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P8_TA(2018)0434

The killing of journalist Jamal Khashoggi in the Saudi consulate in Istanbul**European Parliament resolution of 25 October 2018 on the killing of journalist Jamal Khashoggi in the Saudi consulate in Istanbul (2018/2885(RSP))**

(2020/C 345/11)

The European Parliament,

- having regard to its previous resolutions on Saudi Arabia, in particular that of 11 March 2014 on Saudi Arabia, its relations with the EU and its role in the Middle East and North Africa ⁽¹⁾, of 12 February 2015 on the case of Raif Badawi ⁽²⁾, of 8 October 2015 on the case of Ali Mohammed al-Nimr ⁽³⁾, of 31 May 2018 on the situation of women's rights defenders in Saudi Arabia ⁽⁴⁾ and those of 25 February 2016 ⁽⁵⁾ on the humanitarian situation in Yemen and of 30 November 2017 ⁽⁶⁾ and 4 October 2018 ⁽⁷⁾ on the situation in Yemen,
- having regard to its recommendation to the Council of 2 April 2014 on establishing common visa restrictions for Russian officials involved in the Sergei Magnitsky case ⁽⁸⁾,
- having regard to the remarks made by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR), Federica Mogherini, on 9 October 2018 at the joint press conference with the Portuguese Minister for Foreign Affairs and on 15 October 2018 in the context of the Foreign Affairs Council, and to her statement on behalf of the European Union of 20 October 2018 on the recent developments on the case of Saudi journalist Jamal Khashoggi,
- having regard to Council Common Position 2008/944/CFSP of 8 December 2008 defining common rules governing the control of exports of military technology and equipment ⁽⁹⁾,
- having regard to the statement of 19 October 2018 by the Spokesman for the UN Secretary-General,
- having regard to the statement of 16 October 2018 by UN High Commissioner for Human Rights Michelle Bachelet urging Saudi Arabia to reveal all it knows about the disappearance of Jamal Khashoggi,
- having regard to the statement of 9 October 2018 by UN experts demanding a probe into the disappearance of Saudi journalist Jamal Khashoggi in Istanbul,
- having regard to the report of the UN Working Group on Enforced or Involuntary Disappearances of 18 October 2018, expressing deep concerns at the new practice of state-sponsored abductions,
- having regard to the statement by the G7 Ministers of Foreign Affairs of 17 October 2018 on the disappearance of Jamal Khashoggi,
- having regard to the joint statement of 14 October 2018 by the foreign ministers of the UK, France and Germany on the disappearance of the Saudi journalist Jamal Khashoggi, and to that of 21 October 2018 on his death,
- having regard to the Saudi Ministry of Foreign Affairs statement on the disappearance of Jamal Khashoggi, a Saudi national,
- having regard to Saudi Arabia's membership of the UN Human Rights Council,
- having regard to the EU Human Rights Guidelines on Freedom of Expression Online and Offline,

⁽¹⁾ OJ C 378, 9.11.2017, p. 64.

⁽²⁾ OJ C 310, 25.8.2016, p. 29.

⁽³⁾ OJ C 349, 17.10.2017, p. 34.

⁽⁴⁾ Texts adopted, P8_TA(2018)0232

⁽⁵⁾ OJ C 35, 31.1.2018, p. 142.

⁽⁶⁾ OJ C 356, 4.10.2018, p. 104.

⁽⁷⁾ Texts adopted, P8_TA(2018)0383.

⁽⁸⁾ OJ C 408, 30.11.2017, p. 43.

⁽⁹⁾ OJ L 335, 13.12.2008, p. 99.

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- having regard to the International Covenant on Civil and Political Rights (ICCPR),
 - having regard to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,
 - having regard to the Arab Charter on Human Rights, ratified by Saudi Arabia in 2009,
 - having regard to the Vienna Convention on Consular Relations of 1963,
 - having regard to the Universal Declaration of Human Rights (UDHR) of 1948,
 - having regard to the award of the Sakharov Prize for Freedom of Thought and Expression to the Saudi blogger Raif Badawi in 2015,
 - having regard to Rule 123(2) and (4) of its Rules of Procedure,
- A. whereas the prominent Saudi journalist Jamal Khashoggi had been missing since entering the consulate of Saudi Arabia in Istanbul on 2 October 2018 to obtain documents necessary for his marriage, and had not been seen since, despite the Saudi officials initially saying that he left the building; whereas extremely worrying information regarding his fate has come to light, prompting allegations of a possible extra-judicial killing and state-sponsored murder;
- B. whereas Saudi Arabia at first denied any involvement in Jamal Khashoggi's disappearance, but following heavy international pressure admitted that his killing took place in its consulate in Istanbul;
- C. whereas on 19 October 2018, the Saudi Public Prosecutor stated that 'investigations into the case are continuing, [...] to hold all those involved in this case accountable and bring them to justice'; whereas the Saudi Foreign Minister stated on 21 October 2018 that the operation was accomplished by individuals exceeding the authorities and responsibilities they have, and that the Saudi authorities were determined to punish all those responsible for the murder; whereas Mohammad Bin Salman Al Saud's complete control over the security services makes it highly unlikely that an operation would have been undertaken without his knowledge or control;
- D. whereas there are allegations, described by the Saudi authorities as 'baseless' and 'absolutely false', that CCTV footage was removed from the consulate, that all Turkish staff were ordered to take a day off, that parts of the consulate have now been repainted after Jamal Khashoggi's disappearance, and that 15 Saudi individuals, most of whom reportedly with links to the Crown Prince Mohammad bin Salman, the state security services, the military or other government ministries, arrived and left Istanbul on two chartered planes on 2 October 2018, the day Jamal Khashoggi disappeared;
- E. whereas following Jamal Khashoggi's disappearance, obstacles were put in place by the Saudi authorities to undermine a prompt, thorough, effective, impartial and transparent investigation; whereas only after international pressure and an agreement with the Turkish authorities were investigators allowed to examine inside the Saudi consulate on 15 October 2018 and given access to the consul general's residence on 17 October 2018;
- F. whereas Turkish and Saudi officials have announced a joint investigation into Jamal Khashoggi's disappearance; whereas UN experts have called for an international and independent probe into his disappearance; whereas the European Union and its Member States have insisted on the need for a continued thorough, credible and transparent investigation, in order to shed proper light on the circumstances of the murder of Jamal Khashoggi and to ensure that all those bearing responsibility are held fully to account;
- G. whereas the targeting of Jamal Khashoggi by Saudi agents at the Saudi consulate in Istanbul is a flagrant violation of the Vienna Convention on Consular Relations of 1963, Article 55(2) of which states that consular premises 'shall not be used in any manner incompatible with the exercise of consular functions'; whereas Article 41 of the same convention states that diplomatic immunity can be annulled in cases of a 'grave crime', on the decision of a competent court;
- H. whereas Saudi Arabia and Turkey are both party to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and are obliged to take all measures to prevent torture, enforced disappearances and other serious human rights violations, to investigate allegations of acts constituting these crimes, and to bring to justice those suspected of committing them; whereas under the UN Convention, the particular crime of the killing of Jamal Khashoggi is subject to universal jurisdiction and any suspects can therefore be arrested anywhere in the territory of the signatory countries and, if applicable, tried in their domestic courts;

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- I. whereas freedom of opinion and expression of the press and media, both online and offline, are fundamental rights of every human being and are crucial preconditions and catalysts for democratisation and reform and essential checks on power; whereas free, diverse and independent media are essential in any society to promote and protect human rights; whereas journalists' work in uncovering abuses of power, shedding light on corruption and questioning received opinion often puts them at specific risk of intimidation and violence;
- J. whereas the killing of journalist Jamal Khashoggi is part of a pattern of a widespread crackdown against prominent human rights defenders, women activists, lawyers, journalists, writers and bloggers, which has intensified since the Crown Prince Mohammad bin Salman began consolidating control over the country's security institutions; whereas the authorities are seeking the death penalty for several of these activists; whereas surveillance systems and other dual-use items have been used to track and trace the movements of human rights defenders and critics in Saudi Arabia; whereas Saudi journalists and defenders based outside the country, including in Western capitals, have faced threats to their families in Saudi Arabia;
- K. whereas the Saudi regime is, at the same time, running an expensive international media campaign, portraying itself as a modernising force and announcing reforms, while the system still remains undemocratic and discriminatory; whereas several high-profile speakers, sponsors and media partners cancelled their participation ahead of the Future Investment Initiative conference held in Riyadh in October 2018, amid outrage over the disappearance of Jamal Khashoggi;
- L. whereas the Saudi regime has on several occasions pressured, coerced and threatened countries and international organisations, and has blocked international independent investigations in response to criticism from those countries and organisations regarding human rights violations in Saudi Arabia or international humanitarian law violations committed in Yemen;
- M. whereas the German Chancellor stated on 21 October 2018 that Germany would put arms exports to Saudi Arabia on hold for the time being, given the unexplained circumstances of Jamal Khashoggi's death;
 1. Condemns in the strongest possible terms the torture and killing of Jamal Khashoggi and extends its condolences to his family and friends; urges the Saudi authorities to disclose the whereabouts of his remains; recalls that the systematic practice of enforced disappearances and extrajudicial killings constitutes a crime against humanity;
 2. Calls for an independent and impartial international investigation into the circumstances of the death of Jamal Khashoggi; calls on those responsible to be identified and brought to justice, following a fair trial to be held in accordance with international standards before an impartial court and with international observers present;
 3. Is extremely concerned about information on Jamal Khashoggi's fate and the implication of Saudi agents; takes note of the ongoing investigation by Turkish and Saudi officials and encourages further joint efforts; calls on the Saudi authorities to fully cooperate with the Turkish authorities and urges the Turkish authorities, for their part, to make all the information available in order to clarify exactly what happened on 2 October 2018, beyond the hypotheses;
 4. Reiterates that if the disappearance and murder of Jamal Khashoggi is attributed to Saudi agents, both state entities and individuals must be held to account; calls on the VP/HR and the Member States, in this regard, to stand ready to impose targeted sanctions, including visa bans and asset freezes against Saudi individuals, as well as human rights sanctions against the Kingdom of Saudi Arabia, once the facts have been established; insists that any such sanctions should target not only the perpetrators but also the masterminds and inciters of this crime;
 5. Is concerned that the disappearance of Mr Khashoggi is linked to his criticism of Saudi policies in recent years; reiterates its call on the Saudi authorities to open up to fundamental rights, including the right to life and the right to free expression and peaceful dissent;
 6. Urges the VP/HR, the European External Action Service (EEAS) and the Member States to conduct a structural dialogue with Saudi Arabia on human rights, fundamental freedoms and the country's troubling role in the region within the framework of EU relations with the Gulf Cooperation Council;

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7. Condemns the Saudi authorities' ongoing harassment of human rights defenders, activist lawyers, journalists, clerics, writers and bloggers both within and outside the country, which undermines the credibility of the reform process in Saudi Arabia; insists that the Saudi authorities take the necessary steps to allow everyone to exercise their rights freely without any judicial harassment or any other reprisals, such as threats to their families; calls on the Saudi authorities to immediately and unconditionally release all human rights defenders and other prisoners of conscience detained and sentenced for merely exercising their right to freedom of expression and carrying out their peaceful human rights work;
 8. Underlines the importance of defending freedom of expression, both online and offline, a free press and ensuring the protection of journalists; stresses that threatening, attacking or killing journalists is unacceptable under any circumstances and is a matter of the utmost concern;
 9. Reminds the Saudi authorities of their international obligations under the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights and the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
 10. Urges the EU and its Member States to take a strong position at the next Human Rights Council meeting in Geneva, at which, on 5 November 2018, Saudi Arabia will present its human rights record under the Universal Periodic Review; reiterates its call for the EU Member States to propose at the UN Human Rights Council the appointment of a Special Rapporteur on human rights in Saudi Arabia; calls for the Member States to take the initiative at the next Human Rights Council meeting to raise the issue of membership by states with deeply questionable human rights records, including Saudi Arabia; deplores the vote of several Member States in support of Saudi Arabia's membership of the Human Rights Council;
 11. Strongly supports the initiative to create an EU global human rights sanctions regime against human rights abusers worldwide, which would entail targeting individuals through visa bans and asset freezes; expects concrete deliverables from the conference organised by the Dutch authorities to launch the initiative, scheduled to take place in The Hague in November, and encourages the Member States and the EEAS to fully back this proposal;
 12. Calls on the Saudi authorities to immediately and unconditionally release Raif Badawi, as he is considered a prisoner of conscience, detained and sentenced solely for exercising his right to freedom of expression; calls on EU authorities to raise the issue of his case in any high level contact there may be and to set up an interinstitutional task force with the relevant actors, including the EEAS and EU delegation, in order to step up efforts to secure his release;
 13. Calls for a moratorium on the death penalty; calls for a review of all death sentences to ensure that the trials in question adhered to international standards;
 14. Calls on the Council to reach a common position in order to impose an EU-wide arms embargo on Saudi Arabia and to respect Common Position 2008/944/CFSP; calls for an embargo on the export of surveillance systems and other dual-use items that may be used in Saudi Arabia for the purposes of repression;
 15. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the European External Action Service, the UN Secretary General, the UN High Commissioner for Human Rights, the Government of Turkey, His Majesty King Salman bin Abdulaziz Al Saud, the Crown Prince Mohammad Bin Salman Al Saud, the Government of the Kingdom of Saudi Arabia, and the Secretary-General of the Centre for National Dialogue of the Kingdom of Saudi Arabia; calls for this resolution to be translated into Arabic.
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