

**Statement for the Record from
The Sikh Coalition**

**House Homeland Security
Committee's Subcommittee on
Counterterrorism, Law Enforcement,
and Intelligence Hearing**

**Safeguarding Dissident Voices:
Addressing Transnational Repression
Threats to Homeland Security**

January 17, 2024

The Sikh Coalition respectfully submits this statement for the record in connection with the above-referenced hearing before the House Homeland Security Committee's Subcommittee on Counterterrorism, Law Enforcement, and Intelligence. As a civil rights organization that represents the Sikh community in the United States, we write to address our concern about the threats that Sikhs in the United States face from transnational repression perpetrated by the government of India.

By way of background, the Sikh Coalition is the largest Sikh American civil rights organization in the United States. Our organization was founded in the immediate aftermath of September 11, 2001, in response to a torrent of hate crimes and acts of discrimination, both individual and institutional, against Sikhs throughout the United States. In the more than 20 years since, our mission has been to work towards a world where Sikhs and other religious minorities in America can freely practice their faith without bias, bigotry, and backlash.

Transnational repression is being used to silence dissidents, human rights advocates, journalists, and minorities around the world — including American citizens. This is an area of concern that impacts diaspora communities targeted by Russia, Iran, India, China, Turkey, North Korea, and other countries.¹ To address the safety concerns and civil rights of our communities, the Committee has the ability to pass existing bills and identify additional recommendations that can responsibly hold countries accountable for

¹ Mike Abramowitz and Nate Schenkkan, "The long arm of the authoritarian state," *The Washington Post*, Feb. 3, 2021, <https://www.washingtonpost.com/opinions/2021/02/03/freedom-house-transnational-repression-authoritarian-dissidents/>; and Yana Gorokhovskaia, Nate Schenkkan, and Grady Vaughan, "Still Not Safe: Transnational Repression in 2022," *Freedom House*, Apr. 6, 2023, https://freedomhouse.org/sites/default/files/2023-04/FH_TransnationalRepression2023_0.pdf



their actions, while also ensuring that the civil rights and civil liberties of Americans are not violated and that no community in the United States is scapegoated for the acts of a foreign nation.

While the Sikh Coalition cannot speak to all of the lived experiences of every community targeted by transnational repression, we write to share with you credible concerns that the government of India has engaged in such behavior against the Sikh diaspora. Recent events have confirmed longstanding community concerns about efforts to instill fear and silence within Sikhs in the United States. In November 2023, the Department of Justice indicted an Indian national who allegedly attempted to coordinate the assassination of a Sikh American on U.S. soil at the direction of an unnamed employee of the government of India.² That indictment also alleges that the government of India had a list of additional Sikhs—in the words of one conspirator, “so many targets”—they planned to kill between the United States and Canada. Moreover, the Sikh Coalition is also concerned that India is exporting hate-fueled propaganda to further target religious minority communities with anti-Sikh, Islamophobic, and otherwise discriminatory or fear-mongering disinformation to incite community unrest and violence within the diaspora. These concerns are swelling as we approach the 40th anniversary of the start of a campaign of genocidal violence visited upon the Sikh community in India by the Indian government in 1984.³ Sikh Americans who wish to raise awareness about the acts of India, both historical and present-day, must be free to do so without fear of retribution and violence from the Indian government, paid criminals, recruited street forces, or extremist Hindu nationalists.

In light of the alarming news of India’s alleged involvement in multiple assassinations and other recent events indicating attempts to target Sikh Americans and houses of worship in our nation, it is imperative that Congress take bold action to protect the civil rights and civil liberties of all Americans and defend our nation from such challenges to our nation’s democratic and pluralistic ideals. The United States should not tolerate attempts to intimidate, harass, and threaten its people, and must hold accountable not only the individual actors but also those involved in the architecting and supporting such plots. Indeed, our commitment to democracy must be even stronger when foreign nations are actively propagating fear in our nation and seeking to restrict the freedom of our citizens. We appreciate the Biden-Harris Administration prioritizing initiatives to address transnational repression in 2021. However, this new and developing area of

² United States v. Nikhil Gupta, Sealed Superseding Indictment, S1 23 Cr. 289 (VM), <https://www.justice.gov/media/1326501/dl?inline>.

³ Jaskaran Kaur, “Twenty Years of Impunity - The November 1984 Pogroms of Sikhs in India,” Ensaaf, Oct. 2006, <https://ensaaf.org/wp-content/uploads/2018/08/20years-2nd.pdf>.



national security requires greater multi-agency resource coordination to streamline current processes. Finally, the United States government must ensure there is neutral application of existing political tools to avoid favoritism with specific countries.

I. Credible Allegations of India’s Plot to Murder Americans and Instill Fear Against a Religious Diaspora

On November 29, 2023 the Department of Justice unsealed an indictment⁴ of Indian national Nikhil Gupta, who was allegedly recruited by an employee of the Indian government to work with others to assassinate Sikh Americans and Canadians. The indictment indicates that Mr. Gupta, along with his collaborators, dedicated extensive time, international coordination, and \$100,000 to a murder-for-hire scheme targeting a Sikh American in New York, and that the plot had involved “so many [other] targets,” including at least one other American in California. The indictment contains allegations that corroborate India’s alleged role in the assassination of Hardeep Singh Nijjar, a Canadian citizen who was murdered in British Columbia, Canada, in June of 2023. Moreover, the facts alleged in the indictment indicate that there is an ongoing threat of assassination against an unknown number of U.S. Sikhs, and that there is an international network of individuals, including an employee of the government of India, who are coordinating and financing these illegal activities.

Subsequent events have lent further credence to the likelihood that the government of India is directly responsible for attempts to target Sikhs in the United States and abroad: reports of a leaked memo⁵ originally issued by India’s Ministry of External Affairs (MEA) in April indicate that the MEA “instructed its consulates in North America to launch a ‘sophisticated crackdown scheme’ against Sikh diaspora organizations,” including organizations in the United States.⁶ The MEA memo lists the names of several members of the Sikh diaspora, including Mr. Nijjar, who was assassinated two months after the memo was issued. In the MEA memo, Sikhs’ expressions of free speech and political dissent were conflated with extremism and terrorism, and mischaracterized its targeting of Sikhs abroad as a fight against Sikh separatist, or Khalistani “extremism”.

⁴ United States v. Nikhil Gupta, Sealed Superseding Indictment, S1 23 Cr. 289 (VM), <https://www.justice.gov/media/1326501/dl?inline>.

⁵ See Exhibit 1.

⁶ Murtaza Hussain and Ryan Grim, “Secret Indian Memo Ordered ‘Concrete Measures’ Against Hardeep Singh Nijjar Two Months Before His Assassination in Canada,” The Intercept, Dec. 10, 2023, <https://theintercept.com/2023/12/10/india-sikhs-leaked-memo-us-canada/>.



More worryingly, the MEA memo admits India’s frustration with those who were “actively engaged in anti-India propaganda, attempting to degrade India’s international image” and that the United States and Canada were “asserting that these organizations have not committed any crime within their territories.” Nonetheless, the MEA memo identifies three requests by Indian missions/consulates in the United States to undertake the following actions:

- 1) Increasing clandestine security operations, including a “sophisticated crackdown scheme” on Sikhs in the United States and Canada and increased surveillance between Sikhs and elected officials;
- 2) Influence authorities, think tanks, and political figures to foster a “favorable atmosphere”; and
- 3) Cultivate a “vital force in the street” through U.S.-based organizations (including the U.S.-India Business Council⁷, Indiaspora, among other organizations).

The strategies identified in the MEA memo should be alarming as they indicate a conscious and willful disregard for not only the human rights of Americans engaged in the lawful expressions of their freedom of speech, but indeed our nation’s fundamental sovereignty. The MEA memo has identified strategies to develop a street force in the United States that can be mobilized by a foreign nation to intimidate fellow Americans and stoke unrest for expressing their lawfully protected speech. The MEA memo also identifies strategies used by hostile foreign governments to undermine trust and confidence in our nation’s institutions, including government, law enforcement, think tanks, and politicians. Canada has already expressed public concern that the government of India is one of the leading nations engaged in foreign interference within its borders.⁸ More must be done by our federal government, think tanks, and law enforcement to defend against such foreign interference campaigns. Pursuant to laws on international

⁷ We note that the MEA memo’s scheme of interference in our domestic affairs is targeting a U.S. government organization that resides with the U.S. Chamber of Commerce.

⁸ Dylan Robertson, “India among top sources of foreign interference in Canada: Jody Thomas,” Toronto Sun, June 5, 2023, <https://torontosun.com/news/national/india-among-top-sources-of-foreign-interference-in-canada-jody-thomas>.



human rights,⁹ communities have the right to determine if they want to be a part of a nation-state or not, and that right should not be infringed upon.¹⁰

Regrettably, India has criminalized the right of self-determination for Sikhs and overbroadly deems any expression in support of this political belief as terroristic.¹¹ In a democracy like the United States, individuals have the right to peacefully express their political beliefs without fear of retribution. The freedom of speech and expression of our citizens is a fundamental cornerstone that cannot be violated by any domestic law, much less by a foreign government. The assassination plots credibly believed to be orchestrated by India undermine these principles by targeting individuals, including Canadians and Americans, who are supporting an unofficial and non-binding referendum vote to gather consensus among Sikh communities worldwide on the establishment of Khalistan, a Sikh homeland.¹²

⁹ International Covenant on Civil and Political Rights, United Nations General Assembly Resolution 2200A (XXI), December 16, 1996, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>; Declaration on the Granting of Independence to Colonial Countries and Peoples, United Nations General Assembly Resolution 1514 (XV), Dec. 14, 1960, <https://www.ohchr.org/en/instruments-mechanisms/instruments/declaration-granting-independence-colonial-countries-and-peoples>.

¹⁰ The demand for self-determination by Sikhs to create a homeland called Khalistan has roots in the historical and cultural differences between the Punjabi Sikhs and the Indian state. Sikhs have a distinct identity and many believe that their rights and interests have been ignored or suppressed by the Indian state for more than four decades. Therefore, the demand for self-determination is not just a political issue, but also a cultural and social one. Genocidal violence by India targeting the Sikh community also plays a significant role in legitimate requests for self-determination.

¹¹ “Support for self-determination with respect to Khalistan is outlawed in India and considered a national security threat by the government – a number of groups associated with the movement are listed as ‘terrorist organizations’ under India’s Unlawful Activities (Prevention) Act (UAPA),” Paula Newton and Rhea Mogul, “India expels Canadian diplomat in tit-for-tat move as spat over assassinated Sikh activist deepens,” CNN, Updated Sept. 19, 2023, <https://www.cnn.com/2023/09/18/americas/canada-hardeep-singh-nijjar-india-intl/index.html#>; “Since June 2020, hundreds of Sikhs have been detained and interrogated in India due to their social media activities and some have been charged with offences related to support for Khalistan under the Unlawful Activities Prevention Act (‘UAPA’),” “Enforcing silence: India’s War on Sikh Social Media,” World Sikh Organization, July 2020, https://assets.nationbuilder.com/worldsikh/pages/2479/attachments/original/1680541803/WSO_Social_Media_Crackdown_Report.pdf?1680541803; “In a chilling throwback McCarthyism in the United States, India’s Parliament has passed the Unlawful Activities (Prevention) Amendment Bill, 2019 which will allow the Central government to designate individuals as ‘terrorists’ without the exercise of due process of law,” Rongeeet Poddar, “Constitutionality of India’s Unlawful Activities (Prevention) Amendment Bill, 2019: India’s McCarthyism Moment,” Oxford Human Rights Hub Blog, August 14, 2019, <https://ohrh.law.ox.ac.uk/constitutionality-of-indias-unlawful-activities-prevention-amendment-bill-2019-indias-mccarthyism-moment>.

¹² The Sikh Coalition does not take an institutional position on Khalistan, but firmly believes that all people have a right to free speech and a right to lawfully advocate for their beliefs.



Moreover, it is deeply concerning that India appears to be actively financing and promoting criminal enterprise activity in the United States. We are alarmed by what appears to be the government of India using criminal elements—including but not limited to recruiting an international narcotics trafficker¹³—to target Sikhs in the United States and other countries, a clear violation of democratic principles, due process, and respect for the rule of law. The use of criminal elements to kill individuals on India’s hitlist further lends concern that the targets were selected not to enact justice but to send a message of fear to specific communities in the United States and intent to avoid culpability for the murder of Americans. It also leads to greater concerns as to what extent foreign governments are using transnational crime to undermine the safety and security of our nation, and whether current policy is adequate to address these risks.

Following the murder of Mr. Nijjar, the FBI warned several Sikh Americans of threats against them.¹⁴ More concerning is the fact that India appears to be unabated by the credible allegations of transnational repression brought by Canada and the indictment by the U.S. Department of Justice. Beyond India ignoring the rules-based international order by attempting to use criminal means to silence dissidents, it is alarming to note that India’s targeting of the Sikh diaspora appears to be politically motivated leading up to India’s elections.¹⁵ Further undermining the legitimacy of India’s claims of combating fatal threats is the alleged strategic timing of India’s assassination plot: The indictment specifically identifies that the Indian agent requested action that would not coincide with Prime Minister Narendra Modi’s state visit to the United States.¹⁶ This allegation suggests a misuse of diplomatic relations to target religious minorities and political dissenters abroad, including Americans. This information also raises serious concerns about India’s commitment to democratic principles, its reliability as a strategic partner,¹⁷ and its commitment to bilateral agreements with our nation. The 2005 New Framework

¹³“In or about May 2023, CC-1 recruited GUPTA to orchestrate the assassination of the Victim in the United States. GUPTA, an Indian national who also resides in India, is an associate of CC-1 and has described his involvement in international narcotics and weapons trafficking in his communications with CC-1 and others.” United States v. Nikhil Gupta, Sealed Superseding Indictment, S1 23 Cr. 289 (VM), <https://www.justice.gov/media/1326501/dl?inline>.

¹⁴ Murtaza Hussain, “FBI Warned Sikhs in the U.S. About Death Threats After Killing of Canadian Activist, The Intercept, Sept. 23, 2023, <https://theintercept.com/2023/09/23/sikhs-fbi-canada-india-nijjar/>.

¹⁵ C. Christine Fair, “India’s Spat With Canada Is a Win-Win Situation for Modi,” FP, Oct. 20, 2023, <https://foreignpolicy.com/2023/10/20/india-modi-canada-trudeau-nijjar-khalistan-sikh-separatism/>.

¹⁶“Gupta also specifically instructed the UC not to commit the murder around the time of anticipated engagements scheduled to occur in the ensuing weeks between high-level U.S. and Indian government officials.” United States v. Nikhil Gupta, Sealed Superseding Indictment, S1 23 Cr. 289 (VM), <https://www.justice.gov/media/1326501/dl?inline>.

¹⁷“On foreign policy, India is reliably unreliable,” The Economist, Nov. 24, 2022, <https://www.economist.com/asia/2022/11/24/on-foreign-policy-india-is-reliably-unreliable>.



Agreement focused on upholding democratic institutions and the rule of law; similarly, the recent 2023 U.S.-India Comprehensive Global and Strategic Partnership affirms that the rules-based international order must be respected. These actions of India, however, run contrary to such agreements and demonstrate that India is using its geopolitical standing with the United States to exploit human rights abuses against not only the United States, but also other Five Eyes nations.

In December 2023, Human Rights Watch also raised concerns about India's "systemic failures to prosecute security force personnel for extrajudicial killings" and questioned India's willingness to address transnational repression.¹⁸ Following the indictment, India stated it would create a body to review the allegations.¹⁹ However, subsequent to that announcement, Nikhil Gupta, the individual named in the unsealed public indictment, was recently transferred to solitary confinement by Czech authorities after they were alerted by the United States of a threat on his life.²⁰ Reporting from this week now indicates that Sikhs in the United Kingdom "have been warned by police that their lives are in danger" amid claims of escalating attempts to target Sikh activists.²¹ Sufficient credible reporting suggests that within its own borders India is among the most egregious offenders of human rights. The safety, security, and rights of dissidents and religious minorities are now also under grave threat from the actions of India. Given ongoing concerns about India's belligerence to the rule of law and human rights we express grave concern that India will not meaningfully address these serious matters, more must be done to hold India and those acting with India accountable.

II. Concerning Pattern of Transnational Repression by India and Indian Nationalists Targeting Religious Minorities in the United States

In September of 2023, Canadian Prime Minister Justin Trudeau confirmed that "Canadian security agencies have been actively pursuing credible allegations of a potential link" between the Indian state and the arbitrary extra-judicial killing of Sikh Canadian Hardeep

¹⁸ "India: Investigate Alleged Overseas Murder Plots," Human Rights Watch,

<https://www.hrw.org/news/2023/12/15/india-investigate-alleged-overseas-murder-plots>.

¹⁹ Krishn Kaushik, "India to probe US concerns linking it to foiled murder plot," Reuters, Nov. 29, 2023,

<https://www.reuters.com/world/india/india-forms-committee-look-into-security-concerns-raised-by-us-2023-11-29/>.

²⁰ Ritika Chopra, "Plot to kill Pannun: Czech govt moved Nikhil Gupta to solitary after US input on life threat," The Indian Express, Updated Jan. 8, 2024, <https://indianexpress.com/article/india/plot-to-kill-pannun-czech-govt-moved-nikhil-gupta-to-solitary-after-us-input-on-life-threat-9099366/>.

²¹ Fiona Hamilton, Amardeep Bassey, "Sikhs given 'threat to life' notices fear link to India," The Times, Jan. 14, 2023, <https://www.thetimes.co.uk/article/sikh-leaders-in-uk-issued-with-threat-to-life-notices-wnswkwhkbb#>.



Singh Nijjar in British Columbia in June of the same year.²² As mentioned above, Prime Minister Trudeau’s national security advisor previously named India as a “top source of foreign interference in Canada,”²³ and these concerns were publicly raised by Prime Minister Trudeau at the G20 Summit in New Delhi in September.²⁴

Concerns of transnational repression, and specifically the targeting of Sikhs, extends beyond these events in Canada. The United States Commission on International Religious Freedom (USCIRF) has also found that Jagtar “Jaggi” Singh Johal, a British Sikh man, remains “detained [in India] for his religious belief and for documenting religious freedom violations.”²⁵ And in May 2022, the United Nations Working Group on Arbitrary Detention declared Johal’s detention arbitrary and called for his immediate release.²⁶

Additionally, members of the Sikh American community, including elected officials,²⁷ have courageously spoken out about threats that could be traced back to the government of India or may be the result of India’s cultivated street force here in the United States or radicalized Hindu nationalist extremists²⁸ stoked by India’s industrial-scale disinformation

²² Paula Newton and Rhea Mogul, “India expels Canadian diplomat in tit-for-tat move as spat over assassinated Sikh activist deepens.” CNN, Sep. 19, 2023, <https://www.cnn.com/2023/09/18/americas/canada-hardeep-singh-nijjar-india-intl/index.html>.

²³ “India among top actors for foreign interference in Canada: national security adviser.” CTV News, Jun. 5, 2023, <https://www.ctvnews.ca/politics/india-among-top-actors-for-foreign-interference-in-canada-national-security-adviser-1.6428213#>.

²⁴ “Trudeau leaves India after aircraft issues delayed departure from rocky G20: Canadian prime minister’s time at G20 summit in New Delhi highlights growing tensions between India and Canada.” Al Jazeera, Sep. 12, 2023, <https://www.aljazeera.com/news/2023/9/12/trudeau-leaves-india-after-aircraft-issues-delayed-departure-from-rocky-g20#>.

²⁵ “Jagtar Singh Johal,” United States Commission on International Religious Freedom, <https://www.uscirf.gov/religious-prisoners-conscience/forb-victims-database/jagtar-singh-johal>.

²⁶ Calum McKay and Katie Hunter, “UN group: No legal basis for Jagtar Singh Johal’s detention in India.” BBC News, May 8, 2022, <https://www.bbc.com/news/uk-scotland-scotland-politics-61371846>.

²⁷ Jenny Huh, “Sikh lawmakers, threatened over ethnicity in recent weeks, highlight nationwide safety concerns,” KGET, Oct. 19, 2023, <https://www.kget.com/news/local-news/local-sikh-lawmakers-threatened-over-ethnicity-in-recent-weeks-highlight-nationwide-safety-concerns/>; Joe Rubin, “Sikh activists in California fear being targeted in alleged assassination plot,” The Sacramento Bee, Dec. 1, 2023, <https://www.sacbee.com/news/local/article282490123.html>.

²⁸ Hindu Nationalists and White Supremacists are also worryingly becoming further aligned to advance their respective agendas of prejudice in establishing racially pure societies. Supporters have embraced the Aryan race mythology as well as fascism, while White Supremacists have admired Hindu Nationalists promoting Islamophobia and the ideals of a caste system. See Aadita Chaudhury, “Why white supremacists and Hindu nationalists are so alike” Al Jazeera, Dec. 13, 2018, <https://www.aljazeera.com/opinions/2018/12/13/why-white-supremacists-and-hindu-nationalists-are-so-alike>; and Audrey Truschke, “Hindu Supremacists in a White World,” Oxford Academic, Jun. 23, 2023, <https://academic.oup.com/jaar/article/90/4/805/7205783>. The cross-pollination of extremist ideologies to inspire bigoted acts of hatred has become a growing threat for religious minorities around the world. See Joe Heim and James McAuley, “New Zealand attacks offer the latest evidence of a web of supremacist



campaigns and open calls for the assassination of dissidents, including individuals in the United States. It should be very alarming that the targeting is against American houses of worship, such as gurdwaras (Sikh houses of worship), including one in California, reportedly using travel visas as a tool of coercion against Americans.²⁹ Similarly, India has also been repeatedly implicated in infiltrating gurdwaras in Canada³⁰ and repeatedly convicted of spying on Sikhs by courts in Germany.³¹ Many Sikhs, including current and former elected officials in Canada, have also been denied visas to visit India as a result of speaking out about human rights abuses in India.³²

The Sikh Coalition has also received reports from individuals in the United States receiving threatening messages after attending peaceful protests critical of the Indian government. We are also aware of instances of Indian government agents stopping individuals arbitrarily and with false charges to elicit information about Sikh communities in the United States. And finally, we have been notified of situations in which individuals in the United States who have expressed criticism of the Indian government have had their family members in India face harassment at the hands of Indian authorities. Regrettably, many individuals are understandably reluctant to come forward due to report these instances with law enforcement due to the very real fear of reprisal against themselves or their loved ones abroad. Community reporting of incidents faces challenges due to a lack of awareness in recognizing signs of transnational repression.

extremism,” The Washington Post, Mar. 15, 2019, https://www.washingtonpost.com/world/europe/new-zealand-suspect-inspired-by-far-right-french-intellectual-who-feared-nonwhite-immigration/2019/03/15/8c39fba4-6201-4a8d-99c6-aa42db53d6d3_story.html. The importation of extremist Hindu nationalist ideology into the United States has the potential to spur more violence and unrest against Sikh and Muslim communities, which according to the Federal Bureau of Investigation’s Hate Crime Statistics Program are already among the most targeted religious communities for hate violence in the United States.

²⁹ Joe Rubin, “California Sikhs report threats, troubling incidents to FBI following assassination in Canada,” The Sacramento Bee, Oct. 19, 2023, <https://www.sacbee.com/news/local/article280306154.html>.

³⁰ “WSO Expresses Concern over Indian Interference in Canada,” World Sikh Organization, April 17, 2019, https://www.worldsikh.org/wso_expresses_concern_over_indian_interference_in_canada.

³¹ Germany has charged individuals linked to Indian intelligence services at least three times. “Germany charges man with spying for Indian intelligence,” Al Jazeera, May 13, 2020, <https://www.aljazeera.com/news/2020/5/13/germany-charges-man-with-spying-for-indian-intelligence>; IP Singh, “Second case of Germany going after Sikhs spying on their community,” Times of India, April 12, 2019, <https://timesofindia.indiatimes.com/city/ludhiana/second-case-of-germany-going-after-sikhs-spying-on-their-community/articleshow/68841351.cms>; “German official charged with spying on Sikhs for India,” The Local, Sept. 20, 2016, <https://www.thelocal.de/20160920/german-official-charged-with-spying-on-sikhs-for-india>.

³² IP Singh, “Canadian Sikh MLA alleges India denied visa to him,” Times of India, Updated Dec. 27, 2013, <https://timesofindia.indiatimes.com/nri/us-canada-news/canadian-sikh-mla-alleges-india-denied-visa-to-him/articleshow/28001791.cms>; and A Singh, “India denies ex-MP visa,” Asian Pacific Post, Oct. 25, 2011, <https://asianpacificpost.com/article/4732-india-denies-ex-mp-visa.html>.



These challenges are exacerbated by insufficient community involvement and a lack of awareness among law enforcement agencies, including federal authorities. Many of these concerns regarding India's behavior, however, were highlighted in December 2023 by the Senate Foreign Relations Committee, during their hearing on "Transnational Repression: Authoritarians Targeting Dissenters Abroad."³³

These disturbing reports highlight that Sikh Americans of all walks of life are being targeted, whether they are dissidents, elected officials, or simply attending houses of worship across the country. This pattern of intimidation and harassment against a religious minority community is deeply troubling and poses a significant threat to the safety and well-being of our nation and the rights of Americans. Recent reporting also indicates that a complex web of misinformation has sought to discredit foreign critics of the Modi government, and was set up and is run by an Indian intelligence officer.³⁴ The reports from this entity, Disinfo Lab, have been cited by Indian officials on television and presented on Capitol Hill.³⁵ Disinfo Lab often perpetuates "unsubstantiated claims to paint U.S. government figures, researchers, humanitarian groups and Indian American rights activists" as part of a global conspiracy.³⁶

III. The History of Religious Oppression by the Indian Government Indicates a Move Towards Authoritarianism with International Aspirations

These egregious actions by India, including attempting to murder Americans, not only violate our democratic ideals but are part of a broader pattern of India's suppression of religious minorities both domestically and abroad. When Sikhs and other religious minorities peacefully dissent, the response from the Indian government has too often been marked by attempts to suppress their freedoms of expression through internet shutdowns, media censorship, intimidation, arbitrary arrests, escalation of violence, and characterizations of peaceful dissidents as terrorists. Actions like these contradict fundamental human rights and risk exacerbating civil unrest and alienation of an entire religious minority community.

³³ "Transnational Repression: Authoritarians Targeting Dissenters Abroad" Senate Foreign Relations Committee, Dec. 6, 2023, <https://www.foreign.senate.gov/hearings/transnational-repression-authoritarians-targeting-dissenters-abroad>.

³⁴ Gerry Shih, Clara Ence Morse and Pranshu Verma, "Covert Indian operation seeks to discredit Modi's critics in the U.S.," The Washington Post, December 10, 2023, <https://www.washingtonpost.com/world/2023/12/10/india-the-disinfo-lab-discredit-critics/#>.

³⁵ Id.

³⁶ Id.



In March of 2023, Indian authorities executed weeks-long massive mobilizations of paramilitary and police forces, conducted multiple coordinated arbitrary arrests with brutal violence, imposed mobile internet data blackouts, blocked SMS services, censored media, and disproportionately targeted Sikhs and political dissenters across Punjab.³⁷ Similar oppressive tactics were also displayed during the historic Farmers' Protests that began in India in September 2020.³⁸ The Indian government's censorship of certain aspects of the country's national conversation evoke grave concerns of fostering a climate that could lead to mass violence against Muslims, Sikhs, and other minorities, especially given that India is considered a country at high risk for mass killings.³⁹ USCIRF Chair Abraham Cooper also reiterated last year that "[r]eligious freedom conditions in India have notably declined in recent years," specifically citing that "Muslims, Sikhs, Christians, Dalits, and Adivasis are experiencing increased levels of attacks and acts of intimidation."⁴⁰

Non-governmental organizations (NGOs) like Amnesty International, which monitor human rights conditions worldwide, were forced to shut offices across India after being financially paralyzed by the Indian government.⁴¹ Oxfam and Khalsa Aid have also been subjected to raids by the Indian government.⁴² Similarly, the offices of BBC and other media organizations were subject to government raids.⁴³

³⁷ Letter to Secretary Antony Blinken, The Sikh Coalition, March 21, 2023, <https://www.sikhcoalition.org/wp-content/uploads/2023/03/Support-for-Sikhs-and-Democratic-Norms-in-India-March-21-2023.pdf>.

³⁸ Mujib Mashal and Sameer Yasir, "Modi's Response to Farmer Protests in India Stirs Fears of a Pattern," New York Times, Feb. 3, 2021, <https://www.nytimes.com/2021/02/03/world/asia/india-modi-farmer-protest-censorship.html>.

³⁹ "Rising Mass Atrocity Risks in India." United States Holocaust Memorial Museum, Mar. 30, 2022, <https://www.ushmm.org/genocide-prevention/blog/rising-mass-atrocity-risks-in-india>; "India: 2023-24 Statistical Risk Assessment for Mass Killing," Early Warning Project, <https://earlywarningproject.ushmm.org/countries/india>.

⁴⁰ "USCIRF Reiterates Concerns on Religious Freedom in India, Calls for Release of Religious Prisoners of Conscience," United States Commission on International Religious Freedom, Oct. 3, 2023, <https://www.uscirt.gov/news-room/releases-statements/uscirt-reiterates-concerns-religious-freedom-india-calls-release#>.

⁴¹ Hannah Ellis-Petersen and Ben Doherty, "Amnesty to halt work in India due to government 'witch-hunt'." The Guardian, Sep. 29, 2020, <https://www.theguardian.com/world/2020/sep/29/amnesty-to-halt-work-in-india-due-to-government-witch-hunt>; "NIA teams raid Khalsa Aid's Patiala office, question MD Amarpreet Singh," The Tribune, Aug. 2, 2023, <https://www.tribuneindia.com/news/punjab/nia-teams-raid-khalsa-aids-patiala-office-question-md-531112#top>.

⁴² Astha Rajvanshi, "How the Indian Government Uses Raids to Silence Critics," TIME, Feb. 14, 2023, <https://time.com/6255425/india-raid-bbc-modi-documentary/>.

⁴³ Id.



The Indian Government's control and manipulation of the media to advance their ideological purposes is also no secret. Since 2020, India has regressed further down the Reporters Without Borders World Press Freedom Index. It is now ranked among the worst for global press freedom with the likes of Russia, China, and Iran.⁴⁴ India has expelled foreign journalists due to work critical of Prime Minister Narendra Modi,⁴⁵ and imprisoned a growing number of journalists in-country for their reporting.⁴⁶ Additionally, even journalists in the United States who ask simple questions about India's human rights record face online threats and harassment.⁴⁷

Additionally, social media users critical of India's draconian policies routinely have their accounts restricted at the request of the government.⁴⁸ Any criticism of the Modi government can lead to bans and attacks by trolls. Individual users have been targeted for something as trivial as sharing a BBC documentary that is critical of Mr. Modi;⁴⁹ there have also been coordinated campaigns to restrict trending topics that peacefully acknowledge India's genocidal violence against Sikhs in 1984.⁵⁰ When American social media companies such as Meta and Twitter do not comply with takedown requests, their employees risk arrests and raids in India.⁵¹ Former Twitter CEO Jack Dorsey alleged that the Indian government threatened to "shut Twitter down" if Twitter did not censor accounts commenting on the Farmers Protest.⁵² The Sikh Coalition is also aware of media reporting from India that improperly attempts to label Sikhs as terrorists for their peaceful political

⁴⁴ "India: Media freedom under threat." Reporters Without Borders, Mar. 5, 2023, <https://rsf.org/en/india-media-freedom-under-threat>.

⁴⁵ "VICE journalist Angad Singh deported from Delhi." The Hindu, Aug. 25, 2022, <https://www.thehindu.com/news/national/vice-journalist-angad-singh-deported-from-delhi/article65810246.ece>.

⁴⁶ Kavitha Iyer, "'They Can Target Anybody': India's War on Free Press Is in High Gear," TIME, Aug. 1, 2022, <https://time.com/6202430/zubair-modi-muslims-target-media-free-press/>.

⁴⁷ Amy B Wang, "White House defends WSJ reporter facing harassment over Modi question," The Washington Post, June 28, 2023, <https://www.washingtonpost.com/politics/2023/06/28/white-house-modi-reporter-wall-street-journal/>.

⁴⁸ Yashraj Sharma, "Twitter accused of censorship in India as it blocks Modi critics," The Guardian, Apr. 4, 2023, <https://www.theguardian.com/world/2023/apr/05/twitter-accused-of-censorship-in-india-as-it-blocks-modi-critics-elon-musk>.

⁴⁹ Rhea Mogul, "India bans BBC documentary on PM Modi's role in Gujarat riots." CNN, Jan. 23, 2023, <https://www.cnn.com/2023/01/23/business-india/india-modi-bbc-documentary-twitter-youtube-censorship-intl-hnk/index.html>.

⁵⁰ "India attempts to censor tweets commemorating '1984 Genocide of Sikhs,'" Tamil Guardian, Sept. 20, 2020, <https://www.tamilguardian.com/content/india-attempts-censor-tweets-commemorating-%E2%80%981984-genocide-sikhs%E2%80%99>.

⁵¹ Ryan Grim and Murtaza Hussain, "Elon Musk's Twitter Widens Its Censorship of Modi's Critics," The Intercept, Mar. 28, 2023, <https://theintercept.com/2023/03/28/twitter-modi-india-punjab-amritpal-singh/>.

⁵² Zoya Mateen, "Jack Dorsey: India threatened to shut Twitter and raid employees." BBC, Jun. 13, 2023, <https://www.bbc.com/news/world-asia-india-65886825>.



views. Such segments are then immediately followed by commentators who advocate for the global extrajudicial murder of “terrorists.” We are deeply alarmed by India’s attempts to silence journalists, advocates, and nonprofits around the world who are critical of the Indian government.

It is not only international NGOs and media suppression that indicate India has embraced and continued to permit authoritarianism. Prior human rights reports on India from the Department of State, spanning at least a decade, indicate longstanding concerns regarding India’s major human rights issues concerning “police and security force abuses, including extrajudicial killings, torture, and rape.”⁵³ USCIRF has also detailed religious freedom violations by India and made persistent recommendations over the past four years to designate India as a Country of Particular Concern (CPC).⁵⁴ Earlier this month, USCIRF called for a congressional hearing after reiterating its disappointment that the U.S. Department of State yet again failed to designate India as a CPC, despite India repeatedly meeting the legal standard.⁵⁵ Recommendations made by USCIRF must be adopted without political favoritism to ensure that countries such as India are put on notice that they cannot operate with impunity. Despite these warning signs, the United States is permitting the most egregious perpetrators of religious persecution to disregard human rights and democratic ideals that promote stability and security in the world.

IV. Conclusion

India's credibly suspected role in the recent unjustified killing of a Canadian citizen without legal process, along with the thwarted scheme to eliminate more Sikhs, including those in the United States, through illicit methods, suggests that India is attempting to extend its authoritarian and religious oppression practices worldwide. This alarming trend of disproportionately targeting Sikhs and ignoring the rule of law is further substantiated by historical and recent reports indicating India's active involvement in establishing similar oppressive networks in other countries (such as Canada, the United Kingdom, and

⁵³ “India 2011 Human Rights and Labor Report: India.” U.S. Department of State, Bureau of Democracy, Human Rights and Labor, May 24, 2012, <https://2009-2017.state.gov/documents/organization/186675.pdf>.

⁵⁴ “USCIRF Reiterates Concerns on Religious Freedom in India, Calls for Release of Religious Prisoners of Conscience,” U.S. Commission on International Religious Freedom, Oct. 3, 2023, <https://www.uscifr.gov/news-room/releases-statements/uscifr-reiterates-concerns-religious-freedom-india-calls-release>.

⁵⁵ “USCIRF Calls for Congressional Hearing after State Department Fails to Designate Nigeria and India as Countries of Particular Concern,” United States Commission on International Religious Freedom, <https://www.uscifr.gov/news-room/releases-statements/uscifr-calls-congressional-hearing-after-state-department-fails>.



Germany). It is a clear violation of international norms and human rights that cannot be overlooked or tolerated, especially within the United States.

V. Recommendations

In light of the growing body of evidence and credible reports of transnational repression propagated by the government of India, the Sikh Coalition recommends the following actions:

Congress:

- **Pass legislation and enforce existing laws to address the threat of transnational repression.**
 - Protect the rights and safety of all individuals, especially those targeted by the malicious behavior of foreign governments, by passing the Transnational Repression Policy Act (H.R. 3654/S.831).
 - Strengthen enforcement mechanisms to hold offenders of transnational repression responsible beyond visa restrictions. The Khashoggi Ban permits visa bans and is the only federal statute that addresses transnational repression directly. However, more must be done to explicitly authorize sanctions against individuals and entities engaged in transnational repression.
- **Provide institutional support and oversight to effectively combat transnational repression.**
 - Support the documentation efforts of USCIRF by permanently reauthorizing the congressional body, and passing legislation to reduce presidential authority to waive taking action against Countries of Particular Concern based on longstanding human rights concerns. USCIRF must also be encouraged to document and report instances of transnational repression committed against religious minorities.
 - Ensure greater congressional oversight into transnational repression by amending Section 6 of the Arms Export Control Act to include a reporting requirement of any instances where the president declines to enforce the law that would prohibit arms transfers to any country determined to be engaged in a consistent pattern of acts of intimidation or harassment against individuals in the United States.
- **Prioritize measures that protect all Americans against transnational repression and limit foreign government interference.**



- Craft legislation that prohibits a government from employing a registered lobbyist if its country has been designated as a Country of Particular Concern or has engaged in transnational repression to intimidate or harass individuals in the United States.
- Provide asylum pathways for permanent legal status for individuals targeted for translational repression.
- Provide greater protections for Americans who are targeted for transnational repression but have not yet obtained citizenship. This loophole leaves Americans who are targeted by transnational repression while traveling abroad left with reduced assistance from the U.S. State Department and may require the individual to seek assistance from the nation that is perpetrating the transnational repression.

Congress and the Administration:

- **Hold offenders of transnational repression accountable through multilateral actions**
 - Similar to actions already taken by Canada, the United States must hold India accountable and suspend trade pending a thorough and complete investigation into India's alleged covert activities against Sikhs.
 - Ensure that no foreign government's self-investigation will absolve it of accountability, and obtain concrete assurances that India will cease its transnational targeting.
 - Commit multilateral support to Canada and the United Kingdom in efforts to have India comply with investigations requests to determine India's role in transnational repression and foreign interference into domestic affairs at the national, state, and local levels.
 - Publicly condemn India's hostile actions and flagrant violations of human rights, the rule of law, and the sovereignty of our nation. It is also critically important that the United States government provide public assurances to address the safety and security concerns of Sikhs, other Indian diaspora communities, journalists, human rights advocates, dissidents, and religious minorities in the United States.
- **Allocate greater resources to permit the United States to share resources between agencies, law enforcement, and the public to defend and counteract against foreign acts of transnational repression against Americans**
 - Grant programs like the Non-Profit Security Grant must provide greater support and access to communities and their houses of worship that are being targeted by foreign nation-states, their criminal proxies, and recruited street forces.



- Appropriate greater resources to federal agencies tasked with addressing transnational repression to permit these agencies to carry out their duties in defending our nation and people. These resources must also include public outreach programs, local law enforcement training initiatives, and meaningful allocations for ensuring that the civil rights of Americans are adequately protected.
- Improve and clarify public grant resources to authorize use for defending against acts of translational repression, including the Non-Profit Security Grant Program and other federal victim support services.

Administration:

- **Enforce current laws to better address security threats transnational repression poses to our nation and its people**
 - Pursuant to the Khashoggi Ban, 212(a)(3)(C) of the Immigration and Nationality Act, and the Global Magnitsky Human Rights Accountability Act, prohibit entry into the United States and U.S. property transactions for the individuals involved in the attempted assassination of a Sikh American in New York, including but not limited to the identified government of India employee who is alleged to have directed the attempt.
 - Implement the recommendations of the United States Government Accountability Office on preventing and addressing transnational repression.
- **Address international human rights violations meaningfully and decisively**
 - Adopt the recommendation that USCIRF has made for at least the past four years to designate India as a Country of Particular Concern.⁵⁶ For the program to have any meaningful impact the President must cease the issuance of waivers to any CPC countries.

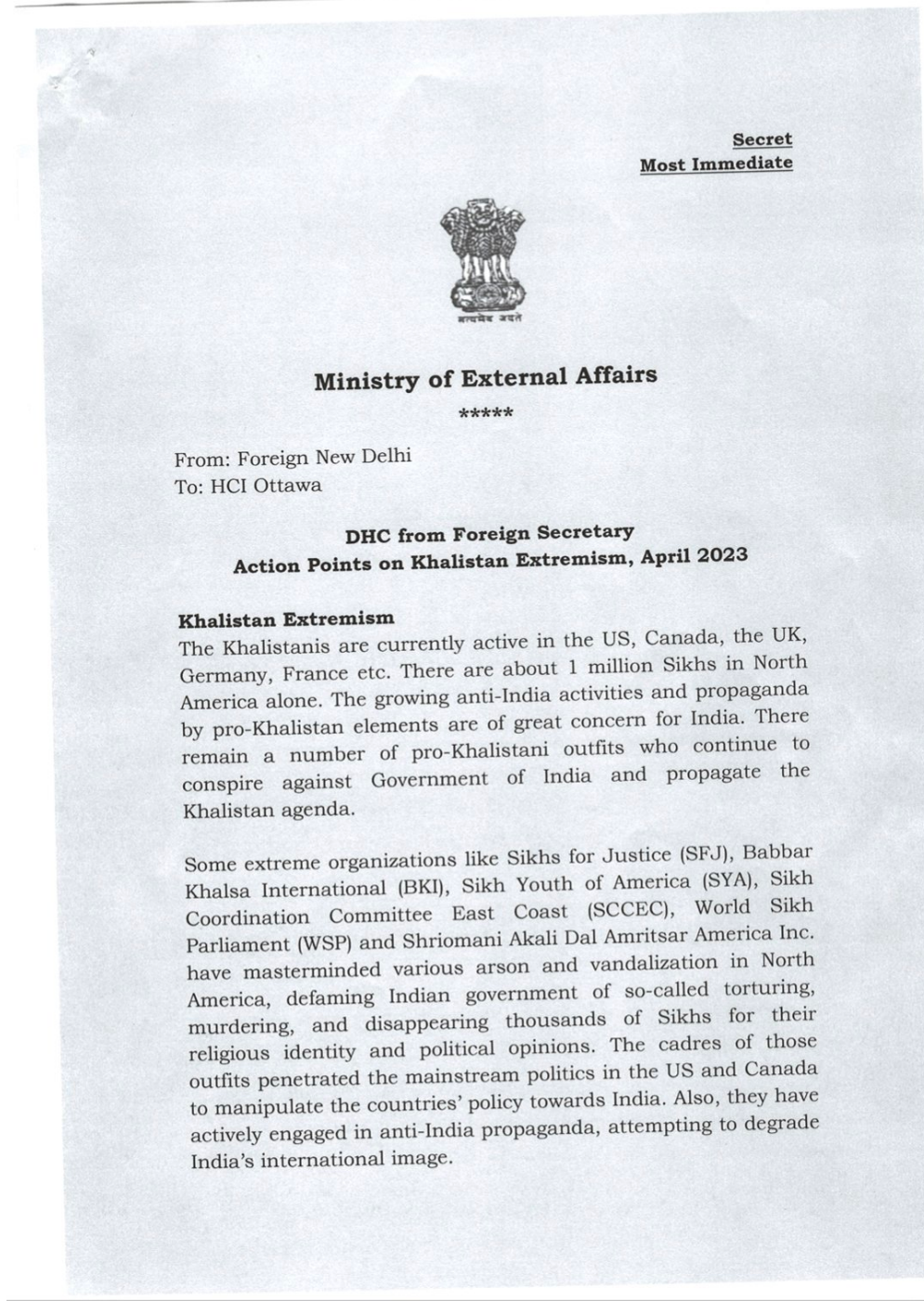
It is imperative that the U.S. government take a strong stand against India's escalating violations of human rights and U.S. sovereignty. Congress' leadership in this matter is crucial to safeguarding not only the Sikh community but also the foundational values of our nation. We thank you for your urgent attention to these matters, and welcome any questions or follow-up requests you may have.

⁵⁶ USCIRF Reiterates Concerns on Religious Freedom in India, Calls for Release of Religious Prisoners of Conscience," U.S. Commission on International Religious Freedom, Oct. 3, 2023, <https://www.uscirf.gov/news-room/releases-statements/uscirf-reiterates-concerns-religious-freedom-india-calls-release>.



Appendix

Exhibit 1:



Assessment

(a) The pro-Khalistan organizations have become obviously more extreme. Their strategy has gradually shifted from narrative building to street protests, and inputs from our missions indicate that top officials of pertinent countries have provided a guiding hand in pro-Khalistan campaign which has posed a grave challenge to our global interests.

(b) Notably, we have raised our concerns about those elements to the US and Canada constantly. But they keep using human rights and freedom of speech as pretexts, asserting that these organizations have not committed any crime within their territories.

(c) Although the relation between India and the West continues to gain momentum, the Khalistan issue has become a subtle leverage. While depicting India as a strategic partner to contain China and Russia, the West keeps utilizing the Khalistan as a geopolitical tool to squeeze India amid the Russia-Ukraine conflict.

The Way Forward

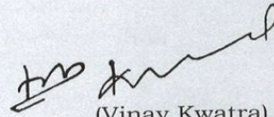
(a) Mission/Consulates are requested to add agency personnel and enhance coordination with R&AW/IB/NIA, including facilitating a sophisticated crackdown scheme on Khalistan terrorist groups in Canada and the US. NIA is presently investigating 9 cases involved with BKI, in which Wadhwa Singh, Jagtar Singh Tara, Hardeep Singh Nijjar, Harwinder Singh Sandhu, Lakhbir Singh Sandhu are listed. Concrete measures shall be adopted to hold the suspects accountable.

(b) Mission/Consulates are requested to maintain closer relationship with local authorities and think tanks, such as Global Affairs Canada (GAC) and Royal Canadian Mounted Police (RCMP), intensify interaction and conduct regular information exchange with prominent political figures to foster a favorable atmosphere. Any engagement between Khalistanis and local officials/MPs/IOs should be closely monitored.



(c) Indian diaspora needs to be mobilized. Mission/Consulates are requested to reach out Indian diaspora, such as Indo-Canada Association (ICA), Indo Canada Chamber of Commerce (ICCC), the National Federation of Indian American Associations (NFIA), TiE Silicon Valley (TiE SV), Association of Indo Americans (AIA), Foundation for India and Indian Diaspora Studies (FIIDS), Federation of Indian Associations (FIA), USIBC, Indiaspora etc. These organizations could be cultivated as vital force in the street confrontation with Sikh extremists. Special efforts should be paid to establish cooperation with moderate Sikhs, so as to integrate the neutral Sikh community.

With Regards,



(Vinay Kwatra)
April 6, 2023

Copy to:

EOI Washington
CGI New York
CGI Chicago
CGI Houston
CGI San Francisco
CGI Atlanta
CGI Vancouver
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