

cash bounties to police officers for killing Sikhs. One even got a bounty for killing a three-year-old boy.

Human-rights activist Jaswant Singh Khalra compiled and published a report showing that India had a policy of picking up young Sikh men, torturing and killing them, declaring their bodies unidentified, and then secretly cremating them. Khalra identified over 25,000 such cases at three cremation grounds in Punjab. Others who have followed up on Khalra's work found that the number is at least 50,000. For his work, Mr. Khalra was arrested by the Punjab police and killed while in police custody. The only witness to the Khalra kidnapping, Rajiv Singh Randhawa, has been repeatedly arrested and harassed by the police.

Surdev Singh Kaunke was the Jathedar of the Akal Takht, the highest Sikh religious leader. He was murdered by a police official named Swaran Singh Ghotna. No one has ever been punished for this atrocity. The driver for another religious leader, Baba Charan Singh, had his legs tied to two jeeps, which then drove off in different directions, tearing the man in half.

Mr. Speaker, why are such actions tolerated, especially by a government that calls itself democratic? America must take a stand against such tyranny.

The time has come to stop all our trade with India and all our aid to that country until such time as basic human rights are fully protected. And we must put this Congress on record in support of self-determination for the people of Punjab, Khalistan, and all the other peoples and nations seeking freedom, such as predominantly Muslim Kashmir and predominantly Christian Nagaland. This is the most effective way to end terrorism in the subcontinent.

Mr. Speaker, I would like to insert the Council of Khalistan's press release into the RECORD now for the information of my colleagues.

PUNJAB ASSEMBLY DEBATES TERRORISM
AMARINDER, BADAL SHOULD DISCUSS FREEDOM
FOR SIKH NATION

WASHINGTON, D.C., November 2, 2005—The Punjab Legislative Assembly recently had a session to debate terrorism. Both the Congress Party and the Akali Dal blamed each other for encouraging Sikh youth to carry out the violence.

Amarinder Singh and Parkash Singh Badal are trying to change the history of Punjab. They are fully aware that Punjab, Khalistan has been engaged in a long struggle for independence after the Delhi massacres of November 1984. On April 29, 1986, Sarbat Khalsa passed a resolution for the independence of Khalistan and formed the Panthic Committee. On October 7, 1987, the Panthic Committee declared the independence of Khalistan. The Council of Khalistan was formed at that time to lead the peaceful, democratic, nonviolent struggle to liberate Khalistan.

These leaders are betraying the Sikh Nation. They need to be exposed and removed from their leadership roles. As Professor Darshan Singh, a former Jathedar of the Akal Takht, said, "If a Sikh is not a Khalistani, he is not a Sikh." Recently, Prime Minister Manmohan Singh apologized for the Delhi massacres, in which over 20,000 Sikhs were killed, firmly establishing India's guilt in this atrocity against the Sikh Nation.

The Indian government controls the Sikh leadership. Both Badal's Akali Dal, which claims to be the protector of Sikh interests,

and Amarinder Singh's Congress Party, which is the party that carried out the Golden Temple attack, are under Indian government control.

New Sikh leadership is emerging in Dal Khalsa and other organizations. They hoisted the Khalistani flag in front of the Golden Temple on Republic Day in January and again on the anniversary of the Golden Temple attacks. They marched and made speeches for Khalistan. For this, they were charged by the Indian government and 35 were arrested.

History shows that multinational states such as India are doomed to failure. Countries like Austria-Hungary, India's longtime friend the Soviet Union, Yugoslavia, Czechoslovakia, and others prove this point. India is not one country; it is a polyglot like those countries, thrown together for the convenience of the British colonialists. It is doomed to break up as they did. Last year, the Punjab Legislative Assembly passed a bill annulling all water agreements with the Indian government, preventing the government's daylight robbery of Punjab river water. Punjab needs its river water for its crops. In the bill, the Assembly explicitly stated the sovereignty of Punjab.

The Indian government has murdered over 250,000 Sikhs since 1984, more than 300,000 Christians since 1948, over 90,000 Muslims in Kashmir since 1988, and tens of thousands of Tamils, Assamese, Manipuris, Dalits, and others. The Indian Supreme Court called the Indian government's murders of Sikhs "worse than a genocide."

Indian police arrested human-rights activist Jaswant Singh Khalra after he exposed their policy of mass cremation of Sikhs, in which over 50,000 Sikhs have been arrested, tortured, and murdered, then their bodies were declared unidentified and secretly cremated. He was murdered in police custody. His body was not given to his family. No one has been brought to justice for the kidnapping and murder of Jaswant Singh Khalra. The police never released the body of former Jathedar of the Akal Takht Surdev Singh Kaunke after SSP Swaran Singh Ghotna murdered him. Ghotna has never been brought to trial for the Jathedar Kaunke murder.

According to a report by the Movement Against State Repression (MASR), 52,268 Sikhs are being held as political prisoners in India without charge or trial. Some have been in illegal custody since 1984! Tens of thousands of other minorities are also being held as political prisoners, according to Amnesty International. We demand the immediate release of all these political prisoners.

"It is time to replace Amarinder Singh and Badal with new leadership that is committed to the interests of the Sikh Nation," said Dr. Gurmit Singh Aulakh, President of the Council of Khalistan. "Only a sovereign, independent Khalistan will end the repression and lift the standard of living for the people of Punjab," he said. "We must continue to press for our God-given birthright of freedom," he said. "Without political power, religions cannot flourish and nations perish."

HUMAN RIGHTS WATCH DEMANDS
FULL ACCOUNTING FOR SECRET
CREMATIONS IN PUNJAB

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 3, 2005

Mr. TOWNS. Mr. Speaker, on November 1, Human Rights Watch wrote an excellent letter

to the National Human Rights Commission of India demanding full accounting for the secret cremations of Sikhs in India. The secret cremations were described by India's Supreme Court as "flagrant violation of human rights on a mass scale." The court ordered the Indian government in November 1995, two months after the "disappearance" of Jaswant Singh Khalra, to conduct a full investigation into this brutal policy. Ten years later, that investigation has never taken place. Instead, the commission has chosen to focus on the trivial issue of whether the cremations were conducted in accord with the police rules, a terrible diversion from the real issue, which is that the Indian government is carrying out this genocidal policy against the Sikh minority.

This investigation must proceed, and it must be a full-fledged inquiry into this murderous policy, India must make full restitution to the victims' families.

Mr. Speaker, I will be inserting the letter from Human Rights Watch into the RECORD at this time.

NOVEMBER 1, 2005.

Re mass secret cremations in Punjab.

Hon. DR. JUSTICE A.S. ANAND,
Chairperson, National Human Rights Commission,
Faridkot House, Copernicus Marg,
New Delhi, India.

DEAR JUSTICE ANAND: As the National Human Rights Commission prepares to issue a decision in the Punjab mass secret cremations case, we urge the Commission to order a full accounting of the systematic abuses that occurred in Punjab, determine liability after detailed investigations into the violations, and provide for compensation for surviving family members based on a detailed understanding of the scope of violations suffered by each individual.

In 1994, investigations by human rights activist Jaswant Singh Khalra revealed that security forces had abducted, extrajudicially executed, and secretly cremated thousands of Sikhs in Punjab from 1984 to 1994. Mr. Khalra exposed over 2,000 secret cremations in Amritsar district alone—one of 17 districts in Punjab. Subsequent investigations by human rights groups confirmed that secret cremations had occurred throughout the state, and that cremation was only one form of disposing of victims' bodies. After publicly disclosing his findings, Mr. Khalra was abducted by the Punjab police and "disappeared" in September 1995. In November 1995, the Supreme Court ordered the Central Bureau of Investigation (CBI) to inquire into his abduction and allegations of mass cremations.

On December 12, 1996, the Indian Supreme Court found the inquiry by the CBI into mass cremations in Punjab disclosed a "flagrant violation of human rights on a mass scale" and ordered the National Human Rights Commission (NHRC) to adjudicate these mass crimes and "determine all the issues" (Paramjit Kaur v. State of Punjab). After challenges by the Indian government, the NHRC limited its investigation to illegal cremations in Amritsar district alone. The NHRC has now received 3,500 claims of illegal cremation in Amritsar.

Instead of investigating these secret cremations as unlawful deprivations of life, the Commission has adopted the narrow issue of whether the victims' bodies were cremated according to police rules. At two hearings in October 2005, the petitioner Committee for Information and Initiative on Punjab (CIIP) challenged the Commission's decision to discard investigations, especially given the failure to identify the vast majority of victims and establish procedures, standards and

mechanisms to adjudicate these cases to capture the full scope of human rights violations.

In almost nine years, the Commission has not heard testimony in a single case, or held a single security official or agency responsible for human rights violations. Further, at hearings in recent months, the Commission has indicated its intention to dispense with investigations into the violations altogether, and only determine whether the cremations occurred according to police procedure. This is an odd decision for a human rights body.

Human Rights Watch strongly urges the Commission to commit itself to detailed investigations into the rights violations suffered by all victims of illegal cremations and their family members, including whether individual deaths were unlawful, the role of state security forces or their agents in planning or carrying out illegal killings, identifying individual perpetrators, and determining proper compensation. It is critical that those cases not addressed by the NHRC's order of November 2004 are also investigated. Until the facts are determined, "disappearances" remain an ongoing crime and the NHRC ruling does not close the case.

Such investigations are required by international human rights law. The International Covenant on Civil and Political Rights, which India ratified in 1979, provides in article 2 that a victim of a rights violation shall have an effective remedy and that the right to such a remedy be determined by a competent authority and be enforced when granted. A victim's right to an effective remedy imposes an obligation on the state to undertake investigations to identify the perpetrators of human rights violations. Indeed, the Commission's August 1997 order concluded that the Commission must lay the factual foundations of the case in order to establish liability, but for reasons that are not clear the Commission has never implemented its own order. Anything less than proper investigations will be a betrayal of victims and their families.

We note that in the nine years since the Commission took cognizance of the Punjab mass cremations matter, it has investigated and resolved numerous other complaints of human rights violations throughout India. Moreover, the Commission has pursued cases *suo motu*, without even receiving a complaint, after violations came to its attention through media reports. The NHRC has earned a well-deserved reputation for taking on powerful forces in India, which makes the Commission's decisions in the Punjab cases even more puzzling.

In this upcoming order, we also urge the Commission to clarify that the November 2004 order of compensation is interim. This order announced a total award of 2.5 lakhs rupees (around U.S. \$5,500) to 109 families in whose cases police admitted custody of next of kin, without determining individual responsibility, providing other reparatory measures, or engaging in an inquiry into the facts as directed by the Supreme Court. This grant of compensation is not only paltry, but it does not fulfill the Commission's responsibilities under international human rights law to make an individual determination.

Developing a compensation policy requires extensive investigation to clarify the extent of human rights violations, the potential beneficiaries, and the nature of injuries suffered, among other issues. The expert report submitted at the hearing on October 24, 2005 by Physicians for Human Rights (PHR) and the Bellevue/NYU Program for Survivors of Torture (Bellevue), demonstrates that the deprivation of life occurred within a pattern of violations that included intentional abuse among multiple family members of the "dis-

appeared." The CIIP further called on the Commission to summon the authors of the report to testify. This report should compel the Commission to investigate the deprivation of the right to life of the victim, and the physical and psychological trauma inflicted upon surviving family members. In addition, our brief, submitted to the Commission in December 2003 in conjunction with Harvard Law Student Advocates for Human Rights, demonstrates that human rights bodies have considered evidence from numerous sources to adjudicate "disappearances" and extrajudicial executions, including evidence from international human rights experts. In its upcoming order, we urge the Commission to admit and fully weigh all evidence available, including the PHR/Bellevue report.

To demonstrate its intention to fulfill the mandate of the Supreme Court, the Commission must act to redress the violations of the rights to life and liberty suffered by thousands of families in Punjab. Its failure to do so is contributing to impunity, sending the message that perpetrators of mass crimes are more powerful than the Supreme Court and National Human Rights Commission. The Commission, no doubt, is aware that the prosecution of the officials who "disappeared" Jaswant Singh Khalra, the human rights defender who exposed the mass cremations in Punjab, has not concluded in nine years. The Commission should not allow the Punjab mass cremations case to also stand as an example of the triumph of impunity over the right to justice.

Thank you for your consideration. We look forward to a fruitful dialogue with you and other members of the Commission on this case.

Sincerely,

BRAD ADAMS,
*Executive Director, Asia Division,
Human Rights Watch.*

A TRIBUTE TO MRS. JANET WILKINSON—37 YEARS OF OUTSTANDING SERVICE WITH THE UNITED STATES DEPARTMENT OF AGRICULTURE FARM SERVICE AGENCY

HON. G.K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 3, 2005

Mr. BUTTERFIELD. Mr. Speaker, I rise today and ask my colleagues to join me in offering a well deserved tribute to an exemplary citizen, Mrs. Janet Wilkinson, who has dedicated 37 years of her adult life as an employee with the United States Department of Agriculture's Farm Service Agency. I am particularly proud that Mrs. Wilkinson was born in my home town, Wilson, NC.

As if to forecast her future with the United States Department of Agriculture's Farm Service Agency, Mrs. Wilkinson started out at a very young age working on a tenant farm where she experienced first hand the lifestyle and the many ups and downs farmers endure from day to day.

After graduating from Rock Ridge High School in 1969, Mrs. Wilkinson learned of a job opportunity at the Agriculture Stabilization and Conservation Service. She applied for the position and was hired. The story that Mrs. Wilkinson tells is all too familiar in public servant circles. She indicated that she "came in with the intentions of working and going to school part time." She added, "but the work

was so involved that I just kept on working, and I enjoyed it." And here we are 37 years later.

Mr. Speaker, Mrs. Wilkinson has worked under five directors of the Farm Service Agency and has taken the helm three times as interim director. In 2003, for her outstanding service and loyalty to the Farm Service Agency and the agriculture industry, she was presented with the North Carolina Distinguished Service Award. After 37 dedicated years, Mr. Speaker, Mrs. Wilkinson deserves to retire with many other ovations and well wishes from those whose lives she touched in a very special way.

Mr. Speaker, I offer congratulations on behalf of the Committee on Agriculture of the United States House of Representatives, my congressional colleagues and the more than 660,000 constituents whom I represent. It is my wish that Mrs. Wilkinson will continue to find much challenge and reward in all of her future endeavors.

Mr. Speaker, I thank Mrs. Wilkinson for her service to the State of North Carolina.

TRIBUTE TO AMY BURKS

HON. ROBERT E. (BUD) CRAMER, JR.

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 3, 2005

Mr. CRAMER. Mr. Speaker, I rise today to pay tribute to Mrs. Amy Burks for receiving the 2005 Newton B. Powell Award. This award is given by the Morgan County Democratic Party for dedication and leadership within the party.

Mrs. Burks is the Alabama representative to the Democratic National Committee Executive Committee and has been active in Alabama Democratic Party politics for more than 40 years. Additionally, Mrs. Burks has served as vice chair for the Alabama State Democratic Party since 1991, and is also the senior Vice President of the Association of State Democratic Chairs. She also serves on the Morgan County Executive Committee.

In addition to her work with the Democratic Party, Mrs. Burks has had 19 years of experience as a teacher, working with students at Madison Cross Roads and Hazel Green and was the assistant principal at Madison Elementary. She is also a member of the Board of Trustees for the Alabama Institute for Deaf and Blind, where she is responsible for overseeing the institute's comprehensive education and rehabilitation system that serves children and adults who are deaf, blind, and multidisabled.

Mr. Speaker, Mrs. Burks has done a great deal to help strengthen and grow the Democratic Party throughout our State, our Nation, and our community. She has been a helping hand and an integral part of many of our democratic colleagues' campaigns in Alabama.

Mr. Speaker, I rise today to join her husband Larry, daughters Lisa and JoLynn, and the entire North Alabama community in congratulating Amy on this much deserved award and to thank her for all that she continues to do on behalf of Morgan County and the State of Alabama.