

United States Senate Judiciary Committee  
Subcommittee on the Constitution, Civil Rights and Human Rights

Drone Wars: The Constitutional and Counterterrorism Implications of Targeted Killing

Statement of Farea Al-Muslimi

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Thank you very much, Chairman Durbin and Ranking Member Cruz, for holding this hearing and inviting me here today. I first visited the U.S. Capitol 6 years ago as a 16 year-old, high school exchange student and later to brief congressional staffers on issues related to Yemen. It is a tremendous honor for me to return to the United States Senate to testify today.

My name is Farea Al-Muslimi. I am from Wessab, a remote mountain village in Yemen, about nine hours' drive from my country's capital, Sana'a. Most of the world has never heard of Wessab. But just six days ago, my village was struck by a drone, in an attack that terrified thousands of simple, poor farmers. The drone strike and its impact tore my heart, much as the tragic bombings in Boston last week tore your hearts and also mine.

I have visited locations where U.S. targeted killing strikes have hit their intended targets. And I have visited sites where the U.S. strikes missed their targets and instead killed or injured innocent civilians. I have spoken with grieving family members and angry villagers. I have seen Al Qaeda in the Arabian Peninsula ("AQAP") use U.S. strikes to promote its agenda and try to recruit more terrorists.

I am here today to talk about the human costs and consequences of targeted killing by the United States in Yemen.

**My Background**

My family lives off the fruit, vegetables, and livestock we raise on our farms. We raise cows, goats, sheep, and hens. My father has been a farmer all his life. His income rarely exceeds \$200 per month. He learned to read late in life, but my mother never did.

I have 12 living siblings. I should actually have 19, but we lost seven of my brothers and sisters. Some passed away in delivery due to a lack of quality medical services in our village. Others passed away when they were still young for the same reasons.

My life changed forever in the 9<sup>th</sup> grade when I was awarded a scholarship from the U.S. State Department. The scholarship gave me an opportunity to study English for one year at Amideast, the American English Center in Yemen. This scholarship gave me new opportunities and allowed me to see the world beyond my village for the first time.

I was later awarded a State Department scholarship to the Youth and Exchange Study program, which aims to build peace and understanding between the American people and people in Muslim countries.

That scholarship allowed me to spend a year living with an American family and attending an American high school. The year I spent at Rosamond High School in Rosamond, California was one of the richest and best years of my life.

I made exceptional friends with my American classmates and had the most interesting and enriching experience one could imagine. I filled my days spending time with my American friends, learning about American culture, visiting churches almost every Sunday, learning about Christianity for the first time in my life, managing the school's basketball team, walking the Relay for Life, and even participating in a trick or treat at Halloween. In school, I won the Academic Excellence award in my U.S. History class, even ahead of my American classmates.

The most exceptional experience was coming to know someone who ended up being like a father and is my best friend in the United States. He was a member of the U.S. Air Force. Most of my year was spent with him and his family. He came to the mosque with me and I went to church with him. He taught me about his experiences in America and I taught him about my life in Yemen. We developed an amazing friendship that overcame our very different backgrounds.

Through a third scholarship from the U.S. State Department—the Tomorrow's Leaders scholarship—I was able to go to the most prestigious university in the Middle East, the American University of Beirut, where I recently graduated. The Tomorrow's Leaders scholarship enabled me to complete my undergraduate studies in Public Policy.

### **Working in Yemen as A Journalist, Speaker, and Activist**

I will carry the experiences of my time in America with me for the rest of my life. As a high school student, I served as an ambassador to America for the Yemeni people. After that year, however, I returned home and became an ambassador for Americans to my country. I will happily retain this role for the rest of my life. I am a defender of the American values I learned when I studied and lived in the United States.

Today, I am a writer, speaker, and freelance journalist. I have worked with many local, regional, and international non-governmental organizations, including the National Democratic Institute for International Affairs, USAID, and Resonate! Yemen. At the age of 17, I was elected chairman of the Supporting Democracy Committee in the Yemeni Youth Consultative Council.

One of the most rewarding experiences I have had has been working as a “fixer” for international journalists in Yemen and Beirut. This work has allowed me to help the world learn about the experiences of my friends and neighbors. Most of my work with international journalists has been in the southern provinces of Abyan, Aden, Al-dhalea and Lahj—three of the areas where the United States has focused its so-called “war on terror.”

### **A Drone Strike in My Home Village**

Just six days ago, this so-called war came straight to my village. As I was thinking about my testimony and preparing to travel to the United States to participate in this hearing, I learned that a missile from a U.S. drone had struck the village where I was raised. Ironically, I was sitting with a group of American diplomats in Sana'a at a farewell dinner for a dear American friend when the strike happened. As I was leaving my American friends, both of my mobile phones began to receive a storm of text messages

and calls.

For almost all of the people in Wessab, I'm the only person with any connection to the United States. They called and texted me that night with questions that I could not answer: Why was the United States terrifying them with these drones? Why was the United States trying to kill a person with a missile when everyone knows where he is and he could have been easily arrested?

My village is beautiful, but it is very poor and in a remote part of Yemen. Even though the region it is in is about the same size of Bahrain, there isn't a single meter of asphalt road in it. Developmental projects by the central government rarely reach my village and humanitarian aid from international organizations like USAID never does. I know that most people have never heard of Wessab. But I could never have imagined that it would be the location of a drone strike.

My understanding is that Hameed Meftah, who is also known as Hameed Al-Radmi, was the target of the drone strike. Many people in Wessab know Al-Radmi. Earlier on the night he was killed, he was reportedly in the village meeting with the General Secretary of Local Councilors, the head of the local government. A person in the village told me that Al-Radmi had also met with security and government officials at the security headquarters just three days prior to the drone strike. Yemeni officials easily could have found and arrested Al-Radmi.

After the strike, the farmers in Wessab were afraid and angry. They were upset because they know Al-Radmi but they did not know that he was a target, so they could have potentially been with him during the missile strike. Some of the people that were with Al-Radmi when he was killed were never affiliated with AQAP and only knew Al-Radmi socially. The farmers in my village were angry because Al-Radmi was a man with whom government security chiefs had a close connection. He received cooperation from and had an excellent relationship with the government agencies in the village. This made him look legitimate and granted him power in the eyes of those poor farmers, who had no idea that being with him meant they were risking death from a U.S. drone.

The people in my village wanted Al-Radmi to be captured, so that they could question him and find out what he was doing wrong so they could put an end to it. They still don't have an answer to that question. Instead, all they have is the psychological fear and terror that now occupies their souls. They fear that their home or a neighbor's home could be bombed at any time by a U.S. drone.

In the past, most of Wessab's villagers knew little about the United States. My stories about my experiences in America, my American friends, and the American values that I saw for myself helped the villagers I talked to understand the America that I know and love. Now, however, when they think of America they think of the terror they feel from the drones that hover over their heads ready to fire missiles at any time.

I personally don't even know if it is safe for me to go back to Wessab because I am someone who people in my village associate with America and its values. I don't know whether it is safe to travel to visit my mom because the roads are dangerous.

There is nothing villagers in Wessab needed more than a school to educate the local children or a hospital to help decrease the number of women and children dying every day. Had the United States built a school or hospital, it would have instantly changed the lives of my fellow villagers for the better and been the most effective counterterrorism tool. And I can almost certainly assure you that the

villagers would have gone to arrest the target themselves.

Instead of first experiencing America through a school or a hospital, most people in Wessab first experienced America through the terror of a drone strike. What radicals had previously failed to achieve in my village, one drone strike accomplished in an instant: there is now an intense anger and growing hatred of America.

For me personally, it is deeply troubling, astonishing, and challenging to reconcile that the very same hand that taught me English, awarded me scholarships, and dramatically improved my life is the hand that droned my village, terrified my people, and now makes it harder for them to believe the good things that I tell them about America and my American friends. It is especially frustrating to me because all the United States needed to do was identify Al-Radmi as a target, so that he could've been arrested without the injuries, destruction, and death caused by the drone strike.

### **Visiting with Victims of Targeted Killings**

In my work with foreign journalists, I have visited many areas struck by drones or warplanes that residents believe were dispatched as part of the targeted killing program conducted by the United States. I have traveled most frequently to Abyan, an area in southern Yemen, which had been seized in early 2011 by Ansar Al-Sharia, a group aligned with AQAP. One of my trips to Abyan, with National Public Radio, was in mid-January 2012, just two days after the area was freed from AQAP. Traveling in the area was dangerous, both because some AQAP members had simply gone underground by shaving their beards and remaining in town, and because we did not know whether we might find ourselves in a place where a drone might strike next.

In Abyan and other places in Yemen, I visited many locations where local residents were suffering from the consequences of targeted killing operations. I have met with dozens of civilians who were injured during drone strikes and other air attacks. I have met with relatives of people who were killed by drone strikes as well as numerous eyewitnesses. They have told me how these air strikes have changed their lives for the worse.

In early March 2013, I was working with *Newsweek* in Abyan when I met the mother of a boy named Muneer Muhammed. Muneer, an 18 year old boy, transported goods for shops via his donkey in the local souk of Ja'ar town. He had recently been engaged and was preparing for his wedding. Muneer was at work when a missile hit and killed him in May 2012.

At the time of strike, Muneer's mother was in Lahj. She told me that she could not attend her son's funeral or even see him before he was buried, due to the heavy fighting between the government forces and Ansar Al-Shariah along the road between Lahj and Abyan. In fact, the last time this grieving mother saw her son was when she was shown his dead body on a video from a random eyewitness's phone. She told me, in tears, that if she ever meets the individual who shot the missile, she will "crunch him into pieces" in her mouth.

The people with whom we spoke in Abyan told us that Muneer was not a member of AQAP. But that has not stopped AQAP from trying to use his death to recruit supporters to their cause. Local residents told us that they approached one of Muneer's relatives urging him to join AQAP in order to seek revenge for Muneer's death.

Days after Abyan was freed from AQAP control in June 2012, I met a fisherman named Ali Al-Amodi in a hospital in Aden. The day before, his house in Shaqra, on the sea side of Abyan, was targeted by a U.S. air strike. Al-Amodi told me that he stood helplessly as his 4 year old son and 6 year old daughter died in his arms on the way to the hospital.

Al-Amodi had no links with AQAP. He and other locals said that his house was targeted by mistake. In that same strike, four other children and one woman were killed. Witnesses said none were militants.

Later in June 2012, I visited Al-Makhzan, a town outside of Ja'ar, where a drone strike targeting Nader Al-Shadadi took place. Al-Shadadi is identified by the Yemeni government as a terrorist and a leader of Ansar Al-Shariah. He has been targeted at least three times in different places, but the strikes have missed him every time. This time, it targeted his aunt's house. Neighbors say he was not there, and his aunt's only son was killed. There is no evidence that the son was affiliated with AQAP.

Ma'mon, a 12 year old boy who lives next door and witnessed the aftermath of the strike, had tears in his eyes when he told me how the sound of the strike woke him up that morning. Referring to the drones, he told me how "we hear them every night" and that he is afraid each day that they "will come back."

In Aden, I spoke with Saleh Bin Fareed, one of the tribal leaders present on December 17, 2009 at the site where a U.S. cruise missile targeted the village of Al-Majalah in Lawdar, Abyan. In the poor village that day, more than 40 civilians were killed, including four pregnant women. Bin Fareed was one of the first people to the scene. He and others tried to rescue civilians. He told me their bodies were so decimated that it was impossible to differentiate between the children, the women, and their animals. Some of these innocent people were buried in the same grave as animals.

### **Widespread Impact of Targeted Killing in Yemen**

The killing of innocent civilians by U.S. missiles in Yemen is helping to destabilize my country and create an environment from which AQAP benefits. Every time an innocent civilian is killed or maimed by a U.S. drone strike or another targeted killing, it is felt by Yemenis across the country. These strikes often cause animosity towards the United States and create a backlash that undermines the national security goals of the United States. The U.S. strikes also increase my people's hatred against the central government, which is seen as propped up by the Persian Gulf governments and the United States.

I know that some policy makers in the United States and Yemen claim that AQAP does not use drone strikes as a tool to recruit more people to their cause. This is incorrect. The case of the Toaiman family in Mareb, as reported by NPR based on a trip in which I participated, is one specific example. The Toaiman's oldest son joined AQAP hoping to avenge the death of his father, an innocent civilian killed by a drone strike in October 2011. The son has 28 brothers waiting to do so as well. One of his youngest brothers, a 9 year old, carries a picture of a plane in his pocket. The boy openly states that he wants revenge and identifies his father's killer as "America."

But the main issue is not whether AQAP recruits more terrorists because of drone strikes. AQAP's power and influence has never been based on the number of members in its ranks. AQAP recruits and retains power through its ideology, which relies in large part on the Yemeni people believing that America is at war with them.

Another argument I frequently hear is that drones are more effective than ground forces. But the Yemeni government has not made a serious effort to use ground forces against AQAP in my country. For example, the Counter Terrorism Unit of the Central Security Forces, which was funded and trained by the United States, did not even engage in the fight against AQAP when AQAP controlled the main cities of Abyan for more than a year until mid-2012. On the roads surrounding Abyan, AQAP was fought by poorly equipped, underage soldiers. In fact, I have never seen such a poorly armed and shabby looking army as the one I saw in Abyan. It is well known that the Yemeni Army has more military equipment and better-trained soldiers around other governorates in the south, where AQAP does not have a strong presence.

### **Air Strikes Complicate Internal Yemeni Dynamics**

Whether targeted killings strikes are carried out by U.S. forces or Yemeni forces at the United States' request often makes little difference, especially when strikes kill innocent civilians. Yemenis already have a strained relationship with their own armed forces because of the internal conflicts in our country. (Even though I just turned 23, I have lived through nine wars in my life: six in Sada, one in the southern provinces in 1994, the recent conflict in Abyan, and the 2011 conflict in Sana'a. The U.S. targeted killing program is the 10<sup>th</sup> war I have lived through.) The fact that innocent civilians are dying and the Yemeni army is receiving so much support from the United States strains that relationship even more.

All of this is happening at a critical moment in Yemen, which is being governed by a transitional president after our president of 33 years, Ali Abdullah Saleh, was forced from office during a popular uprising. The transitional phase seeks to maintain national cohesion and unity, but anger and distrust linger underneath the surface, creating ideal conditions for AQAP to grow and undermine progress. AQAP exploited similar divisions in 2011 at the start of the popular uprising. As the central government sought to squelch peaceful protests in Sana'a, the Abyan province fell into the hands of AQAP.

To be clear, the United States is not the only foreign country trying to influence events on the ground in Yemen. The Houthis, a group that is supported by Iran, have been reportedly working to make Yemen's president look like a U.S. puppet, in order to undermine his administration and hinder a peaceful transition. Yemen's transitional president, Abdu Rabu Mansour Hadi, has publicly endorsed U.S. drone strikes, which are widely despised by the Yemeni people. That endorsement was a gift for all the opposition groups wanting to discredit Hadi, whether those groups are aligned with Iran or even AQAP. As President Hadi declared his support for U.S. drone strikes, the Houthis gained credibility in the eyes of thousands of Yemenis.

In another, perverse sense, targeted killings further the goals of AQAP. What AQAP fighters ultimately demand, according to their ideology and distortion of Islam, is heaven and martyrdom. In their minds, when they are targeted and killed by a drone strike, that's exactly what they receive. Instead of effectively combating AQAP's ideology through a comprehensive approach that includes economic and social development, as well as ideological tactics, air strikes amount to a military-only solution.

The drone strikes are the face of America to many Yemenis. If America is providing economic, social and humanitarian assistance to Yemen, the vast majority of the Yemeni people know nothing about it.

Everyone in Yemen, however, knows about America and its drones. Again, this allows AQAP to convince more individuals that America is at war with Yemen.

Drone strikes also distract Yemenis from AQAP, which is the real enemy. They focus all the attention on the sky to the neglect of everything else. Because of drone strikes, ordinary Yemenis who are not affiliated with AQAP live in fear of being targeted. This fear permeates our country and it is shared by the youngest and oldest Yemenis. A middle age man from Rada'a, in central Yemen, said in an interview recently: "In the past, mothers used to tell their kids to go to bed or I will call your father. Now, they say, 'Go to bed or I will call the planes.'"

### **The U.S. War against AQAP Is a War of Mistakes**

If it's not already clear from my testimony today, let me say this very plainly: I hate AQAP. I don't support their ideology. I don't like the way they have distorted my religion. And I despise their methods. The fight against AQAP, however, is not a traditional war. And I fear that these air strikes undermine the United States' effort to defeat AQAP and win the hearts and minds of the Yemeni people. You can't win this war by simply killing more people on the other side. Rather, I see the war against AQAP as a war of mistakes. The fewer mistakes you make, the more likely you are to win. Simply put, with drone strikes, the United States has made more mistakes than AQAP.

To be clear, I am not only referring to the mistake of killing innocent civilians. Of course, the death of an innocent civilian is the most tragic mistake of all. Nevertheless, even when no civilians are harmed, the United States makes a huge mistake when missiles fail to reach their intended target. Drone strikes that miss their targets make these terrorists look brave. They become role models, simply by evading weapons being launched by the greatest military power on earth. Perhaps the greatest source of satire, ridicule, and propaganda against the United States and Yemeni governments occurs when they claim to have killed ranking terrorists, like Saeed Al-Shahri or Nader Al-Shadadi, only to be proven wrong days later.

The United States and Yemeni government could make it harder for terrorists to get the critical support they need and also prevent more civilians from dying by announcing the AQAP members on their lists. I know this would have helped in my village. As a tribal leader from Rada'a, Soliman Al-homikani, told me last month in Sana'a, "[i]f I knew that this person was AQAP, I would never have let him get into my house or even to the area. But since I have no idea who is Qaeda and who is not, I let them in my house, as some have done, and they get targeted: militants and uninformed citizens."

Another lesson is worth mentioning here: AQAP paid the owner of the house in Ja'ar 38,000 Saudi riyals as compensation for causing damage to her house after the air strike. As far as I know, the U.S. government has never paid any sort of compensation to civilian victims in my country and the Yemeni government has paid next to nothing. Here, again, AQAP scores points in the propaganda war while the United States and Yemen do not.

### **Conclusion and Recommendations**

I don't know if there is anyone on Earth who feels more thankful to America than me. In my heart I know that I can only repay the opportunities, friendship, warmth, and exposure your country provided me by being their ambassador to Yemenis for the rest of my life, just as I was an ambassador for Yemenis in America. I strongly believe that I have helped improved America's image, perhaps in ways

that an official ambassador or other diplomat cannot. I have access to ordinary Yemenis. For me, helping the people of my country understand and know the America that I have experienced is a passion and not a career.

I have to say that the drone strikes and the targeted killing program have made my passion and mission in support of America almost impossible in Yemen. In some areas of Yemen, the anger against America that results from the strikes makes it dangerous for me to even acknowledge having visited America, much less testify how much my life changed thanks to the State Department scholarships. It's sometimes too dangerous to even admit that I have American friends.

Late last year, I was with an American colleague from an international media outlet on a tour of Abyan. Suddenly, locals started to become paranoid. They were moving erratically and frantically pointing toward the sky. Based on their past experiences with drone strikes, they told us that the thing hovering above us – out of sight and making a strange humming noise – was an American drone. My heart sank. I was helpless. It was the first time that I had earnestly feared for my life, or for an American friend's life in Yemen. I was standing there at the mercy of a drone.

I also couldn't help but think that the operator of this drone just might be my American friend with whom I had the warmest and deepest friendship in America. My mind was racing and my heart was torn. I was torn between the great country that I know and love and the drone above my head that could not differentiate between me and some AQAP militant. It was one of the most divisive and difficult feelings I have ever encountered.

That feeling, multiplied by the highest number mathematicians have, gripped me when my village was droned just days ago. It is the worst feeling I have ever had. I was devastated for days because I knew that the bombing in my village by the United States would empower militants. Even worse, I know it will make people like Al-Radmi look like a hero, while I look like someone who has betrayed his country by supporting America.

As someone who has lived and worked on this issue very closely, I cannot help but feel that the American and Yemen governments are losing the war against AQAP. Even when drone strikes target and kill the right people, it is at the expense of creating the many strategic problems I have discussed today. Every tactical success is at the expense of creating more strategic problems. I do, however, believe that things can still be fixed. If the United States wants to win the battle against AQAP in Yemen, I strongly suggest that it consider taking the following steps:

- Stop all the targeted killing strikes.
- Announce the names of those already on the “kill list,” so that innocent civilians can stay out of harm's way.
- Issue an official apology to the families of all civilians killed or injured by targeted killing strikes.
- Compensate the families of innocent civilians killed or injured by strikes conducted or authorized by the United States.
- In every village where there has been a targeted killing, build a school or hospital so that the villagers' only experience with America will not be the death and destruction caused by an American missile.

Thank you very much.