Sikh Disinformation Lab

MISLEADING

Inside Policy op-ed on Khalistan extradition overstates Canada's legal obligations

An opinion article republished by europesays.com argues Canada is legally bound to prosecute or extradite individuals India has designated as terrorists. The Lab assesses the piece as Misleading: it conflates peaceful political advocacy with criminal conduct and overstates what Canadian and international law require.

PUBLISHED
22 November 2026

SOURCE POSTED
19 November 2026

NARRATIVES
Portraying Advocacy for Khalistan as Terrorism

OUR ASSESSMENT

Canada's Legal Obligations Do Not Make Peaceful Khalistan Advocacy Unlawful

A November 19, 2026 opinion article published by the Macdonald-Laurier Institute argues that Canada is legally required to prosecute or extradite individuals designated as terrorists by India in order to resolve the longstanding diplomatic dispute over Khalistan. Several of its central conclusions extend beyond what the cited evidence establishes.

The article relies heavily on the Supreme Court of Canada's 1998 Reference re Secession of Quebec to characterize Khalistan as a legally invalid cause. However, the Court's judgment concerned the right of Quebec to secede unilaterally. It did not determine the legality of peaceful advocacy for independence movements abroad. The absence of an automatic international legal right to unilateral secession does not make political advocacy itself unlawful.

Canadian intelligence authorities have consistently recognized this distinction. The 2024 and 2025 CSIS public reports identify a small number of individuals associated with violence, while expressly recognizing peaceful advocacy for Khalistan as lawful political activity.

The article also overstates Canada's obligations under international extradition and counterterrorism law. A terrorist designation under India's Unlawful Activities (Prevention) Act does not automatically establish criminal liability or require extradition under Canadian law. Extradition requests must satisfy applicable legal and evidentiary requirements, including dual criminality and statutory protections.

Another significant omission concerns transnational repression. The RCMP publicly reported evidence in October 2024 connecting agents of the Government of India to violent criminal activity in Canada. Subsequent CSIS reporting continued to identify Indian foreign interference and intimidation of political critics as national security concerns. These findings do not settle every allegation surrounding Hardeep Singh Nijjar's assassination, but they contradict the suggestion that public evidence of Indian state-linked criminal activity is absent.

The article further relies on outdated refugee research to support categorical conclusions about Sikh human-rights conditions in India, while using survey findings about Sikh national identity as evidence of opposition to Khalistan despite the absence of a directly corresponding survey question.

Canada has a legitimate responsibility to investigate terrorism and serious criminal activity, regardless of the identities or political beliefs of those involved. That responsibility must be exercised through evidence-based legal processes, not through automatic acceptance of another state's designations or the conflation of peaceful political expression with violence.

The central distinction is clear: advocating for Khalistan is not, by itself, terrorism. Criminal responsibility must be established through evidence of specific unlawful conduct, and credible allegations of transnational repression must be assessed according to the same standards of accountability.

THE CLAIM

Prosecute or extradite – Canada's unmet obligation on Khalistan: Manik Arora for Inside Policy

THE ANALYSIS

What was published

On November 19, 2026, EuropeSays reproduced an opinion article by Manik Arora, originally published by the Macdonald-Laurier Institute, arguing that Canada has an unmet international legal obligation to prosecute or extradite individuals designated as terrorists by India in connection with Khalistan-related activities.

The article places this argument within the broader context of deteriorating and subsequently improving Canada–India relations following the June 2023 assassination of Canadian Sikh leader Hardeep Singh Nijjar. It maintains that Canada's recognition of peaceful Khalistan advocacy has contributed to the diplomatic impasse with India and proposes that pursuing India-designated individuals would help resolve that disagreement while strengthening bilateral economic and security cooperation.

To support this conclusion, the author cites Canadian Supreme Court jurisprudence, international counterterrorism conventions, Canadian intelligence assessments, historical incidents and survey research concerning Sikh identity. The Sikh Disinformation Lab assesses the article as Misleading, primarily because several of its legal conclusions extend beyond the authorities cited, while important evidence concerning Sikh political rights and Indian transnational repression receives insufficient consideration.

The Lab assesses the article as Misleading, with a severity rating of 4.

The central problem

The article's central argument depends on treating three separate legal questions as though they were directly connected: whether international law recognizes a right to unilateral secession, whether peaceful advocacy for an independent Khalistan is lawful, and whether Canada must prosecute or extradite individuals accused of terrorism by India. The Supreme Court of Canada's 1998 Reference re Secession of Quebec examined the circumstances under which Quebec could unilaterally separate from Canada. It did not rule that peaceful advocacy for independence is unlawful, nor did it establish Canada's extradition obligations concerning foreign independence movements.

Likewise, the designation of an individual under India's Unlawful Activities (Prevention) Act does not automatically establish criminal responsibility under Canadian law. Extradition requires an assessment of specific alleged conduct, supporting evidence, applicable treaties and legal safeguards.

Canadian intelligence reporting further contradicts the suggestion that advocacy for Khalistan is itself a security offence. The 2024 and 2025 CSIS public reports explicitly distinguish between peaceful advocacy and activities involving the promotion, financing or planning of violence. The article's principal weakness is that it uses its generalized concerns to support sweeping legal conclusions about Khalistan that the cited authorities do not establish.

The claims, one by one

1. Canada extends freedom-of-expression protections to violence associated with Khalistan. — Misleading

Canada's legal framework distinguishes peaceful political expression from threats, criminal violence and other unlawful conduct. The article provides insufficient evidence that Canadian authorities apply blanket free-expression protection to violent acts associated with the Khalistan issue.

2. Historical links between terrorism and the Khalistan movement establish the movement's present security character. — Misleading framing

Historical acts of terrorism and the involvement of particular individuals or organizations must be assessed independently. They cannot establish collective responsibility or criminality among contemporary supporters of Sikh self-determination.

3. Canada is legally obligated to prosecute or extradite individuals designated as terrorists under India's UAPA. — Unsupported

India's domestic designation does not automatically meet the requirements of Canadian criminal or extradition law. Each request must be assessed under Canada's legal framework, including dual criminality, sufficient evidence and applicable safeguards.

4. The Supreme Court's Quebec Secession Reference provides the governing legal standard for Khalistan. — Misleading

The judgment addresses Quebec's unilateral secession. Although some international-law principles discussed in the decision may be relevant to comparative legal analysis, the judgment does not directly determine the legal status of Khalistan or Canada's treatment of its supporters.

5. Khalistan is a legally invalid political cause because Punjab does not satisfy the conditions for unilateral secession. — Unsupported

The article conflates the absence of an automatic legal entitlement to unilateral secession with the legality of advocating for political independence. These are distinct questions.

6. Punjab's democratic participation, constitutional religious protections and official-language status establish that claims for Sikh self-determination lack legal legitimacy. — Misleading

These are relevant contextual considerations, but their existence does not automatically resolve questions of minority rights, alleged discrimination or the legitimacy of peaceful political demands. Nor does formal constitutional protection establish that rights are consistently respected in practice.

7. Large-scale human-rights violations against Sikhs ceased and have never returned to a comparable extent. — Unsupported

The article relies on Canadian Immigration and Refugee Board research published in January 2006, covering conditions from 2002 to 2005. That historical document cannot establish a categorical conclusion about subsequent decades. More recent IRB research published in December 2025 documents allegations of continuing intimidation, police mistreatment and politically motivated targeting of Sikh activists and perceived Khalistan supporters. These accounts do not establish that abuses have returned to their historical scale, but they undermine the article's sweeping conclusion that serious concerns have definitively ended.

8. Pew Research demonstrates that an overwhelming majority of Punjabis oppose Khalistan. — Unsupported

The cited Pew Research survey measures attitudes involving national identity, religion, belonging and discrimination. Its finding that many Sikhs express pride in their Indian identity is not equivalent to a direct measure of support for or opposition to Khalistan. The article substitutes a finding about national pride for a conclusion about a specific political question that the cited evidence does not directly answer.

9. International terrorism conventions require Canada to prosecute or extradite individuals accused of violence in pursuit of Khalistan. — Misleading

International conventions impose obligations concerning specified offences and legal circumstances. The principle of prosecuting or extraditing does not create an unrestricted obligation to accept foreign allegations or terrorist designations. The International Court of Justice decision cited by the article, Belgium v. Senegal, concerned obligations under the Convention against Torture. The article does not demonstrate that the same legal obligation automatically applies to every India-designated individual discussed.

10. National-liberation exceptions under terrorism law apply only when a movement has an internationally recognized right to secession. — Unsupported as a general rule

The article cites the 1998 Arab Convention on the Suppression of Terrorism. This is a regional agreement, not a treaty establishing a universally applicable rule binding Canada. The article does not adequately demonstrate how the convention supports its proposed legal test or determines Canada's obligations.

11. Canada's 2024 CSIS report supports the removal or prosecution of India-designated individuals associated with Khalistan. — Misleading

CSIS acknowledges concerns involving a small number of individuals engaged in activities connected to violence. However, it expressly distinguishes such conduct from legitimate and peaceful political advocacy. The report does not establish that every person designated under Indian legislation should be prosecuted or extradited by Canada.

12. Allegations of Indian involvement in Nijjar's assassination remain unproven, and no corroborated evidence in the public domain challenges India's denial. — Misleading

The absence of a final judicial determination of Indian state responsibility in Nijjar's murder must be distinguished from the absence of public evidence concerning Indian state-linked criminal activity. On October 14, 2024, the RCMP publicly reported investigative evidence connecting agents of the Government of India to homicides, violent acts, organized crime and interference in Canada. The 2024 CSIS public report also discussed links involving Indian state agents and criminal networks in the context of Nijjar's killing. Subsequent CSIS reporting continued to identify Indian foreign interference and transnational repression as serious security concerns. These findings do not establish the guilt of every individual implicated in the allegations, but they substantially contradict the article's suggestion that India's denial remains unchallenged by corroborating public evidence.

13. India's 26 outstanding extradition requests demonstrate continued Canadian inaction. — Unsupported as a current claim

The figure of 26 pending requests was publicly reported in October 2024. The article does not provide evidence establishing that all these requests remained outstanding in November 2026, or that they all involved the same category of alleged offences. The existence of unresolved extradition requests also does not, by itself, establish a failure to comply with Canadian law.

14. Canada's failure to disclose whether certain individuals face domestic terrorism charges demonstrates an unmet legal obligation. — Unsupported

The absence of public information about particular prosecutions does not establish that the legal requirements for charges have been satisfied or that Canadian authorities have breached an obligation to prosecute. Such conclusions require case-specific information concerning evidence, jurisdiction and prosecutorial decisions.

15. The Air India Flight 182 investigation became inactive after investigators exhausted available leads. —- presented selectively

Reporting from September 2026 confirms that families were informed that investigators had no additional active avenues to pursue. However, the RCMP indicated that the investigation remained open to new evidence. Its inclusion in an argument concerning contemporary Sikh political advocacy does not establish criminal responsibility among present-day advocates.

16. Canada's Combatting Hate Act provides part of the legal context for restricting Khalistan-related activity. — Verified legislation; unsupported broader implication

The Combatting Hate Act received Royal Assent in June 2026 and came into force in July. Its provisions concerning hate-related offences do not create a general prohibition on peaceful advocacy for Khalistan. The article's reference to the legislation does not substantiate its broader argument concerning extradition.

17. Prosecuting or extraditing India-designated individuals would resolve India's principal objection and facilitate diplomatic normalization. — Speculative

This is a policy prediction rather than an established legal conclusion. The article does not demonstrate that India's concerns would be resolved through the proposed actions or that bilateral diplomatic improvements depend upon them.

18. Canada must prioritize prosecution or extradition over allegations of Indian transnational repression. — Misleading policy framing

The article presents action against India-designated individuals as the principal solution to the bilateral dispute, while treating evidence of Indian state-linked activities as secondary. Canada's responsibility to investigate credible allegations of criminal activity by foreign state agents remains independent of its obligations concerning other alleged offences.

Context

Canada has a legitimate responsibility to investigate terrorism and serious criminal activity, regardless of the identities or political beliefs of those involved. That responsibility must be exercised through evidence-based legal processes, not through automatic acceptance of another state's designations or the conflation of peaceful

political expression with violence. Advocating for Khalistan is not, by itself, terrorism, and credible allegations of transnational repression must be assessed by the same standards of accountability. Peaceful advocacy for Sikh self-determination is not, by itself, a criminal or terrorist act. The legality of political expression, the existence of a right to unilateral secession and the criminal responsibility of particular individuals must be assessed as separate questions.

Applying those distinctions consistently is essential to a credible understanding of Canada's legal obligations and the broader information environment surrounding Khalistan.

CLAIMS ASSESSED

01	Canada extends free-expression protection to violence linked to Khalistan.	MISLEADING
02	The Khalistan movement has established links to historical terrorism.	MISLEADING
03	India-designated individuals in Canada create an unmet legal obligation to prosecute or extradite.	UNSUPPORTED
04	Canada's Quebec Secession Reference supplies the legal standard that must be applied to Khalistan.	MISLEADING
05	Khalistan is a legally invalid cause because Punjab does not meet the conditions for unilateral secession.	UNSUPPORTED
06	Historical Sikh human-rights violations ceased and have never returned to a comparable extent.	FALSE
07	Pew Research establishes that an overwhelming majority of Punjabis oppose Khalistan.	UNSUPPORTED
08	International terrorism conventions require Canada to prosecute or extradite people involved in violence pursued for Khalistan.	MISLEADING
09	Canada's 2024 CSIS report supports concerns about a violent Khalistani minority.	MISLEADING
10	Allegations against the Indian state concerning Nijjar are unproven, with no public corroborated evidence challenging India's denial.	MISLEADING
11	Canada currently has 26 outstanding Indian extradition requests.	UNSUPPORTED
12	The Air India Flight 182 investigation became inactive after investigators exhausted available avenues.	MISLEADING

SOURCES

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Reference re Secession of Quebec, [1998] 2 SCR 217 (Supreme Court of Canada)

Sources and Supporting Evidence

Original Article — Macdonald-Laurier Institute, November 19, 2026**

The original opinion article by Manik Arora being assessed.

https://macdonaldlaurier.ca/prosecute-or-extradite-canadas-unmet-obligation-on-khalistan-manik-arora-for-inside-policy/

Supreme Court of Canada — Reference re Secession of Quebec (1998)**

Primary judicial authority concerning unilateral secession and self-determination.

https://decisions.scc-csc.ca/scc-csc/scc-csc/en/1643/1/document.do

Department of Justice Canada — General Overview of the Canadian Extradition Process**

Explains dual criminality, evidence requirements, ministerial decisions and legal safeguards.

https://justice.canada.ca/eng/cj-jp/emla-eej/extradition.html

Government of Canada — Extradition Act**

The statutory framework governing extradition and grounds for refusing surrender.

https://laws-lois.justice.gc.ca/eng/acts/E-23.01/FullText.html

Canadian Security Intelligence Service — Public Report 2024, Intelligence Operations**

Distinguishes peaceful Khalistan advocacy from activities involving violence and documents Indian foreign interference.

https://www.canada.ca/en/security-intelligence-service/corporate/publications/csis-public-report-2024/intelligence-operations.html

Canadian Security Intelligence Service — Public Report 2025, Operations and Analysis**

Confirms that advocacy for Khalistan in Canada is lawful political activity and documents continuing concerns about transnational repression.

https://www.canada.ca/en/security-intelligence-service/corporate/publications/csis-public-report-2025/operations-and-analysis.html

Royal Canadian Mounted Police — Statement on Violent Criminal Activity Linked to Agents of the Government of India, October 14, 2024**

Primary investigative statement detailing evidence concerning Indian state-linked criminal activity in Canada.

https://rcmp.ca/en/news/2024/10/rcmp-statement-violent-criminal-activity-occurring-canada-connections-agents-government-india

Global Affairs Canada — Expulsion of Indian Diplomats, October 14, 2024**

Official government action following findings concerning violent criminal activity and Indian state-linked networks.

https://www.canada.ca/en/global-affairs/news/2024/10/minister-joly-announces-expulsion-of-indian-diplomats-related-to-ongoing-inv

Immigration and Refugee Board of Canada — Punjab Security Situation, January 23, 2006**

Archived research addressing conditions between 2002 and 2005. Relevant to evaluating the timeframe and limits of the article's citation.

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Immigration and Refugee Board of Canada — Treatment of Sikhs and Khalistan Supporters, December 23, 2025**

32 Recent country research concerning treatment of Sikhs, Khalistan supporters and perceived political activists in India and abroad.

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34 Pew Research Center — Religion in India: Tolerance and Segregation, June 29, 2021**

35 Original survey used to support the article's claims about Sikh national identity and opposition to Khalistan.

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37 International Court of Justice — Questions Relating to the Obligation to Prosecute or Extradite (Belgium v. Senegal)**

38 Judgment concerning obligations arising under the Convention against Torture, cited by the author to support a broader prosecution-or-extradition argument.

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40 Arab Convention on the Suppression of Terrorism, 1998**

41 Regional agreement cited in connection with national-liberation exceptions.

42 https://www.refworld.org/legal/agreements/las/1998/29059

43 Reuters / Global News — India's Extradition Requests to Canada, October 17, 2024**

44 Contemporaneous reporting on India's assertion that at least 26 extradition requests were pending at that time.

45 https://globalnews.ca/news/10815689/india-extradition-requests-canada/

46 United States Department of Justice — Nikhil Gupta Guilty Plea, February 13, 2026**

47 Official confirmation of Gupta's guilty plea involving a murder-for-hire conspiracy against a Sikh political activist.

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

49 United States Department of Justice — Nikhil Gupta Sentencing, November 20, 2026**

50 Official confirmation of the 235-month sentence. This development occurred after the assessed article's publication.

51 https://www.justice.gov/usao-sdny/pr/indian-national-sentenced-235-months-prison-plotting-assassinate-us-citizen-new-york

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53 Reporting concerning the status of the investigation, including the distinction between inactive investigative work and a formally closed case.

54 https://edmonton.citynews.ca/2026/09/22/rcmp-tell-victims-families-no-investigative-avenues-left-to-pursue-in-bombing-of-air-india-

55 Government of Canada — Combatting Hate Act, 2026**

56 Official legislative text confirming the law's provisions.

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58 UN Human Rights Experts — Reporting on Threats Against Sikh Activist Moninder Singh, August 2026**

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60 https://globalnews.ca/news/12007421/un-rapporteurs-concerned-india-may-be-behind-threats-to-canadian-activist/

Sikh Disinformation Lab

About Sikh Disinformation Lab

Sikh Disinformation Lab is an independent, evidence-based programme founded and hosted by the World Sikh Organization of Canada. It monitors, analyses and publicly documents disinformation affecting Sikhs.

The Lab examines claims against evidence, publishes assessments with that evidence attached, and tracks coordinated campaigns over time. Every published assessment names what was claimed, where it appeared, what the review found, and what that assessment rests on. Where an item makes several distinct claims, each is assessed separately.

Assessments are made against the methodology framework in force at the time of publication. That framework is public, versioned, and reviewed at each phase gate; a material change produces a new version rather than a silent edit. The full method is published at sikhdisinfolab.ca/method.

Corrections are dated entries, never silent edits. Where a published assessment is found to be wrong or incomplete, the correction is recorded against it and listed at sikhdisinfolab.ca/corrections. If you believe something published here is inaccurate, write to the programme and it will be reviewed.

Assessments are the responsibility of Sikh Disinformation Lab.

This project has been made possible with support from the Government of Canada.

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