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The Assassination of Jamal Khashoggi

Policy Analysis Unit | October 2018

The Assassination of Jamal Khashoggi: US-Saudi Relations and the Future of Bin Salman

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Introduction

After eighteen days of denial and misinformation, the Kingdom of Saudi Arabia has finally admitted that Jamal Khashoggi was murdered in its Istanbul Consulate. Khashoggi entered the Saudi consulate on 2 October to access regular consular services without ever coming back out. According to Turkish sources, Khashoggi was lured into the consulate where he was met with a team of 15 Saudi agents, who had travelled from Riyadh in the aim of killing the journalist. His dismembered body is yet to be located. The despicable nature of the crime has attracted unprecedented levels of international political and media interest. Countries such as Iran, China and Russia who have a history of targeting and assassinating critics and journalists have remained silent on the issue. However, Saudi's democratic allies with long traditions of free speech and press have found themselves in a very real crisis, especially the United States. Current evidence suggests that Saudi Crown Prince Mohammed bin Salman may be directly implicated in the assassination of Khashoggi, a US permanent resident and columnist for The Washington Post.

The White House Response

The Trump administration has reacted erratically from the outset, responding to pressure from congress and the media from both sides of the political spectrum to determine the truth about Khashoggi's assassination. At times Trump's various standpoints on the matter have seemed like trial balloons, which he would immediately pull back after receiving a negative reaction. Initially, he tried to ignore the issue, but he was eventually compelled to express his fear over the fate of the Saudi journalist a week after Khashoggi's disappearance. The following day, Trump announced that he had spoken with Saudi officials of the highest level, demanding to know what happened. The White House issued a statement that day claiming that Secretary of State Mike Pompeo and National Security Adviser John Bolton, as well as Jared Kushner, had made contact with Bin Salman and demanded a transparent investigation.¹

On 13 October, Trump threatened to impose heavy sanctions if any Saudi role in the disappearance was proven. After speaking with the Saudi King on 15 October, Trump announced that "rogue killers" may have assassinated Khashoggi.² The next day Trump

¹ "U.S. officials ask Saudi crown prince about missing journalist: White House," *Reuters*, October 10, 2018, accessed 22/10/2018, at: <https://reut.rs/2AnCrL1>

² "Remarks by President Trump Before Marine One Departure," The White House, October 15, 2018, accessed 22/10/2018, at : <https://bit.ly/2PNzW9U>

announced that he had spoken to the Crown Prince, who denied any knowledge of what had happened to Khashoggi. On 17 October, Trump criticized what he considered to be an anti-Saudi bias, with Saudi being treated as guilty until proven innocent.³ He then announced on 18 October that there would be "severe consequences" if any Saudi involvement in Khashoggi's death was proven.⁴ The Saudi authorities then announced on October 20 that Khashoggi had been killed in its consulate in Istanbul in an operation undertaken by individuals outside their control.⁵ Trump expressed confidence in Saudi Arabia's official narrative, but he also stated "there has been deception and there's been lies".⁶

Explaining the White House's Contradictions

The erratic responses from Trump contradict reflect the contrast between the hopes he has invested in his alliance with the Bin Salman regime and the volume of internal pressure exerted by Congress and the media. Trump believes that Bin Salman is a trusted ally and contributed in his rise to power as crown prince in place of Muhammad bin Nayef, along with strong support from the Emirati lobby and continued Israeli approval.⁷ Bin Salman nurtured a close personal connection with Trump's son-in-law and advisor, Jared Kushner. Furthermore, the Trump administration considers Bin Salman a cornerstone of its Middle East policy, which aims at containing Iran, imposing Israeli settlement on the Palestinians, and fighting groups that Washington considers to be terrorists. In addition, Trump has pinned his hopes on major armament and investment deals with Saudi Arabia that have significant financial benefits to the United States. Trump is counting on these deals and investments to improve the US economy and create new jobs that will boost his chances of winning a second term. Consequently, the suspicion that Bin Salman himself was involved in the assassination will certainly affect his plans at home and abroad.

³ Jordan Fabian, "Trump: Saudi Arabia another case of 'guilty until proven innocent'," The Hill, October 16, 2018, accessed 22/10/2018, at: <https://bit.ly/2R3hgDt>

⁴ Jennifer Jacobs and Toluse Olorunnipa, "Trump Says Khashoggi Likely Dead, Warns of 'Severe' Consequences," Bloomberg, October 18, 2018, accessed 22/10/2018, at : <https://bloom.bg/2ypF0L3>

⁵ Euan McKirdy, "Trump questions Saudi account on Khashoggi but praises Crown Prince," October 21, 2018, accessed 22/10/2018, at: <https://bit.ly/2PO8VmT>

⁶ Euan McKirdy, "Trump questions Saudi account on Khashoggi but praises Crown Prince," October 21, 2018, accessed 22/10/2018, at: <https://bit.ly/2PO8VmT>

⁷ Michael Wolff, *Fire and Fury: Inside the Trump White House* (Henry Holt and Company, 2018), p. 184.

Congress is pushing from both sides, Democrat and Republican, for the White House to conduct a comprehensive investigation into the assassination and then to impose tight sanctions on Saudi Arabia and any senior official, including Bin Salman himself, should any involvement be established. Trump has found himself in a weakened position considering the rare Democrat-Republican consensus to sanction Bin Salman.⁸ They have also rejected the Saudi attempt to blame members of their intelligence services who “overstepped their powers”. The statements released by the senior members of both parties, including Trump’s Republican allies, such as Senators Lindsey Graham, Marco Rubio, and current chairman of the Senate’s Committee on Foreign Relations, Bob Corker, reflect the extent of Congress’ anger towards Saudi, going as far as threatening to re-assess US-Saudi relations.

On 10 October, 22 senators from both parties sent a letter to Trump, demanding an investigation into the Saudi role in Khashoggi’s disappearance to calculate the necessity of imposing Human Rights based sanctions on the Kingdom. The Senators requested that Trump activate a clause in the Magnitsky Act for global accountability for Human Rights, which requires them to determine if any foreign person or state was responsible for any physical human rights violations. The signatories also demanded that any investigation “consider any relevant information, including with respect to the highest-ranking officials in the Government of Saudi Arabia.”⁹ According to senator Corker, that includes Bin Salman. Corker indicated that the letter clearly states that the strong alliance between the United States and Saudi Arabia should not prevent sanctions against the kingdom if it is proved to be involved in Khashoggi’s disappearance.¹⁰

The Magnitsky Act stipulates that the President must present his report to the Senate Committee on Foreign Relations no less than 120 days after receiving the Committee’s request to determine the possibility of imposing “sanctions” on any person or state responsible for serious human rights violations. These include torture, prolonged detention without trial, or extrajudicial killing for exercising freedom of expression.¹¹ Accordingly, Trump will be required to submit his report to the Senate in early February 2019. If this obligation is not fulfilled or has not been fulfilled to the Committee’s satisfaction, it has the power to unilaterally impose

⁸ Patrick Temple-West, “Republicans and Democrats find common foe: Saudi crown prince,” Politico, October 21, 2018, accessed 22/10/2018, at: <https://politi.co/2Alm8yk>

⁹ Karoun Demirjian, “Senators call on Trump to impose sanctions in Saudi journalist’s disappearance,” *The Washington Post*, October 10, 2018, accessed 22/10/2018, at: <https://wapo.st/2S8iChx>

¹⁰ Grace Segers, “Bipartisan group of senators calls for investigation into Jamal Khashoggi’s disappearance,” CBS News, October 10, 2018, accessed 22/10/2018, at: <https://cbsn.ws/2QHx7CS>

¹¹ Demirjian.

sanctions on Saudi Arabia and any of its officials. This happened previously in April 2018, when sanctions were imposed on Russia, despite White House opposition.

Congress is supported by the US media as well as Western media in general, especially Britain, France, Germany, the EU as a whole, and Canada, who are demanding a transparent investigation and a tough stance on Saudi Arabia if any involvement is verified.¹² It is clear that the Khashoggi matter has been an outlet for Western resentment towards Saudi policy over the last two years. These policies have manifested in crimes against civilians in Yemen and the detention of rights activists in acts that have embarrassed Western countries claiming to defend human rights. These acts also include the unjustified siege of Qatar, which caused a real crisis in the Gulf and was followed by persistent Saudi attempts to blackmail Gulf Countries and make them subordinate to Saudi-Emirati orders. In addition to a host of other incidents, the Saudi government also displayed remarkable arrogance in dealing with Canadian criticism.

In contrast, Kushner, along with National Security Advisor John Bolton and some forces from the Zionist lobby in the US are pushing to exonerate Bin Salman from personal responsibility, a standpoint closer to Trump's own position. It appears that the Secretary of State, Mike Pompeo, and the Treasury, Steven Mnuchin, also lean towards this position. Reports suggest that Kushner is maintaining contact with Bin Salman and that because of their special relationship, he is trying to avoid the spotlight, especially given the resentment from some senior officials in the Trump administration regarding Kushner's failure to direct Bin Salman's actions.¹³ It also appears that Trump himself has begun to feel the burden of Kushner's relationship with Bin Salman, leading him to try and minimize his role in the incident.

The Saudi relationship with the United States and its desire for US approval are factors that will determine Saudi Arabia's next steps. Yet it seems that the decisive factor for public opinion (including in the US) will be the Turkish position and its response to the Saudi narrative. Whatever Turkey announces, along with the reaction of public opinion will have a significant impact on US and European responses. Turkey seems to have evidence contradicting the Saudi version of events, which the whole world has already rejected while waiting for the Turkish official statement. Saudi Arabia will have to wait for this statement and the subsequent reactions in order to decide on new measures. The fate of Mohammed bin Salman rests on the Turkish announcement.

¹² McKirdy.

¹³ Josh Dawsey, John Hudson and Anne Gearan, "Trump doubts Saudi account of journalist's death: 'There's been deception, and there's been lies'," *The Washington Post*, October 20, 2018, accessed 22/10/2018, at: <https://wapo.st/2yUwMKx>

Conclusion

In an interview with the New York Times on 18 October, Trump made it clear that he believes the ramifications of Khashoggi's murder represent one of the biggest crises in foreign policy of his presidency.¹⁴ It appears that the amount of pressure and the challenges weighing on the President as a result of his defence of the crown prince have significantly weakened his position. This is reflected in how he contradicted himself during the speech he gave about the Khashoggi assassination, and his attempt to put distance between him and Bin Salman, claiming he "barely knew" him.¹⁵ Trump, in the event he does not respond firmly to the crime, or Bin Salman personally, is counting on Congress to fill the vacuum left by his hesitation. This might mean losing his investment in the Saudi crown prince, in addition to going back on promises to his voters to make the Saudis pay for their protection. The issue has also entered US domestic politics in the debate surrounding the midterm elections, which take place in less than two weeks. Consequently, Trump may pay a political price for his attempt to protect the Saudi crown prince. Whatever the outcome, US-Saudi relations are facing an unprecedented crisis. Even if Saudi Arabia escapes harsh US sanctions because of Trump's protection, the kingdom will be exposed more than ever to the threat of blackmail and humiliation, both financially and politically. Saudi leaders will ultimately face the fact that the cost of maintaining Bin Salman has become greater than the benefit.

¹⁴ Mark Landler and Eric Schmitt, "In Break With U.S. Intelligence, Trump Says Saudi Explanation of Journalist's Death Is Credible," *The New York Times*, October 19, 2018, accessed 22/10/2018, at: <https://nyti.ms/2PabouF>

¹⁵ Steve Benen, "Trump reportedly says he barely knows Saudi Arabia's MBS," MSNBC, October 19, 2018, accessed 22/10/2018, at: <https://on.msnbc.com/2J9APr3>