



IJCSL NEWSLETTER

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ANTI-TERRORISM LEGISLATION

CHINA—ANTI-TERRORISM MANUAL PREPARED FOR OLYMPIC GAMES

China's Ministry of Public Security has prepared a manual that tells citizens how to respond to terrorism during Olympic Games. According to a news article published by the [GUARDIAN](#), the manual briefs residents how to take care of themselves in 39 possible scenarios including arson, shootings and nuclear attacks. In a separate ruling, foreign entertainers and artistic groups/individuals who have engaged in activities that “threaten national sovereignty” will not be permitted to enter China during the Olympics. Agencies responsible for bringing the artists to China will be banned for two years if the rules are violated.

GHANA—ANTI-TERRORISM BILL PASSED

The Parliament of Ghana has passed an anti-terrorism bill. According to a news article published by [HAPPY GHANA](#), the bill seeks to prevent terrorism, suppress and identify acts of terrorism, prevent the territory, resources and financial services of the country from being used to commit terrorism acts and to protect the rights of the people to live in peace, freedom and security. Critics, however, [oppose the legislation](#) claiming that it encroaches upon the inalienable rights of citizens to the freedom of speech, association, assembly and the right to protest social, political and economic injustice. They also claim that the legislation gives extensive power to the government to break into peoples' houses and install secret listening and other video devices under the pretext of monitoring terrorist activities.

UNITED KINGDOM—CHARITY COMMISSION PUBLISHES COUNTER-TERRORISM STRATEGY

Following an informal consultation period, the Charity Commission has published the final version of its [counter-terrorism strategy](#) setting out four part approach comprising: Awareness, Oversight, Co-operation and Intervention. According to Charity Commission's [update](#), the strategy identifies benchmark indicators of success for each strand. The counter-terrorism strategy represents the Commission's formal statement of its approach to delivering its regulatory response to the threat of terrorist involvement or abuse in the charitable sector. For more information on the Strategy, see also the Special Section on Anti-terrorism Legislation in the July 2008 issue of IJCSL.

UNITED STATES—NEW SURVEILLANCE LEGISLATION ENACTED AND CHALLENGED IN COURT

A wide-ranging group of civil liberties' organizations, international aid organizations, writers, defense lawyers, and others have filed a law suit in federal court in New York, seeking to have the eavesdropping provisions in a new “dragnet” wiretapping law declared unconstitutional. According to the [PRESS RELEASE](#) about the suit alleging the unconstitutionality of the [FISA Amendments Act 2008](#), the American Civil Liberties Union, which filed the suit on behalf of the broad coalition, argues that the new law violates Americans' rights to free speech and privacy under the First and Fourth



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Amendments to the Constitution. The new law permits the government to conduct intrusive surveillance without ever telling a court who it intends to spy on, what phone lines and email addresses it intends to monitor, where its surveillance targets are located, why it's conducting the surveillance or whether it suspects any party to the communication of wrongdoing. More information, including the complaint in *Amnesty v. McConnell*, a video discussing the ACLU's legal challenge, plaintiff statements in support of the lawsuit and the FISC motion, is available at: www.aclu.org/faa

CITIZEN PARTICIPATION AND FREEDOM OF INFORMATION

AUSTRALIA—CABINET AGREES TO ABOLISH MINISTERIAL POWER TO BLOCK RELEASE OF INFORMATION

According to [THE SYDNEY MORNING HERALD](#), the Cabinet has agreed to scrap the conclusive certificate; this is called the “first concrete action on reform of federal FOI law in Australia.” The conclusive certificates allowed ministers and senior bureaucrats to refuse access to government documents under Freedom of Information reforms by certifying that their release is not in the public interest. Other major changes in the FOI law will be delayed well into next year after a public consultation on draft FOI reform legislation is concluded. The draft will include plans to establish a FOI commissioner and measures to improve the operation of the FOI Act.

ETHIOPIA—MASS MEDIA AND FREEDOM OF INFORMATION PROCLAMATION PASSED

The Ethiopian Parliament passed the Mass Media and Freedom of Information Proclamation on 1 July 2008. According to a news article published by [ALL AFRICA](#), Article 25 of the law prohibits the Public Relation head of a government institution from revealing the government policies under preparation. The proclamation also gives power to the prosecutor to take measures to impound any print publication deemed a threat to public order or national security. Article 43(7) further states that “defamation and false accusation of constitutionally mandated legislators, executives and judiciaries will be matter of the government and prosecutable even if the person against whom they were committed chooses not to press charge.” The bill also increases fines for defamation to 100,000 birrs (approximately US\$10,000). The proclamation has been under heated debates for the last six years and has [drawn criticism](#) from several quarters.

KENYA—GOVERNMENT PLEDGES SUPPORT FOR FOI BILL

The government has pledged its support for the Freedom of Information Bill, according to a statement by Prime Minister, Raila Odinga, published in a news article posted by [ALL AFRICA](#),. The Bill, [currently pending in the parliament](#), seeks to enhance the free flow of information from government and public organizations whose work is currently shrouded in needless secrecy. The Official Secrets Act, the



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Police Act and other laws that have been used to hamstring access to public information are also expected to be amended or abolished.

MALTA—FOI BILL APPROVED AND SENT TO COMMITTEE STAGE

The Freedom of Information Bill has been unanimously approved by the Parliament and sent to Committee Stage, reports [THE MALTA INDEPENDENT ONLINE](#). The opposition, however, reserved its comments on the draft bill. The Alternattiva Demokratika spokesperson on democratic institutions and civil rights, Stephen Cachia, [said](#) the present bill exempts too many entities from its provisions. Identifying the loopholes, he said the bill exempts Cabinet documents and some documents falling under the Broadcasting Authority, and limits the right to freedom of information to persons who have been resident in Malta for at least five years.

NIGERIA—FOI BILL STILL IN LIMBO

The Freedom of Information bill brought before the Nigerian law makers in 1999 has now become the most misunderstood, contentious, oldest legislation still pending before the National Assembly, according to a news posting published on [ALL AFRICA](#). FOI [advocates and stakeholders have persistently urged](#) the National Assembly to pass this bill expeditiously.

PACIFIC NATIONS – WORKSHOP HELD TO DISCUSS FREEDOM OF INFORMATION LEGISLATION

A workshop was organized by the Pacific Islands Forum Secretariat in partnership with the United Nations Development Programme's Pacific Centre to discuss the experience of the Cayman Islands in the development of Freedom of Information legislation. Participating countries were the Cook Islands, Kiribati, Nauru, Niue, Palau, Samoa, Solomon Islands, Tonga, Tuvalu and Vanuatu. [Cayman Net News.com](#) said that Natasha Bodden, the Freedom of Information (FOI) Unit's Policy Analyst, shared with the group the experience in the Cayman Islands.

SCOTLAND—GOVERNMENT PLANS TO BROADEN SCOPE OF FOI LEGISLATION

The Scottish Government is considering extending freedom of information (FOI) legislation to cover private bodies which perform public functions, reports [OUT-LAW](#). The move is intended because several public bodies are increasingly using private companies and commercial agreements to carry out functions that are essentially public. FOI laws were passed in order to open publicly-funded bodies up to public scrutiny. Three groups will be targeted by a change in the law: registered social landlords; contractors who provide public services that are a function of a public authority; and local authority trusts or bodies set up by local authorities.

UNITED STATES—FOI STANDARDS HAVE FAILED IN MAJORITY OF STATES, SAYS REPORT

A recent study undertaken by the Better Government Association (BGA) and the National Freedom of Information Coalition (NFOIC, the Freedom of Information Acts (FOI) enacted across the country are described as a "haphazard construction" among the states, reports [PR NEWSWIRE](#). This national study shows that 38 of the 50



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states have a grade of “F” in overall responses to FOI requests and citizens have little to no recourse when faced with unlawful denial of access under their state’s FOI laws.

UNITED KINGDOM—GOVERNMENT’S WHITE PAPER ON COMMUNITY EMPOWERMENT AND LOCAL DEMOCRACY LAUNCHED

The Communities & Local Government [launched](#) a white paper on community empowerment and local democracy on 9 July 2008. The aim of the white paper is to devolve real power to local people, so they have control over what happens in their neighborhoods. The [white paper](#) includes the following announcements: A new £70 million “Community Builders” fund to support community-led organizations; a new duty for councils to respond to petitions to be introduced in 2009; a mechanism for the Secretary of State for Communities and Local Government to consult on a new right to petition that would hold local officers to account; all local authorities will be encouraged to use participatory budgeting by 2012; a specialist asset transfer unit will be established by the autumn within the third sector; a new Social Enterprise Unit within the CLG; A £7.5 million empowerment fund will be launched; and a “Community Allowance” program will be launched allowing community organizations to pay people benefits to do work that strengthens their communities.

FISCAL MATTERS

AUSTRALIA—CHARITIES MAY LOOSE BILLIONS OF DOLLARS OF TAX BENEFITS

Charities and other non-government organizations could lose billions of dollars’ worth of tax benefits as the federal Government’s taxation review prepares to investigate whether the tax benefits offered to the \$80 billion non-profit sector are justified. According to a news article published by [THE AUSTRALIAN](#), most of the country’s religious groups, which make up about \$25 billion of the sector, run commercial enterprises. Many of the operations have little to do with charitable work but are exempt from various taxes including corporate tax and capital gains tax. Australia is one of the few countries in the world where religious groups do not have to pay tax on business ventures.

NEW ZEALAND—NEW TAX LEGISLATION FOR CHARITIES EFFECTIVE 1 JULY 2008

The [new tax legislation affecting charities](#) became effective on 1 July 2008. It requires a charity that had previously been tax exempt to be registered with the Charities Commission in order to be eligible for tax exemption going forward. A new organization or one that is seeking charitable-purpose tax exemption for the first time must also be registered with the Commission to be eligible for tax exemption.

RUSSIA—TAX EXEMPTIONS FOR DOZENS OF FOREIGN CHARITIES ABOLISHED

In an another attack on foreign NGOs with operations in Russia, the Russian Prime Minister, Vladimir Putin, has signed a decree reducing a list of tax-exempt charities from 101 to 12 and ordered them to pay 24 per cent of their incomes to the Treasury, according to a news article published by the [TELEGRAPH](#). Several organizations



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universally acknowledged and known for their work to promote democracy are not in the list. Non-governmental organizations have been subjected to an official harassment campaign since 2005, when a law was passed imposing draconian restrictions on the country's civil society.

UZBEKISTAN—MAJLIS ADOPTS RESOLUTION ESTABLISHING PUBLIC FUNDS TO SUPPORT NGOS

The Kengashs (Councils) of the Legislative Chamber [lower house] and the Senate [upper house] of Oliy Majlis of the Republic of Uzbekistan adopted a Joint Resolution “On measures to strengthen support of non-state non-profit organizations, other institutions of civil society” reports [TURKISH WEEKLY](#). Under the resolution, the issues related to determining the volume of funds allotted by the State budget for supporting the activity of non-state non-profit organizations, distributing these funds, monitoring their use are delegated from the bodies of executive power, including the Ministry of Finance, Cabinet of Ministers, onto the supreme legislative body of the country – the Oliy Majlis of the Republic of Uzbekistan. To accomplish the results, a Public Fund to support non-state non-profit organizations and other institutions of civil society shall be established at the Oliy Majlis of the Republic of Uzbekistan. The detailed tasks of the public fund are outlined in an article published by [TURKISH WEEKLY](#).

UNITED STATES—COURT RULES CHRISTIAN UNIVERSITY CAN PARTICIPATE IN STATE AID PROGRAM

The [U.S. Court of Appeals for the 10th Circuit in Denver](#) has recently ruled that [Colorado Christian University](#) can participate in a state aid program. Colorado Christian University, a college of 2,000 students in suburban Denver where most students must attend chapel weekly and sign a promise to emulate the life of Jesus and Biblical teachings, was victorious in its suit to gain access to state funds. The ruling is the latest in a string of legal victories for religious schools seeking public dollars.

FREEDOM OF ASSOCIATION AND PEACEFUL ASSEMBLY

BELARUS— COMMUNITIES BANNED AND FINED FOR CONDUCTING OUTDOOR RELIGIOUS ACTIVITIES

Three different Protestant communities in the Grodno [Hrodna] Region of north-western Belarus were banned from conducting outdoor religious activity. [A news article on Forum 18](#) discusses these events and the fact that Belarus maintains tight restrictions on all religious activity requiring religious organizations to gain state registration before they engage in religious activity.

TURKEY—CONSTITUTIONAL COURT DECIDES NOT TO BAN RULING PARTY; CUTS TREASURY FUNDING IN HALF

Turkey's Constitutional Court decided on 30 July 2008 not to ban the ruling Justice and Freedom Party (AKP), which had been accused of undermining the country's



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secular system, according to a news article published by [BBC](#). But the judges did cut half the AKP's treasury funding for 2008. The AKP, which won a huge poll victory in 2007, denies it wants to create an Islamist state by stealth. It called the case an attack on democracy. The powerful military, on the other hand, sees itself as the guardian of the modern secular state founded by Mustafa Kemal Ataturk. The Court President, Hasim Kilic, said the financial sanctions imposed on the AKP were a "serious warning" to it. It is also relevant that the Court was deeply split, with six judges favoring the ban. Seven would have been needed to uphold it.

FREEDOM OF EXPRESSION

AZERBAIJAN—GOVERNMENT TO PASS NEW PRESS LAW SOON

The government of Azerbaijan is set to pass new Press Law. According to a news article published by the [TREND NEWS AGENCY](#), the new law will make the decisions of Press Council of Azerbaijan judicially enforceable. The Press Council of Azerbaijan was established at the first journalistic conference on 15 March 2003.

CANADA—B.C. LAW LIMITING THIRD-PARTY ADVERTISING ON ELECTIONS CHALLENGED

[B.C. Election Amendment Act, 2008](#) imposing spending limits on third-party advertising during the 28-day campaign and for 60 days beforehand has been challenged on Charter grounds, reports [THE CANADIAN PRESS](#). A group of B.C. unions that [filed a legal challenge](#) against [Bill 42](#), argues the law violates the constitutionally protected right of freedom of expression and association by restricting political debate before and during an election campaign. The restriction limits third-party groups to \$3,000 per riding or an overall maximum of \$150,000 during the restricted period.

ECUADOR—TWO TELEVISION CHANNELS CONFISCATED

The law enforcement agency has confiscated two television channels followed by government imposition of official editorial control over them, reports [The Inter American Press Association](#). Media rights advocates including IAPA have expressed serious concerns about the confiscation of channels and have called the act "a serious violation of the public's right to information." The President, Rafael Correa, has [denied](#) that the government's seizure is an attack on freedom of expression. He said it was aimed at recovering money owed to the Ecuadorean people.

IRELAND—OFFENCE OF BLASPHEMY TO BE ABOLISHED SOON

The offence of [blasphemy](#) is likely to be dropped from the Irish Constitution after recommendations from a Daíl committee, reports [INDEPENDENT.IE](#). The Committee chairman, Sean Ardagh, [said](#) the Constitution should be amended along the lines of Article 10 of the European Convention of Human Rights in order to ensure greater emphasis on the freedom of speech.



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ROMANIA—MEDIA BILL REQUIRING “ HAPPY” NEWS TO MAKE UP HALF OF ALL NEWSCASTS DECLARED UNCONSTITUTIONAL

A recent media bill passed by the Romanian Senate forcing radio and television stations to broadcast good and bad news in equal proportions has been declared unconstitutional by the court, according to a news article published by [AFP](#). The opposition liberal democrats, the PDL party, had appealed to the constitutional court, arguing that the new legislation infringed freedom of expression.

RUSSIA—NEW LAW TO PROTECT JOURNALISTS ON ITS WAY

A new national plan to fight corruption includes providing state protection for reporters investigating corruption, is due to be presented to Parliament soon, according to a news article published by [RUSSIA TODAY](#). Under the new legislation, journalists investigating corruption will be able to apply for special protection like that given to court witnesses. The law will likely come into force in 2009.

SOUTH KOREA—NEW MEASURES RESTRICTING FREEDOM OF EXPRESSION ANNOUNCED

According to a news article published by [THE HANKYOREH](#), the government has announced “Comprehensive Measures for Information Protection on the Internet,” establishing heavy penalties for managers, owners and operators of Internet portals and websites who do not immediately remove a message from the site if a third person claims to have been defamed. The measure also defines a new crime, called “cyber insult,” that will give new powers to police to crack down on Internet users who post defamatory messages. The new measures expand the “real names system” to cover Internet portals that average more than 100,000 visitors daily. The system strip away anonymity by causing Internet users to register with their real names in order to legally log-on to small and medium-sized websites to be able to post a message or reply. Currently, the “real names system” is mandatory for Internet websites that have more than 300,000 visitors per day, or websites owned by media companies that receive more than 200,000 visitors daily.

UNITED STATES—

- **JANET JACKSON “WARDROBE MALFUNCTION” FINE RESULTS IN COURT LOSS FOR FEDERAL COMMUNICATIONS COMMISSION (FCC)**

The United States Court of Appeals for the Third Circuit ruled in [CBS v. FCC](#), that the agency had overstepped its bounds in assessing a large fine against the broadcasting company with regard to activities that occurred during the Super Bowl half-time show in 2006. Using a loose standard of “indecent” could not meet the requirements of the First Amendment according to the Court. Full analysis of the case and a related one about Bono can be found in the [New York Times](#).



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- **ACLU PREPARES TO TAKE FLINT, MI TO COURT OVER ITS SAGGY PANTS POLICY**

[Writing in the Detroit Free Press](#), staff writer [Ben Schmitt](#) says that the ACLU had suggested it was time for Flint Police Chief Dicks to halt the stopping and searching of individuals with low-riding pants exposing underwear or bare bottoms. According to Dicks, wearing pants below the waist is a crime -- a violation of the city's disorderly conduct ordinance -- and can give police probable cause to search saggies for other crimes, such as weapon or drug possession. He said exposing the buttocks is indecent exposure. Both crimes are misdemeanors punishable by 93 days to a year in jail and fines up to \$500. The ACLU has sent a [letter](#) stating that the department's policy violates the Constitution. This is only one of the issues raised by the ACLU vis á vis the Flint Police Department. In [a letter to the Chief](#), the ACLU suggests that police officers have speech rights that cannot be infringed.

URUGUAY—GOVERNMENT DECIDES TO DECRIMINALIZE DEFAMATION

The government has decided to introduce a bill decriminalizing the offences of "insulting authorities" and defamation when the statements refer to public officials. The bill also proposes to abolish the crimes of denigration or vilification of national symbols and "attacks on the honor of a foreign head of state," reports [IFEX](#). If passed, the bill will amend various articles in the Press Law and the Criminal Code.

FREEDOM OF RELIGION AND BELIEF

FRANCE—MORROCCAN WOMEN DENIED CITIZENSHIP BECAUSE OF HER VEIL

A Moroccan woman married to a Frenchman has been denied French citizenship because of her wearing a burqa (veil), according to a news article published by [BBC](#). She has lived in France since 2000, speaks good French, and has three children born in France. Her initial application for French citizenship was rejected in 2005 on the grounds of "insufficient assimilation" into France. She appealed to the Conseil d'Etat, France's highest administrative body which also acts as a high court, and it upheld the decision to deny her citizenship. The Conseil said it refused citizenship to the woman, because she had "adopted, in the name of a radical practice of her religion, social behavior that is incompatible with the basic values of French society, particularly the equality of the sexes."

GERMANY—EMPLOYMENT DISCRIMINATION ON RELIGIOUS GROUNDS ALLEGED IN LABOR CASE

A Christian charity, Diakonisches Werk Hamburg (DWK), which refused to hire a non-Christian woman unless she converted to Christianity, is the subject of a current lawsuit in Germany. The [Open Society Justice Initiative](#) has filed a brief in the case now pending on appeal before the Hamburg Regional Labor Court. The job applicant, a German citizen of Turkish ethnic origin, does not observe or practice any religion



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and refused to convert. The woman was applying for a non-religious position counseling immigrants, as part of a secular advice service that DWK provides on behalf of the German state. DWK acknowledges that the applicant met all substantive requirements for the job. The lower court found in favor of the applicant,, but DWK appealed.

INDIA—ANTI-CONVERSION RULES COME INTO FORCE IN GUJARAT

The Gujarat Freedom of Religion Act, providing for strict punishment in cases of religious conversions through force, lure, or deceit, has come into force, reports [THE HINDU](#). The Act makes it mandatory for an individual seeking to convert to apply in a prescribed form to the district magistrate. He would be allowed to proceed only if the approval was granted within a month. The individual must inform the magistrate of the change of religion within 10 days. It includes jail term of up to three years and a fine of Rs.50000 (USD 1,182) for general conversions, which will go up to four years in jail and a fine of Rs.100,000 (USD 2,365) if the converted person is a minor, woman or an Scheduled Caste or Tribe.

KAZAKHSTAN—LAWMAKERS DEBATE REVISED LAW ON RELIGION

Lawmakers in Kazakhstan are debating a revised law on religion. A news article published by [THE CUTTING EDGE NEWS](#), suggests that the draft law still discriminates against minority religious groups, according to what critics say. For example, religions with fewer than 50 adult members will have no legal status. The draft Religion Law will provide harsh penalties for unregistered religious activity. Restrictions on registration are particularly troubling. Territorial restrictions on the activity of religious organizations will remove the right of two of the country's four Catholic dioceses to register as "centralized religious organizations." Without legal entity status, religious communities can only function on the most basic level. The legislation also provides for potential liquidation of organizations which are unable to register or re-register within 18 months after the law comes into effect.

TURKEY—CONSTITUTIONAL COURT DECIDES NOT TO BAN RULING PARTY; CUTS TREASURY FUNDING TO HALF

Please see discussion under **Freedom of Association**.

UNITED STATES—

- **LAW ALLOWING DMV TO PRODUCE LICENSE WITH CHRISTIAN THEME PASSED IN STATE OF SOUTH CAROLINA**

The State of South Carolina has passed a law that allows the Department of Motor Vehicles to produce license plates with Christian themes, displaying the words "I Believe" accompanied with a yellow cross against a stained-glass window. The legislative act became law when the governor allowed the bill to pass without his signature. According to a news article published by [THE NEW YORK TIMES](#), critics have threatened to fight the law in court, saying the license plate represents an illegal state endorsement of religion and is a blatant disregard for the United States



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Constitution and its own state constitution. The Americans United for Separation of Church and State and others have [filed a lawsuit](#) against the legislation.

- **TEXAS STATE BOARD OF EDUCATION APPROVES STANDARDS FOR BIBLE CLASSES IN PUBLIC HIGH SCHOOLS**

The Texas State Board of Education has approved to establish classes for elective Bible course in high schools, reports the [AP](#). The course is supposed to focus on academic, history and literature of the Bible without preaching or disapproving any faith.

LEGAL FRAMEWORK

ETHIOPIA—HRW ANALYZES DRAFT NGO LAW

Human Rights Watch has released [Analysis of Ethiopia's Draft NGO Law](#) (Draft Charities and Societies Proclamation). The analysis note that the draft law makes it impossible for any civil society organization to operate with any real degree of effectiveness or independence and carry out work the government does not approve of. It also defies the fundamental human rights guaranteed by international law as well as Ethiopia's constitution. The draft law criminalizes human rights-related work carried out by non-Ethiopian organizations.

JORDAN—PARLIAMENT PASSES LAW ON SOCIETIES, 2008

Despite strong protest from activists and independent MPs who urged the [House](#) to reject the bill on the grounds that it obstructs the civil society groups, the [House of Representatives \(Majlis al-Nuwaab\)](#) approved the [Law on Societies](#), reported [THE JORDAN TIMES](#) in early July. Critics of the bill claim the draft law on NGOs gives wide powers to the government to control the creation, operation and funding of NGOs. For [previous coverage](#) on the draft NGO law see [July](#), [February](#) and [January 2008](#) issues of [IJCSL-Newsletters](#) at [ICCSL](#) website. [JORDAN TIMES](#) reported later in the month that the bill was also passed by the Senate ([Majlis al-Aayan](#)) and was forwarded to the King for endorsement before it is published in the Official Gazette and go into effect.

NEW ZEALAND—CHARITIES COMMISSION PUBLISHES STATEMENT OF INTENT

The Charities Commission published its [Statement of Intent for 2008-2011](#) during the month of July 2008. This booklet describes the Commission, its members, and how it will seek to go about its activities.



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MISCELLANEOUS MATTERS

CROATIA—ANTI-DISCRIMINATION LAW PASSED

Croatia's Parliament has passed an anti-discrimination law. According to a news article published by [INTERNATIONAL HERALD TRIBUNE](#), the new gender equality law levies fines for discrimination based on sex. The law forbids discrimination at work, in textbooks, in media or in politics. Any one convicted of discrimination on the basis of sex could face fines ranging from 5,000 kuna (USD 1100) to 350,000 kuna (USD 78000). Media groups could be fined up to 1,000,000 kuna (USD 222,000) for running an offending article or ad.

INDIA—NEW LAW DISCOURAGING BIGGER FAMILIES PROPOSED IN KERALA STATE

The Kerala Law Reforms Commission has proposed a new law, seeking to discourage and penalize families who have more than two children, according to a news article published by [KHALEEJ TIMES](#). The commission has proposed to impose a fine of Rs10000 (USD 236) on families having more than two children besides denying free education, health cover and other government benefits to the third child and beyond.

SOMALIA—FIRST WOMEN LAWYERS ASSOCIATION ESTABLISHED

The first women lawyers association in Somalia has been established in the Somaliland region with the help of the United Nations Development Programme (UNDP), according to UN News Centre [press release](#). Currently there are no female prosecutors or judges in Somaliland, according to UNDP, which says it is in discussions with local officials on how to support new female law graduates to practice either as prosecutors or trainee judges.

UZBEKISTAN—HUMAN RIGHTS WATCH REPRESENTATIVE BANNED

The Uzbek government has banned Human Rights Watch's representative, according to an [HRW press release](#). The ban is in direct defiance of the European Union's express call for the organization's Tashkent director to be accredited, Human Rights Watch said today. This is the first time that a Human Rights Watch representative has been banned from Uzbekistan.

ANNOUNCEMENTS

GLOBAL—OSI OFFERS FELLOWSHIPS

The [Open Society Institute](#) (OSI) is accepting applications for Open Society [Fellowships](#) throughout the year in the following areas: National Security and the Open Society; Citizenship, Membership, and Marginalization; Strategies and Tools for Advocacy and Citizen Engagement and Understanding Authoritarianism. The Fellowship enables innovative professionals—including journalists, activists, academics, and practitioners—to work on projects that inspire meaningful public debate, shape public policy, and generate intellectual ferment within the Open Society



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Institute. Further [details and guidelines](#) about fellowships and focus areas are available on [OSI website](#).

GLOBAL—INTERNATIONAL CONFERENCE - IAP2 TO BE HELD IN AUGUST

“[International Conference – Public participation and Corporate Social Responsibility: from why to how](#)” will be held at the University of Strathclyde, Glasgow, UK on 27 – 29 August 2008. This is the major annual event for the [International Association for Public Participation \(IAP2\)](#) and the first time that the IAP2 Association has allowed its annual conference to travel beyond the shores of North America. It is a unique opportunity that provides a forum for communities, industry, Government, NGOs, academic institutions and key thinkers from around the world. Public Participation and corporate social responsibility (CSR) is a new politics of responsibility in business towards communities and to citizens. The response from participants wanting to become involved has been encouraging. Further details of the event are available [here](#).

UNITED KINGDOM—CONSULTATION ON EXEMPTIONS TO COPYRIGHT LAW FOR CERTAIN CHARITABLE AND NOT-FOR-PROFIT ORGANIZATIONS LAUNCHED

The [UK Intellectual Property Office](#) has [launched](#) a [consultation on exemptions to copyright law](#) which apply on not-for-profit and charitable organizations allowing them, in certain specific circumstances, to play copyright sound recordings in public without being required to pay a licence fee for use of those sound recordings or the performances they contain. The consultation period ends 31 October 2008.

RESOURCES

ARMENIA—ASSESSMENT OF ARMENIAN CIVIL SOCIETY 2005-2006 PUBLISHED

The [Civil Society Index \(CSI\) Report for Armenia](#) implemented by the Center for the Development of Civil Society (CDCS) reveals a balanced yet emerging civil society with opportunities to develop the sector’s capacity and effectiveness. The analysis shows that a wide range of public activities and associations exist within the Armenian social-political scene. However, there are some problems -- the Armenian population does not yet have strong confidence in the capacity and strength of CSOs in Armenia; instances of fragmentation and competition occur frequently, resulting in an ineffective system for Armenian CSO networks; society’s lack of trust in the state and in CSOs to realize their social mission remains high; the present system makes the funding by the private sector difficult, since special permission of the government is required for each case; the relationship between the state and third sector is limited and infrequent; the sector still does not have enough leverage or investments necessary to actively participate in public life and they are rarely invited to participate in the process of preparing, passing, or implementing laws or policies, and they have only a very modest impact on public policy formulation. The CSI data concludes that while there is still much to be done to develop the capacity and effectiveness of civil society in Armenia, the sector has made considerable progress in the past two decades



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and has achieved some important goals and priorities. By developing a collective strategic focus for the country, coming up with creative ways to work together, and by prioritizing the strengthening of CSOs and civil society networks, civil society in Armenia can continue to respond to the needs of the people, and effect positive social and political change in the country.

NEW RELEASES

- The John Hopkins Listening Post Project released “[Nonprofit America: A Force for Democracy](#)” which reaffirms the importance of funding advocacy.
- Springer has recently released [Charity Law and Social Policy](#), by Kerry O’Halloran, Myles McGeogor-Lowndes, and Karla W. Simon, which appraises the factors to be taken into account in aligning charity law with social policy in six common law jurisdictions. The aim of the book is to assess ways in which the law can facilitate the environment for appropriate charitable activity to meet important social policy concerns, such as alleviating poverty, addressing health care needs, eliminating racial and other discrimination, and meeting other needs of under-resourced and under-represented communities.
- The [Observatory for the Protection of Human Rights](#) (OMCT) Defenders has released its [2007 Annual Report](#). According to OMCT [press release](#), the report focuses on the fight for human rights and includes contributions from Hina Jilani, Desmond Tutu, Barbara Hendricks, José Ramos Horta, Adolfo Pérez Esquivel, and Wei Jingsheng.

SOUTH ASIA—SKILL-BUILDING WORKSHOP ON PARTICIPATORY GOVERNANCE

In close collaboration with [Participatory Research in Asia \(PRIA\)](#), the [CIVICUS Participatory Governance Program](#) is organizing a [skills-building workshop in Asia](#) regional skills-development workshops in 2008 in Asia from 20 – 26 August 2008 in New Delhi, India. According to [CIVICUS](#), the [workshop](#) will target participatory governance practitioners from South Asian countries, including India, Nepal, Bangladesh, Pakistan and Sri Lanka. The principal objective of the regional skills-building workshop is to help participants enrich and expand their understanding and skills in participatory governance approaches and practices.

UNITED STATES—“ COLLATERAL DAMAGE: HOW THE WAR ON TERROR HURTS

CHARITIES, FOUNDATIONS, AND THE PEOPLE THEY SERVE” RELEASED a new white paper prepared by two prominent non-governmental organizations, OMB Watch and Grantmakers Without Borders concludes that the U.S. government is waging war on non-governmental organizations by applying "shortsighted, undemocratic policies" that are "constraining the critical activities of the charitable



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and philanthropic sectors, stifling free speech, and ultimately impeding the fight against terrorism.” According to [IPS](#) news story, the report charges that the government views non-profits as “conduits for terrorist funding and a breeding ground for aggressive dissent.” The report, “[Collateral Damage: How the War on Terror Hurts Charities, Foundations, and the People They Serve](#),” asserts that “current counterterrorism policies are based on a flawed legal regime and broad, vague definitions; the policies rely on flawed assumptions about terrorism and nonprofits; and the policies are abused by the government to engage in unconstitutional, political use of surveillance powers.” This paper is included in its entirety in the July 2008 issue of IJCSL.

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