

Subject	Saudi Arabia - Update on Jamal Khashoggi
From	[redacted]
To	First Minister; Cabinet Secretary for Culture, Tourism and External Affairs; Minister for Europe, Migration and International Development
Cc	[redacted]; [redacted]; [redacted]; Tynte-Irvine C (Claire); Watt K (Karen) (Director for External Affairs); [redacted]; [redacted]; [redacted]; Minister for Trade, Investment and Innovation; Thomson KAL (Ken); Ditchburn L (Liz); Quinlan K (Kevin); Pathirana S (Stephen) (Dr); [redacted]; [redacted]; [redacted]
Sent	20 November 2018 14:52

PS/First Minister

PS/Cabinet Secretary for Culture, Tourism and External Affairs

PS/Minister for Europe, Migration and International Development

Saudi Arabia – Update on Murder of Journalist Jamal Khashoggi

On Thursday last week, Saudi Arabia's public prosecutor concluded that an intelligence officer ordered Jamal Khashoggi's murder, and not Crown Prince Mohammed bin Salman. A spokesman said that the officer was tasked with persuading the dissident journalist to return to Saudi Arabia and that Khashoggi was given a lethal injection after a struggle in the Saudi consulate in Istanbul on 2 October. The public prosecutor has charged 11 people over the murder and is seeking the death penalty for five of them.

There has been reporting in the US over the last few days that the CIA has concluded that the Saudi Crown prince did in fact order the killing of Jamal Khashoggi. The CIA's assessment was first reported on Friday by the Washington Post. The President on Saturday was reported as saying the CIA assessment was "very premature" but "possible". The President also confirmed he will receive a complete report on the case on Tuesday (19/11).

State Dept spokeswoman Heather Nauert said in a statement: "recent reports indicating that the US government has made a final conclusion are inaccurate."

The UK Permanent Undersecretary visited Riyadh on 11 November as the Prime Minister's Envoy on the Khashoggi killing. The Saudis affirm their sincere intention to deliver credible investigation, accountability for those responsible, and restructure of national security systems to prevent a repeat.

The UK Foreign Secretary then visited Saudi Arabia and UAE on 12 November to intervene directly with senior Saudi, Emirati, Yemeni and Omani leaders on the humanitarian crisis in Yemen. He also reinforced the Permanent Undersecretary's message on the Khashoggi killing.

The credibility and integrity of the Saudi investigation and subsequent judicial action is clearly paramount in moving the position forward. We will offer a further note if there are significant developments in the case.

[redacted]

Regards

[redacted]

Subject	RE: Int Devpt Debate on Thursday - Saudi Arabia / trade
From	[redacted]
To	[redacted]; [redacted]; [redacted]; Tynte-Irvine C (Claire); [redacted]; [redacted]; [redacted]
Cc	Pathirana S (Stephen) (Dr); [redacted]; [redacted]; [redacted]; [redacted]; [redacted]
Sent	23 October 2018 12:01

[redacted] – apologies. Just noticed the line in your FMQ, that covers the RE point:

- We share the widespread international concern following the disappearance of Jamal Khashoggi, and in light of those concerns SDI will not be proceeding with this particular appointment.

[redacted]

From: [redacted]

Sent: 23 October 2018 11:54

To: [redacted]; [redacted]; [redacted]; Tynte-Irvine C (Claire) <[redacted]@gov.scot>; [redacted]; [redacted]; [redacted]

Cc: Pathirana S (Stephen) (Dr) <[redacted]@gov.scot>; [redacted]; [redacted]; [redacted]; [redacted]; [redacted]

Subject: RE: Int Devpt Debate on Thursday - Saudi Arabia / trade

Just catching up again this am, re my interests for Thursday's ID debate on policy coherence / "do no harm":

1. [redacted], many thanks, and I'll include your FMQ note on oil & gas in Scotland in our briefing pack for Mr Macpherson.
2. I note that there is a separate FMQ in my own Division specifically on Jamal Khashoggi, wider Saudi relations and with lines on arms sales.
3. I'm still missing something on the announcement I heard on Sunday re the **RE expert to Saudi plan being dropped** <http://thenational.scot/news/16997954.holyrood-cuts-saudi-post-over-jamal-khashoggi/> - **who will have that briefing please?**

Thanks

[redacted]

From: [redacted]

Sent: 22 October 2018 13:47

To: [redacted]; [redacted]; [redacted]; Tynte-Irvine C (Claire) <[redacted]@gov.scot>

Cc: Pathirana S (Stephen) (Dr) <[redacted]@gov.scot>; [redacted]; [redacted]; [redacted]; [redacted]

Subject: RE: Int Devpt Debate on Thursday - Saudi Arabia / trade

[redacted] – our emails just crossed. Sending again for benefit of wider copy list (and also [redacted], who has emailed my colleague [redacted] on this same issue)

We included a reference to the SDI/ONE in market specialists in our standard weekly Oil & Gas FMQ note (attached). I spoke with [redacted] a few minutes ago and agreed that we would leave it to your directorate to consider whether something standalone or separate is required to address wider issues around this.

[redacted]

From: [redacted]

Sent: 22 October 2018 13:41

To: [redacted]; [redacted]; Tynte-Irvine C (Claire) <[redacted]@gov.scot>; [redacted]

Cc: Pathirana S (Stephen) (Dr) <[redacted]@gov.scot>; [redacted]

Subject: RE: Int Devpt Debate on Thursday - Saudi Arabia / trade

Claire/[redacted]

I understand that on the specific issue of the in-market SDI post, energy colleagues are leading on that. I'm copying [redacted] who should be able to advise on specific lines.

[redacted]

From: [redacted]

Sent: 22 October 2018 12:59

To: [redacted]; [redacted]; Tynte-Irvine C (Claire) <[redacted]@gov.scot>

Cc: Pathirana S (Stephen) (Dr) <[redacted]@gov.scot>; [redacted]

Subject: RE: Int Devpt Debate on Thursday - Saudi Arabia / trade

Hi [redacted]

I'm not in the office today. NWD. Just came online this am due to concerns re growing heat re Saudi. And not in a place I can speak at the mo. Not till 5ish. And typing at speed so pls forgive any abrupt tone! Claire and [redacted] will be cover on this today whilst I'm off.

[redacted]

Thanks

[redacted]

From: [redacted]

Date: Monday, 22 Oct 2018, 12:52 pm

To: [redacted]

Cc: Pathirana S (Stephen) (Dr) <[redacted]@gov.scot>, [redacted]

Subject: RE: Int Devpt Debate on Thursday - Saudi Arabia / trade

Hi [redacted]

[redacted]

[redacted]

From: [redacted]

Sent: 22 October 2018 11:07

To: Burgess WG (George) <[redacted]@gov.scot>; Pathirana S (Stephen) (Dr) <[redacted]@gov.scot>; [redacted]; [redacted]; [redacted]; [redacted]; [redacted]; [redacted]; [redacted]; [redacted]; [redacted]; [redacted]; Tynte-Irvine C (Claire) <[redacted]@gov.scot>; [redacted]

Cc: [redacted]

Subject: Int Devpt Debate on Thursday - Saudi Arabia / trade

Importance: High

All,

We have a debate in Parliament on Thursday on our inaugural Contribution to International Development Report, led by our Minister Ben Macpherson. With Saudi Arabia still very live in the news, I noticed Ross Greer over the weekend in particular tweeting re “Saudi Arabia’s arms dealer manufacturers from Fife”. And that SDI had cancelled its RE expert proposal for SA.

Could we please get a core brief on Saudi Arabia, arms sales from Scotland, and ethical trade policies for our Minister to have for the debate? By lunchtime tomorrow if possible please. This will almost certainly be raised by Ross Greer in Chamber, as he has previously raised ethical trade and other SG policies in committee when SG’s commitment to policy coherence for development has been raised. (policy coherence for development being that “flow through” of work to support/not harm developing countries, across govt).

The context here is that our Report takes a holistic look at a wide cross-section of Scottish Government international development activity, and presents it within the context of the UN Global Goals. In the Report we consider some of the “do no harm” policies that SG already has in place, eg our Climate Change policies, and then also report on the “additional positive contributions” that other Directorates make (eg Water, Health and Climate Justice Fund) on top of our own international development funding and work. The point that may therefore be made in debate is that SG’s “do no harm” policy falls down when it comes to trade policies, with Minister asked to answer that.

Many thanks

[redacted]

Report

<https://beta.gov.scot/publications/contribution-international-development-report-2017-18/>

Motion

That the Parliament notes the publication of the Scottish Government's first Contribution to International Development Report, for 2017/18, which presents the Scottish Government's contributions to international development in collaboration with partners, particularly in partner countries Malawi, Zambia, Rwanda and Pakistan, in support of the UN Global Goals; notes the cross-cutting themes on policy coherence for development in areas such as health, education, climate change and human rights, whilst safeguarding beneficiaries; welcomes the significant contributions of international development organisations, civic society, universities, NHS Scotland and Police Scotland to global citizenship and collaborative international development initiatives; believes ongoing collaborations with DFID, Comic Relief and other donors, and co-creation of international development initiatives with NHS Scotland, Police Scotland, universities, civil society organisations and others, will continue to strengthen Scotland's position as an outward-looking, committed global citizen; notes that Scotland should continue to provide a positive and progressive voice in the world, for compassion, tolerance, diversity and social justice; and reaffirms strong support for Scotland's distinct and collaborative contribution to international development, to help tackle global challenges including poverty, injustice and inequality.

[redacted]

Subject	RE: FMQ - Saudi Arabia Draft 22.10.18
From	[redacted]
To	[redacted]
Sent	23 October 2018 09:35

Yes, but SDI or DITI should really lead on developing it – you’d need to check it with them before circulating.

[redacted]

From: [redacted]

Sent: 23 October 2018 09:32

To: [redacted]

Subject: RE: FMQ - Saudi Arabia Draft 22.10.18

Thanks [redacted] – would something like this be ok?

- In light of the appalling circumstances surrounding Mr Khashoggi’s death, the Scottish Government took the decision to suspend plans to appoint an energy specialist to boost exports to Saudi Arabia.

From: [redacted]

Sent: 23 October 2018 09:22

To: [redacted]

Subject: FMQ - Saudi Arabia Draft 22.10.18

[redacted],

I've made a couple of tweaks. If this does come up, I think we'll be asked about the decision to suspend the recruitment of the trade specialist [redacted], so we probably need a line or two on that.

I spoke to [redacted]— he said that when this is ready to go up, we should circulate this with the lines in red. Copy Cab Sec, Comms, [redacted] and [redacted] and include a request in the covering email for them to confirm they are content with the lines. We can then develop the lines and amend the FMQ as necessary.

[redacted]

The FMQ Brief referred to in this email chain is below:

FMQ Brief: Saudi Arabia

ISSUE: Jamal Khashoggi was a Saudi-born journalist who worked for the government, but eventually became one of its most prominent critics. On 2nd October 2018, Mr Khashoggi attended the Saudi Arabian Consulate in Istanbul and did not emerge. The Saudi Arabian government has acknowledged that Mr Khashoggi died inside the Consulate, claiming this was the result of a "rogue" operation to confront expat dissidents. Saudi Arabia continues to strongly insist that no member of the Royal family was involved in, or authorised, the operation.

The UK, France and Germany issued a joint statement expressing shock at the death and demanding a full explanation. US President Donald Trump said there had been "deception" and "lies" in Saudi Arabia's explanation.

There are no current proposals for Scottish Government diplomatic engagements with Saudi Arabia. This week, the Scottish government suspended plans to appoint an energy specialist to boost exports to Saudi Arabia.

Top Lines

- The Scottish Government is appalled by the confirmation of the death of the journalist Jamal Khashoggi in the Saudi Arabian Consulate in Istanbul. Along with the UK Government, we condemn this unjustifiable killing in the strongest terms.
- Attacks on press freedom and threats against journalists are unacceptable and it is essential that the investigation into Mr Khashoggi's death is allowed to continue unimpeded, and that the perpetrators are brought to justice.
- The Scottish Government and its enterprise agencies do not provide funding for the manufacture of munitions.
- Our agencies' support is focused on helping firms to diversify and to develop non-military applications for their technology.
- The Scottish Government expects all states to comply with fundamental and human rights law.

We do not fund the manufacture of munitions.

- The Scottish Government and its enterprise agencies do not provide funding for the manufacture of munitions.
- We define munitions as weapons or ammunition – particularly for military use.
- We have been very clear in our expectation that the UK Government should properly police the export of arms.
- We have also been clear they should investigate whenever concerns are raised.
- That is a reserved matter which the Scottish Government has no control over.

The Scottish Government recognises the importance to the Scottish economy of the aerospace, defence and shipbuilding sectors.

- Our agencies' support is focused on helping firms to diversify and to develop non-military applications for their technology.
- With over 16,000 employees, the aerospace, defence and shipbuilding sectors, make an important contribution to the Scottish economy.

Scotland has a strong and enduring commitment to securing democracy, the rule of law and fundamental human rights across the world.

- The Scottish Government expects all states to comply with fundamental and human rights law.
- We condemn abuses wherever they occur, and work to give practical, day-to-day effect to human rights and fundamental freedoms.
- The UN Guiding Principles on Business and Human Rights set out the state duty to protect human rights.
- The Scottish Government is working with the Scottish Human Rights Commission, Scottish Enterprise and other partners to develop a National Action Plan to implement the Guiding Principles in Scotland.

Subject	RE: Urgent: Note on Jamal Khashoggi/SG Saudi activity
From	Tynte-Irvine C (Claire)
To	[redacted] ; Watt K (Karen) (Director for External Affairs)
Cc	[redacted]
Sent	23 October 2018 09:39

Thanks **[redacted]** again,

Karen – on the due diligence point, having discussed with the FCO's Head of Human Rights last week I think our current practice (material in the Public Finance Manual on investment approaches and guidance requiring our hubs to review their partners' reputations and connections) is somewhat ahead of what they require.

[redacted]

[redacted]

From: **[redacted]**

Sent: 23 October 2018 08:39

To: Watt K (Karen) (Director for External Affairs) <**[redacted]**@gov.scot>

Cc: **[redacted]**; Tynte-Irvine C (Claire) <**[redacted]**@gov.scot>

Subject: RE: Urgent: Note on Jamal Khashoggi/SG Saudi activity

Thanks Karen – SDI will give us a full update this morning for the FMQ note, but we wanted Ms H to have an update in advance of Cabinet.

I'll check in with the FCO on the due diligence point.

From: Watt K (Karen) (Director for External Affairs)

Sent: 23 October 2018 08:35

To: [redacted]

Cc: [redacted]; Tynte-Irvine C (Claire) <[redacted]@gov.scot>

Subject: RE: Urgent: Note on Jamal Khashoggi/SG Saudi activity

[redacted], it would be good to get the detail of SDI's planned activity. What exactly does the 'due diligence' comment mean, what tests do FCO apply to business activity in that regard?

Karen

[redacted]

From: [redacted]

Date: Tuesday, 23 Oct 2018, 8:12 am

To: Cabinet Secretary for Culture, Tourism and External Affairs <[redacted]@gov.scot>

Cc: [redacted], [redacted], [redacted], [redacted], Tynte-Irvine C (Claire) <[redacted]@gov.scot>, Quinlan K (Kevin) <[redacted]@gov.scot>, [redacted], Pathirana S (Stephen) (Dr) <[redacted]@gov.scot>, [redacted], [redacted], [redacted], [redacted], [redacted], [redacted], [redacted], [redacted], [redacted], [redacted], [redacted], [redacted], [redacted], Watt K (Karen) (Director for External Affairs) <[redacted]@gov.scot>, [redacted], Minister for Europe, Migration and International Development <[redacted]@gov.scot>, Minister for Trade, Investment and Innovation <[redacted]@gov.scot>

[redacted]

PS/Cabinet Secretary,

Please find attached an update on the killing of Jamal Khashoggi and current FCO advice on engagements with Saudi Arabia. Officials are currently working to clarify the extent of SG activity involving links to Saudi Arabia and will provide further advice in due course.

Kind regards,

[redacted]

The note referred to in the email above is below:

23 October 2018

DEXA

Cabinet Secretary,

To provide an update on the killing of the Saudi-born journalist, Jamal Khashoggi and its implications for Scottish Government business:

Saudi Arabia - Jamal Khashoggi killing

Who was Mr Khashoggi?

Jamal Khashoggi was a Saudi-born journalist who worked for the government, but eventually became one of its most prominent critics. It is generally accepted that he worked for the Saudi intelligence services at various points during his life, and he was extremely well-connected – to members of the royal family, and the intelligence services both in his home country and in the West.

He worked for a number of Arab media outlets and, during his career, became a critical political commentator, falling foul of the Saudi establishment and being removed from the editorship of a prominent newspaper. He worked for a number of international news outlets including the BBC and Al Jazeera.

In 2016, he was banned from appearing on television in Saudi Arabia, and asserted that the government had also tried to enforce a Twitter ban on him. He fled the country and relocated to the US, when he began working for the *Washington Post*, continuing to publish articles critical of the Saudi state, its various diplomatic disputes and the war on Yemen. In 2018, he established a new political party called *Democracy for the Arab World Now*, and wrote that Saudi Arabia:

"should return to its pre-1979 climate, when the government restricted hard-line Wahhabi traditions. Women today should have the same rights as men. And all citizens should have the right to speak their minds without fear of imprisonment."¹

The killing

On 2nd October 2018, Mr Khashoggi attended the Saudi Arabian Consulate in Istanbul to obtain documents relating to a previous divorce. He did not emerge from the building and was reported missing. Reports began to circulate that he had been attacked and killed inside the Consulate, and that his body had been dismembered and removed. The Saudi authorities asserted that he had simply left via a back entrance, insisting that such reports were "baseless".

However, on 19th October, it was acknowledged by an anonymous Saudi official that:

- A 15 member team had travelled to Turkey to "confront" Mr Khashoggi as part of an initiative to "persuade" expatriate dissidents to return home;
- The team had gone "rogue", threatening Mr Khashoggi, who subsequently resisted and was restrained;
- As a result of the restraint he lost consciousness and died; his body was disposed of; and
- An investigation would be conducted, and five senior Saudi officials would be immediately removed from their posts.

It was later announced that 18 people had been arrested in connection with the investigation. Saudi Arabia continues to insist that no member of the Royal family was involved in, or authorised, the operation.

International Reaction

In a Washington Post interview on Saturday, US President Donald Trump said there had been "deception" and "lies" in Saudi Arabia's explanation, having previously said he found their initial denial and narrative to be credible. He raised the possibility of imposing sanctions but said halting an arms deal would "hurt us more than it would hurt them".

¹ *The Washington Post*. 6 October 2018

The UK, France and Germany issued a joint statement expressing shock at the death and demanding a full explanation, saying: "Nothing can justify this killing and we condemn it in the strongest possible terms."

German Chancellor Angela Merkel has said she will not allow arms exports to Saudi Arabia to continue given "the current circumstances", and Canadian Prime Minister Justin Trudeau has threatened to cancel a multi-billion dollar defence contract with the kingdom over the affair.

The Secretary of State for International Trade, Liam Fox, French finance minister Bruno Le Maire, Dutch finance minister Wopke Hoekstra, United States Secretary of the Treasury Steven Mnuchin, International Monetary Fund Managing Director Christine Lagarde all withdrew their participation in the Saudi Future Investment Initiative conference, due to take place this week. The Government of Canada has also indicated that they have no intention of sending anyone to the conference. A number of leading businesses and international finance executives have also confirmed they will no longer attend.

Turkish President Recep Erdogan has indicated that he will make a statement to Parliament on the progress of the investigation today (23rd October).

[redacted]

There are no current proposals for Scottish Government diplomatic engagements with Saudi Arabia.

SDI currently maintains an office in Al Khobar, Saudi Arabia, and had been in the process of recruiting for a trade specialist in the region to focus on the oil and gas sector. As you are aware, a decision was taken over the weekend to suspend that recruitment process in light of the current situation.

VisitScotland is currently in talks with Emirates Airlines to run a 4 day project in Edinburgh which will involve a Saudi social media influencer promoting Scottish leisure activities to his 1.2m online followers. This project has been assessed as low-risk, and VisitScotland have undertaken the requisite due diligence in relation to the influencer's trip to Scotland.

We are still collating information regarding other collaborations across SG, but initial indications are that ongoing activity is limited. **We will provide an update and further advice in due course.**

Action:

You are invited to note the position.

[redacted]

Joint statement by Foreign Secretary Jeremy Hunt, Foreign Minister Jean-Yves Le Drian of France and Foreign Minister Heiko Maas of Germany:

The violent death of Jamal Khashoggi, within the premises of the Saudi Consulate General in Istanbul had been feared for many days but its confirmation still comes as a shock.

Nothing can justify this killing and we condemn it in the strongest possible terms.

Defending freedom of expression and a free press are key priorities for Germany, the United Kingdom and France.

The threatening, attacking or killing of journalists, under any circumstances, is unacceptable and of utmost concern to our three nations.

Our thoughts are today with Mr Khashoggi's family, his fiancée, and his friends - who have worried about him for weeks, and to whom we extend our most heartfelt condolences.

We take note of the Saudi statement which gives their preliminary findings.

Yet there remains an urgent need for clarification of exactly what happened on October 2nd – beyond the hypotheses that have been raised so far in the Saudi investigation, which need to be backed by facts to be considered credible.

We thus stress that more efforts are needed and expected towards establishing the truth in a comprehensive, transparent and credible manner.

We will ultimately make our judgement based on the credibility of the further explanation we receive about what happened and our confidence that such a shameful event cannot and will not ever be repeated.

We therefore ask for the investigation to be carried out thoroughly until responsibilities are clearly established and that there is proper accountability and due process for any crimes committed.

We will stay in close contact with our Saudi partners in that regard.

The quality and significance of the relationship we have with the Kingdom of Saudi Arabia also rests with the respect we have for the norms and values to which the Saudi authorities and us are jointly committed under international law.

Subject	RE: IMMEDIATE - Note - Jamal Khashoggi and Saudi Arabia
From	[redacted]
To	Tynte-Irvine C (Claire)
Cc	[redacted]
Sent	22 October 2018 18:21

No worries – I’m going to head home now, but I’ll work on it when I get to the house.

[redacted]

From: Tynte-Irvine C (Claire)

Sent: 22 October 2018 18:18

To: [redacted]

Cc: [redacted]; [redacted]

Subject: RE: IMMEDIATE - Note - Jamal Khashoggi and Saudi Arabia

Importance: High

Thanks [redacted],

Just seen! Would you mind reworking slightly to reflect the details of the SDI action? Plus noting the framework will follow. I would cut down a little on the narrative detail as it's less appropriate this late in the day.

Can we get to [redacted] asap tomorrow as ideally Ms Hyslop wd see ahead of Cabinet.

[redacted]

[redacted]

From: [redacted]

Sent: 22 Oct 2018 4:33 pm

To: "Tynte-Irvine C (Claire)" <[redacted]@gov.scot>

Cc: [redacted]; [redacted]

Subject: IMMEDIATE - Note - Jamal Khashoggi and Saudi Arabia

Hi Claire,

Please find attached a note, which I've drafted to send to Cab Sec, Mr Macpherson and Mr McKee – should be helpful for your call at 1700. Meanwhile, [redacted] is collating responses to the FMQ commission, so hopefully we should be able to meet their deadline tomorrow morning.

Let me know if I can do anything else.

[redacted]

[redacted]

