



Australian Government

Refugee Review Tribunal

Country Advice

India

India – IND37875 – Muslim – Hyderabad
– Communalism – Police – State Protection
– Majlis Ittehad-e-Muslimeen

17 December 2010

1. What is the MIM and what is its relationship to the Muslim Youth Association and the Muslim Youth League.

Majlis Ittehad-e-Muslimeen

Majlis Ittehad-e-Muslimeen (MiM), also known as the All-India Majlis Ittehad-e-Muslimeen, is a Muslim political party based in the state of Andhra Pradesh (of which Hyderabad is the capital). It has been described as “the most powerful Muslim party in India”.¹ The MiM’s sway on Muslims in Hyderabad is said to be “almost complete, at least at the time of elections”.² The party had five members in the Andhra Pradesh Legislative Assembly as of the 2009 assembly elections.³ The party has one member in the federal parliament lower house, the Lok Sabha.⁴ It was reported to have had 95 plus members elected to municipal bodies throughout Andhra Pradesh in 2006. The party’s support base is largely Muslims in Hyderabad and in the Muslim dominated villages of the state.^{5 6}

In April 2010, the Communalism Watch website criticised the MiM for encouraging polarisation similar to the Hindu nationalist BJP party. It argues that the MiM’s mobilisation of the Muslim community is not done to demand educational facilities, political empowerment or other social issues relevant to the minority community. Rather Muslims are mobilised in a way that “continues to keep the community under the spell of

¹ ‘The History of Majlis e Ittehadul Muslimeen Party in Andhra Pradesh, India’ 2006, *Hyderabad online*, 11 November

http://www.nowpublic.com/the_history_of_majlis_e_ittehadul_muslimeen_party_in_andhra_pradesh_india – Accessed 16 December 2010 – Attachment 1

² Mitta, M. 2010, ‘Post-Godhra riots: Teesta digs up call records’, Communalism Watch website, 27 April http://communalism.blogspot.com/2010_04_01_archive.html Accessed 14 December 2010 – Attachment 2

³ ‘Andhra Pradesh Assembly Elections Results 2009’ (undated), Indian Elections website, <http://www.indian-elections.com/assembly-elections/andhra-pradesh/andhrapradesh-results-09.html> Accessed 14 December 2010 – Attachment 3

⁴ ‘Lok Sabha Members’ (undated), Indian Elections website <http://164.100.47.132/LssNew/Members/partywiselist.aspx> Accessed 17 December 2010 – Attachment 4

⁵ ‘The History of Majlis e Ittehadul Muslimeen Party in Andhra Pradesh, India’ 2006, *Hyderabad online*, 11 November

http://www.nowpublic.com/the_history_of_majlis_e_ittehadul_muslimeen_party_in_andhra_pradesh_india – Accessed 16 December 2010 – Attachment 1

⁶ ‘Holding them captive?’ 2003, *The Hindu*, 27 April <http://www.hinduonnet.com/2003/04/27/stories/2003042700081500.htm> - Accessed 14 December 2010 – Attachment 5

religion, wallowing in the past glory of being a ruling class, yet ignorant, illiterate and poverty-stricken in the present”.⁷

Muslim Youth Association and Muslim Youth League

The Muslim Youth League is the youth wing of the Indian Union Muslim League.⁸ Asaduddin Owaisi, an MiM leader and Hyderabad MP, had reportedly spoken at the organisation’s conference in Kerala in April 2007. Owaisi had emphasised the need for stronger leadership of Muslims throughout the country and alleged an “ongoing conspiracy to suppress strong Muslim leadership in many States”.⁹ No other information was found on relations between these two groups.

No information was found on the relationship between the MiM and the Muslim Youth Association. The only information found on the Muslim Youth Association itself was that it conducted a study on numbers of Muslim youth attending higher education.¹⁰

2. Can it be confirmed that at any time in the 1990s, the President of either MIM or the Muslim League Association was Mr Akbaruddin Owaisi or that the treasurer was Mohammed Osman. Is it possible to confirm that Mohammed Osman was shot dead by police in 1997?

No information was found to suggest that Mr Akbaruddin Owaisi was the president of either MiM or the Muslim League Association at any time in the 1990s. Mr Salahuddin Owaisi, Akbaruddin Owaisi’s father, was reported to have held the MiM party presidency throughout the 1990s.¹¹ In February 2009, Mr Akbaruddin Owaisi was described as an MiM Floor Leader and a MiM Youth Leader, and in 2006 was said to be a member of the Andhra Pradesh Legislative Assembly.^{12 13 14} A November 2006 report posted on the MiM youth website mentions a public meeting at which Akbaruddin Owaisi was charged by police for allegedly

⁷ Mitta, M. 2010, ‘Post-Godhra riots: Teesta digs up call records’, Communalism Watch website, 27 April http://communalism.blogspot.com/2010_04_01_archive.html Accessed 14 December 2010 – Attachment 2

⁸ ‘Vision 2020: Design for a Vibrant Go Ahead’ (undated), Indian Union Muslims League website <http://www.indianunionmuslimleague.in/content/vision-2020-design-vibrant-go-ahead> Accessed 14 December 2010 – Attachment 6

⁹ ‘MiM Demands for Seprate Metropolitan Regional Development Board for Hyderabad’ 2007, Majlis Ittehad-e-Muslimeen Youth website http://majlisittehadulmuslimeenwarriors.blogspot.com/2007_04_01_archive.html Accessed 14 December 2010 – Attachment 7

¹⁰ Henry, N. 2010, ‘Dip in Muslim youth going to college: Study’, *The Times of India*, 28 January <http://timesofindia.indiatimes.com/city/hyderabad/Dip-in-Muslim-youth-going-to-college-Study/articleshow/5507197.cms> Accessed 14 December 2010 – Attachment 8

¹¹ Siddique, M. 2008, ‘MIM president Salahuddin Owaisi passes away’, *The Hindu*, 29 September http://www.indianmuslims.info/news/2008/sep/29/mim_president_salahuddin_owaisi_passes_away.html Accessed 17 December 2010 – Attachment 9

¹² ‘MIM leaders get conditional bail’ 2006, *The Hindu*, 21 February <http://www.hindu.com/2006/02/21/stories/2006022118190300.htm> – Accessed 3 May 2007 – Attachment 10

¹³ ‘MiM Demands for Seprate Metropolitan Regional Development Board for Hyderabad’ 2007, Majlis Ittehad-e-Muslimeen Youth website http://majlisittehadulmuslimeenwarriors.blogspot.com/2007_04_01_archive.html Accessed 14 December 2010 – Attachment 7

¹⁴ ‘MiM Floor Leader Akbaruddin Owaisi Speech in Chanchalguda Public Meeting’ 2009, Majlis Ittehad-e-Muslimeen Youth website <http://majlisittehadulmuslimeenwarriors.blogspot.com/2009/02/mim-floor-leader-akbaruddin-owaisi.html> Accessed 10 February 2010 – Attachment 11

making an “inflammatory speech”.¹⁵ No information was found on Akbaruddin Owaisi and the Muslim League Association.

No information was found on anyone by the name of Mohammed Osman in relation to the MiM.

3. Are there any reports of violent clashes in July 2001 between the MiM and Hindu nationalist groups?

No information was found on such violent incidents in July 2001. This includes in sources which listed communal attacks during that year.^{16 17}

There were, however, several clashes reported between the MiM and Hindu nationalist groups like the Bharatiya Janata Party (BJP) in the years following 2001. In 2002, a report describes MiM supporters defending Muslims leaving a mosque who were being pelted with stones by a group including BJP politicians.¹⁸ A 2003 opinion piece in *The Hindu* blames the desire of the MiM and BJP parties to improve their chances in a forthcoming state by-election for outbreaks of communal violence.¹⁹ In 2004 the BJP’s goal of dislodging the MiM from power led to clashes between supporters of both groups.²⁰

Several clashes also involved the Telugu Desam Party (TDP), a party aligned with the BJP in Andhra Pradesh.²¹ January 2002 saw violence in which a TDP candidate was stabbed and had his residence raided by MiM workers.²² Another source reports the TDP accusing the MiM of “election terrorism” and complaining to the Andhra Pradesh State Election Commission about MiM threats of violence.²³ In February 2002 MiM supporters

¹⁵ ‘MiM leader Akbaruddin Owaisi booked for making inflammatory speeches’ 2006, Majlis-e-Ittehadul Muslimeen Youth Outfit website, 28 November
<http://majlisitehadulmuslimeenwarriors.blogspot.com/search?updated-min=2006-01-01T00%3A00%3A00-08%3A00&updated-max=2007-01-01T00%3A00%3A00-08%3A00&max-results=12> – Accessed 26 April 2007 – Attachment 12

¹⁶ Siddique, M. 2010, ‘The govt should open its eyes to Hindu terrorism’, Rediff website
<http://news.rediff.com/interview/2010/jun/14/the-govt-should-open-its-eyes-to-hindu-terrorism.htm> Accessed 14 June 2010 – Attachment 13

¹⁷ US Department of State 2002, *Country Reports on Human Rights Practices for 2001 – India*, 4 March – Attachment 14

¹⁸ ‘Bandh by VHP ends peacefully – Tensions in old city’ 2002, Andhra News website, 1 March
<http://www.andhranews.net/state/2002/mar/1.asp> – Accessed 10 August 2006 – Attachment 15

¹⁹ ‘Nothing trivial about violence’ 2003, *The Hindu*, 9 June
<http://www.hinduonnet.com/2003/06/09/stories/2003060900571000.htm> – Accessed 14 August 2006 – Attachment 16

²⁰ Radhakrishna, G.S. 2004, ‘BJP fields star for Carminar contest’ *The Telegraph*, 29 March
http://www.telegraphindia.com/1040330/asp/nation/story_3062803.asp – Accessed 10 August – Attachment 17

²¹ Radhakrishna, G.S. 2004, ‘BJP fields star for Carminar contest’ *The Telegraph*, 29 March
http://www.telegraphindia.com/1040330/asp/nation/story_3062803.asp – Accessed 10 August – Attachment 17

²² ‘TDP candidate stabbed during repolling’ 2002, *The Times of India Online*, 24 January
<http://timesofindia.indiatimes.com/city/hyderabad/TDP-candidate-stabbed-during-repolling/articleshow/616992134.cms> – Accessed 14 December 2010 – Attachment 18

²³ ‘MiM may resort to rigging: Naidu’ 2002, *The Hindu*, 22 January
<http://www.hinduonnet.com/2002/01/22/stories/2002012200470400.htm> – Accessed 14 December 2010 – Attachment 19

were said to have protested and caused “chaos” at the swearing in ceremony of the new mayor of Hyderabad who was a member of the TDP and supported by the BJP.²⁴

4. What is the current position in relation to conflict between Muslims and Hindus in Hyderabad?

Hyderabad is described as having a history of relative peace between Hindu and Muslim communities, although there have been clashes and the city is far from being immune from communal violence. The most recent conflict occurred in March 2010. The violence had killed two people and injured over 150.²⁵ One hundred and ten people were arrested.²⁶ The riots erupted from a dispute over religious flags. Police stated that tension had been building in the area between Hindus and Muslims in the preceding weeks. The violence was said to have been fuelled by local politicians.²⁷

In spite of these clashes the relationship between Muslim and Hindu communities in Hyderabad is regarded as relatively peaceful compared to other regions in India. The city has a history of social harmony between Hindus and Muslims. The editor of one English newspaper in Hyderabad stated that “nowhere else in India are Muslims as well-respected as they are in Hyderabad”.²⁸

5. Is there effective state protection for Muslims in Hyderabad?

While there is effective state protection for Muslims in Hyderabad, this is likely to be less than the state protection that the majority Hindu community receives.

For the most part, authorities have responded effectively to incidents of communal violence between Muslims and Hindus in recent years. In responding to the March 2010 clashes, authorities imposed a curfew and deployed 1600 paramilitary soldiers and police.²⁹ Reuters reports that part of the provocation for the March 2010 violence was “police high-handedness”. However the report also states that, according to local media reports, police were slow to react allowing “rioting from both sides to grow”.³⁰ The US Commission on International Religious Freedom (USCIRF) reports in 2010 that in two incidents in Andhra Pradesh the State Government ordered additional police forces to investigate, with resulting arrests and cases filed, mostly against Hindus. The Government also requested a further probe by the Central Bureau of Investigation, and provided relief and rehabilitation packages for the victims’ next of kin.³¹ The State Government also reportedly responded quickly to communal violence in October 2008 in the city of Adilabad, located a few hundred kilometres from

²⁴ Jafri, S. A. 2002, ‘Hyderabad mayor takes oath amid protests’, Rediff.com website, 11 February <http://im.rediff.com/news/2002/feb/11hyd1.htm> – Accessed 14 December 2010 – Attachment 20

²⁵ ‘Hyderabad police tries to crack conspiracy behind riots’ 2010, *New Delhi Television Limited*, 31 March – Attachment 21

²⁶ ‘India: 110 Arrested in Muslim vs. Hindu Clash’ Logan’s Warning website, 30 March <http://loganswarning.com/2010/03/30/india-110-arrested-in-muslim-vs-hindu-clash/> – Accessed 14 December 2010 – Attachment 22

²⁷ ‘Hyderabad police tries to crack conspiracy behind riots’ 2010, *New Delhi Television Limited*, 31 March – Attachment 21

²⁸ ‘In Hyderabad, a tale of two cities’ 2010, *Rediff*, 8 November – Attachment 53

²⁹ ‘Hindu-Muslim clashes injure scores in India’, *Associated Press*, 8 November – Attachment 23

³⁰ ‘Q+A-Religious violence risks reputation of India’s Hyderabad’, *Reuters*, 30 March <http://blogs.reuters.com/faithworld/2010/03/31/qa-religious-violence-risks-reputation-of-indias-hyderabad/> – Accessed 14 December 2010 – Attachment 24

³¹ US Commission on International Religious Freedom 2010, *Annual Report 2010*, May – Attachment 25

Hyderabad.³² Also, as mentioned earlier, Muslims hold a higher social status in Hyderabad than elsewhere in India, and this may translate to an increased ability to secure state protection.³³

Despite this, there were accusations of general bias against Muslims by the police force. In April the MiM's Asaduddin Owaisi lodged a protest with police for failing to act to prevent communal violence involving Hindus and Muslims.³⁴ A December 2006 *Frontline* report discusses the findings of Justice Rajendra Sachar's enquiry into the conditions of Muslims in India. The enquiry showed that while Andhra Pradesh had succeeded in ensuring more than adequate representation for Muslims in its police force, it could not contain communal violence or bias. It adds that police in Andhra Pradesh have "often faced allegations of bias" against Muslims.³⁵ In 2000, the US Department of State reported that Muslim leaders alleged that Hindu extremists in the police force harassed Muslim youth and students at religious schools under the pretext of investigating plots by the Pakistani intelligence service (U.S. Department of State 2000, *2000 Annual Report for International Religious Freedom: 'India'*).

6. Is there effective state protection for Muslims elsewhere in India?

Indian law does not discriminate between religions and Muslims should have the same rights as others in obtaining state protection. This is strengthened by the country's longstanding democratic system, open society, independent legal institutions, vibrant civil society and media.³⁶ However, India's federal political system, which accords state governments primary jurisdiction over maintaining law and order limits the national government's capacity to deal directly with state-level abuses against minorities.³⁷

Muslim difficulties in obtaining effective state protection throughout India is mainly due to the attitudes held by local state-run police forces. The USCIRF reported in 2010 that police, as well as state and central judiciaries, had "emerged as unwilling or unable consistently to seek redress for victims of religiously-motivated violence or to challenge cultures of impunity in areas with a history of communal tensions".³⁸ One Commissioner disagreed, however, stating that:

[T]he Commission's conclusion that the system's 'capacity and will is severely limited' and that government response to such incidents has been 'largely inadequate' seems to fly in the face of the evidence of serious measures that have been undertaken. The responses of the Indian government during the past year have been significant... Such proactive measures suggest that the state's capacity and will can be and are being applied to prevent further outbreaks of inter-religious violence.³⁹

³² US Department of State 2009, *International Religious Freedom Report 2009 – India*, October, Section 2 – Attachment 26

³³ 'In Hyderabad, a tale of two cities' 2010, *Rediff*, 8 November – Attachment 53

³⁴ 'Miscreants burn autorickshaws in Hyderabad' 2002, *Khaleej Times*, 11 April www.khaleejtimes.co.ae/ktarchive/110402/subcont.htm Accessed 14 August 2006 – Attachment 27

³⁵ Swami, P. 2006, 'Bias and the police', *Frontline*, vol.23: no.24, 2-15 December – Attachment 28

³⁶ US Department of State 2010, *2009 Country Reports on Human Rights Practices – India*, March, Section 2(c) – Attachment 29

³⁷ US Department of State 2010, *2009 Country Reports on Human Rights Practices – India*, March, Section 2(c) – Attachment 29

³⁸ US Commission on International Religious Freedom 2010, *Annual Report 2010*, May, p242 – Attachment 25

³⁹ US Commission on International Religious Freedom 2010, *Annual Report 2010*, May, p253 – Attachment 25

Several Indian states have seen outbreaks of communal violence where police have failed to protect, or have themselves been accused of perpetrating attacks upon Muslim communities.⁴⁰ These include highly publicised riots in Gujarat in 2002⁴¹ and Mumbai in 1993.⁴²

Some argue that there is an “institutional communalism” in the police forces throughout India which results in a “persistent failure to defend the [Muslim] community’s basic human rights”. The aforementioned December 2006 *Frontline* article cited a report by a police officer which found that police “held the view that apart from being cruel and violent, Muslims were untrustworthy, anti-national, easily influenced by a fanatical leadership, and capable of rioting at the slightest provocation”. They also believed that “riots are initiated by the Muslims” and this was the case “even when confronted with evidence that it was not in the interest of Muslims to start a riot”. The *Frontline* report also cites judicial investigations of riots throughout the 70s and 80s showed systematic anti-Muslim biases in “everything from the use of lethal force, patterns of arrests and the treatment of prisoners”.⁴³ The US Department of State (US DOS) reports in 2009 that there is “ineffective investigation and prosecution of attacks on religious minorities, particularly at the state and local level” with some state and local governments influenced by Hindutva viewpoints.⁴⁴ The USCIRF also refers to incidents of religious violence in 2008 involving Muslims and Hindus, in which police had failed to intercede early enough to prevent the violence or prevent the escalation of violence.⁴⁵

Muslims’ general disadvantage also impacts on their ability to obtain effective state protection in India. There is a lack of Muslims in the police and the judiciary.⁴⁶ The US DOS adds there was a “poor government response” to Muslim concerns.⁴⁷

Positive Steps

Authorities have taken several steps to improve the effectiveness of state protection for Muslims. A number of national governmental bodies have been created whose roles include investigation of allegations of discrimination and making recommendations for redress to the relevant local or national authorities. These include the Ministry for Minority Affairs, the National Human Rights Commission (NHRC), and the National Commission for Minorities (NCM). Although NHRC recommendations do not have the force of law, central and local authorities generally followed their recommendations.⁴⁸ An article published in *Le Monde* in

⁴⁰ Human Rights Watch 2009, *Broken System: Dysfunction, Abuse and Impunity in the Indian Police*, August, pp.20-21 – Attachment 30

⁴¹ Human Rights Watch 2002, *We Have No Orders to Save You: State Participation and Complicity in Communal Violence in Gujarat*, Vol.14, No.3, April, p.4 – Attachment 31

⁴² Bavdam, L. & Katakam, A. 2007, ‘Wake-up call’, *Frontline*, vol.24: no.17, 25 August / 7 September <http://www.thehindu.com/fline/fl2417/stories/20070907502804100.htm> – Accessed 9 March 2010 – Attachment 32

⁴³ Swami, P. 2006, ‘Bias and the police’, *Frontline*, vol.23: no.24, 2-15 December – Attachment 28

⁴⁴ US Department of State 2009, *International Religious Freedom Report 2009 – India*, October, Section 2 – Attachment 26

⁴⁵ US Commission on International Religious Freedom 2010, *2010 Annual Report*, May – Attachment 25

⁴⁶ UK Home Office 2010, *Country of Origin Information – India*, September, section 20.32 – Attachment 33

⁴⁷ US Department of State 2010, *2009 Country Reports on Human Rights Practices – India*, March, Section 6 – Attachment 29

⁴⁸ US Department of State 2009, *International Religious Freedom Report 2009 – India*, October, Section II – Attachment 26

January 2009 reported on efforts within India's governmental bodies to "attempt to avert the worsening Islamophobia", following the 2008 bomb attacks attributed to Muslim militants.⁴⁹

Several states had records of containing communal violence against Muslims. According to the aforementioned enquiry by Justice Sachar these are West Bengal and Kerala. The police forces in these states are said to have "demonstrated their skill at preventing or rapidly terminating communal violence". Tamil Nadu is also seen as a state where state protection is relatively effective for Muslims. Unlike many other states, Kerala and Tamil Nadu have not seen failure by state authorities and police to restore order in instances where small and localised incidents of communal violence have occurred.^{50 51} On the few occasions when communal clashes have occurred in Kerala⁵² and Tamil Nadu⁵³ the authorities have reacted quickly to deploy reserve police and other security forces to contain the situation and to re-establish order. Furthermore, the Asian Human Rights Commission (which monitors and reports upon human rights issues in state courts) has not expressed any concerns, in its most recent annual report, about the treatment of Muslims as a specific group within the courts of Kerala and Tamil Nadu.⁵⁴

7. Are there any laws or other known factors which would prevent a Muslim person from Hyderabad relocating to another part of India to seek state protection?

There are no laws to prevent a Muslim person from Hyderabad relocating to another part of India to seek state protection. Indian law provides for freedom of movement, and the government generally respects this in practice, although special permits are required for the northeastern states and parts of Jammu and Kashmir.^{55 56} Given that citizens are not required to register their faith in India, Muslims would not face any more restrictions in movement than those of other faiths.⁵⁷ Indian citizens who have been arrested and released on bail, however, require judicial permission to relocate to another part of the country.⁵⁸

The fact that there is no generalised communal tension between Muslims and Hindus in India overall also makes it more feasible for internal relocation by Muslims seeking to obtain state protection and escape communal violence. The findings of studies by Ashutosh Varshney, Professor of Political Science and Director of the Centre for South Asian Studies, University of Michigan demonstrate that "communal riots are not the outcome of free-floating,

⁴⁹ Kristianasen, W. 2009, 'Islamic India', *Le Monde*, January <http://mondediplo.com/2009/01/01islam> – Accessed 4 March 2010 – Attachment 34

⁵⁰ Swami, P. 2006, 'Bias and the police', *Frontline*, vol.23: no.24, 2-15 December – Attachment 28

⁵¹ Swami, P. 2006, 'Bias and the police', *Frontline*, vol.23: no.24, 2-15 December – Attachment 28

⁵² Thomas P. Joseph Commission of Inquiry 2006, *That's Malayalam News*, pp.5-6

<http://thatsmalayalam.oneindia.in/archives/marad-report-part-I.pdf> – Accessed 1 May 2009 – Attachment 35

⁵³ Subramanian, T.S. 1997, 'Confrontation in Coimbatore', *Frontline*, vol.14: no.25, 13-26 December

<http://www.thehindu.com/fline/fl1425/14251120.htm> – Accessed 9 March 2010 – Attachment 36; Jawahirullah,

M.H. 2008, 'Sangh Parivar activists arrested for blasts in RSS office', Indian Muslims website, 2 May

http://www.indianmuslims.info/news/2008/feb/05/sangh_parivar_activists_arrested_blasts_rss_office.html –

Accessed 10 March 2010 – Attachment 37

⁵⁴ Asian Centre for Human Rights 2009, *India Human Rights Report 2009*, May

<http://www.achrweb.org/reports/india/AR09/AR2009.pdf> – Accessed 10 February 2010 – Attachment 38

⁵⁵ US Department of State 2010, *2009 Country Reports on Human Rights Practices – India*, March – Attachment 29

⁵⁶ UK Home Office 2008, *Operational Guidance Note – India*, April, Section 3.7.5 – Attachment 39

⁵⁷ UK Home Office 2008, *Operational Guidance Note – India*, April, Section 3.7.5 – Attachment 39

⁵⁸ Department of Foreign Affairs and Trade 2003, *DFAT Report No. 254 – India: RRT Information Request: IND16042*, 13 October – Attachment 40

generalised Hindu-Muslim antagonism”. Rather they are highly localised responses to specific political and economic circumstances.⁵⁹

Furthermore, a 2008 UK Home Office operational guidance note argues that for those fleeing local authorities “relocation to a different area of the country to escape this threat is ...feasible”.⁶⁰ This is due to the localised control of police forces⁶¹ which also makes it likely that someone who cannot obtain state protection in one region of India may be able to relocate and obtain it in another region. The UK Home Office adds that “there are no checks on a newcomer to any part of India arriving from another part of India” and that “local police forces have neither the resources nor the language abilities to perform background checks on people arriving from other parts of India”.⁶² However, in April 2010 Professor Robin Jeffrey of the National University of Singapore commented that “Muslims, these days, will always attract some suspicion from some people if they arrive in a new area”.⁶³

Another factor which may impact on a Muslim from Hyderabad relocating to another part of India is a lack of economic resources to resettle due to the general social and economic disadvantage suffered by Muslims. A *Frontline* report from November 2006 states that “the bulk of Indian Muslims suffer grave deprivation in social opportunity, because of lack of access to education, health care and other public services, and to employment”. They are said to be even more disadvantaged than Dalits and are “emerging as, if they have not already crystallised into, India’s principal underclass” (65 per cent).⁶⁴ The aforementioned Sachar Report concluded that “while there is considerable variation in the conditions of Muslims across states, (and among the Muslims, ...), the Community exhibits deficits and deprivation in practically all dimensions of development”.⁶⁵

8. Deleted.

9. Please provide information on the background of the BJP and discuss the likelihood of the organisation targeting or harming political or religious opponents in Hyderabad or other parts of India?

Background

The Hindu nationalist BJP formed in 1980 as a breakaway group from the Janata Party. It is currently the main opposition party to Congress at the national level. The BJP leads a loose opposition coalition known as the National Democratic Alliance. The BJP is the political wing of the Sangh Parivar, a group of Hindu nationalist organisations which includes the Rashtriya Swayamsevak Sangh (RSS), a national volunteer organisation, and the Vishwa Hindu Parishad (VHP), an organisation of Hindu monks. Collectively, the organisations of the Sangh Parivar espouse a Hindu nationalist agenda based upon the concept of ‘Hindutva’,

⁵⁹ Swami, P. 2006, ‘Bias and the police’, *Frontline*, vol.23: no.24, 2-15 December – Attachment 28

⁶⁰ UK Home Office 2008, *Operational Guidance Note – India*, April, Section 3.6.10 – Attachment 39

⁶¹ US Department of State 2010, *2009 Country Reports on Human Rights Practices – India*, March, section 2(c) – Attachment 29

⁶² UK Home Office 2008, *Operational Guidance Note – India*, April, Section 3.7.6 – Attachment 39

⁶³ Jeffrey, R. 2010, Email to RRT: ‘RRT Advice Request: relocation for Malayalam and Tamil speakers’, 5 February – Attachment 41

⁶⁴ Bidwai, Praful 2006, ‘Combating Muslim exclusion’, *Frontline*, 18 November

<http://frontlineonnet.com/fl2323/stories/20061201003410600.htm> – Accessed 14 April 2008 – Attachment 42

⁶⁵ Prime Minister’s High Level Committee, Government of India 2006, *Social, Economic and Educational Status of the Muslim Community of India*, Indian Ministry of Minority Affairs website, November, p.237 – http://minorityaffairs.gov.in/newsite/reports/sachar/sachar_comm.pdf – Accessed 10 April 2008 – Attachment 43

which views India as a Hindu nation that should be run according to Hindu precepts. The RSS is seen by many as the head of the Sangh Parivar and, although its support for the BJP is not unconditional, its over 4.5 million members provide the party with a grassroots cadre that most of the other newer political parties lack. The RSS, which has been banned twice in its history, was formed in 1925 as a mass movement for the promotion and propagation of Hindu culture and values.⁶⁶

The BJP has often had to rely on forming coalitions with parties that do not share its Hindu nationalist agenda. This is due to the BJP's electoral strength being concentrated in the North and West of India, winning few seats in the East and South. It is also due to the fact that the BJP's support comes primarily from the Hindu middle classes and the upper castes.⁶⁷

The BJP's approach to promoting Hindu nationalism has involved a balance between 'militant' and 'moderate' strategies. 'Militant' strategies have focused on building an ideological identity by stigmatising non-Hindus, particularly Muslims, and depicting them as a threat to the Hindu majority. This militant strategy has also involved building a network of activists to be able to mobilise people around the Hindutva ideology. 'Moderate' strategies, by contrast, have promoted a softer version of Hindu nationalism while placing greater emphasis on broader socioeconomic issues. According to a British House of Commons research paper, the balance between these 'militant' and 'moderate' strategies has been, and remains, a constant source of tension within the BJP and the wider Hindu nationalist movement.^{68 69}

The struggle between the militant and moderate strategies and their respective proponents within the BJP and the Sangh Parivar more broadly, impacts on the manner and extent to which the party targets or harms political or religious opponents. For the most part, attacks are undertaken by the more militant organisations within the Sangh Parivar with the BJP playing a more subdued role.

Targeting or Harming of Opponents

Religious attacks have been mainly against Muslims and, to a lesser extent Christians (US Department of State *2000 Annual Report on International Religious Freedom: India*, Section 3). Information found on religious attacks in Hyderabad was mentioned in Question 3. It is worth noting the comments of a DFAT report from 1998 which assesses that while the BJP is active in Hyderabad and State of Andhra Pradesh, "it cannot be said to be orchestrating outbreaks of communal violence".⁷⁰

⁶⁶ Harrison, T., *et al* 2007, *A political introduction to India*, UK Parliament website, International Affairs and Defence Section – House of Commons Library, 2 May <http://www.parliament.uk/commons/lib/research/rp2007/rp07-041.pdf> – Accessed 11 October 2007 – Attachment 54

⁶⁷ Harrison, T., *et al* 2007, *A political introduction to India*, UK Parliament website, International Affairs and Defence Section – House of Commons Library, 2 May <http://www.parliament.uk/commons/lib/research/rp2007/rp07-041.pdf> – Accessed 11 October 2007 – Attachment 54

⁶⁸ Harrison, T., *et al* 2007, *A political introduction to India*, UK Parliament website, International Affairs and Defence Section – House of Commons Library, 2 May <http://www.parliament.uk/commons/lib/research/rp2007/rp07-041.pdf> – Accessed 11 October 2007 – Attachment 54

⁶⁹ Kronstadt, K.A. 2004, 'India's 2004 National Elections', US Department of State website, Congressional Research Service, 12 July <http://fpc.state.gov/documents/organization/34484.pdf> – Accessed 12 February 2009 – Attachment 44

⁷⁰ DIMA Country Information Service 1998, *Country Information Request No. 286/98 – India*, 14 July – Attachment 45

The most well-known religious attacks occurred in the BJP ruled state of Gujarat in 2002 where thousands of Muslims were killed in riots. It was alleged that authorities – from police to the highest levels of the BJP Government – failed to protect Muslims and were complicit in the attacks.^{71 72 73} A report cited by the US Department of State (US DOS) contained interviews where police and the high level members of the ruling BJP party admitted their complicity in the attacks.⁷⁴

The RSS and the BJP were also alleged to have sponsored attacks against Kerala's Christian and Muslim communities as part of its greater Hindu vision for India.⁷⁵ In January 2007, two RSS activists received life sentences for the murder of a Kerala bus conductor in July 2000.⁷⁶ In September 2004 in Kerala, fifteen people were arrested for attacks on nuns and priests of the Missionaries of Charity. A representative of the Christians blamed the attacks on the RSS. During 2005, twenty RSS activists allegedly attacked Christians who were watching the movie *The Passion of the Christ*.⁷⁷ In February 2005 RSS activists allegedly attacked a mosque at Vallikunnam in Alleppey district, killing one Muslim and injuring two others.⁷⁸

In terms of attacks on political opponents, most information found was mentioned in Question 3. Violence was also said to have occurred in Kerala between the BJP, RSS and the Communist Party of India (Marxist).⁷⁹ Nothing was found to suggest that the BJP was more likely than other major parties to target or harm its political opponents.

Attachments

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⁷² Concerned Citizens Tribunal 2002, *Crime Against Humanity: Volume I*, Sabrang website <http://www.sabrang.com/tribunal/tribunal1.pdf> – Accessed 5 October 2007 – Attachment 47

⁷³ Human Rights Watch 2002, *We Have No Orders to Save You: State Participation and Complicity in Communal Violence in Gujarat*, Vol.14, No.3, April, pp. 21- 27 – Attachment 48

⁷⁴ US Department of State 2009, *International Religious Freedom Report 2009 – India*, October, Section 2 – Attachment 49

⁷⁵ Krishnakumar, R. 2004, 'Communalising Kerala', Countercurrents website, 12 October source: *The Frontline* <http://www.countercurrents.org/comm-krishnakumar121004.htm> – Accessed 19 January 2007 – Attachment 50

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⁷⁸ US Department of State 2006, *International Religious Freedom Report for 2006 – India*, September – Attachment 52

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