



IJCSL NEWSLETTER

VOLUME 2 ISSUE 11

OCTOBER 2005

CITIZEN PARTICIPATION AND FREEDOM OF INFORMATION

CHINA—ONLINE NEWS SERVICE COMES UNDER NEW REGULATIONS

The State Council Information Office and the Ministry of Information Industry have jointly announced a new set of regulations to further regulate news contents reported on the Internet. According to the news article published by [INTERNATIONAL HERALD TRIBUNE](#) on 25 September 2005, under the new regulations major search engines and portals must stop posting commentary articles and instead make available only opinion pieces generated by government-controlled newspapers and news agencies. Also, private individuals or groups must register as "news organizations" under Chinese law before they can run e-mail distribution lists that spread news or views - but most of them are unlikely to receive registration, and thus will be barred from sending out material, notes the article. [THE AGE](#) identified 11 forbidden areas including news that would endanger state security, state secrets not yet unclassified, reports inciting ethnic violence, challenges to the state's religious policies, banned cults, news that promote civil unrest, or call for public protests and assemblies. The move is the latest in China's efforts to curb the flow of information and expression over the internet and to keep content authorities see as 'unhealthy', off the web. China already requires all users of Internet cafes to register before using the Internet, while major websites have signed a code of conduct to keep non-authorized content off their websites and chat rooms.

FIJI—GOVERNMENT VOWS TO INTRODUCE ACCESS TO INFORMATION LAW

Highlighting the importance of culture of openness among government departments and the role of citizens to participate in the decision-making process, the Minister for Information, Marieta Rigamoto, announced that draft access to information law will be finalized soon, according to the news article published by [FIJI TIMES ONLINE](#) on 29 September 2005. Leading media organizations in Fiji have long been advocating and urging the government introduce Freedom of Information Act (For previous story see [May 2005 issue of IJCSL-N](#)). Despite promises, government has stalled the process for more than a year.

GLOBAL—3RD INTERNATIONAL RIGHT TO INFORMATION DAY OBSERVED

On 28 September 2005, the world community commemorated the 3rd International Right to Know Day. Founded by the [Freedom of Information Advocates \(FOIA\) Network](#), an umbrella [group](#) of civil society organizations, International Right to Know Day is dedicated to raise awareness about the need for governments to respect the right of citizens to access information held by public bodies. Freedom of Information Advocates (FOIA) Network aims to promote the adoption and support the implementation of Freedom of Information laws in countries around the globe. More about annual International right to know day commemoration from past and this year is available on [FREEDOMINFO](#) website.

INDIA—STATE OF KARNATAKA PUBLISHES RULES TO OPERATIONALISE NEW NATIONAL RTI LAW



IJCSL NEWSLETTER

VOLUME 2 ISSUE 11

OCTOBER 2005

The Government of Karnataka has published the draft rules setting down the details on how to use the new national Right to Information Act that goes into effect in October. According to a news article published by [INDIA TOGETHER](#) on 9 September 2005, the draft rules propose an initial fee of RS. 100 per Right to Information Application (those below the poverty line are exempt from this requirement), rupees five per page of information on an A4 size paper, and rupees twenty five per floppy or CD. The rules do not lay down clear provisions for proactive disclosure of regular information by the government departments. Several procedural matters are also not addressed in the draft. Citizens have expressed deep concerns on the draft rules and requested the government reconsider the draft rules and extend the time period for public consultation and comments.

SERBIA—PARLIAMENT ADOPTS LAW ON OMBUDSMAN

On 14 September 2005, the Serbian Parliament adopted the "Law on the Protector of Citizens" (Ombudsman). According to OSCE [press release](#), the law authorizes the Ombudsman to investigate complaints lodged by citizens against public administration for maladministration, discrimination or other violations of human rights. It can also investigate cases and initiate proceedings on its own initiative. It is believed the new law will be an effective tool to protect citizens against possible misuses of power by state institutions.

FISCAL MATTERS

EUROPE—CIVIL SOCIETY SKEPTICAL ON DRAFT EU CODE OF CONDUCT FOR NPOS

To increase transparency and accountability standards for the non-profit sector and to prevent NGOs from being used to finance terrorism, the European Union Commission's Justice, Freedom and Security department is preparing and consulting the [EU code of conduct for non-profit organizations \(NPOs\)](#). Hailing the initiative, the NGO sector nevertheless questioned the draft paper asserting the draft recommendations target entire non-profit sector even though the activities of terror networks are very narrow and specific, according to the news article published by [EURACTIVE](#) on 2 September 2005. The draft recommendation proposes establishing an EU-wide code of conduct for non-profit groups who "engage in the raising and/or disbursing of funds for charitable, religious, cultural, educational, social or fraternal purposes, or for the carrying out of other types of good works."

INDIA—I/NGOS STAGE PROTEST AGAINST THE PROPOSED LAW

The civil society organizations in the country have expressed their apprehensions on the proposed law entitled "The Foreign Contribution (Management and Control) Bill 2005," according to a news article published by [LUCKNOW NEWSLINE](#) on 1 September 2005. The Bill was approved by the Union Cabinet some two months ago (for previous coverage of the Bill, see [June](#) and [August](#) 2005 issues of [IJCSL-N](#)). The



IJCSL NEWSLETTER

VOLUME 2 ISSUE 11

OCTOBER 2005

most controversial provisions in the Bill include periodic renewal of permission to receive foreign funding, and grounds on which the regulator is authorized to deny the renewal of license to receive foreign funding.

MIDDLE EAST—

- **COMMITTEES PLAN TO CONTROL CHARITABLE ACTIVITIES**

The Charitable Societies Department in the Ministry of Social Affairs and Labor recently held a meeting for committees of charitable organizations in Kuwait, Saudi Arabia, and UAE to discuss and chalk out effective measures to protect charities from money laundering and financing of terrorist activities. According to a news article published by the [ARAB TIMES](#) on 15 September 2005, the recommendations include appointment of a supervisory authority, transfer of money from abroad after approved by the concerned authorities in respective countries, and unified bank accounts of charitable societies.

- **CASH AND DONATIONS TO CHARITY GROUPS COME UNDER TIGHT SCRUTINY**

Following the Middle East and North Africa Financial Action Task Force plenary meeting on 26 – 27 September in Beirut, fourteen Arab states endorsed tough new standards to regulate informal money transfers, bulk cash couriers and charities as part of regional efforts to root out terrorism financing, according to a news article published by [THE DAILY STAR](#) on 28 September 2005. These measures include the recommendations by the committees of charitable organizations met last month.

UNITED KINGDOM—VAT REFUND SCHEME LAUNCHED FOR CHARITIES

A new scheme for UK charities to refund the VAT costs incurred in the construction, renovation and maintenance of memorials was launched on 15 August 2005.

According to [HM Treasury](#) news update, the refund scheme will be administered by the [Department for Culture, Media and Sport](#). The claims will be considered for VAT on qualifying supplies made on or after 16 March 2005, and refunds will be made for the full 17.5 per cent VAT charged on those supplies. The refund scheme was proposed in [Budget 2005](#).

USA—

- **KATRINA BRINGS TAX BREAKS FOR VOLUNTEERS AND DONORS**

In the wake of Hurricane Katrina, the United States Congress has approved a bill that provides tax break not only for Hurricane Katrina victims but also for those who volunteer, donate money or open their homes to evacuees, according to the news article published by [USA TODAY](#) on 22 September 2005. Taxpayers who open their homes (provide rent-free housing for at least 60 days) to evacuees are eligible to deduct \$500 per person, up to a maximum of \$2,000. Volunteers who use their cars to help Katrina-related charities will be allowed to deduct 70% of the IRS standard mileage rate. More details on tax relief for charities and



IJCSL NEWSLETTER

VOLUME 2 ISSUE 11

OCTOBER 2005

individuals wanting to help those affected by Hurricane Katrina can be found on [IRS website](#).

- **PROPOSED REGULATIONS ON STANDARDS FOR RECOGNIZING TAX-EXEMPT STATUS PUBLISHED**

The IRS and Treasury Department have published [proposed regulations](#) in the September 9, 2005 Federal Register on standards for recognizing tax-exempt status if the organization benefits any private interest or if an exempt organization has engaged in excess benefit transactions. According to [IRS press release](#), the proposed regulations amend existing regulations by adding several examples to illustrate the requirement in section 501(c) (3) that an organization serve a public rather than a private interest. Comments on the proposed rules and hearing requests are due by December 8, 2005.

FREEDOM OF ASSOCIATION AND PEACEFUL ASSEMBLY

EUROPE—U.S. AMBASSADOR TO THE OSCE CRITICIZES RESTRICTIONS ON FREEDOM OF ASSEMBLY, ASSOCIATION IN EURASIA

Speaking at the [2005 OSCE Human Dimension Implementation Meeting](#) (HDIM) in Warsaw, Poland, the U.S. ambassador to the Organization for Security and Cooperation in Europe (OSCE), Julie Finley has criticized the restrictions on freedom of assembly and association in Uzbekistan, Belarus, Russia and Kazakhstan, according to [USINFO press release](#) on 28 September 2005. In her [statement](#), Finley urged the governments to support a vibrant civil society and not restrict foreign funding of NGOs engaged in nonpartisan activity such as media and election observation.

PHILIPPINE—NATIONAL POLICE ADOPTS ‘NO PERMIT - NO RALLY’ POLICY

The Philippine National Police would arrest those who insist on holding rallies without a permit, according to a news article published by [INQ7 NETWORK](#) on 25 September 2005. Characterizing it a violation of the sovereignty of the Philippines and the people's basic rights to peaceful assembly, the [activists have denounced the crackdown on street protests](#) and called the government set aside its ‘no permit-no rally’ policy. While street demonstrations continued to be banned, the government clarifies it [has no martial plans](#).

UNITED KINGDOM—CHARTER OF RIGHTS FOR WORKERS OF VOLUNTARY SECTOR LAUNCHED

Trade unions representing workers in the voluntary sector launched their new charter of rights for people working in such organizations at the [Trades Union Congress](#) on 12 September 2005. According to a news article published by [SOCIETY GUARDIAN](#), the Charter includes a decent wage and pension provision, health and safety measures and a guide on funding.



IJCSL NEWSLETTER

VOLUME 2 ISSUE 11

OCTOBER 2005

FREEDOM OF EXPRESSION

AUSTRALIA—MEDIA LAWS OUT OF DATE, POSSIBLE CHANGES NOT IMMINENT

Media laws in Australia were out of date and should be changed, acknowledge the Australian Prime Minister John Howard, according to a news article published by [THE AGE](#) on 17 September 2005. Communications Minister Helen Coonan is supposedly working on possible changes to the laws. An immediate move to reform media laws, however, does not seem to be in the offing.

CANADA—NEWSPAPERS DEMAND REPEAL OF LAW THAT RESTRICT JOURNALISTIC ACTIVITIES

The Canadian Newspaper Association (CNA) [petitioned](#) the government to quash Section 4 of the [Security of Information Act](#), according to [CNA news brief](#). Speaking on behalf of the Canadian newspaper industry, CNA Vice President, David Gollob, delivered the message in a [presentation](#) before the parliamentary Subcommittee as it began hearings on the Security of Information Act in Ottawa on 20 September 2005. In addition to demanding the repeal of section 4, Gollob asked the government narrows and reduces the scope of secrecy to what is strictly essential. The petition demands the journalists, publishers, and all journalistic be declared exempt from sanctions. Section 4 makes it a crime for journalist to receive such information that government considers secret.

EGYPT—PRESS WATCHDOG URGES PRESS FREEDOM

[REPORTERS WITHOUT BORDERS](#) (RSF) has urged President Hosni Mubarak to decriminalize press offences and assure freedom of expression by amending the press law. According to [RSF news update](#) on 9 September 2005, reforms were essential and urgent in order to give Egypt more press freedom. Reporters without borders also expressed grave concern about the authoritarian and undemocratic measures against journalists during the past few months.

INDIA—PCI SUGGESTS REGULATING ELECTRONIC MEDIA

The [Press Council of India](#) (PCI) suggests regulating the content of electronic media. According to the news article published by [ONEWORLD SOUTH ASIA](#) on 2 September 2005, the Council chairman G. N. Ray regretted the general fall in the standards of journalism and opposed the Foreign Direct Investment in the media sector. He further suggested that media establish and reinforce self regulatory methodologies instead external supervision and regulation.

ITALY—FILM ABOUT FREE SPEECH AND THE STATE OF MEDIA APPLAUDED AT VENICE FILM FESTIVAL

The Italian documentary film, “Viva Zapatero,” presenting the problem of censorship in Italy, freedom of expression and the hard life of Italy's satirical authors was presented at the Venice Film Festival during September. According to an article



IJCSL NEWSLETTER

VOLUME 2 ISSUE 11

OCTOBER 2005

published by [OHMYNEWS](#) on 16 September 2005, the film written and directed by Sabina Guzzanti begins with the story of her satirical TV show, *Raiot*, and paints a portrait of the state of Italy's mass media. *Raiot* had to be broadcasted on a public TV channel two years ago, but was suspended after the first episode because the program made fun of Italian Prime Minister, Silvio Berlusconi.

KAZAKHSTAN—OSCE PREPARES LEGAL REVIEW OF DRAFT MEDIA LAW

Miklos Haraszti, the OSCE Representative on Freedom of the Media, has released [legal analysis of the draft media law](#) of Kazakhstan to the Congress of Journalists of this Central Asian Republic, according to the [press release](#) of the [Organization for Security and Co-operation in Europe](#) (OSCE) on 28 September 2005. The review focuses to bring the draft law in line with the basic principles of the Constitution of the Republic of Kazakhstan and international standards of freedom of expression, opinion and information. Highlighting the importance of all-inclusive debate on the new media laws, OSCE analysis offers recommendations to improve media freedom in Kazakhstan and provide for better protection of journalists rights.

KUWAIT—GOVERNMENT PLANS TO AMEND PRESS LAW

Amendment to the press law is getting serious attention of the parliamentarians, according to a news article published by [ARAB TIMES](#) on 27 September 2005. Ministry of Information is working on the changes to be made to the press law. The new law is expected to be presented for approval during the next parliamentary session.

MALAWI—PROTECTED NAMES, FLAGS AND EMBLEMS LAW OF 1967 CHALLENGED

Malawi's private broadcaster Capital Radio has initiated a legal process challenging the constitutionality of 1967 Protected Names, Flags and Emblems law before Malawi's Constitutional Court. According to a news article published by [PEOPLE'S DAILY ONLINE](#) on 23 September 2005, the law prohibits any person from insulting or ridiculing Malawi's protected flags, emblems and names including the name of a sitting president. The Managing Director of the station, Alaudin Osman, argues the law violates constitutionally protected freedom of expression and freedom of the press and threatens people's freedom to comment on the country's leadership policies and criticize politicians including the president.

MOROCCO—GOVERNMENT SANCTIONS LAW BANNING DESECRATION OF NATIONAL FLAG & SYMBOLS

Moroccan government has endorsed a new law calling for enactment of a penalty varying from six months to three years in prison and a fine ranging from Dh10,000 (USD 1,101) to Dh100,000 (USD 11,014) to whoever humiliate the national flag or its symbols, according to the news article published by [KHALEEJ TIMES ONLINE](#) on 26 September 2005. The law is expected to be approved by the Parliament within days. Other anticipated measures by the government include the salutation of the flag and recitation of the national anthem every day in the morning assembly in schools. The announced measures have received a mixed reaction from the public.



IJCSL NEWSLETTER

VOLUME 2 ISSUE 11

OCTOBER 2005

PAKISTAN—UNIVERSITY LEVEL COURSE INTRODUCED IN MEDIA LAWS

In collaboration with [INTERNEWS PAKISTAN](#), the [International Islamic University Islamabad](#) (IIUI) gets prepared to start Pakistan's first university-level course on media laws. In this regard, a MoU was signed by the representatives of IIUI and Internews on 14 July 2005. The course is aimed to train journalists, lawyers, broadcasters, communications specialists, and others in media laws and regulations in Pakistan is designed by INTERNEWS PAKISTAN with the financial assistance of [US Agency For International Development](#) (USAID). According to the [press release](#) of Internews Pakistan, the course will help understand the role of media in developing an informed society and a cadre of trained media lawyers to meet the new media regulatory challenges and related issues including media freedoms; media ethics, rights and responsibilities; access to information, etc.

SUDAN—ARTICLE 19 DRAFTS MEDIA POLICY FRAMEWORK

Southern Sudanese media professionals, civil society representatives and international organizations produced the region's first media policy framework at a Roundtable held in Rumbek from 22 – 23 September 2005. According to ARTICLE 19 [press release](#) the policy aims “to promote and ensure a free, independent, dynamic and public-spirited media.” [ARTICLE 19](#) and [Norwegian People's Aid](#) are spearheading a project to develop a legal, policy and media framework. A model media law, a code of professional ethics and a self-regulatory mechanism will soon be drafted for adoption by the Southern Sudanese Media.

FREEDOM OF RELIGION AND BELIEF

CANADA—RELIGIOUS ARBITRATION IN ONTARIO OUTLAWED

Ontario Premier Dalton McGuinty, plans to ban all religious arbitration in the province. According to the news article published by [THE GLOBE AND MAIL](#) on 12 September 2005, there will be no Shariah law and no religious arbitration on family matters in Ontario. Ontario's provincial government has been reviewing a report recommending that Shariah or Islamic law be allowed to settle civil and family disputes. The issue of Sharia-based tribunals in Ontario remained a [matter of serious debate](#) among women's groups in Canada. Under most interpretations, Islamic law gives men more rights than women in matters of inheritance, divorce and child custody. Premier Dalton McGuinty further plans to outlaw other faith-based arbitration such as Catholic and Jewish faith-based tribunals which are allowed to settle family law matters on a voluntary basis since 1991. Moderate Muslims in Ontario have hailed the government's decision of not allowing the use of Islamic law to settle family disputes, while Jewish community considers constitutional challenge to the Premier's decision.

CHINA—FREEDOM OF RELIGIOUS BELIEF KEY TO DEVELOPMENT



IJCSL NEWSLETTER

VOLUME 2 ISSUE 11

OCTOBER 2005

Freedom of religious belief is an important subject for human rights development in China, notes U.N. rights envoy Louise Arbour. During his recent visit to Beijing, Arbour called attention to the serious human-rights situation in China and the need for improvements according to international human-rights standards. According to the news article published by [THE JAPAN TIMES](#) on 15 September 2005, Chinese governmental rules and regulations cause severe constraints on religious freedom. Religions not officially recognized in China or organized outside state control are prohibited. Only five religions - - Buddhism, Islam, Taoism, Catholicism, and Protestantism [are officially recognized](#) in China.

INDIA—RAJASTHAN PLANS TO INTRODUCE ANTI-CONVERSION BILL

The state government of Rajasthan will present an anti-conversion bill to the state assembly. According to the news article published by [COMPASS DIRECT](#) on 12 September 2005, the intended bill resembles laws already in place in several other Indian states. If passed, the legislation will require anyone involved in the conversion process to inform district authorities before the conversion takes place. Failure to meet this requirement will lead to imprisonment and/or heavy fine. The bill also stipulates penalties for anyone found guilty of attempting to convert someone forcefully or fraudulently. The state government will also closely watch the activities of the churches allegedly involved in forcible conversion. There are 25 million Christians in India (2.4 percent of country's total population).

NIGERIA—SPEAKERS OF STATE HOUSES OF ASSEMBLY CALLS FOR REVIEW OF EXISTING LAWS

Speakers of State Houses of Assembly have called for a review of the existing laws on religion, ethnicity and indigenization, according to a news article published by [VANGUARD](#) on 15 September 2005. During a two-day workshop in Benin, the Speaker of the Edo State House of Assembly, Mr David Iyoha noted the existing laws are a significant hurdle in the development of a multi-religious society and trigger crises caused by ethnic and religious intolerance.

ROMANIA—GOVERNMENT HOLDS SEMINAR ON RELIGIOUS FREEDOM

In a country where proposed legislation on religious freedom is long under debate in the Parliament, the Ministry of Culture and Religious Affairs organized a seminar on "Religious Liberty in the Romanian and European Context," from 12 – 13 September 2005. According to the news article published by [ADVENTIST NEWS NETWORK](#), the leaders of various Orthodox and Protestant churches, government representatives and international scholars participated in the seminar. While highlighting the importance of partnership between state and religious groups, several topics were discussed during the seminar including the issue of limited autonomy for religious groups, improvements in the proposed religious law, in particular, its provisions related to "multi-tiered" system of religious organizations that gives some groups more prominence than others. The draft "Law regarding the Religious Freedom and the General Regime of Religions" pending in the Parliament, lists 18 recognized religions.



IJCSL NEWSLETTER

VOLUME 2 ISSUE 11

OCTOBER 2005

SERBIA—LOCAL AUTHORITIES ALLOW THE CONSTRUCTION OF MONTENEGRIN ORTHODOX CHURCH DESPITE RESISTANCE FROM RELIGION MINISTER

Serbia's religion minister, Milan Radulovic, has called the government to prevent Montenegrin and Macedonian Orthodox Church from building any places of worship in Serbia, according to a news article published by [FORUM 18 NEWS SERVICE](#) on 12 September 2005. Thos call came after the local administration in northern [Vojvodina](#) allowed a community of the Montenegrin Orthodox Church to build a church in the mainly Montenegrin-populated village of Lovcenac. Nearly sixty per cent of the inhabitants of Lovcenac are Montenegrins.

SRI LANKA—PARLIAMENT SET TO DEBATE CONSTITUTIONAL AMENDMENT TO MAKE BUDDHISM STATE RELIGION

A proposal to make a constitutional amendment in Sri Lanka is set to be debated in the Parliament on 4 October 2004, according to the news article published by [CHRISTIANITY TODAY](#) on 29 September 2005. While freedom of other religions will be protected, the proposed amendment would make Buddhism the “official religion” in Sri Lanka and converting Buddhists to another religion will be banned. The tabling of the amendment in the Parliament comes after hardline [monks demanded](#) government declare Buddhism as 'state religion.' (For previous coverage of anti-conversion bill see [May 2005 issue of IJCSL-N](#)).

TURKEY—CITIZENS GEARED TO PRESS GOVERNMENT TO OUTLAW COMPULSORY RELIGIOUS CLASSES IN PUBLIC SCHOOLS

A moderate Turkish Muslim group (the Alevis) has collected 1mn signatures and plans to press the Turkish government to end compulsory religious classes in public schools. According to a news article published by the [GULF TIMES](#) on 15 September 2005, the Alevi faith, a distant relative of Shia Islam, is generally known to be friendly to secularism and gender equality. About a fifth of Turkey's 70mn population, Alevis are denied the status of a separate sect and, unlike the Sunnis, receive no financial support from the government. The religious and morality textbooks used in Turkish high schools support Sunni beliefs shared by the majority of Turks. Earlier, the European Union urged Ankara to grant the Alevis minority status.

UNITED KINGDOM—MUSICIAN OPENS MUSLIM FAITH CENTRE

Former pop star and musician [Yusuf Islam](#) – previously known as [Cat Stevens](#) - has opened a faith centre focusing on Islam and Muslims in Britain, according to a news article published by [BBC NEWS](#) on 20 September 2005. “I think it's important for non-Muslims to walk a little bit closer towards understanding Islam, and for Muslims to come closer to explaining it in a better, more academic and understandable way,” said Yusuf, speaking at the launching ceremony of the '[Centre for the Study of Islam in the UK](#)' at Cardiff Business School. The research centre will be based in the School of Religious and Theological Studies. Members of the local Muslim community will form part of the advisory committee. Besides offering masters and diploma qualifications, the centre will provide professional development courses for



IJCSL NEWSLETTER

VOLUME 2 ISSUE 11

OCTOBER 2005

specific groups including prison officers, police officers and teachers. It will also provide forum for a public lecture series and international conferences.

USA—

- **HOUSE GIVES GREEN LIGHT TO LET HEAD START CENTERS CONSIDER RELIGION WHEN HIRING WORKERS**

Faith-based organizations could have greater protections as part of newly introduced legislation in the House that would revise and reform the nation's Head Start early education program. The House began consideration of the "[School Readiness Act 4 of 2005 \(H.R. 2123\)](#), and reauthorized the Head Start Act to improve the school readiness of disadvantaged children, and for other purposes. According to a news article published in [BOSTON.COM](#) on 23 September 2005, the House Bill [H.R. 2123](#) includes a provision that lets churches and other faith-based preschool providers consider a person's faith when hiring workers -- and still eligible for federal grants.

- **PUBLIC SCHOOL BIBLE COURSE DEVELOPED**

The nonprofit [Bible Literacy Project](#) of Fairfax, VA has released "[The Bible and Its Influence](#)," - a new student textbook for academic study of the Bible in public high schools. The book attempts to avoid legal and religious disputes, according to a news article published by [ABC NEWS](#) on 22 September 2005. The 41 contributors to the book include prominent evangelical, mainline Protestant, Roman Catholic, Eastern Orthodox, Jewish and secular experts. Experts in literature, religion and church-state law have [welcomed](#) the book for use in public high schools.

- **U.S. AIR FORCE ISSUES GUIDELINES PROHIBITING PUBLIC PRAYER AT OFFICIAL MEETINGS AND EVENTS**

The U.S. Air Force issued new [draft guidelines](#) prohibiting public prayer at all official Air Force meetings and events, except a brief non-sectarian prayer may be recited in ceremonies of special importance such as "mass casualties, preparation for imminent combat and natural disasters." According to a news article published by [WASHINGTON POST](#) on 30 August 2005, the guidelines try to balance the Constitution's guarantee of "free exercise" of religion with its prohibition on any "establishment" of religion by the government. If the rules work well, they will be instituted across the armed forces, reported Washington post, quoting Defense Secretary Donald Rumsfeld.

LEGAL FRAMEWORK

CZECH REPUBLIC—DRAFT AMENDMENT TO THE CHURCH LAW FACES CONSTITUTIONAL CHALLENGE



IJCSL NEWSLETTER

VOLUME 2 ISSUE 11

OCTOBER 2005

The draft amendment defining new rules for churches and church-operated organizations faces constitutional challenge, according to the news article published by [CZECH HAPPENINGS](#) on 25 September 2005. Critics of the bill assert the draft amendment restricts religious freedom and infringes upon churches' right to establish spiritual and other institutions such as charities, schools and health facilities. The bill was first passed by the Chamber of Deputies in June. After being turned down by the Senate in August, it is again with the Chamber of Deputies for vote in October 2005.

CUBA—NEW REGULATION REQUIRING HOUSE CHURCHES TO REGISTER GOES INTO EFFECT

A government directive issued in April 2005 requiring all currently operating house churches to register with the authorities came into effect in September. According to the news article published by [FORUM 18 NEWS SERVICE](#) on 15 September 2005, the new directives outlaw coexistence of two house churches of same denomination within two kilometers. It also requires that the information about the pastors and inhabitants of the house, number of worshipers and number of times services are held must be reported to the authorities. Detailed analysis of the new directives can be read at FORUM18 website.

KAZAKHSTAN—PRESIDENT CAUTIONS FOREIGN NGOS TO ABIDE KAZAKH LAWS ELSE FACE PROSECUTION

"Our parliament and government will make sure both foreign and domestic NGOs are strictly obeying our laws and the country's constitution," said Kazakh President Nursultan Nazarbayev, according to a news article published by [RIA NOVOSTI](#) on 12 September 2005. Speaking to a gathering of civic groups in Astana, President Nursultan Nazarbaev further cautioned foreign NGOs that their activities will be closely watched. He [warned](#) them not to interfere in the country's politics and threatened to prosecute them if they meddled in the election campaign.

NEPAL—PROPOSED NGO CODE OF CONDUCT TO BE ENFORCED SOON

Following the promulgation of the Social Welfare (First Amendment) Ordinance 2005 (for previous coverage see [September 2005 issue of IJCSL-N](#)), the Social Welfare Council has [prepared](#) a draft of the NGO code of conduct, which is expected to come into force soon, according to a news article published by [THE RISING NEPAL](#) on 20 September 2005. Fearing the final draft of the code prepared by the SWC will not include the suggestions of the civil society sector, the [NGO representatives across the country have called the government](#) to seriously consider the recommendations made by the NGO representatives. The [Main features](#) of the proposed draft include restrictions on I/NGOs to make public any information they obtain until the government confirms; human rights organizations can not report on news related to death, rape and abduction by the state until government confirms; financial transactions must be channeled through commercial banks; organizations receiving in excess of NPR 5 million (71,233 USD) aid from donors are required to publish audit report annually in national dailies. The NGOs in the country do not see any need for a new code of conduct. The [NGO Federation of Nepal](#) said in a [press release](#) that any such step will lead to confusion, frustration, and will jeopardize autonomy of the



IJCSL NEWSLETTER

VOLUME 2 ISSUE 11

OCTOBER 2005

NGO sector. Earlier, the local administration of Kailali district issued prohibitory orders at Tikapur area in a bid to prevent a mass meeting of Citizens' Movement for Democracy and Peace, citing security reasons on 11 September, reported [KANTIPUR ONLINE](#).

PAKISTAN—GOVERNMENT PLANS TO RESTRAIN ACTIVITIES OF SELECT NGOS

The government of Pakistan is determined to control activities of select NGOs, according to a news article published by [THE PENINSULA](#) on 22 September 2005. This determination once again gained momentum after President General Pervez Musharraf returned from New York in September. Based on the nature of their activities, the NGOs will be classified into different categories. To conform Pakistan's existing legislation in the area the government is hoping to study and compare the prevalent legislation in western countries, reported the peninsula quoting a government official. The NGOs lobby in Pakistan is quite robust with significant potential to effectively prevent any such legislation which may hit their source of funding and its use.

MISCELLANEOUS MATTERS

EGYPT-THE EOHR ANALYZES THE 2005 PRESIDENTIAL ELECTION

The Egyptian Organization for Human Rights (EOHR) has released a critical analysis of the 2005 presidential election carried out on 7 September 2005. EOHR's report "[The 2005 presidential election: a critical perspective](#)" contains an evaluation of the 2005 presidential election, the political environment in which it was carried out and preceding constitutional amendments. The report concludes with a set of recommendations concerning the electoral process from start to end, including electoral registers, state institutions, judicial supervision of the elections and the legislation and decrees governing the electoral process.

GLOBAL—UN SECRETARY GENERAL UNDERSCORES THE IMPORTANCE OF CIVIL SOCIETY IN CONFLICT PREVENTION

On 20 September 2005, the UN Security Council held an open debate on the role of civil society in conflict prevention and peaceful settlement of disputes, according to the [UN NEWS CENTRE](#) update. Referring to the establishment of the Peacebuilding Commission, Secretary-General Kofi Annan [emphasized](#) the need for a proactive role of civil society in conflict prevention, peacemaking and peacebuilding.

IRAQ—USCIRF RELEASES ANALYSIS OF IRAQ'S NEW CONSTITUTION

[United States Commission on International Religious Freedom](#) (USCIRF) has publicly released an [analysis](#) of Iraq's final draft Constitution, according to USCIRF news update on 15 September 2005. The articles analyzed are identified as being of potential concern to the future status of individual human rights and freedoms in Iraq. In its analysis, the Commission appears to be deeply concerned by the overarching



IJCSL NEWSLETTER

VOLUME 2 ISSUE 11

OCTOBER 2005

ambiguities and contradictions in the draft which threaten to compromise the scope and extent of human rights protections. The new draft constitution of the country was prepared and signed by the Iraqi officials and approved by the Iraqi National Assembly in August 2005. The referendum vote on Iraq's draft constitution is slated to take place on 15 October.

NORTH KOREA-FOREIGN NGOS DIRECTED TO WING UP AND LEAVE THE COUNTRY

Foreign Ministry of North Korea ordered foreign NGOs, most of them engaged in humanitarian assistance, to leave the country by 31 December, according to the news article published by [JAPAN TODAY](#) on 20 September 2005. Pyongyang alleges that these NGOs have repeatedly leaked secret information. There are around 12 NGOs operating in North Korea, including Save the Children, Handicap International and Première Urgence, reported [RELIEF WEB](#).

SAUDI ARABIA—CABINET ANNOUNCES THE ESTABLISHMENT OF GOVERNMENT HUMAN RIGHTS COMMISSION

Saudi council of ministers has announced the establishment of an independent human rights commission, according to a news article published by [ASHARQ AL-AWSAT](#) on 13 September 2005. The commission will work with the objectives of protecting civil rights in the country “in the light of Islamic sharia laws.” Though, Saudi officials assure its complete independence, the head of the commission and its members will be appointed by a royal decree. Kingdom’s first recognized human rights watchdog - National Human Rights Association (NHRA) was established in March 2004 as a private group. The Kingdom of Saudi Arabia has consistently been accused of violating human rights, but has now started taking cautious steps towards strategy of reform. Earlier this year it had its first nationwide elections for municipal councils (for more details on Kingdom’s reform see “Developments in Saudi Arabia,” [IJCSL Volume II Issue 4 October 2004](#))

SCOTLAND—THE CHARITIES AND TRUSTEE INVESTMENT (SCOTLAND) ACT 2005 IMPLEMENTATION PLAN ANNOUNCED

The Scottish Executive has announced the [implementation plan and timetable](#) for new “Charities and Trustee Investment (Scotland) Act 2005,” according to Scottish Executive news update on August 2005. The plan addresses technical and administrative issues such as which parts of the bill will be effective on which date, what regulations and pieces of guidance are required, appointment of OSCR's board, establishment of OSCR and the application of new charity test (For previous coverage on the Bill see [September 2005 issue of IJCSL-N](#)).

SIERRA LEONE—UNAMSIL CALLS FOR ACTIVE PARTICIPATION OF CIVIL SOCIETY

Deputy Special Representative of the Secretary General for Sierra Leone and UNDP Resident representative, Mr. Victor Angelo has advised the civil society to play more active role in the search for a brighter future for the country, according to the [United Nations Mission in Sierra Leone \(UNAMSIL\) press release](#) of 20 September 2005.



IJCSL NEWSLETTER

VOLUME 2 ISSUE 11

OCTOBER 2005

Angelo was speaking at a Civil Society Forum organized by UNAMSIL. The forum was attended by different civil society organizations, the academia, local and international NGO's and a representative of the regional UNESCO office in West Africa.

UNITED KINGDOM—NEW PAGE ON CHARITIES AND VAT ADDED ON HMRC WEB SITE

Recently combined web site of [HM Revenue and Customs](#) (HMRC) has added a new section '[Charities and VAT](#)' on its [FAQs](#) page. The section addresses several basic questions about charities and VAT. HMRC is the new department responsible for collecting the bulk of tax revenue as well as paying tax credits and child benefit, and strengthening the UK's frontiers.

UZBEKISTAN—COURT SUSPENDS UZBEK OFFICE OF INTERNATIONAL NGO

On 12 September 2005, Tashkent city civil court ordered [IREX](#) (International Research and Exchanges Board) - an international NGO to suspend activities in Uzbekistan for a period of six months. According to a news article published by [ARENA – Committee for Freedom of Speech and Expression](#), the Justice Ministry claims the organization failed to comply Uzbek legislation by not providing the government authorities information on participants in events held by IREX, training given to Uzbek citizens studying in IREX-funded programs abroad, and using the unregistered logo of the parent organization. This is not the first such incidence of suspension of an international NGOs in Uzbekistan. Earlier, another leading international media development organization - [Internews Network was ordered to close down its office](#). IREX's programs in Uzbekistan include civil society development.

ANNOUNCEMENTS

GLOBAL—CIVIL SOCIETY STATEMENTS ON UN WORLD SUMMIT

Civil society statements and position papers commenting on the [UN World Summit 2005](#) and its Outcome Document are now available on [UN-NGLS](#) website.

JORDAN—KING ABDULLAH ADDRESSES CATHOLIC UNIVERSITY LAW SCHOOL ON RECLAIMING MODERATE ISLAM

King Abdullah II bin Hussein, Kingdom of Jordan delivered an address - 'Traditional Islam: The Path to Peace' at [The Catholic University of America Columbus School of Law](#) on 13 September 2005. His address urged the Islamic scholars and leaders to reclaim the religion from extremists, embrace moderation and tolerate other faiths. Web cast of King Abdullah's lecture is available at [CUA Digital Media Services](#).

NEW PUBLICATIONS—

- **AFRICA-“ENGAGING THE NEW PAN-AFRICANISM: STRATEGIES FOR CIVIL SOCIETY”**

ActionAid International-Southern Africa Partnership Programme and the Open



IJCSL NEWSLETTER

VOLUME 2 ISSUE 11

OCTOBER 2005

Society Initiative for Southern Africa, in partnership with Centre for Policy Studies and other networks have published a new guide for civil society organizations. The publication titled -“[Engaging the new Pan-Africanism: Strategies for civil society](#)” is aimed at empowering non-state actors to effectively develop strategies for influencing inter-state institutions and programs in Africa. It provides useful information about the new Pan-Africanism and African agenda. It features methodologies and circumstances under which non-state actors can participate in new African inter-state institutions and programs.

- **CANADA-PHASE II REPORT OF THE RURAL CHARITABLE SECTOR RESEARCH INITIATIVE RELEASED**

[Imagine Canada](#) in partnership with [The Foundation for Rural Living](#) has recently published a report titled “[The capacity challenges of nonprofit and voluntary organizations in rural Ontario](#).” According to the [news update](#) of [NONPROFITSCAN](#) (information portal of imagine Canada), this is the Phase II report of the Rural Charitable Sector Research Initiative. The [research initiative aims](#) to describe the current situation in the rural non-profit sector, rationale for it, and establishes a baseline to measure change.

- **HANDBOOK FOR BLOGGERS AND CYBER-DISSIDENTS RELEASED**

Free-speech advocate [Reporters Without Borders](#) has published a guide – “[Handbook for Blogger and Cyber-Dissidents](#),” to help people for blogging in countries that strictly censor the Web. According to a news article published by [BBC NEWS](#) on 22 September 2005, the booklet offers advice on how to blog anonymously, as well as how to identify the most suitable way to circumvent censorship when writing blogs from countries with tough media restrictions, such as Iran and China. The handbook also shed some light on developing ethical and journalistic values. Published in five different languages - [Arabic](#), [Chinese](#), [English](#), [Farsi/Persian](#) and [French](#) - the handbook can be [downloaded](#) from the [REPORTERS WITHOUT BORDERS](#) website.

- **IMS PUBLISHES NEW STUDY REPORTS ON MEDIA SITUATION**

[INTERNATIONAL MEDIA SUPPORT](#) (IMS) has recently published new study reports assessing the media situation and freedom of expression in [Nepal](#), [Sri Lanka](#), [Great Lakes](#). The reports cover several subjects including Media Rights, Freedom of Expression, Media Policy and Legislation. Reports for other countries released earlier can also be viewed on IMS website.

- **“PATHWAYS TO ACCOUNTABILITY: THE GAP FRAMEWORK” RELEASED**

“[Pathways to Accountability: The GAP Framework](#)” by Monica Blagescu, Lucy de Las Casas and Robert Lloyd, One World Trust, London has been published, according to the [ONEWORLD TRUST news update](#) on 22 September 2005. The GAP Framework aims to raise awareness on accountability and complements existing legal and regulatory frameworks at national and international levels, sector-wide accountability initiatives and codes of conduct, international norms,



IJCSL NEWSLETTER

VOLUME 2 ISSUE 11

OCTOBER 2005

and other standards already in place. The Framework is useful for organizations, global or otherwise, to improve their own accountability. It is equally beneficial for stakeholders to advocate for accountability reforms of global organizations.

- **‘THE 100-MINUTE BIBLE’ LAUNCHED**

A condensed volume of the Bible that can be read in just 100 minutes was launched on 21 September 2005 at Canterbury Cathedral in Britain, according to a news article published by [BBC NEWS](#) on 21 September 2005. The publisher says that “[The 100-Minute Bible](#)” is primarily intended for people who do not have time to read the original Bible. It picks out stories of the life of Jesus Christ and records the growth of Christianity. The new version is authored by Michael Hinton and published by The 100-Minute Press.

- **UNITED KINGDOM-NEW REPORT ON IMPACT OF PROGRESSIVE PHILANTHROPY RELEASED**

The Carnegie UK Trust has recently commissioned a consultative study “[Stepping up the Stairs: Increasing the impact of progressive philanthropy in the UK](#)” aimed at increasing the impact of progressive philanthropy in the UK, according to the Carnegie UK Trust [news update](#) on 30 August 2005. This report is intended to inform a new program on progressive philanthropy to be launched by the Trust in 2006. The report is currently out for consultation.

IJCSL Newsletter is a publication of the International Center for Civil Society Law. Karla W. Simon, *Chairperson*; Leon E. Irish, *President*. © 2003 - 2005 by ICCSL. All rights reserved. The trademarks IJCSL and IJCSL Newsletter are owned by the International Center for Civil Society Law. Readers are encouraged to use the **IJCSL Newsletter** for all noncommercial purposes (including circulating it or excerpts from it to friends and colleagues) with full credit given to the source. To the extent that the **IJCSL Newsletter** includes links to other publications and news sources, ICCSL is only providing access to sources publicly available on the World Wide Web and is not responsible for the accuracy of the information contained in the linked sources. As a not-for-profit organization dedicated to the promotion of a legal enabling environment for civil society, ICCSL does not permit third parties to present its content with advertising, logos, mastheads, or other content unrelated to the ICCSL. For further information, please contact 40MCCARM@cua.edu. Ms Nasira Razvi, who can be contacted at nrazvi@law.gwu.edu, is the *Editor* of the **IJCSL Newsletter**. To unsubscribe to the **IJCSL Newsletter**, please send a blank e-mail to Ms Maureen McCarthy, *Managing Editor*, at 40MCCARM@cua.edu.

FAIR USE NOTICE. This monthly digest contains copyrighted material the use of which has not always been specifically authorized by the copyright owner. ICCSL makes such material available as part of its effort to advance understanding of civil society, democracy, human rights, social justice issues, etc. Because the material in this digest is distributed without profit to those who have expressed a prior interest in receiving it for research and educational purposes, ICCSL believes that this constitutes a ‘fair use’ of any such copyrighted material as provided for in Title 17 USC, Section 107, the US Copyright Law.