



# IJCSL NEWSLETTER

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## ANTI-TERRORISM LEGISLATION

### **BANGLADESH—NEW ANTI-TERRORISM LAW APPROVED**

The government has approved a new anti-terrorism law, laying down a maximum penalty of death for anyone involved in terrorist activities, financing terror, or campaigning for extremist groups, according to a news article published by [THE DAILY STAR](#). The ordinance also provides for “speedy trial of terrorists by special courts,” with jail sentences ranging from three to 20 years. [REUTERS](#) reports that certain speech, including “threatening anyone with death” and “creating panic in the general masses” has been defined as terrorism (physical acts are also included in the definition). Previously Bangladesh had no separate law dealing with terrorists; they were instead tried under the normal penal code. For [previous coverage](#) see the [March 2008 issue of IJCSL-Newsletter](#).

### **CZECH REPUBLIC—ANTI-MONEY LAUNDERING BILL ADOPTED IN LOWER HOUSE**

The lower house of the parliament has passed an anti-money laundering bill that is to prevent legalizing revenues from criminal activities and help the state fight against organized crime and terrorism financing, reports the [PRAGUE DAILY MONITOR](#). The bill incorporates the EU directive against money laundering in Czech legislation. Under the proposed measures banks are required to: obtain identification documents of the parties involved in any transaction over 1,000 euros and know the purpose and origin of the money involved in transactions exceeding 15,000 euros. Lawyers, notaries, bailiffs, auditors and tax advisers are also obligated to disclose suspicious deals. The bill also targets suspicious deals with the ministers, MPs, judges, high-ranking diplomats and soldiers, their family members, and business partners.

### **CROATIA—COE MONITORS ANTI-MONEY LAUNDERING MEASURES**

The [Council of Europe's](#) (CoE) [Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism](#) (MONEYVAL) has published its third-round evaluation report on Croatia, according to a news article published by [SOUTHEAST EUROPEAN TIMES](#) on 9 May 2008. The report evaluates the implementation of international and European standards in combating money laundering and terrorist financing. According to the report, Croatia's legal framework lacks solid operational procedures. The government has not yet officially responded to the report. Prime Minister, Ivo Sanader, however, has reportedly said that Croatia will do the needful to adopt and implement the European legal framework for anti-money laundering.

### **EGYPT—EMERGENCY LAW EXTENDED BECAUSE ANTI-TERRORISM LEGISLATION NOT READY**

A news article published by [BBC NEWS](#) reports that Parliament has approved a government request to extend emergency laws in the country. The extension is approved because anti-terror legislation to replace the emergency powers is not yet ready. The emergency law has been in force in Egypt since 1981. It gives police sweeping power to detain people without charge for long periods, allows searches



# IJCSL NEWSLETTER

VOLUME 5 ISSUE 7

JUNE 2008

without warrants, and restricts civil liberties by referring civilians to military courts. Egypt is currently listed by [Foreign Policy Magazine online](#) as one of the worst places in the world to be a terrorist.

## **GLOBAL—2007 EDITION OF COUNTRY REPORTS ON TERRORISM RELEASED**

The US State department has released “[Country Reports on Terrorism 2007](#).” The report highlights terrorism trends and ongoing issues in 2007 and aims to inform and stimulate constructive debate to enhance a collective understanding of the international terrorist threat.

## **SOUTH AFRICA—UN DELEGATION TO ASSESS ANTI-TERRORISM LAWS**

A delegation from the UN Security Council will visit South Africa in early June to assess the South Africa’s anti-terrorism laws. A news article published by [THAINDIAN.COM](#) reports that the 15-member team from the UN’s Counter-Terrorism Executive Directorate (CTED) will evaluate and analyze the country’s legislation, enforcement capacity, and national systems to implement anti-terror measures. The committee has already visited several other countries including Nigeria, India, and Indonesia.

## **UNITED KINGDOM—GOVERNMENT SUED IN EUROPEAN COURT OVER TERRORISM LAW**

Eleven men took the British government to the [European Court of Human Rights](#), complaining they had been illegally held without charge as terrorism suspects, reports [REUTERS](#). The 2001 anti-terrorism act allowed British authorities to detain foreign nationals without trial if they were suspected of terrorist links but there was insufficient evidence to prosecute them. The court is expected to rule on the case later this year.

## **CITIZEN PARTICIPATION AND FREEDOM OF INFORMATION**

### **BELIZE—LEGISLATURE DEBATES FREEDOM OF INFORMATION ACT**

The [House of Representatives](#) has begun debate on the Freedom of Information Amendment Bill. According to a news article published by [CHANNEL 7 DAILY NEWS](#), the proposed legislation reduces the number of exempt categories for government documents and eliminates secrecy provisions in public contracts.

### **BOSNIA AND HERZEGOVINA—DELEGATION OF EUROPEAN COMMISSION IN BiH CONSULTS WITH CIVIL SOCIETY ON 2008 PROGRESS REPORT**

The [Delegation of the European Commission in BiH](#) (DEC) held the first consulting meeting with representatives of civil society on the [preparation of the 2008 Progress Report](#) for [Bosnia and Herzegovina](#), according to a news article published by [ONEWORLD SOUTHEAST EUROPE](#). The Report shall cover the period between October 2007 and September 2008.



# IJCSL NEWSLETTER

VOLUME 5 ISSUE 7

JUNE 2008

## **CHINA—NEW OPEN GOVERNMENT REGULATIONS BECOME EFFECTIVE**

In a move that Chinese officials claim is intended to combat corruption, increase public oversight and participation in government, and allow citizens access to government-held information, the State Council on 5 April 2007, issued the first national [Regulations on Open Government Information](#) (OGI Regulation), which took effect 1 May 2008. Implementation begins at a time when the need for greater transparency in the areas of environmental health, land disputes, disease, and food, drug, and product safety has become apparent. The time lag between issue and effective date provided citizens and government departments a one-year preparatory period. For more information on the development, please visit the [Congressional-Executive Commission on China website](#). For [previous coverage](#) see [June 2007 issue of IJCSL-Newsletter](#).

## **GHANA—GOVERNMENT CONSIDERS FOI BILL**

The Government is working to pass a freedom of information bill, according to a news article published by [JOY ONLINE](#). The bill is aimed to empower the citizens and provide media practitioners easy access to information. While the Ghanaian population has welcomed the move, there is general apprehension that the process is too slow.

## **MALAYSIA—GOVERNMENT WILL NOT AMEND FOI ACT TO PROTECT WHISTLE BLOWERS**

The government has decided not to enact a Freedom of Information Act and relevant laws to protect whistleblowers because the Official Secrets Act is sufficient, according to a news article published by the [MALAYSIA STAR](#). Officials are reported to have said that the Cabinet could meet and decide on certain matters that could be excluded from the Act if necessary, and it could be done at any time.

## **NIGERIA—SENATE COMMITTEE TO CONDUCT PUBLIC HEARING ON FOI BILL IN JUNE**

The Senate Committee on Information and Media will conduct a public hearing on the Freedom of Information (FOI) bill in June 2008, according to a news article posted by [ALLAFRICA](#). After conducting public hearing, it will be submitted to the Senate. The bill is currently pending before the National Assembly.

## **PHILIPPINES—BILL ON RIGHT OF ACCESS TO INFORMATION PASSED**

The House of Representatives has approved Bill 3732 promoting the people's right of access to information on matters of public concern as guaranteed by the Constitution. The legislation compels all government offices to comply with the requests for information. According to a [House of Representatives' press release](#), the measure exempts everything declared "classified information" by the President, information on internal and external defense and law enforcement, information obtained by Congress in executive session, information on medical and personal records which could constitute invasion of privacy, and information pertaining to ongoing treaty negotiations, among others.



# IJCSL NEWSLETTER

VOLUME 5 ISSUE 7

JUNE 2008

## UNITED STATES—

- **CONNECTICUT LEGISLATION EXPANDS LIST OF PEOPLE WHOSE ADDRESSES ARE EXEMPT FROM FOI DISCLOSURE**

A bill that would add certain employees of the state Department of Mental Health and Addiction Services to those whose addresses are exempt from public release unanimously passed the House. According to a news article posted by [MSNBC](#), the bill had previously passed the Senate 34-0 and now awaits final approval by Gov. M. Jodi Rell. Currently the state Freedom of Information Act prohibits public agencies, other than the Department of Motor Vehicles, from releasing the home addresses of judges and magistrates; police; Department of Correction employees; state prosecutors, inspectors and public defenders; firefighters; employees of the Department of Children and Families; and others.

- **TO PROMOTE CITIZEN PARTICIPATION, KANSAS GOVERNOR VETOES VOTER ID BILL**

[House Bill No. 2019](#), requiring Kansas voters to show photo identification in the 2010 elections, was vetoed today by Gov. Kathleen Sebelius, according to a news article published by [KANSASCITY](#). In her veto message, the governor said the bill created a roadblock that prevents citizens from voting. The move in Kansas comes one month after the Supreme Court of the United States upheld the constitutionality of the Indiana voter ID law in [Crawford v. Marion County Election Board](#).

## FISCAL MATTERS

### ENGLAND & WALES—CHARITY COMMISSION RAISES ACCOUNTS THRESHOLD

Charities with an annual income below £25,000 will no longer have to submit their annual accounts to the [Charity Commission](#) under plans approved by the regulator, though all charities will still be expected to prepare accounts. The threshold is currently £10,000, according to a news article published by [THIRD SECTOR](#). The commission, however, intends to introduce random checks for those below the £25,000 threshold. The Commission will present its views to the Office of the Third Sector for final approval.

### INDIA—BUDGET TO AMEND DEFINITION OF “CHARITABLE PURPOSE”

In the amendments to the Income Tax Act proposed in the [2008-09 Budget](#) by the Government of India, the Finance Minister seeks to amend the definition of charitable purpose ([Section 2\(15\) of the Income Tax Act](#)) to “exclude entities carrying on regular trade, commerce or business or providing services in relation to any trade, commerce or business and earning incomes from claiming that their purposes also fall under ‘charitable purpose.’” The proposed amendment will not affect organizations involved in activities such as relief of the poor, medical relief, and education. The proposed [amendment overrules some of the earlier decisions](#) rendered by the Indian



# IJCSL NEWSLETTER

VOLUME 5 ISSUE 7

JUNE 2008

courts. These decisions include *Director of Income Tax v Bharat Diamond Bourse* (259 ITR 280) (SC); *Gujarat Maritime Board* (295 ITR 561)(SC); *Commissioner of Income-tax v Agricultural Produce and Market Committee, Hinganghat & Ors* (291 ITR 419) (Bom); *Commissioner of Income-tax v Federation of Indian Chambers of Commerce & Industry* (130 ITR 186)(SC). A more technical explanation of the proposed amendment can be found in the [Documentation Center](#).

## NEW ZEALAND—LEGISLATIVE AMENDMENT TO CLARIFY STATUS OF TERTIARY EDUCATION INSTITUTIONS

The government will introduce legislation to ensure that state-funded tertiary education institutions, state and integrated schools, and non-resident charities do not have to register with the Charities Commission to retain their tax-exempt status, Finance Minister Michael Cullen, Revenue Minister Peter Dunne and Community and Voluntary Sector Minister Ruth Dyson [have announced](#). The proposed legislation will also introduce a transitional measure, to be used in limited circumstances, to protect the tax-exempt status of organisations that run into difficulty with completing their registration applications before deadline.

## UNITED KINGDOM—NEW CODE OF FUNDRAISING PRACTICE

The [Institute of Fundraising](#) has launched a new Code of Fundraising Practice, banning the use of enclosures in direct mail packs which aim to motivate donations through the inducement of financial guilt.

## UNITED STATES—

- **FINANCIAL ACCOUNTING STANDARDS BOARD (FASB) TO CONSIDER GUIDANCE FOR ENDOWMENT FUNDS**

A FASB [Action Alert](#), announces that the FASB will “re-deliberate” significant issues raised by respondents to proposed [FAS FSP-117a](#) at its 4 June 2008 meeting. At the meeting the Board will consider changes to the FSP. The Board will likely defer the effective date of the guidance to years ending after December 15, 2008 (a deferral of six months), and may make other changes.

- **IRS CLEARS UNITED CHURCH CHRIST ON CHARGES OF TAX LAW VIOLATIONS**

On 21 May 2008, the United Church of Christ [announced on its website](#) that the IRS has cleared it of charges that it violated U.S. tax laws “when U.S. Sen. Barack Obama addressed the denomination’s 50th anniversary General Synod in Hartford, CT, in June 2007.” To see the full announcement, see “[Concluding its UCC inquiry, IRS offers complete vindication](#)” on the UCC website. For a copy of the IRS determination letter, go [here](#).



# IJCSL NEWSLETTER

VOLUME 5 ISSUE 7

JUNE 2008

- **MINNESOTA LEGISLATURE ACTS TO FREEZE TAX ASSESSMENTS FOR CHARITIES PENDING DISCUSSION IN 2009 SESSION OF MEANING OF “PURELY PUBLIC CHARITY”**

In late April 2008, the [Minnesota State Legislature](#) enacted legislation that responds to the decision of the Minnesota Supreme Court in December 2007 upholding the denial of tax exempt status to a day care center. The [case](#), which involved the Under the Rainbow Child Care Center, held that “[a]n organization that does not provide goods or services free or at considerably reduced rates as a substantial, not just an incidental, part of its operations is not exempt from payment of real property taxes as an institution of purely public charity.” The action of the legislature is designed to allow a discussion of the meaning of the statutory term “purely public charity.” This case and others like it were featured in a front page news article in the [New York Times for 26 May 2008](#).

## FREEDOM OF ASSOCIATION AND PEACEFUL ASSEMBLY

### **AZERBAIJAN—AMENDMENTS TO LAW ON FREEDOM OF ASSEMBLY APPROVED**

Parliament has approved amendments to the law on freedom of assembly. According to a news article published by [TREND NEWS AGENCY](#), the ban to hold mass demonstrations in places of religious worship and cemeteries has been lifted except where the executive power bans it. Under the amendments, non-citizen residents as well as foreign citizens can hold demonstrations; wedding and other ceremonies and funerals must, however, not be turned into mass actions; the distance between the demonstration and state bodies has been reduced from 300m to 200m.; organizers must apply to the city or regional administrations five days before the action; the administration must respond organizers three days before the fixed date; organizers must participate in the demonstration; and the courts are authorized to examine complaints on staging demonstrations within two days. The demonstration can be banned if: the organizer does not participate in it; there are security concerns; and there is another demonstration at the same time and at the same place. Demonstrations can be held only in places determined by the regional and city executive authorities.

### **ENGLAND AND WALES—CHARITY COMMISSION UPHOLDS ANTI-POVERTY GROUPS INVOLVEMENT IN PRO-PALESTINIAN DEMONSTRATIONS**

The [Charity Commission](#) has supported the right of an anti-poverty group -War on Want - to be involved in a pro-Palestinian demonstration, according to a news article published by [THE JEWISH CHRONICLE](#). War on Want’s campaigning on Israel has previously drawn complaints that it is operating outside its charitable purposes. The [Charity Commission](#) guidelines give wide scope to charities to take part in activities as long as they are consistent with their charitable purposes. Apart from



# IJCSL NEWSLETTER

VOLUME 5 ISSUE 7

JUNE 2008

combating poverty, War on Want says it also works for human rights and argues that Palestinian poverty “is a direct result of 40 years of Israeli occupation.”

## **KUWAIT—NEW LAW RESTRICTING PUBLIC GATHERINGS APPROVED**

The Ministry of Interior has approved a new law restricting the right to organize gatherings or peaceful protests, according to a [news article](#) published by the [Arabic network for human rights information](#). The approved law appears to be in clear violation of the constitution and a ruling given by the Constitutional Court in 2006. For [previous coverage](#) of Constitutional Court ruling see [June 2006 issue of IJCSL-Newsletter](#).

## **FREEDOM OF EXPRESSION**

### **ARGENTINA—INTER-AMERICAN COURT URGES ARGENTINA TO REFORM DEFAMATION LAWS**

In the case of [Caso Kimel vs. Argentina](#), the [Inter-American Court of Human Rights](#) has urged Argentina to void a criminal defamation sentence against a local journalist and reform its defamation laws. According to a [Committee to Protect Journalists](#) (CPJ) [press release](#), the court urged Argentina to void the 1999 criminal defamation conviction of journalist and author Eduardo Kimel. Kimel, who works for the official news agency Télam, was given a one-year suspended prison sentence by the Argentine Supreme Court. The charges stemmed from a 1989 book by Kimel, *La Masacre de San Patricio* (The San Patricio Massacre), in which he criticized Judge Guillermo Rivarola’s investigation into the 1976 slaying of five Palatine priests during the military dictatorship.

### **CHINA—**

- **GOVERNMENT BANS COVERAGE OF TIBETAN PROTESTS AND CONTINUED COVERAGE OF SICHUAN EARTHQUAKE**

The government has stepped up efforts to control access to information about the Tibetan protests that began on 10 March 2008. According to a news [article](#) posted on the [Congressional-Executive Commission on China](#) (CECC) website, about a week after the protests started, the foreign news media in China noted that access to foreign Web sites had been blocked, video Web sites and search engine results appeared to be censored, and foreign news broadcasts were temporarily blacked out. Chinese officials have also barred foreign journalists from entering large parts of western China to cover recent incidents of Tibetan protests. The closed areas include the Tibet Autonomous Region (TAR), about half of Sichuan province, and parts of Qinghai, Gansu, and Yunnan provinces. Similar developments with regard to the Sichuan earthquake were reported in the 2 June 2008 European version of *The Financial Times*, p. 2.



# IJCSL NEWSLETTER

VOLUME 5 ISSUE 7

JUNE 2008

- **HONG KONG REGULATOR INTERFERED WITH FREEDOM OF SPEECH**

High Court Judge Michael Hartmann has ruled that Hong Kong's Broadcasting Authority wrongly restricted freedom of speech when it reprimanded Radio Television Hong Kong (RTHK) for airing a program called "Gay Lover." According to [PRIDESOURCE](#) news article, the authority claimed the program lacked balance. The court ruled that RTHK faithfully recorded the fears, hopes, travails, and aspirations of persons who happened to be gay. It did so faithfully in an unprejudiced manner, and the HK law recognizes that the prohibition against discrimination on the basis of sex refers not only to gender but also to sexual orientation.

## **GLOBAL—IOC ISSUES PROHIBITION GUIDELINES AGAINST ATHLETES' SELF-EXPRESSION AT OLYMPIC GAMES**

Athletes, who wave the Tibetan flag or wear traditional dress while at the Beijing Olympics, could find themselves sanctioned under Article 51 (3) of the [Olympic Charter](#) according to guidelines issued by the [International Olympic Committee](#) (IOC). The penalties for such a conduct, however, remain unknown. According to a joint [press release](#) of [ARTICLE 19](#) and [RSF](#), Article 51 (3) of the Olympic Charter affirms that "No kind of demonstration or political, religious or racial propaganda is permitted in any Olympic sites, venues or other areas." ARTICLE 19 and RSF have called on the IOC to immediately amend or interpret Article 51 (3) of the Olympic Charter so that it is compatible with international human rights principles on freedom of expression under Article 19 of the Universal Declaration of Human Rights.

## **KYRGYZSTAN—MEDIA GROUPS URGE PRESIDENT TO VETO MEDIA LAW AMENDMENTS**

A news article published by [INTERNATIONAL HERALD TRIBUNE](#) reports that European media freedom watchdogs and stakeholders have urged Kyrgyzstan's president to veto legal amendments that could jeopardize the independence of the country's public broadcaster. The proposed amendments allow the president to appoint the chief executive of the National Television and Radio Company.

## **LIBERIA—NEW MEDIA LAWS INTRODUCED IN LEGISLATURE**

The three media laws submitted to the National Legislature by a coalition of media and civil society organizations have been introduced in the House of Representatives, according to a news article posted by [ALL AFRICA](#). After a plenary reading in the House, the bills were referred to the House's Committee on Information and Broadcasting for review. The draft laws include an act stipulating the establishment of an independent broadcast regulator, a freedom of information act as well as a national public broadcasting service act. If the laws are passed by the legislature, they will make Liberian media laws consistent with regional and international standards for the protection of media freedom and freedom of expression.



# IJCSL NEWSLETTER

VOLUME 5 ISSUE 7

JUNE 2008

## **RUSSIA—TOUGH MEDIA BILL DROPPED**

The [State Duma](#) Speaker, [Boris Gryzlov](#), is reported to have said that the Duma will not pass a bill which would have allowed courts to close media outlets for publishing damaging statements, according to a news article published by [THE MOSCOW TIMES](#). The bill passed its first reading last month by a vote of 339-1, raising alarm among media-freedom groups. It was authored by [United Russia](#) deputy Robert Shlegel, the Duma's youngest member and a former spokesman for the pro-Kremlin youth group.

## **SIERRA LEONE—LAWSUIT SEEKS GREATER FREEDOM OF EXPRESSION**

In March 2008, journalists in Sierra Leone filed a lawsuit with the Supreme Court challenging laws that criminalize free speech and authorize prison terms of up to seven years for those who criticize the government, according to an Open Society Justice Initiative [press release](#). Sierra Leone's criminal libel and false news laws allow prison sentences for expression that "excite(s) disaffection" against the government or "injure(s) the reputation" of the government or individual officials. The suit is the first direct challenge in West Africa to the criminal libel and false news laws that are common throughout much of the region.

## **THAILAND—GOVERNMENT REINFORCES ONLINE CONTROLS**

The Thai Minister of Information and Communication Technology (ICT), Man Pattanotai, is reported to have said that a website containing such contents which are regarded by the internet users as [lèse majesté](#) will be blocked or closed down. According to an RSF [press release](#), a toll-free number has been created so that Internet users can call in and report such content on the websites. [Thailand's lèse majesté legislation](#) is among the severest in the world. "[Defamatory, insulting or intimidating](#)" [comments](#) about the King and Queen, their relatives or the regent are punishable by three to fifteen years in prison.

## **TURKEY—GOVERNMENT BLOCKS ACCESS TO YOUTUBE**

Turkey once again blocked access to YouTube. According to a news article published by [TODAY'S ZAMAN](#) on 7 May 2008, an Ankara court decided to ban access to the site in response to videos posted on the site deemed insulting to [Mustafa Kemal Atatürk](#), the founder of the Turkish Republic. There has been no immediate comment from YouTube. Several associations and activists consider the ban "censorship" of people's right to access Internet resources and of media freedom in Turkey.

## **UNITED STATES—**

- **YOUTUBE REJECTS SENATOR LIEBERMAN'S REQUEST TO REMOVE CERTAIN CONTENTS FROM ITS WEB SITE**

[YouTube](#) has [rejected](#) a request from Senator Joseph Lieberman to remove all content posted by terrorist organizations, saying videos with legal, nonviolent, and non-hate speech content would remain online. While it respects and understands his views, [YouTube](#) encourages free speech and defends



# IJCSL NEWSLETTER

VOLUME 5 ISSUE 7

JUNE 2008

everyone's right to express unpopular points of view, says the [YouTube team in a response to the Senator](#).

- **FREE SPEECH PROTECTION ACT OF 2008 INTRODUCED**

A bill protecting American journalists from libel suits brought in foreign courts that do not have the same protections for free speech that are found in the U.S. constitution, has been introduced in the Senate, according to a news article published by [ALL AMERICAN PATRIOTS](#). The U.S Senate Bill [S. 2977](#) creates a federal cause of action and federal jurisdiction to determine whether defamation exists under United States law in cases in which defamation actions have been brought in foreign courts against United States persons on the basis of publications or speech in the United States. The bill authorizes a court to issue an order barring enforcement of a foreign judgment and to award damages.

## **YEMEN—GOVERNMENT CONSIDERS NEW MEDIA LAW**

The Ministry of Information is preparing a new media law. According to a news article published by [YEMEN OBSERVER](#), the new law will allow the broadcast of private television channels and radio stations in the country.

## **FREEDOM OF RELIGION AND BELIEF**

### **CANADA—QUEBEC TO MAKE COURSE ON RELIGION MANDATORY IN SCHOOLS**

Quebec parents have vowed to fight the government's new ethics and religious culture course in schools. According to a news article published by [CJAD](#), the course, to be introduced in schools in September, will be mandatory for all students. The course's goal is to inform students not only about Quebec's Christian heritage, but also about other religions including Judaism; Islam; Hinduism; and Buddhism. The parents argue that they don't feel children have sufficient maturity to develop their own idea of religion within their family or community context if it is being interfered with by other religious content that is incompatible with their own background.

### **DENMARK—GOVERNMENT CONSIDERS LEGISLATION BARRING JUDGES FROM WEARING RELIGIOUS SYMBOLS IN COURT**

Denmark's government is considering the preparation of legislation that would bar judges from wearing religious symbols, such as Islamic head scarves, crucifixes, Jewish skull caps, and turbans, in court. In support of the proposed law, Justice Minister Lene Espersen is reported to have said that the law was needed because judges "must appear neutral and impartial" in court, reports [AP](#).

### **GLOBAL—USCIRF ISSUES ITS 2008 REPORT ON INTERNATIONAL RELIGIOUS FREEDOM**

On 2 May 2008 the [U.S. Commission on International Religious Freedom](#) (USCIRF) [released](#) both its [2008 Annual Report](#) and its recommendations to



# IJCSL NEWSLETTER

VOLUME 5 ISSUE 7

JUNE 2008

Secretary of State Condoleezza Rice on countries of particular concern (CPC). The [commission's recommendations for the 2008 CPC](#) list are Burma (Myanmar), North Korea, Eritrea, Iran, Pakistan, China, Saudi Arabia, Sudan, Turkmenistan, Uzbekistan and Vietnam. The Report also includes a Watch List of countries that require close monitoring. Those on the Watch List are Afghanistan, Bangladesh, Belarus, Cuba, Egypt, Indonesia, and Nigeria. The Commission is postponing its recommendations as to Iraq pending a Commission visit to the country.

## ISRAEL—

- **JUSTICE MINISTER RECOMMENDS CHIEF RABBINATE ALLOW MEMBERS OF DIFFERENT RELIGIOUS FAITHS TO MARRY**

Israeli Justice Minister, Daniel Friedmann, has proposed that Israel's [Chief Rabbinate](#) - the body that authorizes and conducts marriages in the country - should relax marriage rules, reports [YNETNEWS](#). Friedmann recommends that people from different religious faiths should be allowed to marry each other. The Chief Rabbinate traditionally does not allow members of different religious faiths to marry.

- **SCHOOLS CONTINUE ULTRA-ORTHODOX EDUCATIONAL PROGRAM DESPITE MINISTRY BAN**

A religious educational program funded by a billionaire and banned twice by the Education Ministry is still being taught in more than 70 Israeli schools, according to a news article published by [HAARETZ](#). The program was rejected by the Ministry because the material pushes the ultra-Orthodox stream of Judaism, as opposed to the secular-humanist approach of the state education system.

## KAZAKHSTAN—NEW RESTRICTIVE RELIGION LAW PASSED IN THE LOWER HOUSE OF PARLIAMENT

The lower chamber ([Majilis](#)) of Kazakhstan's parliament has passed new legislation that would impose tough new restrictions on foreign missionary activity and evangelical churches, according to a news article published by [SLAVIC GOSPEL ASSOCIATION](#). The [article](#) reports that the proposed law establishes quotas of missionaries allowed in Kazakhstan, bans missionary activity by foreign workers without registration who are not representatives of religious organizations; outlaws distribution of religious objects, spiritual literature and other informational material with religious content to citizens in public places or in private homes except where the recipient has expressed prior interest in receiving that literature; bars acceptance of financial and other donations by religious organizations from anonymous or foreign citizens and organizations; prohibits religious activities, meetings or gatherings with children under the age of 18 without written agreement from both parents or legal guardians.



# IJCSL NEWSLETTER

VOLUME 5 ISSUE 7

JUNE 2008

## **MALAYSIA—MUSLIM CONVERT CAN RETURN TO BUDDHISM, RULES SHARIAH COURT**

Penang's Shariah court allowed a Muslim convert to return to her original faith of Buddhism, setting a precedent that could ease religious minorities' worries about their legal rights, according to a news article published by the [ASSOCIATED PRESS](#).

Malaysia has a dual court system with civil courts for non-Muslims and Shariah courts for Muslims. This is the first time in recent memory that a convert has been permitted to legally renounce Islam in Malaysia.

## **MALDIVES—NON-MUSLIMS MAY LOSE CITIZENSHIP UNDER NEW LAW**

Maldivians who convert away from Islam, or who are children of Maldivians married to non-Muslims risk losing their citizenship under the Constitution currently being developed. A news article published by [MINIVAN NEWS](#) suggests that the constitution has still not been finalized, and the attorney general's office (AGO) has raised hundreds of issues on consistency, wording and practicality, to be addressed by the constitutional drafting committee and Special Majlis (constitutional assembly) before ratification. The citizenship issue, however, does not appear on the list.

## **SOUTH KOREA—HIGH COURT RULES THAT COMPULSORY CHAPEL DOES NOT VIOLATE STUDENT'S FREEDOM OF RELIGION**

The Seoul High Court ruled against a student who sued his high school for expelling him on the grounds that he rejected the school's chapel service, according to a news article published by [THE KOREA TIMES](#). In 2004, the student refused to attend the weekly chapel service at the Christian school, claiming the mandatory service impairs his religious freedom. The court said Daegwang School did not provide a class that could substitute chapel but it did not seriously infringe on the student's religious freedom and his rights to pursue happiness.

## **UZBEKISTAN—GOVERNMENT TARGETS FRINGE CHRISTIAN MISSIONARY GROUPS**

As a part of new campaign against missionary activities in Uzbekistan, a recent documentary "In the Clutches of Ignorance," broadcasted on Uzbek state television condemned such groups as the Jehovah's Witnesses, Christian Gospel Church, and Blagodot (Grace) as creating a "global problem, along with religious dogmatism, fundamentalism, terrorism, and drug addiction." According to a news article published by [RFE/RL](#), prominent theologians from Uzbekistan's Islamic University accuse Christian missionary activities are a "hidden threat to Uzbek society" and that their activities are "as dangerous as terrorist activities or the illegal drug trade."



# IJCSL NEWSLETTER

VOLUME 5 ISSUE 7

JUNE 2008

## LEGAL FRAMEWORK

### **CAYMAN ISLANDS—WALKERS GLOBAL PUBLISHES BASIC PRINCIPLES OF CHARITY LAW**

Walkers Global has published a [brief summary of the basic principles of Cayman Islands' charity law](#). According to the summary, principles of Cayman Islands Charity Law tend to follow English law principles.

### **ENGLAND AND WALES—CHARITY COMMISSION PULLS MODEL GOVERNANCE DOCUMENTS INCONSISTENT WITH COMPANIES ACT**

The [Charity Commission](#) has removed model governing documents for charitable companies from its website because parts of them were inconsistent with the Companies Act 2006, according to a news article published by [THIRD SECTOR](#). The Commission said it would publish a revised version of the documents within weeks and that organizations wishing to register in the meantime could contact it for advice.

### **EGYPT—COURT OVERTURNS GOVERNMENT'S REFUSAL TO ALLOW CTUWS TO OPERATE**

Egypt's Administrative Court has overturned the government's refusal to register the Centre for Trade Union and Workers' Services (CTUWS) under the NGO law and permit it to operate, according to a [news article](#) published by the [International Trade Union Confederation](#). The Centre had been subjected to a series of administrative obstacles, culminating in its closure by security forces in 2007, reports the International Trade Union Confederation.

### **ETHIOPIA—GOVERNMENT CONSIDERS NEW LAW RESTRICTING NGO ACTIVITIES**

The government is drafting a new law to restrict activities of NGOs. A news article published by [BUSINESS DAILY](#) reports that the proposed law authorizes government to assign a police officer or an official to attend any NGO's internal meetings without a court order. The law also authorizes search and seizure of property, and removing NGO staff engaged in unlawful activities. The proposed law forbids international and non-Ethiopian organizations from carrying their activities in the field of democracy, human rights, good governance, and conflict resolution.

### **TURKEY—GLBT RIGHTS GROUP FACES CLOSURE**

According to a news article posted by [INTERNATIONAL HERALD TRIBUNE](#), a Turkish court has ordered the closure of a gay rights organization finding the association's name in violation of public morality. The organization is shutdown under article 17 of the Law on Associations, and article 60/2 of the Turkish Civil Law. The Lambda Istanbul Lesbian Gay Bisexual and Transvestites Solidarity Association intends decided to appeal the decision.



# IJCSL NEWSLETTER

VOLUME 5 ISSUE 7

JUNE 2008

## **UNITED STATES—VERMONT LEGISLATION ON L3C'S BECOMES EFFECTIVE AT END OF MAY**

Vermont has recently become the first state in the nation to enact a [statute](#) permitting a new form of organization: the low-profit limited liability company (“L3C”). This form of organization is intended to blend elements of for-profit and not-for-profit corporations. The entity can produce some profits, but must have a purpose to pursue social benefits. The statute’s supporters noted it would be particularly useful as a form of organization for an entity wishing to signal to private foundations that it would be an appropriate recipient of program-related investments. As entities may form in any state, now that the L3C is available in Vermont, organizations across the country may choose to try this new organizational structure. Of course, using the L3C form may still be risky for many charities, as questions still remain about how the IRS will regard the L3C.

## **MISCELLANEOUS MATTERS**

### **BANGLADESH—STUDY REPORT ON DEPRIVATION OF HINDU MINORITY PUBLISHED**

According to a study report published in the form of a book titled “Deprivation of Hindu Minority in Bangladesh: Living with Vested Property,” which was launched at LGED auditorium in Dhaka on 14 May 2008, the Hindu community has lost 26 lakh acres of land from 1965 to 2006 because of communal conflicts and deprivation caused by the [Enemy \(Vested\) Property Act](#), reports the [ASIAN TRIBUNE](#). The law has been highlighted by the US State Department and Amnesty International as a major human rights concern that has contributed to internal displacement, emigration and disenfranchisement.

### **BURMA—CONSTITUTIONAL REFERENDUM GOES AHEAD DESPITE CYCLONE**

While thousands of people were struggling to survive after Cyclone Nargis, the military government of Myanmar [held](#) a [national referendum](#) on a draft constitution on 10 May 2008. The government announced that the constitution had been approved by roughly 92 percent of voters in the referendum’s initial round. The National League for Democracy and other opposition groups have labeled the referendum a “sham” to legalize military rule. The draft constitution reportedly guarantees the military a continuing role in government by reserving 25 percent of parliamentary seats for the military, puts the Ministry of Home Affairs exclusively under military control, bars anyone married to a non-Burmese from running for the presidency. This clause effectively bans opposition leader [Aung San Suu Kyi](#) from holding public office because she was married to [Dr. Michael Aris](#), a British scholar. Ms Suu Kyi, however, maintained her Burmese citizenship and [her husband died](#) of cancer in 1999.

### **CANADA—GOVERNMENT’S IFI ACTIVITY ACHIEVED GOOD GRADE**

The Canadian government’s annual reporting on its activities at international financial institutions is getting better, according to [IFTI Watch Update](#) on 16 May 2008.

The [Halifax Initiative](#) said the report on 2007 activities merited a B+, up from last



# IJCSL NEWSLETTER

VOLUME 5 ISSUE 7

JUNE 2008

year's rating of B-, and way up from the D grades of 2001-2005. Canada is among only about a dozen countries that make annual reports on their activities at the IFIs. Canada writes one report concerning the International Monetary Fund and the World Bank and another on the European Bank for Reconstruction and Development. They not only disclose Canada's voting record but also provide a narrative on Canadian priorities. The [Halifax Initiative](#) - a coalition of groups that monitors development policy and the IFIs - praised the IMF/World Bank report by the Ministry of Finance for having an improved format and more comprehensive content.

## **CHINA—RIGHTS LAWYERS FACE SUSPENSION OF PROFESSIONAL LICENSE DUE TO WORK IN TIBET**

A group of lawyers who publicly offered their assistance to defend Tibetans accused of involvement in the Lhasa riots in March are in danger of losing their licenses to practice law, reports [HRW](#). In early April, following the government's announcement that several hundred Tibetans had been taken into custody for their role in the March protests in Lhasa, a group of 18 prominent civil rights lawyers issued an open letter offering to provide legal assistance to the detainees. Shortly after they issued the open letter, the Beijing Judiciary Bureau suspended license renewals for all the lawyers and has to date refused to renew the professional licenses. The deadline for renewal is 31 May 2008.

## **EGYPT—OWNER BANS ALCOHOL AT GRAND HYATT HOTEL IN CAIRO**

The Saudi owner of the [Grand Hyatt Hotel in Cairo](#) has banned the sale of alcohol and destroyed millions of dollars worth of beverages, according to a news article published by [BBC NEWS](#). The international company which runs the hotel has urged the owner of Grand Hyatt Hotel in Cairo, Sheikh Abdulaziz al-Brahim, to revoke his decision. The company fears banning of alcohol could drive away Western tourists and may even lead to the hotel losing its five-star rating. The Grand Hyatt in Cairo occupies one of the most expensive sites overlooking the River Nile.

## **INDIA—TEMPLE STAFF WINS RIGHT TO WEAR UNDERWEAR AT WORK**

The [Kerala State Human Rights Commission](#) has ordered the [Sabarimala Temple](#) to withdraw a dress code that barred staff from wearing underwear, according to a news article published by [BBC NEWS](#). The dress code was imposed 10 years ago after several cases of theft by the temple staff who worked in the strong room of the temple, where the cash and jewelry are kept. Under the dress code, they are not allowed to wear anything except a sarong-like lower garment called "mundu." [Sabarimala](#) is the second busiest temple in southern India after Tirupati. The Temple receives a huge amount of donations in the form of cash and gold, silver and diamond jewelry. Last year, the temple received cash and gifts worth 18.7million USD.

## **INDONESIA—PROMOTING COMMUNITY EMPOWERMENT CLINICS IN INDONESIA**

The OSI [Justice Initiative](#) has launched a workshop on university-based community empowerment clinics in Indonesia. The [Legal Aid and Community Empowerment Clinics program](#) (LACEC) focuses on promoting skills and opportunities for human



# IJCSL NEWSLETTER

VOLUME 5 ISSUE 7

JUNE 2008

rights and law reform advocacy among future and young lawyers and, consequently, on building a culture and commitment of public interest and social justice within the legal profession. This is done through establishing university-based legal clinics.

## **RWANDA—POLITICAL PARTIES DISCUSS CODE OF CONDUCT**

Representatives from political organizations in the country met in Kayonza district to discuss the code of conduct for political organizations. According to a news article published by [ALLAFRICA](#), the participants noted that the code of conduct for political organizations should follow the 2003 constitution. The spokesperson of the forum for political parties called upon participants to extend the knowledge obtained to their party members and to conduct themselves well during the elections. He also reminded parties of Article 5 of the Code which punishes any political party activist who issues statements that may aim at dividing Rwandans. Parliamentary elections are slated for September this year.

## **ANNOUNCEMENTS**

### **ENGLAND AND WALES—CHARITY COMMISSION STUDY INTO PUBLIC TRUST AND CONFIDENCE IN CHARITIES PUBLISHED**

The Charity Commission has published the 2008 Charity Commission Study into Public Trust and Confidence in Charities. This is based on independent research conducted by Ipsos MORI which shows there has been an increase in public trust and confidence since the research was last undertaken in 2005. The research looks at what drives public trust and confidence, and includes research on the percentage of people that give money, goods or time to charities, and what people's perception of charities is. The Commission has also produced some initial analysis of issues that the research raises. Download a pdf copy of the [report](#) with an [executive summary](#), the [Commission's initial analysis](#) and its [press release](#).

### **ESTONIA—2008 E-DEMOCRACY CONFERENCE IN TALINN**

The [2008 eDemocracy conference](#) "Opportunities for Citizen Participation in an Information Society" will be held on 5 June 2008 at the Ministry of Foreign Affairs, according to a news article published by [METAMORPHOSIS](#). This year's conference addresses the opportunities ICT and the Internet provide for citizens to take part in the policy making process. A new governmental participation portal [OSALE](#) will also be introduced. The portal provides a platform to the Estonian citizens to express their opinion. In addition to the portal, a new participation tool, TID+ is also being developed with support of the European Union. TID+ is based on the experiences with the [Direct Democracy Portal TOM](#) that has been in use in Estonia since 2001.

### **GLOBAL—**

- **OSI LAUNCHES NEW FELLOWSHIP PROGRAM**

The Open Society Institute (OSI) has launched a new fellowship program to support outstanding idea entrepreneurs from around the world. The



# IJCSL NEWSLETTER

VOLUME 5 ISSUE 7

JUNE 2008

Fellowship enables innovative professionals including journalists, activists, scholars, and practitioners to work on projects that inspire meaningful public debate, shape public policy, as well as generate intellectual ferment within OSI. The fellowship focuses on four areas: National Security and the Open Society; Citizenship, Membership and Marginalization; Strategies and Tools for Advocacy and Citizen Engagement; and Understanding Authoritarianism. Fellows' projects may include books, articles, outreach for documentary films, online media, and efforts to seed new campaigns and organizations. For more information see the [OSI website](#).

- **61ST ANNUAL UNITED NATIONS DPI/NGO CONFERENCE**

[61st Annual United Nations DPI/NGO Conference](#) will be held at the UNESCO Headquarters in Paris from 3 - 5 September 2008. The theme of this year's conference is "REAFFIRMING HUMAN RIGHTS FOR ALL: The Universal Declaration at 60." NGOs worldwide are invited to submit proposals for Midday Workshops which will be held 1:15 p.m. -2:45 p.m. each day of the conference. Information on the conference and updates are available on the following websites: UN DPI NGO Section: [www.un.org/dpi/ngosection](http://www.un.org/dpi/ngosection) and NGO/DPI Executive Committee Website: [www.ngodpiexecom.org](http://www.ngodpiexecom.org) .

- **2008 CIVICUS WORLD ASSEMBLY**

The [8th CIVICUS World Assembly](#) will be held in Glasgow, Scotland, from 18 - 21 June 2008. According to [SANGONeT](#), the theme for the World Assembly is "Acting Together for a Just World: People, Participation and Power. This focus is in response to the need to look at civil society's capacity to act in concert to realize shared goals while recognizing there are allies in government, business, media and donor bodies who are working towards the same end and from whom strength can be drawn.

## **UNITED STATES—NEW FREEDOM OF EXPRESSION AWARD ANNOUNCED BY PLAYBOY FOUNDATION**

The [Playboy Foundation](#) has announced the creation of the new [Freedom of Expression Award](#) – a \$25,000 seed grant to fund the work of a noteworthy advocate for the First Amendment, reports [PR NEWSWIRE](#) on 22 May 2008. The Playboy Foundation's new Freedom of Expression Award is designed to support the work of an exceptional person dedicated to protecting the First Amendment rights of all Americans. The Foundation will accept nominations for the 2008 [Hugh M. Hefner First Amendment Awards](#), including the Freedom of Expression Award, through 4 July 2008.



# IJCSL NEWSLETTER

VOLUME 5 ISSUE 7

JUNE 2008

## RESOURCES

### **CANADA—THE BOUCHARD-TAYLOR COMMISSION OF QUEBEC RECOMMENDS GUIDELINES FOR FREEDOM OF RELIGION PRACTICES**

[Consultation Commission on Accommodation Practices Related to Cultural Differences](#) (CCPARDC) has issued guidelines for freedom of religion practices. According to 22 May 2008 [press release](#), the [Commission](#) recommends that representatives, such as judges, Crown prosecutors, police officers, prison guards, and the president and vice-president of the National Assembly, who are symbols of State neutrality and are required to maintain the appearance of impartiality to the exercising of their duties, must not wear religious signs. However, teachers, civil servants, health professionals and all other government employees should be allowed to continue to wear religious signs. The guidelines also note that the crucifix in the National Assembly and the reciting of prayers at meetings of municipal councils should not be permitted in a secular State.

### **GLOBAL—**

- **UN-NGO-IRENE BEST PRACTICES NETWORK WEB PORTAL LAUNCHED**  
The NGO Section has [launched](#) a new web portal, “[UN-NGO-IRENE Best Practices Network](#),” with the goal to act as an engaging and interactive electronic forum, allowing organizations in consultative status with ECOSOC to share and discuss Best Practices and success stories. The initiative was born during the ECOSOC NGO Forum, held at UN headquarters in April 2008, when actors from civil society around the world presented their highly acclaimed success stories. The “UN-NGO-IRENE Best Practices Network” web portal is open to the public. However, the content found on the site is exclusively contributed from organizations in consultative status with ECOSOC.
- **AMNESTY INTERNATIONAL ANNUAL REPORT ON STATE OF THE WORLD’S HUMAN RIGHTS RELEASED**  
[Amnesty International Report 2008](#) was released on 28 May. The report looks back on key human rights events in 2007 and major challenges for 2008. The report shows that sixty years after the [Universal Declaration of Human Rights](#) was adopted by the United Nations, people are still tortured or ill-treated in at least 81 countries, face unfair trials in at least 54 countries and are not allowed to speak freely in at least 77 countries.

### **NEW BOOK ON NEED TO CREATE AWARENESS AMONG THE POOR AND DISADVANTAGED TO HOLD STATES ACCOUNTABLE**

In his new book entitled “[A Freedom from Our Social Prisons: The Rise of Economic, Social, and Cultural Rights](#),” Anthony Ravlich, addresses the critical need for comprehensive human rights education in order for the poor and disadvantaged to hold states accountable to fulfill their minimum core obligations under economic and



# IJCSL NEWSLETTER

VOLUME 5 ISSUE 7

JUNE 2008

social human rights law. The author points to the devastating impact of structural violence and neo-liberal economic policies on the lives of millions who now live in squalor and poverty. He effectively argues that economic globalization proceeded prematurely as it did not include simultaneous economic and social rights protection. The book calls on states to stop “fudging” on their core minimum obligations and respect the economic rights of the poor. The purpose of this book is to provide a belief system to empower people using the democratic system and human rights law.

## UNITED KINGDOM—

- **NEW MEDIA LAW BOOK PUBLISHED**

A new media law book has been written by the legal advisor to the [Manchester Evening News](#), according to a news article published by [HoldTheFrontPage](#). [Cleland Thom](#)'s “[The How-to Media Law Manual](#)” features more than 50 “How-to” guides such as reporting terrorism, using photos safely, working with the Freedom of Information Act, spotting libels and handling racially-sensitive issues.

- **COMMUNITY ENTERPRISE TOOLKIT PUBLISHED**

A [Community Enterprise Toolkit](#) has been published on [Cheshire County Council](#)'s web site. The toolkit brings together existing advice and information on setting up community enterprises in a user-friendly way.

- **ARTICLE ON ONLINE GOVERNMENT INFORMATION**

The information resource site [FUMSI](#) has an [article](#) looking at UK Government Information on the Internet. The article is written from a business information perspective and is a useful rundown of key sources and recent changes.



# IJCSL NEWSLETTER

VOLUME 5 ISSUE 7

JUNE 2008

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