

October 23, 2020

Secretary of State Michael R. Pompeo
U.S. Department of State
Washington, D.C.

Re: Appointment of Devyani Khobragade as Ambassador of India to the Kingdom of Cambodia

Dear Secretary Pompeo,

We, the undersigned human rights, labor rights, and civil society organizations, write to protest Devyani Khobragade's appointment as the next Ambassador of India to Cambodia. As you know, Ms. Khobragade previously served in the United States as the Deputy Consul General of India. On March 14, 2014, federal authorities indicted her for alleged visa fraud and making false statements in connection with the mistreatment of her domestic worker. She is currently under indictment in the Southern District of New York.¹ It is our understanding that the U.S. Government considers her a fugitive.

According to the 2014 criminal indictment, Ms. Khobragade allegedly made false statements to U.S. authorities to obtain a visa for her domestic worker and then failed to pay the worker in accordance with U.S. minimum wage standards. Ms. Khobragade allegedly forced her domestic worker to toil long hours for approximately \$1.22 per hour and confiscated her passport, in violation of U.S. federal laws. Although the initial indictment did not charge Ms. Khobragade with human trafficking, all U.S. federal reporting subsequently has characterized the matter as a trafficking case.²

Indian government officials insisted—erroneously—that Ms. Khobragade enjoyed full diplomatic immunity as a consular officer. The Department of State granted Ms. Khobragade full diplomatic immunity and allowed her to depart the United States.

¹ *United States v. Devyani Khobragade*, Case No. 1:14cr-00008, Indictment, <https://www.justice.gov/sites/default/files/usao-sdny/legacy/2015/03/25/Khobragade%2C%20Devyani%20Indictment.pdf>

² See, e.g., U.S. DEP'T OF JUSTICE, ATTORNEY GENERAL'S ANNUAL REPORT TO CONGRESS AND ASSESSMENT OF U.S. GOVERNMENT ACTIVITIES TO COMBAT TRAFFICKING IN PERSONS – FISCAL YEAR 2014, 138 (2015), <http://www.justice.gov/ag/file/799436/download>. U.S. DEP'T OF STATE, *Trafficking In Persons Report 2015* (2014).

The Government of India, far from holding their diplomatic personnel accountable, has unacceptably elevated Ms. Khobragade to the status of Ambassador. This is an affront to U.S. justice system. This is further proof that the Government of India tolerates the abuse of domestic workers by diplomats stationed abroad.

According to press reports, you will soon visit India. We request that the U.S. Government protest this utterly inappropriate appointment with the Government of India. We also request that the U.S. Government advise Cambodia to refuse *agrément* to Ms. Khobragade. These steps would send a firm message that diplomats indicted for abuse of domestic workers in the United States will not receive promotions and coveted postings abroad.

We thank you for your consideration. If you have any questions or concerns, please contact the Human Trafficking Legal Center at 202-716-8485 or email mvandenberg@htlegalcenter.org.

Sincerely,

The Human Trafficking Legal Center

The Freedom Network USA

Polaris

Damayan Migrant Workers Association

Legal Aid Society of Metropolitan Family Services

cc: Ambassador John Richmond, U.S. Department of State
Assistant Secretary David R. Stilwell, U.S. Department of State