

## **The Alleged Murder of Jamal Khashoggi: Why this case strikes such a nerve**

Carla Ferstman

On 2 October 2018, Jamal Khashoggi, a prominent exiled critic of the Saudi regime and journalist for the Washington Post attended the Saudi consulate in Turkey to retrieve paperwork needed for his impending marriage to Turkish national Hatice Cendiz. Ms Cendiz waited for him outside the consulate in vain; he never emerged. Weeks have now passed and Turkish authorities have [drip-fed a stream of gruesome information](#) about their investigation into Khashoggi's disappearance and apparent murder within the confines of the embassy.

Details which have emerged include the arrival in Turkey of a team of 15 special forces officers and intelligence officials, information about Khashoggi having been [tortured, killed, beheaded and dismembered with a bone saw](#). Apparently, some areas at the Saudi consulate where Khashoggi was last seen alive had been repainted and toxic materials had been found by police. Turkish sources have apparently alleged that the body was transported to the consul general's house nearby and disposed of. On 15 October, [CNN reported](#) that it had been informed by sources that the Saudis are preparing a report that will say that Khashoggi died in a botched interrogation intended to lead to his abduction from Turkey. According to [reports over the last 24 hours](#), US Secretary of State Mike Pompeo has travelled to Saudi Arabia for crisis talks regarding the unfolding situation and is on route to Turkey.

Saudi Arabia is clearly no beacon for human rights. While there is no pecking order for atrocious acts of violence, it is hard to ignore Saudi Arabia's three-year [campaign of indiscriminate bombing of Yemen](#), devastating the civilian population and leading to mass starvation. Nor should we ignore the [spate of beheadings](#) in the country.

So why does the Khashoggi case strike such a nerve?

**Because Khashoggi was someone who sought refuge out of the country.** He should have felt safe. People fleeing state persecution expect to be safe in their countries of exile. Saudi Arabia's targeting of its nationals abroad reminds of other cases some old and some new. In the UK, it reminds of Libya's [shooting at protesters from inside its London embassy](#), resulting in the killing of Metropolitan Police officer Yvonne Fletcher on 17 April 1984. It also bears some similarity with the [spate of Russia orchestrated killings](#), including the poisoning of Bulgarian dissident Georgi Markov in London in 1978, the 2006 murder of Alexander Litvinenko and the more recent targeting of Sergei Skripal and his daughter in Wiltshire. Recently, [UN Secretary-General Antonio Guterres commented](#) about his fear that these types of incidents would become a "new normal". States' extraterritorial targeting of their nationals is a violation of the territorial sovereignty of the countries of refuge; it also stands in stark odds with the concept of asylum and is a significant worldwide threat.

**Perhaps it's because of the diplomatic efforts that seem to be underway to find some acceptable face saving 'narrative'.** The focus on the need for 'face-saving', the emphasis on the political reverberations for international trade and geopolitics - as opposed to the story of the man, who brutally lost his life and his grief-stricken fiancé. The idea that a 'narrative' can be found is a product of the "fake news" society in which we now live, where truth is constructed and is somehow malleable to serve outside objectives. As the [Joint declaration on freedom of expression and "fake news", disinformation and propaganda](#) has set out, "disinformation and propaganda are often designed and implemented so as to mislead a population, as well as to interfere with the public's right to know and the right of individuals to seek and receive, as well as to impart, information and ideas of all kinds." The [right to truth is primordial in disappearance cases](#) – it strikes at the heart of victims' rights, and includes their right to know about the

progress and results of an investigation, the fate or the whereabouts of the disappeared persons, and the circumstances of the disappearances, and the identity of the perpetrator(s). It also encompasses the right to recover the remains. Clearly, the 'right to truth' is obliterated in this 'face-saving' exercise.

**Or perhaps it's because the face saving narrative that seems to have been chosen is so repugnant. The narrative is apparently a 'botched investigation' which unfortunately led to his death (undoubtedly involving torture though no doubt, that won't be part of the narrative). He was supposed to have been rendered to Saudi Arabia, but instead was killed by mistake. This is the 'face-saving' narrative.** Torture of any person is a serious crime, regardless of the circumstances. So is rendition – as we know from the USA's 'High Value Detainee' programme instituted as part of its 'war' on terror. Bundling a journalist onto an airplane in the absence of any legal process (in fact, a kidnapping) is a shockingly bad 'face-saving' exercise. The idea that you can kidnap someone from a country of refuge without any legal process (such as extradition) and without any suggestion of any crime having been committed and believe that this is somehow a positive narrative to conjure up is not only ludicrous, it is a shocking testament of the state of the rule of law.

**Perhaps it's because of what is implicitly being said about journalism and free speech.** Journalism is not a crime.

**Perhaps it's the fact that Saudi Arabia sits on the [UN Human Rights Council](#)** – an inter-governmental body made up of 47 States within the United Nations system responsible for strengthening the promotion and protection of human rights around the globe and for addressing situations of human rights violations and make recommendations on them. Members of the Human Rights Council are elected by the majority of members of the General Assembly of the United Nations. The General Assembly takes into account the candidate States' contribution to the promotion and protection of human rights. The duplicity of this charade undermines the UN system for the protection of human rights and is untenable. Saudi Arabia must be encouraged to recuse itself or must be taken off.

That an independent international investigation must be allowed to take place, as has been [demanded by UN independent experts](#), is clear. But access to evidence will be an issue, as there are a lot of interests seeking to control the story. The UN must remain firm in its resolve to arrive at the full truth.