



Australian Government
Refugee Review Tribunal

Country Advice

India

India – IND35984 – Punjab – Shiromani
Akali Dal (Mann) – International Sikh
Youth Federation – Sexual violence

3 February 2010

- 1 Deleted.
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- 3 Please provide brief background on Shiromani Akali Dal (Mann) and ISYF.

Shiromani Akali Dal (Mann)

The Punjabi political party Shiromani Akali Dal (Mann) (SAD (Mann) or SAD (M)), also known as Shiromani Akali Dal (Simranjit Singh Mann) and Shiromani Akali Dal (Amritsar), was formed in the mid-1990s by Simranjit Singh Mann, a former Indian Police Service (IPS) officer.¹ SAD (Mann) is a splinter party of the Shiromani Akali Dal (SAD), a politico-religious movement founded in Punjab in 1920 to organise and manage the gurdwaras in the state and to advance Sikh interests.² The main branch of the Shiromani Akali Dal (known simply as SAD, or as SAD (Badal)) is currently in power in Punjab in coalition with the Hindu-dominated Bharatiya Janata Party (BJP).

In the 2007 Punjab Legislative Assembly elections, SAD (Mann) contested 37 of 117 seats and won none.³ In 2002, SAD (Mann) contested 84 of 117 seats and won none⁴, while in 1997 the party contested 30 seats and won 1.⁵

The main stance of the party and of Mann is advocacy for an independent Sikh nation (Khalistan), and Mann's group is often described as "radical", and included with other "radical Akali groups". What radical activities the group engages in, aside from "raising pro-

¹ 'India' 2009, in *CQ Press Electronic Library, Political Handbook of the World Online Edition*, eds. Banks, A., Muller, T., Overstreet, W. & Isacoff, J. http://library.cqpress.com/phw/phw2009_India – Accessed 12 January 2010 – Attachment 8.

² 'Shiromani Akali Dal' (undated), Government Wikia website http://government.wikia.com/wiki/Shiromani_Akali_Dal – Accessed 5 February 2010 – Attachment 29.

³ Election Commission of India 2007, *Statistical Report on General Election 2007, to the Legislative Assembly of Punjab*, Election Commission of India website http://eci.nic.in/eci_main/StatisticalReports/SE_2007/Stat_rep_2007_PB.pdf – Accessed 20 February 2009 – Attachment 26.

⁴ Election Commission of India 2002, *Statistical Report on General Election 2002, to the Legislative Assembly of Punjab*, Election Commission of India website http://eci.nic.in/eci_main/StatisticalReports/SE_2002/Stat_rep_2002_PB.pdf – Accessed 20 February 2009 – Attachment 27.

⁵ Election Commission of India 1997, *Statistical Report on General Election 1997, to the Legislative Assembly of Punjab*, Election Commission of India website http://eci.nic.in/eci_main/StatisticalReports/SE_1997/StatiscialReport-PU97.pdf – Accessed 5 February 2010 – Attachment 28.

Khalistan slogans”, is not explained, and media reports suggest that “Mann tends to emphasise that the fight for Khalistan should be done in a non-violent manner”.⁶

The Political Handbook of the World provides a brief paragraph on the Mann faction of SAD:

Shiromani Akali Dal (Mann)—SAD(M). The SAD(M), also frequently referenced as the **Shiromani Akali Dal (Amritsar)**, was formed by radical *Akali Dal* faction leader S. S. Mann in the mid-1990s because, he claimed, other leaders had failed to adhere to the 1994 Amritsar declaration (see SAD, above). Mann successfully competed for a *Lok Sabha* seat in 1999. In 2004 the party ran six candidates, all unsuccessful.

In a case dating back to 1991, in November 2006 Mann was acquitted of sedition for allegedly advocating establishment of Khalistan, a Sikh homeland.

Leader: Simranjit Singh MANN.⁷

A recent response provides brief information on the SAD (Mann). *Research Response IND35817*, of 17 December 2009⁸, also provides background information on the history of the Shiromani Akali Dal party, and on the Khalistan movement for a Sikh homeland.

The website of the Shiromani Akali Dal (Amritsar) is accessible at the following URL:
<http://www.akalidalamritsar.org/akali/>.

International Sikh Youth Federation (ISYF)

According to the information sourced from the India-based South Asia Terrorism Portal (SATP), the International Sikh Youth Federation (ISYF) is a proscribed organisation in India under the 2002 Prevention of Terrorism Act. No recent ISYF activity is noted in this report.⁹

An April 2009 report from the Immigration & Board of Canada states that the ISYF was founded in 1984 in the United Kingdom “as an international branch of the All India Sikh Students’ Federation (AISSF). According to this source, the “ISYF ‘collaborates and/or associates’ with various Sikh ‘terrorist’ groups”, and “was banned in the UK in 2001, after

⁶ For examples of reportage on SAD (Mann), see: Pubby, V. 2009, ‘Last two faces of guilt: why Cong decided to cut its losses’, *Indian Express*, 10 April <http://www.indianexpress.com/news/last-two-faces-of-guilt-why-cong-decided-to-cut-its-losses/445289/> – Accessed 21 April 2009 – Attachment 9; Singh, G. 2009, ‘Sleeping With The Enemy’, *World Sikh News*, 1 April <http://worldsikhnews.com/1%20April%202009/Sleeping%20With%20The%20Enemy.htm> – Accessed 21 April 2009 – Attachment 10; ‘Mann announces to celebrate Sant Bhindrawala’s birthday [sic] in big way’ 2008, *Punjab Newslite*, 14 January <http://www.punjabnewslite.com/content/view/7829/38/> – Accessed 21 April 2009 – Attachment 11; Swami, P. 2007, ‘The road home from Khalistan’, *The Hindu*, 27 September <http://www.hindu.com/2007/09/27/stories/2007092756051200.htm> – Accessed 21 April 2009 – Attachment 12; Rataul, D. 2008, ‘Bluestar anniversary: Mann raises pro-Khalistan slogans’, *Express India*, 6 June <http://www.expressindia.com/latest-news/bluestar-anniversary-mann-raises-prokhalistan-slogans/319532/> – Accessed 21 April 2009 – Attachment 13.

⁷ ‘India’ 2009, in *CQ Press Electronic Library, Political Handbook of the World Online Edition*, eds. Banks, A., Muller, T., Overstreet, W. & Isacoff, J. http://library.cqpress.com/phw/phw2009_India – Accessed 12 January 2010 – Attachment 8.

⁸ RRT Research & Information 2009, *Research Response IND35817*, 17 December – Attachment 14.

⁹ ‘International Sikh Youth Federation’ (undated), South Asia Terrorism Portal website http://www.satp.org/satporgtp/countries/india/states/punjab/terrorist_outfits/ISYF.htm – Accessed 20 January 2010 – Attachment 15.

which a ‘successor body’ called the Sikh Federation UK was created with ‘largely the same’ senior members as ISYF”.¹⁰

Question 3 of *Research Response IND34918* of 28 May 2009 contains brief information on the ISYF and the Sikh Student’s Federation (SSF), in the context of their involvement in protests against the Dera Sacha Sauda.¹¹

4 Are the SAD(M) and ISYF known to threaten Sikhs and temple officials in Punjab to raise and launder money?

SAD (Mann)

No reports were located suggesting that SAD (Mann) members use gurdwaras to launder money, or that members of the party threaten members of the public. No reports were located indicating that SAD (Mann)’s geographic range would extend beyond Punjab.

As noted in Question 3 above, SAD (Mann) is a political party, and while Simranjit Singh Mann has been charged with and acquitted of sedition, he has also spoken publicly against the use of violence in pursuit of a Sikh state.¹²

ISYF

Information sourced from the SATP website and the Jamestown Foundation’s *Terrorism Monitor* suggests that the ISYF raises its funds from Sikh diaspora communities, and that it controls gurdwaras in these communities. No reports were located which claim that the ISYF is presently active in Punjab or that it uses gurdwaras in Punjab to raise or launder money. The ISYF is reported to have been involved in murders, bombings and abductions in India, but no specific or recent reports of threats to local gurdwara members were located.

The SATP website states of the ISYF that: “In the past, it operated in Punjab and maintained offices in many countries. At the present, the ISYF’s support-base is spread across the UK, North America, Canada and other Western European countries”. Further, “the ISYF was involved in terrorist acts including murders, bomb blasts and abductions. The ISYF had been making efforts to execute terrorist acts in India, but had not been successful”.¹³

On fundraising, the SATP website claims that “[t]he ISYF reportedly raised huge amounts of funds from the Sikh diaspora”, and that ISYF followers “in the UK, Germany and North America reportedly exercise influence over Gurudwaras and Sikh forums through which they collect funds for the outfit”. Further, “the ISYF has established a human rights organisation

¹⁰ Immigration & Refugee Board of Canada 2009, *IND103121.E: India: The All India Sikh Student Federation (AISSF), including its objectives and activities, and its relationship with the International Sikh Youth Federation (ISYF) (April 2006 – March 2009)*, 16 April – Attachment 16.

¹¹ RRT Research & Information 2009, *Research Response IND34918*, 28 May – Attachment 17.

¹² Immigration & Refugee Board of Canada 2009, *IND103112.E: India: Whether members of the Akali Dal (Mann) / Akali Dal (Amritsar) party are harassed and arrested for participating in party gatherings, for publicly complaining about the treatment of Sikhs by Indian authorities or for calling for the creation of Khalistan (separate homeland for Sikhs); whether police regard members of the Akali Dal (Mann) party with suspicion and monitor them for signs of any links with terrorism (2005 – March 2009)*, 14 April. – Attachment 18.

¹³ ‘International Sikh Youth Federation’ (undated), South Asia Terrorism Portal website http://www.satp.org/satporgtp/countries/india/states/punjab/terrorist_outfits/ISYF.htm – Accessed 20 January 2010 – Attachment 15.

known as Khalsa Human Rights Group”, which “emerged as a powerful fundraising unit of pro-Khalistan terrorists located in foreign countries”.¹⁴

A January 2009 report in the *Jamestown Terrorism Monitor* states that ISYF leader Lakhbir Singh Rode, reportedly resident in Lahore, Pakistan, “is wanted [by the Indian authorities] in relation to cases of arms smuggling and conspiracy to attack government and political leaders in Delhi, as well as inciting religious hatred in Punjab”. This report also states that the ISYF “is believed to be the most active Sikh militant group based in Pakistan”, and that it is “believed to have engaged in terrorist acts, including murders, bombings, and abductions in India”. The report further claims that: “There are reports further attacks are being planned all across India”; no details are provided as to the nature of these purported attacks.¹⁵

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6 Are Indian (‘Hindu’) officials reported to rape local Sikh women, in particular the families of religious leaders and/or those suspected of supporting terrorist groups, as a means of intimidating, punishing or driving the family out of the area through shame?

No recent reports were located which claim that Sikh women are raped by local officials as a form of intimidation or punishment. Nonetheless, some media reports and Sikh activist sources claim that the systematic rape of Sikh women, particularly of those with husbands or families suspected of involvement in pro-Khalistan groups, was undertaken by the Indian security forces between the mid-1980s and mid-1990s.

A September 2009 report from the *Pakistan Observer* claims that: “In 1991, Brigadier Sinha of the Indian Army publicly declared that the only way to subvert the culture of the Sikhs was to rape and humiliates [*sic*] Sikh women”.¹⁶ Reports sourced from Sikh advocacy websites claim that Indian police and security forces raped Sikh women. The Daily Burning Panjab website claims that: “The Indian Forces ... began a program of ‘shudhee karan’, which was a code name for the rape of Sikh women”; and that: “Many rape victims took their own lives, unable to live with the ongoing humiliation at the hands of the Indian police”. This source also claims that: “The abuse of Sikh women was and is widespread in Punjab. Mothers, wives and children of Sikh fighters were considered legitimate targets”.¹⁷ The Sikhiwiki website makes similar claims, that rape was used by “Hindu Indian Security forces ... to force the surrender of Sikh fighters who were their relatives and also as a means of humiliating families, even whole villages”.¹⁸ ‘The Sikh’ website (described as “A sister site to *The Sikh* internet newspaper”) claims that Indian security forces carried out the “rape of Sikh women and pillage of Sikh properties in the post-Indira Gandhi assassination riots”.¹⁹

¹⁴ *ibid*

¹⁵ Khan, M. 2009, ‘India’s Sikh Militants Forming Ties with Lashkar-e-Taiba and Pakistani Intelligence’, *Jamestown Terrorism Monitor*, Vol. 7, Issue 1, 9 January – Attachment 19.

¹⁶ Kazmi, M. 2009, ‘Sikhism in Jeopardy’, *Pakistan Observer*, 27 September <http://pakobserver.net/200909/27/Articles04.asp> – Accessed 3 February 2010 – Attachment 20.

¹⁷ ‘Genocide in Punjab’ (undated), Daily Burning Panjab website <http://www.burningpanjab.com/article233.htm> – Accessed 3 February 2010 – Attachment 21.

¹⁸ ‘Operation Shudeekaran’ (undated), Sikhiwiki website http://www.sikhiwiki.org/index.php/Operation_Shudeekaran – Accessed 3 February 2010 – Attachment 22.

¹⁹ ‘Operation Black Thunder Hidden Truths of India’ 2006, The Sikh website, 30 April <http://thesikh.blogspot.com/2006/04/operation-black-thunder-hidden-truths.html> – Accessed 3 February 2010 – Attachment 23.

On a more general level, an August 2009 report on policing in India from Human Rights Watch claims that rape remains under-reported in India due to “the outright refusal of police to register cases and victims’ unwillingness to pursue claims due to fear of retribution, stigma, and a belief that police will be unresponsive”.²⁰ The 2009 US Department of State *Country Report on Human Rights Practices* for India claims that “NGOs asserted that rape by police, including custodial rape, was more common than NHRC figures indicated”, and that “[a] higher incidence of abuse appeared credible, given other evidence of abusive behavior by police, and the likelihood that many rapes went unreported due to the victims’ shame and fear of retribution”. The USDOS report further states that: “The law sets criminal penalties for rape ... but the government did not enforce the law effectively. Only 10 percent of rape cases were adjudicated fully by the courts, and police often failed to arrest rapists, perpetuating a climate of impunity”.²¹

List of Attachments

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2. Attachment deleted.
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7. Attachment deleted.
8. ‘India’ 2009, in *CQ Press Electronic Library, Political Handbook of the World Online Edition*, eds. Banks, A., Muller, T., Overstreet, W. & Isacoff, J.
http://library.cqpress.com/phw/phw2009_India – Accessed 12 January 2010.
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10. Singh, G. 2009, ‘Sleeping With The Enemy’, *World Sikh News*, 1 April
<http://worldsikhnews.com/1%20April%202009/Sleeping%20With%20The%20Enemy.htm> – Accessed 21 April 2009.
11. ‘Mann announces to celebrate Sant Bhindrawala’s birthday [sic] in big way’ 2008, *Punjab Newslines*, 14 January <http://www.punjabnewslines.com/content/view/7829/38/> – Accessed 21 April 2009.
12. Swami, P. 2007, ‘The road home from Khalistan’, *The Hindu*, 27 September
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13. Rataul, D. 2008, ‘Bluestar anniversary: Mann raises pro-Khalistan slogans’, *Express India*, 6 June <http://www.expressindia.com/latest-news/bluestar-anniversary-mann-raises-prokhalistan-slogans/319532/> – Accessed 21 April 2009.
14. RRT Research & Information 2009, *Research Response IND35817*, 17 December.

²⁰ Human Rights Watch 2009, *Broken System: Dysfunction, Abuse, and Impunity in the Indian Police*, 4 August, pp. 56-57 <http://www.hrw.org/sites/default/files/reports/india0809web.pdf> – Accessed 14 January 2010 – Attachment 24.

²¹ US Department of State 2009, *Country Report on Human Rights Practices for 2008 – India*, 25 February – Attachment 25.

15. 'International Sikh Youth Federation' (undated), South Asia Terrorism Portal website http://www.satp.org/satporgtp/countries/india/states/punjab/terrorist_outfits/ISYF.htm – Accessed 20 January.
16. Immigration & Refugee Board of Canada 2009, *IND103121.E: India: The All India Sikh Student Federation (AISSF), including its objectives and activities, and its relationship with the International Sikh Youth Federation (ISYF) (April 2006 – March 2009)*, 16 April. (REFINFO)
17. RRT Research & Information 2009, *Research Response IND34918*, 28 May.
18. Immigration & Refugee Board of Canada 2009, *IND103112.E: India: Whether members of the Akali Dal (Mann) / Akali Dal (Amritsar) party are harassed and arrested for participating in party gatherings, for publicly complaining about the treatment of Sikhs by Indian authorities or for calling for the creation of Khalistan (separate homeland for Sikhs); whether police regard members of the Akali Dal (Mann) party with suspicion and monitor them for signs of any links with terrorism (2005 – March 2009)*, 14 April. (REFINFO)
19. Khan, M. 2009, 'India's Sikh Militants Forming Ties with Lashkar-e-Taiba and Pakistani Intelligence', *Jamestown Terrorism Monitor*, Vol. 7, Issue 1, 9 January.
20. Kazmi, M. 2009, 'Sikhism in Jeopardy', *Pakistan Observer*, 27 September <http://pakobserver.net/200909/27/Articles04.asp> – Accessed 3 February 2010.
21. 'Genocide in Punjab' (undated), Daily Burning Panjab website <http://www.burningpanjab.com/article233.htm> – Accessed 3 February 2010.
22. 'Operation Shudeekaran' (undated), Sikhiwiki website http://www.sikhiwiki.org/index.php/Operation_Shudeekaran – Accessed 3 February 2010.
23. 'Operation Black Thunder Hidden Truths of India' 2006, The Sikh website, 30 April <http://thesikh.blogspot.com/2006/04/operation-black-thunder-hidden-truths.html> – Accessed 3 February 2010.
24. Human Rights Watch 2009, *Broken System: Dysfunction, Abuse, and Impunity in the Indian Police*, 4 August, pp. 56-57 <http://www.hrw.org/sites/default/files/reports/india0809web.pdf> – Accessed 14 January 2010.
25. US Department of State 2009, *Country Report on Human Rights Practices for 2008 – India*, 25 February.
26. Election Commission of India 2007, *Statistical Report on General Election 2007, to the Legislative Assembly of Punjab*, Election Commission of India website http://eci.nic.in/eci_main/StatisticalReports/SE_2007/Stat_rep_2007_PB.pdf – Accessed 20 February 2009.
27. Election Commission of India 2002, *Statistical Report on General Election 2002, to the Legislative Assembly of Punjab*, Election Commission of India website http://eci.nic.in/eci_main/StatisticalReports/SE_2002/Stat_rep_2002_PB.pdf – Accessed 20 February 2009.
28. Election Commission of India 1997, *Statistical Report on General Election 1997, to the Legislative Assembly of Punjab*, Election Commission of India website http://eci.nic.in/eci_main/StatisticalReports/SE_1997/StatisticalReport-PU97.pdf – Accessed 5 February 2010.

29. 'Shiromani Akali Dal' (undated), Government Wikia website
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