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Submitted in July 2026.

Open letter in support of an EU-India strategic agenda that also protects the fundamental rights of individuals and minorities, in particular Sikhs and Christians.

This Open letter is promoted by the International Association *Sikhs for Justice* (www.sikhsforjustice.org)¹, a global human rights organization that was founded in 2007, who is campaigning for the realization of the Sikh people's right to self-determination through a global referendum, known as the "Khalistan Referendum" (see: www.referendum2020.org)³. The Association *Sikhs for Justice* is also working for respect of Sikhs' fundamental rights on European territory, denouncing their condition of transnational persecution and discrimination.

I – Safeguarding the rule of law and individual rights in international negotiations

1. On 27 January 2026, the European Union and the Government of India formally adopted a joint declaration (⁴) ***entitled 'Towards 2030: India–EU Joint Comprehensive Strategic Agenda'***, aimed at taking the EU–India strategic partnership *'to a higher level, based on shared values and principles, including democracy, human rights, pluralism, the rule of law and a rules-based international order, with the United Nations at its core'*. In accordance with that Agenda, various international

¹ SFJ is a global human rights organization that was founded in 2007. It is headquartered here in the United States. It has 3 core mandates:

1. To disseminate accurate information regarding the genocide of Sikhs that took place in India from 1984 to 1997;

2. To hold human rights violators from India accountable through litigation under international law, as well as the domestic laws of democratic nations;

3. To campaign for the realization of the Sikh people's right to self-determination through a global referendum, known as the "Khalistan Referendum". SFJ's mandate is – and has always been – to use peaceful and democratic means to pursue self-determination and human rights, no matter the cost. It was in pursuit of this goal that SFJ organized the Khalistan Referendum, the first ever global non-governmental referendum. It aims to give Sikhs living around the world the opportunity to have their voices heard and vote on the question of whether Indian-governed Punjab should be an independent country. Since voting started in London, U.K., in October 2021, votes have now been held in various cities across the world, including in the U.K., Switzerland, Italy, and Canada. Voting is planned to continue in other major cities with significant Sikh populations, including in Indianapolis 16 August 2026. The Khalistan Referendum addresses the core underlying contention between Sikhs and the Indian government by giving the indigenous people of Punjab the revolutionary idea of holding a vote on the question of the continued association of Punjab with India. For more than 25 years, the U.S. Congress recognized the issue of Sikh self-determination through the introduction and debate of several resolutions. The Khalistan Referendum is a clear exercise of the right to freedom of speech, protected by the 1st Amendment to the United States Constitution and by democratic countries across the world.

² See: https://en.wikipedia.org/wiki/Khalistan_Referendum

³ See: https://en.wikipedia.org/wiki/Khalistan_Referendum

⁴ EU-India Joint Statement Link: <https://data.consilium.europa.eu/doc/document/ST-5727-2026-INIT/en/pdf>

agreements are being negotiated and finalized, covering trade ⁽⁵⁾, research ⁽⁶⁾, climate ⁽⁷⁾, financial investment ⁽⁸⁾, internal security ⁽⁹⁾ and external security ⁽¹⁰⁾, and the mobility of people ⁽¹¹⁾ for a community of almost two billion people. However, the undoubted economic importance of the agreements currently under negotiation shall not overshadow respect for fundamental rights and the principles of international law, particularly in the context of the European Union's and India's joint commitment to achieving the goals of the United Nations 2030 Agenda for Sustainable Development (SDGs) (among these shared goals is the protection of minorities). In particular, the United Nations aims to protect people belonging to minorities through the 'reduction of inequalities' (SDG 10) and the promotion of peace, justice and strong institutions (SDG 16) – factors that are fundamental to the protection of ethnic, religious and gender minorities, protected by the U.N. Declaration on the Rights of persons belonging to national or ethnic, religious and linguistic minorities.¹²

2. The protection of persons belonging to minorities, foreseen by Article 2 of the Treaty on European Union (TEU) and by the Charter of Fundamental Rights of the European Union, is also guaranteed by Article 14 of the Indian Constitution, which provides for equality before the law ⁽¹³⁾. Compliance with these principles is therefore a condition for the legitimacy not only of the domestic laws adopted by India and by the European Union legislation, but also of the international agreements concluded or currently being negotiated between them. In this regard, the Open Doors Association reports on the recent decision of the Indian Supreme Court of March 24 that, under the Constitution Order of 1950 on Recognized Castes, no person professing a religion other than Hinduism, Sikhism or Buddhism may be considered a member of the Recognized Castes.¹⁴

⁵ See: https://commission.europa.eu/topics/trade/eu-india-trade-agreement_en

⁶ See: [Information concerning the entry into force of the renewal of the Agreement for scientific and technological cooperation between the European Community and the Government of the Republic of India](#) also <https://data.consilium.europa.eu/doc/document/ST-2373-2026-INIT/en/pdf> and also <https://sciencebusiness.net/news/horizon-europe/india-starts-formal-talks-horizon-europe-association>

⁷ See the Council of the European Union's Register of Documents: Memorandum of Understanding (MoU) on the EU-India Partnership Platform on Climate Support

⁸ See the Council of the European Union's Document Register: EU-India Investment Protection Agreement Negotiations

⁹ See the Council's Register of Documents: COUNCIL DECISION authorising the opening of negotiations with India for a security of information agreement between the European Union and India

¹⁰ See [Security and Defence Partnership between the European Union and the Republic of India](#) <https://data.consilium.europa.eu/doc/document/ST-5168-2026-INIT/en/pdf>

¹¹ See [the Memorandum of Understanding between the European Union and the Republic of India on a comprehensive framework for cooperation and mobility](#) <https://data.consilium.europa.eu/doc/document/ST-7308-2026-INIT/en/pdf>

¹² See: <https://www.ohchr.org/en/instruments-mechanisms/instruments/declaration-rights-persons-belonging-national-or-ethnic>

¹³ Art.14 "The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India."

¹⁴ See: https://www.porteapertecitalia.org/wp-content/uploads/India_Cristiani-Dalit-a-rischio-a-causa-della-Corte-Costituzionale-aprile-2026.pdf



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3. In this regard, it should be noted that Article 21 of the Treaty on European Union requires respect for the European Union's fundamental rights and values also in the context of its external action and international agreements. To ensure that this does not remain merely on paper, procedures and instruments for effective monitoring of international agreements concluded by the European Union should be put in place, which can also be activated by civil society.

II – Taking account of complaints from civil society and public bodies

4. Unfortunately, official reports from United Nations bodies and complaints from civil society indicate that the principles of non-discrimination and the protection of minorities are often violated, not only on Indian territory but also within the European Union. In particular, the organizer of the Khalistan referendum in the European Union (Mr. Singh Jagroop e Singh Gurpal), have lodged several complaints regarding death threats made by individuals linked to the Indian Consulate in connection with their political activities relating to the Khalistan referendum¹⁵.
 5. This is particularly the case regarding the discriminatory treatment and threats to which members of the Sikh minority have been subjected for several years, as highlighted by the following Reports. The *Sikhs for Justice (SFJ) Association* has already denounced in United States the transnational persecution and discriminatory condition of the Sikh Community and of the Khalistan Referendum members¹⁶.
- **The European Parliament's Research Service, in its study *"Transnational Repression of Human Rights Defenders"* (2025)**, devoted a chapter to India, highlighting acts of transnational repression against activists and human rights defenders (¹⁷). The study cites the case of Hardeep Singh Nijjar, who was killed in Canada in 2023, and the attempted murder of the activist *Gurpatwant Singh Pannun* in New York, highlighting 'credible evidence of involvement by bodies linked to the Indian secret services. Furthermore, the same study classifies India as the only country to have carried out acts of cross-border persecution,

¹⁵ <https://giuliochinappi.com/2026/05/20/denuncia-penale-presentata-in-italia-contro-il-consigliere-per-la-sicurezza-nazionale-indiano-ajit-doval-alla-vigilia-della-visita-di-modi/>

¹⁶ See: <https://sikhsforjustice.org/uploads/report-on-torture-for-khalistan-referendum-2020.pdf> - <https://sikhsforjustice.org/downloads/44>

¹⁷ See : [https://www.europarl.europa.eu/thinktank/it/document/EXPO_STU\(2025\)754475](https://www.europarl.europa.eu/thinktank/it/document/EXPO_STU(2025)754475)



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recommending that host governments – including those in Europe – strengthen protection mechanisms for vulnerable communities.

- According to **Amnesty International**, the human rights situation in India in 2025–2026 has ‘dramatically deteriorated’. According to Amnesty, the authorities in New Delhi continue to use sedition and anti-terrorism laws to repress journalists, students, activists and political opponents. Religious minorities – particularly Muslims and Sikhs – are subjected to institutionalized discrimination, violence and punitive demolitions¹⁸.
- **Human Rights Watch** also confirms a structural pattern of repression in India. Its 2026 report documents arbitrary arrests, violence in custody and pressure on independent media, describing a system of control that extends well beyond the country’s borders. HRW cites instances of surveillance and intimidation targeting Indian citizens abroad, including Sikhs, Kashmiri activists and critics of the BJP government. In particular, the report mentions the political use of the revocation of *Overseas Citizenship of India* visas to punish scholars and journalists from the diaspora who denounce abuses.¹⁹
- In the United States, the **USCIRF (U.S. Commission on International Religious Freedom)** has expressed ‘deep concern’ over India’s transnational repression and domestic policies targeting Muslims, Sikhs and Christians. In its 2025 report, the Commission calls for India to be included on the list of ‘Countries of Particular Concern for Religious Freedom’ and condemns ‘the use of diplomatic and intelligence tools to silence dissidents abroad’. The USCIRF urges Western governments not to sacrifice human rights principles on the altar of economic or strategic relations with New Delhi (²⁰).
- According to a recent report by the **US Department of Justice**, an Indian agent, Nikhil Gupta, acted on the instructions of an Indian government official to organize the murder of the leader of the Sikh separatist movement residing in the United States (²¹).
- According to the report by Canada’s **Immigration and Refugee Board**, India is not a safe country; there is discriminatory and persecutory behaviour towards minorities, dissidents and political opponents. In particular, the Sikh community and the organization *Sikhs for Justice* are

¹⁸ See : <https://www.amnesty.it/rapporti-annuali/rapporto-2026/asia-e-pacifico/india/>

¹⁹ See <https://www.hrw.org/asia/india>).

²⁰ See : <https://www.uscifr.gov/sites/default/files/India.pdf> – <https://www.uscifr.gov/sites/default/files/2026-05/2026%20Deteriorating%20Religious%20Freedom%20Conditions%20in%20India.pdf>

²¹ See : <https://www.justice.gov/usao-sdny/pr/indian-national-pleads-guilty-plotting-assassinate-us-citizen-new-york-city>



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being criminalized. Furthermore, surveillance and video-surveillance tools, such as facial recognition, are being used to target and repress dissidents in India ⁽²²⁾.

- The **report by the UN Special Rapporteurs** (the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms whilst countering terrorism; the Special Rapporteur on summary or arbitrary executions; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the rights to freedom of peaceful assembly and of association; and the Special Rapporteur on freedom of religion or belief denounces serious human rights violations by the Indian government) highlight threats against the Sikh community, dangers to the safety of members of the Sikh community, and restrictions on freedom of expression, opinion, assembly, association and all religious freedoms⁽²³⁾.
- The American Research Centre **Early Warning Project** ranks India among the countries at highest risk of interstate mass killings ⁽²⁴⁾.
- The **Sikhs for Justice (SFJ) Association** therefore condemns the criminalization of peaceful political activism by Sikhs in India and the United States, the restrictions on freedom of expression, and the discriminatory and persecutory treatment of supporters of the campaign for a referendum on Khalistan ⁽²⁵⁾.

III Ensuring respect for fundamental rights, particularly within the EU

6. In light of these numerous official reports, studies, complaints and analyses of the current situation in India, the first question that arises is whether the European Union's recent decision to declare India a 'safe' country throughout its territory and for all its citizens ⁽²⁶⁾ is legally sound and reflects the actual situation. This declaration, which according to the case law of the Court of Justice of the European Union ⁽²⁷⁾ should have been based on neutral and publicly

²² See : <https://www.irb-cisr.gc.ca/en/country-information/rir/Pages/index.aspx?doc=458823&wbdisable=true>

²³ See : <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=30742>

²⁴ See: (<https://earlywarningproject.ushmm.org/reports/countries-at-risk-for-intrastate-mass-killing-2025-26-early-warning-project-statistical-risk-assessment-results>).

²⁵ See: <https://sikhsforjustice.org/downloads/45>

²⁶ See Regulation (EU) 2026/464 of 24 February 2026 (https://eur-lex.europa.eu/legal-content/IT/TXT/PDF/?uri=OJ:L_202600464), which amended Regulation (EU) 'Procedures' 2024/1348 on the processing of applications for international protection.

²⁷ See the judgments in the 'Alace Canpelli' case, Court of Justice of the European Union, Grand Chamber, 1 August 2025, Joined Cases C-758/24 and C-759/24, and in the 'Aleb' case (C-718/24)



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accessible information, does not, however, appear to have taken into account the official reports and data compiled by the major global institutions and organizations responsible for monitoring respect for the fundamental rights of minorities, nor the numerous complaints from civil society. However, it must be borne in mind that the designation of a third country as a ‘safe country’ has serious implications for applications for international protection by nationals from that State who are subject to individual or collective persecution, as well as to forms of systematic discrimination or the deprivation of their fundamental rights, not only within Indian territory but also at the transnational level.

7. Considering these factors, it is urgent that the Commission, pursuant to Articles 62 and 63 of the ‘Procedures’ Regulation (EU) No 1348/2024, **urgently** review the current situation of minorities (the Sikh and Christian communities) within Indian territory. Following this review, the European Commission should proceed, again as a matter of urgency, **to suspend the effects of India’s designation as a ‘safe country’**, at least in respect of those minorities and the relevant parts of Indian territory, and, ultimately, propose to the European Parliament and the Council an amendment to the ‘Procedures’ Regulation insofar as it designates India as a ‘safe country’ across its entire territory and in respect of members of the minorities in question.

8. In light of the above comments regarding ‘safe countries’, it is of fundamental importance to ensure, particularly within the territory of the Union, that all fundamental rights – as guaranteed by the Charter of Fundamental Rights of the European Union – are effectively respected for third-country nationals, given that they fall under the full jurisdiction of the European Union and its Member States. Internal monitoring procedures within the EU and its Member States should, in fact, meet **the highest standards of protection of fundamental rights**, as defined by the European Courts. Such monitoring procedures would not replace but would complement the joint bodies and structures already provided for in the EU–India agreements (such as the 12th periodic dialogue on respect for fundamental rights, which was recently held in New Delhi).

9. In this context, the European Commission should act fully as the effective ‘guardian of the Treaties’, with the crucial support of *the European External Action Service*, European agencies such as the Agency for Fundamental Rights, the European Asylum Support Office, *Europol* and *Eurojust*, and, above all, the Member States where members of these minorities reside and work.

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10. Monitoring, if carried out on an ongoing and effective basis, not least in the light of Article 70 of the Treaty on the Functioning of the European Union ⁽²⁸⁾), would assist the legislator – the European Parliament and the Council of the European Union – when amending existing legislation and international agreements, as well as during the process of making the necessary financial resources available.

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²⁸ Article 70 TFEU: “Without prejudice to Articles 258, 259 and 260, the Council, on a proposal from the Commission, may adopt measures laying down the procedures by which Member States, in cooperation with the Commission, shall carry out an objective and impartial evaluation of the implementation by the authorities of the Member States of the Union policies referred to in this Title, in particular with a view to promoting the full application of the principle of mutual recognition. The European Parliament and the national parliaments shall be informed of the content and results of that evaluation.” LINK https://eur-lex.europa.eu/eli/treaty/tfeu/2016/art_70/oj/eng