

The Honourable Justin Trudeau  
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Sub: **January 26<sup>th</sup> Is A Reminder That Constitution of India Labels Sikhs as Hindus.**

Honorable Prime Minister Trudeau:

Sikhs for Justice (SFJ) is a Sikh rights advocacy group which believes in and adheres to the principles and rights enshrined in UN Charter, International Covenant on Civil and Political Rights (ICCPR) and Universal Declaration of Human Rights (UDHR) and is contributing to the creation of an environment in which minorities – regardless of race, religion, language, gender, or ethnicity – can freely and fully exercise their rights including right to self-determination.

While the passing of Citizenship Amendment Act (CAA) by the Parliament of India which discriminates against Muslims on the basis of faith and total lack of religious freedom to Muslims of Indian held Kashmir since August 2018 annexation of the region by India has drawn sharp criticism and protests from the within and outside India, what still remains overlooked is that the core of the problem lies with the constitution of India itself which is neither truly secular and nor protects or equally treats people of non-Hindu faiths.

January 2020 marks the 70th year of the promulgation of Constitution of India; the supreme law of the land which claims to be secular yet in Article 25(b) denies and usurps the separate religious identity of Sikhs.

Relying on the Article 25(b) of the Constitution, several other laws have been enacted, enforced and practiced in India to subjugate people of Sikh faith and forcibly label them as Hindus. Some of the laws that classify Sikhs as "Hindus" and subject them to religious laws of Hinduism are: "Hindu Marriage Act of 1955"; "Hindu Succession Act of 1956"; "Hindu Minority and Guardianship Act of 1956"; "Hindu Adoption and Maintenance Act of 1956". Section 2(b) of all these Acts provide that they apply to "any person who is a Buddhist, Jaina or Sikh by religion".

Although Constitution of India with a clause dealing a serious blow at separate religious identity of Sikhs was enacted 70 years ago, its impact is continuing and it is a breathing reality for Sikhs living under Indian rule. Today, it is the third generation of Sikh people in India who is being forced to follow the religious code of Hindus for recording their births, marriages, deaths, succession, inheritance, guardianship and other important matters of everyday life.

It is undisputed that religious identity of one's choosing is the fundamental pillar of religious freedom as defined in Universal Declaration of Human Rights (UDHR). Indian constitution, system, laws and practices are in constant and continuing violation of religious freedom of Sikhs.

During the last 70 years, Sikh people have exhausted all the avenues available to them within Indian system for restoration of their religious identity and all the efforts of Sikh people to this end have been met with violence and oppression by the successive Indian regimes. From June 1984 invasion, desecration and massacre at the Golden Temple to November 1984 Sikh Genocide and decade long terrain of extra judicial killings in the name of counter insurgency, Sikhs have been subjected to unspeakable brutalities because of their religious identity.

This state of affairs, Mr. Prime Minister, has left no other option for the Sikh people except to seek secession of Punjab - their ancestral homeland - from India.

Guided by the experience of Khalistan movement of 1980s and 1990s, the contemporary campaign of Sikhs right to self-determination and establishment of an independent country in the region of Punjab currently governed by India, is unequivocally non-violent employing democratic *modus operandi* - “Punjab Independence Referendum” ([www.referendum2020.org](http://www.referendum2020.org)) - an initiative under which an unofficial global referendum on the question of Khalistan will be held in November 2020.

However, Mr. Prime Minister, as is evident from the attached document “INDIA’S CRIMINALIZATION OF SIKH POLITICAL OPINION - A Report on Persecution of Sikh Referendum 2020 Campaigners by India” that India’s response to democratic and peaceful initiative of organizing a referendum is all the same violent and repressive using torture, detention, false charges as tools against Sikh individuals who campaign for referendum.

Over a century ago, after *Kamagata Maru* incident, it was the land of Canada which served as an important off shore epicenter for Sikhs who were seeking freedom from British Empire and today when over half a million Sikhs proudly call Canada their home, it is again Vancouver, BC where Voter Registration for Punjab Independence Referendum will be launched on January 26, 2020 from the site of Kamagata Maru Memorial in Stanley Park, Coal Harbour.

Prime Minister Trudeau, we urge you to:

1. Condemn India for denying Sikhs' Religious Freedom; and
2. Support Sikhs' campaign to realize right of self-determination through Referendum.

Sincerely yours,



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Enclosure:      “INDIA’S CRIMINALIZATION OF SIKH POLITICAL OPINION”  
Report on Persecution of Sikh Referendum 2020 Campaigners by India With Annexure

Copy to:

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