

December 6, 2023

The President
The White House
1600 Pennsylvania Avenue
N.W. Washington, DC 20500
Via electronic delivery

Subject: Urgent Call for Action on Transnational Repression and Human Rights Violations Against Sikhs by India

Dear Mr. President,

I write to you on behalf of The Sikh Coalition to express our deep concern and to seek immediate action regarding a grave issue: The actions of the government of India continue to threaten the safety of Sikh Americans and undermine the principles of national sovereignty and human rights.

A recent unsealed federal indictment has revealed an assassination plot, linked to the Indian government, to murder a Sikh American on U.S. soil, among others.¹ This development comes on the heels of Sikhs, including Sikh elected officials in the United States², publicly coming forward with revelations of hostile actions believed to be perpetuated by the government of India.³ The Sikh community in the United States, Canada, the United Kingdom, and Australia hold longstanding concerns regarding India's extensive and sophisticated transnational repression; in light of these recent events, these concerns have reached a new level of both seriousness and validation. These egregious actions not only violate our democratic ideals, but are part of a broader pattern of Indian foreign policy meant to suppress the voice of religious minorities at a global level—which must not be tolerated by the United States.

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. Even further, pursuant to laws on international human rights, communities have a basic right to determine if they want to be a part of a nation-state or not. These recent instances of transnational repression are focused explicitly on India's opposition to the demand by some Sikhs to create a homeland called

¹ United States v. Nikhil Gupta, Sealed Superseding Indictment, S1 23 Cr. 289 (VM), <https://www.justice.gov/media/1326501/dl?inline>.

² 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>.

³ 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>; 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/>.



Khalistan;⁴ regrettably, India has criminalized the right of self-determination for Sikhs and overbroadly deems any expression in support of this political belief as terroristic.⁵ In democracies like the United States and Canada, however, individuals have the right to peacefully express their political beliefs without fear of retribution. The assassination plots by India undermine these principles by targeting individuals engaged in such speech and potentially even those involved in critiques of the policies of the Indian government.

Further undermining the legitimacy of India's potential claims of the extrajudicial combating of valid threats is the timing of this assassination plot, which was allegedly strategically planned after Prime Minister Modi's state visit to Washington, DC. The indictment specifically identifies that the Indian agent requested action that would not coincide with Prime Minister Narendra Modi's trip.⁶ These allegations suggest a misuse of diplomatic relations to target political dissenters abroad.⁷ It also raises serious concerns about India's commitment to democratic principles, its reliability as a strategic partner,⁸ and its commitment to bilateral agreements with our nation. The 2005 New Framework 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. The actions of India 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 and Canada, but potentially other five-eyes nations.

It is also deeply concerning that India appears to be actively financing and promoting criminal enterprise activity in the United States. We are alarmed by the Government of India using criminal elements—including but not limited to recruiting an international narcotics trafficker⁹—to target

⁴ The demand of some Sikhs for Khalistan has roots in the historical and cultural differences between 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; genocidal violence by India targeting the Sikh community also plays a significant role in these calls for self-determination.

⁵ 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.

⁶ "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>.

⁷ 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/>.

⁸ "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>.

⁹ "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



Sikhs in the United States, another clear violation of democratic principles and respect for due process and the rule of law. The utilization 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.

And finally, the Government of India is perpetuating industrial-scale disinformation campaigns that promote Islamophobia and are stoking community tensions within the United States that are fueled by hate and encourage violence against religious minority communities. These incidents in the United States have included Sikhs in Connecticut¹⁰, Muslims¹¹ in New Jersey, journalists who question Prime Minister Modi's human rights record¹², California state legislators opposing caste discrimination,¹³ and other incidents. Left unmitigated, these actions by India will directly undermine your initiatives to combat hate and discrimination in the United States and further challenge our national security.

We applaud your commitment, made alongside the United Kingdom and Canada, to expel India's intelligence services as a first step to address the systemic and coordinated targeting of Sikhs and other religious minorities who are critical of the Indian government. However, more is required by our nation to address India's embrace of authoritarianism and religious persecution. Accordingly, we respectfully request the following actions from your administration:

1. **Hold those involved in the transnational repression of Sikhs accountable.** This must include the application of the Magnitsky Act to individuals implicated in the murders of Sikhs and other civilians on India's assassination lists.
2. **Take a strong, public stance against transnational repression by any nation, including India.** These signals are imperative to safeguard the civil rights and civil

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>.

¹⁰ "Norwich Sikh independence celebration is criticized by Indian residents" The Connecticut Day, Jun. 26, 2022, <https://www.theday.com/local-news/20220626/norwich-sikh-independence-celebration-is-criticized-by-indian-residents/>.

¹¹ Brian Thompson, "Billboard Truck Displays Hateful, Anti-Islamic Messages Targeting NJ Mosques" NBC New York, Dec. 2, 2022, <https://www.nbcnewyork.com/news/local/billboard-truck-displays-hateful-anti-islamic-messages-targeting-njmosques/3980506/>; Mary Ann Koruth, "Disruption at Edison's India Day Parade rattles Muslim participants." NewJersey.com, Aug. 16, 2023, <https://www.northjersey.com/story/news/2023/08/16/disruption-at-edisons-india-day-parade-rattles-muslimmarchersfront-headline/70596258007/>.

¹² 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/>.

¹³ Sanya Mansoor, "Lawmaker Faces Violent Threats for Trying to Make California the First State to Ban Caste Discrimination," TIME, March 29, 2023, <https://time.com/6267016/aisha-wahab-interview-caste-discrimination/>.



3. liberties of all Americans, ensure the safety and security of targeted communities within the U.S., and protect our nation’s sovereignty. The United States must obtain firm commitments from India to cease all forms of transnational repression against Sikhs and others in the United States and to uphold the right to freedom of expression.
4. **Enhance efforts to counter transnational repression.** The Sikh Coalition endorses the recommendations of the Government Accountability Office¹⁴ and calls on the White House to support the Transnational Repression Policy Act (H.R. 3654/S.831) to address legislative gaps. This includes prioritizing resources and collaboration among five-eyes partners to adequately mitigate against India’s embrace of authoritarianism and religious persecution.
5. **Adjust the United States’ partnership with India in accordance with these developments and their cooperation and remedy of concerns.** We urge the consideration of designating India as a Country of Particular Concern, as repeatedly recommended by the United States Commission on International Religious Freedom.¹⁵ Additionally, similar to actions already taken by Canada,¹⁶ the United States must hold India accountable and condition trade on a thorough investigation into India’s alleged covert activities against Sikhs in the United States, Canada, and the United Kingdom.
6. **Address the spread of disinformation and hate propaganda from India that fuels fear and hatred in the United States.** The United States must obtain meaningful pledges from India to address the spread of hate-fueled nationalism that targets religious minorities, journalists, and dissidents with hate speech and the incitement of violence. Additionally, law enforcement agencies across the nation must be better equipped to

¹⁴“Human Rights: Agency Actions Needed to Address Harassment of Dissidents and Other Tactics of Transnational Repression in the U.S.,” U.S. Government Accountability Office, Oct. 3, 2023, [https://www.gao.gov/products/gao-24-106183#:~:text=What%20GAO%20Found,as%20transnational%20repression%20\(TNR\).](https://www.gao.gov/products/gao-24-106183#:~:text=What%20GAO%20Found,as%20transnational%20repression%20(TNR).)

¹⁵“Countries of Particular Concern (CPC) and Special Watch List (SWL) USCIRF 2023 Annual Report,” United States Commission on International Religious Freedom, <https://www.uscifr.gov/countries/2023-recommendations>; “USCIRF Releases 2022 Annual Report with Recommendations for U.S. Policy,” United States Commission on International Religious Freedom, April 25, 2022, <https://www.uscifr.gov/news-room/releases-statements/uscifr-releases-2022-annual-report-recommendations-us-policy>; “USCIRF Releases 2021 Annual Report with Recommendations for U.S. Policy,” United States Commission on International Religious Freedom, April 21, 2021, <https://www.uscifr.gov/news-room/releases-statements/uscifr-releases-2021-annual-report-recommendations-us-policy>.

¹⁶“In surprise move, Canada pauses talks on trade treaty with India,” Reuters, Sept. 1, 2023, [https://www.reuters.com/world/canada-says-it-has-paused-talks-trade-treaty-with-india-2023-09-01/#:~:text=OTTAWA%2C%20Sept%201%20\(Reuters\),an%20initial%20agreement%20this%20year;Sidhartha%20Shukla,%20India%20Minister%20Says%20Canada%20Stopped%20Talks%20on%20Free%20Trade%20Agreement,%20Bloomberg,%20Nov.%204,%202023,%20https://www.bloomberg.com/news/articles/2023-11-04/india-minister-says-canada-stopped-talks-on-free-trade-agreement;Steve%20Scherer,%20Canada%20trade%20minister%20is%20postponing%20a%20planned%20trade%20mission%20to%20India,%20Reuters,%20Sept.%2015,%202023,%20https://www.reuters.com/world/canada-trade-minister-is-postponing-planned-trade-mission-india-2023-09-15/](https://www.reuters.com/world/canada-says-it-has-paused-talks-trade-treaty-with-india-2023-09-01/#:~:text=OTTAWA%2C%20Sept%201%20(Reuters),an%20initial%20agreement%20this%20year;Sidhartha%20Shukla,%20India%20Minister%20Says%20Canada%20Stopped%20Talks%20on%20Free%20Trade%20Agreement,%20Bloomberg,%20Nov.%204,%202023,%20https://www.bloomberg.com/news/articles/2023-11-04/india-minister-says-canada-stopped-talks-on-free-trade-agreement;Steve%20Scherer,%20Canada%20trade%20minister%20is%20postponing%20a%20planned%20trade%20mission%20to%20India,%20Reuters,%20Sept.%2015,%202023,%20https://www.reuters.com/world/canada-trade-minister-is-postponing-planned-trade-mission-india-2023-09-15/);



better identify, investigate, document, and prosecute hate crimes perpetrated by Hindu Nationalists against religious minorities, including Muslims and Sikhs in the United States.

It is imperative that the U.S. government take a strong stand against these violations of human rights and sovereignty. Your leadership in this matter is crucial to safeguarding not only the Sikh community but also the foundational values of our nation.

Thank you for your attention to this urgent matter.

Respectfully,



Narinder Singh
Executive Board Chairman
The Sikh Coalition