

UK CHAPTER OF THE WORLD SIKH PARLIAMENT'S SUBMISSION TO THE JOINT COMMITTEE ON HUMAN RIGHTS' ENQUIRY INTO TRANSNATIONAL REPRESSION

The UK Chapter of the World Sikh Parliament (“**WSP, UK**”) welcomes the Joint Committee on Human Rights' Inquiry into Transnational Repression in the UK. It is clearly time for a tailored, comprehensive and effective response to a menace that increasingly threatens democracy and the rule of law, especially human rights, which are integral features of this country. Furthermore, it clearly has the potential to threaten national security. It is a multi-faceted threat that requires a multifaceted response, with domestic and international action needed.

The Joint Committee's initiative is an important step; we wish it every success and hope that the outcome reflects the need to take urgent action at both legislative and policy levels. The WSP, UK is prepared to provide further input, both to the ongoing work of the Joint Committee and to the efforts of civil society and political parties in formulating a long-overdue response to what has become a favourite tool of state terror in the hands of lawless, authoritarian regimes.

This submission has been prepared based on the Sikh experience in recent years. It is not going to delve into the detail of individual cases, as we understand that the Joint Committee's remit does not extend to considering those, although we will reference relevant cases that have been reported widely in the public domain.

The Sikh experience

The Sikh community here in the UK (and in other diaspora settings) has been the target of such repression for many years, as has already been cited by other contributors to this Inquiry. The repression has included assassinations, death threats, targeting of relatives in India with illegal detention and torture, vilification through massive disinformation campaigns, denial of visas to those who dissent, as well as interference in the management of Sikh places of worship. The perpetrator of this unacceptable violation of Sikh human rights has been the Indian state, which has deployed substantial resources and sophisticated methods for an unlawful, political purpose. The Indian government has directed this this outrageous behaviour at the highest levels, with Prime Minister Modi notoriously openly boasting of this policy at a recent election rally¹, and the Canadian deputy foreign minister confirming, as recently as October 2024, the involvement of India's Home Minister Amit Shah.²

¹ Quoted in various media reports during the 2024 Indian general election, as saying: “Today, even India's enemies know: This is Modi, this is the New India. This New India comes into your home to kill you.” See, for example, 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

² As reported in the Independent: “Top Modi minister ordered attacks on Sikh separatists in Canada, official says” – see <https://www.independent.co.uk/asia/india/amit-shah-canada-trudeau-sikh-separatist-latest-b2638106.html>

Some examples of India's transnational repression against Sikhs in the UK would be helpful at this point in this submission, even though there are many others (too many to list).

- The death of Avtar Singh Khanda, a 35-year-old Sikh asylum seeker, in suspicious circumstances in 2023. He was a vocal critic of Indian human rights abuses and an advocate for Sikh independence from India. Sikhs in the UK believe he was murdered by Indian agents using poison and have demanded a fresh investigation as the West Midlands police seem to have been unable or unwilling to treat the 'foreign hand' angle seriously, despite Indian police harassment of his relatives in Punjab and the Indian media wrongly accusing him of criminality shortly before his demise³.
- Avtar Singh Khanda's death in the UK happened at broadly the same time as assassinations / attempted assassinations of high profile Sikh independence campaigners in Canada, the USA and elsewhere. Those events were part of a pattern that was openly celebrated on Indian TV channels, which unashamedly broadcast a hit list comprising of 20 Sikhs in diaspora communities – some of those were UK based Sikhs. The Indian government's policy to kill Sikhs dissidents was no great shock – this had been going on for decades in India – but the disdain with which the sovereignty of other states (mostly friendly) was treated was an entirely new phenomenon. The Five Eyes group of states shared compelling intelligence on the killings, much of which became headline news across the world. Two cases are worthy of special mention, as the evidence of India's culpability is now accepted by everyone but the most loyal of India's Hindutva apologists.

The Canadian government has accused Indian officials of directing the brutal killing of Hardeep Singh Nijjar in June 2023 in Canada and there has been a huge diplomatic fall out, with many diplomats being expelled as a result⁴. First degree murder proceedings against four Indian nationals are ongoing in that case.

Separately, an assassination attempt on a Sikh lawyer and independence campaigner Gurpatwant Singh Pannun in New York, was foiled by the FBI when an Indian agent handed over a down payment on a \$100,000 fee to an undercover officer posing as a hit man. An Indian agent has been extradited from the Czech Republic an Indian intelligence officer has also been charged by US authorities who have made public incontrovertible evidence of that being a plot directed by India's intelligence service RAW⁵.

³ The Guardian's report on the case can be seen at <https://www.theguardian.com/world/2023/dec/20/family-of-sikh-activist-call-for-new-uk-investigation-into-his-death>

⁴ The BBC reported on the diplomatic fallout – see <https://www.bbc.co.uk/news/articles/clyle3py4nko>

⁵ US charges Indian agent in Sikh separatist murder plot – see <https://www.bbc.co.uk/news/articles/cm2949p14k4o>

- Several Sikh activists in the UK being warned by UK police of threats to their lives (Osman warnings) in early 2024, following the broadcast on mainstream Indian media channels of a list of 20 Sikhs, labelled enemies of the state. The BBC reported on this being taken up with UK ministers at the time⁶.
- Online ‘disinformation’ content available here in the UK routinely targets Sikh activists and falsely labels them as extremists and terrorists; this is a coordinated Indian intelligence operation that has been exposed by reputed internet / social media watchers such as the Centre for Information Resilience. In their 2021 report⁷ they stated: “*Our research shows a coordinated effort to distort perceptions and discredit the push for Sikh independence, label Sikh political interests as extremist, stoke cultural tensions within India and international communities, and promote Indian Government content.*” The stoking of these tensions is intended to cause fear and to demonise Sikhs.
- Pro-Indian channels operating on the UK’s satellite TV platforms are also used to target Sikhs with baseless accusations of terrorism, in order to silence their activism. A recent High Court judgement in a defamation case brought by a Sikh self-determinist resulted in substantial damages being awarded against MATV⁸. MATV is owned / directed by the UK convenor of the Overseas Friends of the BJP (India’s ruling party). The channel has also been repeatedly found by Ofcom to have breached British broadcasting rules in unfairly targeting UK-based Sikhs.
- Peaceful protests by Sikhs outside the Indian High Commission in London are used for intelligence gathering purposes, with protestors and their families being subsequently targeted by Indian security agencies and denied visas to visit their relatives and ancestral homeland. The right to democratic protest is a fundamental right here in the UK, but Indian officials are adopting repressive tactics to undermine it.

Why is India committing transnational repression of Sikh diaspora communities?

The purpose of the repression has been to silence activism and the dissent of the Sikh diaspora which has, for decades, opposed massive human rights abuses of the Indian state against Sikhs in India. The diaspora has also lobbied and peaceably campaigned for the exercise of the Sikh nation’s right of self-determination, in accordance with international law, in the form of an independent state of Khalistan in the Sikh homeland of Punjab. The Indian establishment is firmly in the grip of hardline Hindutva extremists, which the international community has only

⁶⁶ MPs to meet security minister over safety of Sikhs living in Britain – see <https://www.bbc.co.uk/news/uk-england-birmingham-68121754>

⁷ See <https://www.info-res.org/cir/reports/revealed-real-sikh-influence-network-pushing-indian-nationalism/>

⁸ Sahota v MATV and others – see full judgement at <https://www.casemine.com/judgement/uk/61b4ef2fb50db928844ed78b>

recently recognised. The majoritarianism is brazen and the Sikhs, like other minorities, are targeted by repressive tactics that cover the entire spectrum of human rights abuses.

The Indo-Sikh conflict in Punjab has been a terrible 40-year consequence of those abuses, which have reached genocidal proportions at times. The World Sikh Parliament in July 2024, contributed to the Human Rights Committee's review of India's position under the 1966 International Covenant on Civil and Political Rights which took place in Geneva, and we would refer the Joint Committee to our submission to that process by way of summary of those abuses. A copy can be found on the UN's treaty database.⁹

It is notable that, during that review in Geneva, Human Rights Committee member Marcia Kran, an expert from Canada, said the Committee was "*deeply troubled*" by India's recently-exposed transnational repression against Sikhs and others, in which India's intelligence services along with high-ranking government officials, have executed political opponents in many countries "*in violation of international law*".

Recommendations for tackling transnational repression

The Sikh experience here in the UK makes for a compelling case to tackle India's transnational repression. It is clear that other communities - and their supporters / defenders - have had similar experiences with other state actors. The WSP, UK extends its support to all victims of transnational repression, wherever they are, and whichever country is responsible. The likelihood is that the problem will only get worse unless meaningful action is taken to protect the innocent and to deter the guilty. This will need measures taken across government and law enforcement agencies, backed by a robust legislative framework that addresses the problem directly.

We do not believe, for instance, that the provisions of the National Security Act 2023 – which are more focussed on security than the protection of human rights – are sufficient. The WSP, UK would recommend that the problem is defined and addressed as a human rights issue. The motivation of bad state actors is to silence free speech and dissent, a core human right, and the often-violent tactics again breach human rights, such as the right to life. The UK government's duty under Article 2 of the International Covenant on Civil and Political Rights is to protect the human rights of those that live here, so that aspect is also defined by human rights.

The WSP, UK would make the following specific recommendations for an effective UK response to the problem of transnational repression.

1. The adoption of a definition of transnational repression which covers any and all tactics of offender states which are, due to political motivations, aimed at breaching the human rights of persons living in the UK and /or those associated with those persons. The approach here should be to adopt the widest possible definition, to prevent states

avoiding the net by using different tactics. The definition should be underpinned by internationally accepted human rights, such as those set out in the 1966 International Covenant on Civil and Political Rights, which most states are a party to. By taking a human-rights centric approach, the risk of regressive political interference (such as the influence of lobbies and the arguments that trade with transgressor states should outweigh concerns over repressive tactics) will be minimised.

2. Vulnerable Diaspora communities should be genuinely and fully consulted on the definition and other measures taken to combat the repression; the WSP UK is willing to engage in that process. Without consultation with these key stakeholders the process will not command public confidence and will most likely be ineffective.
3. The UK government should appoint a senior independent reviewer of legislative and policy frameworks adopted to counter transnational repression, akin to the independent reviewer of anti-terrorist legislation. After all, transnational repression often takes the form of state terrorism.
4. The UK authorities must not allow political pressure from transgressor states to prevent action being taken against them. India has, for example, tempted the UK government with deals for military equipment and trade deals for decades as a way of exerting pressure, so that its human rights violations are overlooked. Indeed, Indian politicians have established close connections to leading UK politicians, such as Priti Patel who has been accused of making baseless attacks against Sikhs in the UK¹⁰. As Home Secretary, she also gave the green light for the extradition of three British Sikhs to India – thankfully the attempt did not survive the scrutiny of the UK courts¹¹. That extradition request, itself an act of transnational repression, involved allegations for which the judge said there was not sufficient evidence for him to even examine the extradition request, despite the allegations being so serious that the Sikhs could have received the death sentence if handed over to India.
5. Diplomatic, financial and legal powers to hold offenders to account should be used. Targeted sanctions, expulsion of diplomats, travel bans, and criminal prosecutions should be used freely to combat transnational repression. There should be no pretence at niceties to protect offenders who have sought to undermine the UK's sovereignty here in the UK. The current evidence is that the UK government does not take the threats to Sikhs seriously and we fear that poor attitude may well extend to other communities. The WSP,UK wrote to the Prime Minister, the Foreign Secretary, the FCDO Minister responsible for the Indo-Pacific, copied to the FCDO, on 27 October 2024 requesting action on India's threats to Sikhs in the UK; despite reminders being

¹⁰ See a related article by a leading Sikh journalist entitled 'Priti Patel's Problematic History Of Anti-Sikh Activities' at <https://www.baaznews.org/p/sikhs-priti-patel-must-go>

¹¹ The BBC reported on the case – see <https://www.bbc.co.uk/news/uk-england-coventry-warwickshire-58652778>

sent no response has been received to date and no action has been taken. No doubt the recently opened trade deal talks with the Indian government have something to do with that.

6. As proposed by Amnesty International, a cross-departmental unit or taskforce should be established in the UK to combat transnational repression and the threat posed to diaspora communities in the UK¹². The WSP, UK supports that call. The UK's intelligence agencies must be part of that unit, as should the UK's police forces. Political representation from the Home Office and the Foreign Office should also be ensured.
7. Where criminal law is breached, sentencing should be increased if the motivation is transnational repression. As a threat to both individual human rights and the UK's sovereignty, these offences are particularly egregious, and offenders deserve more punitive action as a deterrence against similar behaviour by others.
8. The UK Home Office should be obliged to publish annual reports setting out details of cases involving transnational repression. It is vital that public bodies and the general public be made aware of such cases, so that policies can be developed to protect those communities that are vulnerable to such tactics. It is worth noting that a bipartisan bill has been introduced in the USA's House of Representatives by a leading Senator aimed at requiring the US Attorney General to submit annual reports. The recital to the bill refers to India's transnational repression against the Sikhs, including the cases referred to above.¹³
9. Police protection for those that are under threat should be the norm, rather than the exception. Sikhs who have been warned about threats have sometimes only been given vague details and no actual protection. An appropriate risk assessment, involving the victim, should be done in all cases so that adequate security is put in place.
10. There should be a well-publicised, multi-lingual confidential helpline for those who suspect they are being targeted by transnational repression. It is vital that those who are concerned about being a victim should be able to speak to experts who can offer advice and put them in touch with law enforcement officers, as well as with contacts in other relevant government departments.
11. At the international level, the UK government should hold transgressor states to account at both bilateral and multilateral fora, especially in the UN's human rights mechanisms and review procedures.

¹² See https://www.amnesty.org.uk/files/2025-02/Roundtable%20Summary%20Report%20on%20Transnational%20Repression_Hong%20Kong%20diaspora%2028Nov%202024%29.pdf?VersionId=DSxxeB_Hx3IDFeQb8OgniFKnY4QAovbn

¹³ A copy of the bill can be seen at <https://www.congress.gov/bill/118th-congress/house-bill/9707/text>

The WSP, UK hopes that this submission to the Joint Committee on Human Rights will assist the Committee in its deliberations on a hugely important subject that demands serious action within Parliament and beyond. We are prepared to meet with Committee Members and would ask that they do what they can to ensure that the requisite legislative and policy action is taken as soon as possible. The threat to individuals and to the UK's security interests is too serious to ignore. For the Sikhs in the UK, this is one of the most pressing matters which our political representatives should address.

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