

January 28, 2011

"DIPLOMATIC IMMUNITY" IS DECIDED BY THE COURT AND US DEPARTMENT OF STATE CAN ONLY GIVE ITS RECOMMENDATION "Sikhs For Justice"

Human Rights Group announces to take the matter to the United Nations

According to Attorney Gurpatwant Singh Pannun, legal advisor to Sikhs for Justice (SFJ), the issue of "diplomatic immunity" is decided by the court and US Department of State can only give its recommendation. He further stated that the plaintiffs will resist and challenge any efforts by Indian Government to get diplomatic immunity for Kamal Nath. If diplomatic immunity is granted to Kamal Nath in Sikh Genocide case, plaintiffs avowed that they will challenge it in the highest court of the United States and will also lodge petitions and complaints before the United Nations Human Rights Commission with regard to India's open practice of impunity.

Indian Government is exposed with regard to human rights issue by its efforts to get diplomatic immunity from U.S. for Minister Kamal Nath in Sikh Genocide Case pending against him in the US Court. Sikhs and human rights activists have always alleged that Indian Government and Congress (I) have been protecting and shielding the killers of Sikhs and organizers of November 1984 Sikh Genocide. During the past 26 years, Congress (I) has used its influence in saving Kamal Nath and other leaders of Congress (I) from being charged and prosecuted in India despite of witnesses and evidence. Even Nanavati Commission was pressured into stating that evidence against Nath is "vague" even though that Nath himself admitted being at the scene of Gurdawara Rakab Ganj and many individuals gave affidavits about Nath's presence and involvement in violence at Gurdawara Rakab Ganj.

According to attorney Pannun, India is not a "democracy" but a "demon-crazy" because it protects the human rights violators and rewards them with Cabinet seats. The attitude of Congress (I) and Indian Government on the issue of "diplomatic immunity" is not shocking at all and it only proves what Congress (I) and Indian Government has been doing during past 26 years. Indian Government has not only protected the killers of Sikhs inside India but now the Indian Government is going all out to protect the killers and human rights abusers in other countries. Indian Government is paying for the defense of Kamal Nath in Genocide Trial and has asked the US Government to grant Mr. Nath immunity, added attorney Pannun.

In April 2010, Sikhs for Justice (SFJ) a US based human rights advocacy group, along with two

individuals filed a law suit against Minister Kamal Nath in US District Court under Alien Tort Claims Act(ATCA) & Torture Victim Protection Act (TVPA) asking the Court to order compensatory and punitive damages against Kamal Nath. According to attorney Pannun "Alien Tort Claims Act of United State, the law under which trial against Kamal Nath will be held is specifically created to provide remedy and forum to victims of genocide to vindicate their complaints and the trial against Kamal Nath is one such opportunity through which SFJ plans to put on the record of the court evidence related to Genocide of Sikhs and Kamal Nath's role in it".

Plaintiffs have asked for a "jury trial" and will have the right to call upon survivors and experts on Genocide as witnesses to prove that systematic killing of Sikhs in November 1984 was Genocide as defined Article 2 of the UN Convention on Genocide.

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January 24, 2011

**INDIAN DEMOCRACY EXPOSED BY FORMALLY REQUESTING "DIPLOMATIC IMMUNITY" FOR
MINISTER KAMAL NATH IN SIKH GENOCIDE TRIAL**

Human Rights Group announces to take the matter to the United Nations

New York (January 24, 2011)

Indian Government is exposed with regard to human rights issue by its efforts to get diplomatic immunity from U.S. for Minister Kamal Nath in Sikh Genocide Case pending against him in the US Court. Sikhs and human rights activists have always alleged that Indian Government and Congress (I) have been protecting and shielding the killers of Sikhs and organizers of November 1984 Sikh Genocide. During the past 26 years, Congress (I) has used its influence in saving Kamal Nath and other leaders of Congress (I) from being charged and prosecuted in India despite of witnesses and evidence. Even Nanavati Commission was pressured into stating that evidence against Nath is "vague" even though that Nath himself admitted being at the scene of Gurdawara Rakab Ganj and many individuals gave affidavits about Nath's presence and involvement in violence at Gurdawara Rakab Ganj.

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January 22, 2011

REVISION PETITION AGAINST ACQUITTAL OF JAGDISH TYTLER: COURT TO DECIDE IF PETITIONER HAS RIGHT TO CBI DOCUMENTS

NEXT DATE OF HEARING - FEBRUARY 4, 2011

On January 22, 2011 Additional Session Judge VK Khanna, Karkardoma court Delhi, further heard the arguments advanced by counsels for Sikhs For Justice advocate Navkiran Singh and advocate Kamna Vohra in the revision petition filed on May 29, 2010 on behalf of complainant Lakhwinder Kaur challenging the order of Additional Chief Metropolitan Magistrate Rakesh Pandit acquitting Jagdish Tytler on April 27, 2010. The court is yet to give its judgment as to whether Lakhwinder Kaur has the right to be heard and to inspect and receive the record being relied upon by CBI in seeking discharge of Jagdish Tytler.

On August 21, 2010, the court allowed CBI two months' time to file a detailed reply to the application filed by Lakhwinder Kaur to inspect documents relied upon by the probe agency in giving clean chit to Jagdish Tytler for his involvement in November 1984 Sikh Genocide. Those documents are necessary for filing the rejoinder on behalf of the victim.

On July 24, 2010, CBI always acting as the defense team for Jagdish Tytler claimed that the role of Jagdish Tytler was investigated from all possible angles including the possibility of his being involved in conspiracy behind the incident.

In November 1984 Jagdish Tytler openly supported the perpetrators of the massacre and as reported by the People's Union for Democratic Rights and People's Union for Civil Liberties in their Joint Inquiry report "who are the Guilty", on November 6, 1984 barged into the office of the then police Commissioner S.C. Tandon while he was holding a press conference to demand

the release of his men who were detained by the police for perpetrating the massacre.

January 20, 2010

EVIDENCE OF ANOTHER WITNESS RECORDED IN THE DEFAMATION CASE AGAINST UJJAL DOSANJH

NEXT DATE OF HEARING FIXED FOR MARCH 15TH, 2011

In the defamation case filed against **Ujjal Dosanjh** the member Parliament from Vancouver, British Columbia, Canada for his statement made in Chandigarh India, against the Sikhs raising the voice for Khalistan and hurting the sentiments of the Sikhs, evidence of another witness was recorded in the court of Chief Judicial Magistrate (CJM), Chandigarh. The case is now fixed for **March 15th, 2011** for any other evidence and for examination of Prabhjot Singh, Senior Correspondent "The Tribune".

On November 27, 2010, "Sikhs For Justice" through Avtar Singh a Canadian citizen filed criminal complaint in the Court of Chief Judicial Magistrate Chandigarh against Ujjal Dosanjh. Jatinder Singh Grewal, a Canadian citizen and Youth Coordinator for "Sikhs For Justice" is the primary witness in the complaint.

Human Rights Lawyer **Navkiran Singh** representing complainant Avtar Singh on behalf of "Sikhs For Justice" stated that criminal complaint against Ujjal Dosanjh has been filed under Section 500/501 of Indian Penal Code. Advocate Navkiran Singh stated that in case the court finds substance in the allegations made in the criminal complaint, the court can order an imprisonment of two years. He stated that the basis of the criminal complaint against Ujjal Dosanjh is the statements made by him while addressing a press conference in Chandigarh on September 11, 2010 in which Ujjal cautioned the Canadian government about the second and third generation of Sikh immigrants propagating Khalistan. He further stated that the complaint against Ujjal is a warning for other such elements in Canada and elsewhere who have been involved in systematic campaign against Canadian Sikh community in retaliation of the growing support in the community for Sikh Human Rights issues.

Advocate Navkiran Singh stated that the revision petition was filed on the ground that there is clear evidence of Criminal Conspiracy against Jagdish Tytler which has been overlooked in this case. He stated that there are reliable witnesses against Jagdish Tytler including Jasbir Singh and they are hopeful that through the revision petition the case against Jagdish Tytler would be reopened.

Attorney Gurpatwant Singh Pannun Legal Advisor Sikhs For Justice stated that the CBI earlier ignored material witnesses including witness Resham Singh, Alam Singh and Chain Singh who saw Jagdish Tytler leading the violent mob at Gurudwara Pulbangash on November 1, 1984.

Attorney Pannun stated that all legal remedies seeking justice will be exhausted in India and if the guilty are not punished by the Indian courts then justice will be sought before the International fora.

The complainant Lakhwinder Kaur had earlier stated the wounds inflicted upon her 25 years back have been reopened by the order of the court acquitting Jagdish Tytler who she says caused the death of her husband Badal Singh and was the main perpetrator of the massacre of the Sikhs.

All India Sikh Student Federation President Karnail Singh Peermohammed who has been pursuing the legal cases of November 1984 Sikh Massacre along with Sikhs for Justice for the last three years stated that acquittal of Jagdish Tytler would be a denial of Justice to the victims.

The next date of hearing is **February 4, 2011** before the Sessions Judge, Karkardooma.

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January 17, 2011

**"SIKHS FOR JUSTICE" TO CHALLENGE THE CANADA'S RESPONSE TO "SIKH
GENOCIDE PETITION"**

A "MOTION TO DEBATE ISSUE OF SIKH GENOCIDE" TO BE FILED IN CANADIAN PARLIAMENT

Sikhs for Justice (SFJ) a human rights advocacy group which is spearheading the justice campaign for the victims of November 1984 Sikh Genocide announced that a "Motion to Debate Issue of Sikh Genocide" will be filed in the Canadian Parliament through which a debate will be conducted in the House to challenge the Government's response to "Sikh Genocide Petition".

In June 2010, a petition signed by more than ten thousand Canadians and sponsored by MPs Sukh Dhaliwal and Andrew Kania asking the Canadian Government to recognize Sikh Massacre of November 1984 as "Genocide" was presented in the Parliament.

According to the attorney Gurpatwant Singh Pannun, legal advisor to SFJ, since Canadian government's response to the Sikh Genocide Petition is plethora of legal and factual errors, Sikh community is going to challenge this response in the Parliament by filing a "Motion to Debate Issue of Sikh Genocide" through which SFJ will present to the House evidence, documents, and witnesses to substantiate the claim that massacre of Sikhs in November 1984 was an act of "Genocide" as defined under Article 2 of the UN Convention on Genocide.

The Government of Canada's response to the Sikh Genocide Petition is in breach of its obligations under the UN Convention on Genocide, Universal Declaration of Human Rights and Crimes against Humanity and War Crimes Act of Canada, all of which require Canada to recognize the killings like that of November 1984 as "Genocide" and to take all necessary actions to prevent and prosecute the crime of genocide.

It is undisputed that Government of Canada is duty bound to fulfill its obligation under UN Convention on Genocide. However, the Government's response to Sikh Genocide Petition proves that Canada has traded its obligation with regard to Sikh human rights with the economic benefits from India, added attorney Pannun.

The response of the Government is merely an attempt to appease India because of latter's mighty economic status, stated Jatinder Singh Grewal Coordinator SFJ, such attitude and behavior of the Government on an issue of human rights is not only discouraging for victims of November 1984 but is also contemptuous to the brave Canadian men and women who are serving in Afghanistan to promote the Canadian legacy of human rights for all, concluded Grewal.

"Sikhs For Justice" (SFJ) is filing a "1503 PETITION" before U.N. HUMAN RIGHTS COMMISSION (UNHRC) in November 2011 requesting UN to appoint an independent expert to look into the gross human rights violations of Sikhs in India in November 1984 and adopt a resolution condemning the human rights violations of Sikhs in India.

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Recognize 1984 riots as genocide: Canadian MP

Ramaninder K Bhatia, TNN, Jan 9, 2011, 04.52am IST

CHANDIGARH: [Sukh Dhaliwal](#), the Canadian member of parliament of Indian origin, who created a flutter by introducing a petition in Canadian Parliament for recognizing [1984 anti-Sikh riots](#) as 'Sikh genocide', in June last year, is now carrying the same appeal back home. The Canadian government, though, has rejected the demand.

"I would love to see the Indian government acknowledge this. You have a very competent PM, who has a credible image on international scene. Even the leader of ruling party has a very positive image. Both of them should come forward and acknowledge this," Dhaliwal, the Liberal MP from Newton-North Delta told TOI here on Saturday evening.

"It is very difficult for Canadian parliament to say whether it was genocide or not, but for

me, it was more of a matter of creating awareness," Dhaliwal said asserting that petition was filed out of the need to create awareness about human rights rather than simply a community issue.

Asserting that there was no harm in admitting to mistakes, Dhaliwal offered Canada's example, where "strong human rights", enshrined in the constitution led to the government offering apology and then commemorating dark spots in history like Kamagata Maru, taxing the Chinese or the Indians (the aboriginals). "If something happened in 1984 where people were killed just because they were Sikhs, in a pogrom in [Delhi](#), then I think, I am speaking not only as a Punjabi, but as an advocate for human rights."

'Whatever Dosanj said wasn't true'

Dhaliwal had met the PM in June last year, soon after [Manmohan Singh](#) had expressed concern about reports of growing activities of Sikh extremists in Canada. PM's comments came soon after another Canadian politician of Indian origin, [Ujjal Dosanj](#), had expressed his worries on the issue. "I met him with other MPs and told him that this impression was not correct and whatever Dosanj had said, was not true. After Dosanj's comments, many youngsters approached me to express their anguish. Comments like this diminish all hard work that our elders put in to make their place in that society," he said.

'People have still not got justice'

"When I introduced the petition in Canadian Parliament, I faced a lot of opposition from India, from within my own party and some quarters within the community. But my conscience was clear. I am a Canadian, a Sikh, and a very proud Sikh, I knew I had to bring this up. People have still not got justice...", he said, adding that the issue had now gained international attention. "Last evening, people walked up to me in a Ludhiana restaurant and said they wanted to honour me for raising this issue at global level."

Dhaliwal said [India](#) also stood to gain by it. "India is an emerging super power and many countries, including [Canada](#), want to engage in trade with her. She has to be open on fronts like human rights, child labour and women issues. India must take a leadership role and acknowledge this (genocide). It will not only raise the image of India, but also people like me who were born here and share the same culture and heritage," he stated.

Newspaper Coverage:

<http://timesofindia.indiatimes.com/articleshow/7245096.cms?prtpage=1>

<http://www.sikhsangat.org/2011/01/recognise-84-anti-sikh-riots-as-genocide-canadian-mp/>