



'Decision taken at the highest levels'

Aziz Haniffa in Washington, DC | March 19, 2005 00:05 IST

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Though sources close to the Gujarat government in Gandhinagar and the Bharatiya Janata Party leadership in New Delhi indicated to *rediff.com* correspondents that the decision to [deny](#) Gujarat Chief Minister Narendra Modi a visa to visit the United States was taken at the embassy level in New Delhi, without consultation with the State Department in Washington, DC, senior Bush administration officials have told *rediff.com* that this is not correct.

The officials said the decision to deny Modi a visa was taken at the highest levels and US Secretary of State Condoleezza Rice was apprised every step of the way during her travels in Asia.

"She is the Secretary of State," the officials said, "and she knows all about what is going on that is important at the State Department."

The officials acknowledged there were security concerns over the visit because of the large protests that were being organised and also because some of the cities where Modi was slated to speak had not been aware what a controversial figure he was and may not have been taking the necessary security precautions in terms of assigning police personnel and taking other preventive measures.

The Bush administration official maintained that despite the [Congressional pressure](#), the protests, letters, e-mails and calls that the State Department and Dr Rice's office were flooded with, there was "no specific event that put it over the top."

"It was strictly a case of making a decision of whether he qualified or not (*to visit the US*) under the law and we came to the conclusion that he did not," one official said.

Modi's visa was denied under the International Religious Freedom Act that was passed by the US Congress in 1998 and strengthened in 2004 by the Intelligence Reform Act that gives the American president the authority to delay, deny, or cancel visits by a foreign citizen who 'while serving as a foreign government official, was responsible for or directly carried out, at any time, particularly severe violations of religious freedom.'

In a statement the State Department said: 'On March 18, 2005, the Government of the United States revoked a visa held by the Chief Minister of Gujarat pursuant to Section 212(a)(2)(G) of the US Immigration and Nationality Act which prohibits the admission to the United States of any foreign government official believe to have responsibility for serious violations of religion freedom.'

It said, 'Although the US government has no information regarding any specific activity that may be directed toward the US Government of American citizens as a result of this decision, there is the possibility of an increase in anti-American sentiment, potentially resulting in demonstrations or other actions expressing hostility to US government policy or to American citizens.'

'Such demonstrations could occur spontaneously and pose risks to travelers' personal safety as well as disrupt transportation systems and city services,' the statement noted. 'In response to such events, Indian authorities occasionally impose curfews and/or restrict travel. As a precaution, the US Foreign Commercial Service office in Ahmedabad, Gujarat, has temporarily closed.'

It urged US citizens traveling in or residing in India 'to keep abreast of news reports, regarding reaction to the US Government's decision and to avoid any areas in which demonstrations may arise.'

The administration officials told *rediff.com* that the State Department had done "a strict interpretation of the law and we do believe he is responsible as head of the state government for the performance of the state institutions, which we had detailed extensively in our global human rights reports."

The officials played down the controversy and its impact on India-US relations, saying, "Let us see what kind of flap there is. We have seen the government's reaction, we have seen the BJP's reaction. Let us just see what happens."

When asked how Modi could be denied entry into the US when he had not been criminally charged or any kind of legal process had been launched against him, the officials said, "The law does not require that there be criminal charges. We were specifically implementing the law. We were acting according to our responsibility under the law."

Congressman Joe Pitts, the Pennsylvania Republican who [led](#) the Congressional charge to deny Modi entry to the US with 21 other lawmakers, lauded the State Department for the decision, saying, "When I joined 21 of my colleagues earlier this month in requesting that President Bush bar Mr Modi from the country, I hoped that our government would send a clear message that we care about justice and rule of law. Today the administration did just that."

"This decision tells people still suffering in Gujarat that we believe they all deserve the right to equal treatment under the law and we are willing to stand up to people who deny it to them. And it tells foreign leaders that we will stand for religious freedom."