

November 2, 2020

His Excellency Deputy Prime Minister PRAK Sokhonn
Ministry of Foreign Affairs & International Cooperation
Kingdom of Cambodia
03 Samdech Hun Sen St.
Phnom Penh, Cambodia
mfaic@mfaic.gov.kh

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

Dear Deputy Prime Minister Prak,

We, the undersigned human rights and civil society organizations, are deeply concerned that Devyani Khobragade has been named as the next Ambassador of India to the Kingdom of Cambodia. 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 U.S. authorities consider 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. Ms. Khobragade was granted full diplomatic

¹ *U.S. v. Khobragade*, Case No. 14cr0008 (S.D.N.Y.), 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 205* (2014).

immunity following her indictment and allowed to depart the United States. Ms. Khobragade is subject to arrest upon her return to the United States.

The Government of India, far from holding their diplomatic personnel accountable, has unacceptably elevated Ms. Khobragade to the status of Ambassador. It is an affront to the dignity of the Kingdom of Cambodia, and an affront to the dignity of Ms. Khobragade's victim, that Ms. Khobragade should receive this honor.

We implore the Government of the Kingdom of Cambodia to refuse *agrément* to the appointment of Ms. Khobragade. This would send a firm message that diplomats who allegedly engage in human trafficking and abuse of domestic workers, and who are under indictment for those alleged crimes, are not acceptable diplomatic appointments.

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 mvandenberg@htlegalcenter.org

Sincerely,

International Domestic Workers Federation

The Human Trafficking Legal Center

The Freedom Network USA

Polaris

Damayan Migrant Workers Association

Legal Aid Society of Metropolitan Family Services

Adhikaar

CENTRAL

Solidarity Center

cc: Assistant Secretary David R. Stilwell, U.S. Department of State
Ambassador John Richmond, U.S. Department of State
H.E. Chum Sounry, Ambassador and Plenipotentiary of the Kingdom of Cambodia to
the United States