



IJCSL NEWSLETTER

VOLUME 3 ISSUE 3

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CITIZEN PARTICIPATION AND FREEDOM OF INFORMATION

GUYANA—PARLIAMENT TO CONSIDER FREEDOM OF INFORMATION BILL

During the second week of January, a Freedom of information bill was submitted to the Guyana Parliament. “The eventual consideration of this Bill by Parliament will represent a crucial opportunity for Guyana to enact a strong law which could be used to promote more informed democratic practices, entrench public accountability, tackle poverty, expose endemic corruption and reverse the scourges of ethnic division and social exclusion,” writes the editor of [STABROEK NEWS](#) in an article published on 20 January 2006. Guyana will be the sixth country to implement FOI law in the Caribbean. Jamaica, Trinidad and Tobago, Antigua and Barbuda and Belize have already implemented FOI laws.

INDONESIA—HOUSE OF REPRESENTATIVES DEBATES BILL ON STATE SECRECY

A government-sponsored bill on state secrecy is being debated in the House of Representatives. According to the news article published by [THE JAKARTA POST](#) on 2 January 2006, “the latest draft of the bill proposes the establishment of a state secrets agency, which has the privilege to declare certain information classified. The inter-departmental agency will also have the power to determine the people or institutions allowed to access the information deemed secret.” The bill defines confidential information as “anything that jeopardizes the state's sovereignty or safety if it fell into the hands of the wrong parties.” Institutions possessing such information will have the binding and final authority to deny any request for or access to information that has been classified. When information that has been classified as secret is relevant to litigation, the courts must request such items from the state secrets agency, which can either approve or refuse it. The bill is expected to draw strong public protests.

ISRAEL—APEX COURT UPHOLDS FREEDOM OF INFORMATION LAW

“Publicly-funded organizations must provide information about internal meetings and consultations in accordance with the 1998 Freedom of Information Law,” rules a panel of seven justices of the Supreme Court of Israel. According to the news article published by [JERUSALEM POST](#) on 22 January 2006, the ruling stems from an appeal filed against the decision of the Jerusalem district court involving a difference of opinion between the Council for Higher Education and the original appellants over the definition of Article 9 (b) (4) of the law. The Council had taken the position that it was not obliged to reveal “information regarding internal deliberations, memos of internal consultations among public servants, their colleagues or advisors, or statements made in the context of an internal investigations, as well as opinions, drafts, advice or recommendations given in the decision-making process except for those specified by law.” However, Justice Esther Hayut, who writing for the Supreme Court, said that the purpose of the Freedom of Information Law was above all to grant the public access to information as part of its fundamental democratic rights. Therefore, it should oblige publicly funded institutions to disclose information except for those exceptional circumstances set down by the law itself. The Court’s ruling



IJCSL NEWSLETTER

VOLUME 3 ISSUE 3

FEBRUARY 2006

will turn out to be a landmark decision because until now, there has been no definitive interpretation of this aspect of the law, and many public organizations have refused to divulge internal information, adds the report.

MACEDONIA—PARLIAMENT ADOPTS LAW ON FREE ACCESS TO INFORMATION

On 25 January 2006, the Parliament of Macedonia adopted the Law on Free Access to Information. According to the news article published by [ONEWORLD SOUTHEAST EUROPE](#), the “law entitles the employees of the state administration to give out information in public with the intent to expose cases of corruption, contribute to public health or environmental protection. Such employees shall be exempt from the responsibility for giving out administrative and state secrets and confidential information. The Law also provides for the establishment of five-member Commission for Protection of the Right to Free Access to Information.” The law will go into effect on 1 September 2006, reports [MAKFAX](#). According to Article 19 analysis the draft law lacks an independent administrative complaints mechanism, does not contain a clear “harm test,” does not guarantee protection of whistleblowers, and does not claim final authority in matters of freedom of information. Information freedom advocates have urged the Macedonian government to ensure that the serious flaws in the be rectified.

MEXICO—VERACRUZ GOVERNOR PROPOSES STATE TRANSPARENCY LAW

The governor of Veracruz, Fidel Herrera Beltránthe, proposed to Congress a Law of State Transparency and Access to Information, stipulating sanctions for civil servants who refuse to give public information, according to the news article published by [EL UNIVERSAL](#) on 12 January 2006. The Govenor also suggested the establishment of a “Veracruzano Institute of Access to the Public Information,” which would have authority to regulate and enforce this FOI law. The proposed law is meant to replace the existing Law of Access to the Public Information which was adopted on 8 June 2004 but which is not very popular due to its many defects.

UNITED KINGDOM—GOVERNMENT PLANS TO INTRODUCE FEES FOR FREEDOM OF INFORMATION REQUESTS

The UK Government is considering introducing a new fee tariff for Freedom of Information requests, according to the news article published by [BBC](#) on 4 January 2006. The opponents of the fee have criticized the Government’s plan, arguing any such a move will undermine the purpose of the FOI Act and restrict legitimate inquires from the public.

ZIMBABWE—GOVERNMENT TO REVIEW ACCESS TO INFORMATION AND PROTECTION OF PRIVACY ACT

Following a critical report from [African Commission on Human and Peoples' Rights](#) (ACHPR) expressing concerns over the suppression of fundamental rights and liberties, the Government of Zimbabwe has announced a review of the Access to Information and Protection of Privacy Act (AIPPA), according to a news article published by [JOURNALISM.CO.ZA](#) on 17 January 2006. The stated purpose of the



IJCSL NEWSLETTER

VOLUME 3 ISSUE 3

FEBRUARY 2006

review is to identify and remove offending provisions in the Act that undermine the right to freedom of expression and stifle the exchange of ideas and information.

FISCAL MATTERS

CHINA—ORPHANAGES WILL RECEIVE BETTER TAX BENEFITS

China's Vice Minister of Civil Affairs, Li Liguo, has announced the possibility of better tax benefits for charities and agencies dealing with orphanages and orphaned children. According to the news report published by [CHINACRS](#) on 6 January 2006, the new policies may also create tax incentives for donors to these charities.

CANADA—CONSERVATIVE PARTY ANNOUNCES TAX BENEFITS FOR DONORS TO CANADIAN CHARITIES

Stephen Harper, leader of the [Conservative Party of Canada](#), announced on 7 January 2006 (prior to the election) that a Conservative government would remove the capital gains tax on listed stocks donated to charities, according to the news article published by [HALIFAX LIVE](#). This measure is part of the Conservative plan to reduce income taxes that includes a broad range of measures announced during the campaign. Currently, donors of listed stocks to registered charities pay half of the normal rate of capital gains tax. Eliminating the remaining capital gains tax will cost \$250 million over five years, says the article.

FREEDOM OF ASSOCIATION AND PEACEFUL ASSEMBLY

CANADA—LABOR ORGANIZATIONS SIGN A PACT TO PROTECT COLLECTIVE BARGAINING RIGHTS

Recognizing that freedom of association, and the right to organize and bargain collectively in Canada are under significant pressure, four large labor organizations of Canada have signed a pact to promote and protect collective bargaining in Canada. According to the [news release](#) of the [National Union of Public and General Employees](#) (NUPGE), the signatories have agreed to focus their collective efforts on preventing further erosion of these fundamental human rights. Since 1982, Canadian governments have passed more than 170 regulations and laws to restrict or suspend collective bargaining rights for Canadian workers.

KYRGYZSTAN—AUTHORITIES TO MONITOR FOREIGN FUNDED NGOS

Kyrgyzstan's justice minister, Marat Kaiypov, has ordered checks of the country's non-governmental organizations financed from overseas, according to the news report published by [RIA NOVOSTI](#) on 24 January 2006. The measure has been taken in response to increasing reports alleging that some organizations financed from abroad have been involved in political activities of the type that allegedly played an important role in the "revolutions" that swept Georgia and Ukraine, bringing new pro-Western leaders to power.



IJCSL NEWSLETTER

VOLUME 3 ISSUE 3

FEBRUARY 2006

SUDAN—AUTHORITIES ILLEGALLY DETAIN NGO/CSO PARTICIPANTS

Sudanese security personnel illegally detained a number of civil society and NGO activists during a meeting in Banks Association Hall in Gamhoria Street, Khartoum on the fringes of the 6th Summit of the African Union on 22 January 2006, according to a [public statement](#) issued by [JUSTICE AFRICA](#). The detained activists were representatives of a cross section of national, sub-regional, Pan-African and international civil and human rights organizations. The security personnel confiscated all the papers, laptops, cameras and other conference materials and personal items of the delegates in the hall. Dr. Tajudeen Abdul-Raheem, Director Justice Africa, has called upon the government to immediately release the confiscated property of the delegates and the conference, make an apology, and ensure that no such harassment and intimidation of rights activists will take place in future.

RUSSIA—FOREIGN FUNDED NGOS UNDER PRESSURE AFTER 'SPY-ROCK' SCANDAL

The spy-rock scandal unfolding in Russia has caused serious concerns for foreign funded NGOs operating in Russia. According to the news article published by [THE CHRISTIAN SCIENCE MONITOR](#) on 25 January 2006, the scandal involves an artificial rock containing spying equipment that was allegedly installed in a Moscow park by the British MI6 intelligence service. Russia's state security service, the FSB, claims four UK embassy officials and one Russian citizen allegedly recruited by the British secret service, downloaded classified data from a transmitter in the rock onto palm-top computers. The Russian state TV documentary played the footage of the story and the FSB spokesman, showed documents on TV suggesting that one of the British diplomats, caught on tape, had authorized payments to 12 Russian NGOs. The FSB asserts that NGOs are frequently used as "vehicles" for spy services. This alleged link between British espionage and British funding of Russian NGOs has raised serious concerns for civil society in Russia.

FREEDOM OF EXPRESSION

ANGOLA—NATIONAL ASSEMBLY COMMISSION APPROVES DRAFT PRESS BILL

A commission of the Angolan National Assembly has approved a draft Press Bill dealing with issues of press freedom, particularly matters pertaining to censorship, access to sources, duties and objectivity in reporting, setting mechanisms for the self-regulation of journalists through a Statute and a Code of Ethics, according to the news report published by [LEGALBRIEF TODAY](#) on 20 January 2006. The State's monopoly over television and news agencies has been revoked. The final discussion on the bill will take place at a plenary session shortly.

CAMBODIA—POOR CAMBODIANS DEMAND DEMOCRACY AND FREEDOM OF SPEECH

Eight hundred of Cambodians poorest people gathered at an independent forum in a village south of Phnom Penh recently to demand democracy and freedom of speech



IJCSL NEWSLETTER

VOLUME 3 ISSUE 3

FEBRUARY 2006

according to a story in the [New York Times](#). Over the past three years more than 100 such forums have been held in the districts all across Cambodia despite the fact that the Hun Sen government has been cracking down on free speech and arresting human rights activists. The impact of the forums has grown because they have been taped and broadcast on independent radio stations. Kem Sokha, the founder of the forums was recently released from prison and charges against him dropped, but other activists remain in prison. This most recent forum ended with a reading of the provisions of the Cambodian Constitution that guarantee the freedoms of speech and assembly.

CHINA—GOOGLE BOWS TO CHINESE LAW REQUIRING CENSORING SENSITIVE TERMS

“Internet search giant Google Inc. will block politically sensitive terms on its new China site, bowing to conditions set by Beijing in return for access to the world's number-two Internet market,” according to an article published by [REUTERS](#) on 25 January 2006. In order to operate from China, Google.cn will filter out or block links to in response to local law, regulation, or policy. For now, Google will not provide e-mail, blogging, chat rooms and other popular form of expression over the Internet.

ETHIOPIA—GOVERNMENT EXPELS AP CORRESPONDENT

The government issued expulsion orders to Associated Press (AP) correspondent Anthony Mitchell, alleging that his reporting is hostile to the Ethiopian government, according to the news article published by [YAHOO NEWS](#). Following the expulsion order, the AP correspondent left Ethiopia on 22 January This expulsion comes on the heels of a massive crack down on people associated with the political opposition. About 129 people were arrested in November and December and charged with offenses including treason and genocide.

EUROPE—REPORT ON MEDIA LEGISLATION IN SEE RELEASED

With the support of [IREX](#), the [Association of Independent Electronic Media](#) (ANEM) has compiled a report titled “[Overview of Media Legislation in Southeast Europe](#),” according to the [news article](#) published by ANEM on 23 January 2006. The report provides an overview of the latest developments (from November 2003 to October 2005) with reference to three aspects of media legislation: broadcasting legislation and regulations, law of defamation and libel, and freedom of information. The report covers 10 Southeast European countries - Albania, Bosnia-Herzegovna, Bulgaria, Croatia, Kosovo, Macedonia, Moldova, Montenegro, Romania , and Serbia.

INDONESIA—CONTROVERSIAL BROADCASTING RULES COMES INTO FORCE

New broadcasting regulations banning local broadcasters from relaying news provided by foreign stations will take effect on 6 February 2006. According to the news article published by [RADIO SINGAPORE INTERNATIONAL](#), the regulations are based on the Broadcasting Law of 2002 and cover the licensing of broadcasting stations, allocating airwaves, monitoring of programs, imposing sanctions and limiting foreign ownership. The most contentious clause in the regulations is the banning of local broadcasters from relaying news provided by foreign stations. The



IJCSL NEWSLETTER

VOLUME 3 ISSUE 3

FEBRUARY 2006

public, however, could still listen to western news broadcasts on short wave radio and cable television networks.

IRAN—

- **CNN JOURNALISTS BANNED FROM WORKING IN IRAN**

“Iran banned CNN journalists from working there after the broadcaster misquoted President Mahmoud Ahmadinejad as saying Tehran wanted nuclear weapons,” according to the news article published by [REUTERS](#) on 16 January 2006. CNN later clarified its mistake. The director of foreign media at Iran's Culture and Islamic Guidance Ministry, however, is reported to have said that restoration of CNN's right to work in Iran would depend on an assessment of the broadcaster's future coverage of the Islamic state.

- **AUTHORITIES BLOCK ACCESS TO BBC PERSIAN WEBSITE**

The Iranian authorities have blocked access to BBC's Persian-language web site www.bbcpersian.com/ within Iran, according to the news article published by [BBC](#) on 24 January 2006. BBC Persian.com started in 2001 and was receiving around 30 million page hits per month. It is estimated that Iran has seven million internet users and BBC Persian.com attracted around one third of them.

LIBYA—GOVERNMENT CONTINUES SUPPRESSION OF FREEDOM OF SPEECH AND ASSOCIATION

The Libyan government continues to violate fundamental human rights, including freedom of speech and association, says Human Rights Watch (HRW) in a report titled “[Words to Deeds: The Urgent Need for Human Rights Reform](#)” released on 25 January 2006. Libya's fundamental laws guarantee many basic rights, but legislation restricting free speech and assembly are not harmonious with international human rights norms, adds the report. In particular, Law 71 bans any group activity based on a political ideology opposed to the principles of the 1969 al-Fateh Revolution, which brought Libyan leader Mu`ammar al-Qadhafi to power. There are no private radio or television stations, and government authorities publish the country's main newspapers. The only sources of uncensored news are satellite television programs and the Internet. Libya has taken several steps to strengthen human rights reform, “but the government has a long road to travel before it meets the international standards of human rights,” says HRW.

MALAYSIA—ISLAMIC AUTHORITIES BAN ‘BLACK METAL’ MUSIC

The National Islamic Council, which has authority over Malaysian muslims, has issued a fatwa (religious decree) banning all forms of 'Black Metal' music declaring it un-Islamic, according to the news article published by [TAIPEI TIMES](#) on 24 January 2006. The Council has called the state religious authorities to gazette this fatwa under the criminal provisions of the Sharia law. Some 60 percent of Malaysia's 26 million people are ethnic Malay Muslims, who are subject to Islamic laws as well as the



IJCSL NEWSLETTER

VOLUME 3 ISSUE 3

FEBRUARY 2006

country's secular legal system. The Council's rulings do not affect the ethnic Chinese and Indian minorities, majority of whom are Buddhists, Christians and Hindus.

SPAIN—CATALAN PARLIAMENT ADOPTS NEW BROADCASTING LAW

Parliament of the Catalan autonomous region has adopted a new broadcasting law extending wide powers to the Broadcasting Council of Catalonia to regulate media content and impose sanctions. According to the news article published by [REPORTERS WITHOUT BORDERS](#) on 19 January 2006, the powers extended to the Council are arbitrary and contrary to the principles of free expression. Several articles of the newly adopted law enable the Broadcasting Council of Catalonia (CAC) to impose heavy fines on news media ranging from 90,000 to 300,000 euros (USD 110,398 to 367,904) and to order their closure by withdrawing their licenses.

TAJIKISTAN—BBC'S FM RADIO SERVICE SUSPENDED

Following the adoption of a law requiring foreign media outlets with FM services to register with the Justice Ministry, the Uzbek authorities have suspended the local FM radio service of the British Broadcasting Corporation (BBC) in the capital Dushanbe and the northern city of Khujand, according to the news article published by [RFE/RL](#). The decision to suspend the service was made on 10 January 2006.

FREEDOM OF RELIGION AND BELIEF

AZERBAIJAN—GOVERNMENT VOWS TO INTRODUCE AMENDMENTS IN THE LAW ON FREEDOM OF RELIGION

The government is determined to introduce several legislative amendments this year reflecting changes in activities, registration, missionary activities of religious communities, and religious literature, according to the news article published by [GAZETA.KZ](#) on 16 January 2006. The introduction of changes in the "Law on Freedom of Conscience" is said to be supported by all religions present in the country.

CENTRAL ASIA—REQUEST OF UN SPECIAL RAPPORTEUR TO VISIT TURKMENISTAN AND UZBEKISTAN TO INSPECT THE SITUATION ON FREEDOM OF RELIGION AND BELIEF MEETS NO RESPONSE

Requests by Asma Jahangir, the UN Special Rapporteur on Freedom of Religion and Belief, to visit Turkmenistan and Uzbekistan have gone unmet, according to the news article published by [FORUM 18 NEWS SERVICE](#) on 25 January 2006. Other countries that have failed to respond to the Special Rapporteur's requests to visit include North Korea (the request dates back to 1999) and Indonesia. Azerbaijan and Russia, though, have granted permission to the special Rapporteur to visit those countries in 2006.

FIJI—GOVERNMENT PREPARES TO DRAFT BILL REGULATING CHURCH REGISTRATION

Following the call of the Assembly of Christian Churches (ACC) to prepare laws to control the introduction of new religious denominations in Fiji, the Justice Ministry is



IJCSL NEWSLETTER

VOLUME 3 ISSUE 3

FEBRUARY 2006

drafting a bill that would set up requirements for any new church or religious organization coming into Fiji, according to the news article published by [FIJIVILLAGE](#) on 27 January 2006. There are 1,200 new religious organizations in the country. Those not registered with either the ACC or the Fiji Council of Churches, and are not recognized in Fiji.

INDONESIA—AUTHORITIES SHUT DOWN HOUSE CHURCHES

Government officials in Bandung, West Java, ordered eight house churches in the Rancaekek Kencana housing complex to cease meeting in private homes effective 15 January 2006. Despite the order, several of the churches met on January 15 anyway, since there was no other place for them to worship, according to the news report published by [COMPASS DIRECT](#). Each of the eight churches had previously applied for a permit but had been rejected. Under a ministerial decree issued in 1969, all religious groups must apply for permits and neighbors must give their approval before a permit is granted, adds the report.

MALAYSIA—NON-MUSLIM MINISTERS IN THE CABINET URGED PRIME MINISTER TO REVIEW RELIGION-RELATED LAWS TO PROTECT RIGHTS OF MINORITIES

Hindu, Buddhist and Christian ministers of the Cabinet have asked the Prime Minister, Abdullah Ahmad Badawi, to “review the religion-related laws to protect the rights of minorities, especially concerning rules on religious conversions, which appear to favor Muslims,” reports [MAINICHI DAILY NEWS](#) in an article published on 20 January 2006. In particular, the ministers called for a review of a provision in the constitution that says civil courts have no jurisdiction over the Islamic Sharia Court.

ROMANIA — CONTROVERSIAL RELIGION BILL GOES TO CHAMBER OF DEPUTIES

Romania’s proposed new religion law resumes its parliamentary progress in the lower house, the Chamber of Deputies, on 1 February according to [Forum 18](#). The government-drafted law passed unchanged through the upper house, the Senate, in December. “The draft law infringes many laws and the Constitution of Romania, as well as international human rights commitments to which Romania is subject,” Iustina Ionescu of the Bucharest-based Centre for Legal Resources told Forum 18. The new law is set to replace the 1948 communist-era religion law which has remained in force in the post-communist era. The draft has provoked complaints from many religious communities – particularly from Adventists, Baptists and other Protestants, Greek Catholics, Jehovah’s Witnesses and Baha’is - as well as from human rights activists (see F18News 6 October 2005 http://www.forum18.org/Archive.php?article_id=667 and 7 October 2005 http://www.forum18.org/Archive.php?article_id=669). However, strongly backing the draft law is the dominant Romanian Orthodox Church, which plays a powerful role in society. “The Orthodox Church agrees with this law,” Church spokesperson Father Constantin Stoica told Forum. The text of the draft law (L394/2005) is available in Romanian on the website of the State Secretariat for Religious Denominations, which drew up the original text http://www.culte.ro/ClientSide/lege_libertate_rel.aspx. The draft law establishes a three-tier system of state recognition and greater privileges are given to the highest



IJCSL NEWSLETTER

VOLUME 3 ISSUE 3

FEBRUARY 2006

status religious communities (there are currently 18 such approved religious denominations or "cults"). The difficulty for religious communities with the lesser status of "religious association" to become recognized as a denomination is that they need to show continuous existence of 12 years and have 22,000 adult citizen members. The draft law also gives the state undefined powers over religious communities. Communities with fewer than 300 adult citizen members cannot get a legal status will enable them to purchase property, build places of worship, or have paid staff or ministers.

RUSSIA—

- **MINISTRY DRAFTS CHURCH RESTITUTION BILL**

The Russian Economic Development and Trade Ministry has drafted a Church Restitution Bill that may turn the Russian Orthodox Church into a major proprietor, according to the news report published by [RIA NOVOSTI](#) on 25 January 2006. Currently, "religious property" in Russia is owned by the state but churches use such property free of charge. If passed, the law will transfer title to most religious properties to the churches using them, but it will forbid the Orthodox Church from using property on the UNESCO World Heritage List, such as Kremlin cathedrals and St. Basil's Cathedral on Moscow's Red Square, as well as other world-famous cultural sites, adds the report.

- **MUSLIMS URGE REMOVAL OF CHRISTIAN SIGNS FROM THE RUSSIAN FLAG AND OTHER NATIONAL EMBLEMS**

Muslim groups are push for a stronger voice within Russia, according to the news article published by [INTER PRESS SERVICE NEWS AGENCY](#) (IPS) on 16 January 2006. Their demands include reservation of the post of vice-president for a Muslim and removing Christian signs from the Russian flag and other national emblems. The Muslim groups believe that the "use of the national coat of arms with Christian crosses and symbols in government offices indicates the state's approval and promotion of one religion and discrimination against other religious groups."

UNITED STATES—

- **16 JANUARY 2006 DECLARED RELIGIOUS FREEDOM DAY**

By virtue of the authority vested in the President by the Constitution and laws of the United States, the U.S. President George W. Bush, proclaimed 16 January 2006 as Religious Freedom Day. According to the White House [press release](#) on 13 January 2006, the President called on all Americans to reflect on the great blessing of religious liberty, and commemorate this day with appropriate events and activities in their schools, places of worship, neighborhoods, and homes.

- **"AN ACT RELATIVE TO CHARITIES" FAILS IN STATE HOUSE OF REPRESENTATIVES IN MASSACHUSETTS**

State House of Representatives of Massachusetts overwhelmingly rejected a bill on 25 January 2006 that would have forced the Roman Catholic Church to open its financial books, according to the news article published by [REUTERS](#). The bill faced opposition



IJCSL NEWSLETTER

VOLUME 3 ISSUE 3

FEBRUARY 2006

by the Archdiocese of Boston and other religious leaders, who said it contravened the separation of church and state enshrined in the U.S. Constitution (For previous coverage of the Bill, see **September 2005 issue of IJCSL-Newsletter** at [ICCSL website](#))

UZBEKISTAN — FINES FOR UNREGISTERED RELIGIOUS ACTIVITY INCREASED

Fines for unregistered religious activity have been increased from 5 to 10 times the minimum wage to 50 to 100 times the minimum wage, according to the news report published by [FORUM 18 NEWS SERVICE](#) on 27 January 2006. Religious minorities are afraid that such a massive increase in fines will result in closure of unregistered religious organizations. The increase in fines was made possible by amendments in the Criminal and the Administrative Codes that came into force on 30 December 2005. Uzbekistan's Religion Law forbids the activity of unregistered religious organizations, and many religious communities have arbitrarily been denied registration or are too small to meet the requirement of 100 adult citizen members to register.

LEGAL FRAMEWORK

IRAQ—RESTRICTIVE NGO LEGISLATION PROPOSED

Iraq's transitional government is considering draft legislation that would severely limit the role non-governmental organizations (NGOs) in the country, according to [United Press International](#). The copy of the draft legislation released on January 26 by Ala' Kazim, Iraq's Minister for Civil Society will be submitted to the parliament by the beginning of February. It fails to distinguish between mutual interest groups and NGOs that serve a public purpose. Its membership clause says all founding members of a new organization must be Iraqi citizens and that non-Iraqis may only constitute one-fourth of the total membership. Chapter 2, Section 1, Article 6, of the document says that "it is impermissible to condition membership on differentiation based on religion, race ... sex or social statu,," which would prohibit an all-woman or all-Christian NGO. Under the draft law the elections of administrative committees and governing boards of NGOs must be overseen by a judge and the Minister for Civil Society would be given broad powers to intervene in an organization's affairs and to approve all funding for an NGO, whether from inside Iraq or outside. The draft law gives the Minister the power to cancel any "unlawful" decision of an NGO and to dissolve organizations, seize assets and assess fines. Those found guilty of setting up NGOs "in contravention to the provisions of this law," the draft says, face a maximum prison sentence of three years. If enacted as drafted this law would undoubtedly undermine the development of civil society and democracy in Iraq.

IRELAND—LAW REFORM COMMISSION RECOMMENDS NEW LEGAL STRUCTURE FOR CHARITIES



IJCSL NEWSLETTER

VOLUME 3 ISSUE 3

FEBRUARY 2006

The Law Reform Commission has recommended the creation of a new legal structure for charities, according to the news article published by [IRELAND ONLINE](#) on 16 January 2006. The proposed legal structure called the Charitable Incorporated Organisation (CIO) will have three charity trustees, limited liability for members and a model constitution to be prepared in consultation with the charity sector. Ministry of Community, Rural and Gaeltacht Affairs is expected to publish a bill this year to establish an independent body to regulate the charity sector.

RUSSIA—PRESIDENT SIGNS NEW NGO LAW

Russian President, Vladimir Putin, [signed](#) the new legislation on non- governmental organizations on 10 January 2006. The bill was published in the official Russian newspaper Rossiyskaya Gazeta on 17 January. It will come into force within 90 days of its publication, according to the news article published by [EXPATICA](#). In Strasbourg, France, the Parliamentary Assembly of the Council of Europe in Strasbourg has declared that Russia's NGO law did not meet European norms for NGOs. On the other hand, Russian authorities are [citing](#) the purported British spy ring as justification for the controversial NGO law that will tighten state control over nongovernmental organizations. Julie Finley, the U.S. Ambassador to the OSCE Permanent Council said that the new law could be applied selectively for political purposes and [criticized it](#) because it –

- gives extensive powers to the Federal Registration Service to refuse registration of Russian and foreign NGOs and to monitor and control their activities;
- authorizes the service to initiate a judicial process to close down foreign NGOs if they "threaten the sovereignty, political independence, territorial integrity, national unity and self-identification, cultural heritage and national interests of the Russian Federation"; and
- requires that the service certify that NGOs are not engaged in foreign-funded activities that conflict with the "political independence of the Russian Federation" or in activities that are not specifically authorized in their charters.

Following the signing of the law, Russian authorities in the southern republic of Ingushetia banned three NGOs from the United States, Britain, and Germany working in Russia. The three [banned](#) NGOs were engaged in humanitarian activities including aid to victims of the conflict in Chechnya.

KAZAKHSTAN—STATE REGISTRATION FEES REDUCED

The Government of Kazakhstan recently issued a decree that reduced the state registration fees for all legal entities, including NGOs according to [ICNL](#). This change took effect January 1, 2006 and is especially beneficial for Kazakhstan NGOs for whom the state registration fee was reduced from \$146 to \$57. In fact, 90% of NGOs applying for registration will benefit from this change. Another 10% of NGOs will benefit from other discount fee rates. These changes further the previous reduction of the state registration fees in March 2005, when the state registration fees



IJCSL NEWSLETTER

VOLUME 3 ISSUE 3

FEBRUARY 2006

for only one type of NGO, national and cultural ethnic centers. This reduction in registration fees for almost all types of NGOs is an important change consistent with another significant step made by the Kazak government last year when it ratified the International Covenant on Civil and Political Rights (ICCPR). [Link](#) to registration fee decree in Russian.

UNITED KINGDOM—CHARITY COMMISSION VOWS TO REDUCE REGULATORY BURDENS BY IMPROVING REGULATIONS

As a part of the government-wide Simplification' program, led by the Better Regulation Executive (BRE), all government departments are directed to streamline rules and regulations including reducing paperwork and time spent dealing with requests for information. The Charity Commission has announced that it will comply with the program by reducing regulatory burdens on charities and improving regulations and the way they are applied, according to the Commissions' [news release](#) on 12 December 2005. The Commission is currently working on a draft simplification plan and has urged the sector to come forward re with recommendations. A final product will then be presented for publication in the middle of 2006.

MISCELLANEOUS MATTERS

GLOBAL—UNIVERSAL DECLARATION OF THE RIGHTS OF INDIGENOUS PEOPLES EXPECTED SOON

“The next session of the U.N. Commission on Human Rights scheduled in March and April, might approve the Declaration of the Rights of Indigenous Peoples” according to the news article published by [INTER PRESS SERVICE NEWS AGENCY](#) on 22 December 2005. More than 300 million people belonging to indigenous communities in more than 70 countries around the world are could benefit from the adoption of the declaration. The working group has almost finalized the draft, but controversy still exists with the way in which the draft recognizes the right of indigenous people rights to self-determination and perhaps to their own land, territories, and natural resources.

MALAYSIA—FEDERAL ISLAMIC BODY ESTABLISHES A MORALITY SQUAD; GOVERNMENT SEEKS TO DISBAND IT

The Federal Territory Islamic Department has announced the formation of a 75-member Islamic Council Volunteer Squad to deter “indecent behavior” such as Muslim couples holding hands in public. According to the news article published by [HENDERSONVILLE NEWS](#) on 19 January 2006, the team will patrol Putrajaya's parks and other public areas to spy and spot such incidents. The volunteers will not be authorized to arrest anyone but they can alert the department's enforcement unit if they spot offenders. The voluntary force has evoked widespread protests from government officials, lawyers, and civil society groups. Malaysia's government has ordered the Islamic body to disband its volunteer force of moral police. More than half of Malaysia's 26 million people are Muslims



IJCSL NEWSLETTER

VOLUME 3 ISSUE 3

FEBRUARY 2006

ANNOUNCEMENTS

GLOBAL—

- **HUMAN RIGHTS WATCH WORLD REPORT 2006 RELEASED**

“Torture and mistreatment have been a deliberate part of the Bush administration’s counter-terrorism strategy, undermining the global defense of human rights,” [says Human Rights Watch](#) on 18 January 2006 while releasing its [World Report 2006](#). The Human Rights Watch World Report 2006 contains survey information on human rights developments in more than 70 countries in 2005.

- **TRANSPARENCY INTERNATIONAL LAUNCHES THE GLOBAL CORRUPTION REPORT 2006**

[Transparency International](#) (TI) will launch its Global Corruption Report 2006 on 1 February. This edition of the report focuses on the health sector, where lack of integrity can be a matter of life and death, according to the [TI press release](#). The special section on health contains detailed assessments of the state of corruption in 45 countries, a selection of the latest research, mapping corruption trends, and links between corruption and good governance.

- **UNESCO PREPARES PRACTICAL GUIDE ON THE USE OF INTERNET FOR JOURNALISTIC PURPOSES**

In collaboration with the Thomson Foundation and Commonwealth Broadcasting Association, UNESCO has produced a handbook for journalists in developing countries on the use of the Internet for journalistic purposes, according to the [news article](#) published by UNESCO on 24 January 2005. The handbook aims to provide journalists, especially from developing countries, with some practical skills for exploring and exploiting the Internet for day-to-day journalistic assignments. The salient features of the handbook include training on how to evaluate and verify the information gathered. The handbook is part of UNESCO’s effort to promote a free and pluralistic media to ensure universal access to information and knowledge. The training handbook is available in a hardcopy manual and a CD and can be [downloaded](#) from the UNESCO website.

- **ICNL PUBLISHED VOL. 8, ISSUE 2 OF THE INTERNATIONAL JOURNAL OF NOT-FOR-PROFIT LAW.**

This January 2006 issue of [IJNL](#) has a special section on public benefit commissions, articles on public participation in Central Europe, re-inventing Liberia, the law of *zakat*, NGO credibility, funding for small NGOs, and a review of a book on African proverbs.

- **[FOREIGN POLICY](#) HAS PUBLISHED AN INTERESTING ARTICLE ON THE ROOTS OF TERRORISM BY CHRISTINE FAIR AND HUSAIN HAQQANI**



IJCSL NEWSLETTER

VOLUME 3 ISSUE 3

FEBRUARY 2006

The authors claim that poverty does not produce terrorists, a solution to the Israel-Palestine problem is not a cure-all, young Muslim men are not the most likely to turn to terror, madrasas are not terrorist factories, but perceived threats to Islam do create terrorists and disenchanted, angry Muslims in Europe and North America are potential terrorist recruits

RUSSIA—PUBLIC CHAMBER HOLDS ITS FIRST FULL SESSION

The first full session of the Russian Public Chamber was held on 22 January 2006. At the first meeting of the Chamber President, Vladimir Putin, delivered a speech and highlighted the role of the newly created body in addressing important public issues, including the new NGO law, promoting social tolerance, confronting ethnic hatred, and increasing the influence of citizens and civic institutions. According to the news article published by [THE MOSCOW TIMES](#) on 23 January 2006, President Putin said the Chamber must also oversee how officials implement a contentious law on nongovernmental organizations that NGOs have complained is too restrictive. As part of its initial tasks, the Chamber study the state of the freedom of speech, recommend state funding for public initiatives, analyze laws regulating charities, and formulate suggestions.

SERBIA AND MONTENEGRO—FUNDING FOR PROJECTS ON EFFECTIVE PRACTICES TO INCREASE CITIZENS' PARTICIPATION

The [Balkan Community Initiative Fund](#) (BCIF) is soliciting applications from NGOs, NPOs, and informal associations from Serbia and Montenegro for funding projects on to increase citizen participation in local decision-making on to community development, according to the news release of [ONEWORLD SOUTH EAST EUROPE](#) on 19 January 2006. Applications must be received by the end of March 2006. For more information and how to apply, visit the BCIF website at www.bcif.org.

UNITED STATES—ETHICAL CORPORATION'S 2006 US BUSINESS-NGO PARTNERSHIPS CONFERENCE TO BE HELD IN MAY

Ethical Corporation will hold its second annual 2-day conference on Business-NGO partnerships on May 9-10, 2006 in New York City to focus on strategies proven to build and sustain business-NGO partnerships, according to the [Ethical Corporation Press Release](#). The Conference will provide a forum for business and NGOs to present their views and offer constructive ways to work together more effectively.

UZBEKISTAN—COURT SUSPENDS ACTIVITIES OF FREEDOM HOUSE UZBEKISTAN

The Uzbek authorities have suspended the activities of Freedom House Uzbekistan for six months, alleging that Freedom House had grossly violated Uzbekistan's registration and licensing laws and failed to provide financial reports to Uzbek authorities, according to the news article published by [RIA NOVOSTI](#) on 16 January 2006.

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VOLUME 3 ISSUE 3

FEBRUARY 2006

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