

COMPLAINT & URGENT APPEAL

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**SECURE THE RELEASE OF SIKH “PRISONERS OF CONSCIENCE”
DETAINED ARBITRARILY BEYOND THE SENTENCED TERM BY INDIAN
GOVERNMENT AND SAVE THE LIFE OF BHAI GURBAKSH SINGH
KHALSA WHO IS ON CONTINUOUS HUNGER STRIKE SINCE NOVEMBER
14 DEMANDING THE RELEASE OF DETAINED SIKHS**

Honorable Sirs:

We are writing to file a complaint and urgent appeal to secure the release of Sikh Prisoners of Conscience who are being deprived of their liberty by being imprisoned in India for years beyond the sentenced term of prison in egregious violation of Universal Declaration of Human Rights and international law.

Bhai Gurbaksh Singh Khalsa, a Sikh rights Activist is on continuous hunger strike since November 14 demanding the release of Sikh prisoners of conscience who are being illegally detained and deprived of their liberty by the Government of India.

Sikhs for Justice (SFJ) is an international human rights organization which believes and adheres to Universal Declaration of Human Rights. SFJ endeavors to create an environment in which minorities - regardless of race, religion, language, gender, or ethnicity – can freely exercise their right to “self determination” as enshrined in the Universal Declaration of Human Rights and United Nations Covenant on Civil and Political Rights.

On November 14, Bhai Gurbaksh Singh Khalsa¹ went on the hunger strike to secure the release of (1) Gurmeet Singh; (2) Lakhwinder Singh; (3) Shamsher Singh; (4) Lal Singh; (5) Wariam Singh; and (6) Gurdeep Singh Khaira².

¹ See Tribune News Report dated December 14, 2013. “Take legal recourse to release Take legal recourse to free Sikh detainees” <http://www.tribuneindia.com/2013/20131214/punjab.htm#3>

² See News Report of Sikh Siyasat dated December 17, 2013 “Essential details of 6 Sikh prisoners whose release is being demanded by Bhai Gurbaksh Singh <http://www.sikhsiyasat.net/2013/12/17/essential-details-of-6-sikh-prisoners-whose-release-is-being-demanded-by-bhai-gurbaksh-singh-details-in-english/>

These prisoners of conscience are being detained beyond their sentenced terms and the Indian authorities have not released them even after the completion of their prison term. Each of these individuals is in continuous detention for a period ranging from 18 to 23 years, a period which is way in excess of the 14 years sentence imposed on them.

A review of the each of these cases reveals that they fall under “Category I” cases as identified by the Working Group on Arbitrary Detention. According to the Working Group’s mandate, “Category I” cases are those where:

“it is clearly impossible to invoke any legal basis justifying the deprivation of liberty (as when a person is kept in detention after the completion of his sentence or despite an amnesty law applicable to him)”

As per the mandate of the Working Group on Arbitrary Detentions as established by resolution 1991/42 of the former Commission on Human Rights, an immediate action is warranted in this case by the Working Group on Arbitrary Detentions.

The actions of Indian government related to continuous arbitrary detention of Sikh Prisoners of Conscience violate every norm of democracy, Universal Declaration of Human Rights and International laws. If the ongoing practice of illegal and arbitrary detention of Sikhs goes unchecked, it will result in another era of unrest, torture, illegal detentions, enforced disappearances and extra judicial killings of Sikhs, a religious minority, as it happened to them during 1984-98 which has been extensively documented by United Nations, Amnesty International and Human Rights Watch.

We, therefore, urge you to:

- SECURE the release of “Prisoners of Conscience” (1) Gurmeet Singh; (2) Lakhwinder Singh; (3) Shamsheer Singh; (4) Lal Singh; (5) Wariam Singh; and (6) Gurdeep Singh Khaira and save the life of Sikh activist Bhai Gurbaksh Singh Khalsa who is on continuous Hunger Strike since November 14.

Submitted by:

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