

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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SHERYL WULTZ, et al.,

Plaintiffs,

Civ. No. 08-01460 (RCL)

-against-

THE ISLAMIC REPUBLIC OF IRAN, et al.,

Defendant.

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**DECLARATION OF COLONEL (RET.) OFER SAAD**

I, Ofer Saad, of Rishon Letzion, Israel, declare pursuant to 28 U.S.C. § 1746 as follows:

**Introduction**

1. I have been retained by the plaintiffs in above-referenced action to provide sworn testimony, via the instant Declaration, regarding the matters set forth below.

2. I was born in Israel in 1962. Between 1989 and 2009 I served in the Intelligence branch of the Israeli army (known as the “Israel Defense Forces” or “IDF”).

3. I retired from the IDF in 2009 with the rank of Colonel. I am currently a Research Fellow at the Institute for Counter-Terrorism at the Interdisciplinary Center in Herzliya, Israel. I also have a B.A. in Middle Eastern and African Studies from Tel Aviv University, and completed course work toward an M.A. in Security Studies at Tel Aviv University.

4. During most of my service in IDF Intelligence I specialized in Palestinian affairs and terrorism, and served as an officer in a variety of senior positions relating to those topics, including: Head of the Palestinian Sector in the IDF Intelligence Research Division (2005-2009); Adjutant to the Head of IDF Military Intelligence (2001-2005); and Head of the Palestinian Affairs Branch in the IDF Intelligence Research Division (1998-2001).

5. In the course of my service in IDF Intelligence I received and read a massive number of intelligence items (including raw intelligence data obtained from electronic and human sources, as well as intelligence summaries and analyses compiled from such raw data) relating to the activities of the Palestine Islamic Jihad (“PIJ”) and to the material assistance provided to the PIJ by the Syrian government, both generally and specifically in respect to the April 17, 2006 suicide bombing from which this lawsuit arises.

6. The basis for my testimony in this Declaration is the knowledge and information I acquired during my service in the IDF Intelligence Branch and the documents referenced herein.

**The April 17, 2006 Bombing**

7. On April 17, 2006, a suicide bomber sent by the Palestine Islamic Jihad (“PIJ”) terrorist organization blew himself up at a restaurant in the old central bus station in Tel Aviv. Eleven people were killed by the bombing, including Daniel Wultz, and scores were injured.

8. The PIJ publicly took credit for the bombing, and even distributed an audiovisual recording featuring the suicide bomber giving his “last testament” on a background of PIJ flags. The PIJ’s Deputy Secretary-General, Ziyad Nahala, who operated from the PIJ’s headquarters in Damascus, Syria, confirmed that the PIJ had carried out the bombing and threatened that the PIJ would execute additional suicide attacks “in the heart of the Zionist entity” (i.e. – Israel). Some of those involved in abetting the bombing were later captured by Israeli security forces, and were tried, convicted and sentenced by the Israeli courts for their roles. The convictions and other court documents from those prosecutions (which I have examined) show that the bombing was carried out by a PIJ cell based in the city of Jenin, in the West Bank. However, as discussed below, the order to carry out the bombing came from the PIJ’s headquarters in Syria.

**Syria's Provision of Support and Assistance for PIJ Terrorist Attacks**

9. The PIJ was originally established in the Gaza Strip. After being expelled from Gaza in the late 1980s, the PIJ leadership relocated the group's "military" (i.e. terrorist) and political headquarters to Syria, where they have remained until today.

10. Syria's hosting of the PIJ in its territory is consistent with a decades-old policy of support for terrorism. Syria's government has used support for terrorism a tool for achieving its policy objectives since the 1960s. The form of such support has varied over the years in accordance with Syria's needs and the circumstances: at times the Syrian regime used its own agents to carry out terrorist attacks, while at other times Syria used terrorist organizations such as the PIJ as proxies to execute attacks that served its interests. As part of this policy, Syria has for decades hosted in its territory numerous terrorist groups, both Palestinian (e.g. the PIJ, Hamas and the Popular Front for the Liberation of Palestine) and foreign (e.g. the Kurdish terrorist group "PKK").

11. Syria's policy of support for terrorism was initiated by former President Hafez al-Assad, who ruled Syria between 1970 and 2000, and has been continued in full force by his son, current President Bashar al-Assad, who assumed power in 2000 upon his father's death.

12. Under the leadership of President Bashar al-Assad, Syria has engaged in a consistent policy of encouraging and supporting terrorism against Israel by the PIJ and other terror groups. This policy is intended to strengthen the radical Iranian-Syrian axis in the Middle East, to weaken Israel by undermining its society and economy, to bolster the Islamic forces in the region, and to torpedo any chance for an Israeli-Palestinian rapprochement.

13. The PIJ is a small group that focuses almost entirely on terrorism (in contrast to Hamas, for example, which engages in social, educational and other such activities, and has a large human and material infrastructure in the West Bank and the Gaza Strip), and the PIJ has therefore historically lacked a significant indigenous financial or material base in the West Bank or Gaza (and,

of course, has no presence at all in Israel itself). As a result, the PIJ is, and has always been, extremely dependent for its existence and operations on foreign support.

14. Since the late 1980s and until today, two states have provided the PIJ with material assistance: Iran and Syria. Iran's support to the PIJ has been mainly financial, while Syria has provided the PIJ with a geographical base, in Syria, where its leaders and operatives can freely function, train for and organize terrorist attacks. As noted above, in the late 1980s, Syria permitted the PIJ's leaders to enter Syria and to establish and maintain the organization's headquarters in Damascus ever since. This "territorial platform" provided by Syria to the PIJ has been crucial to the PIJ's ability to plan and carry out terror attacks against Israel.

15. The PIJ's headquarters in Syria, located in offices in Damascus are, and since 1995 have been, headed by the two top leaders of the PIJ: Secretary-General Ramadan Shallah and Deputy Secretary-General Ziyad Nahala. Syria shelters Shallah, and allows him to live and run the PIJ freely on its territory, despite the fact that Shallah was listed as a "Specially Designated Terrorist" under U.S. law in 1995, and was indicted in a federal court in Florida in 2003.

16. For decades, Shallah, Nahala and their subordinates have conducted the day-to-day propaganda and political activities of the PIJ from their headquarters in Damascus. More importantly, the Damascus-based leadership of the PIJ has maintained on-going communications and contacts with the PIJ's cells and operatives "on the ground" in the West Bank and Gaza Strip, and provided them with both policy directives and operational instructions – including specific instructions to carry out terrorist attacks – as well as financial support.

17. Simply put: for the past several decades the PIJ's headquarters in Syria has provided both the orders and the funds necessary to PIJ cells in the West Bank and Gaza to carry out terrorist attacks in Israel. Since the mid-1990s, the PIJ has carried out more than 30 suicide attacks against Israeli targets, in which approximately 130 people have been killed.

18. Additionally, for many years now Syria has allowed the PIJ to train its terrorist operatives at Syria's Ein Al-Sahab training camp, located north-west of Damascus. The training provided to PIJ personnel at Ein Al-Sahab includes a broad range of guerrilla and terrorist skills, including the use of weapons and explosives. PIJ trainees at Ein Al-Sahab travel to the West Bank and Gaza Strip upon the completion of their training, where they convey the knowledge they have acquired to other PIJ terrorists and/or use it to themselves carry out terrorist attacks.

19. In sum, during the past decades the Syrian government has provided critical material assistance to the PIJ, which greatly facilitated the PIJ's ability to carry out terrorist attacks in Israel. In light of the facts above it is fair and accurate to say that, if not for Syria's willingness to host the PIJ and allow it to operate and train in its sovereign territory, the PIJ's ability to execute terrorist attacks in Israel – including the April 17, 2006 bombing – would have been severely restricted if not non-existent. Indeed, without the support Syria has given the PIJ since its leaders were expelled from Gaza in the late 1980s, it is questionable whether the PIJ would exist at all today.

**The Involvement of PIJ Headquarters in Syria in the April 17, 2006 Bombing**

20. The April 17, 2006, suicide bombing at issue in this case is a prime example of the direct role played by the PIJ's Syrian-based headquarters in executing terrorist attacks in Israel. The Israeli government learned (in a manner that I am not at liberty to describe or disclose<sup>1</sup>) that the PIJ's headquarters in Damascus specifically ordered PIJ operatives in the West Bank to carry out the April 17, 2006 bombing in which Daniel Wultz was murdered, and that the operatives in the West Bank sent a report back to PIJ headquarters in Syria regarding the bombing after it was carried out.

21. On April 21, 2006, Israeli Prime Minister Ehud Olmert shared this information with a visiting group of American Senators. As the Associated Press reported at the time, Prime Minister

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<sup>1</sup> Indeed, if not for the fact that Prime Minister Olmert subsequently divulged these facts publicly, I would not be at liberty to mention them at all.

Olmert told the Senators that "[t]he order for the Tel Aviv suicide bombing came from Damascus and when the operation was complete the report went back to Damascus." Exhibit 1.

22. Obviously, if Syria had not permitted the PIJ to establish its headquarters and operate on Syrian territory over the past decades, there would have been no PIJ headquarters in Damascus to give the order to carry out the April 17, 2006, bombing, and it is very doubtful whether the PIJ would even have still existed in 2006, after its expulsion from Gaza in the late 1980s.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

February 28, 2012

  
Ofer Saad



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Interim Israeli Prime Minister Ehud Olmert on Friday accused the Syrian and Iranian governments of involvement in a suicide bombing that killed nine people in Tel Aviv this week.

The Islamic Jihad militant group, which is based in the Syrian capital of Damascus, claimed responsibility for Monday's attack.

"The order for the Tel Aviv suicide bombing came from Damascus and when the operation was complete the report went back to Damascus," Olmert told a visiting group of U.S. senators, according to his office.

Olmert also said Iran, which provides funding to Islamic Jihad, and the new Hamas-led Palestinian government bear responsibility for the attack. "There is a channel of communication between Iran, Syria and the Palestinian Authority," he said.

**LOAD-DATE:** April 22, 2006