



# POMED

PROJECT  
ON MIDDLE EAST  
DEMOCRACY

— *Event Transcript* —

## **Toward a New U.S.-Saudi Relationship: Prioritizing Human Rights and Accountability**

**Wednesday, December 9, 2020  
10:00 am - 12:30 pm EST**

Watch the event [here](#).

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### **OPENING REMARKS**

#### **Stephen McInerney [2:43]**

Hello and welcome everyone. I'm Steve McInerney, the executive director of POMED, the Project on Middle East Democracy. Thank you all for joining us for today's virtual conference entitled "Toward a New U.S.-Saudi Relationship: Prioritizing Human Rights and Accountability."

Today's conference is the second of two events on Saudi Arabia that we've organized this fall. The first, which we held in the beginning of October and is available to watch by [video](#) on our website if you missed it, focused on the Kingdom of Saudi Arabia and the current environment inside the country, including the various forms of political repression, as well as the nature of social and economic reforms under Crown Prince Mohammed bin Salman. It also examined the crown prince's approach to ruling the country along with his regional and global agenda, and it featured outstanding insights from top experts, both Saudis and international, as well as, also remarks from seven members of the United States Congress. It also was scheduled to take place just one day prior to the the somber second anniversary of the murder of Jamal Khashoggi. And it gave an opportunity for members of Congress and others to call for accountability for that horrific crime.

Our event today will focus more specifically on the relationship between Saudi Arabia and the United States and will be more forward looking than our last event. Whereas the October event sought to illuminate aspects of the current situation inside the kingdom and analyze the country's trajectory, today's discussion will build on that to look ahead, specifically at the U.S.-Saudi relationship, and at how and why that relationship may change—and should change—in the coming period.

In our last event, there were questions raised on U.S. policy. But we mostly held off on a detailed discussion on those topics until now, primarily because any attempt to look ahead of U.S.-Saudi relations in early October would have been inherently limited by the then still uncertain outcome of last month's elections here in the United States. With the election now behind us, we're excited to be able to look ahead at the incoming Biden administration, how that administration and the next Congress may change policy toward Saudi Arabia, and also how and why our speakers believe that U.S. policy towards Saudi Arabia should change. That will be the theme of today's event: how and why U.S.-Saudi relations should change during the next administration and what that might look like. We've divided the event into two main panel discussions. The first panel will focus more on the why. We've entitled it "Making the Case: Why the U.S.-Saudi Relationship Needs to Change."

And as the title suggests, the question of whether the U.S.-Saudi relationship needs to change is not a question that our organization is neutral on. Now, we do believe very strongly that the U.S.-Saudi relationship badly needs to change. And we believe that a core element of that change should be the elevation of accountability and human rights concerns. And as it turns out, we're not the only ones to believe this or to say so publicly. Prior to the election, President-elect Biden stated numerous times very clearly that this relationship should change. He said, quote, "we will assess our relationship with the kingdom, and I will defend the rights of activists, political dissidents, and journalists to speak their mind freely." He pledged to end U.S. support for the Saudi war in Yemen. And perhaps his strongest comments, he said that he will, quote, "make the Saudis pay the price and make them in fact the pariah that they are."

I would also just quickly put in a plug for a recent [product](#) of ours that you all may have seen on our website, and if not, I encourage you to have a look, where we gathered quite a few of the statements that have been said by President-elect Biden and also senior advisors to him, Tony Blinken, who is the nominee to be Secretary of State. And also, Jake Sullivan the designee to be the National Security Advisor. We put together a kind of helpful graphic with a lot of their key statements over the past year about Saudi Arabia.

Today's event will be an opportunity to flesh out if they're going to fulfill these pledges on Saudi Arabia during their administration. What will that look like? Our first panel this morning will feature a number of excellent speakers making various arguments as to why the relationship should in fact change. The second panel will then move from the *why*, to the *what* and the *how*, what is it about U.S. policy and the relationship that should change? How should it change and what policy steps should be taken to get there and what challenges and obstacles might have to be overcome in order for that to happen? That panel will include specific recommendations as to how different aspects of the relationship should change and what policy steps the incoming administration and Congress should take in that regard.

And then finally, following the second panel, we're also excited to have a 30-minute fireside-chat style discussion with Matt Duss, someone that POMED and myself have had the pleasure of knowing for many years. Matt now serves as Senior Policy Advisor to Senator Bernie Sanders.

He will give his insights on many of the policy questions we're discussing today from the perspective of Capitol Hill, what some of these policy debates look like now within Congress, and what role we might expect Congress to play in the coming period.

We're excited to have a great lineup of speakers today. And we'd like to thank all of them for sharing their valuable insights with us. Of course, we wish we could be holding these discussions in person, but we're thankful that technology allows us to proceed nonetheless. Also that allows the participation of speakers and audience members scattered across the United States, Europe, and the Middle East. We've done our best to ensure that today's event will run smoothly. But we also ask that you bear with us in the event of any unexpected technical glitches, which we'll do our best to resolve as quickly as possible.

One note before turning to the first panel. For everyone in the audience, if you have questions during today's event, there's two ways to submit questions. The first is if you're viewing on Zoom, you can use the Q&A feature, click on the Q&A button in the Zoom window and enter your question there. If you're viewing on Facebook or YouTube, you can email us at [communications@pomed.org](mailto:communications@pomed.org) and send your question there. With that, I'd like to turn now to our first panel, which again is entitled "Making the Case: Why The U.S.-Saudi Relationship Needs to Change." And I will begin by introducing our speakers and moderator for that panel.

Our first speaker will be Safa Al Ahmed, who is an outstanding award-winning Saudi journalist, filmmaker and activist. She's directed some really excellent documentaries, including for PBS and BBC. Her documentary, "Yemen Under Siege", which is a close look at the truly horrifying toll of the war in Yemen, won two Emmy Awards. She is also now the acting director of ALQST, an important independent NGO established in 2014 to defend and promote human rights in Saudi Arabia.

Our next speaker will be Aaron David Miller, who is a senior fellow at the Carnegie Endowment for International Peace, and a former State Department Middle East analyst and negotiator during numerous administrations, both Republican and Democratic. He's also a CNN Global Affairs analyst and author, most recently of the book, *The End of Greatness: Why America Can't Have (and Doesn't Want) Another Great President*.

And then our third speaker on this panel will be Sarah Leah Whitson, who I've had the pleasure of knowing for many years. She's now the executive director of Democracy for the Arab World Now, or DAWN, a relatively new organization that was originally the idea of the late Jamal Khashoggi, which is dedicated to promoting democracy, rule of law, and human rights across the Middle East and North Africa. Previously, Sarah Leah was the executive director of the Middle East and North Africa Division of Human Rights Watch.

And finally, I have the pleasure of introducing and turning things over to our moderator, Deborah Amos, who covers the Middle East for NPR News. And she is also reporting now on refugee resettlement and immigration in the United States, as well as teaching migration reporting at Princeton University this fall. So with that, Deborah.

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## PANEL 1 –

### MAKING THE CASE: WHY THE U.S.-SAUDI RELATIONSHIP NEEDS TO CHANGE

#### Deborah Amos [10:46]

Thank you. You've done all the heavy lifting, and we can just get right to it. I am delighted to be moderating a panel of such stellar people to talk about Saudi Arabia. I want to start with you Safa. And our panel is the *why*. And so why, from your perspective, does the United States need to change policy and need to focus on human rights?

#### Safa Al Ahmad [11:08]

I would argue that the Biden administration needs to make up for the sins of what happened during the Obama administration, like even skipping the Trump administration and everything that's happened there, because it's under Obama's watch that the war in Yemen started. It's under Obama's watch that the biggest arms deal in the history of the United States was done with Saudi Arabia. And so I think there is a lot to be made up for when it comes to foreign policy and the relationship between the Saudis and the Americans. And none of what I say should be taken as an—I believe that the Americans have prioritized human rights when it comes to how they dealt with Afghanistan or Iraq or Somalia or Yemen in general.

But what I am saying is that they need to be held responsible for what the United States itself claims are their priorities of human rights and the law in the United States. The easiest, and I think the moral position, should be that they should stop, one, endorsing the Saudi-UAE coalition's war on Yemen, but also stopping their own involvement in the war in Yemen itself. That gives the Saudis and Emirates the cover that they need. So the weapons are not only a logistical thing that the coalition needs to continue the war on Yemen, but also that is diplomatic cover, that is moral cover that the Americans are giving to these countries to continue this war. And all of these things are really a high responsibility because what's happening in Yemen right now. When we say this is the worst humanitarian *manmade* disaster in the world right now, this is because of the direct relationship to how the United States has given cover to the Saudis and Emiratis in their behavior. The starvation that's happening in Yemen right now is not confined to the northern areas where the Houthis are, where they're alleging the fight. It is also in the areas that the Saudis and the Emiratis are controlling technically in the south.

And so that should give a lot of pause for the United States right now about who they are supporting, and the moral obligation that they have and the international obligation that they have. Because it supersedes all of that with the UN—are they going to be held responsible for the alleged war crimes that they're accused of in Yemen right now? And so I think the Biden administration has a lot to make up for when it comes to how the consecutive administrations, both the Republicans under Trump and also the Democrats under Obama, should be held responsible for what they've started.

**Deborah Amos [13:48]**

Aaron David Miller, you have been writing about the necessity for a change in Saudi policy for a while. Can you talk a little bit about why you think that it needs to change?

**Aaron David Miller [13:59]**

I can and first of all, thanks to POMED for inviting me, and it's a pleasure to see you, and to be here with Safa, Sarah Leah, and a shout out to Steve as well. I worked at the State Department for almost a quarter of a century under Republican and Democratic secretaries of state. I took a special interest in Saudi Arabia, and I thought I'd seen just about everything. But I haven't. The U.S.-Saudi relationship, in my judgment, is not only broken, it's out of control. On one side, you have a ruthless and reckless crown prince who has reached a new standard of repression and authoritarianism, even by Saudi standards, in an effort to justify and maintain control as he introduced what admittedly are historic changes, not in all areas, but changes that we haven't seen before. He has become, in my judgment, a sort of Putin or Erdoğan on the Persian or Arabian Gulf. And abroad, he's set about reversing traditional Saudi risk aversion and caution and prudence that has not only helped to produce—Iran and the Houthis contribute their fair share—the worst humanitarian disaster in Yemen that the world has seen. But he's gone about bumbling and stumbling with respect to Lebanon, Qatar, and clearly a set of policies on repression, both at home and abroad, which most notably has led to the murder of Jamal Khashoggi, a friend of mine and friend, I think, of everyone on this call.

In 2020, to call Saudi Arabia an ally of the United States, in my judgment, is the worst kind of critical and unthinking logic. Allies are nations, in my judgment, where there is a high degree - not complete - but a high degree of coincidence of both values and interest and a domestic base of support. That is, if you ask most Americans, "Do you have a favorable impression of Country X," the answer would be no in the case of Saudi Arabia. Allies, most likely, yes, like France, Germany, Japan, Australia, New Zealand, Great Britain. At best, Saudi is a U.S. partner, in my judgment, where there is an episodic alignment of interests, and where the interests that do align, it's hardly arguable whether those offset what I would argue to you are Saudi transgressions, and that's only one half of the equation. Then there's the Washington component, without whose enabling seems to be much of the aforementioned may never have taken place. And I've watched the Saudi relationship for decades: we placate, we acquiesce. But this administration has taken placating to levels of obeisance, heretofore unseen in the U.S.-Saudi relationship, essentially creating a zone of immunity for MBS that has enabled and protected him.

Tethering American interests, in my judgment, not to the national interest with respect to Saudi Arabia, for with a certain mix of interest driven by the President's ego, vanity, fascination with arms sales, pomp and circumstance. After all, what President took his first foreign trip—look at the last six—to Saudi Arabia? That's unprecedented. And obviously the question is why. And by the way, it's not as if we weren't warned. I had meetings with Jared Kushner in 2017 and 2018 in which he made it unmistakably clear to me that they were going to develop, and they made good on their word, strategic relations with Saudi Arabia and the Emirates.

At the same time, it would be wrong to assume that this dysfunction is solely the responsibility of Trump and MBS. I would argue that the oil-for-security tradeoff that has powered this relationship for the last [seven] decades has become increasingly fraught. It worked for a long time, and it survived many crises in the Arab-Israeli issue, the 1973 oil embargo, and obviously 9/11, from which, in my judgment, the U.S.-Saudi relationship has still not recovered. But that bargain, it seems to me, is becoming increasingly fraught. We're growing increasingly independent, less dependent on Arab hydrocarbons, 9/11 took its toll, the Bush administration's decision to invade Iraq, where for the first time in centuries you had a Shia leader vulnerable to Iran, clearly fundamentally upset the Saudis, the Obama administration's response to the Arab Spring, further diminished the trust between the U.S. and Saudi Arabia. And then of course, there was the Iran agreement.

If you ask me right now how I would describe the U.S. interest in Saudi Arabia, I would frame it negatively. That is to say we have a considerable stake in keeping this kingdom afloat and non-fractured until the world can fundamentally free itself from Arab hydrocarbons. That's going to take quite some time. In the meantime, I would recommend the following: this relationship needs accountability, transparency, reciprocity, and even conditionality. I'd undertake a formal reassessment—and I would use the word reassessment—of U.S.-Saudi relations. I would develop a menu of steps that we would like to see happen, share them with the Saudis privately and see if they're willing to adopt them. If not, then I would get to the question of conditionality and accountability. In the relationship, this relationship is out of control. It may well be too big to fail and too important to fail. But it is *not* too big and *not* too important to ensure a level of reciprocity and conditionality. It makes sense for American values and for American interests.

**Deborah Amos [19:52]**

Sarah Leah Whitson, you are now the executive director of Democracy for the Arab World Now, DAWN, which was founded by the late Jamal Khashoggi. And he insisted when he was alive, that promoting democracy and human rights in the Arab world is not only an ethical imperative, but a winning long-term strategy. And my question for you is, why? Why is it a winning strategy to press for democracy in the Middle East, a place that has not seen it, resists it, and is it a goal too far for U.S. policy?

**Sarah Leah Whitson [20:30]**

I think those are separate questions of why democracy and human rights are indeed the only lasting solution for peace and security, prosperity, and dignity in the region, and what the United States' role should be to that end. I don't think that it is a debatable proposition, certainly in the rhetoric of our government officials, they say they support democracy and human rights as the only lasting solution for peace and security for the entire world. And even Secretary [Mike] Pompeo says he understands this, but it only applies to Iran and Venezuela and Hong Kong. Biden says he understands this more broadly. And he's promised this democracy summit to, in his words, defend against authoritarianism and advanced human rights in their own nations and abroad.

I suppose it takes repeating that oppression and grievances and injustices which are the features of undemocratic abusive governments lead to terrorism and extremism and instability and violence. Dictator monarchs and presidents, like the dictator monarch in Saudi Arabia, always live in fear. They have no legitimacy. They know that and we know that. And they're always in their minds, and probably in reality, a small plot away from being thrown - a Khaled Saeed away from sparking a new revolution. These sorts of leaders, as we see in Saudi Arabia, are unreliable and inherently unstable. Of course, a case in point as was just mentioned, as Mohammed bin Salman disastrous war in Yemen, Jamal Khashoggi's murder, and on top of that, the crazy forced Saad Hariri televised resignation, and even holding President [Abdrabbuh Mansur] Hadi of Yemen imprisoned in Saudi Arabia for awhile.

But of course, it's not just Saudi Arabia. We see this as well from the UAE and Mohammed bin Zayed's reckless, unlawful war in Libya, as well as Yemen because there are no checks and balances on their power. Even Saudi royals find themselves today jailed with no one to defend them, people who thought that they were immune, that they were safe under a royal dictatorship, under royal absolutism, now are themselves in prison in Saudi Arabia and that includes, of course, former Crown Prince Mohammed bin Nayef, but also Prince Ahmed bin Abdulaziz, Prince Faisal bin Abdullah, and his brother Turki bin Abdullah. Thousands of royal family members, people who thought that they had certain privileges and protections in Saudi Arabia, don't have them. They are travel banned.

And so this inherent instability and unreliability is what makes the region a very dangerous and volatile place. Does this even need saying in 2020? Do we need to be defending democracy and human rights for the region and for the world. Apparently, because there are lobbyists and organizations like the so-called Foundation for the Defense of Democracies that are justifying and promoting a close relationship and support for abusive or authoritarian governments and making excuses for them.

The basic premise, the basic reality is that America's support for these abusive governments makes us complicit and makes us responsible and liable, not only under the law, but in the minds of the people in the region. The reason we are in the crosshairs of everything bad in the Middle East is because of our role supporting abusive governments throughout the region. I will never forget that when I was in Yemen during the war, a few years ago, since that war has dragged on for longer than was promised, I remember seeing these graphics and graffiti all over the streets of Sanaa that were echoing how U.S. bombs kill Yemenis. This is what people are seeing, this is what they're living. And then we scratch our heads and ask, "Why do they hate us?"

I think the other point that bears raising in this panel that's focusing on Saudi Arabia is truly there's no difference between the abusive policies and the way they implicate the United States, whether we're talking about MBS or MBZ or General Sisi or Netanyahu. The notion that we should take action against Saudi Arabia and change our relationship with Saudi Arabia, but not the UAE or Egypt or Israel isn't principled. They are each part of the same puzzle. They are on the same team. And they are each riddled with varying degrees of abuses. Is one really worse

than the other? I don't think so. I'm not sure. I don't have any naïvete here. We see very clearly that Saudi Arabia is locked into the Israel-UAE-Egypt alliance, particularly in the face of the Abraham Accords and very intense efforts to force Saudi Arabia into that so that it receives the protections that that will accorded. Measures against Saudi Arabia and efforts to change the relationship will go up against this group's lobbying, plus the defense industry lobbying.

But we have to be clear eyed that this game does not represent our national interest, and our continued relationship and support for these governments does not represent our national interest. Saudi Arabia may be the low hanging fruit, and let's pluck it and let's work to suspend arms sales there. I very much doubt a Biden administration will do that unless they're absolutely forced to, but merely changing the cosmetic externalities of our relationship with Saudi Arabia, using tougher language from Biden, but keeping the juicy deals behind the scenes—I don't think that that helps. That's what we have to be worried about.

**Deborah Amos [26:47]**

Safa, let me come back to you and talk a little bit more about the domestic situation. Congress certainly pressured the Saudis to release the women activists who pressed for the right to drive and it was granted by Crown Prince Mohammed bin Salman, and they were jailed and remain so to this day, and reports that they have been tortured while in jail. Just this week, there is a Saudi-American dual national, a doctor, who has also been jailed; his family are on a travel ban. No American pressure has changed any of that. My question to you is, what would be different about a Biden administration that would bring pressure to bear if the Trump administration, the Saudis' best friend, was not able to accomplish any of those goals?

**Safa Al Ahmad [27:47]**

If I may answer following up to what you asked Sarah about why democracy stability in the Middle East. I would argue that the people of the Middle East are more ready than their leaderships for this democracy. The 2010/2011 uprisings have proven that we are ready for this, that is a basic demand that we have. What governments like Saudi Arabia have done is proven their fear of such uprisings and they have brutally crushed it. Things have been happening during the Obama administration that they should have seen the true extent of how uninterested the Saudi government is when it comes to human rights, because the crushing of the uprisings in the Saudi Arabian Eastern Province specifically, and the women in Buraydah as well, should have been an indicator enough to the Obama administration. It's not enough that the Trump administration at the last minute allegedly put pressure on the Saudis to release a few prisoners.

There is a cumulative effect of impunity when it comes to what the Saudis do. That has taught the Saudis the correct lesson: that the Americans are not willing to truly put pressure on the Saudis. So for Kushner to go and allegedly ask for the release, very kindly and politely, of Walid Fitaihi because he's a dual citizen, or Salah al-Haidar, Aziza [al-Yousef]'s son who is also in prison and dual national, or Bader al-Ibrahim—all of this is disingenuous to me. It may seem on the surface that the Trump administration has actually tried to release some of these prisoners. But I don't think that's true, because the bigger picture is that they've had absolute impunity.



Sarah can speak to this even more than I can about how they've behaved with the Jamal Khashoggi case. This is, to me, the signifier of how serious any administration in the United States is about holding the Saudis accountable for the murder. If they were serious about this, if the Trump administration really wanted to put pressure, they would know how. They have not. I do not believe that it was done genuinely.

And this is part of the problem that we have right now. What is the magical mix? What is the perfect storm that has to happen to get the Saudis to release the human rights activists? And it's not just the women—there are thousands of people that are now in prison. The indicator that things are really truly escalating [is] how the people that were previously untouchable—the royals, the extremely rich families that had excellent connections with the king and the crown prince—are now in jail. These are only indicators of how willing they are to ratchet up the oppression because they know no real price will ever be paid. This, to me, belies everything any U.S. administration says about how much they care about democracy or human rights in the Middle East. None of it actually matters when you're continuing to politically give them cover in the UN. No resolutions are being passed because of it and you're insisting on continuing to sell weapons to these countries when you know exactly what their human rights record is and what they will intend to do with it. To me, this is all hypocrisy right now.

**Deborah Amos [31:35]**

Aaron, I want to take one more run at the oil question, because that's always been the superpower of the Saudis. And the wonderful POMED people gave me a wonderful detail that you wrote your PhD dissertation on oil, Saudi Arabia, and U.S. policy. We know that there has been a shift. We know that the U.S. is now the biggest exporter of fossil fuels. However, we aren't there yet. So how much is the superpower of oil still a part of the Saudi equation?

**Aaron David Miller [32:07]**

I think the problem is that we, the United States, may be weaning ourselves off of Arab hydrocarbons, and particularly Saudi oil. In '06, we, I think, imported a majority of our oil. Now, we are the world's, as you mentioned, largest exporter. The problem is that oil trades in a single market; it's a globalized commodity and disruption in Country X has an impact on Europe, which in a globalized economy, particularly during a situation with other stressors, could lead to serious dysfunction in the American economy. So I think that's the real problem. The long term fix, frankly, is for us to wean ourselves off of hydrocarbons, generally, and the world to do that as well, which means obviously, a focus on renewables, electric cars, ethanol, and all kinds of other prospects that over time will develop. But until that happens, we saw it last September, in the attacks on Khurais and Abqaiq in September of 2019, when for several weeks, 5 percent of the world's oil production was taken offline as a consequence not of some conventional attack. Houthis claimed responsibility, but I think it's clear it was Iran who essentially attacked these two [facilities]. Abqaiq may be the central terminal, most critical oil facility in the world taken offline in a matter of weeks. Thankfully, we're in the middle of an oil glut.

I think that until that day comes, as I mentioned in my earlier remarks, we will have a stake in ensuring that the Kingdom of Saudi Arabia survives in order to maintain access and to ensure

that the world does. I don't see any way, frankly, around that. It would be nice. And I'll just make an additional comment, hopefully not to provoke a firestorm, but the late John McCain, and I argued with him about this, said rather famously that American interests are American values, and vice versa. I like that; I've always liked it. I had tremendous respect for John McCain, and I miss him.

But the reality in the world in which we live is whether or not morally or ethically that is in fact the case, in my experience working in this government under Republican and Democratic administrations since the late seventies, we have never prioritized, never made human rights, or even the promotion of democracy the central tenet of American foreign policy. And I suspect—campaigning is not governing—I suspect that whatever President-elect Biden has said during the campaign is going to meet the realities of other equities, as it usually does. I'm not taking a moral or ethical position on this right now, I'm just reporting. I wouldn't look for fundamental transformations in the way America deals with its problematic allies in the region.

I would look realistically for transactions, that maybe would involve a greater degree of accountability, and perhaps even conditionality in the case of Saudi Arabia. I've been incredibly critical of the government of Israel's policies toward the Palestinians. But to put the Israelis, the Iranians, and the Egyptians, and the Saudis all in the same box, and expect a Republican or a Democratic administration—or any administration, essentially—to apply a cookie cutter approach to ethics and principles, I just think is untethered from reality. That doesn't mean that people don't need to continue to put this issue out in the public space, but I think expectations, frankly, for these sorts of transformations are slim to none.

**Deborah Amos [36:32]**

Well, Sarah, so two things. I'd like to ask you two questions. You said in recent testimony before the Lantos Human Rights Commission that there's a lot that the U.S. can do. Why is it the U.S.? Aren't there other Saudi allies that can also be part of this pressure? And then here's my second question and see if you can answer both of these. You said earlier that this new Abraham Accords changes the dynamics of how the U.S. will be able to deal with the Saudis in the new Biden administration. So let me ask both of those. Why is the U.S.A important? And what difference does this new landscape in the Middle East make?

**Sarah Leah Whitson [37:22]**

I think it's again important to distinguish between what the United States' role is in the region, and very much conscious of Aaron's remarks, first establishing the facts of what is happening and in Saudi in particular, and what our role and responsibility should be. Because even on these essential questions, before we get to what can practically and realistically happen, there's not enough clarity, and there's not enough shared consensus and understanding, even among those of us who are looking and agreeing on the same facts of how disastrous things are in the region. I think first, as a matter of fact, we have to recognize that the U.S. is doing far more to undermine democracy and rights in the region than to promote it. That's a fact.

And so we have to let go of the mythology of the United States selling itself, even believing itself in many circles, as a democracy promoter. This is how we brand so many programs in the U.S. government: “We’re promoting democracy.” So this is not about pushing us to promote democracy and human rights, certainly not from my perspective. It is about stopping U.S. harm. U.S. military support to abusive, undemocratic governments, whether as gifts to Israel and Egypt, or sales to UAE and Saudi, coupled with the political support and diplomatic protection that Safa referred to that we provide—it directly contributes to these abuses.

We know about America's role in the war in Yemen, we know about the diplomatic cover that the United States under the Obama administration provided Saudi Arabia at the Security Council at the Human Rights Council and, of course, the juicy arm sales. The Trump administration has been more naked and shameless in its embrace, but this is not a Republican administration problem. Scolding Saudi Arabia but keeping arms sales going I don't think is going to make any difference. And the reality is the U.S. doesn't have either the credibility or the responsibility to unilaterally promote democracy. The U.S. isn't and shouldn't be the world's cop or arrogate itself the job of democracy promoter in chief, because we all know what promotion from the U.S. perspective has looked like in the region: 500,000 dead in Iraq, arming of proxies in Syria, debilitating sanctions in Iran and now on Syria. This is all being done in the name of democracy promotion.

I think the U.S. responsibility has to be far more modest and far more honest, as more and more people are starting to advocate, which is a very basic foreign policy of do no harm. Before you get into democracy promotion, stop the U.S. attacks on democracy and human rights. And in Saudi's case, that means ending U.S. arms sales and diplomatic protection for Saudi Arabia, even if that's the first most practical thing that we can at least scrape at the edges of, not because we want to promote democracy and rights, but because we should end our complicity in its abuses, for which we're liable ethically and legally, and which is bad strategy.

In the most immediate case, as Deb and I have been discussing, I think it means the Biden administration moving to release the CIA/DNI report about Jamal Khashoggi's murder, the further classification of which is exactly what I mean when I talk about diplomatic cover. There is no national strategic interest at stake in protecting the American public, in shielding the American public from knowing the CIA's factfinding of Jamal Khashoggi murder. In the most immediate case, again, even before we get to tinkering with what our relationship with Saudi can be, there's something on Biden's desk the day he arrives which is the arms deal to the UAE. These are one and the same—if you don't like Saudi Arabia's role in the war in Yemen, then you have to not like the UAE's war in Yemen too. They're equal co-partners in this war. And on top of that, you have the UAE war in Libya.

I want to clarify to avoid the straw man caricatures of what I'm proposing. This is not about ending our relationship with Saudi Arabia or UAE or Israel or Egypt. It's about having normal country-to-country relationships with them: trade, investment, discussions, negotiations, education, culture that don't entail our aiding and abetting their horrible abuses. Again, further to Aaron's remarks, I think it's about giving ourselves the space to question the fundamentals of

our diseased role in a region, which is not remedied by demanding the release of this or that detainee, that only encourages hostage taking and chit gathering, and conditioning our aid on human rights reforms which is just another step in that direction. It never happens. These conditions that we ourselves set up are almost always waived, making us look like—the word “putz” is coming into my mind, but maybe it’s not the best one. Our relationships with these countries are not immutable laws of nature. It doesn’t help when we start our opening position in a concession of saying, “Well, these things are never going to change. So practically, let’s just dot dot dot.” Let the government officials in the role make those concessions. Our starting role, our commentating role, our advising role, should be to start with the first principles on the fundamentals. That is my view.

In terms of the Abraham accords, and I hope I’m not going on too long in taking on the second question, I think it was a brilliant deal. People always ask, “What did the UAE get for this deal? It didn’t get anything for the Palestinians dot dot dot.” Well, of course not. That wasn’t the point. The point of this Abraham accords is to solidly and firmly together the UAE and Israel together such that action against the UAE is seen as action against Israel. Indeed, the justification for the arms deal now today that has been voted on now today is that “Well, Israel made this—entered into this—Abraham accord with Israel, therefore...” as if that has anything to do with it, or should have anything to do with it. We now have the Israel lobby, AIPAC, aggressively lobbying in support of UAE arms deals, which, by the way, includes a gravy check to Israel, because any weapons we sell to the UAE now have to be remedied by additional arms gifts to Israel so that they can maintain their legally required military edge. Which I find one of those bizarre pieces of U.S. policy and legislation that, again, allows us not to question why we are in these relationships and the damage that they’re doing.

I think this is why Saudi Arabia recognizes that it will be very, very strategically valuable for it to enter into these Abraham Accords, diplomatic costs be damned. We are seeing this four country Egypt-Israel-Saudi-UAE alliance that is going to play out much more openly as a block in U.S. politics, a block in lobbying, and a block in the region with really terrible consequences for the people of the region.

**Deborah Amos [45:15]**

But let me just do a point of fact. The court case that came out yesterday essentially requires the government to explain why it is not releasing the CIA report on the killing of Khashoggi and the audiotape that it has, which President Trump has said that the U.S. government has. If that case goes forward, at some moment, doesn’t it land on the new president’s desk? And aren’t there actions that must be taken if that report becomes public? Either Sarah or Safa or Aaron.

**Safa Al Ahmad [45:52]**

I mean, yes. We were all talking about this yesterday, about what are the ramifications? Because just simply releasing those things, will have a cascade effect on all the related, all the levels of the relationship with the Saudis? And so, actually, Sarah was saying it will land on his desk. But signing it won’t be that simple. Because the ramifications of signing that, if indeed, the CIA report does implicate Mohamed bin Salman, the Crown Prince, then that is a whole different

level of the relationship that they must deal with, legally, they must deal with. So this is not just about the White House. But already there are courts right now dealing with these cases, the DAWN case, there's also [Saad] Al Jabri. And so all of these things have massive implications that are not simply about an individual's murder in a consulate, but will implicate everybody in power inside Saudi Arabia.

And so I would be curious to see, because that will signify truly how serious the Biden administration is about holding the murderers of Jamal Khashoggi responsible in this. So I'm curious how he's going to deal with it, because this is a can of worms that once you open, you cannot stop. And I don't know, I look forward to the DAWN case to happen as well, because then they will have to release the tapes, but also tell us what's happening. I don't know—and we've been talking, Deborah, about this—I have not heard the tape in its original Arabic. Nobody I know has heard the tape in original Arabic. Everybody that heard it doesn't speak Arabic and have translators, and so I'm actually quite curious about what is the contents of the tape and who does it implicate as well. So there are a lot of rumors right now and we would like some honest to god facts.

**Aaron David Miller [47:48]**

Can I just add a brief point? I'd only add it as a point of perspective: we're talking as if the fulcrum of the Biden administration's whole *raison d'être* is going to be to figure out what to do about America's relationship with Saudi Arabia. I mean, this President is going to inherit the greatest challenge of national recovery and by the way it won't even be a recovery. On Inauguration Day, you may have 2,500 or 3,000 Americans dying every single day. This president is going to inherit the greatest challenge of national emergency and crisis since Franklin Roosevelt. I can identify at least five interlinked and overlapping crises that will serve, frankly, as the metrics to judge whether Joe Biden is a successful president or not. And while foreign policy on many issues are important, I cannot think of a single foreign policy issue or combination of issues, that poses a greater threat to the integrity, security, and health and well being of this republic than what this administration is facing at home, for all of us.

So, I would only humbly, respectfully, argue that this is one issue of many, many issues that the administration is going to take on. And I would be dumbfounded if this administration allowed itself to get tied up with Congress, early in its tenure, on this particular issue. It doesn't mean that the policy towards Saudi Arabia won't change, I think it must change. But I would just caution all of us to realize what this president in these strange and fraught times is going to inherit.

**Deborah Amos [49:52]**

Bracing and thank you for bringing reality back into this conversation. You're completely right. The first 100 days are going to be about COVID and COVID and COVID.

**Safa Al Ahmad [50:01]**

I mean, but let's hope that that means that they are going to stop covering up for the Saudis. You know what I mean? Like, let's just hope that there isn't enough time for them to even bother

with that and just say that this needs to happen, and I don't need to actually be involved in it. So let's hope that actually is a good result for us rather than a detrimental one.

**Deborah Amos [50:21]**

Let me bring in one question from our viewers. It's odd that every question that we have is anonymous. So I'm assuming that they are Saudis asking these questions and here is one. Should the U.S. worry that pushing MBS, Mohammed bin Salman, on human rights issues could backfire on U.S. interests by creating tension with Riyadh that creates an opening for China to expand its influence in the kingdom? Is that something that we need to worry about? Any of you?

**Sarah Leah Whitson [50:50]**

Yeah, I mean, this is an argument I've been hearing for as long as I've looked at a map or been in the Middle East: if it's not the U.S., it'll be Russia or China doing the bad things the United States is doing. And that's fine. Go for it, China, do the bad things that the U.S. is doing. In fact, China hasn't been doing things that the U.S. has been doing in terms of funding wars throughout the Middle East in the region. I hope they're wise enough to avoid the disastrous catastrophes of American actions, whether in Iraq or Yemen, and so forth. But that's not the point. The point is that the United States should stop committing its own abuses, that has to be the starting point of a foreign policy that is strategic, that doesn't embroil us in conflicts, that doesn't waste our resources, and that doesn't completely undermine any ethical standing that we have globally.

**Deborah Amos [51:49]**

Anybody else, Aaron, or Safa?

**Safa Al Ahmad [51:53]**

I mean, I agree. I mean, ultimately, this is just the big [inaudible]. Like they're just threatening that, oh, if you hold, if you try to hold us accountable, then we'll go somewhere else. Go somewhere else. See how it goes for you there. But at least don't be a hypocrite about your own, your own values, if we're going to use that word.

**Deborah Amos [52:13]**

Aaron?

**Aaron David Miller [52:14]**

There's already hedging going on. I mean, the Saudis and the Chinese are active on the nuclear issue, which is going to be another interesting dimension of this problem. Assuming that the Biden administration can find a way back to curtailing or constraining Iran's putative desire to have enough fissile material to produce a weapon and then weaponize, assuming they made—the Iranians made—the decision to do that. So yeah, there's hedging going on. And I think it's going to continue, because as I mentioned, the oil-for-security breakdown in this bargain is already in the rearview mirror. I think the Saudis understand that we are not going to, this is not 1991 or August of 1990, when the first Bush administration stood up, and decided that

Saddam's aggression against Kuwait, and in a derivative sense against Saudi Arabia, had it been unchallenged. We've moved on here. We are stuck in a region we can't transform and we can't leave. And it's not a happy region. It's not one filled with great opportunities for American diplomacy.

So I think, good luck to the Saudis. They want to hedge, they want to develop closer relations with the Chinese and with the Russians, and even with the Israelis? As far as I'm concerned, untethering Saudi Arabia from this special relationship that has run amuck, unless MBS can reform.... And one last point: assuming this succession occurs in a smooth fashion, this man, this 30-something year old, is going to end up ruling Saudi Arabia, conceivably, for 50 years. That's 5-0. And I just wonder, I mean, not going to be around to see a lot of that, but I just wonder, exactly, whether or not there'll be any sort of learning curve here and what role we can play in developing that, because until we free ourselves from hydrocarbons and the world does, Saudi Arabia, I'm sorry to say, is still going to be an important player in the oil market.

**Deborah Amos [54:43]**

So let me go back to one more question. If Saudi normalizes relations with Israel, how would this change the U.S. policy calculation about promoting human rights in Saudi? Does it give MBS a blank check in Washington? Sarah, you addressed this earlier: Is there a blank check or not?

**Sarah Leah Whiston [55:04]**

Well, there'll be a *blanker* check. Let's be honest, I mean, just in the last few days, there's been news articles about the extent to which APAC and the Israel lobby have been aggressively lobbying in support of the UAE arms deal. They, I'm sure behind the scenes, are already aggressively lobbying to avoid any change in the Saudi relationship and America's relationship with Saudi Arabia. Should the Saudis deliver to Israel what they want, which is this normalization, and let's face it, UAE is still a tiny minnow and Saudi is the big fish. They will assure them of their protection and lobbying and support. I hope that Israeli policymakers and supporters understand the extent to which this can backfire in their faces, because they will be seen, as I see them, as the same side of the same coin, in terms of what's happening in the region, and tether them to everything bad that Saudi Arabia and MBS does, some of which is just flat out insane, sadistic, batshit crazy stuff. Just gotta say it.

But this is what they are pressuring Saudi with right now. This is the trade that they're offering them. And it's a very, very valuable perk for Saudi Arabia, particularly at this moment in time when Saudi Arabia knows that it has some vulnerability in the face of the new administration. And by the way, just on that point that you were making earlier, in terms of the lawsuits and the DNI report. Biden can treat this as a gift, we can provide his cover. He can say, "I have no choice. This is what Congress is demanding. This is what the lawsuits are forcing me to do." This is the "out" for him to do the right thing. We're providing Biden with cover. Let him use it.

**Deborah Amos [57:02]**

Anyone else? Alright, one more question from our listeners. What remains of America's strategic leverage in the Middle East? Do we still have what it takes?

**Aaron David Miller [57:17]**

I would only say that that's an interesting question. But it begs another one, our leverage in order to do what? And this is an interesting question, a subject POMED should have another whole panel on, defining American interests in the region. I mean, in 25 years working in government, this is the one question we never seem to be honest, frank, and direct about. Either with ourselves or with our allies and security partners. So, our leverage is a function of what it is we want to achieve in the region. What are American vital interests, not discretionary interests? What *are* American vital interests? I use the word “vital” here, very, very willfully. Interests that an American president would be willing to sacrifice American lives for—spend billions, if not trillions of dollars, and compromise and undermine and risk American credibility and believability—what are those interests? That question is critically important. You answer that, then you can begin to see how you develop the means in order to further them.

Now, I would argue to you that human rights and the promotion of democracy, and I agree with Sarah here, we need to take a long look in the mirror with respect to promotion of democracy, not only in terms of our own example, which over the last four years has, you know... Freedom House argues that India and the United States, two large democracies, although India, we could argue, have seen the greatest fall in democratic values of any of the free countries in the world today. So we got some “splaining” to do to ourselves here, about our own transgressions here, our own respect for the rule of law and the like, before we start preaching to others. But again, that question—Where does human rights fit in terms of American vital interests?—that's a real good question for POMED to have another panel on.

**Deborah Amos [59:37]**

That seems like a perfect way to end this marvelous panel. And I thank all of you, Aaron David Miller, Sarah Leah Whitson, and Safa Al Ahmad for your comments, and I think we have teed up the next panel. So this is our conclusion. I want to thank our speakers. We will now turn to our second panel, “The Path Forward: Policies and Priorities” to discuss more on the “what” and the “how” to change U.S.-Saudi relationships. I'd like to welcome Tamara Cofman Wittes, a senior fellow at the Brookings Institution Center for Middle East Policy, who will be moderating the next segment. Tamara, it's all yours.

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**PANEL 2 –  
THE PATH FORWARD: PRIORITIES AND POLICIES**

**Tamara Cofman Wittes [1:00:17]**

Alright, Deborah, thank you so much. That was a fantastic beginning. That opened up a lot of different files that I hope we'll be able to explore as we move forward into this second panel.



So the first panel was really focused on the strategic, the policy arguments for the United States in reassessing its relationship with Saudi Arabia. And this panel is going to focus on what to do, rooted in the insights of that first fantastic group. I am really delighted to be guiding this conversation this morning with three fantastic experts, Rob Berschinski, who is senior vice president for policy at Human Rights First; Annie Schiel, who's the senior advisor for U.S. policy and advocacy at the Center for Civilians in Conflict; and POMED's own Stephen McInerney, the executive director at POMED.

And so I am going to just dive right in. I do want to remind you all, we will be answering questions toward the end of this session. And so if you're in the Zoom webinar, and you want to submit a question, please just go ahead and use the little Q&A function at the bottom of your screen. If you're watching on live stream, then you can email a question to [communications@pomed.org](mailto:communications@pomed.org). So you can email questions or put them in the Q&A. And we will have time in a few minutes. But right now, let me kick off our conversation.

Look, I think when we talk about the range of human rights concerns that the United States government and that the American public have about Saudi Arabia, they fall into three broad buckets. The war in Yemen and other regional activities that are seen as reckless or destabilizing and that carry a heavy humanitarian cost. The second bucket is a set of concerns specifically about Saudi behavior toward the United States and toward Americans. Things like the detention of American citizens that was discussed in the last panel, 9/11, these lawsuits that have been filed in U.S. courts, and so on. And then the third bucket is Saudi's repressive behavior at home, and the egregious abuses of human rights that we have seen really escalating over the last several years. So that's three different sets of concerns that have different constituencies, but they have combined to create bipartisan demand, especially in Congress to alter the nature of the U.S.-Saudi relationship and to try and create some accountability.

So I want to start by asking you, Rob, the Biden administration is not starting from scratch; Congress, both Republicans and Democrats, have united to put forward some demands, and written them into legislation that was discussed just a few minutes ago, the report that the Trump administration has thus far refused to release. So Congress has tried to create some expectations, create some consequences. What has worked in your view? And what hasn't worked? Why hasn't this been more effective?

**Rob Berschinski [1:04:12]**

Yeah, thanks for that, Tamara. Great to be with you. And my thanks to Steve and the whole team at POMED for hosting this great event today.

So let me say in response to your question that, just to kind of lay the baseline here, between various congressional resolutions surrounding the war in Yemen, and on arms sales, and on concern around the Khashoggi murder, I would argue that it's difficult to say that there's been a greater divergence between the legislative and executive branches on essentially any bilateral

relationship over the course of the Trump administration and what we've seen on various aspects in those buckets that you laid out on Saudi Arabia. So to the question of what has and hasn't worked. Clearly, the administration has largely had its way when it comes to U.S.-Saudi relations. It's done so largely by either legally overriding congressional will through the use of vetoes, or by adopting legally dubious interpretations of what constitutes an emergency in terms of the arms sales, or in the case of the Khashoggi killing, simply ignoring the law. And of course, we heard about a little of this in the previous panel. I'm going to talk a little bit in more depth on that issue related to the report and then some other kind of lower profile issues that the Congress has already put in place that the Biden administration will be forced to reckon with in some way or another.

So the first relates to what was mentioned during the previous panel, in terms of the reporting requirements from last year's National Defense Authorization Act. And for those that aren't as deep into the details here, it's worth reminding that two different provisions of law directed the director of national intelligence to report to the American people on who he—soon to be she, if Avril Haines is confirmed—believe was responsible for Khashoggi murder. And the key point here is that at least one of those two provisions of law mandated only an unclassified report that needed to be shared with Congress and could be shared with the American people. The rub, of course, as I think most know is that it's largely understood that the intelligence community has already placed blame for the killing of Khashoggi on Crown Prince Mohammed bin Salman, but throughout 2020, the Trump administration fully covered and would not release this information. And so as we heard, there are ongoing court cases. But this is really something that the Biden administration is going to inherit. And in my mind, as our previous speakers mentioned, this is a no brainer, this is one in which the Biden administration should rightfully say, the Congress has forced my hand, I need to come into compliance [with] the law. And of course, this is going to have the basic effect of lending some transparency to the U.S. investigation of the killing. Then the key question is what happens at that point.

And that brings me to the second test, which hasn't been mentioned previously, that relates to a little known provision of law that requires the Secretary of State to revoke the visa and otherwise restrict the travel into the United States of foreign officials, and in some instances, their immediate family members, about whom the Secretary has credible information and have been involved in extrajudicial killings among other human rights violations. This provision of law isn't particularly well known, it just goes by the number that it appears in law each year in the State Department's appropriations bill. It's called Section 7031(c). But unlike its more famous cousin, the Global Magnitsky Act, this authority is mandatory. So one can expect that, given what the U.S. government already knows from the intelligence community, the Secretary of State must act. Now the bottom line is Secretary Pompeo has not, in violation of the law. He can waive the applicability of the penalty itself, as long as he reports that fact to the Congress, but under the law, he has to take some affirmative action. And to the best of our knowledge in the public, the Trump administration simply hasn't adhered to the requirements of that section.

So what the Biden administration is going to be dealing with right off the bat is not just a legal requirement for transparency, but actually a legal requirement for actual action. Now, one can

credibly argue that a lot of that action is symbolic. But nevertheless, the symbolism here has some value. And it's something that, if Biden is true to some of the commitments he made in the campaign, recognizing the very good point made in the previous panel that governing is not the same thing as campaigning, that lays the foundation of legally required actions that the Biden administration can build upon.

**Tamara Cofman Wittes [1:09:04]**

Thanks, Rob. I think it's worth noting, too, the degree to which the Trump administration has simply ignored or flouted congressional will and legislation on this issue, and on other issues over the last few years. I mean, do you think that it threatens Congress's ability to project strength and authority on these questions? Does it diminish the credibility of congressional action?

**Rob Berschinski [1:09:33]**

Yeah, I think that's exactly right. I mean, this is going to be a real test for the Congress. It's certainly not limited to U.S.-Saudi relations that over decades now the Congress has ceded more and more of its rightful authority over various issues to the executive branch. And so, in many respects, these matters aren't just a good test case in terms of U.S.-Saudi relations, but also executive branch-legislative branch relations, where you've just really seen overwhelming bipartisan support, whether as relates to the war in Yemen, or on the Khashoggi killing, in opposition to the Trump administration. And the Trump administration, as I mentioned, has just kind of blown through a lot of these bipartisan positions. So if I'm in Congress right now, I'm saying, irrespective of being a Republican or a Democrat, that this is a means to claw back some of that ceded constitutional authority voted out of the legislative branch.

**Tamara Cofman Wittes [1:10:31]**

Thanks, Rob. And Annie, let me turn to you on this because one of the earlier pre-Trump examples of a similar phenomenon, I think, was the Obama administration's assertion that in the case of the military takeover in Egypt, they didn't have to decide whether it was a coup. The legislation said *if* they decided it was a coup, they had to cut off arm sales, but the legislation didn't require them to make a determination and therefore they just wouldn't. And to me, that's a great example of the fact that actually we've had laws on the books to try and constrain U.S.-provided weaponry from being used in ways that violate human rights and harm civilians. We've had those provisions for years: end-use monitoring, Leahy Law, and so on. And the humanitarian toll of the war in Yemen, the apparent disregard of the Saudi regime for civilian casualties, even in the face of sometimes pressure from the U.S. government, it really calls into question the value of those laws.

So I want to ask you, why haven't those legal provisions around end-use monitoring and Leahy Law violations—why haven't they been more effective? What's missing? What could the Biden administration do if it really wanted to demonstrate the teeth in those laws?

**Annie Shiel [1:12:15]**

Yeah, thank you, Tamara. So I'll start with your really important points about end-use monitoring and the Leahy Law, because there are really common misconceptions about how they're applied, and even the underlying program.

So, first of all, it's a really common misconception that U.S. end-use monitoring programs are designed to monitor the way that weapons are actually used. But in fact, end-use monitoring agreements and programs, which basically selectively target certain items for checks based on risk algorithms, they're actually focused pretty exclusively on preventing the unauthorized transfer of weapons to third parties and protecting U.S. technology. What they actually don't do is systematically monitor whether U.S. weapons are being used in the commission of human rights abuses, violations of international humanitarian law, or other acts of civilian harm. So, in essence, you could use a U.S. weapon to gun down civilians in the morning. And as long as it's back in the box by your evening end-use monitoring check, you have passed. That is how the program is set up.

It's a similar story with the Leahy Law. So even though the Leahy Law specifically prohibits the U.S. from providing security assistance to security force units that have violated human rights, the executive branch does not actually vet most arms transfers under the Leahy Law—even those that the U.S. funds—due to their narrow interpretation of the term “assistance,” which is written into the law. And that is an interpretation, by the way, that the drafters of the legislation did not intend when they wrote it. So it is meant to be applied to arm sales.

So to your bigger question of what Congress and a Biden administration can do, those are two things right off the bat. The executive branch could on its own decide tomorrow to develop new end-use monitoring programs for behavior and also to apply the Leahy Law to arms transfers, or Congress could legislate that they have to do that.

In terms of other important reforms to the arms transfer process that would prioritize human rights and civilian protection, fixes that would certainly affect U.S. arms to Saudi Arabia, we've identified three main areas of needed reform. So the first consists of changes to executive branch policies and processes. And these are things that, again, a Biden administration could do on its own, or that Congress could legislate and institutionalize these reforms. So these are things like making human rights and international humanitarian law [IHL] a more explicit and binding part of standard terms and conditions; requiring the State Department to create risk profiles of potential buyers based on likelihood of corruption of human rights violations, IHL violations, unapproved transfer weapons, etc., and sharing those assessments with Congress. Again, clarifying the application of the Leahy Law to all foreign military sales. And then after a sale, again, requiring that all end-use monitoring programs, or more likely developing new programs to explicitly monitor use and behavior, including human rights violations and violations of IHL, and again, notifying Congress of those violations. And then I'd note also in this area, the Biden administration absolutely should develop a new conventional arms transfer policy to make clear that it will apply a much more meaningful standard to arms exports in the future. So that's area number one.

Briefly, area number two is strengthening congressional oversight. So this is an area where a Biden administration would need to work with Congress to reform the arms transfer regime. This includes things like what we've called, and what other advocates call, flipping the script, which would require an affirmative resolution of approval for a subset of risky sales, rather than what we currently have for all sales, which is a resolution of disapproval. And if this had been placed last year, Congress would have been able to act on its overwhelming bipartisan consensus to stop the sales in Saudi Arabia and the UAE.

Other examples are limiting the president's ability to sell arms using emergency powers, so that those powers are used to address true emergencies and not just circumvent Congress, again, as—

**Tamara Cofman Wittes**

—as Mike [Pompeo] did this past summer with Saudi Arabia.

**Annie Shiel**

Exactly. And then closing other loopholes, for example, loopholes that allow the executive branch to sell many smaller denomination dollar value sales that don't need to be notified. And then of course, importantly, especially in this case, when the executive fails to hold end users of U.S. arms accountable for violations of human rights and IHL, Congress always can and should bar arms transfers to specific countries, conditional upon specific behavior changes. And I would say that's definitely where we are right now with Saudi Arabia.

And then the last area is just improving transparency by providing more information about the process and decision-making to the public, which again, is something a Biden administration could do on its own, or Congress could also legislate.

**Tamara Cofman Wittes [1:17:06]**

So, and it sounds to me that like in this specific bilateral context, look, I mean, a lot of end-use monitoring kind of relies on the willingness of the purchaser to provide access to those in the U.S. who are tasked with doing the monitoring. And so, if the will isn't there, you kind of can't be effective using the laws as it was designed. And so it sounds to me as though what you're saying is that, at the end of the day, what Congress can do is simply put boundaries on our ability to sell weapons to a country that consistently falls short of our standards. Is that right?

**Annie Shiel [1:17:48]**

I think that's right. I would say that, again, the way that the current end-use monitoring system works, it's focused on, is the weapon where it's supposed to be, in the hands of who it's supposed to be. But there's a lot that we can do to monitor human rights that doesn't require physical presence, looking at the weapon itself. So the way that we currently apply the Leahy Law to other forms of assistance, that is a lot of remote monitoring of what human rights organizations are saying about abuses. And so I think, it wouldn't be as easy as just adding human rights and IHL into current monitoring checks, it would need to be a different program

that looks at, again, first applying the Leahy Law ahead of time, so that you're able to say whether this country or unit is eligible at all based on their record, but then also a consistent monitoring to be able to say how the weapon is being used.

**Tamara Cofman Wittes [1:18:47]**

Thank you for that. So, Steve, let me ask you to zoom out just a little bit. We've just spent a lot of time talking about the role that Congress can play and Congress and the executive branch interacting. We know the Biden-Harris campaign said that they want to reassess the U.S. relationship with Saudi Arabia. Hey, that's why we're having this conference. Right. But we heard a lot in the first panel about why that's hard, and why it hasn't happened so far, despite the egregiousness of the behavior at issue and despite the change in the underlying kind of interest calculus that Aaron Miller was laying out. So what do you think are the most significant obstacles to actually changing the dynamic here? What recommendations would you give to the Biden-Harris team about how to really take a fresh look at this?

**Stephen McInerney [1:19:46]**

Sure, thanks, Tamara. First, in terms of obstacles, I'd just say that it's always difficult to bring about significant policy changes. And it's always difficult to make serious changes to bilateral relationships. And the longer a relationship has been in place, the harder it is to change. And the very close U.S.-Saudi relationship is one of the oldest that the U.S. has with any Middle Eastern government dating back to the 1930s. And the longer a relationship like this is in place, the more entities there are who come to benefit from it and even to depend on it. And I think this is especially true with Saudi Arabia because that relationship is not limited to government-to-government diplomacy, but includes really an almost unfathomable web of investments, and business and economic ties to an extent that's really quite unique.

And just to briefly review those, I mean, start with the military purchases, which has been mentioned repeatedly so far on this panel and the previous one. But just to make clear, Saudi Arabia has bought significantly more arms from the United States since 1950 than any other country in the world. And these purchases have accelerated quite dramatically in the past three and a half years since MBS became crown prince. The State Department said earlier this year that the U.S. currently has \$126 billion in active weapons sales currently underway, currently being processed to Saudi Arabia, which is staggering—also more than any other country. And these military purchases really are only the tip of the iceberg economically.

The kingdom's Public Investment Fund, which is chaired by the crown prince, is one of the world's largest sovereign wealth funds, and it has enormous investment and ownership stakes in a huge array of private companies in almost every sector of our economy: Boeing, Disney, Facebook, Tesla, Uber, Starbucks, the list goes on and on. So, the Saudis really own significant portions of our economy.

Beyond that, beyond the sort of private sector investments, the Saudi state and royal families strategically give away billions of dollars in donations and grants to an endless list of institutions.

This includes universities such as Harvard, Yale, MIT, Caltech, Johns Hopkins, Georgetown, George Washington, also both of my own alma maters, Georgia Tech and Stanford.

The Saudi regime also funds most of the think tanks in Washington that work on the Middle East and that publish on U.S. policy in the Middle East. And, in my opinion, the impact of all of these, this web of economic relationship is very, very clear. I don't know of any other country in the world, where there's such a just staggering disparity between the basic reality of the country and its government and its system of government and the narrative about that country and its government here in Washington.

I won't go into detail about the conditions of Saudi Arabia, which we've already heard a lot about, and we had a full three hour event on that topic in October, but just for a quick snapshot, according to the Economist's "Democracy Index" or Freedom House's "Freedom in the World" rankings, which are the two main credible annual rankings of democratic freedom globally. Saudi Arabia is one of the world's *eight* most brutally repressive dictatorships. And none of the other seven will you ever hear any positive words spoken about in Washington, appropriately so. These are countries like North Korea, Syria, Turkmenistan, Somalia. These are Saudi Arabia's peers, in terms of the degree of political repression and the utter lack of any rights or freedoms. And all of these other countries are correctly seen as dangerous rogue states that breed radicalism and instability, because that's exactly what this kind of extreme repression does. Saudi Arabia, uniquely, is viewed completely differently in Washington. It's hard for a week to pass without seeing glowing articles about the crown prince or defending him and defending the support to him. I believe this is primarily because of the long legacy of economic investment and business relationships.

And, and so just looping back, President-elect Biden, as you noted, he said he will reassess the U.S. relationship. He said that he will treat them "like the pariah that they are." We have to acknowledge that the Biden administration itself will include political appointees who have worked for think tanks, universities, defense contractors, private companies, who are funded by or owned by Saudi Arabia. It will also include diplomats whose most lucrative career path may be to work for lobbying firms or other entities funded by Saudi Arabia when they retire, and they may understand that protecting the interests of the Saudi regime in its relationship with the U.S. could be essential to those career opportunities.

On Capitol Hill, many members of Congress are, in fact, as we've heard already today, are very deeply concerned with the state of the U.S.-Saudi relationship, and many of them are currently fighting to change it, but they are consistently, though often quietly, obstructed by other members of Congress who receive large campaign contributions from lobbyists on behalf of the kingdom. And some members of Congress may wish to lobby on its behalf themselves when they leave Capitol Hill. And so I just think that all of this enormously complicates any efforts to change the relationship.

And I would also acknowledge that this practice of using financial weight to gain influence is not unique to Saudi Arabia, but perhaps no other country has done so on the same scale for as many decades, nor has a network of influence that's quite so extensive.

And so if President-elect Biden and his most senior advisors are serious about changing the relationship, which I believe they absolutely should be, for so many reasons, including many that we've already discussed, they have to very seriously take all this into account. They have to be clear eyed about the resistance that they will face and they have to be thoughtful and determined about how they will overcome that resistance. So I think I'll leave my remarks there at the moment, but then I'll be happy to come back to additional specific recommendations.

**Tamara Cofman Wittes [1:25:32]**

Steve, thank you. I feel compelled to say, since you mentioned think tank funding, that the Brookings Institution, where I work, does not take money from the Kingdom of Saudi Arabia. If you want to know who our donors are, you can find them on our website. We do believe in transparency.

But let me let me sort of tackle the flip side of that influence campaign, if you will. It strikes me that there are, well, two things. Number one, that there are dimensions of that long, close U.S.-Saudi relationship—the old relationship that Aaron Miller was describing—there are aspects of that that create opportunities as well. The King Abdullah Scholarship Program, which has brought thousands and thousands of young Saudis to the United States for university, who get exposed to a different way of living, a different approach to personal autonomy, religious freedom, political freedom, some of them go back and bring that with them. Some of them don't go back, which itself is, I think, a vote that we have to take seriously. So, the flip side of trying to constrain the relationship beyond the government-to-government level and treat it like Turkmenistan is that we lose those sorts of opportunities.

The other thing that strikes me, though, is that a lot of the relationships you're describing, Stephen, are themselves the result of a tight, mutual set of interests that existed over decades and that are now, as we heard earlier today, weakening. So would you expect that some of that might just decline over time anyway? If the Saudis are, as we heard, already hedging with China, then—I don't know how many Saudi students they're sending to China for school right now or how many Saudis are studying Chinese? But how do we think about the balance between creating boundaries on a bilateral relationship that implicates us in abuses and yet holding open relationships with Saudi society, knowing that they are living under a repressive government and we have an opportunity to show them a different way of life?

**Stephen McInerney [1:28:17]**

Thanks, those are important questions. Just to be clear, I'm not saying that the only path forward here is to break off ties with Saudi Arabia and have nothing to do with them. I agree with you that the relationship that we do have, whatever we think of it, should provide us leverage, but only if we choose to use it. And I think that's very important.



In terms of engagement with Saudi citizens, those who come here to study, I would support more efforts by the United States to view Saudi Arabia as more than Mohammed bin Salman. And, Safa Al Ahmad, who was on our previous panel, is a very impressive Saudi outspoken voice with a different point of view. There are many others. Sadly, most of those who are outspoken and have different views, have to be outside the kingdom. And there are people with different views inside the kingdom, but those are views they really can't express. But I do think the United States should try to engage more broadly with Saudis and should use real carrots and sticks and real policy tools to press the regime of Mohammed bin Salman, to allow Saudi citizens some sort of semblance of a voice in their society in a way that they're governed.

I mean, he is trying to transform certain aspects of Saudi society, while leaving others unchanged, without any input from the Saudi population, from Saudi society and Saudi citizens. And in fact, while decreasing the level of input, decreasing opportunities for Saudis to voice their opinions. As I outlined earlier, Saudi is one of the most politically closed countries in the world. That's been true for a long time. He's trying to make it even more politically closed. He's trying to make it perhaps the very most politically closed country in the world while trying to undertake other kinds of changes economically and socially. And I think that that's ultimately doomed to fail. And I think that it's not only in our interest and the Saudi citizens interest, I think that we have to focus on convincing, as difficult as it may be, Mohammed bin Salman, that this approach is, is simply not realistic and cannot be effective and cannot achieve the things that he has acknowledged that he would like to achieve on the economic side.

Now, whether it's possible to convince him of that is unclear. And, of course, that engagement of trying to engage with him on his approach to ruling the kingdom also has to be combined with serious accountability for his crimes. And that could be hard to square, but I think it will be important, as Rob said, for there to be steps at the outset of the Biden administration on accountability, including release of information, of reports, the ODNI report. And there should be individual sanctions taken on those guilty for crimes.

**Tamara Cofman Wittes [1:31:30]**

Yeah, I mean, it seems to me that it's actually to the advantage of a repressive ruler who's trying to maintain control over a large, young, restless society, it's to their advantage to have the relationship with the United States shrink, rather than expand to have it just be a government-to-government—okay, we'll work with you on the stuff we have to and forget all the other nice stuff—that actually helps him maintain control to a certain extent.

And it is noteworthy that a number of those Saudis who are currently on trial, some in terrorism court accused of treason, the basis for those charges is that they spoke to foreign diplomats. Literally, a meeting with U.S. diplomats is considered by Saudi courts an act of treason. So, the regime is actually working to narrow American engagement with Saudis outside the government. And to me that just emphasizes the importance of trying to sustain that work. But, Rob, let me turn to you on that, because it's really challenging when we think about what's now a pretty long list of American concerns or grievances about Saudi behavior, from the war in Yemen, to the detention of American citizens, to planting spies in American companies, to

helping Saudis accused of crimes in the U.S. flee the country, to the concerns of the families of 9/11 victims, all of the domestic rights abuses that we've been talking about, how do we prioritize? Trump was very focused on U.S. citizens detained abroad, not only in Saudi, but in other countries as well. Is that where we start? With the stuff that's directly related to us? Or should we think about this in a different way?

**Rob Berschinski [1:33:35]**

Well, I think a strong argument can always be made that the U.S. government does need to focus on the livelihoods of U.S. citizens in Saudi Arabia and otherwise. So that's not necessarily an area where I'd want to criticize the Trump administration. I think as the first panel drew out, however, in an environment in which the administration is sending very strong signals about an overarching level of impunity, engaging on a point-by-point basis and individual-by-individual basis around illegitimately detained individuals, whether U.S. citizens or otherwise, has demonstrably proven ineffective.

So I think whatever the prioritization is in that long list you just mentioned, Tamara, the overarching messaging has to change and, frankly, issues that the Saudis prioritize have to be put on the table. And I think that's where, as a starting point, President-elect Biden really needs to follow through on his stated commitment during the campaign to place a moratorium on weapons transfers to the Saudi government. That's in addition, of course, to otherwise removing the U.S. from supporting the Saudi-led war in Yemen. But that is a pressure point, and I say this fully cognizant of all of the many obstacles to a decision like that, that Steve appropriately laid out. But that's really where the administration needs to start if it's going to realize the commitment the president-elect made on a fundamental rethink.

So I think where we need to go there is talking to the Saudis directly about the conditions on which transfers might resume. And of course that needs to include various aspects related to what Annie mentioned: safeguards and conditionality related to use against civilians and breaches of international law, and so on and so forth. But in my opinion, the condition shouldn't end there. Domestic human rights considerations needed to be on the table; some of the extraterritorial acts that you mentioned, Tamara, need to be on the table; and so on and so forth.

And the U.S. should just be vocal and forthright about what it seeks. That doesn't always mean public statements to the exclusion of private diplomacy. Much of this can go on privately, but it means laying out—whether you want to call it a roadmap or a menu—that balances individual cases surrounding the women's rights activists and other critics who are illegitimately detained, with the more systemic changes that the U.S. government would like to see. And on the U.S. side of the equation, as we've already discussed, pretty much everything should be on the table, in my opinion. I think it should start with a moratorium on arms sales. But as Steve mentioned, there are effective targeted sanctions tools out there. And I think the U.S. government needs to signal that they might be used in appropriate circumstances.

I'll add that all of this needs to be undertaken with allies. This is one of those episodes that at this point two plus years later feels like ancient history, but a real low point in U.S. diplomacy over the course of the Trump administration, in my view (and that's saying a lot), related to when the U.S. didn't come to the defense of the Canadian government for its principled stand over the detention of Badawi family members. That was an instance in which the U.S. needed to stand up for a close ally that was doing the right thing, and we didn't. So with virtually everything human rights-related across the board, right now, the Biden administration needs to chart a new course, and a lot of that, given the very real deficit that we are in at this point in terms of U.S. credibility, needs to start through acting multilaterally with like-minded partners.

In terms of Congress's part, we kind of hinted at this earlier, but in my experience operating within the U.S. government, when the legislative branch is demonstrating credible threats of action, that often provides the executive branch with more room for maneuver. Again, the U.S. diplomats can say, our hand is being forced here diplomatically. So to the extent that Congress can demonstrate similar thinking through everything from legislation, to statements, hearings, travel to the region that incorporates requests to meet with detained individuals and so on, all of that puts wind in the sails of the executive branch.

And I'll just close by saying I don't want to sound naïve about the possibility of all of this, again, mindful of the various obstacles that Steve laid out, but at least on the congressional side, when one party doesn't necessarily have to look over its shoulder in terms of being able to act and speak slightly more freely without being worried about being rapped on the knuckles by the White House, that does open up a little bit of room for creative thinking.

**Tamara Cofman Wittes [1:38:35]**

Yeah, thank you. So I want to come back to issues of transnational collaboration. But Rob, one point that I would pull out of what you just said is that another theme the Biden-Harris incoming administration has said they're going to emphasize is working together with other democratic states. Now, primarily they've said that in the context of democratic strengthening for that community of democratic states, but they've also said that there is no way to strengthen democracy at home without addressing democratic backsliding and authoritarian governments abroad, and vice versa. So that, far from the sort of "city on the hill" approach that we've seen in other administrations, it's suggesting an approach to democracy promotion and human rights promotion abroad that's much more about building solidarity across borders. And you can do that democratic government to democratic government, you also do it civil society to civil society. So even if a government is not necessarily fully democratic, or if it's been backsliding, you still have civil society advocating for democracy that seeks solidarity. And we can provide that solidarity.

I want to, Annie, if I may, come back to this idea about autocratic states and the United States and the challenge, because even before we were looking at a Biden administration, I mean, one of the arguments that's always been made against Leahy Law and other human rights strings that we put on our arm sales, if you will, is that it makes us less competitive—that there are other countries out there who are happy to sell similar equipment without strings—and so all

we're doing is disadvantaging our own companies, our own arms companies. And we are also reducing our own leverage, because we're giving countries an incentive to go elsewhere for these capabilities. And that might apply even beyond weapons themselves.

The Saudis were interested in nuclear technology from the United States, you might recall, at the very beginning of the Trump administration, there was an effort to improperly influence the White House through National Security Adviser Michael Flynn, to sell nuclear technology, energy technology to the Saudis without legally required safeguards. And when that was exposed, and that effort was shut down, the Saudis then went elsewhere looking for nuclear technology. And I believe that they are now getting some of that from the Chinese. So you know, this is a dilemma for us. And I'm curious, Annie, you must face these arguments all the time when you're advocating for these policies on the Hill and elsewhere. So how do you respond to those arguments?

**Annie Shiel [1:41:55]**

So I'm actually always really excited to get this question, because it's a really common argument that is really important to push back on. First, because it's actually a really flawed argument, and second, because it stops the U.S. from making sound foreign policy decisions in service of industries' bottom line.

And I'll say this now, and I'll probably say it again later: arms sales are not just a financial transaction, they are an act of foreign policy, and we need to treat them that way. So let's talk about this argument. First of all, just swapping out Chinese or Russian arms for American arms is actually not as easy or likely as this argument even suggests. For countries like Saudi Arabia that purchase enormous amounts of U.S. weapons, they'll encounter interoperability challenges where their existing U.S. arsenal might not be very compatible with other weapons, they may be of poorer quality, etc.

But really, the much more important question is, even if they did turn to China or Russia for their arms, how much would it really matter? And my answer is not nearly as much as proponents of this argument say it would, especially not when weighed against the immense harm that those U.S. weapons are likely to cause. Just because China and Russia want to sell arms to human rights abusers and fuel conflict doesn't mean we should join them in a race to the bottom and continue our complicity and undeniable harm.

So I think that answer should be enough, but it has not appeared to be. So let me quickly take on the other arguments. So one argument is, if they did turn to China and Russia, it would harm industry and cost U.S. jobs. But the U.S. already has an honestly egregious lead in global market share in the arms trade—and that is a problem for another day—a gap that is widening not getting closer. Much of that market share is actually made up of sales to democratic U.S. allies that are, frankly, unlikely to be held up by many of the human rights restrictions we propose. And then on top of that the top U.S. arms exporters earn most of their revenue—about 70 percent—from domestic U.S. government contracts, which are not affected by arms export policies.

And finally, my very favorite economic argument to debunk, which is that despite the insistence of President Trump and weapons manufacturers, the arms industry contributes very little to job growth. So research by the fantastic Security Assistance Monitor, for example, found that the arms industry employs just two tenths of 1 percent of the U.S. labor force. That number is likely actually even smaller as a result of things called co-production and offset agreements, in which U.S. companies either agree to purchase weapons in the recipient country, or to invest in the economy of the purchasing country to “offset” the cost of the purchase. Research by the Cost of War Project also found that job creation through defense spending lags significantly behind comparable investments in clean energy, infrastructure, education, and health care. So that's the economic argument.

Very briefly, the other set of arguments says that if U.S. arms recipients turned to Russia and China for their arms, the U.S. will lose out on important political influence. But if recent history has shown us absolutely anything at all, it's that weapons are not an effective tool for buying influence. Again, we're talking about Saudi Arabia, an enormous purchaser of U.S. arms—have those sales helped us to influence Saudi Arabia's behavior? Given that we're all here discussing the need for a really significant policy reset, the answer appears to be no. So then not only are arms not an effective tool for influence, it's actually actively harmful to U.S. interest. Pumping arms into a country or region is actually likely to—surprise!—exacerbate instability by fueling regional arms races, arming parties to conflict, and facilitating corruption and human rights abuses, which in turn exacerbate legitimate grievances that continue the cycle of conflict and violence and harm.

And, by the way, if the U.S. is so concerned about China and Russia getting access to U.S. technology, then that's another great reason to reconsider arms to Saudi Arabia, who has a documented record of illegally transferring U.S. weapons to third parties. So again, the sale of deadly destructive weapons is not a simple financial transaction for industry to win or lose. It is an act of foreign policy. And if our foreign policy isn't working, or if it's making the world less safe, we need to stop and try something else.

**Tamara Cofman Wittes [1:46:17]**

Annie, thank you. So we've talked about conventional weapons. We've talked about nuclear technology. Stephen, I want to ask you a question about cyber attacks and Saudi repression. One of the trends that we've seen, and again, not only in Saudi Arabia but other countries in the region as well, is the increased use of high tech surveillance tools to track dissidents and critics abroad, and to intimidate and to promote disinformation. So smear campaigns, hacking, surveillance, and so on. And we saw, I think it was a couple years ago now, significant news reporting about Saudi in particular, and the role that it's played here actually planting Saudi spies in a major American company at Twitter to get personal information of Saudi critics and their Twitter accounts. And then we've also seen reporting on what is presumed to be Saudi's use of Pegasus software by the NSO group to spy on the phones of journalists as well as critics. How do we, how can the United States, how can the Biden administration deal with this? And is

this something that we can do effectively by ourselves? Or is this also an area where we need to work with like-minded states internationally?

**Stephen McInerney [1:47:53]**

Sure, thanks. I think that these are important questions. I'll add a few comments quickly on the nature of cyber authoritarianism in Saudi Arabia that you mentioned. I mean, just to start with: Freedom House ranked Saudi Arabia as the sixth worst country in the world in terms of internet freedom. The only countries ranked worse are China, Iran, Syria, Vietnam, and Cuba. And attacks on internet freedom in different countries take different forms: limiting access, censoring content, surveilling the population electronically to violate their rights. It's really this last set of issues related to surveillance that are worse in Saudi Arabia. The Saudi surveillance state is among the most sophisticated in the world, along with that in China.

And enhancing the surveillance apparatus has really been a hallmark of the Mohammed bin Salman era, it's really been a priority, something he's really focused on. Saudi Arabia, unlike many other dictatorships, does not really prevent its citizens from using the internet. It actually wants its citizens online, so they can be tracked and surveilled using the sophisticated technology that you mentioned. And while the Crown Prince likes to talk a lot about Saudi Arabia becoming a leader in innovative technology, as of yet the main sector in which it's innovated has been using technology to target its own citizens. So really, the situation is quite bleak. And the level of cyber authoritarianism is quite extreme. And I won't go into further detail, but just for anyone who would like information, I'd point to and recommend the reports of three organizations have done really outstanding work documenting these issues inside Saudi Arabia: Citizen Lab, the Electronic Frontier Foundation, and Freedom House all have great reports that kind of go into a lot of detail on these issues.

In terms of shifting to recommendations for the next administration for Congress, I guess I would focus on four main recommendations. First, the next administration simply needs to absolutely make these issues a higher priority: to talk about them more, to engage more in cyber diplomacy, and that does include working with diplomatic allies. Despite the leading role of the U.S. tech industry globally, the U.S. government has really lagged behind other countries in addressing these issues, including European states, in terms of its efforts on data protection and ensuring technology is not used to violate citizens' rights. So that that should be stepped up. And we should definitely be engaging with our European partners and other democratic partners in that regard.

Secondly, I think the U.S.—the next administration and Congress—should work together to pass more extensive export controls, banning outright the export from the United States of sophisticated surveillance tools to any country that's repressive or non-democratic. There are private software companies, some large private companies, such as Microsoft, that have policies in place of their own to refuse to sell such products to non-democratic states. But I think the United States government should ban this outright, in addition to my third recommendation that they should not only focus on tools produced here in the United States, but should also

pass sanctions against foreign companies and use these sanctions to prevent the sale of sophisticated electronic tools to repressive authoritarian dictatorships, such as Saudi Arabia.

And to use the example that you mentioned: the NSO group and its Pegasus software. This software is classified as a weapon by the Israeli government; NSO is an Israel-based company. The Israeli government must approve sales by NSO to foreign governments, which should provide opportunities for leverage for the United States.

And then finally, I'd recommend that the administration and Congress expand and increase funding and support for existing programs to develop and provide tools to protect the rights of citizens from surveillance and other forms of rights violations and electronic repression. This includes support for the Open Technology Fund as well as other internet freedom programs supported by USAID and the State Department's Bureau of Democracy, Human Rights and Labor. Some of these programs have been extremely valuable for developing tools for secure and encrypted communications and for countering other forms of cyber repression employed by Saudi Arabia and other dictatorships. And it's important that in this kind of battle that we continue to support the development of technology to counter repression and not just sort of try to prevent the tools of repression getting in the hands of the regime. So those would be my main recommendations.

**Tamara Cofman Wittes [1:52:18]**

Yeah. And Annie, it's striking that in the framework you laid out I don't believe these cyber capabilities are classified as arm sales, are they? They go through a different piece of scrutiny on export control?

**Annie Shiel [1:52:32]**

Yes, they do go through a different process, one that I'm unfortunately not very familiar with. But definitely something that needs to evolve moving forward.

**Tamara Cofman Wittes [1:52:43]**

Great. Thank you so much. So we have time to take questions from our audience. We've gotten a number in already. And if you want to send in a question, you can put it in the Q&A in the Zoom chat, if you're watching on Zoom. If you're watching streaming, you can email it to [communications@pomed.org](mailto:communications@pomed.org). I want to start with a question that, Rob, I'll pitch it to you, but any of you can weigh in on it, which is: This is a partnership that has been close for a long time. There is a lot of leverage that cuts in different directions, as we've been discussing, and we've seen the Trump administration try to use that leverage on behalf of people like Dr. Walid al-Fitaihi, who was sentenced yesterday and whose family is under a travel ban. Are there things that have not been tried that we could try? What more could we do to be effective on these individual cases that are so egregious, and that do involve American citizens? So Rob, you want to start?

**Rob Berschinski [1:54:01]**

Sure, I can start there. And if you'll indulge me just to come back to the previous question as well, Tamara. I think everything Steve said in terms of renewing and revitalizing U.S. export controls on dual-use technologies is super important. There's a lot that the Biden administration can do unilaterally. There's a lot that it can do multilaterally through the Wassenaar Arrangement, among other international tools. And I'll just put in a plug here for Biden's commitment for the Summit for Democracy, where he made very clear that digital authoritarianism needs to be one of the leading agenda items. And so this would be a perfect avenue by which the U.S. government could put these issues on the top tier of agenda items for a number of bilateral relationships right off the bat in order to get to real, multilateral solutions in terms of these dual-use technologies that frankly, aren't controlled at this point.

But coming back to the immediate question, I spoke to a little of this earlier, I don't think we should be all that surprised, frankly, at the results that the Trump administration did or didn't get in the case that's in the news this week. There's only so far, I think, contra to President Trump's apparently strongly held belief that one-on-one, leader-to-leader warm relations is the basis on which positive international relations should be built. The results speak for themselves in a number of—

**Tamara Cofman Wittes [1:55:32]**

Worked so well with North Korea.

**Rob Berschinski [1:55:35]**

Exactly, despite that deep and abiding love, we seem not to have achieved much on the peninsula. And the same can be said with respect to these individual cases within Saudi Arabia. So I mean, this isn't rocket science, it's a matter of carrots and sticks. There are a number of tools that haven't been used. I mentioned in my last response some form of conditionality on the sales that we really haven't seen in any regard. There are the sanctions tools out there, we've seen the Trump administration use the Global Magnitsky Act in response to some individuals involved in the Khashoggi murder. But as somebody who follows use of that tool pretty closely, I think it's fair to say that that could easily be argued to be part of the cover up, so as to shield those ultimately responsible, really [more] than a move in pursuit of real accountability.

And so this need not be necessarily where the conversation begins. But those tools are available to the U.S. government, and should certainly be in the discussion in terms of actually penalizing those that are responsible, at the end of the day, for these egregious human rights violations. And we can walk and chew gum at the same time: the U.S. government can pursue its legitimate interests in other regards, whether it's with respect to trade or regional security, and so on, while saying this is where we draw a line particularly, not exclusively, but particularly as relates to U.S. citizens.

**Tamara Cofman Wittes [1:57:08]**

Yeah, I think it's worth noting, too, we've focused a lot so far on Magnitsky, visa tools, arm sales, as levers that the United States government can pull in one direction or the other. But of course, the wider the relationship, the more tools you have, in principle, if you're willing to make



trade-offs, in order to create incentives for behavior change by rights-abusing governments. And it is worth noting that since that first sort of triumphal tour, Mohammed bin Salman has not set foot in the United States. That's not because the Trump administration has told him not to come. It's because he is concerned about himself or members of his entourage being served in domestic legal proceedings. And there are concerns that some members of his entourage may be subject to visa restrictions. So it's not, you could say, not because of a deliberate decision by the Trump administration itself, that there have been some sticks or some constraints that have been imposed on the U.S.-Saudi relationship even over the last several highly uncritical years.

We just have a few minutes left, and we have a question in the chat that I want to pitch to you, Stephen, about Biden's intentions on Iran and the JCPOA and how that might affect his willingness to do what he said, with respect to Saudi Arabia. Now, look, the Yemen war began, as was noted in the first panel, under the Obama administration. And one of the reasons—I will speak for myself as an analyst—one of the reasons why Obama sort of acquiesced in that Saudi intervention was because he had just concluded the JCPOA, which had kicked up a huge fight with with America's traditional regional partners, and he didn't want to pick a fight with the Saudis. Maybe he was even looking to compensate them a little bit. And so we started going down this road in Yemen, and we have discussed at length where we are today. So, Stephen, how do you think that Biden's desire for diplomacy with Iran might affect everything that we've been talking about?

**Stephen McInerney [1:59:39]**

Yeah. It certainly may affect it in the ways that you describe, I think we can hope that President-elect Biden and key members of his administration may have learned lessons from from exactly what unfolded during the Obama Biden administration and kind of seeing the path that was set on in Yemen, and also more broadly, the sort of very dangerous trajectory that Saudi Arabia has been on, in the four years between Biden leaving office as vice president and now taking office as President. So certainly, that that temptation will be there. I do expect that the Biden administration will try to reinvigorate, talk with Iran over some kind of renewed agreement. But I will hope that they won't make the same calculations that they did before, which have led to catastrophic consequences regarding Saudi Arabia.

**Tamara Cofman Wittes [2:00:33]**

Thanks so much. So we are just coming up at the top of the hour. And I want to really thank you, Annie, thank you, Rob, thank you, Stephen. This has been a fantastically rich and thoughtful discussion, and not only about the tools, but also about the trade-offs and choices that the U.S. government faces in wielding these tools. I want to thank you all for educating us and and putting us in a good place for our next session, which is a discussion, a half hour conversation with Matt Duss, who is the foreign policy advisor to Senator Bernie Sanders, and someone who's been very outspoken, individually and through his work on human rights in Saudi Arabia and on the war in Yemen. And there's a big vote up on the Hill just today about the UAE arms sales as well. I am confident that he will have something to say about that, and I look forward to hearing it. So let me turn the podium over to my colleague Elizabeth Hagedorn of Al-Monitor who is going to bring you into this conversation with Matt Duss.

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## **FIRESIDE CHAT – A VIEW FROM THE HILL**

### **Elizabeth Hagedorn [2:02:08]**

Okay, hi, my name is Elizabeth Hagedorn. I'm a correspondent for Al-Monitor here in Washington, and I'll be facilitating this next conversation. We're going to be looking at what Congress can do in light of the incoming Biden administration to rethink the country's fraught relationship with Saudi Arabia. And for more on the policy debates playing out in Congress, we're joined by someone who is very plugged into this issue on the Hill, and can offer us an insider's perspective. Matt Duss is the foreign policy advisor for Vermont Senator Bernie Sanders. He served as an advisor to Senator Sanders on his 2020 presidential campaign, and from 2014 to 2017 was the president of the Foundation for Middle East Peace. Prior to that he worked as a senior policy analyst at the Center for American Progress and was the director of the Center's Middle East Progress program, where he focused on the Middle East and U.S. national security. Thanks for being here, Matt.

### **Matt Duss [2:03:10]**

Thank you. My pleasure.

### **Elizabeth Hagedorn [2:03:12]**

So, to kick things off, I want to start by taking a look back at how Congressional scrutiny of the U.S.-Saudi relationship has evolved in the past couple of years. Walk me through, if you could, the ways in which you've seen the political landscape change and how consensus was built on issues like ending the U.S. support for the Saudi-led coalition in Yemen, or punishing Riyadh for the murder of Jamal Khashoggi.

### **Matt Duss [2:03:41]**

Right. I mean, we can go back just the last three to four years. We can go back all the way to the days after the September 11 attacks, a lot of the questions about the role that the Saudis or Saudi-connected individuals had in the spread of kind of radicalism and extremism. But just looking at—through the lens of the Yemen issue—I think there's a number of members of Congress, including Senator Chris Murphy, including my boss, Senator Sanders, who saw in Yemen just an example of how this close longtime U.S. partner, Saudi Arabia, along with the United Arab Emirates was carrying out what was very quickly turning into a devastating war.

It was already, in early 2017, noted as one of the, turning into one of the worst humanitarian catastrophes in the world, and shortly after that came to be regarded by the UN and other humanitarian agencies as the single worst humanitarian catastrophe. What added, I think, concern about this was the way that the Trump administration had simply given the Saudis a blank check on pretty much everything, but the human rights issues inside Saudi Arabia, but

also with the way that they carried out this intervention, this war in Yemen. And there was an understanding among some members of Congress, again, my boss, Senator Murphy, and some others that the United States was deeply implicated in this, and that we needed to try to put a stop to it. And one way to do that was through disapproving arm sales on some of the weapons that we've been selling to the Saudis and other partners, like the Emiratis, for a long time.

So there's the Yemen piece, but I also think you can't ignore the role that Mohammed bin Salman himself has played in this. I mean, he is someone who was very—I think there was a great deal of money spent on the kind of public relations effort to roll him out as the new, exciting, innovative, revolutionary crown prince who is going to transform Saudi Arabia and Saudi Arabia's role in the region and the world. And then there were a number of very influential newspaper columnists who were taken in by this, but we don't have to name them here. But it became very clear very quickly that this person was going to be a problem, not only with the crackdown we saw on human rights activists and democracy activists inside Saudi Arabia, but I think the murder of Jamal Khashoggi in the most brutal fashion imaginable just put a very, very sharp point on that, and I think raised that all of these things together really caused more and more people to understand that we need to take a real close look and reassess this relationship and the ways it is and is not advancing our interests and values.

**Elizabeth Hagedorn [2:06:38]**

Well, I'd like to get a sense of what can be achieved by this next Congress. In a statement, Representative Meeks recently, the next chairman of the House Foreign Affairs Committee, pledged to take back Congress's constitutional authority on declaring war. You mentioned the War Powers Resolution. And can we expect that, for example, to land on Biden's desk early next year? How much of a priority will that be? And how do you rate the likelihood of a block on arms sales to the kingdom?

**Matt Duss [2:07:07]**

So a couple things there, one with regard to the Yemen War Powers Resolution, I think it is really important to note that President-elect Biden has committed, essentially, to honoring the previous War Powers Resolution. I mean, the Democratic platform of 2020 says unequivocally that the U.S. will end support for the Saudi war in Yemen. The President-elect Biden himself was publicly supportive of the Yemen War Powers Resolution when it was being considered by Congress in 2019. So I think that's significant.

Now as to whether there might be another Yemen War Powers Resolution, I think that's something that's under discussion. I think there's some interest in getting this passed and signed and written into law, which would be an important precedent for Congress, reasserting, as you said, reasserting this very, very important constitutional authority over matters of war. Because I think that is again, this was one aspect, obviously, the Yemen crisis was a major driver of a lot of the work that was done in Congress on this. But another equally important piece was, as you said, Congress reasserting the power that the Constitution gives it under Article One to authorize or not authorize the use of force. And I think we've seen over the past 20 years—longer than that, but I think especially over the past 20 years of the global War on

Terror—Congress has allowed that authority to slowly be taken by presidents of both parties going back to George W. Bush, continuing through the Obama administration, and into the Trump administration. And there's an understanding, this is not the way the framers of the Constitution intended this. They intended for the Congress as the body closest to the people to have this power, given that the use of military violence by the United States government is one of the most serious things that any government can consider. And it should not be simply the power of one person sitting in the Oval Office, but rather the people's elected leaders in Congress. And so I think there's a great interest in continuing forward with that project as Chairman Meeks indicated.

**Elizabeth Hagedorn [2:09:21]**

We've seen a certain degree of bipartisan support on the Hill for some of these issues, which I do want to get into. But among Democrats, I think it's fair to say that some of the activism at least was driven by President Trump's embrace of Crown Prince Mohammed bin Salman and the president's continued defense of the kingdom. So my question for you is what happens when Trump leaves office? Do you see as many Democrats so willing to be outspoken on Saudi Arabia?

**Matt Duss [2:09:53]**

I think it's a very fair question. Yeah, as I said, I think the president's embrace of Mohammed bin Salman and Mohammed bin Salman's own behavior served as, in some ways, an important asset, and a kind of galvanizing force for the efforts to push back on these things. President-elect Biden has himself committed to reassessing the relationship. I mean, he said, I believe in one of the primary debates, that we should make Saudi Arabia a pariah if they continued with this behavior, whether in Yemen or with regard to human rights inside Saudi Arabia. Those are strong words. And I think he's going to find a lot of support for this kind of reassessment.

So again, the question of where would Democrats land under a Democratic administration versus a Republican one, I think is valid. I think a lot will depend on how much a Biden administration is going to lean into this, as I hope they will. But I would also say, I think specifically with regard to war powers, we were able to bring along a number of Republicans, Senator Sanders and Senator Murphy and Senator Lee, the original co-sponsors of the Yemen War Powers Resolution, were able to bring along a number of their Republican colleagues to support that resolution, and also to support Senator Kaine's resolution on Iran, which came in January of this year.

So I think there is a bipartisan consensus to be built around these questions of restraining, of constraining and restraining America's war-making authorities or looking more energetically and aggressively at where and when we choose to use force. But with a Democrat in the White House, I wouldn't be surprised if we saw a number of Republicans, more Republicans, who might suddenly become more interested in constraining executive power. So I would watch for that.

**Elizabeth Hagedorn [2:11:52]**

Well, I want to ask about how Israel may factor into this, because President-elect Biden has praised the Abraham Accords as a historic step in the right direction; he called the UAE's recognition of Israel, quote, "a welcome, brave, and badly needed act of statesmanship." And now there's reporting that suggests Saudi Arabia may be planning to use recognition of Israel in an effort to build relations with the Biden administration. So if a Saudi-Israel deal does happen after Biden takes office, do you see that softening some of the opposition to Riyadh among lawmakers?

**Matt Duss [2:12:32]**

I mean, I think that's certainly the purpose; that's certainly the point. Let's just say at the outset, I think normalization between countries in the region, particularly with Arab states and Israel, in general terms is good. I mean, we would all support Israel becoming more fully integrated in the region in which it lives.

But I would be—I think the way this has been sold as a set of peace agreements is not entirely true. First of all, Israel was, of course, not at war with the countries with which it signed this agreement. There were relationships ongoing for a long time, as most people understand. And I think the concern here is that the Abraham Accords are simply being used as a way to give political cover to regimes like the UAE, like Bahrain, and now like Saudi Arabia, which are in fact not democratic, are authoritarian, are engaged in a number of reckless ventures throughout the region. And I think there were a number of us who pointed this out when the agreements were first announced, and took some criticism for it. But it's very interesting that now that is precisely how these deals are being sold: as a way for Saudi Arabia to kind of skirt around taking responsibility for its own behavior, for the murder of Jamal Khashoggi, and I think that's a deeply cynical and not a good way to do foreign policy.

**Elizabeth Hagedorn [2:13:54]**

You mentioned Jamal Khashoggi, whose murder the CIA concluded was carried out or ordered by Crown Prince Mohammed bin Salman. And, of course, congressional efforts to hold MBS accountable were met with much resistance from President Trump. The administration did ultimately impose sanctions on a number of Saudi officials under the Global Magnitsky Act, but failed to make public the intelligence community's assessment determining who was responsible, as required by law. So my question for you is how can this next Congress work with the Biden administration to provide at least some semblance of accountability for Khashoggi's murder or, at the very least, send a message that the kingdom can't act with impunity?

**Matt Duss [2:14:38]**

Well, I would just go back even though, as you said, the Trump administration was resistant to imposing any real consequences on MBS himself. I would note that back in December of 2018, the first time that the Senate passed the Yemen War Powers Resolution—it was passed again the following year by both houses—but the first time it was passed, at the very same time, the Senate also passed a unanimous resolution offered by then-SFRC Chairman Corker, Senator

Corker, that acknowledged the U.S. intelligence services' assessment of MBS's responsibility, basically sending the message that the United States Senate believes MBS ordered this.

I think that was a very, very important sign from the U.S. Congress about where they think and how this was unacceptable. So yeah, obviously, if he has and continued to have the protection of the administration, that matters, but I think that that signal from the people's representatives in the Senate was very, very important, was certainly heard loud and clear by the Saudi government.

Now looking toward a Biden administration, I think first and foremost, and this is true not just of the U.S.-Saudi relationship but the U.S. relationship with a number of other countries in the region and beyond is, is to be clear about what we actually want out of the relationship. What are we trying to achieve with this relationship? How do we see this relationship as advancing the security and the prosperity of the American people? What values are we trying to advance through this relationship? And how does Saudi behavior really act against those values and interests? And I think just getting that out there on the table and understood—having clarity around those issues—is important.

Now, I think we should be modest about our ability to kind of magically create outcomes in other countries just by willing them into existence. But obviously, there's a lot of leverage the United States has with countries like Saudi Arabia, to whom we sell lots of weapons, give lots of political and diplomatic support. And I think it should be a priority to make clear to the Saudis and others that you will not have the relationship that you want with the United States if you continue down this path. There's a lot contained within there—steps can be taken, menus of options to put pressure—but I think first having that clarity is one of the most important things at the outset.

Now with regard to MBS himself, people talk about accountability. I think it's it's been clear that he is responsible, he played a major role in the murder of Jamal Khashoggi. What would accountability mean in this instance? In the best case, it's very hard for me to envision a scenario in which he comes to Washington again, given the role that he is believed to have played in the murder of this person. This is something the Saudis themselves have to think very hard about. What do they want their relationship with the United States to look like into the future? And is Mohammed bin Salman the one to really kind of help with that.

**Elizabeth Hagedorn [2:17:50]**

You mentioned clarity in the U.S.-Saudi relationship. And I've heard you say before that what's missing from the way the U.S. promotes human rights around the world in places like Saudi Arabia, and what's missing from the message it sends to its partners and adversaries, is clarity. Can you elaborate on what you mean by that?

**Matt Duss [2:18:08]**

Yeah, I think clarity—just understanding what we're trying to achieve, what is our actual policy goal. I think that's something we need for ourselves here in Washington as well. I mean, what

do we want out of these relationships? What are we trying to achieve with this military presence, which has kind of ebbed and flowed since 9/11, but still remains fairly substantial in the region, despite Donald Trump's promise to end endless wars. He's kind of shuffled troops around, sent more troops here and there, but hasn't really lowered the number of troops despite claiming to do that.

I mean, the fact of the matter is, the American people simply do not support these long-term military interventions. There are very, very real questions that Americans have about how these interventions are advancing or whether these interventions and these wars are advancing the security and the prosperity and building a future for them and their children. I think engaging in that debate is something we absolutely have to do to get to that clarity, to begin to fashion an actual real and durable consensus around American foreign policy, because we've seen over the past years, it's been a long time coming.

But again, one of, I think the real lessons of the Trump era and of Trump's victory in 2016 is that a lot of the kind of assumptions—what many in Washington believed to be a consensus around foreign policy—is not, in fact, a consensus among the American people. So I think opening the books on some of these issues, engaging in a much more vigorous and public discussion around: okay, what are we doing, and how is that making Americans' lives better? is key to kind of building a foreign policy that can be effective into the future, and lets allies and adversaries alike know this is what the United States is actually trying to do.

**Elizabeth Hagedorn [2:20:00]**

Well, let's talk about that consensus, because in addition to Congress's disapproval as it relates to Khashoggi, in addition to Yemen, where you had a number of Republicans voting in favor of the War Powers Resolution in 2019, the plight of detainees in Saudi Arabia, and for that matter around the world, has drawn the attention of lawmakers from both parties. Yesterday after Saudi Arabia sentenced to prison a dual U.S.-Saudi citizen who was a Harvard-trained physician, you had a few Republicans, including Senator Marco Rubio and Jim Risch, speak out. So I'm wondering, how would you overall characterize the bipartisan cooperation that's emerged over Saudi Arabia, and do you anticipate that dynamic shifting with a Democrat in the Oval Office?

**Matt Duss [2:20:48]**

I think there are areas like the War Powers Resolution where we've been able to build and mobilize a bipartisan effort. I think there is a lot of shared concern around the issues of human rights, I think there's sometimes less of an interest in pushing those concerns and holding a consistent line with regard to longtime partners and allies versus using human rights as a tool to bash adversaries. And I think that tendency undermines the goal of promoting human rights.

But with regard to Saudi Arabia, yes, as you said, a number of detainees, political activists, in particular women's rights activists such as Loujain Al-Hathloul, who was arrested back in the summer, arrested for the current time back in the summer of 2017. And my boss, Senator Sanders, actually spoke about that issue, mentioned Loujain by name on the floor of the Senate in the summer of 2017, when she was detained.

I think raising those issues in a consistent way can only strengthen America's ability to advance these issues around the world, to show that these are not just values that we're going to enforce on countries that we don't like. I think that's one of the problems that we've had with the way the Trump administration has done this.

And to be fair, there has been an element, I think of a double standard with the way America deals with these issues going back a long time. I think the Trump administration, as it has done on so many issues, just made the hypocrisy completely impossible to ignore, with Trump literally going to—I'm sorry, I think this is Secretary Pompeo—going to Saudi Arabia and sitting in Saudi Arabia and criticizing Iran's human rights record. It's like, well, that's valid, Iran has serious problems with regard to human rights. But if you want to completely discredit what you're saying, we should probably try and say it from Saudi Arabia. So I think bringing some consistency to the way we approach these issues, the way we press them, not only here, but in multilateral fora is an important step.

**Elizabeth Hagedorn [2:22:55]**

Right. And President-elect Biden has vowed to make human rights a focus of his foreign policy. And I think Saudi Arabia could prove to be an early test, which brings me to a broader question: how does the United States recalibrate its policy to better take into account these human rights violations, but do so in a way that doesn't completely antagonize Saudi Arabia and harm U.S. interests? How do you strike a balance so that when we do call Saudi Arabia out on these egregious human rights violations, it's responsive?

**Matt Duss [2:23:28]**

Yeah. Well, I think I would say two things. One is just having it be very, very clear what we actually want. I mean, just to kind of repeat myself. I don't think there's—there's no real reason to simply overturn the table at the outset and pick unnecessary fights. But I do think it is quite reasonable and appropriate for a new administration to make clear to longtime partners like Saudi Arabia that these are going to be our priorities. We are telling you this at the outset. We don't need to pick a public fight with you, but there are things you have been doing that are going to weaken and undermine this relationship.

But at the same time, I think to have credibility on these issues, it is extremely important for us to practice them at home. It's important for us to practice human rights, to promote and protect democracy here in the United States, and I think this is something—you've seen this critique rising from a lot of progressives, my boss has spoken about it and others on the left, but I think we've seen President-elect Biden as well take up these issues, particularly with regard to his response to the protests in the wake of the murder of George Floyd. Understanding that we really need to address some of these enduring political cleavages in the United States: racial injustice, economic inequality, criminal justice, mass incarceration, voter suppression. These are real serious problems with our democracy that have to do with people's own political rights. And if we're going to advance these ideas on the global stage, I think it helps—it's actually essential—for us to do the work and be seen as doing the work here at home.



**Elizabeth Hagedorn [2:25:11]**

I want to quickly get to the news of the day—we've talked about the support for the Saudi role in Yemen's war. But of course, the United Arab Emirates has also played a big role in that conflict, and the Senate will soon vote on legislation to block that \$23 billion arms sales to the UAE. Even if they garner enough support in Congress, the resolutions face a veto from Trump. I'm curious, how do you see this fight in Congress playing out and what can we expect from the next administration on this?

**Matt Duss [2:25:44]**

Well, I think there's a couple things going on here. One is there are real concerns about the use of these weapons. I think there was a very, very good piece today by Akbar Ahmed in HuffPost about the way that the Emiratis have been using the weapons they already have in a number of theaters around the region and the violence and civilian casualties that we've seen from that. So I think those are legitimate concerns about how these weapons will be used.

Second, is just the massive size of this sale and the way that it was just rammed through. Some of your viewers may not know that usually these kinds of things are given notice to the Senate and there's an opportunity for the Senate to put a hold on them, which was done here. And the administration made a point to just blow through the hold and say, we're just going to push this huge arm sale through regardless of what you think.

And so I think this should be understood not only of addressing some of the concerns about the way these weapons will be used, but it's actually a part of reasserting, as we were talking earlier, about Congress's role in foreign policy, because one of the tools that they have on foreign policy—I mean, the executive branch, the president enjoys a great deal of leeway and authority on foreign policy—but one of the tools Congress does have is in these resolutions of disapproval, approving or disapproving sales of weapons to other countries. And that's the one that's being used, there will be a vote today. So whatever the outcome, I think there's still some question of whether there will be a majority voting for the resolution. I think in any case, it's already been demonstrated that there is serious opposition to the sale, and sending that political message is an important step.

**Elizabeth Hagedorn [2:27:33]**

And we're running out of time here. But a good point was raised in the earlier panel, which is that the new president is going to inherit a massive set of domestic challenges on day one, namely, the pandemic. So we've been discussing all morning how a Biden presidency could affect the U.S.-Saudi relationship. But, realistically, where do you see this reassessment that Biden has pledged on Saudi Arabia falling into the administration's list of priorities? And what's the tone you'd like to see him set both publicly and privately if the next Congress is to accomplish everything you've laid out?

**Matt Duss [2:28:09]**

I think in any presidency, there's a lot going on. I think this situation, we're in a moment right now where that is probably more true than usual, but I think the team that President-elect Biden is constructing, as I see it, is made up of extremely competent, capable, and experienced people to address these multiple problems or these overlapping crises, as they tend to put it.

I don't think that reassessing the U.S.-Saudi relationship will make the top of the list, but I would say that one of their priorities, rejoining the JCPOA, the Iran nuclear deal, and then pursuing broader diplomacy with Iran, is a priority. And obviously, the U.S.-Saudi relationship, the U.S.-Emirati, the U.S.-Israel relationship, all of this plays a role in that effort at diplomacy. So I mean, this issue is going to come up very, very quickly, in that context. So I think, again, making clear what the United States is trying to achieve. I think they've been very admirably clear about their goals with regard to the JCPOA—President-elect Biden in an interview with Tom Friedman in the *New York Times* last week, and then Jake Sullivan, the National Security Adviser designate in an interview at the *Wall Street Journal*, or at least an article at the *Wall Street Journal* a couple days ago—that their intention remains to rejoin the JCPOA and then pursue a broader diplomacy on a on a range of issues and to bring in regional actors like the Saudis and others to address some of these regional issues. And I think that's the right policy. But I think the relationship with Saudi Arabia will be on the table very, very early.

**Elizabeth Hagedorn [2:29:48]**

I think that is a good note to end on. Because unfortunately, that is all the time we have for today. Matt Duss, I so appreciate you being here with us and for sharing your valuable insight on these issues.

**Matt Duss [2:29:59]**

Thank you. Thank you. My pleasure. Great to talk with you.

**Elizabeth Hagedorn [2:30:01]**

Yeah. And thank you to all who listened in and thank you to POMED for hosting this event. Now I'm going to turn things over to POMED's executive director, Stephen McInerney, who will share some closing remarks.

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**CLOSING REMARKS**

**Stephen McInerney [2:30:14]**

Thanks so much. Thanks so much, Elizabeth, for leading that great discussion, and Matt for sharing your invaluable insight. And I'll just offer some very, very brief concluding thoughts. I'll start with just a point that Matt made, a great point just a few minutes ago, where he noted, while there are many areas of policy, both domestic policy and foreign policy, on which President Trump has reversed ground on U.S. policy, doing the opposite of his predecessors, in reality, in terms of the U.S.-Saudi relationship and roughly unconditional U.S. support for the Saudi regime, President Trump has, in a sense, not done the opposite, in this case of

pre-existing policy, but actually continued the previous policy approach, and in a sense, heightened it in a manner that has made the hypocrisy and the failings of that approach blatant and harder to ignore. And we can hope that this may pave the way for the Biden administration, to in fact, as they've pledged to do, reevaluate the relationship and take U.S. policy meaningfully in a different direction. And I think we've heard a lot of great thoughts and great arguments today about both why that's important for the United States to do, despite the many obstacles and challenges, and about how to do so. And we hope that this discussion will help inform the policy approach of the Biden administration.

I mentioned at the outset today, this is the second of two events this fall on Saudi Arabia—it certainly won't be the last discussion that we convene on Saudi Arabia. We will remain focused on many of these issues moving forward. The next time that we convene an event on Saudi Arabia will be during the Biden administration, and we will continue to track the progress toward the policy goals that they have laid out and to the extent that they incorporate many of the policy recommendations that have been put forth today.

I'd like to finally just thank once again all of our great speakers for joining us today and sharing their analysis, comments, and outstanding policy recommendations. I'd also like to thank our outstanding staff here at POMED for all their hard work to put on this event. Especially point to my colleagues April Brady, Clare Ulmer, and Amy Hawthorne who put in an enormous amount of time and effort to ensuring that today's event was a success and went smoothly. And thanks to all of you in the audience for joining us today, and we look forward to staying in touch with you as we continue to all explore all these issues moving forward. Thanks.