



## **Hindu American Foundation (HAF) Written Statement for the Record**

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The Hindu American Foundation (HAF) is a 501(c)(3) advocacy organization for the Hindu American community. Since its inception, HAF has made human rights advocacy one of its main priorities and is the only Hindu American organization to publish an annual human rights report comprehensively detailing human rights violations against Hindu and other minorities globally. The Foundation regularly hosts Congressional briefings, actively engages with religious freedom advocates on the International Religious Freedom (IRF) Roundtable, participates in domestic and international fora on human rights, and conducts on the ground fact-finding missions.

As part of the Foundation's work on human rights, which entails international religious freedom, HAF has also introduced the term "predatory proselytization" to policy-makers from the US government and the United Nations. Predatory proselytization denotes a methodology widely utilized by wealthy and primarily Western faith-based organizations to religiously convert vulnerable populations throughout the world, often through exploitative means. Such means include conditioning of humanitarian, educational, medical or social assistance on conversion into the proselytizers' faith and sect; fraudulently denigrating other religions to sell the "primacy" of the proselytizing religion; or knowingly and intentionally promoting religious hatred, bigotry, and even violence in order to convert.

Compassion International, as highlighted below, has engaged in such predatory proselytization. As such, the intervention by US policy makers on behalf of Compassion International, through this hearing or otherwise, is of great concern to the Foundation and to the Hindu American community. Furthermore, it may unintentionally undermine US - India relations. We therefore respectfully submit the following written testimony for the record, which provides a brief overview of the danger of predatory conversion strategies around the world, Compassion International's predatory practices in India and alleged violation of Indian law, and why this hearing is not in the best interest of US - India relations.

**Predatory proselytization is a form of violence and criticized by religious leaders from all faiths around the world.**

Most religious leaders have been critical of the more aggressive and commodified conversion strategies that have proliferated in the past decades. In May 2006, the Pontifical Council for Interreligious Dialogue, Vatican City and the Office on Interreligious Relations & Dialogue of the World Council of Churches hosted an interreligious consultation on conversion with 27 individuals representing Buddhism, Christianity, Hinduism, Islam, Judaism, and Yoruba religion in Geneva, Switzerland.<sup>1</sup> The recommendations were, in part [emphasis added]:

2. We affirm that while everyone has a right to invite others to an understanding of their faith, it should not be exercised by violating other's rights and religious sensibilities. At the same time, all *should heal themselves from the obsession of converting others.*
3. Freedom of religion enjoins upon all of us the equally non-negotiable responsibility to respect faiths other than our own, and *never to denigrate, vilify or misrepresent them for the purpose of affirming superiority of our faith.*
5. A particular reform that we would commend to practitioners and establishments of all faiths is to *ensure that conversion by "unethical" means are discouraged and rejected by one and all.* There should be transparency in the practice of inviting others to one's faith.
6. While deeply appreciating *humanitarian work by faith communities, we feel that it should be conducted without any ulterior motives.* In the area of humanitarian service in times of need, what we can do together, we should not do separately.
7. No faith organization should *take advantage of vulnerable sections of society, such as children and the disabled.*<sup>2</sup>

In 2011, the World Council of Churches, “aware of the tensions between people and communities of different religious convictions and the varied interpretations of Christian witness,” met over five years, the product of which was a set of recommendations for ethical conduct for Christian Witness in a multi-religious world.<sup>3</sup> Two recommendations directly address concerns with predatory proselytization [emphasis added]:

4. **Acts of service and justice.** Christians are called to act justly and to love tenderly (cf. Micah 6:8). They are further called to serve others and in so doing to recognize Christ in the least of their sisters and brothers (cf. Matthew 25:45). Acts of service, such as providing education, health care, relief services and acts of justice and advocacy are an integral part of witnessing to the gospel. *The exploitation of situations of poverty and need has no place in Christian outreach. Christians should denounce and refrain from offering all forms of allurements, including financial incentives and rewards, in their acts of service.*

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<https://www.oikoumene.org/en/resources/documents/wcc-programmes/interreligious-dialogue-and-cooperation/interreligious-trust-and-respect/report-from-inter-religious-consultation-on-conversion>

<sup>2</sup> Ibid.

<sup>3</sup><https://www.oikoumene.org/en/resources/documents/wcc-programmes/interreligious-dialogue-and-cooperation/christian-identity-in-pluralistic-societies/christian-witness-in-a-multi-religious-world>

5. **Discernment in ministries of healing.** As an integral part of their witness to the gospel, Christians exercise ministries of healing. They are called *to exercise discernment as they carry out these ministries, fully respecting human dignity and ensuring that the vulnerability of people and their need for healing are not exploited.*<sup>4</sup>

In 2003, many prominent religious leaders came together at the World Religions after 9/11 Congress. In Montreal, Quebec, Canada. There the concept of "retaining" one's religion or being free from intrusive proselytization as a fundamental human right was discussed extensively and proposed in the Universal Declaration of Human Rights by the World's Religions and endorsed by four Nobel Laureates, including His Holiness The Dalai Lama, Archbishop Desmond Tutu, Bishop Carlos Ximenes Belo, and Shirin Ebadi.<sup>5</sup>

Today, international law and by extension, American policy, acknowledges only the right to change or adopt a religion. It does not explicitly recognize the right to retain one's religion and arguably privileges the right to proselytize as a manifestation of religious belief over such a right. We consider this a serious and duplicitous oversight, especially in the context of the asymmetries in economic resources that exist between western faith-based organizations and target populations. That religious conversion within practicing faith communities creates a cycle of familial, filial, communal and inter religious strife, and even violence is also well documented. Converts are often asked to repudiate their community and family, reject traditions and customs that have been passed down for generations, and instructed to avoid attending religious ceremonies and celebrations that are the very basis of daily life. In some instances, converts are paid visits from church volunteers to ensure that the convert, who may have received a seat for their child in a church-run school, or much needed medical treatment at a faith-based clinic for their sick spouse, isn't reverting to the practice of their original faith. A person's conversion can begin a cascade of upheaval that tears apart families, communities, and societies, leaving a communal unrest stemming from turbulence being planted in the most basic unit of society — one's family. While the Foundation denounces retaliatory violence by Hindus and members of other religions that are targeted by Western faith-based organizations, it acknowledges based on first hand, on ground accounts the feelings of helplessness and desperation of families and communities which become deeply divided as a result of dramatic changes in religious demographics directly caused by Western faith-based organizations and their funding to local organizations.

HAF notes, with concern, that certain practices of American faith-based organizations, for example, lobbying the Government of Uganda to outlaw homosexuality through civil society partners and local churches, contravenes laws in the US and American principles of equality.<sup>6</sup> Similarly, using "demonstrated commitment to the Lordship of Christ" as a metric for evangelical success and eligibility for social services programs — as does Compassion International — overtly counters American principles of pluralism and non-discrimination. While these are actions of private and not state actors, they are often attributed to, and believed to be, official US policy. Arguably, some predatory tactics may also be in violation of international law, namely Article 18, §2 of the International Covenant on Civil and Political Rights (ICCPR) which states that, "No one shall be subject to coercion, which would impair his freedom to have, or to adopt a religion or belief of his choice."<sup>7</sup>

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<sup>4</sup> Ibid.

<sup>5</sup> <http://www.worldsreligionsafter911.com/pdf/UDHRWR.pdf>

<sup>6</sup> [www.huffingtonpost.com/suhag-a-shukla-esq/ugandas-anti-gay-law-and\\_b\\_5516498.html](http://www.huffingtonpost.com/suhag-a-shukla-esq/ugandas-anti-gay-law-and_b_5516498.html)

<sup>7</sup> <https://treaties.un.org/doc/publication/unts/volume%20999/volume-999-i-14668-english.pdf>

The Hindu American Foundation consistently advocates for the US government to acknowledge the role some US faith-based organizations play in undermining US foreign policy interests and disrupting diplomatic relations with target nations. The Foundation has urged that the US government institutionalize best practices and guidelines in promoting religious freedom, while safeguarding the rights of native practitioners to retain their religious traditions without interference nor inducements of financial aid nor access to healthcare and education. Such best practices could take cues from the way in which lawmakers, in the interest of the common good or certain protected or vulnerable classes, have legislated against practices considered predatory, fraudulent, or coercive — namely, specific predatory lending practices,<sup>8</sup> predatory pricing,<sup>9</sup> and unfair and deceptive marketing practices (especially as they may relate to children).<sup>10</sup> While private actors should enjoy the freedom to support financially any church or religious organization, and share their faith with others, lawmakers should seriously consider penalties including loss of tax-exempt status for those American organizations who enjoy the benefits of tax exemption, but violate any US law, laws of the host country where they seek to operate, or international law, or where they undermine stated and well-established US policy interests, while operating abroad.

### **Compassion International is a church engaged in predatory practices that target children in India and other countries around the world.**

Compassion International, we argue herein, is not a social service or humanitarian relief organization. By its own filings, Compassion International is registered as a church with both the Internal Revenue Service<sup>11</sup> and the state of Colorado.<sup>12</sup> Its stated mission attests to it being a response to the Great Commission, and existing “as an advocate for children, to release them from their *spiritual*, economic, social and physical poverty and enable them **to become responsible and fulfilled Christian adults**” [emphasis added]. Compassion International further elaborates that the phrase, ‘In response to the Great Commission’ in its mission statement “makes it abundantly clear that we are not only a social ministry, but also a ministry committed to evangelism and discipleship.” It has made the conversion of children big business with sleek marketing that includes traveling amusement park-like marketing experiences<sup>13</sup> that raise millions for their mission, and pay its executives six-figure salaries.<sup>14</sup>

While the concept of a Great Commission is rooted in understandings of verses from the Book of Matthew, the modern-day movement was spurred by American evangelist Dr. Billy Graham in the early 1970s.<sup>15</sup> In 1974, the Lausanne Covenant was written and adopted by 2400 evangelicals promoting global Christian evangelism at the International Congress on World Evangelization in Lausanne, Switzerland.<sup>16</sup> The movement targets “unreached people groups,”<sup>17</sup> in what is referred to as the Resistant Belt or 10/40 Window, indicating the geographic region between 10 degrees north and 40 degrees north latitude.<sup>18</sup> The

<sup>8</sup> <https://www.justice.gov/usao-edpa/divisions/civil-division/predatory-lending>

<sup>9</sup>

<https://www.ftc.gov/tips-advice/competition-guidance/guide-antitrust-laws/single-firm-conduct/predatory-or-below-cost>

<sup>10</sup> <http://repository.law.ttu.edu/bitstream/handle/10601/611/lopez2.pdf?sequence=1>

<sup>11</sup> <http://www.guidestar.org/FinDocuments/2015/362/423/2015-362423707-0c19be36-9.pdf>

<sup>12</sup> [https://www.sos.state.co.us/ccsa/pages/public/summary.xhtml?msa\\_id=20023007842](https://www.sos.state.co.us/ccsa/pages/public/summary.xhtml?msa_id=20023007842)

<sup>13</sup> <https://changetour.compassion.com/healing-for-the-heart/>

<sup>14</sup> <http://www.newyorker.com/business/currency/the-compassion-experience>

<sup>15</sup> <https://www.lausanne.org/about-the-movement>

<sup>16</sup> *Ibid.*

<sup>17</sup> *Ibid.*

<sup>18</sup> [https://joshuaproject.net/resources/articles/10\\_40\\_window](https://joshuaproject.net/resources/articles/10_40_window)

10/40 Window includes Asia, Northern Africa, and the Middle East, which are also the regions that are home to the world's largest Buddhist, Hindu, and Muslim populations.<sup>19</sup> The covenant has been reaffirmed twice since 1974 — as the Manila Manifesto<sup>20</sup> in 1989 and the Cape Town Commitment in 2011.<sup>21</sup>

A 1992 presentation at an Evangelical Foreign Missions Association retreat by former Vice President for Development and Food Resources for World Vision International, Dr. Bryant Meyers, began a more streamlined methodology to bolster the 10/40 mission. This methodology is referred to as the 4/14 Window. Another leader in this incipient field of missiology is Dr. Dan Brewster, Compassion International's holistic child development academic programs director. Drs. Brewster and Meyers have written extensively and presented widely on 4/14 Child Ministries and Mission Strategy, which target children age 4 to 14 for evangelizing and conversion purportedly for their impressionability and receptiveness, as well as the unique mission opportunities that exist because of the vulnerability caused by their poverty and dire need.<sup>22</sup>

Compassionate International's IRS Form 990 filing present the following:<sup>23</sup>

- Part I (1) states that its mission or most significant activity is, "**Christian** Child Development" [emphasis added].
- Part II (4(a) Compassionate lists for Program Service: "Compassion's Child Sponsorship Program (CDSP) connects impoverished children in the developing world with individual sponsors in developed nations who fund and participate in a holistic process of child nurture and care implemented through **church-based child development centers, sponsored children are ushered into a systematic program of discipleship** where they experience the benefits of being known, loved, and protected. Child development outcomes are monitored in the areas of health practices and physical health, economic skill building and motivation, abilities in social interaction, and **demonstrated commitment to the Lordship of Christ.**" [emphasis added]

According to media reports, Caruna Bal Vikas, one of Compassion International's Indian affiliates, utilized and diverted money received from Compassion International to hundreds of child development centers.<sup>24</sup> These centers approached "families living in slums or other low-income areas" and informed "parents that their children had been 'adopted' by a donor in the US."<sup>25</sup> Michael Kientz, Compassion International's Senior Learning and Development Specialist, has posted a series of videos on the world-wide web highlighting the work of Compassion International in India. These informational videos highlight families having construction done on their homes or being given money and goats and children being given cash of economic skill building by Compassion International and Caruna Bal Vikas partners.<sup>26</sup> None of these

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<sup>19</sup> Ibid.

<sup>20</sup> <https://www.lausanne.org/content/manifesto/the-manila-manifesto>

<sup>21</sup> <https://www.lausanne.org/content/the-cape-town-commitment>

<sup>22</sup> <http://prevetteresearch.net/wp-content/uploads/image/all/The%204-14%20Window%20-%20Child%20Mission%20Strategy.pdf>

<sup>23</sup> <http://www.guidestar.org/FinDocuments/2015/362/423/2015-362423707-0c19be36-9.pdf>

<sup>24</sup> <http://timesofindia.indiatimes.com/city/chennai/Money-Meant-For-Welfare-Of-Kids-Was-Sent-To-300-Other-Organisations/articleshow/47761975.cms>

<sup>25</sup> Ibid.

<sup>26</sup> <https://www.youtube.com/watch?v=Ly4L34jDLwU>

activities alone may be cause for concern, but for the overtly religious mission of Compassion International and the methods and measures by which their programming is run.

Given that Compassion International monitors its outcomes in part by, “demonstrated commitment to the Lordship of Christ,” any suggestion that government regulations are the only obstacle to impoverished children in India receiving desperately needed educational, nutritional, and medical services needs to be reconsidered since any child unwilling to convert or demonstrate her commitment to Christ may not be eligible for Compassion International’s services.

### **Compassion International's Alleged Violation of Indian Law**

According to Indian media reports and government representatives, Compassion International and its Indian affiliates violated Indian law. The prevailing law that governs the ability of Indian non-governmental organizations (NGOs) to accept foreign contributions is the Foreign Contribution Act of 2010 (FCRA). FCRA is intended to ensure funds are received from legitimate sources and utilized for legitimate purposes. It also requires quarterly and annual reports to be filed with the Ministry of Home Affairs (MHA). FCRA NGOs can also only redistribute to other FCRA-NGOs (FCRA Ch.II.7a - b).<sup>27</sup> FCRA and other applicable laws also prohibit certain uses of funds, such as the use of funds which may infringe upon (i) the sovereignty and integrity of India; or (ii) public interest;...or (v) harmony between religious, racial, social, linguistic or regional groups, castes or communities. If an FCRA-NGO is found to have violated FCRA rules, the Ministry of Home Affairs may opt either revoke it’s FCRA eligibility or place the organization on what is termed a Prior Permission List, which requires prior clearance from India’s Ministry of Home Affairs for a foreign donor to transfer money to any recipient in India. This clearance procedure is purportedly to ensure compliance with the requirement that foreign funds be diverted to only FCRA registered NGOs, which also in turn abide by the law of the land.

There are over three million NGOs operating in India, of which approximately 30,000 are registered under the FCRA.<sup>28</sup> Twenty are on the Gol’s Prior Permission List. Ten were put on the list by the current government. The remaining were already under watch since the time of the previous UPA government. More recent additions include Islamic Research Foundation,<sup>29,30</sup> Open Society Foundation, World Movement for Democracy, and National Endowment for Democracy. The reasons for an NGO being placed on the Prior Permission list have ranged from diverting funds to other non-FCRA NGOs to engaging in activities detrimental to the national interest or utilizing foreign funds for religious conversions, political activities, and other activities prohibited by the FCRA rules. The Ministry of Home Affairs also cracked

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<sup>27</sup> [https://fcraonline.nic.in/home/PDF\\_Doc/FC-RegulationAct-2010-C.pdf](https://fcraonline.nic.in/home/PDF_Doc/FC-RegulationAct-2010-C.pdf)

<sup>28</sup>

<http://indianexpress.com/article/india/india-others/india-has-31-lakh-ngos-twice-the-number-of-schools-almost-twice-number-of-policemen/>

<sup>29</sup> [https://fcraonline.nic.in/home/PDF\\_Doc/fcra\\_14092016.PDF](https://fcraonline.nic.in/home/PDF_Doc/fcra_14092016.PDF)

<sup>30</sup> In November, Salafist preacher, Zakir Naik’s Islamic Research Foundation had its FCRA revoked when investigations found that it may have channeled foreign funds to the preacher’s Peace TV in which the tele-evangelist encouraged jihad. Islamic Research Foundation (IRF) - controversial televangelist, Dr. Zakir Naik - According to media reports, some members of IRF were arrested for having allegedly "motivating and radicalising group youths from Kasargod in Kerala to join the Islamic State." Zakir Naik’s banned IRF might have supported 300 people with IS links.

down on non-complying NGOs last year and cancelled some 10,000 FCRA NGO registration for failure to submit financial reports for three consecutive years.<sup>31</sup>

Compassion International partner Caruna Bal Vikas, until May 2014, was receiving on average Rs. 100 crore or approximately \$17 million, until it came under the scrutiny of the Indian Tax Department.<sup>32</sup> Investigations revealed that it had been distributing foreign funds from Compassion International to both FCRA and non-FCRA NGOs, the latter in contradiction of FCRA rules. It was also found to only be utilizing 10% of the funds contributed by Compassion International. The rest was being diverted to some 300 organizations — one third of which were social or charitable organizations and two-thirds religious. Many were alleged to be using foreign funds for religious conversions. Moreover, according to Indian law, charitable contributions are exempt from taxation; contributions for religious use are not. Accordingly, Caruna Bal Vikas was slapped with a 87 crore tax bill or approximately \$14.5 million to cover several years of unpaid taxes based on their taxable income.<sup>33</sup> Several media outlets reported that Caruna Bal Vikas shut its doors as a result of its tax woes in June 2014, and that a private firm called Adhane Management Consultants Private Limited was created in May with the same management as Caruna Bal Vikas and classified as an NGO,<sup>34</sup> possibly to circumvent owed taxes.

## Conclusion

According to both Indian media reports and government representatives, since placing Compassion International on the Prior Permission list, the Ministry of Home Affairs had already approved 34 donations prior to Secretary of State John Kerry's visit to India, and ten after his visit.<sup>35</sup> There may have been more since the time of those reports. There may also have been resolution to the outstanding tax issue for Caruna Bal Vikas according to HAF sources on the ground, and that talks at the highest levels of both governments are still ongoing.

Any intervention by the US government on behalf of Compassion International is problematic because it compromises: 1) our constitutional mandate to not unduly favor one religion over others given Compassion International's status as a church; and 2) our ability to enforce compliance of US laws by foreign nationals and American credibility regarding commitment to law and order given Compassion International's disregard, at best, and circumventing, at worst, of Indian law. Moreover, advocating specifically on behalf

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<http://timesofindia.indiatimes.com/india/govt-cancels-fcra-licences-of-over-11000-ngos-as-they-fail-to-see-k-renewal/articleshow/55235792.cms>

<sup>32</sup> For comparison, recent data compiled by USAID shows that India received \$ 65.1 billion in economic assistance from the US in inflation-adjusted dollars in the period 1946-2012. U.S assistance to India currently is only around \$100 million after New Delhi embarked on a course of weaning itself away from aid to trade in the 1990s.

<http://timesofindia.indiatimes.com/world/us/India-top-recipient-of-US-economic-aid/articleshow/48093123.cms>

<sup>33</sup> <http://www.thehindu.com/news/cities/chennai/chennaibased-ngo-under-it-scanner/article7340486.ece>

<sup>34</sup> <http://www.thehindu.com/news/cities/chennai/chennaibased-ngo-under-it-scanner/article7340486.ece>

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<http://timesofindia.indiatimes.com/india/Government-has-no-immediate-plans-to-lift-curbs-on-US-based-NGO-Compassion-International/articleshow/54922811.cms>



of Compassion International may signal the American government's tacit approval of predatory and ethically questionable tactics targeting children for religious conversion.