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ASSASSINATION

AN INCREASINGLY UNINHIBITED INSTRUMENT OF POWER

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ABSTRACT

The noticeable growth in the use of assassination as a political tool poses important questions about the role and limits of covert actions in international relations. These operations, located at the high end of the spectrum of capacities of intelligence services, constitute one of the most significant violations both of the national sovereignty of the country where an assassination takes place and of the most fundamental rights of individuals. This note examines six assassinations, sponsored by democratic or authoritarian regimes since 2010, with the goal of improving our understanding of the reasons for their use. Our analysis shows that even though intelligence services cannot always ensure the secrecy of these operations, their covert nature nevertheless provide their sponsors with a form of deniability. The majority of political and diplomatic costs born of the assassinations examined here seem to fade in time and therefore are negligible from the point of view of a political decision-maker. Given these conditions, we conclude that the use of assassination as a political tool is likely to become more widespread in the coming years.

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INTRODUCTION: COVERT ACTIONS AND INTERNATIONAL RELATIONS

Traditional espionage activities such as recruiting sources are often illegal as they target a sovereign state, but they are generally also tolerated in line with the general principle of “*pas vu, pas pris*” – no consequences for crimes unseen. When these intelligence-gathering activities are detected, the fallout is usually handled bilaterally and discretely between intelligence services. At the high end of the spectrum of intelligence activities, these routine operations give way to riskier ones such as propaganda and disinformation campaigns, delivery of arms, and the provision of logistical support to rebels. At the extreme of this scale – in which each notch represents an additional degree of violence – are the coup d’état and assassination.¹ These covert actions do not seek to gather information about the world, but to influence its state. By definition, they are “planned and executed so that the role of the government is not apparent or acknowledged publicly,”² but this effort at concealment does not guarantee absolute secrecy. In fact, this type of operations and their effects are often visible and noted locally, but their *modus operandi* shields policy-makers from certain repercussions associated with publicity.³ They also allow the sponsoring state to free itself from some international norms including sovereignty and human rights. However, when they are uncovered and made public, these extreme operations are likely to provoke significant crises.

This research note focuses on a specific type of state-led covert action of particularly high risk: assassination, which can be defined as a type of extrajudicial killing committed with premeditation by state bodies and carried out for political ends.⁴ This type of killing is far from new. The People’s Commissariat for Internal Affairs (NKVD), the Soviet political police, assassinated revolutionary-turned-dissident Léon Trotsky in 1940 in Mexico.⁵ In 1960, the French *Service de Documentation Extérieure et de Contre-Espionnage* (SDECE) assassinated Félix Moumié, the exiled leader of the Union of the Peoples of Cameroon.⁶ Israel’s Mossad, for their part, assassinated members of the Black September Organization who were responsible for holding Israeli athletes hostage and killing them in September of 1972, during the Olympic games in Munich.⁷

1. Loch K. Johnson, “Covert Action and Accountability: Decision-Making for America’s Secret Foreign Policy,” *International Studies Quarterly*, 1989, vol. XXXIII, p. 84.

2. Ronald Reagan, Executive Order 12333, 1981.

3. Michael F. Joseph and Michael Poznansky, “Media technology, covert action, and the politics of exposure,” *Journal of Peace Research*, vol. LV, n. 3, 2018, p. 322.

4. This definition is inspired by Andris Banka and Adam Quinn, “Killing Norms Softly,” *Security Studies*, vol. XXVII, 2018, p. 666.

5. Pavel and Anatoli Soudoplatov, *Missions spéciales : Mémoires du maître-espion soviétique Pavel Soudoplatov*, Paris, Seuil, 1994.

6. Général Grossin (former president of the SDECE) referenced in Pascal Kropp, *Les Secrets de l’espionnage français*, Paris, Payot & Rivages, 1995, p. 508-509.

7. George Jonas, *Vengeance: The True Story of an Israeli Counter-Terrorist Team*, New York, Simon & Schuster, 2005; Simon Reeve, *One Day in September*, New York, Arcade, 2011.

Assassination is distinct from other forms of “elimination,” a more neutral term that simply describes the act of killing.⁸ In the wake of the September 11th, 2001 attacks, the “global war on terrorism” was accompanied by a resurgence of the use of “targeted killing” as a military tactic. The increase in the use of targeted killing generated an important debate on its legality under international law, but also on its effectiveness in the fight against terrorism.⁹ Research shows that the effectiveness of eliminating the leaders of terrorist groups depends on the degree of organization of the group itself.¹⁰ But the majority of strikes that form the core of this debate are considered by the states that carry them out as military operations, which means that they do not constitute covert actions.¹¹ Assassination, as defined in this note, is characterized by a covert *modus operandi* that breaches the law of the country where operation takes place and shields the country that sponsored the operation.

The following section presents our analytical framework. The core of the research note discusses assassinations carried out by democratic and authoritarian regimes. Our analysis illuminates the limits of covertness, the consequences of assassinations, and ultimately their use to further political ends.

ANALYTICAL FRAMEWORK

This study focuses on state-sponsored assassinations that are carried out covertly. By definition, these killings are not officially recognized by their sponsor. Based on the premise that assassination is above all a political tool, this note seeks to evaluate the consequences stemming from that specific type of covert action. Our objective is to develop an analytical framework that applies to various contexts to draw more general conclusions about the use and limitations of assassination as an instrument of power. We adopt a traditional definition of power as the ability to assert one’s will over another actor by limiting the options available to them.¹²

To evaluate the use of assassination in international relations, our study examines six cases. Our selection strategy focuses on recent cases that illustrate contemporary state practices (post-2001). Our sample was also determined by the availability of documentary sources.¹³ This sampling is biased in that only those covert operations that received media

8. The literature on covert operations employs a series of euphemisms that can cause confusion. Of note is the fairly neutral term “lethal action” in some American texts, as well as “wetwork” (*mokroye delo*), a more general term that also covers some kinds of sabotage, in the Russian vocabulary.

9. For example, see: Jean-Baptiste Jeangène Vilmer, “Légalité et légitimité des drones armés,” *Politique étrangère*, 2013, n. 3, p. 119-132; Bryan C. Price, “Targeting top terrorists: How leadership decapitation contributes to counterterrorism,” *International Security*, vol. XXXVI, n. 4, 2012, p. 9-46; Jenna Jordan, “Attacking the leader, missing the mark: Why terrorist groups survive decapitation strikes,” *International Security*, vol. XXXVIII, n. 4, 2014, p. 7-38.

10. Bryan C. Price, “Targeting top terrorists: How leadership decapitation contributes to counterterrorism,” *International Security*, vol. XXXVI, n. 4, 2012, p. 9-46; Jenna Jordan, “Attacking the leader, missing the mark: Why terrorist groups survive decapitation strikes,” *International Security*, vol. XXXVIII, n. 4, 2014, p. 7-38.

11. White House, [Remarks by President Trump on the Killing of Qasem Soleimani](#), 3 janvier 2020.

12. Dario Battistella, Jérémie Cornut, Élie Baranets, *Théories des relations internationales*, Paris, Presses de Sciences Po, 2019, p. 541; Charles-Philippe David and Olivier Schmitt, *La Guerre et la Paix*, 4th ed., Paris, Presses de Sciences Po, 2020, p. 26.

13. At least three viable sources, often articles published by respected French or English-language news citing government sources, or occasionally investigative pieces such as those produced by the journalism site *Bellingcat*.

coverage and have a clearly identified state sponsor were included, two facts that might constitute a form of operational failure. While this sample does not represent the broader universe of cases of state-sponsored assassination, it allows us to explore and explain different types of assassination and their consequences.¹⁴ The use of relatively heterogeneous cases – of assassinations carried out by different countries against diverse targets – allows us to observe whether certain tendencies are replicated across differing conditions in order to draw robust conclusions without pretending to make claims that apply to the entire universe of state practices in this domain.¹⁵

Evaluating the success of a covert operation depends on how success itself is defined by political authorities, intelligence practitioners, and outside observers. In the majority of cases, outside observers can only speculate about the policy objectives pursued by the state sponsor in order to evaluate the effectiveness of a covert action. Intelligence researchers generally distinguish between the short and long-term consequences of such operations.¹⁶ In the short term, the success of an assassination operation that receives media coverage (which would already constitute a form of failure for some practitioners) can be measured by two criteria: the elimination of the target and the ability of operatives to leave the host country. This narrow and purely tactical definition of success can prove attractive to some commanders,¹⁷ but it is incomplete because it overlooks the repercussions of the operation. Assessing medium and long-term consequences of an operation (beyond one year) is more complicated because some are difficult to track and delineate. In the longer term, the effects of an operation are yet more difficult to disassociate from those caused by the multitude of policies and phenomena that affect international relations. In every case, strategic success depends on a variety of socio-political factors that reach far beyond the scope of one single covert action. The evaluation of the success of any covert action, therefore, varies depending on the importance attached to one or another of their consequences.¹⁸

The approach taken in this note is limited to describing the context and the development of various cases of assassination known through their media coverage, as well as identifying their most visible consequences. Our analysis takes four main dimensions into account: power (the ability to influence a target's actions), public opinion, legality, and diplomacy.¹⁹ For each operation, we consider the costs and benefits of the assassination operation from the point of view of the state sponsor. This approach does not take into account the consequences in terms of human life, nor in terms of long-term image.

14. Robert K. Yin, *Case Study Research. Design and Methods*, London, Sage, 2009, p. 56.

15. We have limited the sample of cases to one assassination for each state sponsor.

16. Loch Johnson, "National Security Intelligence in the United States: A Performance Checklist," *Intelligence and National Security*, vol. XXVI, n. 5, 2011, p. 613; Rory Cormac and Richard Aldrich, "Grey is the new black: covert action and implausible deniability," *International Affairs*, vol. XCIV, n. 3, 2018, p. 493.

17. See in particular: Gregory Treverton, "Covert Action: From 'Covert' to Overt," *Daedalus*, vol. CXVI, n. 2, 1987, p. 109; William J. Daugherty, *Executive Secrets: Covert Action and the Presidency*, Lexington, University Press of Kentucky, 2004, p. 23-45.

18. Rory Cormac, Calder Walton and Damien Van Puyvelde, "What constitutes successful covert action? Evaluating unacknowledged interventionism in foreign affairs," working paper, 2020.

19. Naturally, some of these dimensions are more difficult to take into account than are others, just as they are less relevant to certain cases, which is revealing.

The case studies are organized by regime type and laid out chronologically. We make a distinction between those operations sponsored by democratic regimes (the United States, Israel) and those by authoritarian or autocratic regimes (Russia, North Korea, Turkey, Saudi Arabia).²⁰ This approach allows us to explore the hypothesis that the types of assassination and their consequences, as well as the most pertinent evaluation criteria, vary according to the type of regime that ordered them.²¹ In particular, we can expect that the costs of an assassination operation at the national level (public opinion, illegality) will be negligible in authoritarian regimes.

Our analysis reveals that even if the use of covert means does not conceal the state that sponsored an operation, they nevertheless protect the state's policy makers regardless of regime type. In other words, the covert character of these operations shields decision-makers from the political, diplomatic, and even legal ramifications of an assassination. Moreover, the majority of these costs seems to fade over time, while the benefits seem as immediate (elimination of a target) as they can be subjective (a perception of security or power). We conclude that the use of assassination as a political tool will probably become more widespread in coming years.

DEMOCRATIC REGIMES

Assassination of Mahmoud al-Mabhouh (2010)

On the 20th of January, 2010, Mahmoud al-Mabhouh's body was found lifeless in his hotel room in Dubai. One of the founding fathers of the Izz ad-Din al-Qassam Brigades, the military wing of Hamas, he had, among other things, allegedly ordered the kidnapping and killing of two Israeli soldiers at the beginning of the first Intifada (1987-1993). Mahmoud al-Mabhouh was also an essential actor in the flow of arms to the Islamist movement in the Gaza Strip.²²

• Operation

An investigation carried out by the Emirati authorities concludes that Mahmoud al-Mabhouh was sedated and killed the day before being found. Surveillance video footage allowed for the identification of 11 Israeli operatives as of February 2010, followed by a further 16 people who provided logistical support. These individuals travelled on Western passports (twelve British, six Irish, four French, three Australian,²³ one German), some of which usurped real identities.²⁴

20. The Economist Intelligence Unit, "[Democracy Index 2019](#)." See too Freedom House, "[Freedom in the World 2020](#)."

21. This hypothesis is inspired by the theory of international relations: Dario Battistella, Jérémie Cornut, Élie Baranets, *Théorie des relations internationales*.

22. Avi Issacharoff & Amos Harel, "Mystery explosion kills senior Hamas militant in Dubai," *Haaretz*, 3 February, 2010.

23. Jason Koutsoukis, "ASIO targets new spy suspects," *Sydney Morning Herald*, 27 February 2010.

24. "Assassinat de Dubaï : 3 passeports français ont été utilisés," *Le Nouvel Observateur*, 25 February 2010.

• *Consequences*

The assassination of Mahmoud al-Mabhouh took place against a backdrop of the continuing fight led by the Israeli services against threats posed to their country by the Palestinian armed struggle.²⁵ In the short term, the operation removed the figurehead of a logistical network providing weapons to Hamas. It also demonstrated the ability of the Israeli services to identify, track, and disrupt such networks – a message that was relayed across the globe following the Emirati authorities' decision to publish surveillance videos showing the officers involved in this operation along with their passport photos.²⁶ Although these revelations that seem to implicate Mossad constitute a type of operational failure, they also allowed Israel to signal its determination in the fight against Palestinian terrorism and the international networks that support it.

While Interpol put out wanted notices against the identified suspects, France and Germany launched legal proceedings for forgery, which were largely unsuccessful.²⁷ Two Palestinians who allegedly provided logistical support to the operation were arrested in Dubai, as well as an individual suspected of being an Israeli agent who was later released on bail in Germany.²⁸ Some of the individuals involved in the operation seem to have had subsequent difficulties maintaining their anonymity.²⁹

At the diplomatic level, while Hamas was quick to accuse Israel, the British Foreign Secretary, David Miliband, stated in March of 2010 that “there are compelling reasons to believe that Israel was responsible for the misuse of British passports.”³⁰ For his part, the Irish Foreign Minister stressed in June 2010 that the investigation “clearly points to the involvement of a foreign state agency” and that there was “compelling evidence” that Israel was responsible.³¹ Great Britain, Ireland, and Australia each expelled an Israeli diplomat, but France did not. Israel did not expel any diplomats in response.³² No economic sanction was taken against Israel and despite some diplomatic tensions, Israeli political authorities and decision makers were at no point worried by the repercussions of the operation.

Although Israeli public opinion did not seem to question the policy of assassinations carried out by the intelligence services, the revelation of the details of this operation tarnished Mossad's image both abroad and at home, where, in a rare turn of events, the press called for the resignation of the director.³³ Three months after the operation, Prime Minister

25. Ronen Bergman, *Rise and Kill First: The Secret History of Israel's Targeted Assassinations*, New York, Random House, 2019, chap. 35.

26. Gulf News, “[The Murder of Mahmoud Al Mabhouh](#),” published online 24 June 2014.

27. “Assassinat de Dubaï : le diplomate israélien expulsé par Londres appartient au Mossad,” *La Dépêche*, 23 March 2010.

28. Associated Press, “[Dubai Police: Suspect in Hamas Assassination Arrested Abroad](#),” *Hareetz*, 11 October 2011.

29. “[Two arrested for assassination of Mahmoud Al-Mabhouh are living freely in the UAE](#),” *Middle East Monitor*, 16 June 2017.

30. Hélène Mulholland, Julian Borger and Mark Tran, “[‘Compelling evidence’ Israel was behind misuse of UK passports in Hamas hit – David Miliband](#),” *The Guardian*, 23 March 2010.

31. Irish Department of Foreign Affairs, [Statement regarding investigations into the fraudulent use of passports](#), 15 June 2010.

32. “Britain expels Israeli diplomat over Dubai passport row,” AFP, 23 February 2010.

33. “[Does Mossad really make Israel safer?](#),” *The Economist*, 25 February 2010; Dan Williams, “[After Dubai hit, Israelis question Mossad methods](#),” Reuters, 17 February 2020.

Netanyahu declined to re-appoint Meir Dagan to his role as Mossad Director.³⁴ Meanwhile, Hamas and pro-Palestinian movements worked to publicize the operation widely and present Mahmoud al-Mabhouh as a “martyr”³⁵ with an eye to turning a tactical defeat into a public communication victory.

Assassination of Anwar al-Awlaki (2011)

Anwar al-Awlaki was an American citizen born in New Mexico to a family of Yemeni origin. He practiced as an Imam in several States before relocating to London in 2002 and again to Yemen in 2004. Beginning in 2006, he used social media to spread English-language calls to jihad; his rhetoric might have inspired Umar Farouk Abdulmutallab, who attempted to detonate explosives hidden in his underwear on a flight to Detroit in December 2009, and it might have incited the perpetrator of the Fort Hood shooting to act in November of that year.³⁶

• Operation

On September 30, 2011, Anwar al-Awlaki’s vehicle was hit by a missile in the Yemeni governorate of al-Jawf. Despite all indications pointing to the fact that the missile was fired by an American drone, the United States did not officially acknowledge the strike until May of 2013.³⁷

• Consequences

The *modus operandi* of the operation left little room to doubt the involvement of the United States. Although the Obama administration refused to comment, *The New York Times* revealed that the “targeted killing” of an American citizen had been authorized as early as 2010.³⁸ A legal and a public debate ensued on the legality of killing an American citizen outside the territory of the United States.³⁹ According to the Justice Department, the executive branch has the power to order such an operation when the target represents an imminent threat of violent attack against the United States, and on the conditions that the capture of the target is not feasible and that the killing complies with the law of armed conflict.⁴⁰

Numerous critics point out how the broad interpretation the executive branch made of the notion of “imminence” of an attack, as well as the lack of checks on that interpretation.⁴¹

34. “Mossad Chief Meir Dagan to Step Down,” *Haaretz*, 26 June 2010.

35. See for example: Ezzedeen Al-Qassam Brigades, “[Pictures of the martyr Mahmoud Al Mabhouh](#).”

36. On November 5, 2009 Nidal Malik Hasan, a US Army psychiatrist, opened fire inside Fort Hood, killing 13 people. Although he maintained regular correspondence with al-Awlaki, it has not been established that the latter instigated the attack. For a detailed profile of al-Awlaki see: Christopher Heffelfinger, “Anwar al-’Aulaqi: Profile of a Jihadi Radicalizer,” *CTC Sentinel*, vol. III, n. 3, 2010, p. 1-4.

37. *Le Monde* with AFP, “Washington reconnaît finalement avoir tué l’imam Al-Aulaqi,” *Le Monde*, 22 May 2013.

38. Scott Shane, “U.S. Approves Targeted Killing of American Cleric,” *The New York Times*, 6 April 2010.

39. Peter Finn, “[Secret U.S. memo sanctioned killing of Aulaqi](#),” *The New York Times*, 30 September 2011.

40. U.S. Department of Justice, Office of Legal Counsel, [Memorandum for the Attorney General, Re: Applicability of Federal Criminal Laws and the Constitution to Contemplated Lethal Operations Against Shaykh Anwar al-Aulaqi](#), 16 July 2010.

41. For a detailed legal analysis, see Robert Chesney, “Who May Be Killed? Anwar al-Awlaki as a Case Study in the International Legal Regulation of Lethal Force,” *Yearbook of International Humanitarian Law*, vol. XIII, 2011, p. 3-60.

Despite these criticisms, the Obama administration continued to make extensive use of “targeted killings,” which constituted one of the principle tools in the “global war on terrorism.”⁴² Their strategic effectiveness remains a subject of debate.⁴³

To this day, it is impossible to say whether the Yemeni government consented to this operation. Although the American armed forces and intelligence community undertook multiple joint operations with the Yemeni forces beforehand, it is likely that the administration in Yemen was not openly involved in this case in order to minimise the risk of political tensions between and among local tribes and religious groups.⁴⁴ In any case, the apparent violation of Yemen’s sovereign territory and airspace did not lead to diplomatic reprisals or to economic sanction against the United States. At most, America’s use of “targeted killings” fueled a sustained public debate on their legality, their morality, and their effectiveness.⁴⁵ The use of covert action, particularly in the form of CIA strikes, helped to minimise diplomatic, legal, and political risks as much within the United States as in the country on whose soil operations took place and in the international community at large.

AUTHORITARIAN REGIMES

Assassination of PKK Activists in Paris (2013)

The Kurdistan Workers’ Party (PKK), which promotes Kurdish autonomy from the Turkish state, is considered to be a terrorist organization by Ankara and by the European Union.⁴⁶ Sakine Cansız, co-founder of the PKK, became a political refugee in France beginning in 1998 after she spent a dozen years in prison in Turkey. The hosting of several Kurdish militants in France is a matter of periodic complications in the bilateral relationship between France and Turkey. In 2012, Turkey launched direct discussions with the PKK, despite strong opposition from a portion of the Turkish state apparatus.⁴⁷

• Operation

One year before the assassination, Ömer Güney, a young Turkish man who had lived in France since childhood, built up familiarity with members of the PKK in Paris, gaining their trust and working for them as a driver as well as providing various other minor services. On the 9th of January, 2013, he shot Sakine Cansız and two other activists, Fidan Doğan and Leyla Söylemez, with multiple bullets to the head at the *Centre d’information du Kurdistan* in Paris.⁴⁸

42. Peter Bergen, David Sterman, Melissa Salyk-Virk, “[America’s Counterterrorism Wars. Tracking the United States’ Drone Strikes and Other Operations in Pakistan, Yemen, Somalia, and Libya](#),” *New America Foundation*, 30 March 2020.

43. *Supra* note 10.

44. Dana Priest, “US military teams, intelligence deeply involved in aiding Yemen on strikes,” *The Washington Post*, 27 January 2010, A1.

45. Trevor McCrisken, “Obama’s Drone War,” *Survival*, vol. LV, n. 3, 2013, p. 97-122.

46. Council of the European Union, [Decision 2008/583/CE](#), 17 July 2008.

47. Jake Hess, “[Turkey’s PKK talks](#),” *Foreign Policy*, 8 January 2013.

48. Laure Marchand, “Sur la piste des commandos d’Erdogan,” *L’Express*, 16 May 2018.

• *Consequences*

Ömer Güney was arrested and jailed. He died of complications from a brain tumor in December of 2016, one month before the start of his trial. Although legal proceedings could not take place, the investigation revealed likely involvement on the part of the Turkish national intelligence organization (the MIT) in “the instigation and the preparation of the murders. As a matter of fact, it is established that Ömer Güney had links to espionage activities, that he had numerous secret contacts with one or more individuals in Turkey [...]. However, it should be noted that the investigations have not made it possible to establish whether these MIT officers took part in these activities in an official manner, with the approval of their superiors, or whether they did so unbeknown to their employer, in order to discredit their service or harm the peace process.”⁴⁹ Nevertheless, Turkish press published a note attributed to the MIT, calling for “strike/sabotage/attack” against “Sakine Cansız alias Sara.”⁵⁰

At the diplomatic level, the bilateral relationship between France and Turkey did not suffer publicly from the affair. In the short term, the triple murder seemed to threaten the entire community of PKK activists in exile abroad. If we concede that this operation was ordered by the MIT, it shows the ability and determination of the Erdogan regime to hobble the activities of the PKK. However, we could question to what extent such an operation genuinely stifled those activities. As for the process of negotiations between Ankara and the PKK, it is difficult to make a connection between these assassinations and its failure, given that the negotiations were exceedingly complex even setting aside developments in the Syrian civil war.⁵¹

Assassination of Kim Jong-nam (2017)

Kim Jong-nam was the half-brother of the North Korean dictator Kim Jong-un. He was their father’s heir apparent, but fell out of favor with the regime and Kim Jong-un was favored over him. In exile from 2003, Kim Jong-nam seemed to cast a critical eye over the regime and was open about his criticisms with the press.⁵² He reportedly served as a source for the CIA.⁵³

The assassination of Kim Jong-nam occurred within the context of North Korean nuclear escalation; Kim Jong-un’s regime proceeded with tests in January and September of 2016, and again in September 2017, along with several ballistic missile launches.

49. Soren Seelow, “Assassinat de militantes kurdes à Paris : la justice souligne l’implication des services secrets turcs,” *Le Monde*, 22 July 2015.

50. Maxime Azadi, “Le décès d’Omer Guney était-il programmé?,” *Médiapart*, 4 January 2017.

51. For a detailed account of the negotiations, see: İ. Aytaç Kadioğlu, “The Oslo Talks: Revealing the Turkish Government’s Secret Negotiations with the PKK,” *Studies in Conflict & Terrorism*, vol. XLII, n. 10, 2019, p. 915-933.

52. “[Kim Jong-nam Says N. Korean Regime Won’t Last Long](#),” *Chosun Ilbo*, 17 January 2012.

53. Warren P. Strobel, “[North Korean Leader’s Slain Half Brother Was a CIA Source](#),” *The Wall Street Journal*, 10 June 2019.

• *Operation*

On the 13th of February 2017, two women approached Kim Jong-nam at the Kuala-Lumpur airport and sprayed him with the deadly nerve agent, VX. The two women who were directly involved in the poisoning were arrested three days later, in the same airport, by the Malaysian authorities. Both from modest backgrounds in Indonesia and Vietnam, the women thought that they were participants in a prank recorded for TV. They were in fact recruited some months earlier as actresses for hidden camera shows and paid for performances in several countries. At the time of their arrest, neither had employed any form of personal protection, nor had they destroyed evidence against them, and they appeared to discover the reality of their actions only as they were taken into custody. The four “producers” who gave the women instructions left Kuala-Lumpur immediately after the attack to regroup in Pyongyang. Their travels were facilitated by the North Korean embassy in Malaysia.⁵⁴

• *Consequences*

The assassination of Kim Jong-nam was part of a larger strategy undertaken by Kim Jong-un to consolidate power after he assumed the role of Supreme Leader. Given the stranglehold the North Korean government has on its people, particularly its extremely strict control of information, an operation like the assassination of Kim Jong-nam did not risk generating strong internal criticisms of the regime. Moreover, it demonstrated the regime’s zero-tolerance policy for any kind of dissidence even among those closest to the leader.

At the international level, despite numerous public condemnations against it, Pyongyang denied any involvement in the matter.⁵⁵ The authorities in Malaysia were not fooled and footage from security cameras in the airport where the operation took place was released to the public.⁵⁶ First, Malaysia decided to terminate a bilateral agreement that allowed nationals of the two countries to travel between them without visas. Then, the North Korean ambassador was expelled from Malaysia.⁵⁷

Given that North Korea was already a pariah in the international community, the North Korean regime had little or nothing to lose. Although the autumn of 2017 saw an escalation of tensions between President of the United States Donald Trump and Kim Jong-un in terms of rhetoric, the two leaders organized a historic meeting on June 12, 2018 in Singapore, followed by a joint visit to the demilitarized zone on June 30th, 2019. In 2017, the United Nations, the European Union, and the United States imposed a series of sanctions against North Korea, but they were the consequence of nuclear and ballistic activities undertaken by the regime, not the assassination of Kim Jong-nam. The period of escalation followed by a *détente* in the bilateral relationship with the United States appears completely unrelated to the assassination.

54. Harold Thibault, “L’incroyable scénario du meurtre de Kim Jong-nam,” *Le Monde*, 15 August 2018.

55. “Murder at the airport: the brazen attack on Kim Jong Nam,” Reuters, 1st April 2019.

56. Fuji News Network, “[CCTV footage appears to show attack on Kim Jong-nam - video](#),” *The Guardian*, 20 February 2017.

57. “La Malaisie annonce l’expulsion de l’ambassadeur nord-coréen,” *Le Monde*, 4 March 2017.

Attempted assassination of Sergueï Skripal (2018)

Sergueï Skripal, a former Russian military intelligence (GRU) officer, had been recruited by British intelligence services in the 1990s. Sentenced in 2006 to 13 years in a Russian prison for sharing classified information, he settled in London after having been one of the subjects of a prisoner exchange between Russia, the United Kingdom, and the United States.⁵⁸

• *Operation*

On the 4th of March 2018, Sergueï Skripal and his daughter were poisoned in Salisbury, where they both lived at the time. They survived only after several weeks of hospitalization treating damage done by the poison, which was identified as Novichok, a nerve agent of Russian origin. In July, two British citizens were also poisoned after accidentally coming across the bottle that contained the nerve agent; one died.⁵⁹

• *Consequences*

On March 6th, Foreign Secretary Boris Johnson took the opportunity presented by a question in parliament on the government's policy toward Russia to emphasize that if evidence collected by the investigation established the responsibility of a state, there would be reprisals. Johnson also used this occasion to discuss Russia's use of assassination against journalists and politicians.⁶⁰ On March 12th, Prime Minister Theresa May publicly requested an explanation from Russia, asking whether the assassination was an act committed directly by Russia against the United Kingdom or whether the Russian government had lost control of one of its nerve agents.⁶¹ Ten days after the poisoning, on March 14th, the United Kingdom expelled 23 Russian diplomats from its territory. Two days after that, Foreign Secretary Boris Johnson stated that it was extremely likely that the poisoning was ordered by Russian President Vladimir Putin. On March 31st, an unprecedented international response led to the simultaneous expulsion of more than 150 Russian diplomats from 28 countries, including 60 from the United States and 4 from France and Germany. Russia responded in kind and expelled a similar number of western diplomats.⁶²

In September 2018, British authorities put out a warrant for the arrest of two GRU officers, Alexander Petrov and Ruslan Boshirov, and circulated their photographs to the public. Some days later, Vladimir Putin attested that the two accused men were civilians and invited them to speak publically to prove their innocence. They were interviewed by the Russian network RT and declared that they were tourists.

The European Union (EU) went on to sanction the head of the Russian Military Intelligence, his first deputy, and the two GRU officers suspected of having carried out the

58. Mark Urban, *The Skripal Files*, Londres, Macmillan, 2018.

59. David Bond, "Woman dies after exposure to novichok nerve agent," *Financial Times*, 8 July 2018; "Novichok: Murder inquiry after Dawn Sturgess dies," BBC news, 9 July 2018.

60. Boris Johnson, The Secretary of State for Foreign and Commonwealth Affairs, "Government Policy on Russia," *Hansard*, vol. 637, 6 March 2018, col. 169.

61. Theresa May, [PM Commons statement on Salisbury incident](#), 12 March 2018.

62. Foreign & Commonwealth Office, Prime Minister's Office, Home Office, Ministry of Defence, [Novichok nerve agent in Salisbury: UK government response, March to April 2018](#), 18 April 2018.

Novichok attack. Their assets within the Union were frozen and they were banned from travelling to EU member states.⁶³ The United States imposed economic sanctions on Russia in the wake of this new case.⁶⁴

The route that the GRU officers took was traced and published in several media outlets over the course of the following months, thanks largely to the release of CCTV footage.⁶⁵ A meticulous investigation carried out by journalism site *Bellingcat* led to a third suspect – also a GRU officer.⁶⁶ Russian media, for their part, tended to dismiss the Russian state’s responsibility. A public opinion poll in the *Moscow Times* suggests, for example, that only 3 percent of Russians believe that Moscow is responsible for the attack on Skripal.⁶⁷

Assassination of Jamal Khashoggi (2018)

Journalist Jamal Ahmed Khashoggi, once close to crown prince of Saudi Arabia Mohammed bin Salman, whom he considered a visionary reformer, was forbidden to work because he had publicly criticized Donald Trump’s policies in December of 2016.⁶⁸ In September 2017, he went into self-exile in the United States, where he wrote columns for the *Washington Post* that criticized bin Salman’s regime, its repression of political opponents, and Saudi participation in the conflict in Yemen.⁶⁹

• Operation

On the 2nd of October 2018, Jamal Khashoggi entered the Saudi consulate in Istanbul to procure administrative documents and never returned.⁷⁰ Although the Saudis stated that Jamal Khashoggi had left the consulate on foot, surveillance videos revealed a body double wearing Khashoggi’s clothes and a fake beard.⁷¹ Turkish press and authorities uncovered the details piece by piece: Khashoggi was killed and then dismembered inside the consulate by a squad of 15 Saudi operatives who travelled from Riyadh specifically for the purpose.

63. Frederica Mogherini, “Council Implementing Regulation (EU) 2019/84 of 21 January 2019 implementing Regulation (EU) 2018/1542 concerning restrictive measures against the proliferation and use of chemical weapons,” *Official Journal of the European Union*, 21 January 2019.

64. White House, [Text of a Letter from the President to the Speaker of the House of Representatives and the President of the Senate](#), 1st August 2019.

65. See for example Lizzie Daerden, “[Salisbury nerve agent attack: Timeline of movements by Russian ‘spies’ charged with attempted assassination of Sergei Skripal](#),” *The Independent*, 5 September 2018.

66. Moritz Rakuszitzky, “[Third Suspect in Skripal Poisoning Identified as Denis Sergeev, High Ranking GRU Officer](#),” 14 February 2019.

67. “[Only 3% of Russians Believe Moscow Was Behind Skripal Attack, Poll Says](#),” *The Moscow Times*, 25 October 2018.

68. On Khashoggi, in particular see: Bayram Balci and Jean-Paul Burdy, “L’affaire Khashoggi. Quelles implications régionales et internationales pour la Turquie ?,” *Études*, n. 2, 2019, p. 8-10.

69. Jamal Khashoggi, “[Read Jamal Khashoggi’s columns for the Washington Post](#),” *The Washington Post*, 7 October 2018.

70. Anjali Singhvi et al., “[The trail of clues in the disappearance of Jamal Khashoggi](#),” *The New York Times*, 9 October 2018.

71. Gul Tuysuz et al., “[Surveillance footage shows Saudi ‘body double’ in Khashoggi’s clothes after he was killed, Turkish source says](#),” CNN, 23 October 2018.

• *Consequences*

Surveillance cameras filmed the comings and goings of the Saudi squad in the vicinity of the Saudi consulate and their movements throughout Istanbul; the resulting videos were published by a Turkish outlet and in international media.⁷² In November, Ankara announced having sent audio recordings of Khashoggi's death to Germany, Saudi Arabia, the United States, France, and the United Kingdom.⁷³

Under political and media pressure, Saudi Arabia gradually changed its version of the events and admitted on the 25th of October that the killing of Khashoggi was premeditated.⁷⁴ Riyadh stated that the operation was carried out by rogue elements and indicted 11 people in connection with it, including five who faced the death penalty. Their trial took place behind closed doors, although French, American, British, Russian, and Turkish observers were present.

The Washington Post reported that the CIA had concluded that Saudi Crown Prince Mohammed bin Salman ordered Khashoggi's assassination.⁷⁵ President Trump did not deem his intelligence service's reports compelling enough and reaffirmed the alliance between his country and Saudi Arabia. Nevertheless, the United States imposed financial sanctions on the 17 Saudi operatives implicated in the murder.⁷⁶ Germany decided to suspend arms sales to Saudi Arabia, unlike the United States, even though the majority of the Senate approved a resolution to the same effect. In June 2019, the United Nations Human Rights Council special rapporteur on extrajudicial, summary or arbitrary executions published a detailed report on the illegal killing of Khashoggi, which concluded that responsibility for it lay with Saudi Arabia as a state.⁷⁷

In December 2019, five of the eleven indicted Saudi nationals were sentenced to death and three others to time in prison. The head of intelligence services, Ahmed Al-Assiri, was acquitted and the court in Riyadh stressed that the killing was not premeditated, while foreign diplomats and non-governmental organizations questioned the legitimacy and procedural safeguards of the trial.⁷⁸ By contrast, Turkish courts identified Ahmed al-Assiri and former advisor to the royal family Saoud al-Qahtani as instigators of the murder and issued warrants for their arrest.⁷⁹

72. TRT World, "[Jamal Khashoggi: CCTV shows alleged Saudi hit squad's movements - video](#)," *The Guardian*, 10 October 2018.

73. "Affaire Khashoggi. Des enregistrements ont été transmis aux Occidentaux, affirme Erdogan," *Ouest France*, 10 November 2018; Benjamin Barthe, "Détails macabres et responsabilité de l'Arabie saoudite : le cinglant rapport de l'ONU sur la mort de Jamal Khashoggi," *Le Monde*, 19 June 2019.

74. Ben Hubbard and David D. Kirkpatrick, "Saudi Arabia, in Reversal, Suggests Khashoggi's Killing Was Premeditated," *The New York Times*, 25 October 2018.

75. Shane Harris, Greg Miller and Josh Dawsey, "CIA concludes Saudi crown prince ordered Jamal Khashoggi's assassination," *The Washington Post*, 16 November 2018.

76. US Department of the Treasury, "[Treasury Sanctions 17 Individuals for Their Roles in the Killing of Jamal Khashoggi](#)," 15 November 2018.

77. United Nations, Human Rights Council, Annex to the Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions: Investigation into the unlawful death of Mr. Jamal Khashoggi, A/HRC/41/CRP.1, 19 June 2019, p. 83. 78.

78. "En Arabie saoudite, cinq personnes condamnées à mort pour l'assassinat de Jamal Khashoggi," *Le Monde*, 23 December 2019.

79. "Affaire Khashoggi : des proches de Ben Salmane inculpés en Turquie," *Le Point*, 25 March 2020

THE LIMITS OF COVERTNESS

The covert actions studied here represent the high end of the spectrum of intelligence services' capabilities. In the majority of cases, these assassinations constitute a grave violation of the sovereignty of the host country and violate the most basic rights of individuals – the protection of which constitutes the very *raison d'être* of the rule of law. Assassination is one of the most serious breaches that a state can commit in peacetime and countries that resort to it, even authoritarian regimes already on the margins of the international community, do not admit publically, at least at first, to having broken this taboo. When they find it impossible to deny a connection to it, states can attribute an operation to rogue elements and prove by doing so that they recognize a reputational cost to breaking international norms. The case of democratic regimes, governed by the rule of law, is revelatory in that their response is the opposite strategy: find a legal basis for the operation.⁸⁰ The United States, after having “neither confirmed nor denied” their involvement in the operation against Anwar al-Awlaki, ultimately acknowledged it but only within a legal framework. In Israel, a 2006 Supreme Court judgement secured a legal basis for “targeted killings” when the strikes are “preventative.”⁸¹ However, Israel has not confirmed its responsibility for the assassination of al-Mabhouh and has not sought to justify the legality of the operation publicly.

Our case studies show that assassination is used by democratic states as well as authoritarian ones. Such operations are not the result of rogue elements within the intelligence community; they are green-lighted by the highest-ranked officials of the state, which suggests that they serve well-defined policy objectives: to disrupt the activities of problematic individuals and to signal a form of power both at the national and international levels. In this context, intelligence services enact a paradox: they shield the political decisionmaker and simultaneously send a clear message to a target audience, whether that is a terrorist group, political dissidents, or journalists.

Covert means concern less the action itself, which is often visible, and more the person who ordered it. Low intensity intelligence operations such as collecting operational and human intelligence are generally not particularly evident. Copying a confidential document can be done without the owner finding out. On the contrary, high intensity covert actions tend to attract a certain amount of publicity. A person's death or disappearance rarely goes unnoticed and provokes, at a minimum, a police investigation by the country where the operation was carried out and in some cases an international investigation and diplomatic sanctions. Therefore, the challenge is to leave no traces that could allow the operation to be formally attributed to its sponsor.

However, video surveillance in public spaces, increasingly sophisticated border controls, and advances in criminal investigation techniques make it difficult, if not impossible,

80. On the importance of seeming legality in the policy of American covert ops., see in particular: Michael Poznansky, “Feigning compliance: covert action and international law,” *International Studies Quarterly*, vol. LXIII, n. 2, 2019, p. 72-84.

81. The Supreme Court, *Public Committee against Torture in Israel v. Government of Israel*, Case No. HCJ 769/02, 11 December 2005.

to conceive of and carry out operations that remain entirely secret and covert. In every case studied, the identities and nationalities of the agents or officers involved were revealed quickly by police or journalistic investigation, despite more or less sophisticated measures taken to shield them.⁸² So it seems that it will be more and more difficult for the state sponsor to avoid media coverage of such operations.

During the process of an operation's approval by the highest levels of government, the risks of media coverage cannot be overlooked, meaning that it is likely a certain degree of media coverage is factored into working plans and is not considered prohibitive. On the contrary, media coverage can play a part in the plan, in that it contributes to sending a message to other potential adversaries about the determination of the state sponsor to use any means of action at its disposal. For example, the use of poisons known to be Russian can be interpreted as a form of signature.

All the same, the use of covert means continues to protect the political decision makers who authorize operations and to shield them from legal proceedings. In every case presented in this note, no leader of a state that sponsored the operations in question has been prosecuted. If a number of officers and agents who were directly involved in the operations were identified, they rarely answered for their actions. The case of the Saudi officers involved in the assassination of Jamal Khashoggi, and to a lesser extent that of Ömer Güney (for whom the link with the MIT was not acknowledged by Turkish authorities), seem to constitute exceptions. Despite its apparent limits, the covert character of these actions continues to protect policy makers by distancing them, at least in theory, from the operations of their intelligence services. We conclude that this type of distancing has political utility and will not disappear any time soon.

LIMITED POLITICAL CONSEQUENCES

Despite the wide media coverage generated by assassinations, the political response varies and is quite often limited. While the poisoning of Alexander Litvinenko in 2006 gave rise to subtle reactions,⁸³ the response to the Skripal affair in 2018 was far larger (a coordinated expulsion of diplomats in 28 countries, public condemnations by more than a dozen countries, the European Union, and NATO). Between 2006 and 2008 the link between Russia and the West deteriorated significantly following crises in Georgia, Ukraine, and Syria. But the singular response to the Skripal affair did not dissuade Russia from assassinating Zelimkhan Khangoshvili, a former Chechen military commander, on the 23rd of August 2019 in broad daylight in Berlin.⁸⁴

82. With the notable exception of the assassinations of Iranian nuclear scientists Massoud Ali Mohammadi (2010), Majid Shahriari (2010), Darioush Rezaeinejad (2011), Mostafa Ahmadi Roshan (2012), for which no author or sponsor was ever identified. See: "Les scientifiques iraniens du nucléaire, cibles d'une guerre de l'ombre," *Le Monde*, 17 January 2012.

83. Duncan Allan, "Managed Confrontation. UK Policy Towards Russia After the Salisbury Attack," Research Paper, Chatham House, The Royal Institute of International Affairs, London, October 2018, p. 1.

84. Investigation team, "[Identifying The Berlin Bicycle Assassin: From Moscow to Berlin \(Part 1\)](#)," *Bellingcat*, 3 December 2019.

In the other cases studied here, despite media coverage and the identification of the sponsor state, political consequences were negligible. Reciprocal expulsions of diplomats or of intelligence officers make up part of the folklore of diplomatic relations. Albeit normally discrete, they can send a message to domestic audiences without significant practical consequences when they gain media coverage. Expelling diplomats and intelligence officers under diplomatic cover, while it might pose problems of continuity in the short term, does not generally damage the knowledge, know-how, and networks of an embassy in the long term.

In Israel, “targeted killings” of suspected terrorists is a publicly acknowledged policy with the support of the United States, which also refused to work with Emirati authorities regarding the assassination of Mahmoud al-Mabhouh.⁸⁵ The power of the United States and Israel in terms of intelligence is such that a number of countries are susceptible to finding themselves dependent on the two, particularly in the realm of counter-terrorism. Their membership in the “club” of democracies could also explain the measured reactions of Western countries when faced with operations carried out by the United States and Israel. Yossi Melman, an expert in intelligence matters for *Haaretz*, evaluates this form of action coldly, through the lens of realism.⁸⁶ According to him, “many of the countries whose passports were allegedly used do not like Hamas,” a significant number of Arab countries feel little more sympathy for the organization and Dubai had no real desire to push its investigation too far. He concludes that the consequences of the operation come down to the death of an important figure to Hamas and that Mossad will maintain its reputation as a respected and resolute agency. Moreover, Mossad is suspected of having done it again in 2018, in Kuala-Lumpur, by eliminating Fadi el-Batch, an alleged member of Hamas.⁸⁷ While it did not force Israel to renounce this sort of action, the scandal surrounding the operation in Dubai will probably have led it to limit the use of passports from allied countries.

Finally, Saudi Arabia certainly erred in its assessment of the reaction of the Turkish government, but its estimation of the American reaction was correct. Despite international commotion in the face of the barbarism of the crime, the President of the United States expressed his doubts about the involvement of Mohamed bin Salman publicly. In doing so, he contradicted the assessment of his own intelligence services, most likely in view of the strategic position of Saudi Arabia as a source of oil, market for arms sales, and key component of the containment strategy against Iran.⁸⁸ The contrast between the reactions to the Skripal affair and the case of Khashoggi is meaningful. Thus, regardless of media coverage, two key variables seem to be the balance of power between the state sponsor and the target’s country of origin and the alliances held by a state while it is evaluating the costs and benefits of a covert action.

85. Yossi Melman, “U.S. Declined to Cooperate in Dubai Probe of Mabhouh Killing, WikiLeaks Shows,” *Haaretz*, 29 December 2010.

86. Yossi Melman, “Israel has nothing to worry about over Dubai killing,” *Haaretz*, 17 February 2010.

87. “Un scientifique membre du Hamas assassiné à Kuala Lumpur,” *Le Monde*, 21 April 2018.

88. White House, “[Statement from President Donald J. Trump on Standing with Saudi Arabia](#),” 20 November 2018.

ASSASSINATION AS A POLITICAL TOOL

Even in cases where the anticipated political consequences of an assassination are harsh — expulsion of several diplomats, financial sanctions, cyberattacks — a covert action seems no less attractive to the state sponsoring it. Because it will likely receive media attention, it is used to send a threatening and unambiguous message to other potential targets — whether they be individuals or states — about the consequences to which they expose themselves. From the point of view of the sponsor, assassination eliminates someone who is considered a threat and might diminish dissidence or tendencies toward dissidence, at least for a while. It should be noted here that, as it stands, research does not provide a clear indication that “targeted killings”⁸⁹ and covert assassinations have a deterrent effect. We can also put forward the hypothesis that these types of actions send a message to third parties — state or non-state, enemies or allies — that are not directly concerned but that can adapt their own positions in light of the preferences signaled by the state sponsor.⁹⁰ Assassination would therefore be used as a means to project power, to demonstrate an operational know-how and a sort of superiority over local intelligence services and foreign powers.

In contrast with these benefits—real or perceived—political and diplomatic consequences, while they can be relatively grave, tend to fade over time. The most aggressive responses such as travel bans and frozen assets are certainly harmful to the individuals involved, but intelligence agents and officers are only pawns in a game played by states. The expulsion of intelligence officers under diplomatic cover and even of true diplomats can initially prove destabilizing for the intelligence gathering system of an agency or the state concerned, but that is generally resolved within a reasonably short period of time. Moreover, reciprocity of expulsions makes it a zero-sum game.

Unless states are in an openly conflictual relationship, the interdependence of their respective national interests quickly takes precedence. Even in a conflictual relationship, past covert actions do not seem to have a decisive influence on attempts to resume dialogue.

CONCLUSION

Assassination represents the extreme end of the spectrum of covert actions and involves significant operational, political, and reputational risks. From an operational point of view, secrecy is undermined by improvements in video surveillance, investigative techniques, and media coverage. The majority of agents and officers who carried out the operations discussed in this research note were identified, even when they could exit the host country before facing arrest.

89. See in particular: Bryan C. Price, “Targeting top terrorists: How leadership decapitation contributes to counterterrorism,” *International Security*, vol. XXXVI, n. 4, 2012, p. 9-46; Jenna Jordan, “Attacking the leader, missing the mark: Why terrorist groups survive decapitation strikes,” *International Security*, vol. XXXVIII, n. 4, 2014, p. 7-38.

90. Austin Carson et Keren Yarhi-Milo, “Covert Communication: The Intelligibility and Credibility of Signalling in Secret,” *Security Studies*, vol. XXVI, n. 1, 2017, p. 124-156.

Although covert means provide little protection for the executioners, they obscure political responsibility. The opacity of the internal decision-making process followed by sponsoring states makes it possible for policy makers to deny their personal involvement should the consequences of the operation escalate too far, particularly in the media. In addition, any officers can be accused of having acted *motu proprio* if their leader feels too much pressure.

Meanwhile, the state sponsor hinders activities that threaten its interests, or at least the interests of the regime in power, and sends a clear and unambiguous message to its adversaries, whether they be journalists, former intelligence officers who switched sides, members of a political opposition group, or terrorists. Assassination is a demonstration of power. If these covert actions elicit international condemnation, and that of public opinion in a large number of democratic countries, they still reinforce the profiles of those figures who build their leadership on strength and on force, at the expense of human life and often of international law.

The mechanisms that we describe in this note suggest that this type of assassination is likely to increase in the coming years for several reasons. Their immediate results are relatively low in terms of political, diplomatic, and economic costs, given their radical nature. They also allow for a state sponsor to assert its power. The increasingly assertive use of power by the United States and Russia also seems to encourage regional powers to resort to assassination against the background of shifting regional balances.

(Translation by Josamine Bronnvik)

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