Immigration and Refugee Board of Canada

Responses to Information Requests

Responses to Information Requests (RIR) respond to focused Requests for Information that are submitted to the Research Directorate in the course of the refugee protection determination process. The database contains a seven-year archive of English and French RIRs. Earlier RIRs may be found on the UNHCR's Refworld website. Please note that some RIRs have attachments which are not electronically accessible. To obtain a PDF copy of an RIR attachment please email Basesdedonnees.DatabaseUnit@irb-cisr.gc.ca.

IND105177.E

11 May 2015

India: Situation of supporters of Balwant Singh Rajoana, including treatment by authorities and anti-Rajoana groups (April 2012-May 2015)
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

1. Political Context and Sentencing of Balwant Singh Rajoana

On 31 August 1995, Punjab's Chief Minister Beant Singh was killed along with 17 other individuals by a suicide bomber (BBC 28 Mar. 2012; PTI 29 Mar. 2012; CBC News 28 Mar. 2012). Beant Singh's killing occurred in the context of the secessionist insurgency in Punjab, which began in the 1980s (Human Rights Watch 28 Mar. 2012). In a 30 March 2012 article published by the Toronto-based National Post, a Canadian Sikh academic wrote that Beant Singh "spear headed the [1984] genocide against Sikhs in the region." In correspondence with the Research Directorate, a professor of economics at Oxford Brookes University, who has published extensively on the political and economic situation in South Asia, India and the Punjab region, including on nationalism and human rights, also said that Beant Singh "was responsible for committing atrocities on Sikh youth" (5 May 2015).


2. Rajoana's Death Sentence

In correspondence with the Research Directorate, a representative of the World Sikh Organization (WSO) of Canada indicated that, in 2012, there was a mass movement consisting of a large proportion of the "general Sikh population in Punjab" who protested against Rajoana's death sentence (29 Apr. 2015). In his 30 March 2012 article published by the National Post, the Canadian Sikh academic indicates that Rajoana supporters are requesting the government not to hang Rajoana until they hang other people who have committed similar crimes - to show the same commitment to human rights and the rule of law when the Indian state, its forces, its bureaucrats and its politicians commit heinous crimes against humanity. (National Post 30 Mar. 2012)

Sources report that as a result of mercy petitions, his execution was postponed (BBC 28 Mar. 2012; Mail Online 29 Mar. 2012; WSO of Canada 29 Apr. 2015). The WSO representative said that three years later, the case remains "under consideration" by the president of India (ibid.).
The WSO representative noted that party members of both the Akali Dal (Badal) and the opposition Congress have expressed their opposition to Rajoana's execution (WSO of Canada 29 Apr. 2015). He added that only the Bharatiya Janata Party (BJP) did not express support and stated that the "rule of law" must be allowed to take its course (ibid.). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

The Indian Express, an English-language Indian daily newspaper, reports that in 2012, Punjab's current Chief Minister Parkash Singh Badal and his son and Deputy Chief Minister Sukhbir Singh Badal had sought clemency for Rajoana (23 Feb. 2015). The Press Trust of India (PTI) similarly reports that Chief Minister Parkash Singh Badal had sought clemency for Rajoana in 2012 (29 Mar. 2012). Furthermore, the Mail Online, a newspaper owned by the London-based Associated Newspapers Limited (Associated Newspapers Limited n.d.), reports that in 2015, Parkash Singh Badal called for the release of Sikh convicts who were accused of the killing of Beant Singh (Mail Online 8 Jan. 2015). In February 2015, the Indian Express indicated that Rajoana's case was under examination by the Home Ministry (23 Feb. 2015). Further information on the outcomes of the Home Ministry's examination could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

3. Treatment of Rajoana's Supporters

3.1 Incidents of Violence during the 2012 Protests

In correspondence with the Research Directorate, an assistant professor of political science at Hiram College, US, who has published research on Sikhism in India, said that following the 2012 protests by Rajoana's supporters, two major incidents of violence occurred (Assistant Professor 27 Apr. 2015). He explained that firstly, protesting Sikh Rajoana supporters clashed with Hindus during a march in the city of Patiala, resulting in "minor" injuries, but that the police "intervened between the two groups with the active use of batons to avert further violence" (ibid.). Secondly, during a separate clash between protesting Sikh students and members of Hindu Shiv Shena [a Hindu Nationalist political party (What Is India News Service n.d.)], a Sikh student was killed allegedly by Punjab police who were attempting to "break up their peaceful protest march" (Assistant Professor 27 Apr. 2015). The Assistant Professor noted that following this incident, the senior police officer and the Deputy Commissioner of the district were transferred from their duties for having used improper crowd control measures (ibid.). He also added that violence has occurred "only in select [ed] venues of Punjab" (ibid.). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

PTI reports that "[i]n a major crackdown against radical Sikhs and their organisations," Punjab police "banned" three protest marches to be held on 29 March 2012 in support of Rajoana and detained several leaders and activists under "preventive measures" (29 March 2012). The WSO representative similarly said that some organizers of the protests in support of Rajoana have been detained (29 Apr. 2015).

3.2 General Treatment of Rajoana's Supporters

The Assistant Professor at Hiram College stated the following regarding the general treatment of Rajoana's supporters:

To my knowledge, there is no Sikh organization in Punjab devoted exclusively to the Rajoana issue, but rather the protests were organized by various pre-existing Sikh political and religious organizations and institutions, and through social media at the grassroots level. Thus, I do not think any "pro-Rajoana" groups have been specifically targeted by the government or by "anti-Rajoana" groups, because no such organized "pro-Rajoana" groups exist devoted exclusively to his cause. (27 Apr. 2015)

The WSO representative similarly said that he was "not aware of any supporter of Rajoana being targeted solely for participation in protests in 2012" (29 Apr. 2015). However, the Professor of economics at Oxford Brookes University stated that Rajoana's supporters "are certainly kept under watch by the Indian and Punjab intelligence agencies and security forces," as they are perceived by the state as "extremists" (Professor 5 May 2015). He said that authorities overact [t] ... by taking unnecessary harsh measures against activists who it considers are potential militants or militant supporters. This creates perpetual risk of police harassment -- visible and invisible -- and even imprisonment, even if temporary, for all activists who are considered ... sympathetic to Rajoana ... (ibid.)

The Professor concluded that state authorities, especially police and intelligence agencies, represent the "most serious threat" to Rajoana supporters, as opposed to political parties or society in general (ibid.). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response. However, the WSO representative said that many of the organizers of the protests in support of Rajoana were also supporters of Khalistan [a Sikh separatist movement] and of "those who oppose Deras [1]" (WSO of Canada 29 Apr. 2015). During protests for Rajoana, these individuals
were detained and subsequently, the same individuals "have led other agitations and have continued to be
detained and, in some circumstances, implicated in alleged false cases by the Punjab Police" (ibid.). The
representative explained that

[i]t is therefore possible that high profile supporters of Rajoana may be monitored by police or harassed in
connection with investigations into recent activities of Khalistan activists. But I am not aware of any instance
in which someone has been targeted only due to participation in protests in support of Rajoana, particularly so
if they were not a prominent member of the protests or an organizer. (ibid.)

Furthermore, the Professor of economics mentioned that Rajoana's supporters "face hostility from
extreme Hindu organizations such as Shiv Shena" (5 May 2015). Similarly, the Assistant Professor said that
the Punjab wing of the Hindu Shiv Sena has actively and, perhaps even violently, opposed various "Sikh
ethnonationalist" causes and issues, such as the ... pro-Rajoana rallies held in March 2012. (27 Apr. 2015)

For further and corroborating information on the treatment of political activists and members of
opposition parties in Punjab, see Response to Information Request IND105131. For further and corroborating
information on the treatment of Sikhs in Punjab, including Khalistan advocates, see Response to Information
Request IND105132.

This Response was prepared after researching publicly accessible information currently available to the
Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as
to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in
researching this Information Request.

Note

[1] Dera followers belong to a religious sect that is often "an offshoot of an established religion" (Kumar 2 June
2014, 345, Note 1). They share common "beliefs ... including some novel concepts distinct from the mother
religion" (ibid.). A dera as such "may reject some norms existing in the mainstream religion and replace
obsolete elements with new practices" (ibid.).

References

Assistant Professor, Department of Political Science, Hiram College. 27 April 2015. Correspondence with the
Research Directorate.


Parliament Hill." <http://www.cbc.ca/news/politics/sikhs-rally-for-suicide-bomber-on-parliament-
hill-1.1173884> [Accessed 5 May 2015]


The Indian Express. 23 February 2015. Vijaita Singh. "MHA May Re-Examine Beant Killer Case." (Factiva)

Kumar, Ashutosh. 2 June 2014. "Deras as Sites of Electoral Mobilisation in Indian Punjab: Examining the

Mail Online. 8 January 2015. Abhishek Bhalla. "Government Worried as Badal Backs Early Release for 13
Terror Convicts." <http://www.dailymail.co.uk/indiahome/indianews/article-2899517/Government-fears-

Beant's Killer Hanging." <http://www.dailymail.co.uk/indiahome/indianews/article-2121892/Beant-Singh-
Additional Sources Consulted

**Oral sources:** The following were unable to provide information for this Response: Chairman, Department of Political Science and School of Social Science, Guru Nanak Dev University, Punjab, India.

Attempts to contact the following were unsuccessful within the time constraints of this Response: Reporters Without Borders, Asia Desk.

**Internet sites, including:** Amnesty International; Brookings Institution; Carnegie Endowment for International Peace; ecoli.net; Human Rights Watch; International Crisis Group; IRIN news; The Jamestown Foundation; Jane's Information Group; *Jane's Intelligence Review*; Minorities at Risk; ndtv.com; *Political Handbook of the World*; Punjab Newslie; Reporters Without Borders; Sikh and Punjab Studies; South Asia Terrorism Portal; UN – Refworld; Tribune; US – *Country Reports on Human Rights Practices*, *Country Reports on Terrorism*, Library of Congress; Z News; United States Institute of Peace; Woodrow Wilson Centre for Scholars; Z News.

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