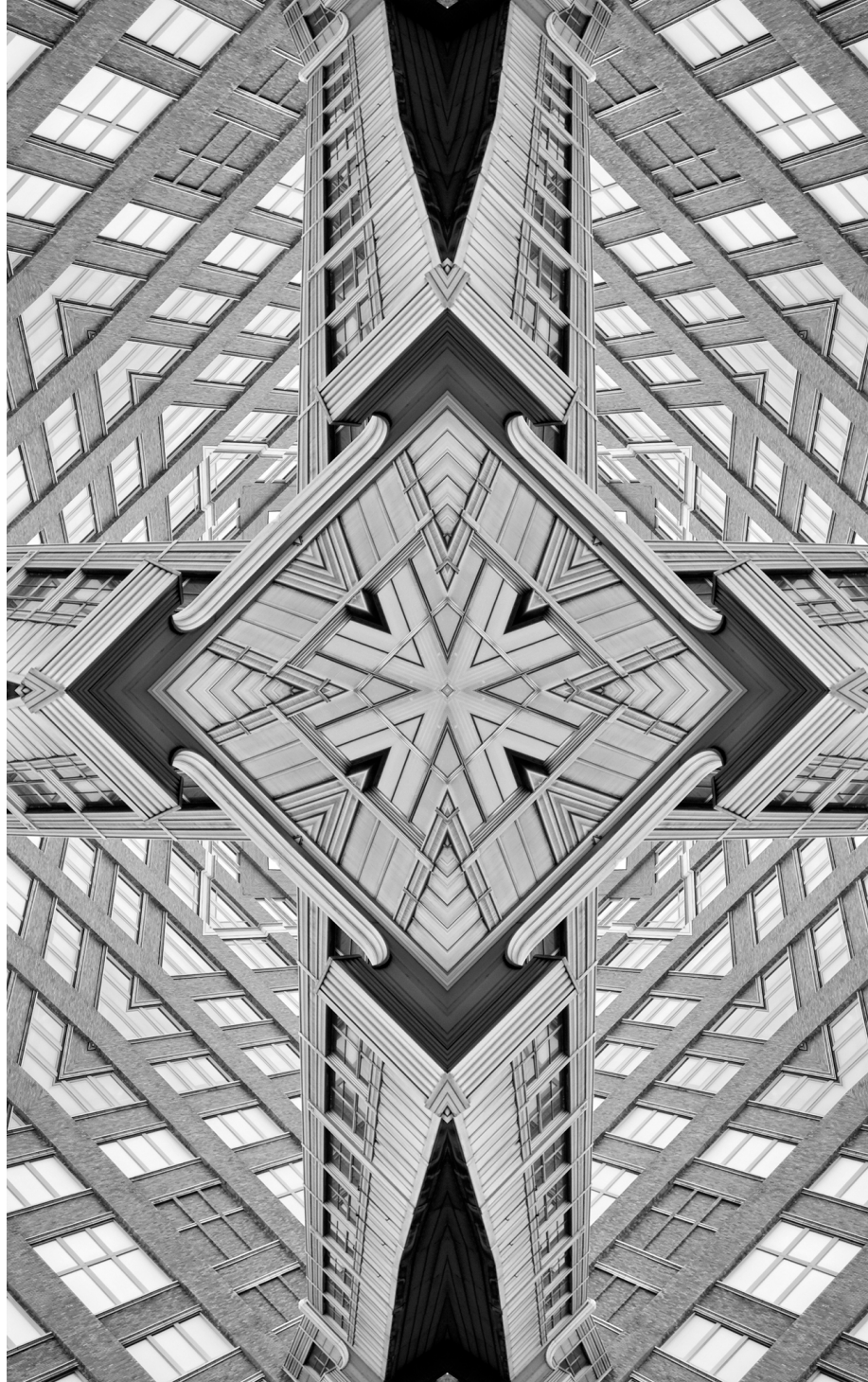


Issue

Brief

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Western Governments' Response to Diasporic Separatists: Weighed and Found Wanting

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Abstract

Recent public mobilisations in certain Western countries of separatists demanding that a homeland for Sikhs be created in Punjab (or Khalistan) are raising concerns about the threats that these groups pose to India's security. Tamil Eelam nationalists are also continuing to mobilise themselves in activities hostile to Sri Lanka that openly display militant iconography and messages. What motivates host countries, such as Canada and the United Kingdom (UK), to give these movements space to carry out their activities, even at the risk of dire diplomatic consequences? This brief examines the similar and dissimilar traits of the diasporic Khalistani and Tamil Eelam movements, and outlines the normative, political and economic factors that dissuade foreign governments from taking appropriate measures against them.

In recent months, there have been multiple reported incidents of members of the Khalistan movement based in various Western countries including Canada, the United States (US), the United Kingdom (UK), and Australia, attacking Hindu temples and Indian embassies, and holding rallies with violent elements. In March, Khalistani separatists pulled down the Indian national flag at the high commission in the UK,¹ prompting New Delhi to raise the issue of lack of security in the area.²

In July, the Sikhs for Justice (SFJ) in Canada released a video where they declared that “the Sikh community is going to besiege every terror house that is an Indian embassy.”³ What they themselves called ‘Kill India’ demonstrations were organised by SFJ in several cities in Canada, the UK and the US on 8 July 2023,⁴ triggering a response from Canadian Minister of Foreign Affairs Melanie Joly that the planned demonstrations were “unacceptable”.⁵ Also in July, in the US, an attempted arson was reported at the Indian consulate in San Francisco.⁶

The Khalistan movement, which started in the 1970s, seeks an independent homeland for Sikhs, to be created in Punjab in India. Sporadic incidents of violence involving the separatists, in India and in various Western countries, have been recorded in recent years.⁷ The emergence of prominent separatists such as Deep Sidhu and Amritpal Singh in India, and Simranjit Mann’s victory in the Sangrur by-polls in India’s Punjab in June, have occurred in parallel to the surge in Khalistan activities, which today are largely based overseas. The deaths of many Khalistanis, including Avtar Singh Khanda, Paramjeet Singh Panjwar and Hardeep Singh Nijjar have brought speculations that Indian intelligence agencies conducted undercover operations against these individuals who are all facing terror-related charges in India.^{a,8} While the Khalistan movement is unlikely to be revived in India’s Punjab, it has gained an appeal in sections of the Sikh diaspora.

In mid-September, Canadian Prime Minister Justin Trudeau told his Parliament that Ottawa has evidence to link the government of India with Nijjar’s assassination in June 2023; he did not offer that evidence.⁹ His remarks have resulted in a further downturn in India-Canada relations, strained as they already are for many years.

a Avtar Singh Khanda was in the UK, Paramjeet Singh Panjwar in Pakistan, and Hardeep Singh Nijjar in Canada at the time of their assassination.

Introduction

Sri Lanka faces a similar challenge with the Tamil Eelam movement that demands an independent state for Tamils. The movement, also largely based overseas since the end of the civil war, openly glorifies the Liberation Tigers of Tamil Eelam (LTTE). The LTTE began their armed campaign in Sri Lanka for a separate homeland in the 1970s and mounted one of the world's deadliest insurgencies before it was defeated by the Sri Lankan state in 2009.¹⁰

The Great Heroes Day (GHD) (*Maaveerar Naal*) commemoration takes place annually, on 27 November, to remember the LTTE's fallen soldiers. Due to restrictions imposed by the Sri Lankan government, the ceremony is far more subdued locally than those held by the Tamil diaspora.¹¹ During the 2020 ceremony in London, for example, the Karthigal flower, symbol of Tamil Eelam, was displayed on the buildings of Parliament. Photographs of LTTE leader Vellupillai Prabhakaran are made prominent during these celebrations.¹²

For both the Khalistan and Tamil Eelam movements, analysts continue to regard them as “fringe elements” that constitute a small section of the Sikh and Tamil diaspora but nonetheless are extremely “vocal, violent and aggressive.”^{13,14}

Khalistan and Tamil Eelam: A Brief History

There is no consensus as to when exactly the Khalistan movement started, whether prior to or after Partition in 1947. As partition drew closer it became clearer that many Sikh families would be uprooted and the Sikh geography between the two newly created states would be divided. By 1944, calls emerged for the creation of a new state for Sikhs that would be called ‘Sikhistan’ or ‘Azad Punjab’, as the Sikhs found inspiration in the demand of the Muslim League for a separate state for Muslims.¹⁵ However, the call to carve out a separate state for Sikhs did not garner support given how they comprised only 14 percent of the population in undivided Punjab and were dispersed across the state.¹⁶

The idea of Sikhs having their own homeland, regardless of their population size,¹⁷ was renewed following a major change in Sikh political leadership in 1962. This made way for the creation of Punjab Subah in 1966 from the bigger East Punjab state, with Sikhs becoming the predominant population.¹⁸ This, however, did not appease the separatists who wanted an independent Sikh country, and a militant movement mounted further pressure on the Indian government. The Khalistan movement grew in strength in the 1970s through the efforts of medical doctor, Jagjit Singh Chauhan. Sikhs pushed for cultural and political autonomy, and the insurgency led by Jarnail Singh Bhindranwale peaked in Punjab in the 1980s.¹⁹

In 1983, Khalistan separatists occupied the Sikh shrine Akal Takht inside the Golden Temple in Amritsar. In response, India’s then Prime Minister Indira Gandhi deployed troops to the temple in a crackdown operation named ‘Blue Star’.²⁰ The operation resulted in massive violence and destruction, with soldiers killing a number of Khalistan leaders including Bhindranwale.²¹ In what is believed to be a retaliation, Gandhi was assassinated by her two Sikh bodyguards in October 1984.²² Riots quickly erupted in the capital following the killing of the prime minister, where Sikhs were murdered, raped and burned alive.²³ Both ‘Blue Star’ and the anti-Sikh riots shored up support for the Khalistan movement and gave fodder to claims by separatists that the Sikh community’s cultural, religious and political rights were not secure within the federation of India.²⁴

Punjab achieved a degree of normalcy in the 1990s and support for the Khalistan cause within the state diminished.^{25,26} The movement then retreated to the diaspora.

Khalistan and Tamil Eelam: A Brief History

Across the Palk Strait, there are also contestations over when the Tamil Eelam movement first emerged. In 1948, as Sri Lanka's political structure shifted from autonomous political units to a consolidated and single unitary system following independence, ethnic tensions increased as the government could not deal with the conflicting needs, interests and demands of the island nation's different ethnic groups.^{b,27} Despite calls for the protection of minority groups, successive governments, regardless of their ideological orientation, sought to strengthen the position of the Sinhalese through the enactment of new constitutions and communal policies. The policies of the Sinhala-Buddhist state pandered to the demands of Sinhala nationalists, leading to the further widening of ethnic divisions. For instance, the passing of the Sinhala Only Act in 1956 that declared Sinhala the country's sole official language made it difficult for Tamils to gain access to employment and education opportunities, particularly in universities and local government jobs.²⁸

The discriminatory policies gradually saw the emergence of the Tamil nationalist movement, first through the Federal party and later the Tamil militant groups, who sought to challenge the majoritarian structure and devolve greater powers to the country's northern and eastern regions.^c The initial bouts of violence in the country gradually morphed into protracted conflict, including low-intensity militant activity in the North-East. In 1983, the civil war officially started when the killing of 13 soldiers by the LTTE in the northern Jaffna peninsula provoked anti-Tamil riots across the country.²⁹

The LTTE gained ground in many areas in the North-East and established a de facto Tamil state with the courts, police, and taxation under its control. It also managed to secure funding from diaspora groups.³⁰ Over time, the group equipped itself with artillery, tanks, and weapons and launched what would be regarded as one of the world's deadliest armed conflicts.³¹

b The ethnic composition of Sri Lanka comprises the Sinhalese (74.9% of the population), Sri Lankan Tamils (11.2%), Sri Lankan Moors (9.3%), Indian Tamils (4.1%), and others (Sri Lankan Malays, Burghers and Europeans, and other groups).

c The Sinhalese primarily live in the South, Western and Central parts, Sri Lankan Tamils in the North and East, Indian Tamils in the Central areas of the tea-growing provinces.

Khalistan and Tamil Eelam: A Brief History

It was under the Mahinda Rajapaksa government, elected in 2005, that a new strategy was adopted which would succeed in reducing LTTE's capabilities. The Rajapaksa government stopped trying to bring the group to the negotiating table; increased the defence budget; internationally isolated the group; and escalated military offensives on the ground.³² The Sri Lankan government declared victory in May 2009 when the army killed many of the LTTE's top military personnel, including Prabhakaran.

Although the LTTE's military capability is long gone, the Tamil Eelam movement survives through a loose network of groups dispersed in a number of countries.³³ These disparate, autonomous yet intersecting spaces of Tamil nationalist activism do not have a single power base despite efforts to set up a pan-diaspora entity. Since the end of the civil war, a new realignment has emerged between Tamil nationalists and groups and institutions that champion 'liberal' values, mostly in Western countries.³⁴ This realignment first arose in the last phases of the civil war when frictions emerged between the Sinhala-Buddhist order and demands for democratic reform in Sri Lanka.

Inaction by Host Governments

At the time of Partition, the attention of the international community was focused primarily on the Cold War.³⁵ Indian analyst Shinder Purewal argues that during that period, there was a conventional proxy war against India and its non-aligned foreign policy orientation.³⁶ The West was also uneasy that India's relations with the Soviet Union were growing, particularly after the signing of the Indo-USSR Treaty of Friendship in 1971.³⁷ At the same time, the international community was also preoccupied with the nuclear race and the Afghanistan war.³⁸

Shortly after the anti-Sikh riots of 1984, the Khalistan movement in the West peaked. Dozens of groups across North America and Europe were organised, such as the World Sikh Organization (WSO) and The Council of Khalistan. Overseas chapters of Indian Sikh nationalist groups, such as the SADA USA of the Shiromani Akali Dal, were also set up in the US.³⁹ Up until the 1990s, the United States did not think that the Khalistan campaign directly undermined its interests or security and therefore exerted little effort to act against these groups.

Nor did Washington wish to humiliate Pakistan, a Cold War ally, and was dismissive of India's assertion that Pakistan was linked to the Khalistan movement. The US continued to overlook the threat posed by Khalistani separatists within the Sikh diaspora on its soil.⁴⁰ Despite repeated requests by India to restrict these groups operating in their countries, successive governments ignored those appeals.⁴¹

Over the years, only a few convictions have ever been scored in foreign courts against the separatists and their enablers. For example, in 1986, four members of the International Sikh Youth Federation (ISYF) were convicted for trying to kill Punjabi Cabinet minister Malkiat Singh Sidhu.⁴² In 2006, a federal jury in New York convicted Khalid Awan, a Pakistani citizen, of the charge of providing financial support to the Khalistan Commando Force.⁴³

The September 2001 attacks have happened by then, bringing greater awareness on the threat of terrorism and prompting many Western countries, such as the US, the UK and Canada, to outlaw and designate some terrorist groups; Babbar Khalsa (BK) and the ISYF were among those that were banned.⁴⁴

Inaction by Host Governments

The latter group was accused of inciting violence in the Sikh community in Vancouver, Canada in the 1980s and police in the US were worried that similar violence could unleash in the Bay Area in California that is home to a sizeable population of Sikhs.

Amid the constricting space, umbrella organisations such as the Khalistan Council and World Sikh Organization (WSO) adopted new strategies, including propagating discussions about what they allege as human rights abuses by the Indian state against Sikh communities, especially in Punjab.⁴⁵ These groups, including newer ones such as the SFJ set up in 2007, were able to conduct these activities under the mantle of these countries' guarantees on civil rights, including freedom of speech.⁴⁶

The pattern was similar for the Tamil Eelam. Following the defeat of the LTTE in 2009, the separatists altered their strategies and played the human rights card which similarly found space in Western polities.⁴⁷

A Comparison of the Two Movements

The Khalistani and Tamil Eelam separatists are similar in certain ways, such as in their political engagement with Western governments and actors, means of mobilisation, and political representation in their host countries that help them safeguard their political, economic and ideological interests.

Both of them have lobbied the governments, or individual politicians, in their host countries for political support, and have succeeded. A September 2021 report by American think tank Hudson Institute observed how certain individual representatives of both the Democrat and Republican parties have received funding from Khalistan groups based in the US.⁴⁸ Other authors have also accused the Khalistanis of misusing donations to temples under their jurisdiction to provide funding to American politicians in exchange for policy favours.⁴⁹

According to Hudson Institute, one of those politicians was Rep. Dan Burton,^d almost a quarter of whose 1996 election campaign funds were from Kashmiri and Sikh groups residing in the US.⁵⁰ Burton has sponsored multiple resolutions in Congress alleging human rights violations by India. In May 1995, Burton said in Congress, “For years, I have criticized the atrocities committed by Indian security forces against Sikhs in Punjab, Muslims in Kashmir and Christians in Nagaland.”⁵¹

For their part, Tamil diaspora groups have lobbied for resolutions at the UN Human Rights Council (UNHRC) to provoke enquiries into the conduct of the Sri Lankan state throughout the civil war. For instance, the annual report following the 46th session of the UNHRC requested the Office of the UN High Commissioner for Human Rights (OHCHR) “to enhance its monitoring of the human rights situation in Sri Lanka, including progress towards accountability and reconciliation, and report regularly to the Human Rights Council.”⁵² Tamil diaspora groups have tapped their financial resources to lobby Western countries,⁵³ where political parties are also allegedly seeking to court the Tamil diaspora vote base.

^d Dan Burton, from the Republican party, began his first term in Congress in 1983. He was the representative for Indiana’s fifth congressional district from 2003 to 2012.

A Comparison of the Two Movements

In 2014, UK politician Joan Ryan—once appointed by the Global Tamil Forum (GTF)^e as chief executive and policy adviser—issued a statement criticising the Sri Lankan government’s decision to designate all key Tamil diaspora groups as terrorists. The statement said, “This is the latest attempt by a Government hell-bent on intimidating and silencing those who demand truth, justice and accountability both for the alleged war crimes committed during Sri Lanka’s armed conflict and for the on-going perpetration of human rights abuses.”⁵⁴ Some years earlier, in 2010, GTF was inaugurated in the British parliament in an event attended by top political leaders.⁵⁵

Perhaps a crucial difference between the diasporic Khalistan and Tamil Eelam movements is the role of religious institutions. The gurdwara (Sikh temple) has historically served as a key platform for mobilising the Khalistani diaspora through both direct and indirect ways:⁵⁶ they are used for fundraising; and they advocate the Khalistanis’ version of the separatist movement in several countries in the West. It is not uncommon to find pictures of slain Khalistanis hanging on walls in some gurdwaras, including for instance, former leader Jarnail Singh Bhindrawale.⁵⁷

In 1996, Jaswinder Singh, then the head of Sikh Youth of America used coercive measures to gain control of the Fremont gurdwara, the biggest one in San Francisco Bay Area and the most politically influential; he allegedly removed all the elders who opposed them.⁵⁸ Reports suggest that the group has tried to assume control of other gurdwaras in the US in the past but has had limited success.⁵⁹

While Khalistanis have leveraged religious institutions to not only fund their activities but also legitimise their cause, the diasporic Tamil Eelam separatists have resorted to other platforms. Most of the funding for the Tamil Eelam project comes from the Sri Lankan Tamil diaspora. The non-religious element in the activities of Tamil Eelam nationalists can be traced to the LTTE’s avowed anti-caste, anti-class, feminist and secularist ideology that guided its ethno-nationalist war against the Sri Lankan state.

e The Global Tamil Forum (GTF) was formed by organisations formerly aligned with the LTTE including the Canadian Tamil Congress, Swiss Tamil Forum, British Tamil Forum and La Maison du Tamil Eelam (France) in 2010. There are debates about whether the GTF represents the Tamil diaspora or a small section of the community that simply wants to secure its own interests. Similar to the LTTE, the GTF promotes a secessionist campaign to set up an independent state and has sought to gain the support of Western countries.

A Comparison of the Two Movements

The group sought to oppose Sinhala-Buddhist majoritarianism to carve out an ‘egalitarian’ state for the Tamils.⁶⁰ The group’s supporters in the diaspora have sought to continue this legacy. Unlike the Khalistan movement where gurdwaras have played a central role, Hindu temples do not serve that role for the Tamil Eelam campaign because they are controlled by the dominant Vellalar caste and the Tamil nationalist project sought to address caste-related injustices along with discriminatory communal policies of the Sri Lankan government.

Another key difference between the two groups is community representation on the political front. Cognisant that local bodies may not provide them sufficient clout to influence policies at the national level and establish a strong anti-India narrative, Khalistani nationalists have mobilised themselves to join national-level politics. In Canada, the emergence in electoral politics of Harjit Singh Sajjan and Jagmeet Singh—considered by the government of India as Khalistani sympathisers—has been possible due to the support of Khalistani radical groups.⁶¹ Jagmeet Singh, named by India as a leader of the anti-India campaign in Canada, is the leader of one of the country’s biggest national-level parties, New Democratic Party. When Trudeau’s Liberal Party failed to secure sufficient votes to form a majority at the 2019 federal elections, it entered into a coalition with the New Democratic Party. Therefore, some analysts note, Trudeau is compelled to not jeopardise such relations with other members of the ruling coalition.⁶²

While Jagmeet Singh has devoted much of his early political career pressing the Ontario government to acknowledge that the anti-Sikh riots of 1984 was an “act of genocide”, he has also gained attention for his views on Sikh separatism: he has drawn parallels between Punjab, Quebec in Canada, and Catalonia in Spain, noting how all three regions have witnessed secessionist movements.⁶³ The Sikh community in Canada may be small, at 2.1 percent of the population, but five percent of the legislature and 12 percent of Cabinet members are Sikhs.⁶⁴

Sri Lankans, meanwhile, make up 5.4 percent of Canada’s population⁶⁵ yet have less representation in local electoral politics. For example, it was only in July 2023 when the first Canadian of Sri Lankan Tamil origin was appointed to the Cabinet: Gary Anandasangaree, appointed Minister of Crown Indigenous Relations, is known to advocate for the rights of Sri Lankan Tamils, and had a hand in the House of Commons’ unanimous decision in 2022 to pass a motion declaring May 18 as ‘Tamil Genocide Remembrance Day’—the first parliament in the world to do so.⁶⁶

Canada has repeatedly failed to address India's security concerns on the hostile activities of separatists. In 2010 at the G20 Summit in Toronto, then Indian Prime Minister Manmohan Singh urged the Canadian government to restrict the activities of Khalistan groups, expressing "alarm" at the space they were being given. He said, "There are ... elements outside India, including in Canada, who try to keep this issue alive for their own purposes."⁶⁷

Indeed, India cannot be seen to be overreacting when its leaders make statements like former PM Singh's. These groups have managed to gain a strong voice in their host countries in the West, all of them liberal democracies. In 2014, when the Sri Lankan government designated all major Tamil diaspora groups and more than 400 individuals as terrorists, it referred to UN antiterrorism mechanisms to prompt other member states to do the same.⁶⁸ However, the UK, the US, Australia and Canada rejected those designations.

Even as host countries appear to have accepted the activities of these groups, they have not supported the GTF's demand for an independent homeland for Sri Lankan Tamils.⁶⁹ They share India's concerns that creating a separate state would result in the balkanisation of the region as similar demands could emerge in other parts of the region that is already volatile, to begin with. Similarly, the Canadian government has said that it will not recognise the results of the Khalistan referendum held by SFJ in 2020, stating: "Canada respects the sovereignty, unity and territorial integrity of India."⁷⁰ The referendum contended that the Punjab referendum of 2020 was an exercise to emancipate Punjab that was currently "under Indian occupation", and sought to give Sikhs the power to determine their future political status.

For many years, the SFJ had repeatedly called for a referendum similar to the series of referendums for an independent Tamil Eelam state led by LTTE supporters between 2009 and 2010.⁷¹

Whether it is with Ottawa or Colombo, New Delhi has met with challenges in developing more robust bilateral relations because of the issue of Sikh and Tamil separatism. In 2018, Indian analysts criticised Trudeau's state visit to India for lacking a clear action plan and instead focusing on courting the Sikh diaspora in Canada.⁷² The Chief Minister of Punjab at the time, Amarinder Singh, initially refused to meet the Canadian leader, demonstrating the

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distrust of Indian leaders towards Ottawa.⁷³ Amarinder Singh also criticised the Canadian government when it removed a mention of Sikh militancy in its 2018 *Public Report on the Terrorism Threat to Canada*.⁷⁴ He said Trudeau had “played safe”, as elections were then forthcoming. “In the process, he has quite blatantly ignored the adverse impact this could have not only on Canada’s relations with India but also on geopolitical stability.”⁷⁵

Relations between New Delhi and Ottawa showed some improvement in the succeeding years. In 2021, Indian Minister Piyush Goyal visited Canada for the India-Canada Ministerial Dialogue on Trade and Investment, which made way for discussions on an Early Progress Trade Agreement (EPTA).⁷⁶ In November 2022, Canada unveiled its Indo-Pacific Strategy which referred to India as a “like-minded partner” along with other countries in the Indo-Pacific.⁷⁷

At the time of writing, these efforts have been upended following Trudeau’s statements on India’s connection with Nijjar’s assassination. In its immediate aftermath, both countries have expelled senior diplomats and New Delhi suspended visa services for Canadian citizens.⁷⁸ India also issued a strongly worded advisory warning Indian citizens “to exercise extreme caution” in travelling to Canada.⁷⁹

Analysts say diasporic communities have more complex notions of militancy because their experience of nationalism, violence, identity and loss (both real and perceived), are indirect.⁸⁰ The internationalised Tamil nationalist campaign, for example, has been driven by the West-centric Tamil diaspora since the end of the civil war; these diasporic Tamils have preserved the Tamil national identity while promoting Tamil nationalist objectives through the mechanisms of the liberal framework.⁸¹ The commemorative events held by sections of the Tamil diaspora have garnered a reinvigorated Tamil nationalist mobilisation by not only focusing on the recurring themes of Tamil national resistance but also promoting the Tamil national identity and the LTTE.

Liberal democratic nationalism, however—the kind that seeks to highlight issues of fundamental human rights—must be distinguished from separatist nationalism that condones, promotes and glorifies the activities of extremist groups. Given how transnational political entities can be designated as terrorists, host countries, in a similar manner, could suspect the activities of diasporic communities, especially when they come from a war-torn country. At the same time, such threat perception—from the ‘dangerous diaspora’—can produce its own narratives that falsely characterise diasporic groups as terrorists.⁸²

The imperative, nonetheless, is to formulate an appropriate policy response to address the threat posed by these groups to the internal security of India and Sri Lanka, as discussed in this brief, and even the Western countries themselves that are home to these diasporic separatist movements.⁸³ Historically, many Western countries have tended to be dismissive of New Delhi’s and Colombo’s security concerns.

A line needs to be drawn between empowering and mobilising minority communities versus pandering to particular segments for political and economic reasons.⁸⁴ Western governments could reexamine the activities of these groups and rethink the generous space given to them, before they adopt new avatars and potentially mount terrorist attacks in the future.

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