



Australian Government
Refugee Review Tribunal

Country Advice

India

India – IND38851 – Gujarat – Hindu –
Muslim

13 July 2011

1. Is there any evidence of Hindu – Muslim riots or other violent incidents in Gujarat during July – October 2009?

A search of the resources and databases available to the Tribunals has failed to locate reported information on Hindu – Muslim riots or violent incidents in July – October 2009.

2. Is there any evidence of Hindus suffering harm at the hands of Muslims in the Gujarat since 2009?

No reported information was found on incidents involving Hindus being harmed by Muslims in Gujarat since 2009.

The following most recent reports on India do not state that such incidents have taken place since 2009 or are currently taking place:

UK Home Office 2010, *Country of Origin Information Report – India*, 21 September¹;

Amnesty International 2011, *Annual Report 2011 – India*, 13 May²;

Human Rights Watch 2011, *World Report 2011 – India*, 24 January³;

US Department of State 2010, *Country Reports on Human Rights Practices for 2009 – India*, March⁴;

US Department of State 2011, *Country Reports on Human Rights Practices for 2010 – India*, 11 April⁵;

No civil unrest was reported in Gujarat on 1 March 2011, when the court sentenced Muslims who had been involved in the burning of Hindus alive in a train fire at Godhra station in 2002.⁶

¹ UK Home Office 2010, *Country of Origin Information Report – India*, 21 September, – Attachment 1

² Amnesty International 2011, *Annual Report 2011 – India*, 13 May - Attachment 2

³ Human Rights Watch 2011, *World Report 2011 – India*, 24 January - Attachment 3

⁴ US Department of State 2010, *Country Reports on Human Rights Practices for 2009 – India*, March – Attachment 4

⁵ US Department of State 2011, *Country Reports on Human Rights Practices for 2010 – India*, April, – Attachment 5

⁶ Mifthah, M. 2011, ‘11 death sentences in India’s Gujarat riots case’, *The Sunday Times* (Sri Lanka), 1 March -

Country Advice IND37628 provides background information on the Bharatiya Janata Party (BJP) which currently governs Gujarat as well as its leader Narendra Modi who has been accused of fomenting violence against Muslims in the 2002 Gujarat riots:

Narendra Modi is the Government leader of the Bharatiya Janata Party (BJP) in Gujarat and has been accused of corruption and instigating the communal riots against Muslims that occurred in 2002. Modi has been the Chief Minister of Gujarat since October 2001, and led the BJP to victory in the subsequent Gujarat State elections in December 2002 and December 2007. He began his political career in the Hindu nationalist organisation Rashtriya Swayamevak Sangh (RSS) in the early 1970s. The President of the BJP is Shri R. C. Faldu (MLA).

Numerous Indian newspaper articles accuse Modi of instigating or sanctioning the 2002 Gujarat riots in which approximately 2,000 Muslims were murdered. A March 2005 article from *The Times of India* noted that the 2003 US Department of State Country report on human rights practices for India “had found Modi guilty of fuelling violence that it claimed had resulted in the deaths of ‘an estimated 2,000 Muslims’”. In April 2009, India's Supreme Court ordered a special police team to investigate the charges that Modi and his BJP administration incited Hindu mobs to the violence.

Narendra Modi and his government have been accused of corruption in recent years. During the 2007 elections, BJP rebels called upon voters to vote for the Congress Party because of the corrupt and autocratic style of administration of the Narendra Modi Government.⁷

<http://sundaytimes.lk/index.php/world-news/5126--11-death-sentences-in-indias-gujarat-riots-case> - Accessed 7 July 2011 – Attachment 6

⁷ RRT Country Advice 2010, *Country Advice IND37628*, 26 October - Attachment 7

Attachments

1. UK Home Office 2010, *Country of Origin Information Report – India*, 21 September.
2. Amnesty International 2011, *Annual Report 2011 – India*, 13 May.)
3. Human Rights Watch 2011, *World Report 2011 – India*, 24 January.
4. US Department of State 2011, *Country Reports on Human Rights Practices for 2010 – India*, 11 April.
5. US Department of State 2010, *Country Reports on Human Rights Practices for 2009 – India*, March.
6. Mifthah, M. 2011, ‘11 death sentences in India’s Gujarat riots case’, *The Sunday Times (Sri Lanka)*, 1 March - <http://sundaytimes.lk/index.php/world-news/5126--11-death-sentences-in-indias-gujarat-riots-case> - Accessed 7 July 2011.
7. RRT Country Advice 2010, *Country Advice IND37628*, 26 October.