

SIKHS – A NATION WITHOUT HOMELAND

Self-Determination for the Sikh Peoples and India's Brutal Crackdown:



Sikhs gather from across California to vote in the non-binding Khalistan Referendum at Civic Centre Plaza in San Francisco, California on January 28, 2024

I. INTRODUCTION

1. This Report has been compiled at the request of Sikhs For Justice, a human rights advocacy group (hereinafter “SFJ”), for submission to the United States Congress and Administration.
2. This Report provides an overview of the historical context and key issues surrounding the promotion of a sovereign, independent, self-governing Sikh homeland within the current Punjab region of India (to be named Khalistan). Section II outlines the legal basis for self-determination through secession. Section III discusses the Khalistan Referendum within the broader context of referenda. Section IV examines the Indian response to the referendum campaign.

II. EXECUTIVE SUMMARY

3. Sikhs are a distinct people under international law, entitled to the right of self-determination as affirmed by the United Nations Charter (Art. 1(2)) and the International Covenant on Civil and Political Rights (ICCPR, Art. 1). Sikhism is a monotheistic religion with a unique theological canon, holy script, religious and spiritual practices, language and social institutions. The Sikh people have maintained their separate religious identity, cultural traditions, linguistic heritage, and political institutions for centuries. The region of Punjab currently governed by India is home to Sikhs and Sikhism not in terms of percentage of Sikhs but also its connection to the birth of Sikhism and the Vatican of Sikhism – The Golden Temple of Amritsar – is situated in the same region of Punjab.
4. In 1947, Sikh majority areas of Punjab were given under the control and governance of India. Following India's independence, Indian State has systematically and deliberately denied political and religious rights to the Sikh people, from denying separate identity to violently suppressing demand for internal self-determination.
5. International law recognizes the right of all ‘peoples’ to self-determination. With their common history, religion, language, culture, and identity, Sikhs are a ‘people’ under international law. Typically, self-determination should be pursued within existing state boundaries. However, in exceptional cases—such as colonial rule, foreign occupation, or where a people is systematically denied meaningful internal self-determination—this right may be exercised externally, through secession. The Supreme Court of Canada and other legal authorities have affirmed this principle.
6. In the case of India’s Sikh population, decades of state-sponsored violence, political repression, and denial of justice—most notably denial of separate religious identity under the Explanation II to Article 25(b) of the Indian Constitution and the genocidal violence during and after the 1984—supports the argument that Sikhs fall within an exceptional category. Accordingly, there is a credible legal basis for asserting that Sikhs are entitled to external self-determination through secession of the Sikh majority area – the Indian Governed Punjab - from the Union of India. SFJ is spearheading the campaign for the realization of Sikh right to self-determination through the democratic means of unofficial global Khalistan Referendum which aims to gauge and quantify the support amongst Sikh peoples – living outside and inside India – for the independence and secession of Punjab from India.
7. Initiated in 2018 with the London Declaration, the Khalistan Referendum campaign is a peaceful, democratic process that invites voters to answer a simple question - “Should Indian Governed Punjab Be An Independent Country?” Since October 2021, voting has taken place in the UK, Switzerland, Italy, Australia, New Zealand, Canada, and the U.S., with an estimated 1.5 million Sikhs having voted worldwide. The Research Institute on Self-Determination (‘IRAI’) of Canada examined

the Khalistan Referendum and found that while such referenda may lack formal legal recognition, they can serve as powerful democratic tools to mobilize communities, raise international awareness, and challenge political marginalization. IRAI affirmed that in contexts where a state has “persistently refused to grant participatory rights” and trampled upon the rights of a group—as in the case of Sikhs in India—a referendum may be a legitimate expression of external self-determination.

8. Despite the peaceful and democratic nature of the Khalistan Referendum process, the Indian authorities have responded with threats and violence. Having tried (but failed) to persuade the UK to block the London Declaration event, India used its draconian anti-terror laws to declare SFJ an unlawful organization.
9. In India, supporters of Khalistan Referendum have been persecuted, arrested and imprisoned on trumped-up charges. In 2025 alone over 50 Sikhs in India have been detained, arrested and prosecuted for raising slogans or writing graffiti supporting the Khalistan Referendum
10. Abroad, including in the U.S., Sikhs who support or advocate for Khalistan Referendum have been subjected to various forms of transnational repression. The June 2023 assassination of Canadian Coordinator of Khalistan Referendum, Hardeep Singh Nijjar in Canada and the attempted assassination of the global spokesperson for Khalistan Referendum Gurpatwant Singh Pannun, New York – both planned and orchestrated by the agents of India’s premier spy agency R&AW - illustrate the nature of the India’s response, as well as the lack of respect for Canadian and U.S sovereignty.
11. In sum, Sikh people qualify for Self Determination and their initiative the global Khalistan Referendum campaign represents a legitimate exercise in democratic expression, grounded in international law and driven by a desire to advocate for their right. Far from promoting violence or instability, Sikh peoples’ ongoing initiative of holding global voting on Khalistan Referendum follows best practices in the organization of referenda and to uphold universal principles of self-determination and political participation. The Indian government’s heavy-handed response—both domestically and abroad—risks undermining these principles and violating the sovereignty of the U.S. and its allies.

III. THE RIGHT TO SELF-DETERMINATION

A. The Legal Position

12. Self-determination is the right of peoples to freely determine political status and freely pursue economic, social, and cultural development. International law provides all ‘peoples’ with a right to self-determination.
13. There are two main avenues for peoples to pursue self-determination: First, within the (current) territory of the parent state – known as internal self-determination; second, outside the (current) territory of the parent state, via secession and independence – known as external self-determination. As a general rule, ‘peoples’ should exercise their right to self-determination within the territory of their sovereign state, thus maintaining the existing territorial integrity.
14. However, it is generally accepted that there are exceptions to this rule. The Supreme Court of Canada has provided the most comprehensive judicial discussion from any senior court on the issue of self-determination. The Court found that while “international law does not specifically grant component parts of sovereign states the legal right to secede unilaterally from their ‘parent’ state”, such a right may arise exceptionally in the context of an oppressed or colonial people. The Supreme

Court noted three groups for whom the right to self-determination may be exercised externally (via secession): (i) those under colonial rule; (ii) those under some type of foreign occupation; and (iii) exceptionally, those denied the meaningful exercise of the right to self-determination internally. With respect to this last category, the Supreme Court noted: “when a people is blocked from the meaningful exercise of its right to self-determination internally, it is entitled, as a last resort, to exercise it by secession.” This position is consistent with the International Court of Justice and expert opinion.

B. The Situation of Sikh Peoples in India: The Case for Secession

15. With respect to Sikhs, considering the historical and contemporary mistreatment of Sikhs by India, there is a case that Sikhs fall under an exception that permits external self-determination (via secession) as for Sikhs secession is the only possible avenue to achieve meaningful self-determination.
16. Over many decades, Sikh have been denied a distinct religious status [the Indian Constitution in 1950 deprived Sikhism of the separate status by forcefully including Sikhs as part of the Hindu religion], and subjected Sikhs to regular acts of violence and attacks on their economic resources and freedom of expression. Laws such as the Hindu Marriage Act, Hindu Succession Act, Hindu Guardianship Act subjected the Sikh people to family and personal laws of Hinduism.
17. The first violent attacks on Sikhs from the Indian State took place in July 1955 when in response to peaceful and nonviolent movement of “Punjabi Suba” was brutally crushed by the Indian State by launching a violent police action against the Golden Temple in Amritsar killing several and injuring hundreds of peaceful protestors.
18. The other more extreme and brutal attacks include June 1984 Operation Blue Star against the holiest Sikh Shrine the Golden Temple, followed by November 1984 genocidal attacks across India on Sikh lives, properties and places of worship.

¹ The right to self-determination was cemented in Article 1 of the *Charter of the United Nations* of 1948 as one of the four founding purposes of the United Nations (hereinafter “UN”). See also, the *International Covenant on Civil and Political Rights (the ‘ICCPR’)* and the *International Covenant on Economic, Social, and Cultural Rights (the ‘ICESCR’)* of 1966. Article 1 of both treaties refers to right of self-determination. On 25 March 2015, the UN Human Rights Council emphasized that the right has the status of a “*jus cogens* norm of international law.” See, UN Human Rights Council, 28th Session, Agenda Item 7, Human rights situation in Palestine and other occupied Arab territories, A/HRC/28/L.32.

² *Reference by the Governor in Council concerning Certain Questions relating to the Secession of Quebec from Canada*, 20 August 1998, 2 *Supreme Court Reporter (SCR)* 217; 161 *Dominion Law Reports (DLR)* (4th) 385; 115 *International Law Reports (ILR)* 536 (hereinafter, the ‘Quebec Secession Decision’).

³ Quebec Secession Decision, paras 111, 112 “International law contains neither a right of unilateral secession nor the explicit denial of such a right, although such a denial is, to some extent, implicit in the exceptional circumstances required for secession to be permitted under the right of a people to self-determination, *e.g.*, the right of secession that arises in the exceptional situation of an oppressed or colonial people, discussed below.”

⁴ Quebec Secession Decision, para 132 (‘The right of colonial peoples to exercise their right to self-determination by breaking away from the “imperial” power is now undisputed [...].’)

⁵ Quebec Secession Decision para 133 (‘The other clear case where a right to external self-determination accrues is where a people is subject to alien subjugation, domination, or exploitation outside a colonial context.’)

⁶ Quebec Secession Decision, para 134

⁷ The ICJ has dealt the right to self-determination in several cases, including situations relating to Kosovo, Western Sahara, East Timor, Namibia, and Montenegro.

⁸ Antonio Cassese, *Self-Determination of the Peoples. A Legal Reappraisal* (Cambridge University Press, 1995) p. 119-20. ‘When the central authorities of a sovereign state persistently refuse to grant participatory rights to a religious or racial group, grossly and systematically trample upon their fundamental rights, and deny them the possibility of reaching a peaceful settlement within the framework of the state structure [...] a group may secede – thus exercising the most radical form of external self-determination – once it is clear that all attempts to achieve internal self-determination have failed or are destined to fail.’

19. This was followed by a long terrain of extra judicial killings of over 200,000 Sikhs by the Indian security forces in the name of counter insurgency operations from 1984-1998.
20. The persecution of Sikhs continues to the present day, including repression aimed at SFJ activists (see Section IV). The vast majority of Sikh victims have been denied justice. Consequently, establishing that attempts to exercise the right to meaningful internal self-determination have been 'blocked' and often met with state-backed violence.
21. The events in 1984 are key to understanding the relationship between India and the Sikh peoples. In June 1984, in an effort to quash Sikh peoples' movement for self-determination, the Indian Government mounted Operation Blue Star, which led to the deaths of over 10,000 Sikhs at the Golden Temple complex in Amritsar, mostly civilian pilgrims, including women and children. In November 1984, following the assassination of Prime Minister Indira Gandhi by her Sikh bodyguards, Sikhs across India were subjected to genocidal violence, rape and murder, facilitated and coordinated by the police and administration across India. Estimates put the death toll at around 30,000.
22. Perhaps unsurprisingly, State legislatures in the U.S. and Canada have condemned the state-sponsored violence against the Sikhs in 1984 as 'genocide'.
23. But the persecution of Sikhs did not end there. According to human rights groups, from 1984 until 1998, in the name of counterinsurgency, the Indian authorities committed thousands of arbitrary detentions, tortures, extrajudicial executions, and enforced disappearances of Sikhs. Over the last 20 years, in addition to the continued repression in India, attacks against Sikhs have been committed abroad (see Section IV).

IV. THE KHALISTAN REFERENDUM CAMPAIGN IN CONTEXT

24. In preparation for the Khalistan Referendum campaign, SFJ undertook significant efforts to understand the benefits, limitations, legality, and risks of holding referenda. To that end, SFJ

<http://www.amnesty.org/%20en/library/asset/ASA20/011/1991/ru/d0c5a939-f944-11dd-92e7-c59f81373cf2/asa200111991ar.html>.

¹⁴ See, State of Connecticut, USA, Public Act No 18-60, 1 June 2018 ('The Governor shall proclaim November thirtieth of each year to be Sikh Genocide Remembrance Day to remember the lives lost on November 30, 1984, during the Sikh Genocide. Suitable exercises may be held in the State Capitol and elsewhere as the Governor designates for the observance of the day.') (emphasis added); California State Assembly, Concurrent Resolution 34, 16 April 2015 ('WHEREAS, November 2014 marked the 30 year anniversary of the horrific anti-Sikh pogroms, which claimed the lives of thousands of Sikhs throughout India in the first week of November 1984; and [...] WHEREAS, Sikh women, many of whom lost their husbands, sons, and fathers during the pogroms, were gang raped and sexually assaulted by the attackers; and [...] WHEREAS, Eyewitnesses, journalists, and human rights activists have compiled evidence showing that government and law enforcement officials organized, participated in, and failed to intervene to prevent the killings through direct and indirect means [...].') (emphasis added); Legislative Assembly of Ontario, Canada, Private Members Bill Introduced by Harinder Malhi, 7 April 2017 (The Bill which passed 34-5, referred to the 1984 massacres as genocide. Ms Malhi MP stated during the debate: 'The ensuing destruction and loss of life, including the massacres in November 1984, marked one of the darkest chapters of the later 20th century for the Sikh community. Simply put, as recognized by many leading international human rights organizations, the 1984 genocide of Sikhs was a series of acts of genocide directed against Sikhs in India that had an effect on Sikhs around the world.')

¹⁵ "...[F]rom 1984 to 1995 the Indian government ordered counterinsurgency operations that led to the Police abducted young Sikh men on suspicion that they were involved in the militancy, often in the presence of witnesses, yet later denied having them in custody. Most of the victims of such enforced disappearances are believed to have been killed. To hide the evidence of their crimes, security forces secretly disposed of the bodies, usually by cremating them. When the government was questioned about "disappeared" youth in Punjab, it often claimed that they had gone abroad to Western countries." See, Human Rights Watch, *Protecting the Killers, A policy of Impunity in the Punjab, India*, Protecting the Killers, October 2007, p. 1, <https://www.hrw.org/report/2007/10/17/protecting-killers/policy-impunity-punjab-india>.

24. engaged international lawyers to assess the legal arguments for and against secession, and consulted political scientists to better understand the referendum process itself. Notably, SFJ commissioned the Research Institute on Self-Determination of Peoples and National Independence (IRAI) to produce a detailed report examining “the conditions and best practices that must be met for a vote to be recognized by the international community.” Authored by world-renowned experts Matt Qvortrup and Dane Waters, the resulting publication—*From the Golden Temple to Punjab Independence: Practical and Political Issues Pertaining to a Non-Government-Executed Independence Referendum in the Indian-Governed Region of Punjab*—offers a comprehensive analysis of both the legal and political implications of such a referendum. It also addresses broader considerations, including “when referendums are won, whether they lead to conflict or to peace, and how referendums can be used to shift the political agenda.” The following section draws heavily on the findings and analysis contained in the IRAI report.
25. Referenda have long held a powerful place in the political life of nations—not only as legal mechanisms for constitutional change, but as symbolic acts capable of reshaping public discourse and attracting international attention. Even when unofficial or lacking government sanction, referenda may serve as transformative exercises. They elevate causes that would otherwise remain marginalized, provide a unifying platform for fragmented movements, and offer a peaceful and democratic means of voicing dissent. This is especially the case when referenda are conducted transparently and fairly, with broad participation, including from displaced populations and diaspora communities.
26. According to the IRAI report, the Khalistan Referendum falls squarely within this category of unofficial, yet potentially influential, democratic processes. Although the Indian Constitution does not permit such a vote, and legal scholars remain divided as to its enforceability, the historical and moral basis for the initiative is far from tenuous. International precedent suggests that when a state “persistently refuses to grant participatory rights to a religious or racial group, grossly and systematically trample upon their fundamental rights,” a referendum may constitute a legitimate expression of external self-determination. While international law does not provide a blanket right to secede unilaterally, it does recognize the legitimacy of referenda in situations where other democratic avenues have been effectively closed off.
27. Beyond questions of legality, referenda can exert real political influence even in the absence of immediate constitutional effect. Historical examples from Catalonia, East Timor, and Quebec demonstrate how such votes can galvanize communities, attract international attention, and compel state and non-state actors to engage with previously ignored grievances. In the case of Punjab, where decades of violence, repression, and displacement have taken a heavy toll, a referendum may offer a peaceful, democratic response to long-standing injustices. The act of voting itself becomes a declaration of identity, solidarity, and an assertion of collective will—especially for Sikhs living in the diaspora, many of whom maintain deep emotional and cultural ties to their ancestral homeland.
28. The inclusion of diaspora voters in such processes is well established in international practice. In the independence referenda held in East Timor, South Sudan, and Eritrea, displaced populations were explicitly included in the franchise, given that their exile was directly related to the underlying conflict. The same rationale applies in the context of Punjab. The anti-Sikh violence of the 1980s, combined with continued reports of systemic discrimination, has created a compelling case for recognizing the political stake of the Sikh diaspora in determining Punjab’s future.
29. Concerns are sometimes raised about the framing of referendum questions and the validity of results

from unofficial polls. However, the IRAI report observes that “the international experience suggests that the question posed in a referendum does not affect the outcome.” Attempts to use emotive or leading phrasing—such as “agree” or “approve”—have not been shown to significantly influence results, particularly when the subject matter is already well known to the electorate. That said, perception matters. The report recommends that organizers “allow an unbiased international panel to draft the ballot question,” both to bolster legitimacy and to pre-empt accusations of manipulation.

30. It is true that in some cases, referenda have been associated with heightened tensions or conflict—as seen in Bosnia. But such instances are the exception rather than the rule. Of the 44 independence referenda held between 1900 and 2010, only six led to war. The remaining cases facilitated a peaceful expression of democratic will, even when the desired outcome—full independence—was not immediately realized. As the IRAI report concludes, “referendums can often be seen as a peaceful solution to a politically divisive issue.”
31. Seen in this light, the Khalistan Referendum—though unofficial and unsanctioned—should not be dismissed as a mere protest action. Rather, it represents a principled and historically grounded exercise in democratic self-determination. Its true significance lies not in any immediate legal consequence, but in its potential to revive a silenced political discourse, to mobilize a transnational constituency, and to demand that the question of Sikh nationhood be addressed not as a threat to state security, but as a legitimate call for justice.

V. INDIA'S RESPONSE TO THE REFERENDUM CAMPAIGN

32. In 2024, SFJ issued a report - Criminalization of the Khalistan Referendum In Modi's India – which compiled acts of repression perpetrated by Indian state actors against Sikhs associated with the Khalistan Referendum. This section summarizes the key findings of that report.

A. Repression in India

33. Successive Indian governments have adopted a systematic policies of criminalizing Sikh advocacy for self-determination, particularly in connection with the Khalistan Referendum campaign. Modi's current regime has doubled down on this repression. Peaceful support for Khalistan is routinely equated with terrorism or sedition, and authorities use draconian legislation—primarily the Unlawful Activities (Prevention) Act (UAPA)—to justify surveillance, censorship, arrest, and prolonged detention without trial. The controversial UAPA law punishes individuals for being a member of an ‘unlawful association’ or for committing unlawful activities, as defined by the Indian Government. A major concern is that UAPA labels a person's call “to determine whether part [of India] will remain a part of the territory of India” as ‘secession’ and therefore an unlawful activity liable to prosecution. Both United Nations (‘UN’) experts and international human rights groups have raised serious concerns about UAPA's compliance with international human rights law. On May 6, 2020, no less than nine UN Special Rapporteurs voiced their collective concern over UAPA and its amendments, as well as India's misuse of its laws “in the context of ongoing discrimination directed against religious and other minorities, human rights defenders, and political dissidents, against whom the law has been used.” As stated by the UN Rapporteurs: “The act fails to define a ‘terrorist threat’ clearly and

¹⁶ Unlawful Activities (Prevention) Act 1967, s2(1)(o)(i)

“secession of a part of the territory of India from the Union includes the assertion of any claim to determine whether such part will remain a part of the territory of India.”

¹⁷ 6 May 2020 – Comments to the Unlawful Activities Amendment Act 2019 and the 1967 Unlawful Activities Prevention Act - OL IND 7/2020. Accessed 16 July 2020 Available at:

<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=25219>.

¹⁸ 6 May 2020 – Comments to the Unlawful Activities Amendment Act 2019 and the 1967 Unlawful Activities Prevention Act - OL IND 7/2020. p4.

introduces broad discretion for the relevant authorities to label a person as a terrorist...A vague and broad scope of anti-terrorism legislation contravenes the principle of legality, among others.” In 2019, the Indian Government designated SFJ an unlawful association under s3(1) of the UAPA and has since labelled SFJ’s peaceful and democratic referendums as “terrorism” and branded its supporters as “terrorists.”

34. Sikhs have been targeted for acts as innocent as wearing Khalistan t-shirts, caps, or carrying posters. Even digital expressions of support for Sikh self-determination—such as attending a webinar, sharing a social media post, or expressing solidarity with the referendum—have led to prosecutions under anti-terror laws. Common forms of repression in India include:

- Declaring SFJ an “unlawful association”.
- Making support for SFJ and/or the Khalistan referendum a criminal act;
- Detaining Sikhs who simply exert their free speech to support the referendum;
- Committed torture and inhuman acts against Sikhs in detention;
- Raiding houses of those associated with the referendum;
- Harassing, vilifying Sikhs associated with the referendum.

35. In other words, the Modi Government has weaponized its legal system to persecute Sikh citizens who express their political beliefs. During the last 12 months alone (June 2024 to July 2025), estimated 53 Sikh individuals have been arrested or charged in relation to their participation in the Khalistan Referendum campaign or their support for SFJ. These arrests appear to violate the right to freedom of expression and association. Selected examples include:

18 June 2025

Arrest of Rasham Singh

Reason: Painting pro Khalistan graffiti on Ambedkar Statute.

17 April 2025

Arrest of 4 Sikh Students: Jaskaran, Sukhpal Singh, Kartik and Tejpal

Reason: Writing pro-Khalistan slogans and putting up related posters

15 April 2025

Criminal Charges Filed: Tejpal Singh, Kartik and Bir Sukhpal Singh and 3 others

Reasons: Spray-painting Pro Khalistan Slogans on the walls.

5 April 2025

Arrest of Sukhbir Singh and Avtar Singh

Reason: Spray-painting pro-Khalistan and anti-Constitution slogans on the glass shield, besides putting such banners at the site.

4 April 2025

Arrest of 6 Sikhs on the charges of terrorism

Reason: Vandalizing the Ambedkar Statute

¹⁹ Ministry of Home Affairs Notification S.O. 2469(E), 10 July 2019. Available at: https://www.mha.gov.in/sites/default/files/SikhsForJustice_11092019_0_0.pdf

March 15, 2025

Arrest of Gogi Singh, Johny and Pritpal Singh.

Reason: Writing Pro Khalistan Slogan on the walls.

27 February 2025

Arrest of 6 Sikhs: Jagraj Singh alias Soni, Gurmeet Singh alias Gitti, Amritpal Singh, Baljinder Singh, Baljeet Singh alias Prabhu, Atarveer Singh alias Ater

Reasons: Writing Pro Khalistan slogans hoisting Khalistan flag in the village of Punjab Chief Minister

A. Transnational Repression

36. Ever since the Indian Government attempted to associate SFJ to the farmers protests of 2020-2021, its transnational actions became more aggressive. Around this time, three leading organizers of Khalistan Referendum, Gurpatwant Singh Pannun (U.S. based), Hardeep Singh Nijjar (Canada based), and Paramjeet Singh Pamma (U.K based) – were charged with “terrorism” for organizing demonstrations outside Indian Missions in USA, Canada and UK respectively.
37. Misuse of the international police body, Interpol, is a common form of transnational repression used to target SFJ activists. The repression starts in India, where the Indian authorities misuse the criminal justice system to charge SFJ activists. Many SFJ activists have been charged under the UAPA based on fabricated evidence - the related arrest warrants form the basis of Indian requests to Interpol for red notices. The apparent aim of the Indian authorities is to force the SFJ activists back to India to be incarcerated. However, Interpol rejected Indian requests for extradition of these activists, noting that the allegations do not amount to ordinary crimes and are covered by freedom of expression.
38. Then, in June 2023, Indian transnational repression went into overdrive with the assassination of Canadian Citizen and Coordinator of Khalistan Referendum Hardeep Singh Nijjar in Surrey, BC. and the attempt to assassinate Gurpatwant Singh Pannun in New York.
39. Hardeep Singh Nijjar was a prominent Pro Khalistan Activist who spearheaded the Khalistan Referendum campaign in Canada. On June 18, 2023, Mr. Nijjar was shot and killed in his pickup truck in the parking lot of a Sikh Temple in Vancouver, British Columbia, where he served as President. On September 18, 2023, on the floor of the Canadian Parliament, Prime Minister Justin Trudeau publicly announced that Canadian intelligence agencies had conducted a thorough investigation and found evidence to conclude that “agents of the government of India” had committed the murder.
40. As RAW orchestrated the assassination of Nijjar in Canada, it was also planning the murder of Pannun in the U.S.. The allegations relating to the assassination of Pannun are detailed in the U.S. Southern District of New York’s Second Superseding Indictment in which Nikhil Gupta and Vikash Yadav are charged with murder-for-hire for trying to kill Pannun, unsealed on 17 October 2024 (‘US Indictment’). The Washington Post, New York Times, Guardian, Financial Times and other media undertook detailed investigations of their own. The assassination was eventually foiled when the ‘hitmen’ Indian agents tried to hire turned out to be undercover U.S. law enforcement agents. Nikhil Gupta, an India narcotics and firearms trafficker who organized the murder on behalf of RAW, was captured by the U.S. and now awaits trial in New York.

²⁰ See, BBC, <https://www.bbc.com/news/world-us-canada-67836968>.

²¹ See, CBC, <https://www.cbc.ca/news/politics/trudeau-indian-government-nijjar-1.6970498>.

²² <https://www.justice.gov/archives/opa/pr/justice-department-announces-charges-against-indian-government-employee-connection-foiled>

²³ Available at, <https://www.justice.gov/archives/opa/media/1373831/dl>

41. The evidence obtained by Canadian and U.S. authorities and media outlets demonstrates the following *modus operandi*, broadly speaking:

- The hits were planned and orchestrated by employees of the Indian Government, namely agents within the Research and Analysis Wing ('RAW') of the Indian intelligence service.
- The assassinations in 2023 were overseen by Vikash Yadav (a Senior Intelligence Officer at RAW) with approval by Samant Goel (the then Chief of RAW).
- RAW bribed or paid known criminals to organize and carry out the killings.
- According to U.S. spy agencies, Ajit Doval, Modi's national security adviser, was "probably aware of RAW's plans to kill Sikhs his government considered terrorists."

42.

According to the media reports, RAW has a 'kill list' of SFJ activists, including persons in Canada, the U.K. and U.S. Indeed, on 2 July 2024, Prime Minister Modi addressed the Indian Parliament, referring to alleged terrorists based abroad, and stated: "Today, even India's enemies know: this is Modi, this is the new India, this new India comes into your home to kill you."

VI. CONCLUSION

43. Sikhs are a nation without a homeland - displaced by colonial partition – denied constitutional recognition and subjected to waves of genocidal violence. Today they seek what was taken from them: the right to determine their political future.
44. Sikhs, as people qualify for right to self-determination. Sikh peoples public and popular Khalistan Referendum campaign represents a peaceful, democratic effort by Sikhs to assert their internationally recognized right to self-determination in response to decades of systemic repression, political exclusion, and state-sponsored violence in India. Rather than engaging with this legitimate political process, the Indian government has responded with censorship, criminalization, and transnational repression—including extrajudicial killings—aimed at silencing Sikh voices both within India and abroad. These actions not only violate international human rights law but also threaten the sovereignty and democratic values of nations like the U.S. and Canada.
45. The United States must choose to stand with justice, democracy, and the rights of stateless nations like the Sikhs.

VII. Recommendations to the U.S. Congress and Administration

1. Affirm Sikhs Right To Peacefully Advocate For Self Determination:

Publicly affirm that Sikh advocacy for Khalistan and self-determination is a protected form of political speech.

²⁴ See US Indictment.

²⁵ See US Indictment and Washington Post, *An Assassination Plot of American Soil Reveals a Darker Side of Modi*, 29 April 2024. <https://www.washingtonpost.com/world/2024/04/29/india-assassination-raw-sikhs-modi/>.

²⁶ See US Indictment.

²⁷ See Washington Post, *An Assassination Plot of American Soil Reveals a Darker Side of Modi*, 29 April 2024. <https://www.washingtonpost.com/world/2024/04/29/india-assassination-raw-sikhs-modi/>.

²⁸ <https://www.theglobeandmail.com/opinion/article-narendra-modis-threat-to-kill-foreigners-in-their-homes-cant-simply-be/>

²⁹ Modi address in Indian Parliament referring to alleged terrorists based abroad, 2 July 2024. See, https://www.thestar.com/opinion/star-columnists/this-new-india-comes-into-your-home-to-kill-you-narendra-modis-extraordinary-boast-and/article_3fe781b8-0e36-11ef-b05d-937cf158aaaf.html; see also

<https://www.youtube.com/watch?v=R9uEiM1NlJI>

2. Investigate Transnational Repression:

Direct the State Department and USDOJ to report annually on India's extraterritorial targeting of pro Khalistan activists.

3. Engage the Referendum:

Recognize the Khalistan Referendum as a peaceful mechanism that reduces the risk of violence by offering a democratic, nonviolent and peaceful means to resolve a long standing conflict involving right to self-determination and secession.



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