

## Sikhs for Justice

### Press Release

**Re: Michael Ignatieff's Statement of June 1, 2010**  
**India Genocide Targeting Sikhs**  
**Definition and Appropriate use of the Term Genocide**

Per his statement of June 1, 2010, it is apparent that Liberal Leader Michael Ignatieff is, either unaware of the content of the '**Convention on the Prevention and Punishment of the Crime of Genocide**,' also known and hereinafter referred to as the '**Genocide Convention**,' or well aware and opted to distort, for political reasons, the definition of Genocide mandated pursuant to Article 2 of same, adopted by the international community in 1948 and ratified by Canada in 1952.

Moreover, what a criminal element within the Indian Government sought to accomplish through Genocide in 1984 against its Sikh religious minority, Mr. Ignatieff now seeks to accomplish through overt historical revisionism against international humanitarian law and the victims of genocide, both within India and elsewhere throughout the world.

Given his leadership position within the Canadian Government, Mr. Ignatieff is in a position to know or should have known that upon ratification, international treaties, conventions, covenants, and agreements become the law of the land for each High Contracting Party. Moreover, High Contracting Parties are legally duty bound to execute the provisions of said instruments in good faith, consistent with the letter, spirit, and intent of same.

On November 28, 1949 Canada became a signatory to the Convention on the Prevention and Punishment of the Crime of Genocide and ratified same on September 3, 1952 without declarations, reservations, or objections.

Canada has been a high contracting party to the Convention for the past over fifty seven (57) years and is continuously obligated to fulfill her commitments under the Convention, least of which is to acknowledge the events such as November 1984 killing of Sikhs as Genocide. Acknowledging the November 1984 killings of Sikhs as Genocide is something which Canada, as a high contracting party, should have done 25 years ago. Given his statement of June 01, regarding Genocide relative to the events of 1984 in India, it appears that Mr. Ignatieff during the past twenty five and one half (25 ½) years, had failed to: educate and familiarize himself with the contents and provisions of Genocide Convention to which Canada is a high contracting party; Canada's obligation under the Convention; study the Indian government's violence against Sikhs both during and subsequent to 1984, and most importantly has ostensibly failed identify a single disparity between that which constitutes Genocide per Article 2 of the Convention and the realities presenting on the ground in India in November 1984 which the Indian government planned, incited, facilitated, and perpetrated.

Albeit Mr. Ignatieff dismisses the events of 1984 as something other than Genocide but in doing so he failed to identify, which he perceives and seeks to peddle to the Canadian public to constitute, a single discernible disparity between what is defined as Genocide per Article 2 of the Convention, and the realities of what occurred on the ground in India against the Sikhs in 1984.



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As a member of Canada's Parliament since December 10, 2008, Mr. Ignatieff is duty bound to uphold and defend the laws of Canada, not excluding the Genocide Convention generally, its prevention and punishment provisions mandated pursuant to Articles 1, 3, 4, 5, 6, 7, and 8 in particular.

As a High Contracting Party to the Convention in 1984, Canada was legally duty bound to act to prevent Genocide in India against the Sikhs per the prevention provisions mandated in Articles 1, 5, and 8 of same, but history has recorded her failure to do so.

As a High Contracting Party to the Convention in 2010, the Canadian Government is legally duty bound to punish those who planned, facilitated, and participated in Genocide in India against the Sikhs per Articles 1, 3, 4, 5, 6, 7, and 8, but history has recorded its failure to do so.

Failure of any High Contracting Party to act in good faith pursuant to the letter, spirit, and intent of all provisions of the Genocide Convention constitutes a de facto denunciation of same.

Mr. Ignatieff's rhetoric is reminiscent of Potius Pilate, calling not for justice, or the invocation of Canadian law in response to Genocide, but an ad hominem assault upon and condemnation of those who seek and are entitled to pursue justice under international humanitarian law. A call for history to grant absolution, forgive and forget, through apathy and indifference, those who planned, incited, facilitated, and participated in Genocide in India in 1984, and to forget their victims while those responsible are permitted to live, come, and go in freedom among us, is an assault upon international humanitarian law, affront to human decency, and an immutable negative measure of a society's values.

Failure to seek and pursue legal prosecution of those who planned, incited, facilitated, and participated in Genocide in India in 1984 is to conclude there to have been no crime, their actions not criminal, and there to have been no victims.

Failure of a High Contracting Party to apply, in good faith, the mandated prevention and punishment provisions of the Genocide Convention constitutes a de facto denunciation of the Convention. A call by a government leader to ignore two (2) of its most fundamental precepts is irresponsible and contrary to the Canada's obligation under Genocide Convention and runs counter to great Canadian legacy of respect for human rights.

## **Convention on the Prevention and Punishment of the Crime of Genocide**

**Approved and proposed for signature and ratification or accession by  
General Assembly resolution 260 A (III) of 9 December 1948**

**entry into force 12 January 1951, in accordance with article XIII**

The Contracting Parties,

Having considered the declaration made by the General Assembly of the United Nations in its resolution 96 (I) dated 11 December 1946 that genocide is a crime under international law, contrary to the spirit and aims of the United Nations and condemned by the civilized world,

Recognizing that at all periods of history genocide has inflicted great losses on humanity, and

Being convinced that, in order to liberate mankind from such an odious scourge, international co-operation is required,

Hereby agree as hereinafter provided:

### **Article 1**

The Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish.

### **Article 2**

In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group.

### **Article 3**

The following acts shall be punishable:

- (a) Genocide;
- (b) Conspiracy to commit genocide;
- (c) Direct and public incitement to commit genocide;
- (d ) Attempt to commit genocide;
- (e) Complicity in genocide.

### **Article 4**

Persons committing genocide or any of the other acts enumerated in article III shall be punished, whether they are constitutionally responsible rulers, public officials or private individuals.

### **Article 5**

The Contracting Parties undertake to enact, in accordance with their respective Constitutions, the necessary legislation to give effect to the provisions of the present Convention, and, in particular, to provide effective penalties for persons guilty of genocide or any of the other acts enumerated in article III.

### **Article 6**

Persons charged with genocide or any of the other acts enumerated in article III shall be tried by a competent tribunal of the State in the territory of which the act was committed, or by such international penal tribunal as may have jurisdiction with respect to those Contracting Parties which shall have accepted its jurisdiction.

### **Article 7**

Genocide and the other acts enumerated in article III shall not be considered as political crimes for the purpose of extradition.

The Contracting Parties pledge themselves in such cases to grant extradition in accordance with their laws and treaties in force.

### **Article 8**

Any Contracting Party may call upon the competent organs of the United Nations to take such action under the Charter of the United Nations as they consider appropriate for the prevention and suppression of acts of genocide or any of the other acts enumerated in article III.

#### **Article 9**

Disputes between the Contracting Parties relating to the interpretation, application or fulfillment of the present Convention, including those relating to the responsibility of a State for genocide or for any of the other acts enumerated in article III, shall be submitted to the International Court of Justice at the request of any of the parties to the dispute.

#### **Article 10**

The present Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall bear the date of 9 December 1948.

#### **Article 11**

The present Convention shall be open until 31 December 1949 for signature on behalf of any Member of the United Nations and of any nonmember State to which an invitation to sign has been addressed by the General Assembly.

The present Convention shall be ratified, and the instruments of ratification shall be deposited with the Secretary-General of the United Nations.

After 1 January 1950, the present Convention may be acceded to on behalf of any Member of the United Nations and of any non-member State which has received an invitation as aforesaid. Instruments of accession shall be deposited with the Secretary-General of the United Nations.

#### **Article 12**

Any Contracting Party may at any time, by notification addressed to the Secretary-General of the United Nations, extend the application of the present Convention to all or any of the territories for the conduct of whose foreign relations that Contracting Party is responsible.

#### **Article 13**

On the day when the first twenty instruments of ratification or accession have been deposited, the Secretary-General shall draw up a proces-verbal and transmit a copy thereof to each Member of the United Nations and to each of the non-member States contemplated in article 11.

The present Convention shall come into force on the ninetieth day following the date of deposit of the twentieth instrument of ratification or accession.

Any ratification or accession effected, subsequent to the latter date shall become effective on the ninetieth day following the deposit of the instrument of ratification or accession.

#### **Article 14**

The present Convention shall remain in effect for a period of ten years as from the date of its coming into force.

It shall thereafter remain in force for successive periods of five years for such Contracting Parties as have not denounced it at least six months before the expiration of the current period.

Denunciation shall be effected by a written notification addressed to the Secretary-General of the United Nations.

#### **Article 15**

If, as a result of denunciations, the number of Parties to the present Convention should become less than sixteen, the Convention shall cease to be in force as from the date on which the last of these denunciations shall become effective.

#### **Article 16**

A request for the revision of the present Convention may be made at any time by any Contracting Party by means of a notification in writing addressed to the Secretary-General.

The General Assembly shall decide upon the steps, if any, to be taken in respect of such request.

#### **Article 17**

The Secretary-General of the United Nations shall notify all Members of the United Nations and the non-member States contemplated in article XI of the following:

- (a) Signatures, ratifications and accessions received in accordance with article 11;
- (b) Notifications received in accordance with article 12;
- (c) The date upon which the present Convention comes into force in accordance with article 13;
- (d) Denunciations received in accordance with article 14;
- (e) The abrogation of the Convention in accordance with article 15;
- (f) Notifications received in accordance with article 16.

#### Article 18

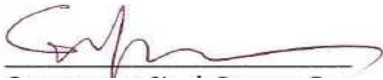
The original of the present Convention shall be deposited in the archives of the United Nations.

A certified copy of the Convention shall be transmitted to each Member of the United Nations and to each of the non-member States contemplated in article XI.

#### Article 19

The present Convention shall be registered by the Secretary-General of the United Nations on the date of its coming into force.

Thanks & Best Regards,



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