



IJCSL NEWSLETTER

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ANTI-TERRORISM LEGISLATION

UNITED KINGDOM—NCVO ISSUES NEW REPORT

The [National Council for Voluntary Organizations](#) (NCVO) has issued a new report titled “[Security and Civil Society – the impact of counter-terrorism measures on civil society organizations](#).” The report is a result of the work of an Advisory Group made up of a cross section of U.K. charities and is being published to help inform the current Home Office/Treasury Joint Review into Charities and Terrorist Financing. NCVO’s [press release](#) of 19 January 2007 indicates that the report criticizes the Government’s approach to the threat of terrorist abuse of charities, claiming it is ineffective and counter productive. The report states that the Government’s approach is not in touch with the real work of charities, which can help people turn away from destructive paths, such as terrorism. There are several recommendations in the report as to how government should work with civil society to combat any abuse of charities.

CITIZEN PARTICIPATION AND FREEDOM OF INFORMATION

CAYMAN ISLANDS—GOVERNMENT REVISES DRAFT FREEDOM OF INFORMATION BILL

The Cayman Islands Legislative Drafting Department is currently revising the draft [Freedom of Information Bill](#) for submission to Cabinet. The draft is expected to be sent to the Legislative Assembly by the end of March 2007 for debate and approval. A news article published by [CARIBBEAN NET NEWS](#) on 19 January 2007 indicates that the Cayman Islands government looked at the legislative models of New Zealand and the U.K., as well as at the Florida “Government-in-the-Sunshine” law in developing the draft legislation. The FOI legislation was initially drafted last year and went through a consultation process in several district and community meetings. For previous coverage see the [March](#) and [June](#) 2006 issues of the **IJCSL-NEWSLETTER** and the **INTERNATIONAL JOURNAL OF CIVIL SOCIETY LAW** for [January 2006](#).

GUYANA—DEBATE ON FOI BILL DEFERRED

Freedom of information legislation, which aims to allow public access to government bodies, has not yet been tabled in the National Assembly. According to a news article published by [STABROEKNEWS](#) on 6 January 2007, AFC MP Raphael Trotman deferred the first reading of the Bill hoping to reach a consensus among all the parties on the proposed law. The proposed legislation seeks to create a right for every person to obtain access to official documents.



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INDONESIA—FREEDOM OF INFORMATION COMMISSION INCLUDED IN BILL BEING DISCUSSED IN HOUSE OF REPRESENTATIVES

A report published in the [Jakarta Post](#) on 31 January 2007 discusses the current draft Freedom of Information Bill, which is being debated in the House of Representatives. The proposed Information Commission would have the authority to formulate policies on which information would be available to citizens. Under the draft law, the Information Commission would be an independent body, but would be funded by allocations from the budget of a ministry, such as the Information and Communication Ministry.

SPAIN—JAVÉA TOWN HALL PROMOTES PUBLIC PARTICIPATION

The municipality of Javéa is promoting public participation in town council meetings, according to a news article published by [THE LEADER ONLINE](#) on 21 January 2007. This will allow residents to be involved in the decision-making processes of the council in the municipality. On the last Thursday of every month, the public will be able to ask the council about specific issues of municipal interest. The measure is intended to recognize the legitimacy of the population to intervene actively in their own administration, as established in the regulations for local government administration throughout Spain.

SRI LANKA—DRAFT FREEDOM OF INFORMATION BILL BEING DISCUSSED BY EXPERT PANEL

The [Daily Mirror](#) for 1 February 2007 reports that the draft Freedom of Information Bill is under discussion by an expert panel. The proposal envisages the establishment of a Freedom of Information Commission, which was said to be an excellent proposal, since areas in which information cannot be divulged publicly, can still be accessed through this Commission.

UNITED KINGDOM

• INQUIRY INTO THE FUTURE OF CIVIL SOCIETY CALLS FOR PUBLIC PARTICIPATION

The [Carnegie UK Trust](#) has launched an [Inquiry into the Future of Civil Society](#). A Carnegie UK Trust [media release](#) on 19 January 2007 indicates that the inquiry will explore possible future threats to and opportunities for the development of a healthy civil society in the UK and Ireland, looking out to 2025. This ambitious initiative is designed to identify ways in which policy and practice can be enhanced so that civil society organizations are better prepared for what the future might hold and so civil society is strengthened. The Trust is actively seeking public participation, as detailed on the Trust's website.



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- **DEBATE ABOUT FOI BILL CONTINUES**

New Freedom of Information and Data Protection Regulations are expected in 2007, with government having indicated that they will be “laid down” on 19 March — just 11 days after the end of the public consultation period. [Pressgazette](#) reported on 1 February 2007 that the vigorous campaign against the amendments being rushed into force has gained assistance from Baroness Ashton, the Parliamentary Secretary of State for Constitutional Affairs. The proposals seek to change the way FoI costs are calculated, thereby massively increasing the number of questions rejected for exceeding the cost limits (£600 for central Government and £450 elsewhere). There is also controversy about the possibility that MPs will be exempted from the application of the FOI Act’s provisions, as reported by [THE GUARDIAN on 25 January 2007](#).

FISCAL MATTERS

CHINA—NEW TAX POLICY FOR CHARITY ORGANIZATIONS ANNOUNCED

A new policy announced by the Ministry of Finance and the State Administration of Taxation allows corporations and individual donors to claim tax deductions for donations to any licensed non-profit public welfare organization, according to a news article published by [CHINA DAILY](#) on 20 January 2007. At present only donations to about twenty major charity organizations are tax-deductible under a policy issued last year. In the wake of insistence in recent years that a charity law is needed to standardize charity practices and give people more freedom to participate in public welfare undertakings, the draft of the country’s first law on charity is expected to be presented to the top legislature for examination and approval later this year. ICCSL’s comments on the 15 September 2006 draft Charity Law are included in the [January 2007](#) issue of IJCSL.

INDIA—FCRA BILL DELAYED BY COMMITTEE REFERRAL

An [AccountAid Capsule](#) for 16 January 2007 reported that the new FCRA Bill, introduced in the Rajya Sabha in December 2006, has been referred to a Standing Committee. This is expected to delay the passage of the new FCRA. The Committee is inviting public representations, and is expected to give its final report by the end of March 2007.



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SOUTH AFRICA—NEW TAX PROVISIONS FOR PUBLIC BENEFIT ORGANIZATIONS EXPECTED SOON

Section 24 of the [Revenue Laws Amendment Bill of 2006](#), which was released in November 2006 and is expected to be enacted shortly, will greatly simplify the tax treatment of public benefit organizations (PBOs) in South Africa. Section 21 companies, charitable trusts and unincorporated associations [were previously required to qualify as Nonprofit Organizations \(NPOs\)](#) under the NPO Act of 1997, but the new tax rules will allow them to apply directly to the South African Revenue Service for a determination of PBO status. In addition, the new rules will permit PBOs to invest their funds, will tax them at a rate of 29% on income from trading activities (regardless of form), and will grant tax exemption in South Africa to foreign tax exempt entities. The [National Treasury's](#) explanation of the elimination of the dual registration requirement is that it caused an “undue compliance burden.”

UNITED STATES—

- **IRS ISSUES NOTICE CLARIFYING PROVISION OF PENSION REFORM ACT CONCERNING CHARITABLE CONTRIBUTIONS BY IRAS**

On 10 January 2007 [Internal Revenue Service](#) issued [Notice 2007-7](#) concerning Individual Retirement Accounts (IRAs). The Notice clarifies several issues concerning the provision permitting IRA owners age 70 ½ or older to directly transfer tax-free up to \$100,000 per year to an eligible charity.

- **IRS RULES ON PRIVATE FOUNDATION'S PROPOSED INDEMNIFICATION FOR MANAGERS**

The [Internal Revenue Service](#) ruled that a private foundation's proposal to indemnify or insure its director/co-trustees (managers) for legal expenses resulting from possible suits related to their work as trustees of charitable trusts created by the foundation's founder will not be considered acts of self-dealing, according to the [news story](#) by [PLANNED GIVING DESIGN CENTER](#) on 8 December 2006. These acts will not constitute self dealing as long as the expenses are reasonable and the manager has not acted willfully and without reasonable cause.



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FREEDOM OF ASSOCIATION AND PEACEFUL ASSEMBLY

ARMENIA—ECHR UPHOLDS FREEDOM OF ASSEMBLY AND ASSOCIATION

In a [chamber judgment](#) in [Mkrtchyan v. Armenia](#), the [European Court of Human Rights](#) (ECHR) declared illegal the arrest of an Armenian opposition activist who helped organize an anti-government demonstration more than four years ago. The Court held unanimously that there had been a violation of Article 11 (freedom of assembly and association) of the European Convention on Human Rights. According to a news article published by [ARMENIA LIBERTY](#) on 11 January 2007, the plaintiff, Armen Mkrtchian, along with other members of the opposition party was detained by the police after actively participating in an unsanctioned rally in Yerevan in 2002. He was released after being fined under Armenia's Soviet-era Administrative Code. Mkrtchian took his case ECHR in November 2002, arguing that the sanction imposed on him unlawfully interfered with his right to freedom of peaceful assembly. He relied on Article 11, claiming that the sanctions were not prescribed by law as the Soviet-era law was no longer in effect; the Court agreed. The Armenian Parliament first adopted a law in 2004 regulating the procedure for holding assemblies, rallies, street processions, and demonstrations.

BANGLADESH—STATE OF EMERGENCY DECLARED CONTAINING RESTRICTIONS ON FREEDOM OF ASSEMBLY

A state of emergency has been declared in the country, according to a news article published by [REUTERS](#) on 11 January 2007. This includes a ban on various activities, including street protests, rallies and strikes, and [impose heavy restrictions](#) on all media. Penalties for breaking the rules are between 2 and 5 years of "rigorous imprisonment." Cases involving violations will be heard in special "speedy trial tribunals."

UGANDA—THE RIGHT TO ASSEMBLE AND DEMONSTRATE IS NOT ABSOLUTE, SAYS UHRC

A news article published by [THE NEW VISION](#) on 14 January 2007 indicates that the Uganda Human Rights Commission (UHRC) has declared that the right to assemble and demonstrate is not absolute and should be exercised with regard to the rights and freedoms of others. In its guidelines on "the freedom to assemble and to demonstrate with others peacefully and unarmed and to petition," the UHRC suggests that prior notification or permission to assemble and demonstrate is not of itself an interference with the freedom of assembly. The commission urged the police develop and publish guidelines for the public outlining what is expected of them in exercising their freedom to assemble and demonstrate.



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FREEDOM OF EXPRESSION

AMERICAS—OAS RAPPORTEUR ON FREEDOM OF EXPRESSION DEPLORES SITUATION IN SOME COUNTRIES

The last quarter of 2006 was “tragic” for freedom of expression in the region because of increased violence against reporters, dismissals and termination of a number of broadcasts, according to the Special Rapporteur on Freedom of Expression of the Organization of American States Venezuelan Ignacio J. Álvarez. [His statement](#) regarding the fourth quarter 2006 developments not only highlights the situation in Venezuela, discussed below, but also mentions problems in Argentina, Bolivia, Brazil, Colombia, Cuba, Ecuador, El Salvador, Haiti, Honduras, Mexico, Paraguay, Peru, and Uruguay. It was issued on 29 January 2007.

BAHRAIN—BAHRAIN CENTER FOR HUMAN RIGHTS PROTESTS DETENTION OF POLITICAL ACTIVISTS

Two nonviolent political activists in Bahrain face up to seven years in prison for possession of leaflets calling for peaceful political change, according to a news release by the [Bahrain Center for Human Rights](#). A court in the capital Manama was scheduled to deliver its verdict in the case at the end of January, but there is no news that it has done so. The public prosecutor charged the two under articles 160, 161, and 168 of the Bahraini Penal Code, which criminalize the dissemination and possession of materials that could “damage the public interest.” Their trial began on January 7 before a judge of the Lower Criminal Court.

CAMBODIA—PRIME MINISTER ISSUES DIRECTIVES SAID TO VIOLATE CITIZENS' FREEDOM OF EXPRESSION

Cambodian Prime Minister Hun Sen warned all political parties against criticizing their competitors in order to win votes in the upcoming April commune elections. According to an [Asian Human Rights Commission press release](#) on 11 January 2007, the prohibition of criticism violates the rights of the Cambodian people to freedom of expression as guaranteed and protected by their national constitution. The prohibition is the latest in a series of repressive measures that the Cambodian government has taken over the years to silence its critics.



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CANADA—ONTARIO COURT OF APPEAL RULES THAT BANNING SQUEEGEE PEOPLE FROM PUBLIC ROADWAYS ONLY MINIMALLY VIOLATES THEIR FREEDOM OF EXPRESSION

The Ontario Court of Appeal ruled on 16 January 2007 in [R. v. Banks](#) that banning “squeegee people” from begging on public roadways violates their freedom of expression. But the Court went on to hold that the need for rules regulating pedestrians and traffic and reducing dangers on the streets is important enough to override that constitutional right. The Court stated: “The limits [of the legislation] achieve the objective of promoting public safety, efficient circulation, and public enjoyment of public thoroughfares. The impairment of the appellants’ rights is minimal.” The ruling comes out of an appeal from 11 homeless men who challenged provincial legislation that banned solicitation of money on roadways. They were [convicted](#) under the Safe Streets Act in 2001 for washing windshields or asking Toronto drivers for money.

ESTONIA — BILL BANNING DISPLAY OF SOVIET ERA SYMBOLS PASSES FIRST READING IN PARLIAMENT

On 24 January 2007, a bill of amendments to the penal code seeking a ban on totalitarian symbols passed its first reading in the Parliament, according to a news article published by [EURASIA DAILY MONITOR](#). Under the bill, drafted by the Justice Ministry, the demonstration and distribution of official symbols of the Soviet Union and its republics, as well as symbols of the German Nazi Party and SS troops, including easily recognizable fragments of such symbols, will be considered as attempts to stir up hatred and will entail penal consequences. The use of such symbols will be punished with fines or imprisonment of up to three years, depending on the circumstances. Legal entities will be fined up to 50,000 kroons (US\$ 4,130).

EUROPE—GERMAN LAWMAKERS CALL FOR EU-WIDE BAN ON NAZI SYMBOLS

A news article published by [DEUTSCHE WELLE](#) on 17 January 2007 reports that several German lawmakers have called for a Europe-wide ban on Nazi insignia following widespread outrage after Britain's Prince Harry wore a swastika as part of a costume at a high-society gathering. The discussion on banning the symbols is likely to be on the agenda of the upcoming meeting of European Justice Ministers. Many countries in Europe consider that the display of such symbols is protected by democratic principles of free speech. According to a news article by [REUTERS](#), Hindus in Europe have strongly opposed the calls for such ban saying the swastika symbolizes peace and not hate.



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GEORGIA—BROADCASTING CODE OF CONDUCT PUBLISHED

Georgian Public Broadcasting (GPB) has published a code of conduct. According to a news article published by [MEDIA AGE](#) on 10 January 2007, the 62-page code details the rights of Georgian broadcast journalists and the restrictions imposed upon them. It is the first time a regulatory code covering broadcasting rights has been introduced in the country.

INTERNATIONAL—

- **U.N. PASSES RESOLUTION CONDEMNING HOLOCAUST DENIAL**

The United Nations General Assembly adopted a [resolution](#) on 27 January 2007 condemning any denial of the Holocaust and urging member states to reject any efforts to deny the Holocaust. The resolution urges “all Member States unreservedly to reject any denial of the Holocaust as a historical event, either in full or in part, or any activities to this end.” Of its member States, only Iran disassociated itself from the resolution.

- **TECH COMPANIES TO DEVELOP CODE OF CONDUCT IN COALITION WITH NGOS**

Microsoft Corp., Google Inc., and two other technology companies will develop a code of conduct with a coalition of NGOs to promote freedom of expression and privacy rights, according to a news article published by [ITWORLD.COM](#). The announcement follows the criticism on technology companies for providing equipment or software that permits governments to censor information or monitor the online or offline activities of their citizens. The code will hold signatories accountable for their actions in the areas of freedom of expression and privacy rights.

IRAN—NEW LAW REQUIRES REGISTRATION OF ALL WEBSITES AND WEBLOGS

The government has passed a new law requiring registration of all websites and weblogs sourced in the country by 1 March 2007. [Iranian bloggers have raised serious concerns](#) about the law, alleging that it clearly violates free speech. A committee of government officials and representatives of ministries will be in charge of approving the content of websites. According to a news article published by [INTER PRESS SERVICE NEWS AGENCY](#) on 10 January 2007, the new law requires the weblog or website registrar to provide names, addresses, telephone numbers, intended audiences, approximate numbers of readers and other detailed information. Comprehensive restrictions are placed on content that deals with a range of issues from criticism of religious figures to sexual matters as well as content considered offensive to the Ayatollah Khomeini (the founder of the Islamic Republic), Ayatollah Khamenei, (Iran's Supreme Leader), or that is deemed slanderous of Islamic laws. The Ministry of Culture and Islamic Guidance drafted the new law.



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MOROCCO—JOURNALISTS FINED AND JAILED

A court in Morocco handed down three-year suspended jail terms and the payment of damages of 80000 dirhams (US\$ 9,333) on two journalists for defaming Islam and breaching public morality in jokes published in a weekly magazine, according to a news article published by [NEWS24](#) on 15 January 2007. The court also banned the publication of the magazine for two months. The controversial jokes featured the Prophet Muhammad, the late Moroccan King Hassan II, Islamists, and Moroccans in an article entitled “How Moroccans laugh at religion, sex and politics.” International media rights groups have condemned the court decision as a violation of press freedom.

NIGERIA—PARLIAMENT READY TO PASS SWEEPING ANTI-GAY LAWS

New legislation that will strip gays and lesbians of all civil rights is set for a vote in Nigeria’s Parliament. A news article published by [PINK NEWS](#) on 18 January 2007 states that the bill outlaws almost every expression, affirmation and celebration of gay identity and sexuality, and prohibits the provision of sympathetic advice and welfare support to lesbians and gay men. The legislation prohibits formation of lesbian, gay, bisexual and transgender (LGBT) social or civil rights groups; makes it illegal to sell or rent property to same-sex couples, watch a gay film or video, visit an LGBT web site, or express same-sex love in a letter to one’s partner. Those who violate will face five years imprisonment with hard labor.

SENEGAL — NEW REPORT ON THE STATE OF FREEDOM OF EXPRESSION PUBLISHED

[ARTICLE 19](#) has published a new [report on the state of freedom of expression in Senegal](#), according to its [press release](#) on 25 January 2007. The report outlines key challenges and obstacles to freedom of expression and underscores the importance of reforming legal, political and institutional framework for freedom of expression in Senegal.

SOUTH ASIA—REPORT ANALYZING THE STATE OF THE MEDIA IN SOUTH ASIA LAUNCHED

The South Asia Press Commission has published a report analyzing the state of the media in the region during 2006. The report notes that there was no significant development in terms of improvement in press laws on the legal front, except for India where information laws have been further relaxed, according to a news article published by [DAILY TIMES](#) on 12 January 2007. The [South Asia Press Commission](#) identifies laws, rules, and regulations in different countries that circumvent the right to freedom of opinion, and looks into the performance and role of both state and private media on matters like promotion of mutual trust and understanding.



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UNITED STATES—E-WRITER APPEALS COURT ORDER TO PRESERVE FREE SPEECH RIGHTS

An anonymous writer who linked from a collaborative website to a drug company's internal documents is appealing a court order demanding the removal of the links. A news article published by [THE NEW STANDARD](#) on 10 January 2007 says that the links were posted on the website <http://zyprexa.pbwiki.com/>, a “wiki”(see note below) discussing the controversy surrounding pharmaceutical giant Eli Lilly’s drug Zyprexa and its marketing campaign, which seeks to downplay the claims that Zyprexa use causes obesity and diabetes. According to court documents, Eli Lilly demanded removal of the links after a court order in December 2006 that the attorney and others in possession of the documents must stop disseminating and publishing them. A district court judge in New York extended the order to the wiki and other websites on 4 January 2007. While links to the documents have been removed from the website, an anonymous contributor is appealing the order, arguing that access to the documents is an “overriding public concern” and the order violates the contributor's free speech rights. A wiki is a website in which users can edit and add information collectively.

UZBEKISTAN—LAW ON MASS MEDIA AMENDED

The Uzbek President Islam Karimov signed the Law making amendments in the “[Law on Mass Media](#)” on 15 January 2007. According to a news article published by [UZREPORT](#), the amendments were approved and adopted by the Parliament last year. The law consists of six sections and 40 articles. The amendments are purportedly been introduced with the purpose of ordering the relations occurring in the sphere of mass media, especially in the field of creation, activity, and cessation of mass media structures.

VENEZUELA—IACHR RULES STATE VIOLATED FREEDOM OF EXPRESSION

After investigating allegations by an opposition-aligned TV station of abuses against the media, the [Inter-American Commission on Human Rights](#) (IACHR) has issued a report to the Venezuelan government. The report finds in favor of reporters, workers and managers of private TV channel Radio Caracas Television (RCTV). According to a news article published by [EL UNIVERSAL](#) on 4 January 2007, Radio Caracas Television (RCTV) had lodged a complaint with the commission accusing the Venezuelan government of “systematic aggressions” against its journalists and employees; violation of freedom of expression, personal integrity, judicial rights, due process and judicial protection under the [American Convention on Human Rights](#). Prior IJCSL-N coverage of the ongoing dispute between President Chavez and RCTV can be found in the [January 2007 issue](#). Further information about the concerns expressed by the Special Rapporteur on Freedom of Expression of the IACHR can be found on the Commission’s [website](#).



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FREEDOM OF RELIGION AND BELIEF

BELGIUM—CITY COUNCIL BANS WEARING RELIGIOUS SYMBOLS IN PUBLIC PLACES

The city council in the northern Belgium port city of Antwerp has ruled that civil servants dealing directly with the public should not wear visible religious symbols like a Muslim head scarf or a Christian cross, according to a news article published by [IRELAND ON-LINE](#) on 16 January 2007. Some 150 mostly Muslim women protested the decision and were considering further action. Muslim head coverings have become a touchy issue in Europe since France banned the wearing of head scarves in public schools in 2004.

BURMA—MOTION TABLED IN U.K. PARLIAMENT CALLS FOR SECURITY COUNCIL ACTION AGAINST RELIGIOUS PERSECUTION

A report in the [AsianTribune for 24 January 2007](#) discusses a motion tabled by Members of the British Parliament which calls for the UN Security Council to pass a binding resolution requiring the State Peace and Development Council (SPDC) (the official name for Burma's ruling military regime) to cease its widespread violation of human rights, including violations of religious freedom, to release all political prisoners, to open all parts of the country to unhindered access for international humanitarian organizations, and to engage in meaningful tripartite dialogue with the National League for Democracy and the ethnic nationalities.

CANADA—ONTARIO MUNICIPAL COUNCILS CONTINUE COMMENCING MEETING WITH THE LORD'S PRAYER

Despite calls from Secular Ontario (an advocacy group) to stop reciting the Lord's Prayer before meetings, Ontario municipal councils continue their practice of commencing each council meeting with the Christian ritual of the Lord's Prayer. According to a news article published by [NATIONAL POST](#) on 19 January 2007, Secular Ontario claims the recitation of the prayer goes against "fundamental" principles of Canadian society, privileges one faith over the other, and violates a 1999 Ontario Court of Appeal ruling in which the court agreed that such practice imposed "a Christian moral tone on the deliberations of council."



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EGYPT—FACE VEIL BANNED FOR RELIGIOUS COUNSELORS

The Egyptian Minister of Religious Endowments has forbidden the ministry's religious counselors from wearing the “[niqab](#)” (face veil), according to a news article published by [MIDDLE EAST ONLINE](#) on 15 January 2007. The minister is concerned that fully veiled women working as counselors would just promote “the culture of the niqab.” He claims that the niqab is a matter of custom and has nothing to do with the religion. The Egyptian government is discouraging extreme forms of female religious garb, and has banned the face veil in a number of other government offices.

GERMANY—CONSTITUTIONAL COURT OF BAVARIA UPHOLDS HEADSCARF BAN

The highest court in the southern German state of Bavaria has ruled that the state law banning Muslim women from wearing headscarves when teaching was not unconstitutional, according to a news article published by [DEUTSCHE WELLE](#) on 15 January 2007. An Islamic religious group brought the case to the Constitutional Court claiming the Bavarian headscarf ban was unconstitutional because it did not treat all religions as equal, outlawing only the headscarf and not the Christian cross or any other religious symbols. The ban was adopted in November 2004.

MACEDONIA — RELIGIOUS GROUPS OPPOSE PROPOSALS TO LIBERALIZE REGISTRATION

The country's main religious institutions have opposed the proposals to liberalize the registration of religious groups. A news article published by [SOUTHEAST EUROPEAN TIMES](#) on 10 January 2007 reports that the Macedonian Orthodox Church (MOC), the Islamic Religious Community (IRC), and the Roman Catholic Church have all come out in favor of maintaining the current system, which recognizes a single religious community for people of a particular denomination. In consultation with the OSCE, the government of Macedonia is in the process of drafting new legislation to amend the Law on Religious Communities and Groups.

MOLDOVA—NEW RELIGION LAW EXPECTED SOON

Moldova's new Religion Law is scheduled for its final reading in Parliament on 9 February 2007, according to a news article published by [FORUM 18 NEWS SERVICE](#). Religious minorities have expressed concern over the proposed ban on “abusive proselytism” and fear this could be misused to suppress their legitimate activities. The draft law defines “abusive proselytism” as: “the action of changing the religious beliefs of a person or a group of persons through means of violence, abuse of authority, blackmail, threats, constraints, religious hatred, disinformation, psychological manipulation or subliminal techniques.” Under the new draft law the following provisions will be adopted: the Ministry of Justice will administer the registration process; registration is to be given to religious denominations, not directly to individual congregations; the minimum number of members required for registration of a religious denomination has been removed; and individuals are not allowed to belong to more than one religious denomination simultaneously.



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MOROCCO—NEW LAW FOR PLACES OF WORSHIP PASSED

The Parliament has passed a new law placing restrictions on the building and funding of new places of worship in Morocco. According to a news article in [MAGHAREBIA](#) on 25 January 2007, under the law plans for a new mosque require prior approval of the governor; the patrons will be required to organize themselves into associations and obey general regulations laid down by the administration stating how state assistance will be used and what measures will be in force to control their activities; the ministry may delegate management and upkeep of the mosque to an association; the funds collected must be paid into a bank account in the association's name. Any violation is punishable by a fine equivalent to five times the amount of money raised, with a minimum of 100,000 dirhams (US\$ 11,667). Repeat offenders can face prison sentence of up to five years and fine equivalent to ten times the amount of money raised, with a minimum of 200,000 dirhams (US\$ 23,334). The law will come into force after it is published in the official bulletin.

PAKISTAN — MINORITIES ASK SUPREME COURT TO TAKE ACTION AGAINST MISUSE OF BLASPHEMY LAWS

A country-wide alliance of minorities has appealed to the Chief Justice of the Supreme Court of Pakistan to take suo motto action against the misuse of the blasphemy laws in the country. According to a news article published by [DAILY INDIA](#) on 26 January 2007, in recent months there have been several instances when blasphemy cases have been registered against minorities without any investigation or evidence. Minorities claim that vague and ambiguous wording of the laws encourages hardliners and extremists to persecute, victimize, and terrorize religious minorities and opponents. The government of Pakistan has vowed to reform its blasphemy law, reports [THE PENINSULA ON-LINE](#). The infamous law permits the death penalty for “insulting Islam.”

RUSSIA—ECHR UPHOLDS RELIGIOUS FREEDOM

In its Chamber judgment in the case of [Kuznetsov and Others vs. Russia](#), the European Court of Human Rights unanimously held that the government violated Article 9 (freedom of religion) of the European Convention on Human Rights when the chairwoman of the Regional Human Rights Commission disrupted and stopped a meeting of Jehovah's Witnesses. A news article published by [MOSNEWS](#) on 16 January 2007 reports that the community was holding a religious meeting in the auditorium of a vocational training college in Chelyabinsk. The community was authorized to hold such meeting under a signed lease. The Court ordered Russia to pay over €90,000 as compensation to the Jehovah's Witnesses.



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UNITED KINGDOM—BRITISH AIRWAYS LIFTS RELIGIOUS SYMBOLS BAN

The management of British Airways (BA) has announced that its uniform policy will change to allow all religious symbols, including crosses, to be worn openly by its staff, according to a news article published by [BBC NEWS](#) on 19 January 2007. The airline says it will now allow religious symbols such as lapel pins and “some flexibility for individuals to wear a symbol of faith on a chain.” The announcement by BA follows a massive uproar last year after a BA worker at Heathrow Airport was banned from wearing her cross necklace “visibly” whilst at work as it “might offend” people.

UNITED STATES—

- **BILL RESTORING RELIGIOUS FREEDOM INTRODUCED IN UTAH**

A bill intended to guarantee freedom of religious expression without government interference has been advanced by a Utah state Senate committee, according to a news article published by the [DAILY HERALD](#) on 20 January 2007. SB 111, titled “[Free Exercise of Religion without Government Interference](#),” would prohibit any state or local government unit from substantially burdening religion, even through a neutral law of general applicability, unless the government shows a compelling interest and that it is using the least restrictive means to further that interest. Utah Attorney General, Mark Shurtleff, has raised concerns that the bill would spark more lawsuits against the state.

- **COURT ALLOWS ACLU LAWSUIT OVER QURAN OATHS**

The state Court of Appeals has ruled the lawsuit filed by the American Civil Liberties Union (ACLU) and a Muslim woman seeking the use of the Quran or other non-Christian texts in addition to the Bible for courtroom oaths in North Carolina should be allowed to proceed. A news article published by [THE DETROIT NEWS](#) on 16 January 2007 reports that the ACLU [says](#) the government must allow all individuals of faith to be sworn in on the holy text that is in accordance with their faith. The Attorney General’s Office is reviewing the ruling but hasn’t decided whether to appeal.



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LEGAL FRAMEWORK

ALBANIA — NEW DRAFT LAW FOR REGISTRATION SAID TO CURTAIL INDEPENDENCE OF NGOS

The Government of Albania is expected to approve new procedures for the registration of NGOs. According to a news article published by [ONEWORLD SOUTHEAST EUROPE](#) on 9 January 2007, if the new draft law is approved as is, all the NGOs in Albania (established before or after the law comes into force) will have to report every year to the National Authority for NGO registration, which reports to the Ministry of Economy, which is appointed by the Prime-minister. The NGOs will have to report in detail all the names and addresses of their members, including their signatures. The final decision on the draft law, however, will be revealed after the consultations currently being held between government and NGOs are concluded.

MALTA—VOLUNTARY ORGANIZATIONS BILL INTRODUCED IN THE PARLIAMENT

The Voluntary Organizations Bill has been introduced in the Parliament. According to a news article published by [THE MALTA INDEPENDENT](#) on 9 January 2007, the law creates a legal framework for voluntary organizations and is the result of an ongoing process of consultation that formally began with the [publication](#) of a [White Paper](#) in July 2005. The proposed Act consists of two parts. The first part caters for the specific requirements and needs of voluntary organizations, while the second focuses on the necessary legal changes and regulations to be introduced. Several voluntary organizations have criticized the Bill, claiming the draft proposal gives Commissioner wide-ranging and conflicting powers. They have urged the government to hold further consultations with NGOs.

RUSSIA—SUPREME COURT UPHOLDS CLOSURE OF CHECHEN RUSSIAN FRIENDSHIP SOCIETY

In a decision with ominous implications for independent human rights organizations in Russia, the Federal Supreme Court of Russia on 23 January 2007 denied an appeal of a judicial order to close the Russian Chechen Friendship Society (RCFS). The RCFS, based in Nizhny Novgorod, was one of the few remaining organizations in Russia that was reporting on human rights conditions in Chechnya and the North Caucasus. According to a news article published by [RIA NOVOSTI](#) on 31 January 2007, the society is a non-governmental organization monitoring human rights violations in Chechnya and other regions of the North Caucasus, which publicizes alleged disappearances, executions, and torture in the region, and is supported by global human rights watchdog Amnesty International. Last year, the regional court had ordered the closure of RCFS for alleged tax violations and illegal rallies. The decision was deplored in a Press Release by [Human Rights First](#) as sending a chilling message to Russian civil society organizations.



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UZBEKISTAN—NEW NGO LAW COMES INTO FORCE

The new law "[On guarantees of activities of the non-state non-profit organizations](#)" entered into force on 4 January 2007. The law was adopted by the Legislative Chamber of Oliy Majlis on 11 October, 2006, approved by the Senate on 1 December 2006, and signed by the President on 3 January 2007.

MISCELLANEOUS MATTERS

NIGER—CIVIL SOCIETY ACTIVISTS DECRY RESTRICTIONS ON CIVIL LIBERTIES AND LACK OF ATTENTION TO POVERTY ALLEVIATION

An article in [Business in Africa](#) for 8 January 2007 reports that civil society activists have criticized the Niger government for lacking attention to the need for measures to reduce poverty in the country. They claim that by failing to allow civil society organizations to raise the issues, and by banning their meetings and demonstrations, the government has allowed poverty to grow in what is one of the world's poorest countries. A government ban on CSO meetings was also reported on [NewsVOA.com](#) in November 2006.

UNITED STATES — SENATE PASSES LEGISLATIVE TRANSPARENCY AND ACCOUNTABILITY ACT OF 2007

On 18 January 2007, the U.S. Senate passed its first major piece of legislation, S. 1, the [Legislative Transparency and Accountability Act of 2007](#). [OMB WATCH](#) reports that the sweeping measure regulates congressional activities by preventing lawmakers from accepting gifts and travel from lobbyists, requiring stricter reporting of lobbying activity. The bill requires clearer reporting of home state projects, denies pension benefits to those convicted of serious crimes, prevents the spouses of senators from lobbying senators and their staffs and requires lawmakers to pay the full price fare when traveling on chartered planes. The final text passed by the Senate did not include a provision which would have required disclosure of grass-roots lobbying. Opponents of the bill complained the measure discouraged free speech by deterring petition drives.



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ANNOUNCEMENTS

EUROPE—CSCG PUBLISHES TRAINING HANDBOOK FOR NEW NGOS

The [EU Civil Society Contact Group](#) has announced the publication of the training handbook “[Making your voice heard in the EU - A guide for NGOs.](#)” According to a [news article](#) published by [EPAN](#) on 23 January 2007, the handbook is meant for NGOs and activists that are in the process of establishing a European strategy. It provides tailored-made information on EU institutions, the way European NGOs work, as well as lobbying “tips,” illustrated by examples of EU level campaigns.

GLOBAL—

- **INTEGRITY INDEX 2006 RELEASED**

On 10 January 2007 Global Integrity released the [2006 Global Integrity Report](#), a collection of in-country assessments of governance, anti-corruption, and openness for [43 countries](#) around the world. The Global Integrity index assesses countries on the basis of freedoms accorded to civil society, media, government accountability, corruption and rule of law, oversight regulation, and election processes.

- **HUMAN RIGHTS WATCH LAUNCHES WORLD REPORT 2007**

Human Rights Watch has launched its World Report 2007. An HRW [news release](#) on 11 January 2007 launched [World Report 2007](#), which contains survey information on human rights developments during 2006 in more than 75 countries. In addition to the introductory essay on the European Union, the volume contains essays on freedom of expression since 9/11, the plight of migrant domestic workers, and a human rights agenda for incoming UN Secretary-General Ban Ki-moon.

- **7TH SESSION OF WSF HELD IN NAIROBI**

The [World Social Forum \(WSF\) 2007](#) held its Seventh Session in Nairobi, Kenya from 20-25 January 2007. Meeting for the first time in Africa, the World Social WSF was established in Porto Alegre, Brazil in 2001. According to a news story published by [REUTERS ALERTNET](#), WSF is built around the maxim that another world is possible, and it has placed social justice, international solidarity, gender equality, peace and conservation of the environment, among other themes, on the agenda.

UNITED STATES — FREE WEB-BASED TRAINING WORKSHOP LAUNCHED FOR EXEMPT ORGANIZATIONS

The Internal Revenue Service (IRS) has launched a [free Web-based training program](#) covering tax compliance issues confronted by small and mid-sized tax exempt organizations. According to [EO Update](#) on 24 January 2007, the web-side workshop consists of interactive modules on tax compliance topics for exempt organizations. Users can access this new training program at <http://www.stayexempt.org/>.



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VENEZUELA—RESOLUTION GRANTING PRESIDENTIAL POWER TO ENACT LAWS BY DECREE PASSED

Venezuela's National Assembly approved a resolution which would authorize the legislature to declare emergency sessions for the approval of an "enabling law." This law is intended to allow President Hugo Chavez to enact laws by decree on specific issues in the next 18 months, according to a news article published by [VENEZUELANALYSIS](#) on 17 January 2007. The National Assembly has begun deliberations on the law. The proposed law would allow President Chavez to pass decrees that have the legal standing of laws in ten different areas including popular participation. If this legislation is adopted, the President would be allowed to develop norms that could enable citizen participation in public oversight.

RESOURCES

IRAN—NEW WEBSITE TO MONITOR ONLINE CENSORSHIP LAUNCHED

Article 19 has recently launched a new web site "[The Persian Impediment](#)." The web site allows users to monitor and debate online censorship in the Islamic Republic via an interactive Web log or blog. The site is part of group's campaign against internet censorship in Iran.

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