

# **Exhibit A**



United States Department of State

Washington, D.C. 20520

November 17, 2022

Brian M. Boynton  
Principal Deputy Assistant Attorney General  
Civil Division  
U.S. Department of Justice  
950 Pennsylvania Avenue, N.W.  
Washington D.C. 20530

Re: *Cengiz v. Mohammed bin Salman* (D.D.C. 20-cv-3009)

Dear Mr. Boynton:

In the above referenced case, Judge John D. Bates of the District Court of the District of Columbia has requested that the U.S. government file a statement of interest “regarding any issue in this case, but particularly with respect to: the applicability of the act-of-state doctrine in this case and that doctrine’s interaction with the cause of action created by the Torture Victim Protection Act of 1991, Pub. L. No. 102-256, § 2(a), 106 Stat. 73, 73 (1992) (codified at 28 U.S.C. § 1350 note); the applicability of head-of-state immunity in this case; and the sovereign interests of the Kingdom of Saudi Arabia that might be impaired should this case proceed without its participation.” The court granted the U.S. government’s second request for additional time, setting a deadline for November 17, 2022.

The State Department recognizes and allows the immunity of Prime Minister Mohammed bin Salman as a sitting head of government of a foreign state. Under common law principles of immunity articulated by the Executive Branch in the exercise of its Constitutional authority over foreign affairs and informed by customary international law, Prime Minister bin Salman as a sitting head of government is immune while in office from the jurisdiction of the United States District Court in this suit. In making this immunity determination, the Department of State takes no view on the merits of the present suit and reiterates its unequivocal condemnation of the heinous murder of Jamal Khashoggi.

Accordingly, the Department of State requests that the Department of Justice submit a suggestion of immunity to the district court.

Sincerely,

A handwritten signature in blue ink that reads "Richard C Visek" with a stylized initial "K" and "MCA" written to the right.

Richard C. Visek  
Acting Legal Adviser