

# UMAR PATEK: INDONESIA'S 20 YEAR SENTENCE VERSUS ONE ERRANT DRONE STRIKE

Mark Mazzetti has a fascinating collection of details on drones. In addition to showing drone pilots training in New Mexico practicing by tracking (and therefore incidentally collecting intelligence on) US civilian cars and displaying a real callousness about their video game killing, Mazzetti describes this 2006 drone strike in the Philippines.

Over the years, details have trickled out about lethal drone operations in Pakistan, Somalia and Yemen and elsewhere. But the drone war has been even more extensive. According to three current and former intelligence officials I spoke to, in 2006, a barrage of Hellfire missiles from a Predator hit a suspected militant camp in the jungles of the Philippines, in an attempt to kill the Indonesian terrorist Umar Patek. The strike, which was reported at the time as a "Philippine military operation," missed Patek but killed others at the camp.

The detail is interesting not just because it reveals the scope of our drone war. It also provides an opportunity to compare two possible outcomes for Patek, who built the bombs used in the 2002 Bali bombings: death by drone strike in 2006, versus his conviction in an Indonesian court last year.

The outcome of the trial last month is a mixed bag. Because Patek apologized and argued successfully that he did not have as significant a role as the other conspirators (who have already been executed), he got just a 20 year

sentence. But his conviction brings closure to the 2002 attacks (though it's not clear whether Hambali will ever be charged); compare that with 9/11, where victims still have seen none of the plotters convicted.

So while counterterrorism officials might argue Patek got off easy (and I wouldn't put it beyond the US to render him at the close of his sentence), some kind of justice has been served, which is more than the US can say.

Then there's the possibility that Patek served an added purpose.

At the very least, Patek underwent interrogation in Pakistani custody for 7 months before his extradition to Indonesia. Presumably, he provided intelligence on matters unrelated to the Bali bombings.

But there's a question that has, AFAIK, never been answered. Patek was arrested in January 2011 in Abbottabad, Pakistan. There have always been suspicions that the arrest of Patek in the city Osama bin Laden was hidden out in (Patek reportedly planned to meet OBL) helped to solidify the case that he was in fact the "Pacer" in the compound. Did Patek help the US get OBL?

We can't really compare that to what might have happened had Patek died in 2006. How do you weigh the ongoing training Patek offered in the interim 5 years? How many innocents were killed in that strike in 2006?

But given how much intelligence the CIA appeared to be sustaining on Patek, it seems arrest rather than drone strike might bring additional tangible benefits.