interests.

The administration's vow to apply Global Magnitsky sanctions to employees of the kingdom who threaten Saudi activists abroad is a step in the right direction. Likewise is the travel visa ban on Khashoggi—or the Khashoggi ban, though it is a downside in the eyes of human rights attorneys that we can discuss later if you're interested.

Diplomatically, President Biden's choice to limit Mohammed bin Salman, or MBS's, access within the U.S. Government to his official role as Minister of Defense sends an important deterrent message in the service of human rights.

Not treating MBS as de facto head of State implies that the Crown Prince would not be safe from prosecution in American courts. Examples from recent years indicate that this pressure can result in policy changes in the kingdom within certain lanes.

U.S. urging helped lead to reforms passed in 2019 to allow women to drive and travel abroad independently and to end flogging as a criminal punishment. And as mentioned previously, U.S. pressure obtained the release of Loujain al-Hathloul.

The State Department has encouraged the kingdom's efforts to remove hate speech from its school curriculum since 2015. A new version was released last year, perhaps in response to legislation sponsored by Congressman Wilson.

One reality check, however, the U.S. recently lost a point of leverage with MBS by releasing the unclassified ODNI report on the murder of Jamal Khashoggi so early in the Administration. A delay in the report's release might have yielded additional concessions to the U.S. act.

In the bilateral relationship, the U.S.'s position is arguably stronger than the kingdom's, but the U.S. is still wise to weigh the cost of its policy decisions.

Sanctioning MBS could lead to calls for sanctioning Chinese President Xi Jinping, Iranian Supreme Leader Ali Khamenei for ordering and overseeing the abuses that make China and Iran No. 1 and No. 2 respectively on the U.N.'s list of the world's worst human rights abusers in 2020, ahead of Saudi Arabia's slightly less egregious position as No. 5. Sanctioning the Crown Prince is unlikely to create support for replacing him as heir apparent.

After Members of Congress spoke angrily in December 2018 about MBS's role in the Khashoggi killing, third-party pollsters in Saudi Arabia registered rising support for the Crown Prince

amongst young adults, his base for more than half of the population.

U.S. sanctions are—I'm sorry, U.S. actions targeting Mohammed bin Salman personally with the implied aim of impacting his chances for ascension could draw retaliation from Saudi Arabia on multiple fronts.

These might include reductions in foreign direct investment in the U.S., increased cooperation with China on nuclear energy, refusal to normalize with Israel, refusal to contribute to expensive regional stabilization projects that will be U.S. priorities, support to Bashar al-Assad's government in Syria, continuation of the war in Yemen, or undermining of President Biden's energy transition agenda.

It's important to understand that the root of human rights abuses perpetrated by Saudi Arabia are issues perceived as existential by the increasingly narrow circle of decisionmakers in the royal family.

Whether this perception is accurate or not, if Riyadh's calculus indicates that a U.S. act will cause regime vulnerability, it will not be met. New methods are necessary. I offer four pages of options in my written testimony.

But for now, I would like to stress two overarching pieces that would increase the odds of any U.S. policy actuating change in Saudi Arabia.

First, clearly defined red lines and consequences for violating them. U.S. administration bears the baggage of the Obama red line on the use of chemical weapons in Syria in 2012, but actual tiers of red lines with proportional responses could reduce the likelihood of the kingdom calling the U.S.'s bluff.

Second, an international rise response to Saudi human rights violations like the Khashoggi murder. Citizens of multiple nations are victims of human rights abuses at the hands of Saudi actors, and there was no need for the U.S. bilateral relationship to be the sacrificial lamb.

I propose for your consideration instead an international convention against harassment and harm of political dissidents abroad that commits all signatories to enact sanctions or take other steps together against violators.

In closing, I'd like to note that the kingdom is a linchpin for nearly every U.S. objective in the region and some beyond: drawing down our military footprint, expanding and deepening Arab-Israeli normalization, preventing the resurgence and spread of violent extremist groups, ending the war in Yemen, containing Iranian nuclear and regional ambitions, preventing adversarial great power domination of the resources and waterways of the region, ensuring the flow of energy to fuel American lives and industry, stabilizing post-conflict zones so populations in countries wracked by war can begin to rebuild their lives, and energy transition and decarbonization.

U.S. goals in the Middle East are best served by remaining closely engaged with the government of Saudi Arabia, adopting an approach that is part boot camp instructor, part parole officer, and part avuncular advisor.

Demographic trends indicate that Saudi will look very different in 10 to 20 years. That could allow for a new political model.

An alienated Saudi Arabia will not get there by itself. It is in the U.S. interest to shepherd that potential, lead course correction, and build a better partner.

Thank you.

[The prepared statement of Ms. Fontenrose follows:]



**TESTIMONY OF Kirsten Fontenrose**

Director, Scowcroft Middle East Security Initiative

Atlantic Council

House Foreign Affairs Committee

Subcommittee on the Middle East, North Africa, and Global Counterterrorism

Hearing on

*“Assessing the Human Rights Situation in Saudi Arabia”*

March 18, 2021

Chairman Deutch, Ranking Member Wilson, and members of the Subcommittee, thank you for your attention to and interest in shaping the future of the US-Saudi relationship in a way that best conveys American outrage over human rights abuses while preserving American strategic interests.

I have worked on issues related to Saudi Arabia for over twenty-five years, beginning at an NGO, then as one of the founding staffers of the Near East South Asia Center for Strategic Studies at the National Defense University, later as a one of the small team that established the Global Engagement Center at the Department of State, and most recently as the senior director for Gulf Affairs at the National Security Council, hired by H.R. McMaster, at the time of the Jamal Khashoggi killing. I have become very attuned to the leverage the US does and does not have with Saudi Arabia in varying issue areas, as observed over now five presidents. In my current role as the director of the Scowcroft Middle East Security Initiative at the Atlantic Council, I am able to reflect on that leverage and offer thoughts on how US policy can be instrumental in changing the kingdom's behaviors with regard to human rights.

#### **Assessing Success Thus Far**

The White House has taken steps of varying effectiveness in its first efforts to "recalibrate" the US relationship with Saudi Arabia.

The administration's vow to apply Magnitsky Act sanctions to employees of the kingdom who strongarm and threaten Saudi activists or opposition voices abroad is a step in the right direction. While this will not immediately reduce the crown prince's attempts to utilize his employees as such, it will give individual employees reason to weigh their interests and may dissuade action by those with bank accounts or business interests abroad.

Likewise, the travel visa ban known as the Khashoggi Ban on actors involved in surveilling or harassing journalists and dissidents abroad will reduce the usefulness to Crown Prince Mohammed bin Salman (MBS) of the seventy-six banned employees and will immediately inhibit the ability of the crown prince in the near term to threaten journalists and dissidents in the US. It also sends a message to those in the kingdom that if their children want to go to college in the US, they should not go to work for the crown prince. The downside to this ban is that human rights attorneys preparing cases against these individuals will not have a mechanism for enforcing decisions in their favor, we cannot arrest these perpetrators if they do not enter our borders.

Diplomatically, President Biden has chosen to limit MBS' access within the US government to his official role as minister of defense, communicating only with his US Department of Defense counterpart. In one of his other roles as head of Saudi Arabia's sovereign wealth fund, the White House may begrudgingly find the US government compelled to engage with the crown prince. A US regulatory filing on February 16, 2021, reported that Saudi Arabia's sovereign wealth fund increased its holding of US stocks by \$5.8 billion in the fourth quarter.<sup>1</sup> This announcement of a downgrade in access sends a further important deterrent message to Mohammed bin Salman. By not treating him as de facto head of state, the Biden administration implies that the crown prince would not be safe from prosecution in American courts.<sup>2</sup>

US pressure combined with the crown prince's desire to take very public steps to improve the kingdom's image led to reforms that allowed women to drive and travel abroad independently, to end flogging as a

<sup>1</sup> Saeed Azhar, "Saudi sovereign wealth fund boosts U.S. equities exposure to nearly \$12.8 billion," Reuters, February 16, 2021, <https://www.reuters.com/article/saudi-pf-stocks-int/saudi-sovereign-wealth-fund-boosts-u-s-equities-exposure-to-nearly-12-8-billion-idUSKBN2AG289>.

<sup>2</sup> Beth Van Schaack, "US Suit Against Saudi Prince for Attempted Killing of Ex-Insider Faces Hurdles," Just Security, August 8, 2020, <https://www.justsecurity.org/71920/us-suit-against-saudi-prince-for-attempted-killing-of-ex-insider-faces-high-hurdles/>.

criminal punishment, and to end the death penalty for child offenders of some crimes. The release of Loujain al-Hathloul is another example of the positive impact of US pressure on Saudi decision-making. Pressure should remain consistent to ensure that Loujain's imprisoned peers are also released.

The US State Department has encouraged Saudi Arabia's efforts to remove hate speech from its school curriculum since 2015 when the kingdom reached out for support in doing so and prioritized it in its Vision 2030 plan. New versions were released in 2019 and, with a press from the US government for additional changes, in 2020. Even critics of the Saudi government credit the close relationship the Trump administration had with MBS with the release of this improved curriculum, now available to schools around the world, saying the pressure worked because Saudi Arabia felt the US returned the goodwill by helping to contain the Iranian regime's efforts to export its ideology.<sup>3</sup>

According to Human Rights Watch, the use of capital punishment sharply declined in 2020 to 8 percent of 2019 numbers.<sup>4</sup> It is estimated that for the same year, Iran carried out the death penalty fifteen times as often as did Saudi Arabia.<sup>5</sup> The US cannot directly claim credit for this drop in executions in Saudi Arabia, but Saudi's need to differentiate itself from Iran in ways that are meaningful to Europe may have played a role.

The United Nations (UN) documented a two-thirds reduction of child casualties in Yemen between 2017 and 2019, prompting the UN Secretary-General in June of 2020 to remove the Saudi-led coalition from his list of parties responsible for grave violations against children globally. This reduction was in great part due to the role US military members played in supporting the coalition's Joint Incident Assessment Team charged with identifying civilian gatherings and infrastructure to ensure they were not included on coalition target lists, illustrating the very tangible role the US can play in reducing human rights violations by Saudi Arabia. The recent end to this US support to the Saudi-led coalition in Yemen was successful in convincing MBS that an end to the war is in his own best interest. The US Special Envoy for Yemen stated in a public event on March 12 that the Saudis are providing "full support for my efforts."<sup>6</sup> Unfortunately, the end of that support also emboldened the Houthis, who rejected the US Envoy's proposal for a ceasefire this week and look 1) to be planning a military advance on the city of Marib in opposition to entreaties by UN Special Envoy Martin Griffiths, and 2) to block UN access to inspect the Safer tanker, a leak from which would prevent delivery of humanitarian aid to the port of Hodeidah.<sup>7</sup> According to a colleague who leads aid and relief delivery for an industry leader in the international logistics sector and major service provider to US Agency for International Development and World Food Program, should this happen, overland delivery would be difficult and dangerous due to unstable road infrastructure that does not link the ports in Aden or Salalah with the southwest of the country, so the aid community would have to recreate the entire supply chain to serve a region the size of Pennsylvania before aid delivery could be restored. The end of this support was, sadly, a pyrrhic victory.

There is one arena in which the US does not currently have sufficient leverage to effect human rights-related change in Saudi Arabia—domestic royal politics. Both the Biden administration and the Trump administration called for release of Mohammed bin Nayef, the former crown prince and one of America's strongest counterterrorism partners during his tenure, at the top of their talking points when

<sup>3</sup> Kimberly Dozier, "Saudi Arabia Is Scrubbing Hate Speech from School Books. Why That's a Win for the Trump Administration," Time, December 15, 2020, <https://time.com/5921721/saudi-arabia-extremism-trump-administration/>; Husain Haqqani, "Iran's Revolutionary Influence In South Asia," Eurasia Review, November 18, 2020, <https://www.eurasiareview.com/18112020-irans-revolutionary-influence-in-south-asia-analysis/>.

<sup>4</sup> Human Rights Watch, "Saudi Arabia: Events of 2020," <https://www.hrw.org/world-report/2021/country-chapters/saudi-arabia>

<sup>5</sup> Human Rights Watch, "Iran: Events of 2020," <https://www.hrw.org/world-report/2021/country-chapters/iran>

<sup>6</sup> "A briefing on Yemen's humanitarian crisis," Atlantic Council, March 12, 2021, <https://www.atlanticcouncil.org/event/a-briefing-on-yemens-humanitarian-crisis/>.

<sup>7</sup> UN Security Council resolution 2564 (2021), S/RES/2564 (25 February 2021), [undocs.org/en/S/RES/2564\(2021\)](https://undocs.org/en/S/RES/2564(2021)).

engaging privately with Saudi leadership. Mohammed bin Salman has been unmoved. Bin Nayef poses a perceived succession threat, as do other royal family members who remain in detention, like Prince Salman bin Abdulaziz bin Salman Al Saud, on whose behalf French President Macron intervened to no avail.<sup>8</sup>

The US recently lost one point of leverage with MBS by releasing the unclassified Office of the Director of National Intelligence (ODNI) report on the murder of Jamal Khashoggi so early in the administration. The release of activist Loujain al-Hathloul was two weeks before the ODNI report was made public. It is widely believed that her release was intended to mitigate against any incriminating information in the report. Riyadh also began its compliant coordination with the US Special Envoy to Yemen during this period. It is likely that a delay in the report's release could have yielded additional concessions to US asks.

#### **What is at Stake in Holding MBS Personally Accountable for Human Rights Violations?**

In the bilateral relationship the US position is stronger than the kingdom's. But the US is still wise to weigh the costs of its policy options.

Sanctioning MBS could lead to calls for sanctioning Chinese President Xi Jinping and Iranian Supreme Leader Ali Khamenei for ordering and overseeing the abuses that make China and Iran number one and number two respectively on monitoring NGO UN Watch's list of the world's worst human rights abusers in 2020, ahead of Saudi Arabia's slightly less egregious position as number five.<sup>9</sup> The Biden team would have a difficult time arguing against the equal or greater need to send signals to these leaders about US redlines with regard to human rights, but doing so could complicate the administration's strategies toward both nations.

Sanctioning the crown prince for his role in overseeing programs that violate human rights in Saudi Arabia, Yemen, and other parts of the world where alleged dissidents are harassed will not end these programs or reduce these violations. In fact, based on what we know about bin Salman's patterns of behavior and decision-making, he is more likely to react to this or other threats to his personal power by increasing programs like these in order to secure his position. Domestically, sanctioning him is unlikely to create support on the ground in the kingdom for replacing him as the heir apparent. After numerous members of Congress spoke angrily in December of 2018 about MBS's role in the Khashoggi killing, third-party pollsters in Saudi Arabia registered rising support for the crown prince amongst young adults, his "base."

The Biden administration's decision to sanction the crown prince's Rapid Intervention Force, a unit directly implicated in the Khashoggi killing, serves an additional purpose. It achieves the goal of delaying or preventing the crown prince from enhancing his international credibility by visiting the White House even in a scenario where he maneuvers himself into a role like prime minister or foreign minister. This force is his personal security guarantor, and he is not comfortable traveling without them. Forming a new body with equally trusted members would take time and effort.

US actions targeting Mohammed bin Salman personally with the implied aim of impacting his chances for ascension would be responded to on multiple fronts:

<sup>8</sup> "Exclusive: Macron intervenes in case of detained Saudi prince," Middle East Monitor, November 12, 2018, <https://www.middleeastmonitor.com/20181112-exclusive-family-of-two-detained-saudi-princes-worried-about-their-fate-and-macron-intervenes/>.

<sup>9</sup> UN Watch, "The Top 10 Human Rights Abusers of 2020," December 30, 2020, <https://unwatch.org/the-top-10-human-rights-abusers-of-2020/>.

- It is likely that Saudi foreign direct investment in US private sector industries would be curtailed, and that pending and future arms purchases from US companies would be redirected to South Korean, British, French, or other friendly competitors, to the displeasure of the American business community. In July 2020, the United Kingdom announced sanctions on Saudi individuals linked to the Jamal Khashoggi killing but the next day resumed arms sales to the Kingdom.
- Saudi cooperation with China on the kingdom's civilian nuclear program and on a ballistic missiles program currently overseen by an entire branch of the Saudi armed services and aided by Chinese advisors in residence would likely be ramped up.<sup>10</sup>
- Saudi decisions on oil production could be made as much to impact Biden's green energy agenda or create political displeasure among his base as to support the Saudi economy. Experts have explained in previous Congressional testimony that America's energy dependence on any particular country is not measured in how much oil we import from them, but on their ability to stabilize (or destabilize) the oil market by wielding spare capacity.<sup>11</sup> Saudi Arabia has the largest spare capacity in the world. In 2011 the Obama administration appealed quietly to Saudi Arabia to use this spare capacity to stabilize the oil market so that the US could place sanctions on Iran without driving already high oil prices further up.<sup>12</sup> According to the International Energy Agency's World Energy Outlook for 2020, OPEC's share of the global oil supply market is likely to rise in coming decades, and oil will continue to dominate sectors like transportation, no matter how fast electric vehicles spread, meaning US reliance on Saudi oil for the uninterrupted functioning of modern American life is projected to be a reality through the next five to ten US administrations.<sup>13</sup>
- MBS, in his capacity as minister of defense, could accept offers from other Great Powers to train the kingdom's military forces. CENTCOM can be asked to provide details at any level of classification on how this would impact US strategic goals in the region and beyond.
- The tens of thousands of Saudi students traditionally paying full fare at small colleges across the US now struggling to recover from COVID-19 shortfalls would likely find other educational destinations.<sup>14</sup>
- US requests for Riyadh's help in stabilizing areas of Syria outside of regime control could be denied. In 2018 the Kingdom met a direct request from then Special Presidential Envoy for the Global Coalition to Counter ISIL, now President Biden's Coordinator for the Middle East at the National Security Council, for \$100 million in stabilization aid for liberated areas of Syria. Requests for coordination on Iraq or Lebanon could similarly be slow-rolled or politely denied. MBS could choose to conduct outreach to Bashar al-Assad, undermining US policy in Syria. A March 10 statement by the Saudi Foreign Ministry indicates this may be under consideration.<sup>15</sup>
- In addition, it is likely that US pressure related to the war in Yemen would be ignored. In this scenario, Saudi Arabia would pursue their objective to remove the Houthis from Yemen's capital and reinstate a government friendly to Riyadh. The conflict would continue indefinitely, resulting in countless lives lost and escalated violations of human rights by all parties. In the final analysis, this

<sup>10</sup> Phil Mattingly, Zachary Cohen and Jeremy Herb, "Exclusive: US intel shows Saudi Arabia escalated its missile program with help from China," CNN, June 5, 2019, <https://www.cnn.com/2019/06/05/politics/us-intelligence-saudi-arabia-ballistic-missile-china/index.html>.

<sup>11</sup> "Factors that are impacting global oil prices: Written Testimony before the Committee on Energy and Natural Resources" 115<sup>th</sup> Congress (2018) (testimony of Robert McNally), <https://www.energy.senate.gov/services/files/8F497B21-BD5F-4340-990F-27B27A1D2F9F4>.

<sup>12</sup> Annie Lowrey, "Obama Finds Oil in Markets Is Sufficient to Sideline Iran," New York Times, March 31, 2012, <https://www.nytimes.com/2012/03/31/business/global/obama-to-clear-way-to-expand-iranian-oil-sanctions.html>.

<sup>13</sup> "World Energy Outlook 2020," International Energy Agency, October 2020, <https://www.iea.org/reports/world-energy-outlook-2020>; Robert McNally, "Biden's decision to cancel Keystone is one the US will eventually regret," CNN, February 8, 2021, <https://www.cnn.com/2021/02/08/perspectives/keystone-cancel-biden/index.html>.

<sup>14</sup> Ibrahim Naftee, "Number of Saudi students in America up 6 percent," Arab News, January 25, 2013, <https://www.arabnews.com/number-saudi-students-america-6-percent>.

<sup>15</sup> "After Abu Dhabi, Riyadh signals intent to pursue rapprochement with Syria," The Arab Weekly, March 11, 2021, <https://theArabweekly.com/after-abu-dhabi-riyadh-signals-intent-pursue-rapprochement-syria>.

would mean that pressure to punish Mohammed bin Salman from those with the primary aim of ending human suffering in Yemen would instead result in an increase in human deaths in Yemen. The Houthis are currently incentivized to continue fighting and not to negotiate. Promises from the administration to enhance the kingdom's missile defenses will not reassure Saudi military analysts enough to mitigate the likelihood of this scenario. Patriot batteries are massively expensive compared to Houthi-deployed missiles and drones; their use in a protracted conflict is impractical and unsustainable. Cyber support from the US to disarm launch mechanisms or missile guidance systems may not be sufficiently quick-turn to win the game of "whack-a-mole" against the near-daily attacks.

While focusing retribution for human rights abuses on one man at the top could predictably result in retaliation against US interests, adopting a "tough love" approach has the potential not only to protect but to advance US interests. Boiling it down to the simplest terms, Saudi Arabia is important for two reasons. First, it is not going anywhere. Saudi Arabia will remain a large and powerful country in a volatile region with a penchant for exporting its problems to US shores, and Riyadh will use this weight and power in alignment with or opposition to US interests. Two, Saudi Arabia is sitting on trillions of dollars that will be put to use around the region and the world also either in alignment with or in opposition to US interests. Due to its weight and resources, Saudi Arabia's impact and influence will not be neutral. The US can shape it or react to it.

#### **US Options**

The US objective is to (create leverage with which to) change Saudi human rights practices while also advancing US interests. When considering the spate of options, the administration may opt to choose those that mitigate the negative impact on long-term US interests.

It is important to understand that at the root of human rights abuses perpetrated by Saudi Arabia are issues perceived as existential by the increasingly narrow circle of decisionmakers in the royal family. Whether this perception is accurate or not, if Riyadh's calculus indicates that a US ask will cause regime vulnerability, it will not be met.

A Congressional Research Service report on Saudi Arabia published in February 2020 offered the following:

*Given the kingdom's global influence and the prominence and depth of US-Saudi security ties, the success or failure of the kingdom's domestic transformation initiatives and the future of its foreign and defense policies may have significant consequences for bilateral relations and international security for years to come.<sup>16</sup>*

The same report is frank that "there is little evidence that US pressure has fundamentally altered core Saudi domestic or foreign policy approaches." New methods are necessary.

#### **Two overarching factors would increase the odds of any US policy actuating change in Saudi Arabia.**

1. **Clearly defined lines and the consequences for violating them.** These could be communicated publicly or privately. This US administration bears the baggage of the Obama red line on the use of chemical weapons in Syria in 2012-13. Actionable tiers of red lines with proportional

<sup>16</sup> Christopher M. Blanchard, "Saudi Arabia: Background and U.S. Relations," Congressional Research Service, updated February 18, 2020, <https://fas.org/sgp/crs/mideast/RL33533.pdf>.

responses, reiterated with regularity in official engagements, would reduce the likelihood of the Kingdom calling the US' bluff.

2. **An internationalized response.** Citizens of multiple nations are victims of human rights abuses at the hands of Saudi actors. There is no need for the US bilateral relationship to be the sacrificial lamb. Right now, for example, if the US ends arms sales to Saudi Arabia, the defense sectors of other countries benefit. For consideration: an international convention against harassment and harm of political dissidents abroad that commits all signatories to enact sanctions or take other steps together against violators.

The first and most immediately implementable options for creating new and positive political pressure on Saudi Arabia to atone for its human rights record and improve its record going forward are diplomatic. The Biden administration could press for a number of initiatives in the kingdom. For example, the inclusion of a freedom of expression plank within the "Quality of Life" Vision Realization Program in the Vision 2030 plan; the release of political prisoners to build on the international goodwill that was won by releasing Loujain al-Hathloul; the passing of a press freedoms law; and the continuation or acceleration of reforms already begun to improve the rights of women and codify laws to protect vulnerable parts of the population.<sup>17</sup> Per the discussion of an internationalized response above, each of these efforts would be made more effective if the ask is made simultaneously by European and Asian partners and supported by regional partners.

Outside the kingdom, the US could exert impactful diplomatic pressure on foreign governments facing extradition requests from Saudi Arabia to deny those requests. These extradition requests are made in the context of the Arab League's "Riyadh Arab Agreement for Judicial Cooperation," dating back forty years. This week Morocco sent a Saudi-Australian citizen to Riyadh in response to such a request.<sup>18</sup> No doubt pressure from Riyadh played a role in the speed with which the Moroccan court processed this transfer request. Countervailing pressure from the US in such cases could prevent situations where extradited individuals may face torture.

In Yemen, donor countries have fallen short of the funding level required to provide humanitarian assistance to the full population needing it. An Oxfam report in October of 2020 calculated the percentage of donations to the Yemen Humanitarian Plan that each donor country should make in relation to its GDP. Saudi Arabia has donated 80% of its share according to this report. The US administration could strongly suggest that Riyadh contribute the remaining 20%. It should be noted, however, that the same report states that the US has donated only 39% of its share in relation to GDP.

In addition to conveying expectations that Riyadh will support US efforts to reenter a nuclear deal with Iran, the US could propose a pact of mutual non-aggression between the kingdom and Iran. Any decrease in tensions between these two neighbors makes the tens of thousands of US citizens living in Saudi Arabia safer. And as Iran and Saudi Arabia are two of the more serious human rights abusers globally, the US and Europe could push for language on prisoner exchange to be included in this pact.

Several options for US action reside in the military-to-military relationship. Saudi Arabia funds much of the US assistance, but the US holds the cards in this relationship as the provider of technical expertise, both human and machine. Plans for a drawdown from Saudi Arabia are already underway. It would be

<sup>17</sup> Marwa Rashad, "Saudi Arabia announces new judicial reforms in a move towards codified law," Reuters, February 8, 2021, <https://www.reuters.com/article/saudi-judiciary-int/saudi-arabia-announces-new-judicial-reforms-in-a-move-towards-codified-law-idUSKBN2A82EK>.

<sup>18</sup> Amy Remekis, "Australian extradited to Saudi Arabia faces 'credible risk' of torture," The Guardian, March 14, 2021, <https://www.theguardian.com/australia-news/2021/mar/14/australian-extradited-to-saudi-arabia-faces-credible-risk-of-torture>.

worth consulting CENTCOM on whether the timing is wise, in light of the uptick in Houthi aggression and attacks of unconfirmed origin; attack incidents rose by 100 percent between January and February of this year. This risks drawing more kinetic action by Iran and feeding perceptions in the region that the US should not be the partner of choice among Great Powers. But it would make a statement about the cost for repeated human rights abuses and would not require drafting new policy, but simply going forward with plans that are already in process.

Similarly, the administration could place demands related to military transformation on the Saudi Ministry of Defense specifically, which is headed by Crown Prince Mohammed bin Salman in his role as minister of defense. A plan exists now to greatly increase the level of US advisement inside the Saudi Ministry of Defense, as part of a long-term military transformation program overseen by the United States Military Training Mission (USMTM) in Saudi Arabia, the hub for US defense cooperation with the kingdom for almost seventy years. President Biden could make this embedding of advisors a requirement and ask that it be implemented immediately due to a need to have US eyes on decisions made by the crown prince. Since taking on the role of minister of defense, MBS issued written direction to his military leadership for creating a unified command structure for the military and for making the kingdom a partial producer of military equipment, instead of solely a consumer, by inking technology transfer deals as part of arms sales. In support of that goal, USMTM oversees a robust 300+ point plan for military modernization in the Kingdom to be implemented by US defense firms. The Biden administration could mandate that courses on civilian protection be beefed up, made more prominent, or added to all training curriculums the US military delivers to Saudi trainees.

Sharing of US intelligence with branches of Saudi security services implicated in human rights abuse cases could be ended. This would preserve intelligence-sharing arrangements with key interlocutor services. The sharing of US intelligence is highly valued in the Kingdom. A service without a sharing arrangement would be automatically downgraded in terms of its importance and operational capacity. One step beyond this, the US could downgrade intelligence sharing if the administration's request for the release from house arrest of Mohammed bin Nayef is not met.

When considering legislation to limit arms and equipment transfers to internal security services or law enforcement agencies in the kingdom, it is suggested that these organizations be reviewed by the US intelligence community to ensure that the appropriate units are identified. To the extent of my knowledge, neither the State Security Presidency, the General Intelligence Presidency, nor the military proper or National Guard directed the Jamal Khashoggi killing. This could be easily verified by a classified briefing for members from the CIA or DNI. It would not be in the US' interest to target these services when the partnership is productive simply because they are visible. In addition, the Saudi Ministry of Interior Military Assistance Group (MOI-MAG) program is heralded as a model for other nations to imitate.<sup>19</sup> Damaging this program would be to the detriment of US goals in the region related to building partner capacity for securing their own homelands.

Another option tied to the MOI is to embed American advisors within the ministry to advise on drafting laws to protect minorities including women, ethnicities, and religions. The Office of Program Management-Ministry of Interior (OPM-MOI) embeds US advisors into Saudi offices overseeing critical infrastructure protection and public security. The mandates of OPM-MOI and OPM-MAG could be expanded to include a line of effort related to civilian protection.

<sup>19</sup> Tom Warrick and Joze Pelayo, "Improving counterterrorism and law enforcement cooperation between the United States and the Arab Gulf States," Atlantic Council, October 20, 2020, <https://www.atlanticcouncil.org/in-depth-research-reports/improving-counterterrorism-and-law-enforcement-cooperation-between-the-united-states-and-the-arab-gulf-states/>.

In the economic lane, businesses owned by MBS or others implicated in human rights abuses could be sanctioned. This is a less drastic action than sanctioning the crown prince himself but is not toothless. In his role as head of the Public Investment Fund (PIF), Mohammed bin Salman oversees companies including one that provided the planes used to transport Khashoggi's killers in and out of Turkey.<sup>20</sup> This option could incur blowback domestically from US companies where the PIF has made investments.<sup>21</sup> These include a \$20 billion joint investment fund with Blackstone as well as investments with Uber, Facebook, Citigroup, Live Nation Entertainment, and Walt Disney.<sup>22</sup>

Apart from actions pertaining to the bilateral relationship, the US could aim for change in the Saudi decision-making structure by impacting the members of the decision-making inner circle. Individuals and organizations named in 2018 as parties to the Khashoggi murder were sanctioned immediately. Prominent among them is Saud al-Qahtani, Oddjob to Mohammed bin Salman's Goldfinger.<sup>23</sup> In response to US pressure, al-Qahtani was removed from his place at the elbow of the crown prince, where he provided other questionable, and likely criminal, services like overseeing the torture of political prisoners, extortion from royals imprisoned at the Ritz, and hacking operations against Qatar and at least one US CEO.<sup>24</sup> Al-Qahtani has since resurfaced and continues to be a key player in the technologies and programs that make the crown prince feel personally secure.<sup>25</sup> The survivors and victims of al-Qahtani's abuses may bring suit against him in US courts for human rights violations and atrocity crimes under laws with an extraterritorial application, and criminal prosecutions can also be pursued in national systems if jurisdiction and other requirements are met.<sup>26</sup> The US administration could encourage these victims to come forward. Further, President Biden could make it clear that any organization to which al-Qahtani is assigned will be sanctioned.

In order to improve high-level decision-making in Riyadh and reduce the potential for ill-qualified advisors like al-Qahtani to emerge, the Biden team could offer assistance to the kingdom's flailing National Security Agency, their equivalent to the National Security Council at the White House. This organization was established with the intent to coordinate policy among ministries and vet national security proposals before they reach the crown prince. Due to stove piping, under-manning, and personality politics, the sincere efforts of this office have amounted to little. With some handholding, this organization could serve the important function of ensuring that Saudi policy decisions are systematically reviewed for human rights impact.

<sup>20</sup> Eli Clifton, "Court does reveal Saudi wealth fund courted by Hollywood and Wall Street owned planes used in Jamal Khashoggi's killing," Business Insider, March 3, 2021, <https://www.businessinsider.com/saudi-arabia-wealth-fund-owned-planes-jamal-khashoggi-killing-2021-3>.

<sup>21</sup> Azhar, "Saudi sovereign wealth fund boosts U.S. equities exposure to nearly \$12.8 billion."

<sup>22</sup> Gillian Tan, "How Blackstone Landed \$20 Billion From Saudis for New Fund," Bloomberg, October 21, 2018, <https://www.bloomberg.com/news/articles/2018-10-22/how-blackstone-landed-20-billion-from-saudis-for-infrastructure>; Andrew England and Arash Massoudi, "'Never waste a crisis': inside Saudi Arabia's shopping spree," Financial Times, May 25, 2020, <https://www.ft.com/content/a2d6ef1d-2234-4e54-a08a-8d8b205f5378>.

<sup>23</sup> Kirsten Fontenrose, "Saudi failure to convict Saud al-Qahtani is glaring," Atlantic Council, December 24, 2019, <https://www.atlanticcouncil.org/blogs/new-atlanticist/saudi-failure-to-convict-saud-al-qahtani-is-glaring/>.

<sup>24</sup> Ben Hubbard, "The Rise and Fall of M.B.S.'s Digital Henchman," New York Times, March 13, 2020, <https://www.nytimes.com/2020/03/13/sunday-review/mbs-hacking.html>; Marc Fisher, "U.N. report: Saudi crown prince was involved in alleged hacking of Bezos phone," Washington Post, January 22, 2020, [https://www.washingtonpost.com/politics/un-ties-alleged-phone-hacking-to-posts-coverage-of-saudi-arabia/2020/01/22/at0bc63ba-3d11-11ea-b90d-5652806c3b3a\\_story.html](https://www.washingtonpost.com/politics/un-ties-alleged-phone-hacking-to-posts-coverage-of-saudi-arabia/2020/01/22/at0bc63ba-3d11-11ea-b90d-5652806c3b3a_story.html).

<sup>25</sup> Middle East Eye, "Qahtani comeback? Saudi official circulates song praising Khashoggi suspect," February 21, 2020, <https://www.middleeasteye.net/news/qahtani-comeback-song-praising-saudi-official-circulated-sign-rehabilitation>.

<sup>26</sup> "Strategic litigation project," Atlantic Council, <https://www.atlanticcouncil.org/programs/middle-east-programs/scowcroft-middle-east-security-initiative/strategic-litigation-project/>.

The US could also work with Saudi Arabia on digitization of services in a way that respects or even advances human rights. The creation of Absher, an app that digitized the guardianship system, took digitization in the wrong direction.<sup>27</sup> US guidance on the use of technology and “using data for good” could redirect these efforts toward those that serve civil liberties.<sup>28</sup>

NOPEC legislation is a blunt tool that appears at first to create useful leverage but proves upon further examination to create disproportionate risk for US interests.<sup>29</sup> Pursuing OPEC producers under the Sherman Anti-Trust Act would likely result in these producers cutting off sales to the US of the oil that still underpins our economy. NOPEC is not a precision tool and would target twenty-one nations beyond Saudi Arabia, creating diplomatic troubles. Without OPEC limits in place, their nearly ten million barrels per day of excess production would enter the market, dropping oil prices through the floor and disincentivizing a move to electric vehicles.

### Conclusion

The kingdom is a linchpin for US strategies that span the spectrum of US regional objectives: drawing down our military footprint, expanding and deepening Arab-Israeli normalization; preventing the resurgence and spread of violent extremist groups; ending the war in Yemen; containing Iranian nuclear and regional ambitions; preventing adversarial Great Power domination of the resources and waterways of the region; ensuring the flow of energy to fuel American lives and industry; and stabilizing post-conflict zones so populations in countries wracked by war can begin to rebuild their lives.

US goals in the Middle East are best served by remaining closely engaged from leadership to action officer levels with the government of Saudi Arabia, adopting an approach that is part boot camp instructor, part parole officer, part avuncular advisor.

Demographic and economic trends indicate that Saudi Arabia will look very different in ten to twenty years.<sup>30</sup> That could allow for a new political model. While MBS is in a mode of consolidated authoritarianism at the moment, one author of a respected report assessing the Vision 2030 plan suggested in an interview conducted for this testimony that “perhaps there is an alternative future of greater citizen representation in order to win political stability.”<sup>31</sup> An alienated Saudi Arabia will not get there by itself. It is in the US interest to shepherd that potential and build a better partner.

<sup>27</sup> Human Rights Watch, “Saudi Arabia’s Absher App: Controlling Women’s Travel While Offering Government Services,” May 6, 2019, <https://www.hrw.org/news/2019/05/06/saudi-arabias-absher-app-controlling-womens-travel-while-offering-government>.

<sup>28</sup> “Practical steps towards data for good in 2021,” Atlantic Council, December 9, 2020, <https://www.atlanticcouncil.org/event/practical-steps-towards-data-for-good-in-2021/>.

<sup>29</sup> Phillip Brown, “No Oil Producing and Exporting Cartels (NOPEC) Act of 2018,” Congressional Research Service, November 7, 2018, <https://fas.org/spp/crs/misc/1111019.pdf>.

<sup>30</sup> Karen Young, “Economic diversification in Saudi Arabia in the wake of COVID-19,” Report MED2020: Navigating the Pandemic, Italian Institute for International Political Studies, November 24, 2020, <https://www.ici.org/articles/economic-diversification-in-saudi-arabia-in-the-wake-of-covid-19/>.

<sup>31</sup> Stephen Grand and Katherine Wolf, “Assessing Saudi Vision 2030: A 2020 Review,” Atlantic Council, June 17, 2020, <https://www.atlanticcouncil.org/in-depth-research-reports/report/assessing-saudi-vision-2030-a-2020-review/>.

Mr. DEUTCH. Thank you very much, Ms. Fontenrose.

Thanks to all of you for your testimony today. I will now recognize members for 5 minutes each. Pursuant to House rules, all time yielded is for the purposes of questioning our witnesses.

Because of the virtual format of this hearing, I'll recognize members by committee seniority, alternating between Democrats and Republicans. If you miss your turn, please let our staff know and we will circle back to you.

If you seek recognition, you must unmute your microphone and address the chair verbally. We will start and I will yield to my friend from New York first, the chairman of the House Foreign Affairs Committee, Gregory Meeks, for any questions that he may have.

Chairman Meeks, you are recognized.

Chairman MEEKS. Thank you, Mr. Chairman.

Let me ask Ms. Nossel, the Trump administration rarely raised difficult issues with the Saudis, and the United States must grapple with the question of how to address actions by partners in countries that conflict with who we are as a country, without basic values.

So given the lack of effective response to public statements drawing attention to the Saudi human rights violations, what do you view as the most effective way that the United States can encourage changes in the Kingdom of Saudi Arabia?

Ms. NOSSEL. I agree with you that the United States has leverage, must use its leverage. I think it's a combination of measures both public and private.

I think it needs to be made clear that the future of this relationship depends upon demonstrable durable progress. I think it's very important to distinguish between

[inaudible] really an attempt at some greater support amongst the Saudi population and particularly the youth in order to stabilize the monarchy and protect against any sort of public uprising and tamp down on opposition.

So taking certain measures to sort of twist the valve and release some of the pressure that would otherwise buildup, things like allowing women permission to drive, loosening some of the strictures of the guardianship system, allowing some more access to social media.

But I think the United States needs to make clear that it does not—it's not deceived into thinking that this is a liberalization agenda that's simply, you know, on its way and it's going to lead inexorably to greater freedom over time.

I think it's quite the opposite. I think it's a deliberate two-pronged strategy to, on the one hand, modernize and satisfy some of that public pressure and, you know, perhaps also window dressing in terms of global perceptions of the kingdom.

But that is being paired with this intensifying crackdown that is worsening the situation for freedom of expression, making life even more difficult and risky for dissidents.

And so I think the United States needs to be candid about sort of seeing through that. I think there's a wish to look at the modernization methods as sort of steps in the right direction and if we can just encourage more of that we'll be on our way.

I do not think that's accurate. I think we need a candid discussion about the imperative of concrete measures. I think we need to take steps of our own to ensure that they think—they recognize we take this—these issues seriously and we're prepared to take some risks in the relationship on behalf of human rights.

But we also have to insist that they—that the Saudi government commit to tangible steps, and there are all sorts of things. They know it's releasing dissidents.

It's not imprisoning additional people. It's allowing the kind of discourse online that was flourishing a few years ago but now has been, you know, brutally muzzled and suppressed.

And so, yes, I think there are a variety of levels. I agree with the idea of multilateralizing that pressure and engaging others in applying it so it's not just the United States alone.

I think the Human Rights Council in Geneva can provide an important vehicle for that.

Chairman MEEKS. So what about, you know, there have been issues and questions going along as far as accountability is concerned, particularly in light of the killing of Jamal Khashoggi.

Are there any other actions that you think that you would view as appropriate to ensure accountability and/or—and positive steps for reform that we—you know, that can be done here?

Ms. NOSSEL. Yes. So, I mean, I think the two really need to be paired. I think when it comes to accountability, the obvious glaring gap is with respect MBS himself. I understand the dilemma that the Administration faces and the other equities that are at work in the relationship.

But I do think this is a situation where, no matter the other measures enacted, some of which I think have been, of course, very positive—the application of the Magnitsky sanctions, the global Khashoggi ban and the application of that to 76 Saudis who were implicated not just in the Khashoggi case, but in attacks and plots against other dissidents around the world.

So positive steps, but I think the rubber hits the road when it comes to MBS and if the perception is that he's gotten off scot free, that unravels the whole notion and concept of accountability in this case.

And so I think it's extremely important that he not be welcomed back into diplomatic good graces anytime soon, that if and when he is it is in response to concrete, measurable, visible, and irreversible steps that we can point to to say, you know, this is a different era, and the pressure worked and, you know, he's been prompted and the monarchy has been prompted to do things it would not otherwise have done.

I think the measures I referenced in my statement, the congressional measures, including Representative Malinowski's important proposal to impose a travel ban—you know, that would signify that the buck stops where it should stop and not several steps down, which is, you know, I think the perception in light of where things are today.

I do think, as you say, it's not just about accountability for the Khashoggi murder, as important as that is. I think it has to go further with the broader climate of brutal repression of free expres-

sion. That's what Jamal Khashoggi lived for and, ultimately, died for.

And so if we do not reach beyond, you know, this current question of accountability for this horrific heinous deed, you know, the legacy and the forces that brought it about will survive intact.

And so I do not think we can count that as a success, and that's why I think we need to press for these four systemic changes.

Chairman MEEKS. Thank you so very much. I'm out of my—out of time. I yield back, Mr. Chairman. Thank you very much.

Mr. DEUTCH. Of course. Thank you, Chairman Meeks.

Next, we'll go to Ranking Member Wilson.

Mr. Wilson, you're recognized for 5 minutes.

Mr. WILSON. Thank you very much, Mr. Chairman, and I want to thank our witnesses for being here today. An indication of how important their testimony is how fortunate we are to have Chairman Greg Meeks participate, and so this truly indicates how important this issue is.

And I have a question for each of our three witnesses and that is, how strongly is Saudi Arabia motivated to differentiate itself from Iran on human rights? On what human rights issues do you see the most potential for behavior to change due to this motivation?

Any of the witnesses?

Dr. ALDOSARI. I can talk about that. Saudi Arabia is more committed to being part of the global movement, basically, of modernization, global movement to fight radical Islam or radical movement more so than Iran on that front, and this presents a leverage for the U.S. and democratic countries to utilize, to lead by example, to push for more democratic—back for democratic change or transformation in Saudi Arabia.

Saudi Arabia seems to be keen very much to be a hub for international business, to open its—to open the country for tourists. These are all things that you do not really see in Iran and they're very much, like, a closed off country and different in these kinds of issues.

So I think that leverage, the leverage of global business values, global tourism, being part of, you know, those democratic countries, these are all leverages that can be used to reform certain issues inside Saudi Arabia and more so in political reforms to democratic change, which is the only, I would say, safeguard against the excesses of abuses that we're seeing and witnessing from the—from the State.

Mr. WILSON. Either other witness any comment? But thank you, that was right on point.

Ms. FONTENROSE. I would only—I would add that, according to Human Rights Watch, the use of capital punishment declined in 2020 to 8 percent of the 2019 numbers, whereas Iran in the same year carried out the death penalty 15 times as often as did Saudi Arabia.

This is not what the U.S. can claim credit for, but we assess that it was Saudis' need to differentiate itself from Iran in ways that are meaningful to Europe that may have played a role here.

And I think that the areas we're seeing the most acceptance by Saudi in terms of making changes in human rights are women's issues and in terms of religious tolerance and religious freedoms.

We are on the cusp of Saudi normalizing with Israel. It will probably be after a change in top leadership, but that will happen, and these are places where the U.S. can take credit for applying the pressure that has made a difference. There's quite a bit of leverage that the U.S. has in this relationship: our military presence, the presence of our expats.

We have tens of thousands of people living in Saudi Arabia, and they're very aware, to my co-panelist's point about economic incentives, that if the U.S. multinational corporations pull their people other multinationals will follow, and this will very negatively impact Saudi Arabia's economic landscape.

We also have leverage in terms of our court system, which I alluded to, our troop presence, arming and equipping of their security services, our intelligence sharing. There are many levers the U.S. can play with here.

Mr. WILSON. And I—yes.

Ms. NOSSEL. Yes. I mean, just to add, briefly, I think the Saudi participation in U.N. human rights mechanisms and their seeking out of a seat on the Human Rights Council four times is indicative of what my colleagues are talking about, which is this desire to be recognized on the world stage, to win diplomatic acceptance, to be welcomed in the corridors of power, you know, which is something that operates very different—you do not see that with Iran.

They have, you know, positioned themselves as an international outlier with certain alliances but not—certainly, not in the good graces of the West. And I think Saudi is very much seeking that acceptance and it is a crucial point of leverage.

I think MBS is emblematic of that and, you know, in a very conflicted way. But it's clear he wants to be part of the club on the global stage, and so making very explicit what the conditions and imperatives are, you know, if he's ever going to attain that status, I think, is important.

You know, I think my colleagues are correct in terms of identifying areas like women's rights, certain religious freedoms, you know, where there's more leeway. These legal and judicial reforms that have now been proposed to extend right to counsel, greater transparency in legal proceedings are important.

But there is a fundamental problem, though, which is that this monarchy is shaky and MBS's ascension is shaky, and as long as that remains true, ultimately, their willingness to tolerate dissent is not going to—is going to be very limited because he recognizes that, you know, twisting the valve and allowing people to speak out and question what is being done and the decisions that are being taken, the legitimacy of his role, whether he's qualified to be in the position he's in, you know, all of those debates are existential for him.

And so I think we have to be sort of forthright that, yes, making promises—progress on women's rights is essential. You know, it could ultimately burgeon into something wider.

But at the same time, you know, there is that kind of fundamental disconnect between sort of the instability of the regime and the fragility of it and the unwillingness to tolerate dissent.

Mr. WILSON. Thank you all, and I yield back.

Mr. DEUTCH. Thank you very much, Mr. Wilson.

Next, we will go to Mr. Connolly. Mr. Connolly, I said earlier I wasn't—I wasn't sure that you were on. But let me just say, again, that the work that we're doing on this—on so many issues but on this—on this topic specifically is informed, in large part, by your advocacy, your leadership, and your work on behalf of Jamal Khashoggi and your other constituents, protecting Saudi dissidents in your legislation. Thank you for all that you do for us and for the focus on human rights around the world, in Saudi Arabia in particular.

And I will now recognize you for 5 minutes.

Mr. CONNOLLY. Mr. Deutch, thank you so much. What gracious remarks and what a great way to begin my day. So thank you so much, and thank you for having this hearing.

Ms. Fontenrose, I want to—I want to use two words here. One is impunity and the other is leverage. We just heard how shaky, in a sense, the monarchy is and, yet we look at a Saudi government that, I think, for decades has operated with impunity with respect to the United States relationship.

They know that the oil relationship, the arms sale relationship, the strategic posture of Saudi Arabia as a, you know, a counter pressure point to the Iranians and to giving the nod now and then to the Israeli relationship are all so important that we're going to have to overlook bad behavior.

And, you know, for me, Chairman Deutch just mentioned, of course, the unbelievable and despicable murder of my constituent, an American resident, Jamal Khashoggi, and the dismemberment of it, and the word impunity comes to mind.

The fact that anyone would even think to plan such a thing would suggest, I'm pretty sure we're going to get away with it, and, frankly, in the Trump administration, they did.

And I am worried that the Biden Administration has made a calculated assessment that says the relationship is too important to just junk it, and I, certainly, do not know that we—that's our only option.

So how do we counter the impunity we're dealing with and could we use the fact that there are—you know, there's instability in the royal family, including a lot of resentment against the Crown Prince.

Could we use that to advantage to make him an unacceptable choice as heir to the throne and use our leverage for once in a meaningful and significant way? Or is that a stretch too far, from your point of view?

I mean, sanctions and travel bans and all that are useful. But I do not know that they get to the impunity I am talking about. Your observations?

Ms. FONTENROSE. I agree with your assessment on the immunity and it really is at the very top levels. We hear quite often from our interlocutors at senior levels and below in Saudi Arabia that they

understand that this is a problem for us. This is, certainly, not an immunity that we see across the board in the Saudi government.

But I do think we have to be careful, because at a certain point when we talk about using our leverage to influence decisionmaking on succession in Saudi Arabia, we start to sound like we're talking about regime change, and that's not a game that the U.S. wants to get into again. We do not tend to do it very well.

But there are some ways that we can change some of the decisionmaking at the top that would impact this impunity. Mohammed bin Salman is surrounded by an echo chamber right now.

He only hears the good news, and they continue to sponsor campaigns of disinformation and misinformation globally and here that are intended to spread a narrative about how wonderful things are in Saudi, how suitable he is as a ruler.

And while that's not all entirely false, it's certainly an indication that that impunity remains and that we have not really seen a *mea culpa* that we're looking for.

Part of this is his inner circle. There are a lot of wise advisors in Saudi Arabia who were replaced in recent years. These were people we trusted, people we worked with for decades, and people who understand both how the global system works and understand America's values and our priorities.

Those folks aren't there in the numbers we'd like to see, and one of my colleagues already mentioned a specific person, Saud al-Qahtani, who both the intelligence community and the policy community assessed was instrumental in some of the negative decisions that came out of the kingdom, not only the Jamal Khashoggi murder, which we assess he orchestrated and masterminded, but also in many other—many other negative decisions like civilian targeting in Yemen, like the standoffs with Canada and with Germany, like the interrogations in the Ritz.

Saud al-Qahtani is sort of the Oddjob to Mohammed bin Salman's Goldfinger, and he tells him what he wants to hear. He keeps him very safe. He is not loyal to any other member of the royal family or to any other business interests because he does not come from a prominent family or a competing branch of the royal family, and that makes him incredibly loyal and, therefore, incredibly dangerous to our interests.

He was removed from his place at the elbow of the Crown Prince previously, but as my colleague mentioned, when he went through a court proceeding he was found not guilty.

At the time, I wrote an article saying that this finding of him as not guilty was actually a dent in the U.S.-Saudi relationship and that we would take it quite seriously. He is someone we need to make sure is removed from the decisionmaking circle in Saudi Arabia, and if that means stating a red line, then that means stating a red line.

Saudi, at one point, even tried to tell us that he was dead. I mean, the disinformation to protect his role as the Mohammed bin Salman whisperer has been notable.

And there are things we could do. We could ask for some of our favorite interlocutors to be reinstated. We could embed advisors, much as we do in many other nations, to help with the drafting of legislation that protects human rights.

We can encourage them to build out their National Security Agency, which is actually their equivalent of our NSC, which they made a real effort to build, but because of stovepipes and because of personality politics in Saudi Arabia, it's really just been this sort of administrative function.

We can work with them, hold their hand to say this is how you do interagency collaboration, interagency coordination of policy in such a way that only vetted ideas reach your senior decisionmaker, and not these crazy ideas that come from people without the policy or the international affairs knowledge to be making these kinds of recommendations.

So there's some very proactive things.

Mr. CONNOLLY. Very helpful. Unfortunately, my time is up and the chairman has been gracious in allowing us to continue. But I think, bottom line, the United States needs to approach this relationship with boldness and fortitude.

And thank you for your suggestions. Very helpful.

Thank you, Mr. Chairman.

Mr. DEUTCH. Thank you, Mr. Connolly.

Mr. PERRY, you're recognized for 5 minutes.

Mr. PERRY. Thank you, Mr. Chairman. I'm just curious, based on my good friend Representative Connolly's questioning for Ms. Fontenrose, are there—are there better options? I mean, is there any realistic option other than MBS regarding the leadership in Saudi Arabia?

I mean, is there any reason for us to really be—I mean, do we have any other option or is that the—is that the best it's going to get?

Ms. FONTENROSE. The issue, really, is that this branch of the royal family has been consolidating power for quite some time.

Previously, Saudi would share—would power share across branches of the royal family. But in recent years, this has gone almost entirely to the branch of the family headed by current King Salman.

So what this means is that when you look around for other options, you're looking at people who do not have a lot of decision-making power right now.

You're also looking at the fact that Mohammed bin Salman has consolidated his control over all of the security services and over the finances of most of the royal princes. So if they were to, perhaps, speak out against him, their families could potentially be destitute and they could, perhaps, find themselves in jail.

So we have to ask ourselves are there people we would be willing to back in any way, not only in a, you know, to—as a potential replacement for Mohammed bin Salman, but also what would that do to Saudi politics writ large?

What would that do to the power sharing among the branches of the royal family? Are we willing to talk about regime change in any realistic way?

Do we even have the legal authority to do that? And would we be willing to ask Saudi friends to put their own lives and financial security at risk to spearhead something like that conversation?

We have realized in recent years that national sovereignty and national succession are places that we can have opinions on, but it's best that we not actually put our finger on.

Mr. PERRY. Yes. So it sounds to me like whether we like it or not, agree with him or not, that whether he's moving quickly enough or not or whatever our disagreements are, we're going to have to work with him and resign ourselves to that fact.

Does he—does he particularly—could he particularly be sensitive to international condemnation, condemnation from the United States regarding Khashoggi or anybody else? And just as a curiosity of mine, what is the—what is his viewpoint or the ruling faction's viewpoint on the Muslim Brotherhood in Saudi Arabia?

Ms. FONTENROSE. Mohammed bin Salman is confused by why the U.S. and the Western world are so upset about the Khashoggi killing. They understand that the way it was conducted is heinous. Most Saudis are as appalled as we are.

But I will quote a conversation I had with a very senior Saudi representative who said, "When I speak to Saudis about the Khashoggi murder, they ask, why are they so upset about this when Jeffrey Epstein died in government custody?"

That causes all of us to kind of drop our jaws but that is very realistically—it's a State-controlled media and, as I mentioned, there is an echo chamber.

So while Mohammed bin Salman is very sensitive to the discussions of Khashoggi, he does believe that this is an issue that can be dealt with and that it will not necessarily create a dent in the U.S.-Saudi relationship if they can just do enough other things, but none of those things that are related to human rights.

You'll notice that they have done quite a bit in terms of climate change just since inauguration. They're really trying to be a great U.S. partner and kind of erase this memory.

But to my co-panelist's point, there are things we could be doing to press the human rights issue and make it more directly aligned.

To your question on the Muslim Brotherhood, the Saudi regime is extremely opposed to the Muslim Brotherhood. They do consider the Brotherhood an existential threat to regime stability and to the royal family, writ large.

So the Brotherhood is probably their number-one threat, I would say, equal to and in some cases above Iran.

Mr. PERRY. Yes, I think that's an important point, and I think there's a connection with Khashoggi in that regard as well. But I do agree with your point, you know, regarding the other measures that Saudi has taken. I'm thinking just most recently regarding COVAX.

But as you also stated, it does not—it does not absolve them of—I mean, I think they're No. 5 on the list of human rights abusers, you know, just downstream from China and Iran, essentially, North Korea, et cetera.

So they're—you know, they've got a lot of work to do and I think that we absolutely need to make that a focal point. At the same time, I think that we have very, very difficult issues to deal with in Iran and China and so on and so forth and I do not want to see the committee—and this is not—you know, this is not your bailiwick, but completely focused on Saudi Arabia here.

But I did listen to some of the other things that you had said that we could leverage regarding Saudi Arabia's human rights abuses, and I think we need to do that on every single occasion and keep pressing.

And while we probably acknowledge things like the good work on COVAX, we absolutely need to bring up the point every single time that the human rights abuses are unacceptable and that we're going to keep highlighting them and we're going to keep pursuing them.

I think you've given us a pretty good list. So I do not want to talk for the sake of talking. I appreciate your time here and everybody's time here.

And I yield back the balance of my time. Thank you.

Mr. DEUTCH. Thank you, Representative Perry.

Mr. Cicilline, you're recognized for 5 minutes.

Mr. CICILLINE. Thank you, Mr. Chairman. I really want to thank you for your leadership and calling this really important hearing and also acknowledge the incredible leadership of Mr. Connolly for so long on this issue.

And I think as you described in your opening remarks, this is a challenge for us to ensure that we have foreign policy that reflects our values, and I think when you look at the backsliding of democracy and the rise of authoritarian leadership around the world, maybe this is no—there's no place where it's more clear than here in Saudi Arabia how challenging this is.

But when you look at the age of the Saudi population under the age of 25—half of the population is in that age group—and the looming ascent of Crown Prince Mohammed bin Salman, this is a very important time for us to figure out how we both hold the Saudis accountable for their human rights record but also ensure that we can maintain a productive relationship, and I think this is a great challenge.

Ms. Nossel, I want to begin with you and that is—my first question is, you know, how urgent is this issue with respect to the suppression of dissent or the inability to criticize the kingdom in any way for the average Saudi?

Is it a real issue and is it bubbling up to be something that could cause real change in the kingdom?

And second part of the question is, can you recommend any specific achievable kind of free expression reforms that the U.S. might be able to press for in its engagement with the Saudis?

Ms. NOSSEL. Sure. You know, I would say it's hard to know exactly. Of course, you know, there are no really reliable public opinion polls that are conducted within Saudi Arabia.

You know, there isn't free media. There's repression online such that, you know, it's hard to reliably gauge, you know, how important this issue is to the man on the street.

And I think the strategy that MBS has undertaken is to address certain issues—the ban on driving being at the top of the list, the loosening of the guardianship restrictions—that have sort of across the board support.

That women's rights agenda is something that cuts across ideology, religious sectarianism, geography within Saudi Arabia. It

has a lot of support in many quarters, and so I think that's why we have seen progress in that area.

And I think, you know, the strategy really is to take other steps that will appease a kind of pent-up demand for more freedom. But in order to be able to sustain this very intense type control over expression and dissent that it's a kind of a bargain.

I think it's important to recognize that. It's not sort of a progression where one will inexorably lead to the other. You know, first you address women's rights and then there will be liberalization when it comes to free expression and dissent.

I think it's actually the two issues play off one another and that, you know, in a sense, the Crown Prince is buying himself some support to continue this crackdown and, you know, when it comes to certain officials who are more—

Mr. CICILLINE. And I—no, I appreciate that. I just want to try to get in one more question. If you could—I'm sorry, I didn't want to interrupt you but I want to try to get in one more question.

Ms. NOSSEL. Sure.

Mr. CICILLINE. And that is, you know, there's been a lot of reporting that's—and this is for Ms. Fontenrose—there's been a lot of reporting that Saudi Arabia is using hacking and social media surveillance to spy on and intimidate dissidents.

In November 2019, U.S. authorities charged two former Twitter employees for spying on users on behalf of Saudi Arabia.

And so, Ms. Fontenrose, how does technology fit into Saudi efforts to harass and intimidate activists and political opponents, and how can Congress ensure U.S. firms and technology are not being used in these efforts?

Ms. FONTENROSE. Technology is the primary tool in tracking and suppressing opposition, and the person I mentioned, Saud al-Qahtani, was instrumental in building Saudi Arabia's arsenal of these technological tools and continues to be.

And we also note that, you know, Saudi Arabia went to the level of even harassing the CEO of a major U.S. corporation with this—with this technique.

The way that this can be handled is already underway. Congress and the U.S. Government and most of the social media companies are involved in really in-depth discussions about where the limits of their authorities are and how much they can actually do in terms of personal freedom.

One of the challenges is that since many of these companies are U.S. based, we allow quite a bit more in terms of personal freedom than some of these other countries would. If these—if these companies, for instance, were North Korean, they would probably be able to put quite a bit of limitation on their usage.

But we have a tougher time with that conversation and that's what we're trying to work out right now. State Department is really engaged in these discussions with the—with the community.

We could, perhaps, sanction some of the organizations that do this work in Saudi Arabia. We have done that before. There was an organization—the acronym was CSMARC—that was involved in the murder of Jamal Khashoggi, and we said we would sanction the organization. We made great moves to do it, and Saudi Arabia eventually just shut the whole organization down.

But we know that some of those roles have been reconstituted, and if we sanction those it makes it—it makes it then impossible for U.S. technology companies to work with them or for them to contract with providers of specialized capabilities.

So that might be one step. It's sort of a simple step. But until we get to the bottom of what the government nexus with private sector is in terms of what we're allowed to allow and prohibit, that might be one of the—one of the easier ways to immediately address it.

Mr. CICILLINE. Thank you so much.

And with that, my time is expired. Thank you, Mr. Chairman. I yield back.

Mr. DEUTCH. Thank you, Mr. Cicilline.

Mr. Mast, you are recognized for 5 minutes.

Mr. MAST. Thank you, Mr. Chairman. I appreciate you recognizing me.

I've enjoyed hearing the debate and the conversation today. I think it's important. It's important to recognize important partners in every region that we work with. But it's also important for us as a nation and for our citizens who we are representative of to never be allowed to be naive as to who it is that we're working with, and then we make an honest decision about how and where we will work with those individuals.

And so it's in that that I'm going to bring attention just—and I will not have any questions today. I just want to bring attention to something that a number of us have made requests for and worked on as it relates to Saudi Arabia and bring it to—maybe to the attention of some of the other members of our committee who have not been on this, and ask for your consideration on this.

In the previous Congress, we did write a letter to Attorney General Barr to specifically express our concerns over a decision, or more than one decision, to assert what's known as the State secrets privilege on litigation brought by victims of September 11 attacks and their families against the Kingdom of Saudi Arabia.

I would like to, basically, ask that all members of this committee look into what is being considered under that State secrets privilege and that we write to Merrick Garland about the exact same issue, making sure that it is transparent for all Americans, not just what has gone on with the situation like Khashoggi but what has gone on that has perpetuated the United States of America to be at war for 20 years—you know, war that has, you know, began on our soil, has affected many of us personally, me personally, in war, many of my friends and family, and that we make every single effort to have very true and real transparency about all of those that we are working with.

So in that, Mr. Chairman, I will yield back my time. I know this is something that you have worked on as well. But just to say I would ask for the support of members of this committee as we sit here and discuss Saudi Arabia to also not lose sight of what is still being kept secret about September 11th to those that were most intimately affected by it.

And in that, Mr. Chairman, I yield back.

Mr. DEUTCH. I thank you for your comments, Mr. Mast.

And we'll yield 5 minutes now to Mr. Malinowski.

[No response.]

Mr. DEUTCH. Mr. Malinowski, we're having some trouble with your sound. Why do not—why do not we—why do not we give you a minute to work with staff to try to square that away? And, you know, we cannot hear you.

If it's OK with you, Mr. Malinowski, we'll go to Ms. Manning, and then we'll come back to you. Thank you very much.

Ms. Manning, you're recognized for 5 minutes.

Ms. MANNING. Thank you, Mr. Chairman, for holding this hearing and thank you to all the witnesses. I'm assuming you can hear me.

OK, great. Thank you to all the witnesses for their outstanding testimony.

Ms. Fontenrose, you have articulated so clearly the complexity of our relationship with Saudi Arabia, including the importance of Saudi Arabia in the balance of power in the region and in achieving some critical U.S. goals, and your suggestion of setting clear red lines with actions for crossing those lines and the importance of acting in concert with the international community against human rights violations are all well taken, as well as your suggestion that the U.S. act as an avuncular advisor, which suggests a wonderful balanced approach.

I'm interested in whether you can talk to us about whether there are carrots we can use in addition to sticks.

Ms. FONTENROSE. Thank you, Congresswoman.

Yes, there absolutely are, and I think that's incredibly important. If we only lead with sticks, then we risk losing some of the loyalty we have from Saudi Arabia to competitors, whether adversarial or friendly, whether economic or military.

So in terms of some of the—some of the carrots, things like securing Saudi Arabia against the attacks they're receiving from Iran-backed proxies, the very immediate carrot are—the end of our support for the coalition in Yemen did send a clear message to Mohammed bin Salman that there needs to be an end—a political end to the war in Yemen very quickly.

But it also did embolden greater kinetic action on the part of the Houthis. If we were to offer Saudi Arabia assistance with resisting that—those attacks, that is a carrot.

They are looking for ways to push back that will not anger our Congress. They are very aware that if they use air strikes there will be condemnation from the Hill.

So what are other ways that we can offer them? We can offer them cyber assistance. We can offer them electronic warfare assistance in addressing the guidance systems or the launch systems of the missiles and rockets that are coming at them.

We can offer them assistance with assessing their vulnerability to drones and, perhaps, assistance in identifying which counter-UAS technologies might be most useful for them so they aren't just buying haphazardly from people pitching to them and acquiring technology that, frankly, will not be useful against the threat.

We can work on intelligence sharing and identifying where those attacks are coming from, and then if the Administration really wants to give them a carrot, the Administration will talk to Con-

gress and say, we have shared information on where these attacks are coming from.

We have told the Saudis it is OK for them to strike these launchers or these missile depots and we would appreciate it if you would not condemn them for these particular targeted strikes against imminent threats.

So there's some very, very—not very difficult and very immediate things we can do that are carrots. Other carrots include things like welcoming them back more robustly into the international economic community.

They are really trying to rebuild their previous economic power, and our insistence that they be treated as a pariah has made the international finance community a little bit hesitant to do that.

They would, certainly, welcome that sort of—that sort of welcome into this conversation again, welcome back into that more robustly.

That's not something we necessarily have to do, but that definitely would be a carrot and that's simply diplomatic. That does not require policy changes. It does not require legislation. It does not require resourcing.

Other carrots we can give them are consulting with them on the JCPOA. Yes, we have said that we would do that, but are we really? Really taking into account their concerns about regional activities and missile programs from Iran would be a carrot for sure.

Ms. MANNING. Great. Let me ask you one more question. Are there steps that the U.S. can take to encourage the normalization of the relationship between Saudi Arabia and Israel to bring them into the Abrahamic Accords?

Ms. FONTENROSE. I do not even think we have to do much more. I think Mohammed bin Salman is on board with this. We are dealing with the fact that the current king of Saudi Arabia, who has been a wonderful partner to the U.S., is opposed to normalization until there is a political solution that is acceptable to the Palestinian camp.

And it's my understanding that as long as King Salman is king, that that stance will stay solid. That is—that is, essentially a core value in Saudi Arabia and that we will see more direct movement on normalization either if Mohammed bin Salman is made prime minister or if there is—if there's a succession, and Mohammed bin Salman were to take the throne. Not necessarily upon the passing of King Salman, even prior.

But I think that's where we're going to see it. I think pressure before then we'll still run up against King Salman's personal beliefs and personal wishes, and we might not want to press that from a long-standing great partner.

But in the meantime, we can, certainly, work with Saudi on some things that they can do to show that normalization is coming. One is messaging to their own people. There's a big public diplomacy perception issue in much of the Arab world about normalization.

They can start working on that right away. They can also start working on small economic agreements. They can start working on technical cooperation in areas of missile defense or maritime security.

There are things they can do that are steps toward normalization without officially making that one of their policies. That would help set the stage, would really put them in place, and then normalization would almost look like a logical completion of a process.

Ms. MANNING. Thanks so much. My time is expired. I yield back.

Mr. DEUTCH. Thank you, Ms. Manning.

Before going to you, Mr. Burchett, we're going to take just a quick moment and see if Mr. Malinowski's audio works.

[Pause.]

Mr. DEUTCH. No, unfortunately not. Maybe we can—

Mr. BURCHETT. Mr. Chairman, if he comes back on just stop me. It's good.

Mr. DEUTCH. We will not send you—hold on 1 second, Mr. Burchett.

Mr. Malinowski, I'll try one more time.

Mr. BURCHETT. How about that?

Mr. DEUTCH. Great. Okay. Great. So, Mr. Burchett, we're going to you. Then we'll come back to Mr. Malinowski and—

Mr. BURCHETT. Mr. Chairman, in bipartisan nature, let's go back to Mr. Malinowski. He had to skip he—and I'm cool with that, Okay?

Mr. DEUTCH. That's actually very kind of you. But we went to Ms. Manning, who's a Democrat, and keeping with our true bipartisanship nature, we're going to come back to you now, if you're—

Mr. BURCHETT. All right. Well, I tried, brother. I tried. I apologize.

All right. Ms. Fontenrose, you mentioned in your testimony that we released Khashoggi reports too soon and missed out on additional human rights concessions. Which concessions do you think we missed out on?

Ms. FONTENROSE. It's my understanding, from speaking with colleagues inside the kingdom, that there was great concern in Saudi Arabia that the report might include incriminating information, and so they were keen to be very conciliatory prior to the release of the report.

So it's my feeling that had the report release been delayed we may have actually had leverage to make additional requests of Saudi Arabia. So we succeeded in the release of Loujain al-Hathloul, but she has—she has peers who are still imprisoned, and it might have been possible to get some movement on those specifically.

Mr. BURCHETT. Okay. And for the committee, is there any internal pressure on Saudi Arabia to improve its human rights practices? And that's out to anybody.

Anyone? Ms. Fontenrose, do you want to try that?

Ms. FONTENROSE. I apologize. I thought that question was for the committee. And can you repeat it really quickly?

Mr. BURCHETT. It was, but since you're a part of it, is there any internal pressure on Saudi Arabia to improve its human rights practices?

Ms. FONTENROSE. It's a great question because there is, certainly, pressure from the public who does believe that human rights improvements would improve their own lives.

But that public has no leverage in Saudi Arabia. There is no mechanism by which they can express themselves in a way that will create policy change but, potentially, not endanger them as individuals.

So, unfortunately, the pressure—the desire is there, but the pressure is not effective.

Mr. BURCHETT. Okay. And this is for of the committee, so you all get ready to get on your buzzers. Do you think that Saudi Arabia will develop closer ties with our adversaries, such as Russia and China, because the U.S. pressured them on human rights?

Mr. DEUTCH. Mr. Burchett, I think you're referring to the committee of witnesses. Is that correct?

Mr. BURCHETT. Yes. Yes, I'm telling the witnesses. I'm sorry. Not our committee. I do not want to hear any of you all. I'm tired of hearing you all. So go ahead.

Ms. FONTENROSE. I can speak to that. The answer is absolutely yes. We are the priority partner for Saudi Arabia. They are very clear about that, and we have no reason to doubt that.

But it is definitely true that Russia and China bring their partnership without human rights strings attached. Russia would love to replace the U.S. as the hub for security relationships in the region.

They have floated a proposal to this—to this effect, that they continue to socialize, including in the recent visit of Lavrov to the—to Riyadh. And China is very happy with the U.S. being the security guarantor and locking down its economic interests.

We would not expect China to come in as a guarantor of Saudi security or a protector of waterways or the like, but they'll certainly replace us as a vendor of arms and they'll also sell those arms to Saudis' enemies, which, you know, if you let Russia and China lead the way in terms of military technology in the region, you definitely have the kind of arms race that could lead to escalation.

So yes, it's very real. Saudi would not like to go that way. They do not choose to go that way. But they do have other options.

Mr. BURCHETT. Thank you, Mr. Chairman. Oh, go ahead.

Ms. NOSSEL. No, I was just going to add briefly, I think that's true but I think it should not be overstated. I think particularly when it comes to the rivalry with Iran, the partnership with the U.S. is not replaceable by either Russia or China.

They're not going to serve as that kind of bulwark against their Iranian nuclear ambitions and regional ambitions. And so I think that the degree of preference for the U.S. is, we should recognize, is strong and not be too quick to assume that any antagonism is going to lead them into the arms of Beijing or Moscow.

Mr. BURCHETT. Right. I've got—Mr. Chairman, I yield back the remainder of my time Mr. Malinowski, if he figured out his computer. If he does not, tell him to get a 13-year-old daughter because she will explain the—everything you're doing wrong with your computer and embarrass you continuously with it.

So I yield.

Mr. DEUTCH. Thank you. Thank you, Mr. Burchett.

Mr. Malinowski, we are ready to try again.

Mr. MALINOWSKI. Yes. How's this?

Mr. DEUTCH. We can hear you. Does your camera work?

Mr. MALINOWSKI. It should be. Yes.

Mr. DEUTCH. Oh. Does everyone else see Mr. Malinowski? Only I do not?

Mr. MALINOWSKI. I see Gerry—

Mr. DEUTCH. Oh, sorry. That's apparently—that's a problem on my end. Mr. Malinowski, I want to also, as I acknowledge you, take just a moment to thank you for your principled and strong leadership on human rights, especially on human rights in Saudi Arabia. We're grateful for your leadership, and you're recognized for 5 minutes.

Mr. MALINOWSKI. Thank you so much, and I think my daughter would probably give us the advice not to be using WebEx. But we'll set that aside for a moment.

So look, I want to just jump right into what's been a really interesting exchange about leverage and our interests, and to start with Ms. Fontenrose because in your testimony you made a proposal that is very consistent with what many of us have been advocating and with what the Biden Administration has actually begun to do, and that is to draw a red line around what could be called transnational repression, authoritarian States such as Saudi Arabia reaching beyond their borders into the United States, into democratic countries in Europe, into Canada, to pursue their enemies, which is essentially what happened in the Khashoggi case but also others.

At the same time, you expressed some concern about doing too much to go after the main author of the killing of Khashoggi, and I wanted to challenge you a little bit about an apparent contradiction between those two positions.

I understand that there are limits to what the United States can do to challenge Saudi Arabia in terms of human rights conditions within the country. I want to try. I'm passionate about it.

But that is, I think, somewhat different from the Khashoggi case. The Khashoggi case, yes, it's a human rights case. But it was also—it was also something that can be considered a hostile act against a resident of the United States of America.

And if we're going to have an actual red line, as you suggested, if we are going to build a coalition, an alliance of democratic States, making clear that we have zero tolerance for that kind of activity, do not we undercut that message if we say that a relationship with a particular individual in Saudi Arabia is too important to hold that individual accountable in any way?

Ms. FONTENROSE. Congressman, I do not think that what we'd be saying is that the relationship with that individual is too important. We'd be saying that the relationship with the country is too important and we'd be acknowledging that because of the potential for retaliation by the individual at the top for certain actions, it would be in better serving U.S. interests not to take certain methods for responding to the Khashoggi murder.

We are not without options. There are many, many options for U.S. response. So the issue is just assessing which of these will lead to the advancement of U.S. interests long term, and which would look like they were getting at Mohammed bin Salman but would, in fact, be pyrrhic victories.

And so things like sanctioning him would definitely lead to retaliation against U.S. interests in many sectors, as I mentioned, even things like energy transition, and certainly it would cripple our ability to respond to post-conflict stabilization needs across the region. We do really count on Saudi Arabia writing checks. In 2018, the current coordinator for the Middle East on Biden's team at the NSC asked Saudi Arabia for \$100 million to use in Syria.

Without that money, we couldn't have accomplished some of what we needed—we needed to do there. And I guarantee you that Saudi Arabia is already considering the fact that that person will very likely come back and ask for more.

We also are going to see needs in Iraq and in Lebanon, certainly, in Yemen and Libya. And without one of the largest powers in the region in terms of resources and political weight, that will be very difficult to do on our own unless we want to get far more involved in these conflicts. And in the short run—

Mr. MALINOWSKI. Now, I am just going to—sorry, reclaiming my time a little bit. What I worry about is that, I mean, we have sanctioned the country.

We just haven't done anything about the individual, and by sanction I'm not—I'm not in favor of economic sanctions against MBS for some of the reasons that you've laid out.

What we have proposed is something that falls short of that. But I worry about the danger of reinforcing the official Saudi line, which is that the murder of Jamal Khashoggi was a crime but it was committed by everybody other than MBS.

They have sanctioned the same henchmen, for the most part, that we have sanctioned in the past, and I do not want to reinforce that lie.

And I do not have that much time left, but I think that a lot of the steps that you have suggested Saudi Arabia might take to harm our interests if we take the step would also be incredibly harmful to Saudi interests.

Yes, China can sell them weapons. Yes, Russia can run around and propose regional security arrangements in which Russia takes part. But it's absolutely crystal clear that only the United States protect Saudi Arabia. Chinese weapons are useless to them because their own military is not what defends them.

It is the United States military that defends them if anything were to happen, an Iranian attack on Gulf shipping or on Saudi Arabia itself. The Saudi military would be asked to stand down, and the United States would be protecting the king, and they know that.

So I wish we could continue the exchange. But I'm out of time and I yield back. Thank you.

Mr. DEUTCH. Thank you, Mr. Malinowski.

Mr. Steube, you're recognized.

Mr. STEUBE. Thank you, Mr. Chairman. My questions are for Ms. Fontenrose. What posture should the U.S. take in its public statements about human rights and political freedoms in Saudi Arabia?

Ms. FONTENROSE. Excellent question. It actually allows us to followup a bit on what Congressman Malinowski was raising as well.

I think it's very important that the U.S. take a very public posture on the core value of human rights, and I think this administration has already kicked that off very well by stating that.

On the flip side, I think that conversations about reactions to it need to happen privately because of the psychology of Mohammed bin Salman, and I encourage you to ask for briefings from your intelligence—representing your intelligence community liaisons on this if you'd like.

This is best handled in a way that does not make him look like a public pariah. But the standards and the red lines should be stated publicly, and America's insistence on these being upheld should be stated publicly. There needs to be sort of this establishment of accountability.

And then the methods by which we are willing to assist for the— for the red lines we're drawing in terms of what the punishments will be can be private discussions.

Mr. STEUBE. Well, and kind of related to that, your policy recommendations include trying to have a positive influence on Saudi leaders through our engagement.

Are there examples of ways in which our engagement with Saudi political or military leaders has had a positive impact on promoting America's values and policies?

Ms. FONTENROSE. Absolutely. Specifically on military, and this is a very tactical example, but the U.N. recorded a decrease in the loss of life by civilians in Yemen between 2017 and 2019 that we think is directly correlated to the advisement of our U.S. military to the cell that does deconfliction targeting in Yemen.

We also know, as you mentioned, about U.S. pressure resulting in the release of Loujain al-Hathloul, and I mentioned in my testimony that the Saudi—the assistance by the State Department and the pressure from Congress that resulted in changes to Saudi curriculum that is used globally worldwide.

I think there are also additional ways that the U.S. can apply pressure diplomatically that would be well received. One is definitely staying on top of the call for the release of additional activists and dissidents.

There are also other—we could ask, as I mentioned, for embedding of advisors into Saudi ministries to work on legislation, to work on the drafting of new laws and then codifying. We can recommend supporting them in their digitization efforts.

We have—we have placed pressure on them in terms of improving their human rights record, but we haven't really given them tools or said specifically how to do that. Saudi is really good about responding to specific requests, not so good about responding to generic requests, often because they simply do not know where to start.

So if we provide some of the capacity and we say, all right, now that you've said Insha'Allah and sort of shaking your head and said you're willing to come along, we're going to show you exactly how to get there and we're going to walk you through this.

I think there—I think it's very, very, very plausible.

Mr. STEUBE. In your testimony, you highlighted a tradeoff between sanctions blocking access to the United States and enforcing other accountability measures against human rights violators.

How would you recommend we resolve this tradeoff in U.S. policy?

Ms. FONTENROSE. Can you repeat that one more time? I'm sorry. It kind of broke up.

Mr. STEUBE. Sure. In your testimony, you highlighted a tradeoff between sanctions blocking access to the United States and enforcing other accountability measures against human rights violators. How would you recommend we resolve this tradeoff in U.S. policy?

Ms. FONTENROSE. I do not think it has to be a tradeoff. We could also choose to simply sanction businesses that Mohammed bin Salman has a stake in and, therefore, avoid the tradeoff issue at all.

He is the head of the Sovereign Wealth Fund. He also holds many of the private sector companies in Saudi Arabia under his personal portfolio, and one of them, for instance, we know owned the planes that were used to transport the kill operation to and from Turkey.

So we could choose to sanction businesses he's associated with instead of sanctioning himself and that might then lessen the risk of reducing U.S. access in the country and lessen the risk of retaliation and negate any tradeoff.

Mr. STEUBE. Well, thank you for being here today. My time is almost expired. So I yield back.

Mr. DEUTCH. Thank you very—thank you very much, Mr. Steube.

Mr. Keating, you're recognized for 5 minutes.

Mr. KEATING. Thank you, Mr. Chairman.

When we're looking at what we can do in terms of human rights concerns and, particularly, the discussion centered on MBS and what we could do, to look at the actions he's taken without compromising our policy, it's really interesting.

I've been noticing on television—I think maybe some of the people here in the committee hearing have been noticing the television—the promotions, the tourist promotions that are much more extensive than they ever were for tourism travel into Saudi Arabia, and Mohammed bin Salman took his oil interests and transferred a great deal, billions of that, toward a Vision 2030.

But also, specifically on the tourism, the high-end tourism industry where the Red Sea development companies and other companies that he's been very involved with and controls to a large measure, pouring those billions of dollars into there, and the hypocrisy of these resorts and hotels and airports that he's upgrading and creating and the rules that are there in terms of women wearing bikinis or the serving of alcohol or whether—you know, whether they can even—unmarried couples can share rooms, those things are like a for-profit hypocrisy to everything else they're doing in the country as well.

So my question is, given his personal focus and investment on this, given the fact that in one end, he's really being hypocritical about many of the things he's doing, particularly the things he's doing to still allow from the State standpoint, taking away human rights issues and, in particular, rights of women.

What's going on on the private side? Are you aware of any private groups or private citizen groups that are interested in these

human rights issues, that are interested in what's being done to hurt women's equality there?

Whether there's advocacy groups, whether there's any acknowledgment of businesses that are having meetings there? What can we—are you aware of what's going on on the other side, the non-governmental side, of approaching the violations for human rights that the Saudi government does by looking at these investments, investments, by the way, that require participation from many of the countries who are working to make sure these norms no longer exist.

Anyone who wants—

Dr. ALDOSARI. I can talk a little bit about that.

Well, the fact is, yes, there are a strong drive from the leadership toward creating something similar to the Dubai environment, a climate where it really is global and open to tourists and international business, foreign business in particular.

But it wasn't very successful because of the structural problems. We have seen increased fees on migrant workers, for instance. Migrant workers represent half of the work force inside Saudi Arabia and a third of the population.

Many of them do not really enjoy, you know, the freedom to change jobs or to exit. But there were some reforms allowed for some segments of the work force—not the domestic workers or the most vulnerable—to change their jobs or to leave the country without consent.

So there are some policy problems to engaging foreigners inside Saudi Arabia. There are also more problematic issues when it comes to creating those futuristic cities. Those futuristic cities are aimed to be directed toward the foreign population rather than the local population. So it does not really change the situation for the local tribes.

We have seen forced relocation in NEOM for the futuristic city, for instance, of al-Huwaitat tribes in which several were imprisoned—several people were imprisoned and one was killed for refusing the forced relocation.

There are groups, private groups, of course, engaging in those issues. Some of them are from the people in exile, the Saudis in exile, who are meeting regularly with, you know, influential figures and influential groups.

But one of the main hurdles that we face is the poor communication with officials. So these people do not have a channel of communication with their officials or with the officials who are visiting Europe and promoting these kinds of, you know, initiatives.

So I would say, yes, there are private groups working toward improving the situation of human rights and highlighting those issues. But because of the atmosphere of repression inside Saudi Arabia, it's becoming more difficult for us to gather testimonies or to get information, real proper information, on what's happening and who's most affected by this kind of—

Mr. KEATING. Well, if I could interrupt. I'm sorry. But, for instance, there is a French company that's doing massive investments in this, too. We're sanctioning other companies and corporations in the world for other activities. This is a way the U.S. could approach it from a governmental standpoint, but also those of us

that are concerned as U.S. citizens and people that are interested to do it in a private way—that was my point—from the outside.

Because if we hurt this massive investment because of their actions in human rights and the way they treat women, then I think that might pressure him more, instead of just the veneer of these cosmetic changes that he has made.

With that, Mr. Chairman, I yield back.

Mr. DEUTCH. Thank you, Mr. Keating.

Dr. Jackson, you're recognized for 5 minutes.

[No response.]

Mr. DEUTCH. Is Representative Jackson still on?

Mr. JACKSON. Thank you, Mr. Chairman. I appreciate you recognizing me. I think that most of the questions I had have already been answered at this point. So I'll yield back the rest of my time. Thank you, sir. Appreciate it.

Mr. DEUTCH. Thank you very much.

Mr. Vargas, you are recognized for 5 minutes.

Mr. VARGAS. Thank you very much, Mr. Chairman. Again, I want to thank you for holding this hearing and I particularly want to thank the witnesses for their important testimony.

I also want to thank my good friend, Mr. Connolly from Virginia, for his leadership in pursuing justice for Mr. Jamal Khashoggi.

But it does seem like we're in a very difficult place, and we want to continue our important relationship with Saudi Arabia. And it also seems like the Saudi royal family seems to have picked Mohammed bin Salman as their future leader.

So here we are. It seems like we have a very difficult time really treating the murder of Jamal Khashoggi as a murder because we do not really believe in regime change, and if we try, we're not normally very good at it anyway.

So here we are. We continue to make very strong statements about human rights, and I think we should, and certainly I believe in them.

But it does seem that we're stuck in a very difficult place, treating this really like a murder because of the situation we're in. I mean, am I wrong about that, Ms. Fontenrose?

Ms. FONTENROSE. You're absolutely right about that. That is exactly the cognitive dissonance we're facing right now is the king in Saudi Arabia has chosen Mohammed bin Salman as the next leader of Saudi Arabia, and Mohammed bin Salman has shored up his likelihood of succession.

So then the U.S. must ask itself what are our priorities in terms of not only the relationship but what we want for years to come in terms of Saudis' role in supporting our objectives in the region and elsewhere?

Can we work with this person? If not, what are our options, and they're fairly limited? If so, what do we need to do?

What steps do we need to take to ensure that the direction of the kingdom is such that they are a productive and helpful partner and not one that we are constantly having to turn around and rebuke and scold for massive foreign policy problems?

And I think that's what we're talking about today, trying to find the ways that we can lead Saudi Arabia to this kind of change we're looking for, because if he is the king and he does survive, as

his predecessors have, then we'll be dealing with him for the next 10 presidencies.

Mr. VARGAS. No, I agree. So in light of all that, then I'd like to ask Dr. Aldosari. You know, one of the things that I think is very, very important is, obviously, the issue of women's rights.

And I've been to Saudi Arabia a few times myself on CODELS and it is glaring. I mean, it's obvious the lack of rights that women have. I mean, how can we push harder and at the same time not get people imprisoned and killed over this?

I mean, I was surprised. You open up the issue of driving for women, then you arrest the women that were pushing for women to drive. I mean, what can we do?

Dr. ALDOSARI. Exactly. So I would suggest that, you know, the U.S. uses its position—its position as an ally, as a protector, to push for those reforms, to amplify the voices of the civil society and the women activists.

The women activists did not only represent a voice for reforms. They were in a place where there's very limited support and resources available for most vulnerable groups. They were able to amplify their voices.

They were able to, for instance, apply for a shelter for survivors of violence. That is not very limited in terms of services and access, as the government operated government-sponsored shelters.

So I think that one key thing is to establish a good support or a good relationship with the civil society in Saudi Arabia. Mostly are in exile now. They're not really active from within. Even those who were released from prison are banned from resuming any kinds of activism.

But at least with the civil society of Saudi Arabia, who are in exile outside, there is a National Assembly Party that has been formed last year by some of the scholars and activists and diaspora that is calling for a democratic transition and highlighting the issues from the point of view of the people.

So having, you know, informed voices from the civil society, Saudi civil society, and try to amplify their demands for reforms and amplify their voices is a good first step to, basically, push for more reforms in Saudi Arabia that is based on public needs.

Mr. VARGAS. Well, I have to say, again, I think that we have some leverage here because of this murder. I do think that, you know, that MBS does care about his image, and I do think that we can do the things that you said, you know, for women and the activists within and outside of the country by pushing harder and making our voice heard.

Again, it's a very difficult situation. But it seems that this situation that we're in does not seem like we have a whole lot of options.

I see that my time is expired, and Mr. Chairman, I yield back. Thank you.

Mr. DEUTCH. Thank you very much, Mr. Vargas.

Mr. Schneider, you're recognized for 5 minutes.

Mr. SCHNEIDER. Thank you, Mr. Chairman, and thank you for having this committee. I want to thank the witnesses and I'll start with you, Ms. Fontenrose, and I'm trying to figure out how to juxtapose two separate questions.

I guess I'll start picking up what was discussed earlier about normalization. The Abrahamic Accords, the dynamic of things happening in the region and around the world that are creating, I think, a unique opportunity to promote naturalization and, certainly, the United States has a role to play in fostering that but also within Saudi Arabia.

Just curious, and to all the witnesses as well, have you seen any steps within Saudi Arabia for the regime to be laying the groundwork with the people toward moving closer toward normalization, and any sense of what the public might be willing to accept or where the leadership might be willing to—or able to move them to on what normalization might look like?

Ms. FONTENROSE. We have heard statements and rhetoric out of the Saudi government that are supportive of the Abraham Accords and supportive of the concept of normalization. It does appear that they are trying to prepare their population for the idea that Saudi Arabia should and could have a future relationship with Israel.

There has not been any negative messaging out of Saudi Arabia about the Accords from the official government. Now, this is different than what we're hearing about from some parts of the population.

Saudi does have a fairly right wing and conservative and anti-Israeli segment of their population that is of concern in terms of creating change too quickly in Saudi Arabia, what might their reaction be.

But the government itself, yes, has been—has been very pro-normalization in terms of their support for the idea that Israel could be a partner for peace.

Mr. SCHNEIDER. Great, thank you.

Dr. ALDOSARI. I would just add one thing here.

Mr. SCHNEIDER. Please. Please.

Dr. ALDOSARI. I'm sorry to interrupt.

There is an intelligence sharing and cooperation with Israel. In fact, the software used to hack into Jamal Khashoggi's phone and other dissidents abroad was authorized by the Israeli Ministry of Defense and sold to Saudi Arabia and used in most of the hacking attempts.

So I would say that there is already an ongoing relationship with the Saudi government and the Israeli government. But there is, of course, a very strong sentiment against any kinds of normalization from the people, not necessarily because they were—they are conservative Islamist, not from an Islamic point of view only, but also from a point of standing with the Palestinians' rights of self-determination.

This is not something that is mentioned in the Accords and, you know, this kind of individual normalization that would put—you know, would put no pressure whatsoever on Israel to solve the conflict with Palestinians, this is something that most of the rights groups in the region are against, not only the Saudis.

Mr. SCHNEIDER. All right. Thank you for that.

With the last 2 minutes I'll go a slightly different direction and, Ms. Fontenrose, I will point to—finish with you.

You know, very broadly, this applies everywhere but we're focused on Saudi Arabia. How would you describe the implications

for U.S. foreign policy and outcomes when we do not get the right balance on emphasis on human rights issues?

And to be clear, that can be either putting too little or too much emphasis, although I have my own bias that there's no such thing as too much.

What are the implications of not getting that balance right? And I think we have lost Ms. Fontenrose.

Mr. DEUTCH. Mr. Schneider, why do not you ask the question again? I'll give you additional time.

Mr. SCHNEIDER. Thank you. Ms. Fontenrose, can you hear me? [No response.]

Mr. SCHNEIDER. I'm not sure if we have audio connection. Are you able to hear me, Ms. Fontenrose?

Ms. FONTENROSE. I apologize. I lost power for a second there. Can I ask you to repeat that?

Mr. SCHNEIDER. No worries. Yes, I'll repeat the question.

What I'm saying is that in foreign policy in general, but we're talking Saudi Arabia and specific to the delicate balance of the emphasis we place in our foreign policy on human rights, and, you know, clearly, it can be not enough emphasis, too much emphasis.

I have my bias it is not possible to put too much emphasis on human rights. But what are the implications for foreign policy for not getting the balance right?

Ms. FONTENROSE. I think the—there's no negative to stressing human rights. I think the balance we need to strike is in not being the only voice calling for them.

We need to make sure that it's not simply an American request but that this is an international request. You know, we want Japan, we want Europe on side with us saying that these are expectations of the global world order and we're going to need you to raise your baseline to meet them.

Because otherwise, we do risk isolating ourselves. You know, it's true that we do not think any of these countries that we're talking to about human rights are necessarily going to jump into the arms of others in terms of their leading partners right away.

But the more that we drive ourselves to a point where we're asking them to take great, great, great steps—you must sign on to this agreement that says that you will do certain maintenance and training and in user agreements and we're going to put ethics training into our military sales while other countries aren't doing that makes us a more expensive and a more difficult partner.

And we should not lower our standards, but we should be diplomatically pressuring our partners at the least to meet those same standards, whether it's in nuclear energy or whether it's on military ethics training.

Whatever it is, we shouldn't simply be focusing on the human rights violations. We should be focusing on the global voice that's calling for the rise in that standard.

Mr. SCHNEIDER. Thank you. And I'll add, you know, having the consistent message and engaging with our allies not just here and there but across the board is a easier way to do that.

So I thank you. I went over time. Thank you, Chairman,

Mr. DEUTCH. Thank you, Mr. Schneider.

I will now yield myself time for questioning. Thanks to all of the witnesses for your testimony. It's been a really good hearing.

Dr. Aldosari, I want to focus on what you said in response to a recent question. We have had a lot of conversation today about the needs of Saudi Arabia and the Crown Prince, about the needs of America.

Obviously, as we have discussed, the Saudis are concerned about Muslim Brotherhood. They're concerned about Iran. They have very real security needs.

As they look out to the future, there is talk of diversifying from oil. The Crown Prince's Vision 2030 was a bold idea—women driving—there's a lot that the Saudis are thinking about and doing.

We spent this whole hearing talking about the importance of American values and human rights and why we cannot separate our pressing for human rights advances with recognizing the interests that we have in Saudi Arabia.

But I want to focus, Dr. Aldosari, on what you said, which is the public needs. And in your conversation with Mr. Vargas, you talked about what happens when the government jails the same people that are now able to drive. They're jailed because of reasons that they're told they have nothing to do with that.

But when we look at the public needs, going forward, and the young people in Saudi Arabia, where does—where does real reform in women's rights come in? How is it viewed? How important is it?

Dr. ALDOSARI. It's very significant now and it's actually been recognized and acknowledged by Mohammed bin Salman and the government as a very important card, basically, to—not only for the economy but also for improving the image and meeting the youth needs, the youth demands.

So, as one of my colleagues mentioned, women's rights represent, you know, a consensus, basically. The drive of the woman to move rights is a consensus across different religious and different ethnic groups and even different socioeconomic status. Women are now entering the military.

So there have been advances. But the problem is, again, as I said, without people able to come together to express their needs and demands and to expose what kinds of loopholes exist in the policies, it is going to be very difficult to sustain those kinds of reforms.

For instance, the government said that they will enact, you know, family laws and they will codify the criminal law, you know, soon—that those things will be launched soon.

But we have seen other similar countries in the region—Qatar, Bahrain, and Kuwait—they do have family laws, but it is very much an institutionalizing the discrimination against women in the family and the power of the male guardians, and most important decisions of marriage, divorce, child custody, custody and assets within marriage. So it didn't really relieve the pressure from women.

So I would say having women activists coming together and being able to voice those concerns and, basically, being able to mobilize their community as they used to so that the change of the norms around certain issues is vital and the—and this is something that needs to be moving as well.

Mr. DEUTCH. Let me—let me just try to make this a finer point here, Dr. Aldosari. The changes that we have seen, the opening up to music, to dancing, things that we have been told we wouldn't see because of religious restrictions, we're now seeing, and it's important to young people.

On the issue of all of—of how the laws around guardianship are viewed and interpreted, is it—can we be hopeful that given the way young people have viewed the changes that have taken place already that it is imperative that the government understand that there will have to be comparable changes there as well in the role of women?

Dr. ALDOSARI. I think it is understood by the government, but how much or how far they're willing to go, they're not really willing to, basically, dismantle this kind of power of men over women in the family, and it has been actually voiced out by Mohammed bin Salman in one of his interviews.

He said, "We do not want to challenge the family structure, and charges against the women activists is destabilizing the foundation of the Saudi society."

And these are very broad terms which, basically, comes to women trying to be equal to men in terms of bigger rights. The fact that men still hold women, you know, under—you know, under their power by charges of disobedience and absence from home just render all kinds of reforms and new rights granted to women useless, basically.

Mr. DEUTCH. Thanks. And if it's OK with the ranking member, I'm going to yield myself just a little extra time to ask one more question. Thank you.

Ms. Nossel, I want to ask you the same question about young people and the public needs of young people in Saudi Arabia, going forward, but this time viewed through the lens of freedom of expression, of the rights of journalists, of bloggers.

Obviously, we live in an age where the world is more interconnected than ever before. Young people understand the importance of that interconnectedness.

So when you look at the case of—when you look at Badawi, you look at these other cases, isn't it—can we see the needs of the public driving to such a point where our pressing for human rights and the government's need to acknowledge the demands of young people are going to coincide?

Ms. NOSSEL. You know, I think possibly, although, you know, the government is sort of, you know, playing this game of trying to—it's a playbook, you know, that I think the Chinese have really perfected, which is that you open up on music and entertainment and social media but within very strict parameters, and that opening, you know, gives people the sense that they are able to communicate, take advantage of these technologies, enjoy some of the rewards.

But anytime it verges toward actual dissent, organizing, or the expression of independent political opinion, you know, that's where the buck stops and the system is tightly controlled.

I think in Saudi Arabia, you know, we do see this kind of bleeding over between the activist core and a much wider public opinion.

It's evident in the area of women's rights, as Dr. Aldosari said, where it has become a consensus viewpoint. You have this crucible of activists who put themselves on the line and paid an incredibly high price in giving up their freedom to be on the forefront of that campaign.

But then you see, you know, scores of Saudi women across, you know, socioeconomic, professional, religious, and geographic lines supporting it, and that has driven the government toward some change.

So I think we have to be optimistic. I think we have to believe that in the long arc and, you know, I think that's important when we think about the outcome after the murder of Khashoggi, you know, whether in a few years, you know, 4 years, 8 years, we'll be able to say that there was substantial movement.

I think, you know, if there is, I believe, even if we cannot see this mass pressure for free expression across Saudi Arabia, it is there.

You know, I believe free expression is a universal drive and hunger that people have, and we saw it in Saudi with the burgeoning of social media, you know, over the last several years, now more repressed.

So I think ultimately, yes, although we shouldn't necessarily expect—criticize about the short term.

Mr. DEUTCH. Great. Well, thank you very much, and just invoking the word optimism in today's hearing, I think, is very much appreciated, as Ms. Fontenrose points out.

Should things go the way they're headed now and, ultimately, the Crown Prince becomes the king and is the king throughout 10 presidencies—thank you for putting it in bold terms like that, Ms. Fontenrose—this is—there's a reason that we need to continue to press on human rights because this is a long game and America's voice is critically important, as we recognize both the importance of the relationship and, most importantly, the importance of our values and human rights and advancing that relationship.

So to all of the witnesses, I want to say thank you for a really informative and interesting conversation. I want to thank the members for participating, and I want to thank the staff for pulling off a relatively seamless virtual hearing. Thanks to all of them as well.

Ranking Member Wilson, thank you for your leadership, and with that, this hearing is adjourned.

[Whereupon, at 12:08 p.m., the committee was adjourned.]

APPENDIX

**SUBCOMMITTEE HEARING NOTICE  
COMMITTEE ON FOREIGN AFFAIRS  
U.S. HOUSE OF REPRESENTATIVES  
WASHINGTON, DC 20515-6128**

**Subcommittee on the Middle East, North Africa, and Global Counterterrorism**

**Ted Deutch (D-FL), Chair**

March 18, 2021

**TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS**

You are respectfully requested to attend an OPEN hearing of the Committee on Foreign Affairs, to be held virtually by the Subcommittee on the Middle East, North Africa, and Global Counterterrorism via Cisco WebEx (and available by live webcast on the Committee website at <https://foreignaffairs.house.gov/>):

**DATE:** Thursday, March 18, 2021

**TIME:** 10:00 a.m., EDT

**SUBJECT:** Assessing the Human Rights Situation in Saudi Arabia

**WITNESSES:** Ms. Suzanne Nossel  
Chief Executive Officer  
PEN America

Hala Aldosari, Ph.D.  
Scholar in Women's Health and Activist from Saudi Arabia

Ms. Kirsten Fontenrose  
Director  
Scowcroft Middle East Security Initiative  
Atlantic Council

**By Direction of the Chair**

COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF SUBCOMMITTEE ON Middle East, North Africa, and Global Counterterrorism HEARING

Day Thursday Date 03/18/2021 Room Cisco Webex

Starting Time 10:07 AM Ending Time 12:08 PM

Recesses 0 ( \_\_\_ to \_\_\_ ) ( \_\_\_ to \_\_\_ )

Presiding Member(s)

*Chair Theodore E. Deutch*

Check all of the following that apply:

Open Session

Electronically Recorded (taped)

Executive (closed) Session

Stenographic Record

Televised

TITLE OF HEARING:

*Assessing the Human Rights Situation in Saudi Arabia*

SUBCOMMITTEE MEMBERS PRESENT:

*See Attached*

NON-SUBCOMMITTEE MEMBERS PRESENT: (Mark with an \* if they are not members of full committee.)

*Gregory Meeks, NY; Steve Chabot, OH; Ilhan Omar, MN*

HEARING WITNESSES: Same as meeting notice attached? Yes  No

(If "no", please list below and include title, agency, department, or organization.)

STATEMENTS FOR THE RECORD: (List any statements submitted for the record.)

*QFR - Rep. Ronny Jackson*

TIME SCHEDULED TO RECONVENE \_\_\_\_\_

or

TIME ADJOURNED 12:08 PM

*Aria Aboud*  
Subcommittee Staff Associate

**HOUSE COMMITTEE ON FOREIGN AFFAIRS**

*SUBCOMMITTEE HEARING*

*SUBCOMMITTEE ON THE MIDDLE EAST, NORTH AFRICA, AND GLOBAL COUNTERTERRORISM*

<i>PRESENT</i>	<i>MEMBER</i>
X	Theodore E. Deutch, FL
X	Gerald E. Connolly, VA
X	David Cicilline, RI
	Ted Lieu, CA
X	Colin Allred, TX
X	Tom Malinowski, NJ
X	Kathy Manning, NC
X	William Keating, MA
	Brad Sherman, CA
X	Juan Vargas, CA
X	Brad Schneider, IL

<i>PRESENT</i>	<i>MEMBER</i>
X	Joe Wilson, SC
X	Scott Perry, PA
	Adam Kinzinger, IL
X	Lee Zeldin, NY
X	Brian J. Mast, FL
X	Tim Burchett, TN
X	Greg Steube, FL
X	Ronny Jackson, TX
X	Maria Elvira Salazar, FL

## RESPONSES TO QUESTIONS SUBMITTED FOR THE RECORD

**Questions for the Record from Representative Ronny Jackson  
Assessing the Human Rights Situation in Saudi Arabia  
March 18, 2021**

**Question:**

We find many ways to partner with Saudi Arabia on energy and defense issues. For example, we agree on the danger of Iran and on the disastrous nuclear deal that emboldened a shared enemy. The Kingdom has also been a reliable partner in counterterrorism.

Saudi Arabia is a valuable ally. We must protect our important relationship with the Kingdom of Saudi Arabia especially in the setting of what is going on in Iran. I see an opportunity to improve cooperation between our two countries as we continue to combat rogue regimes and terrorist groups in the Middle East. I understand that we also need Saudi Arabia to work on some of the human rights issues in the country, which I think they are. These opportunities and improvements in the US-Saudi relationship draw a stark contrast to US-Iran relations, something I'd like to ask each of the witnesses about now.

As we are building a coalition against Iran, does Saudi Arabia feel pressure to differentiate itself from Iran and thereby better align itself better with what we consider to be more Western values?

**Answer:**

**Ms. Fontenrose:** Saudi Arabia's perception is that the US is no longer building a coalition against Iran but is instead going to distance itself from efforts to counter Iran and, in parallel, overlook aggressive actions by Iran against US interests and partners in the Middle East in order to incentivize Iran to cooperate on renewing the JCPOA and engaging in follow-on talks.

Saudi Arabia does not so much feel pressure to differentiate itself as it is self-motivated to show the US that reforms being pursued in the Kingdom as part of the Vision 2030 plans are more closely aligned with US values and objectives for change in the region than are Iranian regime policies.

Drastically curbing the power of the religious police, slowly loosening restrictions on women's freedoms, enabling the social mixing of genders and allowing for "western" cultural events are examples of these reforms. Recently, the government mandated that the loudspeakers that play the call to prayer five times a day reduce their volume. This is an example of a method used to gradually reduce the influence of the conservative religious establishment on the general population without outright challenging this powerful establishment in a way that would likely elicit outcries.

The US has conveyed to Saudi leadership that these reforms are welcome and supported, but that the real US priority is good governance, and, more recently, reforms rights. An understanding of this has not yet been widely reflected in Saudi policy.

**Question:**

Also, on what human rights issues do you see the most potential for behavior change due to this motivation?

**Answer:**

**Ms. Fontenrose:** Saudi leadership has not, empirically, responded proactively to generic requests for change. This is often not based on a lack of will. It is instead very often based on simply not knowing how to implement. Success is far more likely if very specific asks are made, expectations of timeline for implementation are given, and assistance is given in the form of advice or planning and strategy guidance. As an example, telling the Kingdom “improve your human rights record” will result in a few token measures by Saudi leadership that are widely publicized and off-the-mark in terms of US goals. Telling them instead, “do not jail women’s rights activists under any circumstances, please, because these activists are supporting Vision 2030 end states and can be a powerful public voice that challenges your detractors in the religious establishment. If you do in fact jail women’s rights activists, the US will block Saudis from attending US military training with our elite units. Meanwhile, our intelligence services will work with you even more closely to ensure that any threats to the government by other countries or violent extremist groups are detected early.” In this example, the ask is specific, the reasoning is in line with Saudi leadership’s goals, the “stick” is a benefit of partnership that MBS values and China or Russia cannot satisfactorily replace, and we offer assistance to mitigate the threat that Saudi often gives us as reason for jailing activists in the first place.

The majority of institution building and internal reform that occurs in Saudi Arabia is executed by contract with western expatriate companies. So changes are made in process and practice, but the underlying lessons behind the reform or modernization are not resident in the Saudi psyche. One possible re-approach will be to offer assistance in the form of advisors to the DOJ that can help Saudi revamp certain laws, and assistance in the form of developing training on ethical practices for their security services to instill an understanding of the futility of torture among the ranks.

Meanwhile, consistent pressure from the White House and Congress regarding the release of journalists, civil society members, and activists by name will be more likely to succeed than generic requests, particularly if incentivized.

**Question:**

President Trump took many unprecedented steps, particularly in the Middle East. These steps led to great successes, like Abraham Accords, which normalized relations and laid the foundation for even more cooperation in the region going forward. Recently, President Biden announced his intention to “recalibrate” relations with Saudi Arabia. As a part of this, as usual, President Biden sought to overturn President Trump’s decisions in spite of their success.

What aspects of former President Trump’s relationship with and policies toward Saudi Arabia should President Biden seek to emulate? Also, are there other examples of ways in which our

engagement with Saudi political or military leaders has had a positive impact on promoting our values and policies?

**Answer:**

**Ms. Fontenrose:** US interests would be well-served by the continuation of several US policies toward Saudi Arabia. One, the push for an end to the Gulf rift. President Trump and senior leaders in the Trump administration were persistent in their messaging about the need for the rift to end and on the point that the only beneficiary of the rift is Iran. While Saudi Arabia and Egypt have made strides toward reconciling their differences with Qatar, the rift remains intact, and the disinformation war is ongoing. The rift creates tangible challenges to US goals for creating security self-sufficiency in the Gulf. Greater security self-sufficiency would allow the US to draw down our military presence without leaving international shipping through the straits vulnerable to disruption by adversaries.

Two, the policy of reliability for accountability. The Trump administration made it clear to Saudi Arabia that the US could be counted on to ensure Saudi Arabia has what it needs to defend itself and will be a partner in that defense if Saudi Arabia contributes to US military operations in the region financially or otherwise, if Saudi Arabia continues to prioritize the US as a strategic partner over China and Russia, and if Saudi Arabia takes steps to improve its own defensive capacity. Saudi Arabia did not always meet the last administration's expectations in this regard, but the policy, though superficially transactional, set out US expectations of the relationship in the clearest terms since the Carter doctrine.

In great part due to this policy, Saudi Arabia is currently pursuing a 308 point plan for military modernization overseen by the US Military Training Mission in Riyadh using almost exclusively US private sector partners. This effort is driven by the Crown Prince, directed by the Deputy Defense Minister who is the Crown Prince's brother, and implemented by a capable and results-focused technocrat.

In the context of this policy the US was clear that it sought to draw down, but did not intend to leave partners in the Gulf insecure. At the moment, the terms of the US-Saudi relationship are unclear, leading to uncertainty in both the US and the Kingdom, which will lead to further hedging by Saudi senior leaders.

Three, the policy of requesting Saudi Arabia's support for stabilization and contingency operations in the Middle East and efforts to counter Iranian influence in the region where it is destabilizing. The Trump administration requested Saudi contributions in 2018 to alleviate the burden on US taxpayers for continuing US operations in Syria and for stabilizing areas of Syria cleared of Islamic State fighters. The latter request was met. The administration made it clear that any Saudi outreach to Bashar Al Assad in Syria intended to "bring him back into the Arab fold" would contradict US policy in Syria and empower rather than undermine Iran. The Kingdom stayed the course with US policy through the end of the administration. The success of a policy that requests Saudi partnership and assistance for efforts elsewhere in the region is contingent upon Saudi perception that they also receive value from the arrangement or in other offerings from the US.