

The many paths to Justice for Jamal Khashoggi

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A Speech delivered at:

Justice for Jamal: The United States and Saudi Arabia One Year After the Khashoggi Murder

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Journalists, officials, experts, family members all ask me the same question “Will there ever be accountability for Jamal Khashoggi?” To respond to this question, we must grapple with another one: “What does justice for the murder of Mr. Khashoggi look like?”

Very early on in my own investigation, it was evident that to leave the search for justice in the hands of the Saudi judicial system so vulnerable to political interference, operating so far from compliance with basic principles of the rule of law, would be to abandon our search.

This would be a blow to justice too for many others in Saudi Arabia and around the world.

Early on I could see that justice would be found beyond the usual path and our usual understanding of accountability.

Of course, Justice for Jamal Khashoggi should mean that his killers and those who commanded them, face prosecution, judgement and sentencing. But the grave implications of this crime extend far beyond the authority of the court room alone. Other pathways must be pursued. Political, economic, symbolic justice. Justice in the short-term and long-term.

Justice of this order takes time. A single year’s effort is but the first phase in this journey - true justice for Jamal in all its necessary dimensions - demands and deserves patience, resilience and time.

It demands further that we weave the very values for which Jamal Khashoggi died into garments under which not only his beloved country, but people far beyond its borders, can find justice’s truest shelter.

Distinguished representatives,

For the moment however, our emperors are naked.

They want us to believe that they are draped in the clothes of legitimate authority and credible adjudication.

But the emperors are naked – their counsellors silent.

The Osaka G20 meeting was NOT justice for Jamal. It was not respectful. It was not justice for anyone. And it damages. It gives false legitimacy to the illegitimate and it not only tolerates killing and possibly killers. It embraces them. Remember the shameful photo taken during that meeting, of Heads of States, smiling and waving to the cameras, while two of them shook hands in the center of the photo? That is not justice for Jamal.

Justice for Mr. Khashoggi means speaking truth to naked emperors and it means exposing those who are their weavers and tailors of falsehood's fabric.

In this search for justice, the US Congress has a fundamental and ongoing role to play; a role it has already begun, being one of the only political actors anywhere in the world that has been prepared to do so. I know.

I have traveled to many countries over these last 8 months. I was in DC in July, meeting at that time with many Congress representatives from both parties. I witnessed disagreement over which tactics to follow but left impressed by the solid consensus that indeed silence is not an option.

Distinguished representatives

No country should be able to buy their way out of accountability, no matter their influence, strategic relevance; no matter the nature of their friendships.

Geostrategic and economic relationships demand trust, require common understanding; should be rooted in core values: Absent that, relationships too are but fictions.

The Saudi Arabia Human Rights and Accountability Act of 2019 is now being considered for inclusion into the final National Defense Authorization Act. If it was adopted, by the majority it deserves, such a bill will have a ripple effect felt far beyond Capitol Hill or Riyadh alone.

It has the potential to push many other political actors and institutions around the world out of their self-imposed paralysis - to un-silence them. To wake up the political world, emperors and subjects alike, to the nakedness of their current posture.

Un-silencing the political world that too is justice for Mr. Khashoggi

Ladies and gentlemen,

The Saudi Arabia Human Rights and Accountability Act of 2019 is accountability. Not because it will put anyone in trial or in prison but because it will help to push the truth - further truth - onto the public stage where it belongs.

It will unveil, with the certainty required, the identity of all those who have ordered the killing, contributed to it, sponsored it, or profited from it; and those who impeded the impartial investigation of the killing, including by tampering with evidence.

Truth telling is justice for Mr. Khashoggi.

That is why I am also asking that CIA materials pertaining to the murder of Mr. Khashoggi, including all intercepts, be declassified.

Mr. Khashoggi was a US resident and journalist for the Washington Post. By his killing, the State of Saudi Arabia attacked also a fundamental tenet of the US Constitution. That attack too cannot be left unanswered.

By standing firm on accountability for the killing of Mr. Khashoggi, the House ensures that other US institutions too will stand more firmly – that they too will be committed in their efforts to protect American journalists within and beyond borders, resolved to implement their duty to warn and to protect. And that too will have ripple effect beyond the US borders.

Distinguished representatives, friends

Prevention and Protection of journalists, in the US and around the world, is also accountability for Jamal Khashoggi.

I want to pay respect to all the journalists and media outlets who around the world and particularly in the US, have relentlessly investigated and publicly reported on the killing of Mr. Khashoggi.

And their reporting and my report have also shown that the killing of Mr. Khashoggi reveals many accountability deficits and gaps within the international system; showing that we are poorly prepared to respond to targeted killings, specifically of those who dissent.

This is deeply troubling not the least because of the increasingly violent intolerance that we witness the world over for the independence of minds, for critical thinking, for independent reporting.

The international community must equip itself urgently with more effective tools to respond to these deficits. The US House and Senate could assist by advocating for a UN standing instrument to independently investigate targeted killings and/or support national actors engaged in such investigations.

Dear participants,

Just over 12 months from now, the world's 20 most powerful countries intend to hold their annual meeting in Riyadh – a decision made before the killing of Mr. Khashoggi but a choice that ought to be revisited.

Osaka 2019 was bad enough. Riyadh 2020 could be close to a catastrophe for the very values upon which many of our countries are founded.

It is my firm belief that another country should volunteer to host the meeting.

Failing that, participation should be made conditional on a range of measures by the host country, including the release of the women human rights defenders. The official agenda should include discussions related to press freedom, human rights democratic values.

And those present must speak up. No more naked emperors; no more weavers of fabrication; no more fearful subjects waving at the world cameras

Ladies and gentlemen,

At times, it feels as if justice for Jamal hangs by a thread – the fine and precious thread of the love and respect that he inspired in so many; the thread of the values that inspired him to write as he did; to stand up as did; the thread which drew him to leave his country.

But that is the very thread from which human rights, freedom of the press and democratic freedoms are fought for and woven.