

**BEFORE THE COMMISSIONER OF INQUIRY
INTO THE INVESTIGATION OF THE BOMBING OF AIR INDIA FLIGHT 182**

**NOTICE OF MOTION FOR THE APPLICATION BY THE WORLD SIKH
ORGANIZATION OF CANADA TO CALL ZUHAIR KASHMERI AS WITNESS**

TAKE NOTICE that the WORLD SIKH ORGANIZATION OF CANADA hereby applies to this Commission, pursuant to Rule D12 of the Rules of Procedure and Practice, for an Order:

1. An Order that Commission Counsel call Kashmeri to testify on record at the Inquiry;
2. An Order allowing the Applicant to call Kashmeri to testify on record at the Inquiry; or
3. Such further and other relief as this Honourable Commission may permit.

AND FURTHER TAKE NOTICE that the Motion shall be made on the following grounds:

4. The World Sikh Organization of Canada (“WSO”) is applying to call Zuhair Kashmeri (“Kashmeri”) as a witness at the Commission of Inquiry into the investigation of the Bombing of Air India Flight 182 (“Inquiry”);

5. Kashmeri is an award winning author and journalist. Kashmeri was a reporter for the Globe and Mail for over a decade.
6. Kashmeri is the co-author of the book *Soft Target – India’s Intelligence Service and Its Role in the Air India Disaster*. Brian McAndrew (“McAndrew”) is this books other credited author.
7. The purpose of their book is to make people aware of the grave injustice suffered by Sikh-Canadians.
8. Kashmeri’s and McAndrew’s book offers a detailed accounting of the investigations and criminal proceedings that took place after the June 23, 1985 twin bombings.
9. Kashmeri and McAndrew also discuss leads that were not pursued by the RCMP and CSIS, and expose India’s intelligence service’s secret operations in Canada.
10. Kashmeri and McAndrew analyze how without a public inquiry, justice would not ensue due to a flawed and manipulated investigation on the part of several organizations.
11. Kashmeri’s knowledge on the Air India bombings, and the racism suffered by the Sikh community is objective, extensive and well-documented. As such, Kashmeri will be able to testify on the negative effects the Air India tragedy have

had on the Sikh community, and he will also be able to offer a researched analysis on CSIS and the RCMP's involvement or lack thereof.

12. Rule C8 of the *Rules of Procedure and Practice* states that the Commissioner is committed to a process of public hearings to the greatest extent possible. Furthermore, the Applicant relies on Rules C6, D14, D16, H26 and H49 of the Inquiry's *Rules of Procedure and Practice*.

AND FURTHER TAKE NOTICE that the following statutory provisions or rules are relied upon by the applicant:

13. The Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182 *Rules of Procedure and Practice*; and
14. Such further and other provisions as counsel may advise and the Honourable Commissioner may permit.

AND FURTHER TAKE NOTICE that the following statutory provisions or rules are relied upon by the applicant:

15. The oral submissions of counsel;
16. The Application from the WSO to have Kashmeri called as a witness; and
17. Such further and other material as counsel may advise and the Honourable Commissioner may permit.

ALL OF WHICH IS RESPECTFULLY SUBMITTED.

Dated at Ottawa, Ontario on 12th October, 2007.

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TO: **COMMISSION OF INQUIRY INTO THE INVESTIGATION INTO THE
INVESTIGATION OF AIR INDIA FLIGHT 182
The Honourable Mr. Justice John C. Major, Q.C., Commissioner
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CANADA**