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CITIZEN PARTICIPATION AND FREEDOM OF INFORMATION

AUSTRALIA—

- **NSW CONSIDERS RADICAL NEW FOI BILL**
[According to the Sidney Morning Mail](#), state politicians will be subject to a radical new Freedom of Information Act under proposals recommending the NSW Parliament become the first Australian parliament covered by such laws. In a sweeping review of the state's 20-year old Freedom of Information Act, the NSW Ombudsman, Bruce Barbour, recommended scrapping the existing law and writing a new "plain English" act that borrows heavily from other countries and would give NSW the most progressive laws in Australia.
- **ACT ASSEMBLY PASSES FOI AMENDMENTS**
[According to the Canberra Times](#), the ACT Legislative Assembly passed new Freedom of Information laws yesterday that will make it easier to obtain Government documents. The ACT Greens backed the Opposition's proposed amendments to the territory's Freedom of Information Act, which will remove the Government's right to restrict access to documents through the use of conclusive certificates. The ACT Government had introduced its own Bill which would have also removed the provision for conclusive certificates but which created new exemptions on documents such as question time briefings and cabinet notebooks. Shadow attorney-general Vicki Dunne's proposed amendments were in part driven by the Government's consistent refusal to disclose documents that it relied on to form its Towards 2020 education policy, which led to the closure of 23 schools across Canberra.

GHANA--IMPROVEMENTS IN OPEN BUDGET PROCESS

[According to Ghana News](#), Ghana ranks high in the West African sub-region in the Open Budget Survey 2008 as one of the few countries which provided some level of information on government's budget and financial activities during the course of the budget year. But analysts say more was needed to be done by the governments' in the sub-region because the information they provided was not adequate enough to enable citizens to hold them accountable for the management of the public money. "This is the time for the government to show more openness and make the budgetary process a participatory one for Ghanaians to set their development priorities," Mr Nicholas Adamtey, Coordinator Centre for Budget Advocacy, ISODEC who presented the report told the Ghana News Agency.

KENYA--IMPROVES STANDING IN OPEN BUDGET INDEX

[According to the Kenya Broadcasting Corporation](#), Kenya improved its rating on dissemination of information on financial management of public funds to its citizens.

According to a survey by the International Budget Partnership (IBP) released Thursday, Kenya earned nine percentage points to stand at 57 per cent on the Open Budget Index 2008, up from 48 per cent two years ago. The report however blames the governments on its failure to give information on how taxpayer's money was spent in the period under review. The Open Budget Index 2008 evaluates the quantity and quality of information made available to the public on how the government collects and spends public funds during the course of the budget year. The survey which included 85 countries says Kenya has made considerable steps in improving information available on budget expenses. According to the survey, Kenya stands at position 23 among the 85 countries under the study Uganda took position 32 and Tanzania, which ranked number 23 in 2006, has dropped to position 52.

PAKISTAN--NWFP FAILS TO HAVE FREEDOM OF INFORMATION BILL PASSED IN ASSEMBLY

[According to the Peninsula of Qatar](#), The government in Pakistan's North West Frontier Province has failed to make the proposed freedom of information (FOI) Bill an Act despite even after four years and it will have to prepare another bill in the light of the federal government's proposed Freedom of Information Bill 2008 after its approval as an Act. Sources in the government's information department said yesterday that the NWFP government's proposed Bill for freedom of information is going to expire due to lack of interest of the provincial information and law ministries in its finalization

SCOTLAND—CALLS TO EXTEND FOI LAWS

[According to Public Servant Scotland](#), Lord Wallace of Tankerness has expressed surprise that the Freedom of Information Act has not yet been extended to a wider range of bodies. Delivering the inaugural lecture of the new Centre for Freedom of Information, he applauded the success of Scotland's FOI laws. In October 2007, the Commissioner called on the Scottish government to protect freedom of information rights which are being lost when public services are operated by private or charitable bodies, by designating more bodies under the Act. In November last year, minister for parliamentary business Bruce Crawford launched a discussion paper calling for views on the extension of the FOI Act to cover 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. The latest public opinion survey carried out by the Commissioner found that two thirds of the Scottish population favors extending Scotland's freedom of information (FOI) laws to cover such bodies

SIERRA LEONE—PARLIAMENTARIANS DISCUSS FOI BILL

[According to AllAfrica.com](#), the Society for Democratic Initiative has concluded a one-day clinic for parliamentarians to discuss the freedom of information bill, which will soon be tabled before parliament to be passed into law. The session highlighted to members of parliament the importance of the freedom of information bill and what they stand to benefit when it is passed into law. SDI's executive director, Emmanuel Saffa Abdulai informed the members that the struggle for a freedom of information in Sierra Leone has started five years ago. "Freedom of information is of crucial importance in every aspects of life. All we are asking now is for it to be passed into law," he said.

U.K.—MPs APPROVE NEW INFORMATION COMMISSIONER

[According to Out-Law.com](#), Commissioner Richard Thomas retires in June and the Ministry of Justice previously announced Advertising Standards Authority executive director Graham as its choice for the post. It said that it would not confirm the appointment until a pre-appointment hearing from the Commons Justice Committee. That Committee has now approved Graham for the post, but has reiterated its calls for better funding and more independence for the office of the privacy watchdog. "The Justice Committee has repeatedly argued that the Information Commissioner should be made directly responsible to and funded by Parliament to protect the independence of the role, rather than being sponsored by the Ministry of Justice as at present, but Government has rejected this recommendation," said a statement from the Committee.

U.S.—

- **OBAMA ADMINISTRATION IMPLEMENTS PLAN FOR CITIZEN PARTICIPATION IN LEGISLATION**

[According to Federal Computer Weekly](#), the Obama administration has followed through on its promise, technically speaking, to post legislation online for review and comment before the president signs it. Obama's first case study in e-democracy is the Children's Health Insurance Program Reauthorization Act of 2009 (better known as S-CHIP). The administration began soliciting input after the bill was passed by the Senate and the House. [According to Online Daily Media](#), Obama has will put Google product manager Katie Jacobs Stanton in the driver's seat as "director of citizen participation" in March.

- **APPEALS COURT REVERSES FOI RULING ON MEDICARE CLAIMS**

[According to KaiserNetwork.org](#), a three-judge panel of the U.S. Court of Appeals for the District of Columbia reversed a 2007 decision by a lower court that would have required [HHS](#) to release Medicare claims data under the federal Freedom of Information Act. In August 2007, the U.S. District Court for the District of Columbia ruled that the department had to release Medicare claims data on more than 40 million beneficiaries and 700,000 physicians in Illinois, Maryland, Virginia, Washington state and Washington, D.C. In the case, [Consumers' CHECKBOOK/Center for the Study of Services](#) filed a lawsuit to obtain access to the data, which the group planned to post online for the public. Researchers could analyze the data to determine the number of times physicians perform certain procedures and to compare the mortality rates among patients of certain physicians, and health insurers could use the data to improve their analyses of physician quality. HHS argued that the release of the data would violate the privacy of physicians. In a 2-1 decision, the appeals court panel ruled that FOIA is intended to provide information on the operations of government, not private businesses. "The requested data does not serve any (freedom-of-information-related) public interest in disclosure," Judge Karen LeCraft Henderson wrote for the majority, adding, "Accordingly, we need not balance the nonexistent public interest against every physician's substantial privacy interest in the Medicare payments he receives."

VENEZUELA—IN 10 YEARS PRESIDENT CHAVEZ CLAIMS INCREASE IN CITIZEN PARTICIPATION

[According to AFP](#), Venezuelan President Hugo Chavez on Monday boasted that his socialist revolution was on track as he celebrated 10 years in office before a group of Latin American leaders. Luis Fuenmayor Toro, rector of the Central University of Venezuela, Toro lauded strategic businesses that are now in the hands of the state, government infrastructure projects, social programs and increased citizen participation, adding that Venezuelans were now less able to be manipulated than in the past.

FREEDOM OF ASSOCIATION AND PEACEFUL ASSEMBLY

CANADA—FEDERAL GOVERNMENT IN VIOLATION OF CHARTER OF RIGHTS AND FREEDOMS, SAYS UNION GROUP

[According to CNW Group](#), the Public Service Alliance of Canada is challenging the federal government's definition of employee, claiming it denies certain federal public service workers the freedom of association guaranteed under section 2(d) of the Canadian Charter of Rights and Freedoms. The definition of employee in the Public Service Labour Relations Act (PSLRA), excludes student, casual, and short-term workers from access to collective bargaining under the Act. This provision prevents these workers from becoming union members and denies them access to the collective bargaining process contrary to the freedom of association guarantee in the Charter. PSAC, the largest federal public service union in Canada, has filed its case at the Ontario Superior Court of Justice.

INDONESIA—PAPUA NEW GUINEA GOVERNMENT ALLEGED TO HAVE USED EXCESSIVE FORCE AGAINST PEACEFUL DEMONSTRATORS

[According to Amnesty International](#), police used excessive force to disperse a peaceful demonstration in Nabire, Papua province. On 27 January 2009, the "Coalition of People who care about the election of the Head of Region" organized a peaceful demonstration to call for local elections to be held. The demonstration of about 100 people was conducted in front of the General Election Commission's building in Nabire. Demonstrators erected a tent which blocked one of the main roads, and when the police urged them to dismantle the tent, they refused. According to reports, two days later, police units violently dispersed the remaining peaceful demonstrators in the early morning while they were sleeping on the site. Local sources say police shot rubber bullets at the crowd wounding at least five demonstrators. Police also kicked and beat some demonstrators with rattan sticks and rifle butts. Many people suffered bruises and cuts as a result. Officers also were reported to have kicked a 40 year-old human rights defender, Yones Douw, with their boots three times. They beat him on the ears and punched him in the face when he attempted to intervene to stop the clashes between police and demonstrators. They also destroyed his computer memory stick in front of him.

IRAN—SON OF TEACHER TRADE UNIONIST ARRESTED

[According to Infoshop News](#), Sajad Khaksari, the 25-year-old son of one of Iran's

leading teacher trade unionists, was arrested on 28 January in Tehran and remains in custody. Sajad's father, Mohamad Khaksari, has faced years of intimidation and court charges due to his role at the head of the Iranian Teacher Trade Association, which has been banned by the Iranian government. EI has reason to believe that Sajad's arrest is connected to his father.

MALAYSIA—FREEDOM OF ASSOCIATION PROTECTS RIGHT OF LEGISLATORS TO SWITCH POLITICAL PARTIES

[According to AsiaOneNews](#), constitutional lawyer Tommy Thomas said the Dewan Undangan Negeri Kelantan v. Nordin Salleh case in 1992 showed that a Member of Parliament or state assemblyman could not be penalized by forfeiting his seat if he crossed over to another political party. "It follows that a by-election is not required in law if such a crossover takes place," he said in a statement yesterday. Thomas said the court had also ruled that it went against Article 10 (1) (c) of the Federal Constitution which guaranteed freedom of association

NIGERIA--ASSAULT ON HUMAN RIGHTS IN ZAMFARA

In Zamfara State, located within the North Western axis of the country, it is being alleged that Governor Mahmuda Aliyu Shinkafi, who recently crossed over from the All Nigeria Peoples Party (ANPP), the platform on which he was elected as governor of the state, to the ruling party at the centre, Peoples Democratic party (PDP) has foisted a regime of fear on the citizens of the state, using coercive instruments of state to forcefully move the ANPP structure to his new party (PDP) against the will of the people, [according to AllAfrica.com](#). Those who, in exercise of their constitutional right to freedom of association resisted this perfidious act are being held in police and prison custody on trumped up charges. The atmosphere is said to be charged and tensed following this unwarranted assault on human rights in the once peaceful and serene state that is noted for the agricultural productivity of its citizenry.

RUSSIA—SEXUAL MINORITIES COMPLAIN TO EUROPEAN COURT OF HUMAN RIGHTS

[According to Interfax](#), organizers of the Moscow gay pride parade sent an application to the European Court of Human Rights on Monday, complaining about the violation of the freedom of assembly and the right to fair trial, fixed by the European convention on human rights. "The complaint was caused by the president's inaction over the attempt to conduct a gay pride parade in Alexandrovsky Gardens on May 31, 2008," one of the leaders of Russian sexual minorities Nikolay Alexeyev told *Interfax*.

UGANDA--OPPOSITION OPPOSES LAW ON DEMONSTRATIONS

[According to UGPulse.com](#), the President General of the Democratic Party John Sebaana Kizito says the proposed law to regulate demonstrations is targeting members on opposition. The cabinet on Monday this week allowed the Ministry of Internal Affairs to draft a new tougher law seeking to regulate public demonstrations and assemblies. The acting Internal Affairs Minister Matia Kasaija told the Legal and Parliamentary Affairs Committee on Monday that the law on public demonstrations was very urgent and it should be passed before the end of this year 2009. But Sebaana says the government is bringing the law to deny freedom of expression and assembly to members of opposition.

U.S.—MICHIGAN SENATOR PROPOSES LICENSING LAW AND ADMISSION FEE FOR STRIP CLUBS

[According to LSJ.com](#), a Michigan Senator has proposed legislation that would require all strip club employees to have a special permit and impose a \$3 admission excise fee on all customers. The senator claims that strip clubs – there are currently 81 in Michigan – are irresponsible and cause social ills. Opponents argue that such legislation violates the freedom of association, the freedom of speech, and has Fourth Amendment problems.

FREEDOM OF EXPRESSION

CANADA—

- **VANCOUVER CITY CHARTER CHANGES MAY RESTRICT SPEECH**

[According to the Dominion](#), Vancouver City Council and citizens clashed on January 22 over changes to the Vancouver Charter. The proposed changes grant the city more power to remove illegal signage and bump up bylaw penalties to \$10,000. Citizens and civic rights groups fear these changes will quash freedom of expression in the lead up to, and during, the Olympic Games. The council chamber was unusually full. Concerned residents held up anti-Olympics banners they feared could be deemed illegal if the changes to the Charter are adopted. Vancouverites at the meeting called to mind the 1997 protests of the Asia-Pacific Economic Conference, where UBC law student Craig Jones was arrested for refusing to put down his sign that read “Free Speech.” Council approved 16 amendments that strengthen the city’s regulatory power on signage, advertising and street use. The changes hinge on provincial government approval.

- **B.C. ELECTION GAG LAW SLAMMED AS OUTRAGEOUS VIOLATION OF FREEDOM OF SPEECH**

[According to the Canadian Press](#), a coalition of groups is slamming B.C.'s election gag law, calling it an "outrageous" violation of freedom of speech. This new law places tight restrictions on how much groups and individuals can spend on advertising between now and the election in May. The B.C. Civil Liberties Association, B.C. Freedom of Information and Privacy Association and the Canadian Taxpayers Federation say the law presents a nightmare of arbitrary enforcement, fines and possible jail sentences. The law is being challenged in B.C. Supreme Court, but a ruling isn't expected until after the election

EU--MEDIA CHIEF RULES OUT INTERNET FREEDOM LAW

[According to Reuters](#), a European Union law to reinforce freedom on the Internet would be unnecessary and put operators in a difficult position, the bloc's top telecoms and media regulator said on Tuesday. The U.S. Congress has drafted a Global Online Freedom Act. Some European Parliament members want the EU to follow suit. The American law would promote freedom of expression on the Web and protect U.S. companies from coercion to participate in repression. “I believe that we should not put European companies in an invidious position where their choice appears to be to break the law or leave the market to more unscrupulous operators,” Reding said.

GLOBAL—AUTHORITARIAN GOVERNMENTS INCREASING USE OF SOFT CENSORSHIP

[According to the Washington Post](#), authoritarian governments around the world, including many in Latin America, Africa, and the former Soviet Union, use government funding, or the withholding of it, to “persuade” newspapers to be friendly and supportive. One of the charges against Governor Blagojevich is that he did that against the Chicago Tribune to get some editorial writers fired.

INDIA--COUNTRY STRUGGLING TO MAINTAIN FREEDOM OF EXPRESSION

[According to the Telegraph](#), Calcutta's 133-year-old English daily [The Statesman](#) reprinted Johann Hari's [Why should I respect these oppressive religions?](#) from the Independent, which caused outrage among a section of the city's significant Muslim population. In particular, they objected to a remark made about Prophet Muhammad having sexual intercourse with a minor. Angry protesters clashed with police outside the newspaper's offices (which has Calcutta's largest mosque right in front of it), bringing the city centre to a standstill. Peace returned only after the arrest of the editor Ravindra Kumar and publisher Anand Sinha, who were subsequently released on bail.

MIDDLE EAST—REPORT CONCLUDES THAT MEDIA FREEDOM IS NOWHERE ON THE AGENDA IN THE MIDDLE EAST

[According to AFP](#), the Qatar-based Doha Centre for Media Freedom said in a report. "Media freedom is nowhere on the agenda in the Middle East, North Africa and the Gulf." "The region remains generally opposed to the free flow of news despite some easing of press laws and a few signs of opening up and greater tolerance." The Doha centre was established last year in a joint venture between the Gulf state and the Paris-based Reporters Without Borders (RSF). Despite differences in regimes, constitutions, and media laws, countries in the region are united when it comes to controlling the media, the report said. "The region's governments shelve their ideological differences to agree that freedom of expression is dangerous and media outlets that defend them are potential threats." However, the report said state controls over access to information is cracking in the face of rising numbers of satellite channels and the Internet, which are able to evade censors.

NEPAL—FREEDOM OF PRESS THREATENED

[According to The Hindu](#), Freedom of expression is feared for in the young republic of Nepal. With continued attacks on journalists and media houses, reporters think twice before covering any issue. Many are on the verge of quitting the profession. A total of 29 journalists have been killed since the Maoist-led People's War began in 1996; some killed by the Maoists, some died in detention. The latest victim is a Madhes-based young woman journalist, Uma Singh, who was assassinated last month.

NETHERLANDS—MP CHARGED WITH HATE SPEECH

[According to Radio Netherlands Worldwide](#), Geert Wilders, in his short film Fitna - which means struggle in Arabic - interspersed verses from the Qur'an with images from recent terrorist attacks including 9/11. The politician's message is clear - in his view Islam is a 'backward' religion used by extremists to justify atrocities around the world. In parliament Wilders has even gone as far as to say the Netherlands is being colonized by

Muslims, he referred to Moroccans in particular, and he has also talked about the country being swamped by a tsunami of Islamization. According to the International Herald Tribune, Geert Wilders a right-wing lawmaker says he has asked the Dutch Supreme Court to halt his prosecution on hate speech charges for anti-Islamic remarks. Geert Wilders says the remarks — including labeling the Quran a "fascist" work and calling for it to be banned — fall within the realm of normal discourse and his prosecution threatens his right to freedom of speech.

PORTUGAL-- EUROPEAN COURT OF HUMAN RIGHTS RULES IN FAVOR OF WOMEN ON WAVES

According to Feminist Daily News, a Chamber Judgment by the European Court of Human Rights found that Portugal had violated Article 10 of the European Convention on Human Rights in 2004 when Women on Waves, a Dutch nonprofit organization that provides medical abortions in international waters, was banned from entering Portuguese waters on a ministerial order. The case alleged that Portugal's actions that banned a Women on Waves ship from Portuguese waters were illegal under the freedom of expression clause in the European Convention on Human Rights. The Administrative Court of Portugal had rejected a request in 2004 to allow the ship to enter Portuguese waters because of the intention of Women on Waves to raise awareness about Portugal's strict abortion laws and to provide medical abortions using mifepristone for Portuguese women in international waters off the coast of Portugal. Abortion was illegal in Portugal at the time, but is now legalized.

SOUTH AFRICA—PRESIDENT MOTLANTHE SENDS MEDIA AMENDMENTS BILL BACK TO PARLIAMENT UNSIGNED

According to BizCommunity.com, the Bill, which was drafted by the Department of Home Affairs (DHA), raised serious constitutional questions under the freedom of expression. The Film and Publication Amendment Bill would require all “offending material” to be submitted to DHA for prior approval.

SRI LANKA—POLITICAL PARTIES HAVE IMPOSED SEVERE RESTRICTIONS ON THE FREEDOMS OF EXPRESSION AND ASSEMBLY

According to Relief Web, for many years now all major political parties have tried to eliminate the possibility of free and fair elections. The fear of the people's right to use their votes freely to elect their governments has naturally lead to the imposition of severe restrictions on the freedom of expression and assembly. As such repression cannot be maintained within the framework of the law and the independence of the judiciary both of these have been sacrificed; the result being chaos at all levels and the abdication of state responsibility to maintain the authority of public institutions.

TURKEY--COURT RULES TUĞLUK’S SPEECH EXCEEDS LIMITS OF FREEDOM

According to Today’s Zaman, the decision noted that the remarks by Tuğluk, who once praised the jailed leader of the outlawed Kurdistan Workers’ Party (PKK), Abdullah Öcalan, during a speech, are not protected under the freedom of expression. The Diyarbakır 4th Higher Criminal Court last week sentenced DTP Diyarbakır deputy Tuğluk to 18 months in prison for a speech she delivered in May 2006. The court

further noted that Tuğluk had spread propaganda and supported the terrorist PKK in reaching its aims. "Freedom of expression does not provide individuals the right to spread the propaganda of a terrorist organization," it said. Tuğluk is expected to appeal the decision at the Supreme Court of Appeals.

U.K.--

- **BRITISH DIPLOMAT ARRESTED OVER 'ANTI-SEMITIC' RANT**
Allegations that a senior British diplomat launched into an anti-Semitic rant in a London gym while watching TV footage from Gaza will not upset the "treadmill of diplomacy", the Israeli Ambassador to London said today, [according to TimeOnline](#). In a curiously tongue-in-cheek response to a case that has provoked concern within the Jewish community in Britain, Ron Prosor added that the tirade did not reflect "the health and fitness of our relations". The diplomat, 47-year-old Rowan Laxton, allegedly shouted "f***ing Israelis, f***ing Jews" while watching television reports of the Israeli attack on Gaza last month. He is also alleged to have said that Israeli soldiers should be "wiped off the face of the Earth" during the rant at the London Business School gym near Regents Park on January 27. The tirade reportedly continued even after other gym users asked him to stop. After a complaint from a member of the public, Mr Laxton was arrested for inciting religious hatred - which can carry a seven-year prison term - and bailed to reappear at a central London police station at the end of March.
- **BRITAIN DENIES ENTRY TO FAR-RIGHT DUTCH MP**
[According to AFP](#), Britain is refusing to let Dutch far-right politician Geert Wilders, best known for the anti-Islamist short film "Fitna," step onto its soil, the Dutch foreign ministry said Tuesday. "We have learned from the British embassy that the British government has decided to refuse entry to Mr Wilders," a ministry spokesman said. "The British government justified its decision for reasons of public order and security." On his Internet site, the Dutch member of parliament said he had been invited by members of the House of Lords to go to Britain to screen "Fitna" and to join a debate on freedom of speech. "Great Britain is sacrificing freedom of speech," he said. "You would expect something like this to happen in countries like Saudi Arabia, but not in Great Britain. This cowardly act by the British government is a disgrace."

U.S.—

- **IS THERE A "SINISTER PLOT" TO REINSTATE THE FAIRNESS DOCTRINE IN ORDER TO SQUELCH CONSERVATIVE TALK RADIO?**
[According to WorldNetDaily](#), despite the absence of any action pending to re-enact the so-called "Fairness Doctrine," congressional Republicans have nonetheless introduced legislation to prevent its passage, insisting that Democrats are advancing a quiet agenda to silence conservative talk radio. Whether Americans realize it or not, say Republican lawmakers, "Free speech is under attack." For their part, several Democrats have denied there's any attempt underway to reestablish the "Fairness Doctrine," insisting the GOP is trumping up paranoia that amounts to "much ado about nothing."

- **CIRCUIT COURT UPHOLDS MIAMI SCHOOL BOARD BAN OF BOOK ON CUBA**
[According to the Associated Press](#), Miami school officials can remove from library shelves a book about Cuba that depicts smiling children in communist uniforms but avoids mention of problems in the country, a federal appeals court ruled Thursday. The 11th U.S. Circuit Court of Appeals said the Miami-Dade County School District wouldn't be infringing freedom of speech rights by removing 49 copies of "Vamos a Cuba" and its English-language version, "A Visit to Cuba," from its libraries. The board has argued that the books, for children ages 5 to 8, present an inaccurate view of life in Cuba. A federal judge in Miami later ruled that the board should add books of different perspectives instead of removing offending titles. However, the panel of the 11th Circuit sided with the school board in a 2-1 ruling. Circuit Judge Charles R. Wilson wrote in dissent that it appeared the book was banned for political rather than educational reasons.
- **SEEGER VS. BOARD OF ED ENDS IN AN APOLOGY**
[According to the New York Times](#), Nearly 50 years after the San Diego school district demanded that [Pete Seeger](#) sign an anti-Communism oath before performing in a high school auditorium, the school board has apologized to Mr. Seeger. In May 1960 Mr. Seeger was scheduled to perform at Hoover High School when the board demanded he sign a pledge that the concert would not promote Communism or the overthrow of the government; he refused, but a judge allowed the concert to be performed. On Tuesday the school board passed a resolution declaring that it "deeply regrets its predecessors' actions" and apologizing to Mr. Seeger. In an interview with The A.P., Mr. Seeger said the board's resolution was a "measure of justice that our right to freedom of expression has been vindicated."

ZIMBABWE—MEDIA CAUGHT IN POLITICAL VICE

[According to IRIN Africa](#), as the gap between the fierce political rivalries of Zimbabwe's ZANU-PF party and the opposition Movement for Democratic Change (MDC) narrows, there are fears that the independent media will be squeezed even more. In the past decade, while Zimbabwe lurched from one political crisis to another and the economy went into freefall, the independent media were lambasted by President Robert Mugabe's ZANU-PF government for their often critical views, and subjected to increasingly repressive media laws. In January 2009 the Media and Information Commission (MIC), which is staffed by members of ZANU-PF, began targeting the remaining pockets of independent media houses and journalists by instituting huge accreditation fees. The MIC is meant to be defunct but its replacement body, the Zimbabwe Media Commission -- to be comprised of parliamentary appointees -- has yet to be constituted in terms of a 2008 amendment of the Access to Information and Protection of Privacy Act (AIPPA). The new fee structures mean local journalists employed by foreign media houses have to pay a US\$1,000 application fee, with a further US\$3,000 annual accreditation fee.

FREEDOM OF RELIGION AND BELIEF

EGYPT--ARBITRARY ARRESTS INFLAME SECTARIAN TENSIONS

[According to the MediaLine](#), the arrests and weeklong detention of two Coptic Christians at the Cairo International Book Fair on February 1 has reignited the seemingly endless tension that continues to grow between Christians and Muslims in Egypt. State security officials arrested Mina ‘Adil Shawki and ‘Issam Kadees Nassif after they were seen handing out Bibles at the book fair. An Egyptian human rights center said police filed a report against the two men for “defaming Islam.” The men, from the Upper Egyptian governorate Assiut, were released from detention on February 5, but their case has many activists in an uproar over the perceived double standards police employ against Christians as compared to their Muslim counterparts.

FIJI—CITIZENS FORUM OBJECTS TO VILLAGE CHIEF’S BAN ON SUNDAY TRAVEL EXCEPT FOR CHURCH

[According to the Fiji Daily Post](#), a northern chief’s decision stopping villagers from traveling on Sundays except to church gatherings, is violating the human rights of Freedom of Movement, Freedom of Religion and Belief, and the Right to Life and Liberty, according to the nonprofit Citizens’ Constitutional Forum (CCF). “The practice of the Sunday Ban was removed in Fiji because it was interfering in people’s life and restricting people’s movements and choice of activities,” Rev Yabaki said. Students have not been able to go to school,” he said.

INDIA-- UN REPORT SLAMS VIOLATION OF INDIAN MINORITIES’ RELIGIOUS RIGHTS

[According to the Internet Edition of the Dawn](#), a UN report has slammed the pervasive climate of fear and intolerance perpetuated by religious mobs in many parts of India, and asked the government to provide effective protection to the minorities of whom Christians and Muslims in particular were vulnerable, often helpless and increasingly ghettoized. “Even though a comprehensive legal framework to protect freedom of religion or belief does exist, many of (the) interlocutors, especially from religious minorities, remain dissatisfied with its implementation,” a report on India by Ms Asma Jahangir, Special Rapporteur on freedom of religion and belief, said. “Organized groups claiming roots in religious ideologies have unleashed an all-pervasive fear of mob violence in many parts of the country,” Ms Jahangir said. “Law enforcement machinery is often reluctant to take any action against individuals or groups that perpetrate violence in the name of religion or belief. She encouraged specific legislation to prevent communal violence but cautioned that it should take into account the concerns of religious minorities so as not to reinforce “impunity of communalized police forces at the state level”.

ISRAEL—U.S. BISHOPS WANT TO KNOW WHY GOVERNMENT BARRED TWO PALESTINIAN BISHOPS FROM ACCOMPANYING PASTORAL MISSION TO GAZA

[According to the Christian Post](#), the heads of the Evangelical Lutheran Church in America (ELCA) and the [Episcopal Church](#) (TEC) have asked Israel to explain why it denied two of their bishops entry into Gaza while allowing others in a church delegation

to cross the border. In a letter to Israel's ambassador to the United States, Sallai Meridor, the presiding bishops asked why only the two Palestinian bishops were kept from entering Gaza, especially since they said they had already obtained permits from Israeli officials to enter Gaza. "The purpose of their visit was pastoral – to visit churches, humanitarian projects of the Middle East Council of Churches and the Al Ahli Hospital, an institution of the Episcopal Diocese of Jerusalem," the two U.S. presiding bishops wrote in the letter,

JORDAN—GOVERNMENT TO REVIEW LAW ON NGO FUNDING

[According to The National](#), Jordan is considering revisiting a controversial civil societies law that local and international rights groups have criticized for taking too much control over the funding, registration and monitoring activities of non-governmental organizations. Parliament hastily endorsed the law last year, drawing the ire of the country's NGOs, which said they were not even consulted when the law was drafted. The law, which became effective in December, was seen as a step backwards in the country's hesitant march towards political change because it expanded government control over the registration of NGOs, required the cabinet's consent for foreign donations to NGOs and gave the government the right to dissolve an NGO for minor violations. But under increasing local and international pressure, the government has decided to adopt a softer stance and said it will consider the demands of NGOs and civil society organizations which formed a coalition last year to protest against the law before it became official.

KAZAKHSTAN--AMENDMENTS TO RELIGION LAW RULED UNCONSTITUTIONAL

According to the Constitutional Council (CC), the amendments to the religion law, passed by the Kazakhstan Parliament in late 2008, are in conflict with the country's Constitution, CC chairman Igor Rogov said. "The Kazakhstan Constitutional Council hereby rules that the Kazakhstan bill, "Changes and amendments to the law on the freedom of religion and religious associations is inconsistent with the Constitution of the Republic of Kazakhstan," Rogov said, [according to Interfax](#). The bill passed by the parliament involved, was criticized by international organizations, Kazakh experts and public. [According to Christian Today](#), harsh and restrictive measures within the draft legislation included a requirement for permission from both parents for children to attend religious events, while increasing the punishment for individuals found guilty of conducting charitable work, importing, publishing or distributing religious literature, or building or opening places of worship in violation of "demands established in law". Large fines were expected to be imposed upon members of unregistered churches.

LEBANON—GOVERNMENT OK'S REMOVAL OF RELIGION FROM ID CARDS

[According to Middle East Times](#), Lebanon's minister of the Interior issued a decree that would allow Lebanese citizens the choice of removing their religion from national ID cards. The decree from the Interior Ministry stated that henceforth the registration clerk will have to accept demands from citizens to remove the mention of a person's religious affiliation without additional paperwork or bureaucratic procedures; in lieu of a person's religion, which until now was obligatory, a simple slash sign (/) will be inserted on the civil status registry records. The minister of Interior said that omitting the mention of

one's religion was in fact stipulated in the country's constitution and is one of the basic tenets of the Universal Declaration of Human Rights and other international agreements.

MYANMAR--BRITISH LEGISLATORS PROTEST "MASSIVE CHURCH CLOSURES" IN BURMA

[According to BosNewsLife](#), dozens of British legislators expressed concern over reports of massive church closures in Burma, seen as "the most significant crackdown" on Christian activity in the military-ruled Asian nation in years, an advocacy group told BosNewsLife. Christian Solidarity Worldwide said 33 British parliamentarians signed a motion urging the United Nations Special Rapporteur for Freedom of Religion and Belief, Asma Jilani Jahangir, to investigate violations of religious freedom in Burma, as "at least 100 churches" were closed in the capital Rangoon last month.

RUSSIA--EUROPEAN COURT OF HUMAN RIGHTS RULES IN FAVOR OF MISSIONARY EXCLUDED FROM RUSSIA

[According to the Institute on Religion and Public Policy](#), the European Court on Human Rights ruled in favor of Patrick Francis Nolan, a Unification missionary who was denied entry into Russia for religious reasons in 2002. The Court voted unanimously that Russia had contravened Article 9, which guarantees an individual's freedom of thought and religion. Though the Russian government maintained it had banned Nolan to protect national security because of his "activities," not his beliefs, it never outlined what those threatening activities were. The Court thus found Nolan's expulsion "designed to repress the exercise of his right to freedom of religion." Nolan had been a missionary in Rostov-on-Don in southern Russia since 1994, until the subsidiary organization of the Unification Church for which he worked was dissolved in 2001. As a result of the FFWPU's dissolution, Nolan lost his residence registration, which he later regained through other branches of the organization. Returning to Russia from a short trip to Cyprus in June 2002, Nolan found himself barred from entering the country and detained at the airport in a windowless room overnight. Officials again refused Nolan entry a month later, though he had a new visa. As a result, Nolan, a single father, was separated from his 11-month-year old son for almost a year, and was reunited with him only when the boy's nanny took him to Ukraine.

SRI LANKA—U.S. CONGRESSMEN PRESS GOVERNMENT TO DROP ANTI-CONVERSION BILL

[According to The Christian Post](#), a bipartisan group of U.S. congressmen has sent a strong message to Sri Lanka criticizing its pending anti-conversion bill and urging the government to drop the "overbroad" legislation. "We believe that this proposed legislation will harm, not protect, the freedom of religion of the Sri Lankan people," states the letter signed by 15 U.S. congressmen and sent to Sri Lanka's ambassador to the United States, Jaliya Wickramasuriya, who received it. "This anti-conversion bill is overbroad and targets all religious conversions, not just 'unethical conversions,'" it adds. The proposed bill, entitled "Prohibition of Forcible Conversions," calls for fines of up to 500,000 Sri Lankan rupees (\$4,425 USD) and up to seven years in prison for trying to convert a Sri Lankan citizen from one religion to another by using "force, fraud or allurement."

U.K.—

- **FOSTER MOTHER STRUCK OFF FOSTERING ROLES WHEN A GIRL IN HER CARE CONVERTED TO CHRISTIANITY**
[According to the Telegraph](#), the woman has been banned by her local council for failing to prevent the teenager from getting baptized, even though the girl was 16 and made up her own mind to change religion. The carer, a churchgoer in her 50s who has fostered more than 80 children, has now been forced to move out of the farmhouse she rented to look after vulnerable teenagers, due to the loss of income. Another girl she was looking after has been taken back into care. The woman, who has launched a legal challenge to the council's challenge, told the Daily Telegraph: "I just want to get my life back. "I still hope to resolve this so that I can possibly foster again in the future as I simply enjoy helping young people."
- **TWO-THIRDS OF CHURCH OF ENGLAND GENERAL SYNOD BELIEVE CHRISTIANS ARE DISCRIMINATED AGAINST IN LABOR FORCE**
[According to the Telegraph](#), a survey of members of the Church's parliament found that 63 per cent of them felt that Christians faced discrimination at work. The majority also consider that freedom of belief has been eroded under the Labour government. While 59 per cent agreed that they have seen a decline in religious liberty over the last decade; 38 per cent of members disagreed. The findings follow a series of high profile legal battles fought by Christians who claim to have suffered as a result of their beliefs. In two recent cases, community nurse Caroline Petrie was suspended for offering to pray for a patient's recovery, while receptionist Jennie Cain faces disciplinary action by her school employer after asking friends to pray for her daughter. Mrs Cain's five-year-old daughter was told off by a teacher for talking about Jesus with other pupils.

U.S.—

- **STUDENTS SUE BOISE STATE FOR DISCRIMINATING AGAINST RELIGIOUS GROUPS**
[According to the Arbiter Online](#), Boise State collects a mandatory fee from students for the support of student organizations, but religious organizations are explicitly excluded. Several students have sued the university claiming anti-religious discrimination. The group's counsel argues that in *Rosenberger v. Rector of the University of Virginia*, U.S. Supreme Court "held that it violates the First Amendment for a school to exclude a religious student group from receiving the same access to student funds that other groups receive."
- **VIRGINIA HOUSE OF DELEGATES APPROVES PRAYER BILL FOR CHAPLAINS**
Citing Scriptures and Thomas Jefferson, the House of Delegates voted to approve legislation that would allow state police chaplains to invoke the name of Jesus Christ at state police events, [according to the Richmond Times Dispatch](#). House Bill 2314 passed 66-30, close to the threshold for overriding a possible gubernatorial veto. The bill does not specify a particular religion. It says the Virginia State Police cannot "prescribe, proscribe, regulate, limit or otherwise

dictate the religious content of the volunteer chaplains' expression of religious beliefs, prayers, invocations, benedictions, spiritual counseling or spiritual guidance." The ACLU said the measure is unconstitutional. If it survives the legislative process, the ACLU said it will challenge it in court.

LEGAL FRAMEWORK

CAMBODIA—GOVERNMENT TO SEEK NGO VIEWS ON NGO LAW

[According to the Pnom Penh Post](#), the government has vowed to include nongovernmental organizations in the consultation process for drafting new legislation regulating their activities, but this has done little to assuage the fears of civil society groups who see the impending law as a threat, government and NGO officials say. "We have the draft legislation in our hands. We are in the process of sending the legislation out to NGOs asking them for their views," said Sieng Lapresse, an undersecretary of state at the Ministry of Interior. As the government official in charge of organizing the new law, Sieng Lapresse said that after NGOs have had an opportunity to review the document, the government would meet with them to discuss their concerns. "We will hold a seminar and ask NGOs to contribute, but the final legislation will be determined by the government," he said.

EGYPT—NEW NGO LAW MAY SUFFOCATE CIVIL SOCIETY

[According to the Daily Star of Lebanon](#), a bill modifying Egypt's law regulating nongovernmental organizations, expected to be introduced before the current parliamentary session ends this summer, falls squarely within that framework. Although the text of the bill most likely will not be made public before its formal introduction, some provisions have emerged through public remarks by members of the drafting committee and ensuing discussion in the NGO community. While it appears that some of the objectionable aspects of the current law will be improved in the new bill, other provisions - including a possible mechanism to choke off foreign funding to certain NGOs - are emerging that would have dire consequences. Egypt's current law 84 of 2002 governing nongovernmental organizations, widely regarded as one of the most restrictive in the Arab world, has been a thorn in the side of Egyptian NGOs. It has also served as a model for other Arab governments attempting to expand control over civil society.

ETHIOPIA--ORGANIZATION APPRECIATES NEW NGO, CHARITY LAW

[According to WaltaInfo](#), Noble Cause Elder Care and Support (NCECS) said the newly adopted NGOs and Civil Society Organizations law will help NGOs to play significant role in supporting government's development strategy. NCECE Consultant, Dorothy Hanson told WIC that the newly adopted CSO and NGO law will enable citizens decide on the development endeavors of the country utilizing their indigenous knowledge and experiences. She also appreciated the all rounded support the government is providing for the organization. The government has granted land for free in the Basona Warna special woreda of Amhara state.

MISCELLANEOUS MATTERS

CAMBODIA--HUMAN RIGHTS CREDENTIALS WERE TARNISHED IN 2008

[According to the Earth Times](#), in 2008 there were government restrictions on public demonstrations, intimidation of journalists and forced evictions of residents from valuable land, according to a report released on Tuesday by a leading advocacy group. The Cambodian Human Rights and Development Association's annual report said the country's human rights record had improved during the 16 years since the transition to democracy, but criticized the government, police and military for their roles in a range of disputes throughout the year. It said the government had allowed more public demonstrations than in any other year, but added that authorities had "worked to restrict freedom of assembly." "Of 155 peaceful strikes and demonstrations that took place, 108 (70 per cent) were suppressed forcibly by the armed forces," it said.

CHINA--TELLS U.N. PANEL THAT IT RESPECTS RIGHTS

[According to the Washington Post](#), United Nations delegates took China to task on its human rights record Monday, pressing officials about Tibet, labor camps, the death penalty, torture in custody and the treatment of dissidents, in a U.N. rights panel's first full review of the country's progress. The Chinese delegation, led by Ambassador Li Baodong, defended the government's treatment of citizens, telling the U.N. Human Rights Council in Geneva that people in China are free to voice their opinions to the media and that the government opposes torture. [According to Human Rights in China](#), while accepting some recommendations on the promotion of human rights in general, China rejected many of the recommendations made by UN member states to implement specific measures and reforms to advance genuine human rights in China. The rejected recommendations include measures that would: provide freedom of information and expression; ensure the independence of the judiciary and lawyers; safeguard detainees' access to counsel; protect lawyers from attacks and harassment; and grant freedom of religion and movement to ethnic minorities such as Tibetans and Uyghurs. [According to the International Herald Tribune](#), China also rejected proposals to end labor camp. Sentences and abolish the death penalty

CUBA--PASSES U.N. REVIEW WITH FLYING COLORS

[According to APS](#), the United Nations Human Rights Council report on the status of human rights in Cuba reflected solid support for Havana from an ample majority of countries. Cuban delegates hailed the document as a "victory for truth and justice". The report, adopted by the UPR on Monday, awaits final ratification by a plenary session of the HRC in June. It summarizes the opinions of delegates from 60 countries who participated in the debate on Cuba. Of those 60 speakers, "I would say 51 were generous, because they expressed recognition for the human rights achievements of the Cuban Revolution," Rodríguez said. Those delegates not only acknowledged the advances in the areas of health, education, employment, and social security, "but also the social participation and the climate of freedom we have in the country," he said. In contrast, "a small minority of nine countries, including Israel and seven European nations, were critical of aspects of Cuba's internal affairs," the deputy minister admitted. Israel expressed deep concern about "the absence in Cuba of an impartial and independent

judicial system". It also called for the "immediate release of human rights defenders, journalists and other illegally detained persons", and recommended guarantees for exercising the rights to free speech and freedom of association

IRAN—REVOLUTIONARY GUARDS ARE TAKING OVER CONTROL FROM CLERGY

[According to Euasianet](#), key Iranian scholars believe that like the Shah who left Iran in 1979, the current leadership of the Islamic Republic "aims at modernizing Iran, but does not provide political freedom to the modernized society." As a result, Iran now has "a very large middle class, which is urban, which is well-educated, which is well-informed, and which also demands political rights." Unlike the shah, Alfoneh stressed, the incumbent government has an instrument at its disposal -- the Revolutionary Guards -- that it has deployed to make sure that public dissatisfaction does not evolve into a protest movement. In addition, the passage of time has worked to the leadership's advantage: the struggles of the past three decades have greatly diminished the popular will to resist. Instead, popular apathy prevails, with most Iranians simply yearning for economic stability. From Alfoneh's perspective, the leaders of Iran's armed forces are already "cleansing the entire system of the Islamic Republic of the clergymen." His analysis, for example, shows "a huge jump" since 1979 in the number of former officers who become members of parliament. Alfoneh added that approximately half of the members of President Ahmadinejad's government have ties to the Revolutionary Guards. "In every single post, former officers replacing the clergymen," he said.

LIBYA—FEW HUMAN RIGHTS UNDER QADDAFI

[According to the Weekly Standard](#), under Qaddafi, the country became a major state sponsor of terrorism and was responsible, among other atrocities, for the 1988 bombing of a Pan Am flight that killed 269 passengers over Lockerbie, Scotland. Even the U.N. Security Council, often enfeebled by its moral cynicism, imposed an arms embargo and froze Libya's foreign assets. An officially Islamic state, Libya bans the existence of political parties and trade unions. Opposition figures are jailed or forced to flee the country. There is no freedom of the press--the state owns all print and broadcast media--or freedom of assembly. The judiciary remains under political control. Arbitrary arrests, imprisonments, and torture are commonplace. All mosques, overwhelmingly Sunni, fall under government scrutiny and must uphold the state's version of Islam. Minority faiths, including about 100,000 Christians, face restrictions on worship and freedom of speech.

SOUTH AFRICA—FEARS OF ELECTION VIOLENCE GROW

[According to IRIN](#), as campaigning for South Africa's general elections starts in earnest, fears of violence have resurfaced in the east-coast province of KwaZulu-Natal. The province is run by the African National Congress (ANC), who won it from the Inkatha Freedom Party (IFP) by a slim majority in the previous elections in 2004. Bitter feuding between the two parties in the 1980s and early 1990s left thousands of people dead. Violence erupted on Sunday 1 February when the ANC decided to hold a rally in Nongoma, an IFP stronghold in northern KwaZulu-Natal, on the same day and in the same place as its political rival. Three ANC members were shot and injured and there were clashes between IFP supporters and the police.

TAIWAN—KMT GOVERNMENT TO UNDO DEMOCRATIC CHANGES AND RESTORE CHIANG KAI-SHEK MEMORIAL

[According to the Taiwan News](#), the Ministry of Education announced that the "Taiwan Democratic Memorial Hall" would be officially re-named the "Chiang Kai-shek Memorial Hall" after the late KMT autocrat and to restore the former name of the complex, often referred to as the "Chiang Kai-shek Temple" which was built by the KMT martial law regime after his death in April 1975 at enormous cost. The military honor guard for the complex was also restored. These actions culminate a series of moves by the Ma government and the KMT-controlled Legislative Yuan to reverse the May 2007 decision by the former Democratic Progressive Party government to change the controversial complex's official moniker to the "Taiwan Democracy Memorial Park." The KMT-controlled Legislative Yuan also expunged all funds for the National February 28th Incident Museum, established by the former DPP government, in which KMT troops dispatched by Chiang brutally suppressed a spontaneous revolt against the carpet bagging KMT government under Governor General Chen Yi at the cost of over 10,000 Taiwanese lives.

U.K.—

- **CHARITY COMMISSION STRIKES FEIGNED CHILD WELFARE ORGANIZATION FROM CHARITIES ROLLS**

[According to Professional Fundraising](#), the Charity Commission found a complete lack of charitable expenditure by the Children's Welfare Foundation during their investigation. Inquiries discovered that the 'charity' hired a clothing collection company called Fortune which failed to comply with fundraising guidelines when requesting donations, and the Children's Welfare Foundation, which received £600 from Fortune each month regardless of how many clothes were donated, failed to take any professional advice before entering the agreement or monitoring its progress. The Commission also reports that trustees never produced accounts to the Commission and were unable to account for payments to themselves which they claimed had been for 'expenses'. The regulator also reported that the trustees had been uncooperative during the investigation into their charity's activities and accounts. The foundation was removed from the charities register in October 2008 and given the Commission says its only recourse now is to monitor any activity taken out in the future on behalf of the defunct organization.

- **AGE CONCERN ENGLAND'S "HEYDAY INITIATIVE" TO CLOSE FOLLOWING DAMNING REPORT BY THE CHARITY COMMISSION**

[According to Brand Republic](#), the £26-a-year standalone membership scheme, which targeted baby boomers and the protest generation, intended to provide its members with information, the chance to have their voices heard and a lively social network. Members also received an exclusive magazine as well as range of money-off deals. The Charity Commission accused Age Concern England of falling short of expected standards and said that its 34-strong board was too big. It also questioned whether there was enough evidence to justify the setting up of Heyday and whether its activities were of an obviously charitable nature. Launched in May 2006, Heyday received £22m from Age Concern and Age

Concern Enterprises, the charity's business arm, between 2004 and 2008 and accrued membership income of £700,000. The charity put in £5m of reserves. However, by February 2007 it was growing far more slowly than expected, revising down its target of 500,000 members by 2007, to 50,000 in April. By March 2007, only 44,000 had joined,

- **ONE IN SIX PRIVATE SCHOOL PLACES MAY HAVE TO BE FREE**
[According to the Guardian](#), Private [schools](#) could be forced to offer one in six places free to keep their charitable status, official documents have revealed. Private papers produced by the Charity Commission also suggest the schools should set aside up to 11% of their income to work with local state schools and provide free education to children who can't afford their fees. The Independent Schools Council (ISC), which represents half of independent schools including the best known public schools, said such demands would be unrealistic. Many [private schools](#) are already under financial pressure anticipating a downturn in pupil numbers in the recession.

ANNOUNCEMENTS

U.S.--2009 FOI CONFERENCE SET FOR MARCH 13

[According to the First Amendment Center](#), the 11th annual National FOI Day Conference will be held on Friday, March 13, in the Freedom Forum's Newseum. The theme of this year's conference, hosted by the First Amendment Center, is "Freedom and Information: Looking Back and Looking Forward." The program will include legal scholars, lawyers and journalists discussing the state of freedom of information after the Bush administration and its prospects in the Obama administration. The FOI Day Conference, which brings together access advocates, government officials, lawyers, librarians, journalists, educators and others, is presented in association with Sunshine Week, the American Library Association and OpenTheGovernment.org.

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