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CITIZEN PARTICIPATION AND FREEDOM OF INFORMATION

CANADA—ONTARIO PLANS TO LIMIT CITIZEN PARTICIPATION

[According to an article in the Alliston Herald](#), citizen participation is a pain in the neck to the leaders at Queen's Park, and they intend to put a stop to it. Branding local concerns as NIMBY, Ontario premier Dalton McGuinty wants to just put an end to all of it. Now the province is legislating against citizen participation by throwing in a NIMBY clause. Anything deemed to fall into this category -- Not In My Backyard -- is dismissed. No hearings, not even the cumbersome and sometimes intimidating Ontario Municipal Board. No, McGuinty and crew consider the claimed NIMBYs frivolous and a nuisance, so shut up, go home, and let the people who know best look after things. This all blew up because of opposition to wind farms. Some people don't want one in their backyard. Some people claim they generate constant noise, cause migraines, sleep disturbances, and possibly worse. Nonsense, says McGuinty, total rubbish. They are going to save the world and if the price for that is a little less democracy then so be it. Over the years provincial governments have steadily chipped away at grassroots democracy -- now labeled NIMBY. First the planning boards, those warriors against bad local planning, bulldozing countless significant landmarks, and cozy deals bit the dust.

SCOTLAND--TOP CIVIL SERVANTS 'SHOULD REVEAL SALARIES' SAYS INFORMATION COMMISSIONER

According to the NewsScotsman.com, salary and expenses details for every senior public-sector official in the country should be published openly on the internet, Scotland's freedom of information watchdog claimed last night. The Scottish Information Commissioner, Kevin Dunion, applauded the chief constables for taking the pro-active step of publishing the details of their pay and perks. But he said that such openness and transparency should be replicated through every public authority in the country, so the public could see how much they were paying for those in top jobs. Mr Dunion was speaking to The Scotsman as he prepared to publish his latest annual report, commenting on the performance of the freedom of information regime for 2008.

<http://news.scotsman.com/politics/Top-civil-servants-39should-reveal.5050619.jp>

U.K.—

- **MPs VOTE TO CHANGE LAW TO KEEP PRIVATE ADDRESSES SECRET**

[According to the Telegraph](#), the move came after a court ordered Parliament to disclose details of properties on which MPs claim expenses. The House of Commons on Monday backed an amendment to the Political Parties and Elections Bill, which effectively excludes MPs' addresses from the Freedom of Information Act. Some MPs have claimed that disclosure of the information would threaten

their security. However, freedoms of information campaigners believe the information is important to ascertain the validity of expense claims.

- **TENANT SERVICES AGENCY CALLS FOR ‘MORE FOCUS ON TENANTS’**
[According to Mayor Watch](#), the Chief Executive of the Tenant Services Authority, the new regulator for affordable housing, has called on social housing landlords to “focus more” on their tenants and better involve them in decisions about the services they use. Speaking at the CIH South East Conference in Brighton, Peter Marsh said: “Professionals are often wary that the public won’t understand the resource constraints and will have expectations that are simply unaffordable. The reality here is often you find that the public are very careful about spending public money, and canny about getting a bigger bang for their buck.” Marsh also told delegates that social housing landlords could benefit from tenant participation, saying: “Put simply, if social housing tenants are engaged and involved they are less likely to make complaints and there is less likely to be a need for the regulator or inspector to intervene.”

U.S.—

- **SENATOR LEAHY CALLS FOR TRUTH COMMISSION ON TORTURE**
[According to CNNPolitics.com](#), the Senate Judiciary Committee chairman called Wednesday for the establishment of a nonpartisan "commission of inquiry" to investigate allegations of wrongdoing against former Bush administration officials in their prosecution of the war on terrorism. Nothing "did more to damage America's place in the world than the revelation that our great nation stretched the law and the bounds of executive power to authorize torture and cruel treatment," Sen. Patrick Leahy said at the start of a committee hearing. American "detention policies and practices from Guantanamo Bay [Cuba] and Abu Ghraib [Iraq] have seriously eroded fundamental American principles of the rule of law," he added. The Bush administration repeatedly denied engaging in torture. "The United States of America does not torture," President Bush said on more than one occasion, particularly after it was revealed that some detainees underwent waterboarding, in which strapped-down detainees are led to believe they are drowning. Waterboarding is strictly prohibited by the U.S. military but was allowed for non-military agencies under the Bush administration.
- **IOWA GOVERNOR STARTS USING STATE EMAIL AFTER SCRUTINY**
[According to the Associated Press](#), in his first two years in office, Iowa Gov. Chet Culver rarely used his state e-mail account, relying instead on a private server and computer in what freedom-of-information advocates decried as an effort to skirt public records laws. But after The Associated Press began questioning Culver aides about the matter, the governor changed his policy and has begun using his state e-mail account for public business.
- **D.C. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT TO OPEN PLAN FOR CITIZEN PARTICIPATION**

[According to The District Chronicles](#), the Department of Housing and Community Development (DHCD) will hold a public hearing on the agency's Draft Fiscal Year 2010 Consolidated Annual Action Plan for the District of Columbia. Also up for review is DHCD's Citizen Participation Plan (CPP) for FY 2010 which outlines the agency's processes for ensuring that residents are a part of the planning process in the development of the Annual Action Plan. Both documents will be available to the public for review online at www.dhcd.dc.gov.

- **ARKANSAS HOUSE OKS BILL TO SEAL CONCEALED WEAPONS PERMITS**
[According to the First Amendment Center](#), a measure that would keep secret the list of Arkansans licensed to carry concealed handguns sailed through the House last week, after one lawmaker said it was “atrocious” of newspapers to publish the information. The House voted 98-1 in favor of Rep. Randy Stewart’s bill ([H.B. 1623](#)), which would exempt the release of the names of people with concealed-carry permits under the Arkansas Freedom of Information Act. The measure was filed after the *Arkansas Times* posted a link to an Arkansas State Police database of concealed-carry permit holders. Rep. Steve Cole, D-Lockesburg said “I think it had far-reaching impact on those law-abiding citizens that go out of their way to be good people and do the right thing.” A day earlier, the publisher of the *Arkansas Times* defended the newspaper’s move, saying it was critical for the public to know whether felons had been granted permits to carry hidden handguns.

VENEZUELA ASSEMBLY FOR PARTICIPATION IS SET UP

[According to Prensa Latina](#), the Venezuelan National Assembly's Permanent Citizen Participation Commission is to be set up. The meeting will used to listen to propositions and opinions by the council representatives, which will be the basis of the Communes Law project, Navarro said. He stressed the agenda includes 10 issues, among them: Local Councils Law of Public Planning, Organic Law Reform of the Municipal Peoples' Power, Vote Organic Law Reform, and Political Participation. Also on the list are Social Property Bill Peoples Power Law, Capital District's Organic Law Project, Social Comptroller Law Project, Communes Functioning Law Project, Commonwealths and Communal Cities, and Public Planning Organic Law Reform.

FISCAL MATTERS

ENGLAND AND WALES—

- **CHARITY COMMISSION CRITICIZES INTERPAL RESPONSE**
[According to the Third Sector](#), the [Charity Commission](#) has criticized Palestinian relief charity [Interpal](#) for claiming it had been "vindicated" by the commission's inquiry into allegations that it had funded organizations involved in terrorism. Andrew Hind, chief executive of the commission, criticized the tone of Interpal's statement and said it failed to acknowledge the remedial action the trustees are now required to take. "Our report does not give the charity a clean bill of health,"

he said. "The commission has formally directed the charity to end its membership in the Union for Good, an organization that has had designated entities -- because of concerns about possible terrorist links -- among its membership. "The charity must also ensure that no trustee has any office or role within the Union for Good, and it must strengthen its due diligence and monitoring of its local partners."

- **PRINCE CHARLES'S CHARITY AND A £10K 'ILLEGAL DONATION' TO TORY WOMEN**

[According to MailOnline](#), Prince Charles's charity The Prince's Trust is facing an investigation into a potentially illegal donation to the Conservative Party.

The £10,050 was channeled through the group Women2Win, which is backed by David Cameron and campaigns to get more women Tory candidates.

Last night, Women2Win said it was prepared to repay the money to the trust - as the Charity Commission said it was examining what appears to be a clear contravention of the law banning charities from funding political parties.

U.S.—

- **CHARITY FOUNDED BY SENATOR RECEIVED LARGE CONTRIBUTIONS FROM PHARMACEUTICAL INDUSTRY**

[According to the Raw Story](#), a charity founded by Senator Orrin Hatch, a senior Republican lawmaker who was a key ally to the pharmaceutical industry, received more than \$170,000 in 2007 from drug makers, far in excess of campaign finance rules had the money been donated to him directly, leaked documents show. , Orrin Hatch (R-UT), founded Utah Families Foundation, the recipient of the gifts, though he doesn't serve on the foundation's board. But his son is now the chief lobbyist for the Pharmaceutical Research and Manufacturers of America (PhRMA), the industry's lobbying group. Hatch has received more money from the pharmaceutical industry than any other group, raking in \$1.25 million since 1998. The latest sums, however, dwarf that of previous donations from individual corporations. In 2007 the foundation received \$25,000 from Eli Lilly, \$30,000 from Barr Pharmaceuticals, \$25,000 from AstraZeneca, and \$40,000 from PhRMA. The figures were part of the foundation's tax returns and were accidentally released by the Internal Revenue Service to a nonprofit group.

- **OBAMA TAX PLAN WOULD INCREASE THE COST OF CHARITABLE GIVING FOR WEALTHY DONORS**

[According to the Planned Giving Design Center](#), the Obama administration has announced in its 2010 budget proposals that it plans to limit the tax rate at which high-income taxpayers can take itemized deductions to 28 percent. For high-income charitable donors, who are subject to higher income tax rates, the result would be a higher cost of giving.

- **U.S.—HEARING DISCLOSES NEED FOR TOUGH OVERSIGHT OF CHARITY SECTOR TO PRESERVE FUNDS**

In light of the Bernie Madoff scandal, the Senate Finance Committee held a [hearing](#) on March 17 to discuss tax issues related to Ponzi schemes and off-shore tax havens. Senator Charles Grassley (R-IA), ranking member of the committee, used the platform to reiterate his efforts for tougher oversight of private foundations and other tax-exempt groups. Grassley said, "I am committed to strengthening charities through increased transparency and accountability. It troubles me that charities have cut back on their charitable activities or have closed up shop altogether because of their Ponzi scheme losses. Some of the charities that invested with Bernie Madoff, including universities and those funded by Hollywood big shots, would presumably have sophisticated advisors."

FREEDOM OF ASSOCIATION AND PEACEFUL ASSEMBLY

ASEAN—HUMAN RIGHTS ACTIVISTS EXCLUDED FROM ANNUAL SUMMIT

[According to the Phnom Penh Post](#), Cambodia joined Myanmar's military junta in blocking human rights activists from attending talks during the annual Asean summit, detracting from a meeting that has been billed as a crucial step forward for human rights in the region. Leaders from the Association of Southeast Asian Nations' 10 member states were set to hold rare talks Saturday with civil society representatives in the Thai beach resort of Cha-am, but Prime Minister Hun Sen and his Myanmar counterpart Thein Sein reportedly refused to attend if activists from their countries were present. Pen Somony, a program coordinator for the Cambodia Volunteers for Civil Society, and Khin Ohmar, a rights activist from Myanmar, were both forced to sit out the meeting, instead holding talks with Thai Premier Abhisit Vejjajiva. The planned Asean human rights body, set forth in the organization's charter, was expected to be a focus of the talks, but Bridget Welsh, a Southeast Asian specialist at Johns Hopkins University, said the row over civil society participation was instead an indication of Asean's limitations.

BELARUS--GAYS SUE TO HOLD PRIDE PARADE

[According to Pride Source](#), pride organizers in Gomel, Belarus, filed suit over the city's ban of a Feb. 12 gay pride parade. The complaint says the ban violated organizers' right to freedom of assembly as guaranteed by the Belarusian Constitution. "The organizers see this denial of permission as part of a pattern of infringement on the rights to assembly, and they are concerned that homophobia may be a significant factor in the refusals," they said in a statement. "A similar application was submitted to the authorities in Minsk and this permission was also denied."

CHINA—HUMAN RIGHTS WATCH ANALYSIS REVEALS ABUSES IN TREATMENT OF TIBETAN PROTESTERS IN 2008

The first extensive analysis of official Chinese accounts regarding the arrests and trials of Tibetan protesters from March 2008 shows that by the Chinese government's own count, there have been thousands of arbitrary arrests, and more than 100 trials pushed through the judicial system. New [Human Rights Watch research and analysis](#) point to a judicial system so highly politicized as to preclude any possibility of protesters being judged fairly. Dozens of court reports, statements by leading officials, local judicial statistics,

and official Chinese press reports reveal that the number of protests was higher than previously acknowledged by the government, that protesters have been sentenced outside the Tibetan Autonomous Region in the provinces of Sichuan and Gansu, that protestors died or were killed in Lhasa, and that courts have sentenced protesters under state security charges for nonviolent acts such as waving the Tibetan flag and throwing pamphlets on the street.

NIGERIA—

- **GROUP BERATES ABUJA FOR HARASSING PARK OPERATORS**
[According to AllAfrica.com](#), Human Rights Writers' Association of Nigeria (HURIWA), condemned the frequent and unending harassment, intimidation and extortion of parks, gardens, and commercial recreational facilities' operators in Abuja. The group in a statement signed by its national co-ordinator, Comrade Emmanuel Onwubikok, said it was unfair that the Federal Capital Territory (FCT) Department of Parks and Gardens to be harassing people who have been contributing to the development of Abuja and called on FCT Minister, Senator Adamu Aliero to halt the use of mobile policemen by his officials to enforce the illegal 7pm closing time and the ban on the sale of alcohol in the such places.
- **HOMOSEXUALS KICK AGAINST SAME-SEX PROHIBITION BILL**
[According to ThisDayOnline](#), homosexuals yesterday stormed the National Assembly to protest over a bill which seeks to prohibit same sex marriages in Nigeria. The group, comprising young males and females, said they were opposed to the bill because the United Nations charter on Human Rights guaranteed them freedom of association and freedom to sexual orientation, all of which the proposed law will deny.

RUSSIA—155 BANNED MOSCOW GAY PRIDE MARCHES APPEALED TO EUROPEAN COURT OF HUMAN RIGHTS

[According to UKGayNews](#), organisers of Moscow Pride have submitted appeals to the European Court of Human Rights following the bans on 'marches' that were banned by the Moscow authorities in May last year. In all, the organizers of Moscow Pride applied to City's Mayor, Yuri Luzhkov, for 155 marches, five each day during May. 2008. All were dismissed by Moscow authorities due to the threat for security of the participants and possible violations of public order. All 155 bans of Gay Pride marches were held lawful by Tverskoi District Court of Moscow and Moscow City Court. In their new application to Strasbourg-based court, Russian gay activists insist that by banning the marches Moscow authorities breached a number of European Convention articles, particularly Article 11 (right to freedom of assembly), Article 13 (right to court protection) and Article 14 (right to non-discrimination). They are asking for 11,000 Euros compensation for each march banned.

U.K.-- TRUSTEE AGE LIMITS MAY BREACH HUMAN RIGHTS

[According to the Third Sector](#), the UK could be in breach of the European Convention on Human Rights because it imposes age restrictions on people who want to register

charities. The claim comes in the first annual report of the Council of Europe's Expert Council on NGO Law, which examines the legal conditions for setting up NGOs across Europe. The council says 14 countries, including the UK, impose minimum age limits on "seeking registration or legal personality" for NGOs, and this appears to contravene Article 11 of the convention, which relates to freedom of association. In the UK, the relevant group would be trustees, who must be at least 18 in England, or 16 for incorporated charities, and at least 16 in Scotland. Jeremy McBride, coordinator of the expert council, said there was no definitive answer, but the European Convention on the Rights of the Child required "account to be taken of the evolving capacity of the child" and the meaning of "everyone" in the European Convention included children.

ZIMBABWE--ACTIVISTS INCLUDING JESTINA MUKOKO BAILED

[According to Amnesty International USA](#), Zimbabwean prisoners of conscience Jestina Mukoko and Broderick Takawira have been released after spending about three months in Chikurubi Maximum Security Prison in Harare. Both were victims of enforced disappearance, unlawful arrest, detention, and torture by state security agents. They were released after each paying US\$600 bail and depositing surety of at least US\$20,000 in title deeds. A third man, Fidelis Chiramba was also released. He remains in hospital receiving treatment. Ten other detainees were granted bail. Four are likely to be released shortly. The other six will remain in custody because they are unable to present title deeds as part of the bail requirements. More than a dozen detainees remain in custody in Zimbabwe, and they seem to have all been arrested simply for exercising their rights to freedom of association and expression.

FREEDOM OF EXPRESSION

AFRICA--UNITED STATES MAY BOYCOTT UN RACISM CONFERENCE

[According to AllAfrica.com](#), the United States will not participate in an upcoming U.N. conference in Geneva, Switzerland, on racism unless the conference officials make major revisions to a key document that critics argue unfairly singles out Israel for criticism and that could erode the fundamental right to freedom of speech. "A conference based on this text would be a missed opportunity to speak clearly about the persistent problem of racism," State Department acting spokesman Robert Wood said February 27. "The United States will not engage in further negotiations on this text, nor will we participate in a conference based on this text." The announcement follows negotiations in Geneva over an outcome document for the April 20-24 Durban Review Conference, organized to review progress since the 2001 World Summit Against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa.

BANGLADESH--IMPOSES YOUTUBE BLOCK

[According to the BBC](#), the video-sharing web site YouTube has been blocked by Bangladesh after a recording of a meeting between the PM and army officers was posted. The meeting took place two days after a mutiny by border guards in Dhaka that left more than 70 people dead. The recordings cover about 40 minutes of a three-hour meeting and

reveal how angry many in the military were at the government's handling of the crisis. YouTube had been blocked in the "national interest", officials said.

DOMINICA--CONSULTATION ON BROADCAST ACT GETS UNDERWAY

[According to Dominica News Online](#), media workers assembled at the University of the West Indies to host a public consultation entitled "Freedom of Expression and the Right to Communicate". The consultation comes on the heels of a proposed Broadcast Act for Dominica that is expected to go before parliament this year. But the President of the Media Workers' Association of Dominica (MWAD) Thelia Remy says the proposed Broadcast Act is geared at stifling freedom of expression in Dominica. "The passage of this legislation could present problems to the operations of a pluralistic, independent media in Dominica. The Media Workers' Association of Dominica contends that the media, civil society, and our democracy would be better served if government facilitated a broadcasting-community-led establishment of a truly Independent Broadcast Authority," Remy said. She said MWAD is also hoping that heightened awareness will lead to the Dominican public's commitment to uphold our fundamental right to free expression. The main objective of this initiative is to raise awareness about the broadcast bill and the effects it would have on free expression (and by extension democracy) within our country.

KENYA--GOVERNMENT AGREES TO REPEAL MEDIA LAW

[According to the Daily Nation](#), the Government has agreed to repeal the contentious sections of the Communications Amendment Act 2008 popularly known as the Media bill, Attorney General Amos Wako announced on Friday. The move to repeal Section 88 of the Act which allowed the Minister for Internal Security to raid and close down media houses was reached after a high powered meeting between Prime Minister Raila Odinga, Mr Wako, Minister for Information and Communications, Mr Samuel Poghisis, and Media Owners Association officials. The more than two hours meeting in Mr Odinga's office broke the deadlock which had put the media and the government in a war path following the assenting of the bill by President Kibaki last year. The AG who read out the resolved areas said Section 88 that gave the minister powers to raid and confiscate media property would be deleted from the Act after new recommendations are debated in parliament once it reopens.

MALDIVES--UN RIGHTS EXPERT PRAISES MALDIVES FOR STEPS TAKEN TOWARDS FREEDOM OF EXPRESSION

[According to the UN News Centre](#), an independent United Nations expert welcomed measures taken by the new Government of the Maldives to establish democratic reforms, including on freedom of expression, in the Indian Ocean archipelago, which held its first-ever multi-party presidential elections last year. "I congratulate the Government for the positive steps it has taken with regards to freedom of expression in this historic moment of transition toward democratic rule," said Special Rapporteur on freedom of opinion and expression Frank La Rue. Speaking at the end of a five-day visit to the Maldives, Mr. La Rue noted that "the overall feeling from different sectors of society is very positive with regards to the democratic transition to a multi-party democracy after the enactment of the new Constitution and the peaceful conclusion of the first multi-party elections."

NAMIBIA--GOVERNMENT COMES UNDER FIRE FOR SHUTTING DOWN RADIO PROGRAM

[According to Voice of America](#), President Hifikepunye Pohamba's government has come under increasing criticism after the state broadcasting company shut down a popular phone-in radio program, saying callers deluged it with hate speech and cultural insensitivity. Opponents condemned the Namibia government, saying the move is an infringement on freedom of speech. They accused the ruling party of silencing opponents ahead of this year's general elections. They also accused the government of flouting the constitution, saying freedom of speech is enshrined in the Namibia constitution. But the government maintains that hate speech, xenophobia, and tribalism will not be tolerated, adding that if not curbed they would undermine the country's peace and stability.

SERBIA—MEDIA FREEDOM GROUP CONCERNED ABOUT PRESS INC IDENTS

[According to the Sophia Echo](#), the South East Europe Media Organisation (SEEMO) said in a statement that it was concerned about recent developments in Serbia, "where constant pressure is exerted on media outlets, investigative journalism, and freedom of speech". Political and police pressure were exerted on the staff of the daily newspaper Borba after it published allegedly confidential information about the decision of the Serbian government to pay \$1 million in the case of Miladin Kovacevic, a Serbian student who fled the United States with the help of a Serbian diplomat in New York after beating up a fellow US college student. SEEMO referred to the Law on Public Information, under which the media in Serbia are allowed to publish information of public importance regardless of the manner in which such information was discovered. SEEMO also said that it condemned the decision of the management of the Sava Congress Centre in Belgrade to prohibit a news conference of the Gay-Straight Alliance (GSA) in February.

SOUTH AFRICA—MEDIA TRIBUNAL TO BE ABANDONED

[According to the Mail Guardian online](#), the African National Congress (ANC) has put the establishment of a media appeals tribunal on the backburner after severe pressure from civil society. The tribunal was proposed at the party's national conference in 2007 to adjudicate complaints from citizens about print media publications. ANC spokesperson Jessie Duarte said on Tuesday at a panel discussion organized by the Media24 Journalism Academy that the media tribunal was discussed by the ANC, but it was decided "now is not the time and place for tribunals".

THAILAND-- POLICE ARREST THAI WEBSITE EDITOR

[According to the BBC](#), police in Thailand have arrested the editor of a leading political website on charges of carrying content that threatens national security. The Bangkok-based Prachatai website is well-known for carrying content that Thai newspapers will not publish. The charge carries a maximum five-year jail sentence. Thailand's reputation for media freedom has suffered in recent years, in particular through lese-majeste laws, which ban criticism of the monarchy. Armed with an arrest warrant Thai police entered the offices of Prachatai, and detained Chiranuch Premchaiporn, the woman who founded the popular news website five years ago. She has been charged under a new law which makes it an offence to carry computer content that endangers national security.

UGANDA—PARLIAMENT CONSIDERING BILL TO INTERCEPT COMMUNICATIONS

[According to the Daily Monitor](#), the Interception of Communications Bill 2007, if passed in its present form, would allow the security agencies to monitor more than just the telephone conversations of Ugandans. The proposed law, which has come to be commonly known as the Phone Tapping Bill, would also allow the government to scrutinize an individual's bank transactions, intercept and monitor all postal mail, emails, letters, and money transfers, in addition to telephone conversations. Clause 3 of the Bill calls for the establishment of a Communications Monitoring Centre in Uganda to be controlled by the security minister. The monitoring centre would be used to forward all the intercepted communication and would be controlled by the security minister. According to the draft Bill, which was tabled by Security Minister Amama Mbabazi, the monitoring centre would be the only facility where authorized interceptions would be effected. The draft Bill also gives the Security minister powers to monitor and intercept communication from any person on the grounds of preventing crime, protecting public interest, or in the interest of national security.

UNITED ARAB EMIRATES—COMMITTEE TO PROTECT JOURNALISTS CONCERNED ABOUT DRAFT MEDIA BILL

[According to CPJ.org](#), a draft of the United Arab Emirates' media law was recently approved by the Federal National Council (FNC). CPJ urges rejection of the law in its current form, which if passed would negatively impact the state of press freedom in the UAE. CPJ asks that the pending legislation be sent back to its drafters so that it can be rewritten in a manner that takes into account the informed and legitimate concerns of journalists and media practitioners in the UAE. In early February, more than a hundred local journalists and press freedom advocates petitioned to suspend the draft law until their concerns were addressed. Some regional press reported the formation of a committee to review the law and consider the concerns of journalists. CPJ found no evidence that such a committee was ever created.

U.K.--JACK STRAW TO PROBE INTERNET LIBEL LAW

[According to the TimesOnline](#), Jack Straw is to examine the “chilling” menace of internet libel which makes newspapers liable to legal action every time an article is downloaded from their websites. The move by the Justice Secretary comes as the European Court of Human Rights yesterday dismissed a test challenge brought by Times Newspapers. The Strasbourg-based court ruled in two appeals brought by the newspaper that there had been no breach of article ten which protects freedom of expression. But it did indicate the need for some time restraints to stop people endlessly being able to bring libel actions, possibly years after an article is published, just by downloading it. The judges said: “While an aggrieved applicant must be afforded a real opportunity to vindicate his right to reputation, libel proceedings brought against a newspaper after a significant lapse of time may well, in the absence of exceptional circumstances, give rise to a disproportionate interference with press freedom under article 10.”

U.S.—

- **YOO ADVISED BUSH HE HAD AUTHORITY TO RESTRICT FIRST AMENDMENT**

[According to The Public Record](#), lawyers for George W. Bush's Justice Department asserted that the President had unlimited powers to prosecute the "war on terror" on American soil and could ignore constitutional rights, including First Amendment freedoms of speech and the press and Fourth Amendment requirements for search warrants, according to nine recently released secret memos. The [memos](#) related to opinions drafted by John Yoo, a deputy assistant attorney general at the Justice Department's Office of Legal Counsel, a powerful agency that advises the President on the extent of his powers under the Constitution. In perhaps the most controversial of the memos, dated Oct. 23, 2001, and entitled "Authority for Use of Military Force to Combat Terrorist Activities Within the United States," Yoo said Bush's war powers allowed him to put restrictions on freedom of the press and freedom of speech. "First Amendment speech and press rights may also be subordinated to the overriding need to wage war successfully," Yoo wrote. "The current campaign against terrorism may require even broader exercises of federal power domestically." The memo concluded that "that the Fourth Amendment had no application to domestic military operations."

- **MARYLAND'S SUPREME COURT RULES ANONYMOUS WEB POSTING IS PROTECTED**

[According to TG Daily](#), the Maryland Supreme Court has ruled that websites involved in defamation suits cannot be forced to reveal the identity of readers who post anonymous comments on their website, citing that disclosing such names would have a "chilling effect" on the First Amendment's right to speak anonymously. The case had been appealed when a lower court ruled the website NewsZap.com, an online forum run by Independent Newspapers, Inc., had to reveal the identities of a 2006 online exchange relating to a Dunkin' Donuts shop in Centreville.

FREEDOM OF RELIGION AND BELIEF

ARMENIA—NEW RELIGION LAW A “SERIOUS SETBACK”

Armenia's controversial proposed new Religion Law and the proposed new Article 162 in the Criminal Code to punish the sharing of beliefs were approved by Parliament in their first readings, the parliamentary website reported. A wide range of religious communities and human rights activists within Armenia have expressed deep concern to [Forum 18 News Service](#) about these proposed new Laws. Armenia's Parliament requested a review of the draft Laws from the Venice Commission of the Council of Europe. The review is expected to be conducted jointly with the Organization for Security and Co-operation in Europe (OSCE) and to be presented in June, the Venice Commission told Forum 18 News Service from Strasbourg.

AUSTRALIA-- ROW OVER RELIGION LAW REPORT

[According to WAToday](#), a renewed battle over church and state is being fought out in the Australian Human Rights Commission, which is preparing a report for possible federal

freedom of religion legislation. The Human Rights Commission was flooded with public responses, which closed on Saturday, not least because of a campaign by conservative Christian groups such as Salt Shakers. Issues surrounding religion included the right to religious and secular beliefs, secular and religious schools, homosexuality, abortion, scientific research, treatment of women, faith organizations providing government-funded services, and national security. The final report — based on the public submissions, focus groups, and other research — will be published early next year. It would be the basis of a possible freedom of religion law, as recommended by the commission a decade ago.

FIJI--EU PRAYER OBJECTION RUFFLES FEATHERS

Every lunchtime in Suva, the pews of the Sacred Heart Cathedral are packed as believers take time off from work for midday mass [according to ABC News](#). Religion plays a central role in the lives of Pacific Islanders. So an objection to prayers at Pacific Islands Forum Secretariat meetings by the European Union's former acting ambassador Ritva Sallmen was bound to attract criticism. Ms Sallmen described the prayers as a breach of the right to freedom of religion. Dr Roman Grynberg, who last week left his post as director of economic governance for the Pacific Islands Forum, acting as the forum's representative in trade talks with the EU, says Ms Sallmen's protest against prayer is appalling and demonstrates arrogance on the part of the EU. Nacanieli Vakarau, a practicing minister of the Methodist Church in Fiji, says he hopes Ms Sallman's objection to prayer is not an institutional view. "I hope that this is a personal view and not something bigger," he said.

MALAYSIA—OPPOSITION POLITICIAN: NON-MUSLIMS CAN USE 'ALLAH'

[According to the International Herald Tribune](#), the leader of Malaysia's Islamic opposition party says non-Muslims should be allowed to use the word "Allah" to refer to God, questioning a government ban that has been criticized by Christians as a blow to freedom of religion. Nik Aziz Nik Mat, the influential spiritual leader of the opposition Pan-Malaysian Islamic Party, said that a verse in the Quran in which non-Muslims of Mecca call their God "Allah" supported his point.

MALTA—

- **NADUR CARNIVAL WORRIES MALTESE BISHOPS**



[According to di-vo.com](#), Maltese bishops called for more respect for people's religious and civil rights during the Carnival period. The Nadur Carnival, known for its spontaneity, was criticized by the Maltese bishops in a joint statement after some people dressed up as the Risen Lord while others imitated Jesus surrounded by the Apostles. Archbishop Paul Cremona and Gozo bishop Mario Grech appealed to the local authorities to

enforce the law as no minority had the right to ridicule the beliefs of the majority. “The people’s right to freedom of belief and religion is entrenched in the Constitution, and it needs to be protected,” they said. “When no action is taken, one is not just remaining neutral but would be giving tacit approval of what has been done,” the bishops charged.

- **BLASPHEMY? IT’S NOT CRIMINAL – COUNCIL OF EUROPE**
[According to Malta Today](#), a Council of Europe study on freedom of expression and freedom of religion, argues that it is no longer desirable for European democracies to criminalize blasphemy, and calls for the abolishment of such laws. Malta is one of the few European states that penalizes the ‘public vilification’ of the Roman Catholic religion with a maximum term of six months’ imprisonment – and three months for other religions. Only Greece contemplates a higher term – two years’ imprisonment – for ‘malicious blasphemy’. The debate on so-called religious insult was brought to the fore by the Board of Film and Stage Classification’s decision to ban the play *Stitching*, for reasons that included blasphemy. And adding to the dose of ecclesiastical umbrage, only this week seven revelers at the Nadur carnival were arraigned for dressing up as priests – much to the outrage of the bishops.

U.S.—

- **SOMALI MUSLIMS PROTEST BARE HEAD BILL BUT DISPUTE IS RESOLVED**
[According to the St. Paul Blotter](#), a St. Cloud legislator's bill would require full exposure of the head and face in Minnesota driver's license photos. A Somali group says the proposal would violate their freedom of religion. State Rep. Steve Gottwalt, of St. Cloud, introduced the bill last month. The Somali United Movement, a group of college-aged Somalis working to improve community relations for Somalis in Minnesota, noticed the bill last week and issued a press release protesting it. [According to Karell.com](#), the controversy over head scarves on Minnesota driver's license photos may have come to an end at the State Capitol, now that an exception has been carved out for religious head coverings.
- **GOD COVERUP PUTS SCHOOL BACK IN COURT**
[According to The Tennessean](#), the Wilson County school board is back in trouble with God. Less than a year after a federal judge ruled that the school district had illegally promoted religion, the board faces a new lawsuit. This time, they are accused of banning God. The Alliance Defense Fund, on behalf of four families, filed suit Tuesday in U.S. District Court for the Middle District of Tennessee, claiming that the school board censored posters for a student-led prayer event. The dispute involves posters for a “See You at The Pole”. The posters included the phrases “In God We Trust” and “God Bless the U.S.A.” They also included a disclaimer, saying that the event was student led, not school endorsed. Lakeview officials objected to the God references as well as an invitation to “come and pray,” the suit says.

- **CATHOLIC BISHOPS IN CONNECTICUT CONDEMN BILL ON FINANCES**
[According to the Hartford Courant](#), the heads of the legislature's powerful judiciary committee struck back this morning after being accused of pushing a bill that would put religious freedom at risk, while experts said such measures may violate constitutional protections. Connecticut's Catholic bishops are speaking out against a controversial bill that they claim would strip the church of control over its finances, thus jeopardizing religious liberty. The bill, introduced by the judiciary committee, would allow local parishioners to control their individual church's financial affairs. State Sen. Andrew McDonald, one of the committee co-chairs, says a prime mover behind the bill is the financial mismanagement in which a priest was convicted of stealing up to \$1.4 million from a Darien church. Experts on religion and the First Amendment say such a proposal is unlikely to pass constitutional muster. "You cannot tell a church how it can govern itself," said Marc D. Stern, general counsel for the American Jewish Congress in New York. "The church is entitled to govern itself any which way it wants."

LEGAL FRAMEWORK

KYRGYSTAN--NGOS FEAR TOUGHER LEGISLATION

[According to the Institute for War and Peace Reporting](#), legislation going before the Kyrgyz parliament would restrict the rights of non-government organizations, NGOs, by barring them from any activity that brings them too close to politics, civil rights activists warn. Opponents of the bill say it has been conceived as a way of clamping down on election monitoring groups, in particular, with a view to the presidential election expected later this year or in 2010. When Arapbay Tolonov and Nurgazy Aydarov of the governing Ak Jol party and Communist leader Iskhak Masaliev proposed the package of amendments to the Law on Non-Commercial Organizations on February 20, they said in an accompanying statement that it would "ban non-profit organizations from any engagement in political activity and in elections". Such matters, they argued, should be left to political parties.

U.S.—

- **RANDOLPH-MACON CASE HOLDS CHARITABLE CORPORATIONS NOT TRUSTS UNDER VIRGINIA LAW EVEN THOUGH SUBJECT TO AG SUPERVISION**
 In [Dodge v. Trustees of Randolph-Macon Woman's College](#), the Virginia Supreme Court unanimously ruled that a state statute giving the attorney general the same enforcement rights over charitable corporations as exists over charitable trusts "does not transform every nonstock charitable corporation in Virginia, or that does business in Virginia, into a trust that is subject to the Uniform Trust Code." After an earlier unfavorable Supreme Court decision, the Virginia legislature enacted provisions to extend to corporate charities the trust regime of attorney general oversight and judicial authority in most circumstances. See [Va. Code Ann. § 2.2-507.1](#).

- **MASSACHUSETTS CHARITY LAW OVERHAUL SPARKS CONCERN**
[According to the Boston Business Journal](#), the state Attorney General's office is proposing a twentyfold increase in penalties against nonprofits that do not comply with filing regulations as part of proposed legislation designed to overhaul the state's charities laws. The legislation also would make it easier for nonprofits to dissolve, addressing the issue of nonprofit organizations that are registered with the AG's office but are not operating. In addition, the legislation increases filing fees for the state's largest nonprofits and removes the 25 percent limit on the amount of money professional fundraisers can earn from contributions they raise. Sponsored by Rep. Martha Walz, D-Cambridge, the legislation represents the first major change to the state's charities laws in 30 years. The legislation reflects an ongoing effort by Attorney General Martha Coakley to put teeth into all of the laws governing the issues under her jurisdiction, said Jill Butterworth, a Coakley spokeswoman.

MISCELLANEOUS MATTERS

KENYA—ASSASSINATION OF HUMAN RIGHTS DEFENDERS

[According to Pambazuka News](#), two leading human rights defenders, Mr. Oscar Kamau King'ara and Mr. John Paul Oulu (also known as GPO), both of Oscar Foundation, were executed in cold blood by a group of men in two vehicles. The two were driving to meet Mr. Kamanda Mucheke of the Kenya National Commission on Human Rights at his office. Eyewitnesses have said that the assassins were policemen. In fact, the minibus driver was in police uniform. [According to Capital News](#), Prime Minister Raila Odinga on Monday said he had instructed Internal Security Minister Prof George Saitoti to engage U.S. Federal Bureau of Investigations detectives for assistance in probing the murder of the two human rights activists. He said the government was committed to ensuring that the killers of Kamau King'ara and Paul Oulu were brought to book.

MYANMAR-- PM AGREES TO ELECTION MONITORS

[According to the Irrawaddy](#), Burmese Prime Minister Thein Sein reportedly said he would allow United Nations officials and developed countries to monitor the military-sponsored 2010 election during a meeting with his counterpart Thai Prime Minister Abhisit Vejjajiva at the Asean Summit in Thailand. The Burmese junta will allow United Nations officials to observe its long-awaited general election next year, the Thailand-based Bangkok Post newspaper said on Sunday. Burma also wanted observers from developed countries to monitor the election, the newspaper reported. No countries were named. "Before we even talk about monitoring the election, there has to be a constitutional review; there has to be a release of [political] prisoners," said Debbie Stothard, the coordinator of the Alternative Asean Network, speaking to The Irrawaddy on Monday. "There has to be freedom of association and freedom of expression." "Otherwise, there is no free and fair [election]—there is no need to hold an election," she said.

TUNISIA—NOTED HUMAN RIGHTS LAWYER DENIED PERMISSION TO LEAVE COUNTRY

[According to amnesty.org.uk](http://www.amnesty.org.uk), Mr Mohamed Abbou was due to attend an Amnesty International UK conference in east London when he was informed by security officers at airport passport control that he could not leave the country. He received no explanation, and it was suggested that he should not try to travel outside the country again. This was the seventh time since his release from prison in July 2007 that Mohamed Abbou has been denied permission to leave Tunisia. Amnesty International Middle East and North Africa program Deputy Director Hassiba Hadj Sahraoui said: 'Mohamed Abbou is being held hostage in his own country in what seems to be a concerted campaign by the authorities to punish him for his human rights work. 'The case of Mohamed Abbou is symptomatic of many cases of human rights defenders in Tunisia, who are subjected to frequent harassment and intimidation by the security apparatus.

U.S.—

- **TO RETURN TO UN HR COUNCIL**

[According to CNSNews.com](http://www.cnsnews.com), nine months after the Bush administration ended its already pared-down involvement in the United Nations' Human Rights Council, its successor has reversed the move, a step that could lead to membership for the first time. Having initially decided to be present only as an observer, by the end of the month the U.S. had decided to seek election as a member [according to the New York Times](http://www.nytimes.com). The U.S. has shunned the Geneva-based body since its establishment in 2006, citing its disproportionate and condemnatory focus on Israel, attacks on freedom of expression and failure to denounce abuses in Darfur and elsewhere. Although it did not stand in council elections in 2006, 2007, or 2008, the U.S. did participate in sessions as an active observer. Last June, however, it said it was ending even that involvement. It would henceforth only participate in debates when it felt compelled to do so by "matters of deep national interest." The Obama State Department spokesman Robert Wood said the U.S. shared concerns "that the council's trajectory is disturbing, that it needs fundamental change to do more to promote and protect the human rights of people around the world, and that it should end its repeated and unbalanced criticisms of Israel." "We believe, however, it furthers our interests and will do more both to achieve these ends and advance human rights if we are part of the conversation."

FINAL DECISION RENDERED IN BARNES FOUNDATION CASE

The [New York Times reports](http://www.nytimes.com) that a judge has rejected a request to hold new hearings on a contentious plan to move the Barnes Foundation's art collection from the suburbs to downtown Philadelphia. The opponents have been trying to persuade the judge, Stanley Ott of Montgomery County Orphans' Court, who has jurisdiction over Dr. Albert Barnes's trust, to reconsider a 2004 decision that permitted the move. Judge Ott ruled that the county and the "Friends of the Barnes" citizens group lacked the legal standing to make such a request. Lawyers representing the opponents asked Judge Ott in March to allow them to present new arguments for keeping the foundation at its current location in Lower Merion Township. The county has decided not to appeal the decision. The Barnes Foundation president, Derek Gillman, said he was pleased with the decision.

ZIMBABWE--ACTIVIST RELEASED, IN VICTORY FOR OPPOSITION

[According to the New York Times](#), Jestina Mukoko, a prominent human rights campaigner in Zimbabwe who was abducted at dawn three months ago by state security agents, was freed on bail on along with four other activists. Jestina Mukoko was unshackled Monday at the hospital where she was being treated. The release of Ms. Mukoko and the others in Harare, Zimbabwe's capital constitutes an important victory for the opposition leader, Morgan Tsvangirai, the country's new prime minister, who has publicly pressed Mr. Mugabe to let them go. Ms. Mukoko, who headed a civic group that documented state-sponsored acts of murder and torture committed before Mr. Mugabe's June election runoff against Mr. Tsvangirai, was held for weeks in secret locations. She testified that she was beaten on the soles of her feet and forced to kneel on gravel during interrogations intended to force her to confess to recruiting youths for military training in Botswana.

RESOURCES

CIVIL SOCIETY ACTORS IN INTERNATIONAL LAW AND WORLD POLITICS: DEFINITION, CONCEPTUAL FRAMEWORK, PROBLEMS

This paper argues that NGOs powerfully shape global politics. Since the fall of the Soviet Union, NGOs have increased in activity because governments inadequately deal with global problems like human rights violations and climate change. As entities distinct from governments, NGOs can mobilize and expand support for causes across borders. The author cites the Coalition for an International Criminal Court as a powerful example of how a global NGO network has reshaped international law. *International Journal of Civil Society Law*, vol. 6, issue 1, January 2008 @ www.iccsl.org/pubs/index_journal.html.

PARTICIPATORY BUDGETING DISCUSSION GROUP ON FACEBOOK

Participatory Budgeting can be broadly defined as the participation of citizens in the decision-making process of budget allocation and monitoring public spending. Participation may take various forms, from effective decision-making power in the allocation of resources to more modest initiatives that confer voice during the development of the budget. This is a group for exchange of information among those interested in practices of participatory budgeting.

<http://www.facebook.com/group.php?sid=ccfd203c13bf4773f7e28a0f78141b0a&gid=22229870351>

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