

Direct Email: guy.martin@carter-ruck.com
Direct Fax: 020 7353 5553

Our Ref: GM/MA/7496.3

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The Washington Times Managing Editor:
cdolan@washingtontimes.com

The Washington Times Editor:
jsolomon@washingtontimes.com

For the attention of Mr Dolan and Mr Solomon

Carter-Ruck

**NOT FOR PUBLICATION
MOST URGENT**

Dear Sirs

Sheikh Yassin Abdullah Kadi

We act for Yassin Kadi who has instructed us concerning an article by Daniel Pipes which appears in the edition of The Washington Times dated 17 June 2014 headed "*Turkey's support for ISIS Islamist terrorists. Aiding jihadists could put Ankara at odds with Iran*".

The article remains posted and available online at the URL:-
<http://www.washingtontimes.com/news/2014/jun/17/pipes-turkeys-support-for-isis/>

Mr Kadi is horrified at the allegations and statements concerning him in your article which are totally untrue. We have advised Mr Kadi that your article is highly defamatory of him.

Your article alleges that:

1. Our client has "*close ties to ISIS*", the militant Sunni Islam group responsible for atrocities in Iraq;
2. Our client has funded ISIS;
3. Our client's alleged *close ties to ISIS* were somehow utilised by Turkish Prime Minister Recep Erdogan who met our client three times.

Each and every one of these allegations is totally untrue. The allegations that Mr Kadi funds and/or supports ISIS or any terrorist organisation, are of the utmost gravity and seriousness. It is difficult to conceive at the present time of a more seriously defamatory allegation to make. It is quite conceivable that as a result of your publication at the present time, Mr Kadi could be subject to death threats.

We are particularly concerned that you have seen fit to publish these highly defamatory allegations of our client without first giving him notice of your intention to do so and, most importantly, thereby depriving him of any opportunity, prior to publication, to respond. Mr Kadi is a prominent Saudi Arabian businessman; it would accordingly have been a simple matter for your journalist to contact him for his response before publishing these outrageous allegations.

We have been acting as Mr Kadi's lawyers since his listing as a supposed financier of Al Qaeda by the US and UK governments in October 2001 and subsequently by the UN pursuant to UN Security Council Resolution 1267.

Carter-Ruck Solicitors

6 St Andrew Street
London EC4A 3AE

T 020 7353 5005
F 020 7353 5553
DX 333 Chancery Lane
www.carter-ruck.com

Partners

Alasdair Pepper
Guy Martin
Nigel Tait
Ruth Collard
Cameron Doley
Claire Gill
Adam Tudor
Isabel Martorell
Stephen Loughrey

Consultant

Andrew Stephenson

Partnership Secretary

Helen Burrluck

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Since October 2001 there have been many lengthy and extensive investigations into Mr Kadi by law enforcement authorities around the world. Despite these Mr Kadi has never been indicted for, tried for, let alone convicted of, any criminal offence anywhere in the world relating to terrorism, or related to any allegation of a connection with or support for Al-Qaeda or Usama bin Laden or the Taliban.

To the contrary: since October 2001 numerous Courts, law enforcement and investigation authorities, as well as supra national bodies around the world such as the United Nations Sanctions Committee have concluded in favour of our client that there is no evidence that our client has ever supported Al-Qaeda or Usama bin Laden or the Taliban. We refer by way of example to the below.

European Union

In its judgment of **18th July 2013** the Grand Chamber of the European Court of Justice ("ECJ", the highest court in Europe) has vindicated Mr Kadi's position. It held that none of the allegations presented against him justified the adoption of the EU's restrictive measures. The ECJ stated:

It is however clear that no information or evidence has been produced to substantiate the allegations of the Muwafaq Foundation's involvement in international terrorism in the form of links with Makhtab al Khidamat/Al Kifah and Al-Qaeda. In such circumstances, the indications of the role and duties of Mr Kadi in relation to that foundation are not such as to justify the adoption, at European Union level, of restrictive measures against him.

United Nations

The above decision followed Mr Kadi's delisting by the UN Al Qaeda Sanctions Committee **on 5 October 2012** following a recommendation to delist him by the UN Ombudsperson, Judge Kimberly Prost. Not a single one of the member states of the UN Al Qaeda Sanctions Committee (including the five permanent members of the Security Council and thus including the USA) objected to Mr Kadi's delisting.

Switzerland

In Switzerland, in **December 2007**, criminal investigations against Mr Kadi were abandoned after an investigation lasting more than six years.

The Financial Analyst engaged by the Swiss Investigating Magistrate had conducted an analysis of all accounts in Switzerland of Mr Kadi and individuals and entities associated with Mr Kadi and concluded in each case that it "*does not reveal blatant signs of terrorist organisation financing activity*" and confirmed that the accounts of Mr Kadi's family members were not transit accounts.

United Kingdom

In the United Kingdom, in **December 2008**, Her Majesty's Treasury Department finally -- after over seven years -- abandoned its domestic designation of Mr Kadi under the Terrorism (United Nations Measures) Order 2001, stating that Mr Kadi "*no longer meets*" the test set out in that Order.

Turkey

In Turkey in **2004 and 2006**, investigations into Mr Kadi were terminated after investigations showed that there were no grounds on which to bring proceedings against Mr Kadi; the Turkish prosecution authorities concluded in three separate decisions dated 24 and 30 December 2004 and 28 December 2006 there were no grounds to prosecute Mr Kadi.

Albania

In Albania in 2004, similar investigations were terminated after it was shown that there were no grounds on which to bring proceedings against Mr Kadi.

USA

The only country where Mr Kadi remains listed is the USA: Mr Kadi has submitted a petition to the Office of Foreign Assets Control (OFAC), a department of US Treasury, and a decision is awaited from OFAC. The true nature of the US listing process was revealed by Mr David Aufhauser a former General Counsel of the US Treasury Department: *"It was almost comical,"* he said. *"We just listed as many of the usual suspects as we could and said, Let's go freeze some assets."*

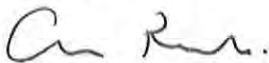
In all his individual, business and charitable activities Mr Kadi has never supported, or intended to support, ISIS or Usama Bin Laden or Al-Qaeda or any terrorist group or activity; nor has he ever broken the laws of any country in which he has lived or operated.

The purpose of this letter is to require you immediately to remove the online version of the article from your website, and to publish in the next edition of The Washington Times a retraction and apology in terms to be approved by our client in order to mitigate the serious damage to his reputation which your article was calculated to cause.

We await hearing from you within the next 7 days. Pending your response our client is reviewing with his legal advisers the options open to him. His decision as to what further action(s) to take regarding this will be determined by the nature and speed of your response to this letter.

We are copying this letter to Mr Kadi's lawyers in Washington DC and in New York. They, and we, have full instructions to take whatever action is necessary to protect Mr Kadi's reputation including if necessary the commencement of court proceedings against you and the publishers of The Washington Times. In the meantime it must be clearly understood that all our client's rights worldwide are fully and expressly reserved.

Yours faithfully



Carter-Ruck

Cc: Daniel Pipes, via e mail: Pipes@MEForum.org

Cc Salerno & Rothstein, New York, via e mail: amyrothsteinlaw@gmail.com

Cc Serena Moe, Wiley Rein, Washington D.C.: via email: smoe@wileyrein.com