

UNITED SIKHS STATEMENT OF SUPPORT

for THE UNITED STATES TRANSNATIONAL REPRESSION POLICY ACT (Introduced as Senate Bill 831 and House Bill 3654) *and* THE CANADIAN ACT RESPECTING COUNTERING FOREIGN INTERFERENCE (Introduced as Bill C-70)

THE ORGANIZATION

UNITED SIKHS is a U.N. affiliated, international, non-profit, non-governmental, humanitarian relief, education, human development and advocacy organization with chapters in America, Asia and Europe and aims to empower those in need, especially disadvantaged and minority communities around the world.

THE ADVOCACY

UNITED SIKHS, commencing in New York City, continues to advance collaborative efforts to address hate crimes and transnational repression concerns. Early this year, as we officially published¹, in a series of significant meetings, UNITED SIKHS took major steps towards addressing public safety concerns and transnational repression issues affecting Sikhs living in New York City and throughout the United States. The efforts included ***Meeting with Speaker of the New York City Council Adrienne Adams; Meeting with FBI HQ and Field Office in New York; Launch of Transnational Repression Crime Working Group consisting of several Sikh organization across the United States formed with a consensus and a mandate to advocate the codification of the Transnational Repression Policy Act, which is currently on the Congress' agenda.***²

THE ISSUE

California Assembly Bill No. 3027 as introduced by Dr. Jasmeet Bains, the first Sikh American elected to the California State Assembly, defines Transnational Repression as “any action taken by government officials, diplomatic personnel, and proxies through acts such as extra-judicial killings, physical assault, unexplained disappearances, physical or online surveillance or stalking, intimidation, digital threats such as cyber attacks, targeted surveillance or spyware and online harassment, and coercion such as, harassment of, or threats of harm to family and associates both in and outside the United States.”(Section 1(b)) “Transnational Repression is a threat to individuals, democratic institutions, the exercise of rights and freedoms, and national security and sovereignty.” (Section 1(c))

¹ <https://unitedsikhs.org/efforts-to-address-hate-crimes-and-transnational-repression-concerns/>

² <https://unitedsikhs.org/efforts-to-address-hate-crimes-and-transnational-repression-concerns/>

Transnational repression occurs when states reach across borders to silence dissent from activists, journalists, and others living in exile. Perpetrator states do so using intimidation and violence. This issue presents a direct threat to rights and security around the world, including in the United States, and will require a coordinated response from across the US government and between the United States and other democratic governments.³

Transnational repression is not new, but it is a phenomenon that has often been downplayed or ignored and warrants a call to action from a global, rights-centered perspective.⁴

THE URGENCY TO ADDRESS THE ISSUE

According to the Freedom House⁵ Report penned by its President Michael J. Abramowitz, the organization recorded from 2014 through 2022 -

“From 2014 through 2022, Freedom House⁶ has collected information on **854 direct, physical incidents** (assassinations, kidnapping, assault, detention, or deportation) of transnational repression around the world, **committed by 38 governments in 91 countries**. During this time, **13 states have engaged in assassinations abroad**, and **30 have conducted renditions**.

These numbers are likely only the tip of the iceberg, as states also use indirect tactics to intimidate activists in exile, such as the use of spyware, surveillance, threats sent over social media or phone, or threats against family members back home (known as coercion by proxy).

This does not mean that only authoritarian governments are responsible for incidents of transnational repression. In September 2023, Canadian Prime Minister Justin Trudeau announced that Canada’s security services had intelligence linking “agents of the government of India” to the June murder of Sikh activist and Canadian citizen Hardeep Singh Nijar in British Columbia. And on November 29, the Department of Justice alleged in an indictment that an Indian national in India was hired by an Indian government official to orchestrate the assassination of a US citizen who is a Sikh activist.” On May 4, 2024, three suspects who accordingly had been living in Canada as non-permanent residents were arrested by the Royal Canadian Mounted Police. The three were expected to be transported to British Columbia to face charges of first-degree murder and conspiracy to commit murder.

³ <https://freedomhouse.org/article/transnational-repression-global-threat-rights-and-security>

⁴ <https://www.hrw.org/report/2024/02/22/we-will-find-you/global-look-how-governments-repress-nationals-a-broad>

⁵ <https://freedomhouse.org/about-us>

⁶ <https://freedomhouse.org/about-us>

In a seeming invitation for discourse, latest global news reports worldwide from reputable news houses reveal explicit evidence of the assassination plan against Sikh activist Gurpatwant Singh Pannun, asserting that the plot was directed from within the Indian Spy service, with claims challenging India to “get to the bottom of this appalling murder-for-hire case”.

Across the globe, reports abound concerning violations committed against human rights defenders, lawyers, journalists, political opponents, civil society activists and advocates to include a rising number of transgressions against environmental defenders. Judicial harassment is slowly becoming a growing tactic to silence and intimidate environmental critics⁷. Still, what reverberates is the silence that dawns amidst these accounts, receiving minimal attention if victims particularly are not unusually high-profile parties.

The Transnational Repression Database compiled by Freedom House initially released in February 2021 and updated in June 2022, documented reports and incidents of Transnational Repression between January 2014 to December 2021 capturing cases of direct, physical coercion, successful and attempted assassination, assault, intimidation, rendition, detention, deportation and disappearance.⁸

Political Research Exchange by Taylor and Francis Online likewise published an extensive article documenting reports of transnational repression by identifying different categories of repression. The Annual Threat Assessment of the United States Intelligence Community published on February 5, 2024 by the Office of the Director of National Intelligence, warns us of a more aggressive, if not predatory form of Transnational Repression -

“Digital Authoritarianism and Transnational Repression

Foreign states are advancing digital and physical means to repress individual critics and diaspora communities abroad, including in the United States, to limit their influence over domestic publics. States are also growing more sophisticated in digital influence operations that try to affect foreign publics’ views, sway voters’ perspectives, shift policies, and create social and political upheaval. Digital technologies have become a core component of many governments’ repressive toolkits even as they continue to engage in physical acts of transnational repression, including assassinations, abductions, abuse of arrest warrants and familial intimidation. The PRC probably is the top perpetrator of physical transnational repression.

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<https://nonprofitquarterly.org/environmental-defenders-in-the-lower-mekong-region-face-increasing-dangers/>

⁸ <https://www.tandfonline.com/doi/full/10.1080/2474736X.2022.2104651>

- During the next several years, governments are likely to exploit new and more intrusive technologies—including generative AI—for transnational repression. From 2011 to 2023, at least 74 countries contracted with private companies to obtain commercial spyware, which governments are increasingly using to target dissidents and journalists.”⁹

Canada is the latest in the list of countries actively taking initiatives against Transnational Repression. On May 6, 2024, the Canadian government introduced **Bill C-70**, An Act Respecting Countering Foreign Interference that aims to both deter and counter foreign interference taking note of its evolving threats. Canada attempts to modernize its laws to better protect democracy and its people, to include affected members of diaspora, marginalized and otherwise vulnerable communities¹⁰. The move came after the Canadian government held broad consultations conducted online with the general public, as well as through a series of round table discussions with various stakeholders across the country representing diverse cultures and communities.¹¹

In support of the introduction of the Bill and a hopeful anticipation of its passage, UNITED SIKHS is currently in talks with members of the legislature to exert coordinated efforts towards the materialization of the Bill.

CONCLUSION AND STATEMENT OF SUPPORT

Transnational repression as a global trend is more than a political color, the importance stretches beyond global borders, and its impact outweighs human rights. Transnational repression is like a virus stealthily creeping into each civilization, determined to despoil, but awaits administration of an antiviral developed to suppress the ability to infect and multiply.

The **United States Senate Bill No. 831 and House Bill No. 3654** present avenues to combat Transnational Repression with an inter-agency strategy that fosters international cooperation, recognizing the principle of diplomacy and social contributions of civil society organizations.

Correspondingly, **Canadian Bill C-70** provides for a prospective proto-type in legislation, seeking to modernize existing laws predating technological advancements, by introducing reforms from informed inputs of stakeholders received during public consultations

⁹ <https://www.dni.gov/files/ODNI/documents/assessments/ATA-2024-Unclassified-Report.pdf>

¹⁰ <https://www.canada.ca/en/public-safety-canada/news/2024/05/government-introduces-legislation-to-counter-foreign-interference.html>

¹¹ <https://www.canada.ca/en/public-safety-canada/news/2024/05/security-of-information-act-criminal-code-and-canada-evidence-act-amendments-bolstering-canadas-counter-foreign-interference-legislation.html>

“to ensure that it aligns with national values, captures a wide range of expertise, perspectives, views and opinions and respects Canadian fundamental rights and freedoms.”¹²

UNITED SIKHS as a humanitarian organization, has been at the inception of critical meetings for working groups advocating the codification of the Transnational Repression Policy Act in the United States. In a similar vein, UNITED SIKHS remains relevant at the ground works to ensure the fulfillment of a community-based codification of legal reforms in Canada. As such, we continue to stand for the community’s dignified existence, extending our commitment to establish well meaning partnerships with legislators and key community actors, leading similar efforts to advocate the promotion of civil rights practices without a constant fear of repression from foreign entities and authorities.

¹² Id. 11