

Refugee Review Tribunal

AUSTRALIA

RRT RESEARCH RESPONSE

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This response was prepared by the Country Research Section of the Refugee Review Tribunal (RRT) after researching publicly accessible information currently available to the RRT within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

Questions

1. There was a prominent politician, Professor AV Thamarakshan, in Kerala. Could you please provide details of his political activities?
2. Please advise whether he or his party are in power currently in Kerala.
3. Please advise whether there is any evidence that Thamarakshan was involved in Hindu religious extremism?
4. Is there any evidence that Thamarakshan discriminated/harassed Christians?

RESPONSE

1. Could you please provide details of his political activities?

Research undertaken using the resources available to the Tribunal identified one person with the name Thamarakshan who is involved in politics in Kerala State, India. This person is Professor A.V. Thamarakshan. The Election Commission of India first records his involvement in an election in 1977, when he won the seat of Mararikulam in the Kerala Assembly as a member of the Revolutionary Socialist Party (RSP). This seat he won again in the 1980 and 1982 elections ('Election Results for 99 – Maraikulam Assembly Constituency' (undated), Election Commission of India website

<http://www.eci.gov.in/ElectionAnalysis/AE/S11/partycomp99.htm> – accessed 25 August 2006 – Attachment 1).

He then changed to stand for the Haripad seat, and in 1987 and 1991 elections came second. He won the seat in 1996, but in 2001 he again came second ('Election Results for 103 – Haripad Assembly Constituency' (undated), Election Commission of India website <http://www.eci.gov.in/ElectionAnalysis/AE/S11/partycomp103.htm> – accessed 25 August

2006 – Attachment 2). There is no evidence that he stood for any seats at the 2006 election in the state of Kerala.

On the 19 June 1999, A.V. Thamarakshan along with Baby John and Babu Divakaran were dismissed from the RSP ('Icon of Events' (undated) Kerala State Government website <http://www.prd.kerala.gov.in/iconevents.htm> – accessed 25 August 2006 – Attachment 3). At the time, the RSP was part of the Left Democratic Front (LDF), which had been in Government since the 1996 election ('Political Background of the State of Kerala' (undated) Kerala State Government Website <http://www.kerala.gov.in/knowkerala/political.htm> – Accessed 25 August 2006 – Attachment 4).

In 2001, an election year, the Revolutionary Socialist Party (Bolshevik) (RSP(B)) was formed, with Baby John as leader and AV Thamarakshan as General Secretary. Babu Divakaran who was elected to the State Assembly, was Minister of Labour in the United Democratic Front (UDF) Government ('Revolutionary Socialist Party (Bolshevik)' (undated) Wikipedia [http://en.wikipedia.org/wiki/Revolutionary_Socialist_Party_\(Bolshevik\)](http://en.wikipedia.org/wiki/Revolutionary_Socialist_Party_(Bolshevik)) – Accessed 25 August 2006 – Attachment 5). But by September 2004 relations between Thamarakshan and Divakaran had deteriorated as reported in *The Hindu*:

THIRUVANANTHAPURAM, SEPT. 26. The Labour Minister, Babu Divakaran, today alleged that the RSP(B) secretary, A.V. Thamarakshan, was a total failure and that there was no question of the majority in the party accepting the disciplinary action against senior leaders purported to have been taken by the party State committee on Saturday.

Giving sufficient hints at a news conference here today as to which way the strife-torn party was moving, Mr. Divakaran said Prof. Thamarakshan would not have become party State secretary if he had taken such a stand at the time of the formation of the party. He was prepared to prove his majority in the party State committee, but had not attempted to do so far as he did not want to take things too far and cause another split, Mr. Divakaran said.

Mincing no words when coming down on Prof. Thamarakshan, the Labour Minister said he was one who could never remain loyal to his benefactors. He had been openly critical of the LDF when he was part of the original RSP. He had done the same after joining the UDF with representation in the Antony Cabinet. In fact, he was one of the most vocal critics of the Antony Government, Mr. Divakaran pointed out ('Thamarakshan a total failure, says Divakaran' 2004, *The Hindu*, 27 September, <http://www.hindu.com/2004/09/27/stories/2004092707840400.htm> – Accessed 25 August 2006 – Attachment 6).

The following month, the RSP(B) split into two factions (though still formally one party) lead by Professor Thamarakshan and Divakaran respectively, with each factional leader calling for the expulsion of the other from the party:

He (Divakaran) alleged that the party general secretary, A.V. Thamarakshan, had tried to usurp the Minister's post right from the beginning. On referring the party matter to the United Democratic Front (UDF), Mr. Babu said that the UDF knew Prof. Thamarakshan very well. He had been a headache to the Front by his outright criticism of UDF rule during the last couple of years, Mr. Divakaran said ('No question of resigning: Divakaran' 2004 *The Hindu*, 22 October, <http://www.hindu.com/2004/10/22/stories/2004102211480400.htm> – Accessed 25 August 2006 – Attachment 7).

The state conference for the RSP(B) was reported to have been held on the 8 and 9th of April with Mr Thamarakshan stating in *The Hindu* in an article dated 30 October:

He said that the State conference of the party held on April 8 and 9 this year and which was attended by 315 delegates had unanimously decided to quit the UDF and strengthen the LDF.

In the same article, this claim though is disputed by party leader Mr Shibu Baby John, who also moved against Professor Thamarakshan:

The RSP (Bolshevik) headed by Shibu Baby John, MLA, appears headed back to the ruling UDF. Indicating as much, Shibu faction has removed A.V. Thamarakshan as secretary of the party.

Briefing reporters after the meeting, Mr. Shibu said Prof. Thamarakshan had kept the party in the dark about the moves to have ties with the Opposition LDF and that the party secretary had failed to convene a meeting of the State committee to discuss the outcome of the panchayat elections ('Shibu faction returning to UDF?' 2005, *The Hindu*, 30 October <http://www.hindu.com/2005/10/30/stories/2005103011550400.htm> – Accessed 25 August 2006 – Attachment 8).

A report in *The Hindu* published April 2005, the RSP stated it would not accept back Professor Thamarakshan:

Describing Mr. Thamarakshan and his supporters 'deserters' from the RSP, Prof. Chandrachoodan (State Secretary of the RSP) told *The Hindu* today that they could not be trusted to remain loyal to the RSP and there was, therefore, no question of taking them back. ('No place for Thamarakshan: RSP' 2005, *The Hindu*, 11 April, <http://www.hindu.com/2005/04/11/stories/2005041108920400.htm> – Accessed 25 August 2006 – Attachment 9).

The issue came to a head in April 2005 when Thamarakshan withdrew his section of the RSP(B) from the ruling UDF. Divakaran formed the Revolutionary Socialist Party of India – Marxist (RSP(M)) ('Kerala Labour minister launches new party' 2005, *Hindustan Times*, 15 April, http://www.hindustantimes.com/2005/Apr/16/181_1322228.000900020003.htm – Accessed 25 August 2006 – Attachment 10).

In March 2006, in the lead up to the State Election, Professor Thamarakshan came out in support of the LDF:

Revolutionary Socialist Party (Bolshevik) leader A.V. Thamarakshan has said that Kerala could register development only if the Left Democratic Front (LDF) rules the State for 25 years at a stretch.

Though his party is not a constituent of the LDF, the RSP(B) will work for the defeat of the UDF in the coming Assembly elections. At the same time, the party intends to contest from 10 constituencies. These seats will be formally announced after a State committee meeting of the party on March 26 ('RSP(B) for uninterrupted LDF rule' 2006, *The Hindu*, 22 March – Attachment 11)

Despite earlier reports, Professor Thamarakshan remained General Secretary of the RSP(B) though Baby John returned to the RSP. The RSP(B) fielded 1 candidate at the 2006 elections. In a report in *The Hindu*, Professor Thamarakshan outlined the party's strategy:

RSP(B) general secretary A.V. Thamarakshan has said that his party candidate at Chavara constituency Shibu Balakrishnan was standing down in favour of LDF candidate N.K. Premachandran.

The whole intention was to ensure the defeat of UDF candidate Shibu Baby John, Prof. Thamarakshan said at a press conference here on Wednesday. He said that his party had played a crucial role in bringing the UDF to power in the 2001 elections. But this time the party wanted to defeat the UDF because of its anti-people policies, he said ('RSP(B) to support LDF in Chavara constituency' 2006 *The Hindu*, 20 April – Attachment 12).

According to the Election Commission of India, the RSP(B) candidate did run against Baby John (who ran as an independent), both of whom lost to the RSP Candidate (Election Commission of India New Delhi 2006 `Statistical Report on General Election, 2006, to The Legislative Assembly of Kerala http://www.eci.gov.in/StatisticalReports/SE_2006/StatReport_KL_2006.pdf – Accessed 25 August 2006 – Attachment 13)

2. Please advise whether he or his party are in power currently in Kerala.

Professor Thamarakshan has not held a seat in Kerala since the 2001 election, and his failed to win any seats at the 2006 election. As stated in the response to question 1, Professor Thamarakshan has been a member of both the LDF and the UDF, but has also been in opposition to both the LDF and the UDF. He did support the LDF in the 2006 election which currently holds power in Kerala, but there are no reports of him holding any positions of power in the Kerala government.

3. Please advise whether there is any evidence that Thamarakshan was involved in Hindu religious extremism?

On the 3 May 2003, 8 Hindus were massacred at Marad Beach, Beypore ('May 31 to be observed –as Marad Day', 2003, *The Hindu*, 22 May – Attachment 14). A report in *The Hindu* stated:

At least eight persons were killed and 19 others injured in clashes between two groups in the communally-sensitive Marad beach in Beypore here today.

This followed several incidents over the preceding months.

This is the second communal riots to rock Marad in recent times. Riots between the two communities had claimed six lives on January 3 last year. The district police had then promised to set up watch towers and high-mast lighting in the area. But no follow-up action was taken. A number of initiatives were made by the Government and cultural organisations to bring life back to normal after the riots in January.

Marad has a large number of clusters of small houses in which members of different communities live and interact closely every day. When communal relations are strained, Marad is like a burning volcano that might explode any time, spewing death and destruction ('Eight killed in Marad violence', 2003, *The Hindu*, 3 May – Attachment 15).

Professor Thamarakshan held a press conference after his party's state conference and is reported as saying:

he condemned the violent incident at Marad Beach, which had claimed nine lives. It was a pre-planned and brutal attack by the extremists on the innocent people, he said adding the Government should bring to book the culprits and the people behind the killing and stringent punishment should be given to those responsible ('Thiru'puram State Intelligence should be strengthened: Thamarakshan' 2003, *The Times of India online*, 6 May <http://timesofindia.indiatimes.com/articleshow/msid-45505817,prtpage-1.cms> – Accessed 25 August 2006 – Attachment 16).

There are no other reports of his involvement or comments on Hindu extremism. It is reported that Professor Thamarakshan was arrested for attacking journalists ('Chandy does not have the guts:VS' 2004 *my Kerala*, 30 November <http://www.my-kerala.com/n/a/2004/11/> – accessed 25 August 2006 – Attachment 17).

The Hindu also reported an incident:

The police were absent in Thiruvananthapuram also when the Thamarakshan faction of the RSP(B) attacked a party worker belonging to the opposite camp and mediapersons who filmed the incident. The police did act later under directions from the Chief Minister by booking cases against A.V. Thamarakshan and the RSP(B) MLA Shibu Baby John, but only after the majority of the mediapersons in the capital fell into a trap that allowed the police to book cases against as many as 157 journalists ('Chinks in Chandy's police policy' 2004, *The Hindu*, 6 December <http://www.hinduonnet.com/2004/12/06/stories/2004120606120400.htm> – Accessed 25 August 2006 – Attachment 18).

4. Is there any evidence that Thamarakshan discriminated/harassed Christians?

A search of the Tribunal's resources has not found any reports concerning Professor Thamarakshan and his relation to Christians.

List of Sources Consulted

Internet Sources:

Government Information & Reports

Kerala State Government <http://kerala.gov.in>

International News & Politics

BBC News <http://news.bbc.co.uk>

Wikipedia http://en.wikipedia.org/wiki/Main_Page

Region Specific Links

Search Engines

Google <http://www.google.com.au/>

Copernic <http://www.copernic.com/>

Databases:

FACTIVA (news database)

BACIS (DIMA Country Information database)

REFINFO (IRBDC (Canada) Country Information database)

ISYS (RRT Country Research database, including Amnesty International, Human Rights Watch, US Department of State Reports)
RRT Library Catalogue

List of Attachments

1. 'Election Results for 99 – Maraikulam Assembly Constituency' (undated), Election Commission of India website
<http://www.eci.gov.in/ElectionAnalysis/AE/S11/partycomp99.htm> – accessed 25 August 2006.
2. 'Election Results for 103 – Haripad Assembly Constituency' (undated), Election Commission of India website
<http://www.eci.gov.in/ElectionAnalysis/AE/S11/partycomp103.htm> – accessed 25 August 2006.
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6. 'Thamarakshan a total failure, says Divakaran' 2004, *The Hindu*, 27 September,
<http://www.hindu.com/2004/09/27/stories/2004092707840400.htm> – Accessed 25 August 2006.
7. 'No question of resigning: Divakaran' 2004 *The Hindu*, 22 October,
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9. 'No place for Thamarakshan: RSP' 2005, *The Hindu*, 11 April,
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10. 'Kerala Labour minister launches new party' 2005, *Hindustan Times*, 15 April,
http://www.hindustantimes.com/2005/Apr/16/181_1322228,000900020003.htm – Accessed 25 August 2006.
11. 'RSP(B) for uninterrupted LDF rule' 2006, *The Hindu*, 22 March. (Factiva)

12. 'RSP(B) to support LDF in Chavara constituency' 2006 *The Hindu*, 20 April. (Factiva)
13. Election Commission of India New Delhi 2006 `Statistical Report on General Election, 2006, to The Legislative Assembly of Kerala http://www.eci.gov.in/StatisticalReports/SE_2006/StatReport_KL_2006.pdf – Accessed 25 August 2006.
14. 'May 31 to be observed –as Marad Day', 2003, *The Hindu*, 22 May. (Factiva)
15. 'Eight killed in Marad violence', 2003, *The Hindu*, 3 May. (Factiva)
16. 'Thiru'puram State Intellegence should be strengthened: Thamarakshan' 2003, *The Times of India online*, 6 May <http://timesofindia.indiatimes.com/articleshow/msid-45505817,prtpage-1.cms> – Accessed 25 August 2006.
17. 'Chandy does not have the guts:VS' 2004 *my Kerala*, 30 November <http://www.my-kerala.com/n/a/2004/11/> – accessed 25 August 2006.
18. 'Chinks in Chandy's police policy' 2004, *The Hindu*, 6 December <http://www.hinduonnet.com/2004/12/06/stories/2004120606120400.htm> – Accessed 25 August 2006.