



IJCSL NEWSLETTER

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ANTI-TERRORISM LEGISLATION

NEW ZEALAND—COMMISSION SETS TERMS FOR ANTI-TERRORISM LAW REVIEW

The [Law Commission](#) has released the [terms of reference](#) for its review of anti-terrorism law. According to a news article published by [STUFF.CO.NZ](#), the Commission will consider and report on whether the Act should be amended to more comprehensively cover domestic terrorism, or a separate law developed. When making any recommendations on law changes the commission is required to take into account the balance between public safety and individuals' rights and freedoms. The report of the Commission will concentrate on the state of existing domestic law, particularly the offences in the Crimes Act, Arms Act, and Terrorism Suppression Act. The public will be able to make submissions on an issues paper before a final report is written and published.

PAKISTAN—CYBER CRIMES ORDINANCE CURBS CIVIL RIGHTS

The President of Pakistan has promulgated the “[Prevention of Electronic Crimes Ordinance, 2007](#).” According to a news article published by [IPS](#), human rights bodies, business communities, and citizen groups have criticized the [Ordinance](#) alleging that it is aimed to put curbs on civil rights activists and opposition groups who increasingly use the Internet and cell phones to criticize the administration or send calls for rallies. The government, however, claims that the main objective of the law is to increase security, safety, and protection of those who use or deal with information technology. The [Ordinance](#) incorporates 18 different offences carrying punishment including fines, life imprisonment, and even the death penalty. In order to make arrests for less serious, non-cognizable crimes, the law enforcing authorities will have to secure warrants in advance. But, in cases of serious, cognizable offences such as electronic fraud, forgery, and cyber terrorism, summary arrests can be made.

PHILIPPINES—SC DISMISSED THE RECOMMENDATION OF THE ATC TO DESIGNATE SPECIAL COURTS TO HANDLE TERRORISM CASES

The Supreme Court (SC) has denied the petition filed by the Anti-Terrorism Council (ATC) for the creation of special courts that would hear cases related to violations of the anti-terror law, according to a news article published by [GMA NEWS](#). The ATC through its secretariat, retired Police Deputy Director Marcelo Ele, earlier asked the SC to designate regional trial courts in key cities like Manila, Cebu City and Cagayan de Oro City to act as special courts for terrorism cases. The SC did, however, earlier approve the council's request to designate divisions of the Court of Appeals to handle terrorism cases.

SAUDI ARABIA—CABINET PASSES NEW LAW TO COMBAT INFORMATION TECHNOLOGY CRIMES

The Cabinet has passed a new law to combat information technology crimes. Under the new law, persons found guilty of running websites in support of terrorist organizations can be jailed for 10 years and fined SR5 million (USD 1.3 million),



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reports [ARAB NEWS](#). The law will also support Saudi Arabia's successful anti-terrorism campaign.

UNITED KINGDOM—HOME OFFICE PLANS TO CRACK DOWN ON WEB SITES PROMOTING VIOLENT EXTREMISM AND TERRORISM

The Home Secretary, Jacqui Smith, is considering an outline plan to take down web sites promoting violent extremism and terrorism, according to a news article published by [REUTERS](#). The measure comes as a result of recent arrests and conviction where the accused pleaded guilty to inciting terrorism via the Internet in messages that advocated killing non-Muslims. The government plans to spend more than 500 million pounds on funding security and counter-terrorism next year, rising to nearly 600 million pounds during the following two years.

CITIZEN PARTICIPATION AND FREEDOM OF INFORMATION

EUROPE—UPDATED GUIDE FOR CITIZENS PROGRAMME ISSUED

A new updated [guide](#) has been published for the [Europe for Citizens programme 2007-2013](#). The aim of this programme is to bring Europe closer to its citizens and to enable them to participate fully in the European community, to learn from history, and to build for the future. Through this [programme](#), citizens have the opportunity to be involved in transnational exchanges and cooperation activities, contributing to developing a sense of belonging to common European ideals, and encouraging the process of European integration.

JAPAN—DISTRICT COURT UPHOLDS FREEDOM OF INFORMATION

Tokyo District Court has ruled that the Ministry of Foreign Affairs violated Japan's information disclosure law by failing to respond in a timely manner to a request to release documents on the Japan-Korea Normalization Pact, according to an article posted at [FREEDOMINFO.ORG](#) website. The negotiations included efforts to settle claims by the Korean government and its people for compensation for injuries suffered during the era of Japanese rule. Although the court stopped short of ordering disclosure of the material, it established an important precedent by holding that excessive delay violates the law.

NEPAL—RIGHT TO INFORMATION ACT ANALYZED

In partnership with the Federation of Nepali Journalists (FNJ) and FREEDOM FORUM (FF), Article 19 has released the analysis of the [Nepalese Right to Information Act 2007](#). According to a [press release](#), the Act is generally a progressive piece of legislation. At the same time, the analysis puts forth several recommendations to bring the law into line with better international standards and practices. The analysis is available in [English](#) as well as in [Nepali](#). The Law was [adopted by the Parliament last year](#). For [previous coverage of the legislation](#) see the [ICCSL](#) website.



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UNITED STATES—

- **MODESTO HAS UPDATED CITIZEN PARTICIPATION PLAN**

The [City of Modesto](#) in California has updated the [Citizen Participation Plan](#). According to a [press release](#) on the official website of the city,. The Plan is designed to encourage and facilitate participation of city residents in the formulation of priorities, strategies, and funding allocations in the Consolidated Plan and Annual Action Plan, as well as the Consolidated Annual Performance Evaluation Report for programs funded by the U.S. Department of Housing and Urban Development.

- **OPEN RECORDS BILL APPROVED**

Legislation to strengthen Pennsylvania's Open Records Law sponsored by the Senate Majority Leader, was approved unanimously by the Senate. The [bill](#) vastly expands the public's access to government records. According to a news article published by [THE SENTINEL](#), the [bill](#) defines legislative records as public documents, as well as those of community colleges, the State System of Higher Education, and the four state-related universities, except for a narrow list of exceptions. Records from 911 dispatchers could be made public if a judge or the local government agrees that disclosure outweighs privacy concerns. Correspondence between lawmakers and lobbyists would also be made available under certain circumstances in the Senate bill, as would any opinion polls commissioned by any state or local agency.

FISCAL MATTERS

CANADA—PROPOSED GUIDELINES FOR RESEARCH AS A CHARITABLE ACTIVITY RELEASED

Charities Directorate of Canada Revenue Agency has released the proposed policy concerning the legal and administrative requirements a registered charity is expected to fulfill in order to conduct or fund research as a charitable activity, according to [CRA recent press release](#). Under the [proposed policy](#), “[research](#)” is charitable activity if: 1) it represents a reasonable way to achieve or further the organization's charitable purpose; 2) the subject matter is not frivolous; the research is undertaken in such a way that it is likely that knowledge will be discovered or improved; 3) it is carried out for the public benefit that could arise from it and not primarily for self interest or for mainly private commercial consumption; and 4) the results are disseminated and made freely available to others who might want access to them. The policy document explains how these requirements can be satisfied. It also considers the [public benefit aspects](#) of charitable research, indicates the factors an organization should consider when it contemplates [protecting any intellectual property rights](#) that might arise from its charitable research; and [explores the private benefit issues](#) that might occur when a charity collaborates with a private entity to fund or conduct research as a charitable



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activity. The public consultation on the proposed policy will conclude on 29 February 2008.

INDIA—GOVERNMENT PLANS TO LIMIT THE DEFINITION OF CHARITABLE PURPOSE

The government is examining a proposal to narrow the definition of charitable purpose to ensure that only trusts that carry out charitable activities are able to benefit from tax exemptions. According to a news article published by [THE ECONOMIC TIMES](#), the move follows a recent Supreme Court decision in the case of [Commissioner of Income Tax v. Gujarat Maritime Board](#), which ruled that a public utility could be registered as a charitable institution. Currently, the Income-Tax Act defines charitable purpose as relief of the poor, education, medical relief, and the advancement of any other object of general public utility. Therefore, organizations engaged in development and maintenance of public facilities may claim their activity is covered within the meaning of charitable purposes and seek exemptions as a charitable entity not liable to taxes. The government pointed out that the court's decision could open a Pandora's Box for the income-tax department, with institutions engaged in infrastructure development or any such activity claiming tax exemption. The finance ministry wants to prevent such a situation, and thus intends to narrow the definition of charitable purpose.

UNITED KINGDOM—

- **CHARITY COMMISSION'S STATUTORY GUIDANCE ON PUBLIC BENEFIT PUBLISHED**

The [Charity Commission](#) has published its final [public benefit guidance](#). According to a news article published by [THE GUARDIAN](#), the guidance fleshes out what charities must do to meet a new public benefit test in the Charities Act 2006 which orders all charities, including, for the first time, fee-paying educational and religious organizations, to justify their status. Private schools will be stripped of their charitable status, and thus tax breaks, if they are found to be operating exclusively for the rich. Fee-paying schools must now prove that children who cannot afford their services will also benefit. According to the January 17, 2008 issue of the Third Sector Magazine (subscription required), third sector umbrella organizations, namely NCVO and Acevo, welcomed the final public benefit guidance published by the Charity Commission

- **INDIVIDUAL VS. ORGANIZATIONAL CANDIDATE ENDORSEMENTS**

ThirdSector [reports](#) that the [Charity Commission for England and Wales](#) has written a warning letter to more than a dozen Muslim charities whose members signed an open letter supporting the re-election of London Mayor Ken Livingstone. The [letter](#) cites Mayor Livingstone's support of the city's Muslim communities and states "We pledge to continue our support for the mayor on all levels possible in order to secure his staying in office for a third term." Almost all of the 63 individual signers' names are followed by the names of organizations, sixteen of which the Commission identified as



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registered charities, according to the [ThirdSector](#) article. The letter does not state whether the signers are acting on behalf of the listed organizations, although at least one charity responded to the letter by stating that the individuals who signed the letter did so as individuals and not as representatives of the named organizations. According to the article, charities in the UK are not permitted to support (or oppose) political candidates.

UNITED STATES—

- **TRANSITIONAL RELIEF FOR CERTAIN CHARITABLE TRUSTS**

The IRS has issued [guidance](#) providing transitional relief and new filing procedures for certain charitable trusts that met the requirements to be classified as supporting organizations under section 509(a)(3) until the enactment of the Pension Protection Act, reports an IRS press release. The procedures will allow affected trusts to continue to file Form 990, and relieve them from paying excise tax on net investment income for tax year 2007.

- **MINNESOTA SUPREME COURT NARROWS THE AVAILABILITY OF PROPERTY TAX EXEMPTIONS FOR CHARITIES**

In a 10 December 2007 decision that is causing significant anxiety in the charitable sector in Minnesota and beyond, the Minnesota Supreme Court appears to have narrowed -- perhaps substantially narrowed -- the availability of property tax exemptions for Minnesota charities. For the opinion see [Under the Rainbow Child Care Center v. County of Goodhue](#).

- **TAXPAYER ADVOCATE'S 2007 ANNUAL REPORT IDENTIFIES TWO NPO ISSUES AMONG TOP PROBLEMS ENCOUNTERED BY TAXPAYERS**

On 10 January 2008, the National Taxpayer Advocate Nina E. Olson released her [National Taxpayer Advocate's 2007 Annual Report](#) to Congress, according to IRS [press release](#). The report reveals some serious problems encountered by taxpayers including that resources devoted to EO education and outreach have continued to decline. The report also notes that unreasonable delays in the processing of applications for exemption from federal income tax have persisted. These delays can have a serious, detrimental effect on charitable organizations' finances and activities.

- **BILL TO KEEP UVA DONORS ANONYMOUS INTRODUCED**

Two Virginia lawmakers have introduced a [Bill](#) that would grant Virginia's higher-education institutions certain exemptions under the Freedom of Information Act, according to a news article published by [THE RICHMOND TIMES-DISPATCH](#). The [legislation](#) would affect how state universities would respond to Freedom of Information requests for their fund-raising databases. The [Bill](#) would authorize universities to withhold the names of donors who request anonymity. For other donors, universities would be required to release only the donor's name, the size and date of the contribution, and for what the donation was designated.



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FREEDOM OF ASSOCIATION AND PEACEFUL ASSEMBLY

AZERBAIJAN—GOVERNMENT & EU'S VENICE COMMISSION AGREE ON CHANGES TO BE MADE TO FREEDOM OF ASSEMBLY BILL

Amendments to the bill on Freedom of Assembly have been completed for submission to the Milli Majlis (Azerbaijani Parliament) for ratification. According to a news article published by [TREND NEWS AGENCY](#), the bill now incorporates suggestions of the Venice Commission and thus meets the European standard. Under the bill, citizens are required to inform the authorities about their plans to stage a rally. Unsanctioned rallies may be dispersed by the police. The bill does not permit the staging of rallies in big parks and squares in Baku or in the front of many state bodies. The right to assembly may also be limited in case of emergencies

EUROPE—ECtHR UPHOLDS FREEDOM OF ASSEMBLY AND ASSOCIATION

On 17 January 2008, the [EUROPEAN COURT OF HUMAN RIGHTS](#) gave its judgment in case of *Ismayilov v. Azerbaijan*. The case originated in an application against the [Republic of Azerbaijan](#) lodged with the Court under Article 34 of the [Convention for the Protection of Human Rights and Fundamental Freedoms](#) by an Azerbaijani national, Mr Ismayil Asgar oglu Ismayilov on 30 December 2003. The case concerned the applicant's complaint about the significant delays in the state registration of an association named "Humanity and Environment," of which he was a founder. 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](#) and awarded the applicant EUR 1,000 for non-pecuniary damages.

GABON—BAN ON NGOs LIFTED

The government of [Gabon](#) has [lifted the suspension](#) of 22 Gabonese non-governmental organizations (NGOs), according to a news article published by [REUTERS](#). The [NGOs were suspended](#) in early January after they spoke on public interest issues, such as how oil and mining revenues are managed by the government and how government funds have been spent on election campaigns to the detriment of providing social services to the people.

KYRGYZSTAN—ORDINANCE RESTRICTING PUBLIC GATHERINGS CHALLENGED

The rights advocates have [challenged](#) in the Bishkek inter-district court an ordinance restricting public gatherings as unconstitutional. On 30 November 2007 the Bishkek City Council issued an ordinance that permits assemblies in only three places in Bishkek: Youth Park, Gorky Monument, and Erkindik Square. According to [HRW](#) concerns, the ordinance requires organizers to submit notification of any public gathering to municipal authorities at least 10 days in advance of the planned event; the mayor's office may either permit the gathering or refuse. The ordinance does not enumerate grounds for refusal, thus creating the possibility of arbitrary bans on legitimate public gatherings. The ordinance requires organizers of public gatherings



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to pay in advance all expenses related to the protection of public order and medical services during the event and cleaning of the area after the event. The ordinance entered into force on 7 December 2007.

UGANDA—PROVISIONS REGULATING THE HOLDING OF PUBLIC ASSEMBLIES AND PROCESSIONS COME INTO FORCE

It is now illegal in Uganda for a group of 25 or more people to convene for a common political cause at any public place in urban centers across the country without authorization by police, reports [THE DAILY MONITOR](#). This follows the passing of amendments to the Police Act which regulates the holding of public assemblies and processions. The article notes that the instrument declares Kampala City and all towns in Uganda ‘gazetted areas’ and requires that anyone who intends to assemble, demonstrate or hold a political procession must obtain a written permission from Inspector-General of Police. Under the Police Act, gatherings for purposes of religious observance, government administration, sport/games, or other primarily social functions are exceptions to police authorization. But the new law lists streets, lanes, highways, greenbelts, walkways, squares, central business districts, resorts, and residential quarters in the city and all towns as ‘no-go’ areas for public congregations without express police clearance ([ICCSL](#) has been reporting on these developments; for earlier coverage see [IJCSL-Newsletters](#) entries [here](#))

UNITED STATES—JENA'S LAW GOVERNING PARADES DECLARED UNCONSTITUTIONAL

U.S. District Judge Dee Drells’ ruling paved the way for the Nationalist Movement to march through downtown [Jena](#) in the state of Louisiana on Martin Luther King Jr. Day, according to a news article published by the [SHREVEPORT TIMES](#). The ruling says Jena’s law about permit applications, which has been on the books for 17 years, violates the First and 14th Amendments of the Constitution. The Nationalist Movement sued the town in December after refusing to post a \$10,000 bond or liability insurance. The group argued that an array of constitutionally protected rights would be violated if the permit requirements stood.

FREEDOM OF EXPRESSION

AFGHANISTAN—“THE KITE RUNNER” BANNED

The Afghan government has banned “[The Kite Runner](#)” film from theaters and DVD shops, according to a news article published by the [ASSOCIATED PRESS](#). “The Kite Runner” is based on the 2003 best-selling [novel](#) by Afghan-American writer [Khaled Hosseini](#). “The Kite Runner” tells the story of a well-to-do boy from the Wazir Akbar Khan district of Kabul who is haunted by the guilt of betraying his childhood friend. The story is set against a backdrop of tumultuous events, from the fall of the monarchy in Afghanistan through the Soviet invasion, the mass exodus of refugees to Pakistan and the United States, and the Taliban regime.



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CANADA—MUSLIMS TEST PRESS FREEDOM LIMITS

An Islamic group's demand that a Canadian magazine publish its response to an article that said Muslims were set to swamp the West has sparked warnings of government-imposed restrictions on freedom of expression, according to a news report published by [REUTERS](#). The [Canadian Islamic Congress](#), one of Canada's largest Muslim groups, says [Macleans](#), a popular Canadian weekly news magazine, subjected Muslims to hate speech with an [article](#) in October 2006 that said a high Muslim birthrate, combined with Muslims "hot for jihad," could conquer a West that is unwilling to stand up for its civilization. The group stresses that the [article completely misrepresents Canadian Muslims' values](#), their community, and their religion. The Islamic group has asked a government body to step in to guarantee it the right to an equal-length rebuttal to the article.

JAPAN—MINISTRY RECOMMENDS CONTROL OF INTERNET CONTENT

[Ministry of Internal Affairs and Communications](#) released a [report](#) outlining recommendations for the [control](#) of Internet content. In an effort to curb the availability of a range of undesirable content, the report advises government intervention. Though it does not specifically cite filtering as a mechanism of such control, filtering is among the range of possibilities. In a special to the Japan Times, Chris Salzberg provides an insightful [analysis](#) of some of the implications of these recommendations.

MALAYSIA—

- **GOVERNMENT MAINTAINS LIMITED BAN ON USING WORD "ALLAH"**

The Malaysian government has reiterated its stance that non-Muslims cannot use the word "[Allah](#)." According to a news article published by [NEWSVINE](#), the Cabinet is of the view that "[Allah](#)" refers to the Muslim God and can only be used by [Muslims](#). Religious issues are extremely sensitive in Malaysia, and the governments' latest position on the issue has sparked concerns among Christians who use the word "[Allah](#)" to refer to God in their Malay-language [Bible](#) and other publications. Malaysia prides itself on multiracial harmony. About 60 percent of Malaysia's population is Muslim. Ethnic Chinese, who are Christians and Buddhists, account for a quarter of the population, while mostly Hindu Indians are less than 10 percent.
- **BOOKS ABOUT ISLAM BANNED**

The government has banned eleven books about Islam because their contents have been found to deviate from the teaching of that religion, reports [MALAYSIAN NATIONAL NEWS AGENCY](#). The books are alleged to give a false portrayal of Islam, such as linking the religion to terrorism and the mistreatment of women. The banned books include 'Secrets of the Koran: Insights Into Islam's Holy Book', 'Woman in Islam', 'The Two Faces of Islam: Saudi Fundamentalism and It's Role in Terrorism' and 'Islam Unveiled: Disturbing Questions About the World's Fastest Growing Faith.'



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SAUDI ARABIA—ALL LIVE BROADCASTS SHUT DOWN

A [Reporters Without Borders Press Release](#) states that Information Minister Iyad Madani announced a nationwide ban on all live broadcasts on Saudi public TV channels on 30 January 2008, two days after angry viewers made unflattering comments about senior officials, including King Abdullah bin Abdulaziz al-Saud, during a phone-in programme on the news channel Al-Ikhbariya. The station's director, Mohammed Al-Tunsi, was fired. The viewers who called in complained about their salaries.

SCOTLAND—LGBT HATE CRIME LAW IN THE OFFING

The Scottish government has announced it will back a Green Party private member's bill to increase sentences for those convicted of hate crimes against members of the lesbian, gay, bisexual, and transgender community and the disabled, according to a news article published by [365GAY](#). Once enacted, it will bring Scotland into line with laws already in effect in the rest of the United Kingdom.

SOMALIA—DRAFT MEDIA LAW MAY VIOLATE FREEDOM OF EXPRESSION

Freedom of expression advocate Article 19 has issued an [analysis of a draft media law in Somalia](#), according to a 14 January 2008 [press release](#). The group says that the proposed law, currently being debated by the transitional parliament, would submit media to too many restrictions and government controls. It also urges the Somali authorities to revise the [draft Law](#) substantially to bring it into line with international standards, with a view to promoting the development of a free and vibrant media in Somalia.

SWEDEN—MUSLIM WOMEN WIN SWIMMING POOL DISCRIMINATION CASE

Two Muslim mothers have won a court appeal against a municipal pool in Gothenburg that required them to take off their veils and body-covering clothing. The Court of Appeal for western Sweden found the City of Gothenburg guilty of ethnic discrimination and ordered the authorities to pay two Muslim women 20,000 kronor (\$3,000) each in damages. According to a news article posted by [MSNBC](#) on 29 January 2008, the women -- dressed in head scarves, sweatpants and long-sleeved T-shirts -- accompanied their children (not to swim themselves) to the public pool on two separate occasions in April 2004. They were asked to leave after refusing requests by lifeguards to change into something lighter. The lifeguards said their clothing did not comply with the pool's safety and hygiene regulations. The court said the women had "been discriminated in a way that is linked to their religion," which prevented them from being able to comply with the demands, reports [AP](#).

TURKEY—

- **YOUTUBE BANNED**

An Ankara court has blocked access to [YouTube](#) because of clips deemed disrespectful to [Mustafa Kemal Atatürk](#), Turkey's founder. Insulting Atatürk is still illegal in the country. According to a news article published by [AP](#), this is the second time Turkey has tried to ban the site.



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Back in March access to the site was suspended, also over clips of Ataturk. The ban was lifted after YouTube removed the offending videos. In September a court in the eastern city of Sivas also ordered a ban on the site, but this was never implemented.

- **GOVERNMENT DECIDES TO EASE RESTRICTIONS ON FREEDOM OF SPEECH**

Turkey's Government is ready to amend a controversial law that restricts freedom of speech in the country. The proposed amendment focuses on article 301 of the penal code, which makes "insulting Turkishness" a crime and has been used to prosecute dozens of writers. According to a news article posted by [ABC NEWS](#), the amendment is expected to substitute "Turkish nation" for the "Turkishness" and may require prosecutors to obtain permission of the Justice Ministry or a special panel of experts before being able to launch a case under the article.

UNITED STATES—ST. LOUIS-AREA TOWN CONSIDERS PROPOSAL THAT WOULD BAN SWEARING IN BARS

A [St. Louis](#)-area town is considering a bill that would ban swearing in bars, along with table-dancing, drinking contests, and profane music, according to a news article published by [ABC 7 NEWS](#). Some bar owners worry the bill is too vague and restrictive, saying it may be a violation of their civil rights.

FREEDOM OF RELIGION AND BELIEF

ALGERIA—NEW PLAN TO COMBAT MISSIONARY ACTIVITIES UNDER CONSIDERATION

An Algerian security forces team is considering a new plan to combat missionary activity, according to a news article published by [MEMRI](#). The proposed plan is designed to encourage citizens to report missionary activity, to encourage efforts to raise funds to support indigent individuals considering converting to Christianity, and counterpropaganda in order to point out the contradictions and heresies in Christianity and Judaism.

KYRGYZSTAN—

- **PLAN ON THE PREVENTION OF RELIGIOUS EXTREMISM APPROVED**

A plan on the prevention of religious extremism and conflicts fostered by religious motives has been developed and approved in Kyrgyzstan, according to a news article published by [INTERFAX-RELIGION](#). The plan will help executive authorities and local administrations prevent the spread of religious extremism, fundamentalism, and the prevention of religious conflicts in the country.

- **PRAYERS AT CENTRAL SQUARE MAY BE BANNED**



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The Ministry of Interior has decided to ban holding [Namaz](#) in the central square in [Bishkek](#) during Muslim holidays. The decision has been taken in line with the governments' effort to declare and confirm the country's status as a secular state. Praying at the central square during Muslim holidays has become a tradition in Kyrgyzstan and has been exercised for many years. The measure is likely to draw criticism by the public because people are used to going to the central square and praying there during Muslim holiday. The tradition has become a part of their life which will be difficult to change, according to a news article published by [NEWEURASIA](#).

NETHERLANDS—PARLIAMENT CONSIDERS BAN ON THE TRADITIONAL ISLAMIC GARMENT

Muslim women wearing [burqa](#) will soon be considered to be criminals if a proposed ban on [burqa](#) is cleared by the Dutch government. According to a news article posted by [CORD WEEKLY](#), the Dutch parliament has voted in support of this proposal, and some of the government has shown approval for banning the [burqa](#). Muslims are growing restless in response to this proposal, as the debate between social law and religious freedom intensifies with each passing day.

RUSSIA—MODERATE ISLAMIC TEXT BANNED

According to a news article published by [FORUM 18 NEWS SERVICE](#), the Russian authorities have banned as "extremist" a moderate Islamic theological text that gives Koran-based advice on family and social relationships. The book entitled "The Personality of a Muslim" is banned under Russia's 2002 Extremism Law prohibiting mass distribution, or storage with the aim of mass distribution, of books found to be extremist.

TAJIKISTAN—

- **STAKEHOLDERS ANALYZE DRAFT LAW ON RELIGION**
[ICNL](#) has published analysis of the draft religion law "About Freedom of Conscience and Religious Unions." The draft law has been in the news since 2006. (For [previous coverage](#) see [ICCSL](#) website, in particular, the [April 2006](#) and [December 2007](#) issues of IJCSL Newsletter). Also, see the [comments on the Draft Law of the Republic of Tajikistan "On Freedom of Conscience and on Religious Associations"](#) prepared in 2006 by the [OSCE/ODIHR](#) Advisory Council on Freedom of Religion or Belief.
- **NEW CURBS TARGET STUDENTS OF ISLAMIC UNIVERSITY**
Less than a year after he effectively eliminated Islamic-style head scarves in public schools, Tajikistan's education minister has ordered male students at the Islamic University of Tajikistan to don suits and ties and shave their beards, reports [RFE/RL](#) in a news article.. The directives is the latest indication of the balancing act confronting Tajik officials who are keen to discourage unsanctioned religious practices from getting a foothold. That



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effort has included the closing and even bulldozing of "illegal" mosques and testing of imams to demonstrate their fitness to lead congregations.

TURKEY—PARLIAMENT TO LIFT BAN ON HEAD SCARVES

The Parliament is expected to approve a series of legal amendments soon allowing female students to wear head scarves in universities, reports [THE NEW YORK TIMES](#). This decision requires amending several articles in the Constitution to provide a guarantee to covered women, who have been barred from higher education since the late 1990s by a court ruling. Opponents, however, argue that amending the Constitution and the relevant legal instruments to allow the presence of covered students in college buildings would be unconstitutional and also contrary to rulings issued by the European Court of Human Rights. Wearing of head scarves in universities was first banned shortly after a military coup in 1980, but implementation of the ban has varied over the years.

UNITED KINGDOM—BLASPHEMY LAW MAY BE ABOLISHED

An amendment to abolish the offences of blasphemy and blasphemous libel has been tabled by Evan Harris MP to the Criminal Justice and Immigration Bill. According to a press release by [POLITICS.CO.UK](#), the British Humanist Association (BHA) has strongly urged MPs to vote for the abolition of the offences noting that the blasphemy laws in the UK – which protect only Anglican beliefs in any case – are clearly contrary to the principle of free speech, are probably contrary to human rights laws which protect freedom of expression, and are totally out-of-place in the context of our increasingly diverse and increasingly non-religious society.

LEGAL FRAMEWORK

GHANA—NEW TRUST AND NGO LAW TO BE ENACTED

The Registrar-General's Office will consider making changes upon the passage of the Trust and NGO Law, according to the [AKU MABEL BLOG](#). The Attorney-General and Minister for Justice, Mr Joe Ghartey, is reported to have said that all these changes will be done with an aim to make Ghana more efficient and more capable of responding to contemporary challenges.

JORDAN—GOVERNMENT WITHDRAWS BILL OF LAW ON NGOS

The new proposed legislation concerning non governmental organizations has been withdrawn by the Jordanian government, according to [FIDH](#) press release. The Bill was proposed by the Ministry of Social Development and approved by the Cabinet in December 2007 (for [previous coverage](#) see [January 2008 issue of IJCSL-Newsletter](#)). The bill, however, remained controversial on the grounds that it threatened freedom of association and endangered the independence of NGOs.



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SAUDI ARABIA—GOVERNMENT APPROVES CIVIL SOCIETY ORGANIZATION DEDICATED TO PROTECT WOMEN RIGHTS

The Ministry of Social Affairs had finally approved the creation of Ansar Al-Marah, the kingdom's first civil society group dedicated to the rights of the Kingdom's women. According to a news article published by [ARABIAN BUSINESS](#), the society aims to create institutional and individual change to improve the lives of women in Saudi Arabia by increasing awareness of women's rights, by facilitating ongoing debates on fundamental and provocative women issues, and by helping women improve their social, educational and cultural levels.

UNITED KINGDOM—CHARITY COMMISSION LAUNCHES NEW ADMINISTRATIVE REVIEW PROCEDURE FOR DISPUTED CASES

Charities and individuals unhappy with the outcome of Charity Commission cases can now seek Outcome Review Panel review of the decision on limited grounds.

According to a news article published by [THIRD SECTOR](#), the Panel is composed of a group of experienced commission staff, who will consider only those cases in which the commission has not used its statutory powers such as, freezing bank accounts or removing trustees. For cases in which the regulator has used these powers, the option of a formal review, carried out by the commission's legal advisers, remains in place. Possible remedies before the Panel include an apology, correction of errors or, in cases where a great deal of financial hardship or injustice has been suffered, financial recompense. Charities and individuals can still take their case to the Charity Tribunal if they remain unhappy after a panel decision.

MISCELLANEOUS MATTERS

AFGHANISTAN—GOVERNMENT VOWS NEW POLICY ON RELIGIOUS SCHOOLS

The Afghan government has changed its policy on [madrassas](#), (the religious schools). According to a news article published by [BBC](#), the reforms will ensure that the schools will be allowed to continue to teach subjects on Islamic faith for 40% of the time, but the other 60% must be devoted to with more standard subjects – history, geography, science, or languages -- as well as computer studies. One of the main hurdles for the administration is the lack of resources to carry out the reforms. The government is struggling to fund the building of standard state schools and has failed to win new funding for its reform of [madrassas](#).

ARAB WORLD—ARAB HUMAN RIGHTS CHARTER COMES INTO FORCE IN MARCH 2008

The [Arab Charter on Human Rights](#) will come into force on 15 March 2008. The [Arab Charter on Human Rights](#) is intended to serve as a basis for the principles of freedom by which Arab nations must abide. The charter protects the civil, cultural, economic, political, and social rights of the people of the Arab nations. The Arab League initially adopted the [Charter](#) in 1994, after which the document underwent



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several changes, but it never came into force as it was not ratified by the required number of seven member states. In January 2008, the [United Arab Emirates became the seventh nation to approve it](#) after Jordan, Bahrain, Algeria, Syria, Libya and the Palestinian Authority, thereby bringing the [Charter](#) into force.

AUSTRALIA—VICTORIA BECOMES THE FIRST STATE TO IMPLEMENT A HUMAN RIGHTS CHARTER

Victoria became the first Australian state to implement a human rights charter. According to a news article published by [IPS](#), the main purpose of Victorian Charter, is to ensure that the state government makes laws fairly. Grouped under four key principles -- freedom, respect, equality and dignity -- government departments and public bodies are now required to observe the human rights of Victorians when laws are made, policies set and services provided. [The Charter of Human Rights and Responsibilities](#) took effect in Victoria on 1 January 2008. It is now hoped that a human rights charter will be introduced federally.

EUROPE—MUSLIM GROUPS SIGN NEW PACT TO EASE TENSIONS WITH NON-MUSLIMS

Sunni Muslim groups from across Europe have adopted a charter aimed at easing tensions with non-Muslims amid growing concerns about radicalization. According to a news article published by [TVNZ](#), the Brussels-based [Federation of Islamic Organizations in Europe](#) (FIOE), which drove the initiative, said over 400 Muslim groups from 28 countries from Russia to Spain had signed. The aim of this initiative was to elaborate a common basic position on Islam in Europe; more precisely the contribution of Islam to modern Europe. The charter aimed to promote active participation of Muslims in society and better recognition of their citizenship based "on justice, equality of rights, and respect for differences."

ANNOUNCEMENTS

EUROPE—EU AWARD FOR JOURNALIST SUPPORTING FREE SPEECH AND HUMAN RIGHTS EXTENDED TO 8 ADDITIONAL ARAB COUNTRIES

The search to find the winners of the third [Samir Kassir Award](#) for Freedom of the Press, which will be awarded by the [Delegation of the European Commission to Lebanon](#) in association with the Samir Kassir Foundation, has now been launched, according to a news article published by [BI-ME](#). Candidates have until 30 March 2008 to apply. This year, the [Samir Kassir](#) award will be open to the following countries: Algeria, Saudi Arabia, Bahrain, Egypt, the United Arab Emirates, Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, Qatar, Syria, the Palestinian Territories, Tunisia, and Yemen.



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UNITED ARAB EMIRATES—LAUNCH OF ARAB CENTRE FOR PHILANTHROPY ANNOUNCED

The [UAE Interact reports](#) that the government has announced the launch of the "Arab Centre for Philanthropy." The announcement came during [Premier Sheikh Mohammed](#)'s meeting with prominent leaders of philanthropy from the Arab world. The meeting was held on the sidelines of the [regional consultation on the future of philanthropy in the region](#). The Arab Centre for Philanthropy is expected to play a major role to mobilize strategic giving and promoting coordination among various Arab philanthropic programs.

RESOURCES

GLOBAL—ADB DOWNLOADABLE BOOK ON NGO LAW AND GOVERNANCE

Asian Development Institute's publication entitled "[NGO Law and Governance: A Resource Book](#)" is a very helpful resource for anyone seeking an understanding of the basic content of international and domestic laws and generally accepted governance principles impacting the operation of the civil society sector.

GLOBAL—NEW PUBLICATION BY BIICL

A new book entitled "[NGO Involvement in International Organizations: A Legal Analysis](#)," published by the [British Institute of International and Comparative Law](#) (BIICL) deals with arrangements for the involvement of NGOs in the activities of international organizations. In response to a need for maintaining the balance between the growing influence of NGOs in international decision-making and the adequate formal mechanisms for their involvement in these processes, the book examines and compares rules and practices existing in this area in a number of international institutions. According to editorial reviews, the analysis focuses in particular on the legal basis for NGO involvement, forms of involvement, criteria and procedures for NGO accreditation with international organizations, and rules on subsequent monitoring of accredited NGOs. International institutions that are covered include the United Nations, the United Nations Conference for Trade and Development, the International Labor Organization, the World Intellectual Property Organization, the World Health Organization, the United Nations Environment Program, the United Nations Development Program, the World Bank, the International Monetary Fund, and the World Trade Organization.

GLOBAL—“FREEDOM IN THE WORLD 2008” RELEASED

On 18 January 2008, [Freedom House](#) released "[Freedom in the World 2008](#)," - an annual survey of political rights and civil liberties worldwide. According to freedom House [press release](#), the survey has registered a global decline in political rights and civil liberties. The report found that one-fifth of the 193 countries it studied suffered setbacks last year.



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ISRAEL—NEW PUBLICATION ON PATTERNS OF GIVING AND VOLUNTEERING

The [Israeli Center for Third Sector Research](#) has published a new book entitled “Philanthropy in Israel 2006 – Patterns of Giving and Volunteering of the Israeli Public.” The finding of this research will enable researchers, policy-makers, and the wider public in Israel to follow trends and review processes related to philanthropic activities in Israel and the relations between these and other forces in Israeli society and economy.

USEFUL WEBSITES FOR LAWS AFFECTING NOT-FOR-PROFIT ORGANIZATIONS

The following three websites are useful resources for US State and Federal laws and tax rules affecting not-for-profit organizations: An "online compendium of federal and state regulations for nonprofit organizations"

(www.muridae.com/nporegulation/index.html); Pfau Englund nonprofit law

(www.nonprofitlaw.com); New York State Law Department: Charities Bureau

(www.oag.state.ny.us/business/not_for_profit.html).

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