

**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 DAVID KILGOUR 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. That Commission Counsel call Kilgour to testify on record at the Inquiry;
2. Allowing the Applicant to call Kilgour 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 is applying to have David Kilgour ("Kilgour") called as a witness.
5. Kilgour began his career as a Canadian Crown Attorney. From 1972 to 1979, Kilgour served as a senior agent of the Attorney General and a constitutional

advisor to the Government of Alberta. He held this position until he was elected to the House of Commons in the spring of 1979.

6. Kilgour was first elected as a Member of Parliament in 1979 in the riding of Edmonton, Strathcona. Since then, he has been re-elected seven times.
7. Kilgour strongly advocates strengthening Canadian human rights commitments and engaging in multilateral peacekeeping efforts. He has been instrumental in bringing international civil conflicts in countries such as Burma, Vietnam and Zimbabwe to the attention of the Canadian public, and to the forefront of Canada's foreign policies.
8. Kilgour authored a book called, *Betrayal: The Spy Canada Abandoned*. Kilgour's book tells the story of a Russian trained spy, Ryszard Paszkowski ("Paszkowski"), who was recruited by CSIS in 1984 to be a spy for Canada. In 1986, Paszkowski was flown to Rome to participate in a secret meeting, which occurred after the bombing of Air India Flight 182.
9. In his book, Kilgour details the way in which Paszkowski was asked to be involved with a plan to blow up an Air India plane in Europe, and tells of Paszkowski's suspicion that the plan was primarily directed at subduing the Canadian Sikh community, since, according to Paszkowski, the Canadian Government had been having trouble with it.
10. Kilgour also suggests that CSIS had been searching for someone it could blame for the Air India bombing and that the plane bombing Paszkowski was asked to

be a part of was a way in which the Canadian Government could cast suspicion on the Sikh community.

11. In essence, Kilgour suggests that the Canadian Government became involved in this plan as a means of discrediting and damaging the reputation of the Sikh community.
12. His book highlights how the Canadian Government is suspected of attempting to villanize the Sikh community.
13. Kilgour's book is largely based Paszkowski's hand-written notes, which were sent personally to Kilgour. The events Kilgour details in his book are accurate and true. Kilgour has researched this matter closely and can provide insight into the ways in which the reputation of the Sikh community was maliciously targeted by the Canadian Government.
14. 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:

15. The Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182 *Rules of Procedure and Practice*; and

16. Such further and other provisions as counsel may advise and the Honourable Commissioner may permit.

AND FURTHER TAKE NOTICE that in support of this application, the applicant relies upon:

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

All of which is respectfully submitted.

Dated at Ottawa 12th day of October, 2007

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TO: **COMMISSION OF INQUIRY INTO THE INVESTIGATION INTO THE INVESTIGATION OF AIR INDIA FLIGHT 182**
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