

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

**NOTICE OF MOTION FOR THE APPLICATION FOR BROADER
STANDING OF THE WORLD SIKH ORGANIZATION OF CANADA**

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. granting the Applicant the right to cross-examine witnesses on issues related related to the reputational interests of the Sikh community; and
2. granting the Applicant the right to make written and oral submissions on all of Terms of Reference.

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

3. The World Sikh Organization (“WSO”) submits there has been a change of circumstances in the proceedings and in order to ensure that the full spirit of the right to intervene is implemented, the World Sikh Organization (“WSO”), asks this Commission to permit it to cross-examine witnesses on issues that arise

within the scope of the WSO's current standing, i.e. on the reputational interests of the Sikh community. ;

4. The WSO further submits that there has been a change of circumstances from the original application date, such that would warrant a review of the scope of the WSO's intervention for the purposes of making written and oral submissions;
5. Specifically, it is submitted that the active presence of the WSO at the Air India Inquiry, indicates the strong interest of the WSO in these proceedings. This is in marked contrast to the other Intervenors, most of whom were granted much broader standing to comment on the different Terms of Reference, and yet have been noticeably absent from these proceedings;
6. The WSO has expended considerable resources in ensuring that Counsel is present at these proceedings on a regular basis. We respectfully submit that this Commission of Inquiry could benefit extensively from the WSO's broader participation at this Inquiry, as have the numerous governmental, non-governmental, and other legal entities before whom WSO has appeared in the past.
7. The Sikh community's interests are not isolated solely to its reputation – the Sikh community is comprised of a diverse group of dynamic and active participants in Canadian society. Perhaps more so than any other ethnic community in Canada, Canadian-Sikhs have been deeply affected by the Air India tragedy. Not only were there innocent members of the Sikh community

who also lost their lives in the Air India blast, but the Sikh community has been the main target of all police investigations and suspicion.

8. The WSO can offer the unique experience of the Sikh community as the aftermath of this tragedy unfolded, in order to enable this Commission to make more informed recommendations on all of the Terms of Reference. As the only Sikh organization present at this Inquiry, our participation at a much broader level is even more critical.
9. Based on the above, it is submitted that the purpose of an inquiry is to not only find out what happened, but also to find out why it happened, so that future incidents can be prevented and the public can be reassured that the fundamental rights and freedoms of Canadian citizens are being respected and protected. In this manner, a public inquiry must of necessity, include investigative, preventative and public confidence components.
10. It is respectfully submitted that these components are strengthened with the increased participation of the WSO.

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

11. The Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182 *Rules of Procedure and Practice*;
12. *Rules Applicable to All Intervenors*; and

13. 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:

14. Written submissions for broader standing;

15. The oral submissions of counsel; and

16. 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**
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