



IJCSL NEWSLETTER

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ANTI-TERRORISM LEGISLATION

SAUDI ARABIA—ANTI-TERROR LEGISLATION LEADS TO ABUSES

The Saudi Arabian authorities have launched a sustained assault on human rights under the façade of countering terrorism, [Amnesty International said in a new report](#). Thousands of people have been arrested and detained in virtual secrecy, while others have been killed in uncertain circumstances. Hundreds more people face secret and summary trials and possible execution. Many are reported to have been tortured in order to extract confessions or as punishment after conviction. As recently as 8 July 2009, the Ministry of Justice announced that 330 people had been tried for terrorism offences with sentences ranging from fines to the death penalty. However, neither the names of those tried nor the details of the charges against them were disclosed, maintaining the extreme secrecy of the trial process. The anti-terrorism measures adopted by the government since the attacks in the USA on 11 September 2001 have exacerbated long-standing human rights abuses in the country.

CITIZEN PARTICIPATION AND FREEDOM OF INFORMATION

INDIA--TRILOKपुरI COUNCILOR JOINS HANDS WITH RESIDENTS TO WEED OUT CORRUPTION

[According to the Times of India](#), some local government employed sweepers in New Delhi did not keep roads clean and some gardeners never reported for work. Fed up with civic staff who seemed to exist only on paper, residents of east Delhi's Mayur Vihar and TrilokपुरI were ready to go to battle. Enter the local councilor and an NGO who mooted the concept of people's participation in governance. The result was the first *mohalla sabha* where the Municipal Corporation of Delhi's (MCD) horticulture and sanitation inspectors were summoned to answer grievances of residents. At the *mohalla sabha*, which is now going to be a monthly feature, the people were brought face to face with MCD officials responsible for various services. The area councilor was also present. A range of issues were discussed from horticulture, sanitation, and health to safety and better facilities. "Residents of Mayur Vihar told the sanitation inspector that the sweepers were nowhere to be seen. So we decided to prepare a list of all the sweepers and hand it over to the local residents so that they could identify the person for their area. If the sweepers don't do their job now, strict action will be taken against them," said Dr Hari Shankar Kashyap, the local councilor for TrilokपुरI municipal ward.

KENYA--JURISTS JOIN MUSICIANS IN CALL FOR INFORMATION LAW

[The Daily Nation](#) reports that pressure is mounting on President Kibaki and Prime Minister Raila Odinga to speed up the enactment of the Freedom of Information law as a way of enhancing transparency in the government. The International Committee of Jurists (ICJ) has teamed up with local musicians to put pressure on the government and



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sensitise Kenyans on the proposed law. When the two principals signed the agreement for the implementation of the Wako Report last year, they pledged to mobilise parliamentary support for the enactment of the Freedom of Information Bill 2008. The law seeks to repeal the Official Secrets Act (Cap 187) and allow access to information from government offices.

SWITZERLAND--TRANSPARENCY LAW UNKNOWN AND UNDERUSED



A Swiss law governing the freedom of information is relatively unknown among the public and should be promoted to become effective, the authors of a study say. According to the report in [Swissinfo Chanel 10](#), there have been just 565 requests for access to unreleased official information since the law on transparency was introduced in 2006. The figure pales in comparison to Britain, which has around 100,000 requests a year using similar legislation, and the United States, where there are millions. Use is even low among the media, typically the sector most interested in exercising such rights, according to the study into the application and effectiveness of the law. While its introduction has been considered successful for bringing to an end an era of confidentiality in government, more needs to be done to raise awareness of its potential among the public.



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UNITED STATES—NEW HAVEN PANEL CALLS FOR STEPPED-UP OVERSIGHT



, [According to the New Haven Independent](#), aldermen should start paying attention to how the schools spend millions of dollars. And they should tie spending to performance. Those are two of the “blue-ribbon” suggestions for better budgeting from a citizen’s panel charged with thinking long-term about New Haven government’s financial woes. The [Blue Ribbon Budget Review Panel](#) was [created in October](#) to advise aldermen on the FY09-10 budget. Aldermen [approved a budget](#) on 26 May 2009, but the panel’s report wasn’t due until 30 June, the last day before the fiscal year begins. The group, comprised of seven citizens, two aldermen and three city officials, submitted its final report to aldermen Tuesday: [Click here](#) to read it. (Pictured: Tim Holahan, who headed the panel.) After [reviewing the city’s budget](#) for nine months, the panel concluded that aldermen’s job “isn’t easy.” But they called on them to “demand accountability” from city government, as well as open up the budgeting process to facilitate more citizen participation.

FISCAL MATTERS

UNITED STATES—

- **ARGUMENT ABOUT FEDERAL TAX EXEMPT STATUS FOR L3CS CONTINUES**
Ronald Schultz, Senior Technical Advisor in the Tax Exempt and Government Entities Division of the Internal Revenue Service suggested in a speech to a meeting of the American Institute of Certified Public Accountants (AICPA) that there are “ambiguities...[and] unresolved tax questions” with regard to the entities. Marcus Owens, of Caplin & Drysdale, Chartered, has written a detailed response to those assertions, suggesting that the IRS has already resolved many of the difficulties alluded to. To date, Vermont, Michigan, Wyoming, Utah, Maine, and the Crow Tribe have all amended their limited liability company (LLC) laws to permit L3Cs.



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- **WISCONSIN PROPERTY TAX CASE SHOWS EVIDENCE OF WIDENING MOVES BY LOCAL GOVERNMENTS TO TAX PROPERTY OF INCOME-TAX-EXEMPT ENTITIES.**

In a case that could affect other nonprofit groups in Wisconsin, the [Milwaukee Journal reports](#) that a judge in Waukesha County has ruled that ProHealth Care must pay property taxes for desks, office equipment, and other furnishings in its corporate headquarters. Ending a three year fight, the ruling means that the health care provider faces a tax bill of more than \$12,000 a year despite its status as a tax-exempt, nonprofit health care provider. The leader of a statewide coalition of 170 nonprofit groups said the case appears to represent the latest example of government tax collectors turning to nonprofit entities to replenish depleted tax coffers. The court said that the hospital could not meet the required test of being a “benevolent” organization.

FREEDOM OF ASSOCIATION AND PEACEFUL ASSEMBLY

HONDURAS—CONGRESS SUSPENDS CONSTITUTIONAL GUARANTEES

[According to the Daily Kos](#), on 1 July 2009 the Honduran Congress voted to suspend certain constitutional guarantees, including the rights to assembly, circulation and the right to not be detained for more than 24 hours without appearing before a judge. The congress enacted the suspensions at the behest of Roberto Micheletti, who it declared president after deposing Roberto Zelaya for alleged crimes against the constitution. The new decree will remain in force for at least three days and suspends Articles 69, 71, 78, and 81 of the Honduran constitution. The suspension of constitutional guarantees appears to coincide with the hours of the curfew (10 p.m. to 5 a.m.), so presumably only folks who are arrested at night will be denied their rights.

IRAN—CRACKDOWN ON PEACEFUL GATHERINGS OF PROTEST CONTINUES

All major news outlets are reporting that the post-election crackdown in Iran continues. [According to the New York Times](#), thousands of people gathered in Tehran on 30 July 2009 to commemorate those killed in Iran’s post-election crackdown, but a vast deployment of police officers used tear gas and wooden batons to disperse them, in some of the largest and most violent street clashes in weeks. The mourners gathered at the freshly-dug graves of protesters, including Neda Agha-Soltan, a young woman whose bloodied image has become an icon of the opposition movement. As opposition leader Mir Hussein Moussavi arrived at the Behesht-e-Zahra cemetery, the police barred him from entering, and angry mourners chanted “Neda lives! Ahmadinejad is dead!” referring to Iran’s president, Mahmoud Ahmadinejad, witnesses said. Later, large crowds massed in several areas in central and northern Tehran, but riot police mostly beat them back, and there were reports of a number of arrests.



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MALAYSIA—OPPOSITION RALLIES BROKEN UP BY RIOT POLICE

Soon after coming to power four months ago, Najib Razak, the Malaysian prime minister, vowed to temper the country's repressive laws and respect civil liberties in a country where they have often been ignored. But, [according to the New York Times](#), Malaysia's honeymoon of liberalism hit the rocks when the police broke up a large rally in Kuala Lumpur on 1 August 2009, arresting nearly 600 people and reaffirming the governing party's longstanding policy of zero tolerance toward street protests. Opposition parties, which organized the rally, were calling for the repeal of a law that allows the government to jail its critics indefinitely without charge. The opposition is also pressuring the government to expand an inquiry into the recent death under mysterious circumstances of a political aide after a late-night interrogation by anti-corruption officials.

VIETNAM--REDEMPTORIST PRIEST FACING ARREST FOR COUNTER-REVOLUTIONARY ACTIVITIES

[According to Viet Catholic News](#), reports in Vietnam's state-controlled media claim that government authorities now have enough evidence to arrest a Redemptorist priest on charges of counter-revolutionary activity and damaging national unity. Customs officials at Tan Son Nhat airport reportedly discovered in his laptop computer documents and emails with "bad contents" that could damage national unity and the development of the country, distort Vietnamese history, and undermine the policies of the government. Since February 2009, the state-owned media have repeatedly accused Father Joseph Le of "conducting propaganda against the state" and "plotting to overthrow the communist regime," calling for "immediate and severe punishment." Under Article 88 of the Penal Code, if convicted he faces a 3- to 20-year prison sentence. There is a possibility that he might face the death penalty. The Vietnamese authorities have recently arrested at least 30 dissidents, including a number of prominent lawyers, in a crackdown that raises concerns about a stifling of freedom of expression and freedom of association. There is growing concern, too, over reports of an imminent crackdown against the Redemptorist priests in Vietnam, who have repeatedly called for the restoration of Church properties confiscated by the government.



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FREEDOM OF EXPRESSION

AFGHANISTAN-- SUNDANCE FILM *AFGHAN STAR* SAID TO BE INCREDIBLE

[As reported in the Huffington Post](#), thirty years ago people could sing and dance in Afghanistan. Then the Taliban took control, instituted Sharia law and, as described in the film *The Kite Runner*, changed Afghani life, culture, and personal freedoms for an entire generation. In 2004 laws were changed that allowed for a new American Idol-like show to be produced in Kabul called *Afghan Star*. Now a film has been made about the show.



Contestant Lima now fears for her life every time she goes home.

Considered sacrilegious by the *Mujahideen* and outright banned by the Taliban who ruled from 1996-2001, music has come to symbolize freedom for the youth. “The Taliban fell in 2001 but it took a few years for a new government to be established. Parliament and the new laws didn’t start until 2004,” the director explained to me from London. The film reveals the hopes and dreams of Afghan youth; their desire for peace, education, and freedom of expression. 60 percent of the Afghan population is under 21, and despite the backdrop of conflict, corruption and repression, they want to move forward. British director Havana Marks has made a documentary about the lives of four contestants of the 2,000 that applied. The film is in Dari, Pashtun, and English with English subtitles. Winner of the Directing and Audience Awards in Sundance’s [2009 World Documentary competition](#), Huffington Post says that Marks’ film is timely and deeply moving.



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AUSTRALIA—CHINESE FILMS WITHDRAWN FROM FESTIVAL TO PROTEST UIGHUR ADVOCATE’S APPEARANCE

Three more Chinese-language films have been pulled from the Melbourne International Film Festival in protest of the planned appearance of Rebiya Kadeer, the exiled advocate for the ethnic Uighur minority in China, [The New York Times reported](#). Organizers of the Australian festival said that the makers of “YB Box,” a Chinese documentary; “Miao Miao,” a Hong Kong-Taiwan romance, and “The Moss,” a Hong Kong black comedy, had withdrawn their films, following the withdrawals of the short film “Cry Me a River” by Jia Zhangke and the feature film “Perfect Life” by Emily Tang. On 8 August the festival is scheduled to host Ms. Kadeer, a former businesswoman whom the Chinese government has blamed for inciting violence between Muslim Uighurs and Han Chinese; Ms. Kadeer, who lives in exile in the United States, has denied any involvement. On 25 July the film festival’s Web site, [melbournefilmfestival.com.au](#), was defaced by hackers who were protesting Ms. Kadeer’s appearance.

CAMBODIA—COURTS ENFORCE ACTIONS AGAINST THE OPPOSITION IN ORDER TO STIFLE IT

An [article published in the New York Times](#) reports that Cambodia’s courts have been busy in recent weeks with cases of defamation, disinformation, and incitement brought by the government in what critics say is part of a broad assault on civil liberties. “If you’re just walking into the situation, it seems like a series of ridiculous lawsuits,” said Sara Colm, a senior researcher for the New York-based rights group Human Rights Watch, who said at least nine lawsuits have recently been filed against critics and political opponents by Prime Minister Hun Sen and his supporters. But she and other analysts say the targets seem carefully chosen to send a chill through the free press, independent judiciary, political opposition and civic organizations that were introduced by the United Nations in the early 1990s.

CUBA-- ILL WRITER JAILED AS NORWAY AWARDS PRIZE



[According to Bloomberg.com](#), a few weeks ago, Normando [Hernandez Gonzalez](#) got the kind of news that usually prompts cheers and emotion-filled toasts. The Cuban journalist and poet had been awarded the annual Freedom of Expression award by the Norwegian



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Writers' Union. A delegation traveled from Oslo to the island nation to present the award, which included a prize of 100,000 kroner (about \$15,775). In this case, there were no hugs and no toast. Gonzalez, 39 and seriously ill, has been in prison for six years, except for a few stays in a Havana military hospital. Much of his incarceration has been spent at the notorious Kilo 7 in Camaguey. Gonzalez is one of 29 journalists arrested in the "Black Spring" of March 2003, when 75 dissidents were convicted of "endangering the state's independence or territorial integrity," according to the Cuban government. Gonzalez, who doesn't share filmmaker [Michael Moore](#)'s enthusiasm for Cuba's health-care system, published stories critical of the health, education and judicial agencies. His reward was a 25-year sentence. Since then, seven of the dissident writers have been released, while conditions for Gonzalez and others have only worsened.

THE GAMBIA-- INTERNATIONAL COMMUNITY REACTS TO STATE OF FREEDOM OF EXPRESSION

[According to Foroyaa Online](#), the European Union Presidency and the Embassy of the United States of America in The Gambia have raised concerns over the arrest and detention of Gambia journalists by the Gambia Government. "The EU Presidency is concerned by the arrest in The Gambia of 9 journalists including the general secretary, vice president and treasurer from the Gambia Press Union as well as editors from the Point and Foroyaa newspapers. The right to freedom of expression is fundamental to democracy and a fundamental freedom laid down in the Universal Declaration on Human Rights and the African Charter on Human and Peoples Rights, to which The Gambia is a state party. The EU Presidency calls on the Government of The Gambia to fulfill its international obligations in the human rights field and encourages and supports efforts made by all sections of the media and government to ensure freedom of expression and prevent persecution of journalists." The Embassy of the United States of America said: "Article 19 of the 1984 Universal Declaration of Human Rights States applies, which states and thus 'Everyone has the right to freedom of opinion and expression;' this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through media and regardless of frontiers."

ISRAEL-- HAIFA UNIVERSITY CHAIRMAN SAYS 'FREEDOM OF SPEECH ON CAMPUS HAS LIMITATIONS'

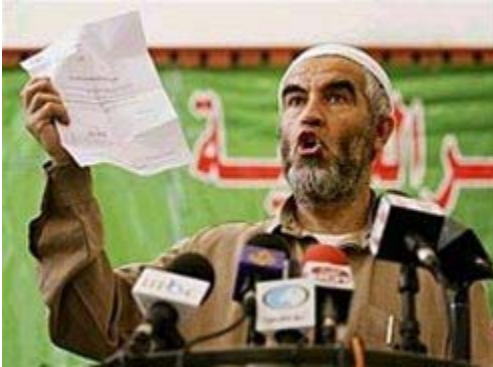
[According to the Jerusalem Post](#), the tide of outrage over Sheikh Raed Salah's controversial speech at Haifa University last month has more or less subsided. But the university's chairman, American-Zionist activist and entrepreneur Leon Charney, told The Jerusalem Post this week that he had personally come under fire for the incident, and wanted to make it clear that while his institution was committed to maintaining academic freedom and freedom of speech on campus, those ideals came with limitations.



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Islamic Movement leader Sheikh Raed Salah.

“It must be emphatically understood that we are an Israeli university committed to Jewish values,” Charney said. “And we should never allow anyone who is a racist, or someone who espouses violence to speak on our campus. Freedom of speech doesn’t allow you to scream fire in the theater.” The controversy surrounding the university began on 17 June, when Salah, who leads the northern branch of the Islamic Movement in Israel, addressed a Muslim student group that had invited him to the campus, and claimed Prime Minister Binyamin Netanyahu was hatching nefarious plans to tunnel under the Temple Mount and eventually rebuild a third Jewish temple there. “We love life, our families, our homes and our children,” Salah said during his speech. “But if they suggest that we give up our principles and holy sites, we would rather die and we welcome death!”

UNITED STATES-- POCANTICO DECLARATION ON FORMING A NONPROFIT INVESTIGATIVE REPORTING NETWORK ISSUED

[According to the Nonprofit Prof Blog](#), efforts to create a broader nonprofit news-gathering infrastructure got a boost when representatives of some 25 nonprofit news-gathering organizations and journalism schools completed a three-day conference on the state of investigative journalism and issued The Pocantico Declaration to form a nonprofit investigative news network. The Declaration says that the steering committee’s initial goal is to seek and obtain sufficient grant funding to develop a plan for sustaining and strengthening nonprofit investigative journalism. The Committee will begin immediately to spearhead the fundraising work for a planning grant and a possible grant for continued editorial project collaboration, including doing major investigative projects, and foster greater administrative and related, “back office” organizational efficiencies. In addition, the Committee will design and construct an Investigative News Network website, and will take full advantage of other emerging technologies to coordinate, curate and showcase the best content of the Network member publishers and its growing, searchable “long tail” archive.



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YEMEN--YEMENI YOUTH SAY FREEDOM OF SPEECH NOT PROTECTED

[The Yemen Times reports](#), that, compared to neighboring countries, Yemen has made notable achievements regarding the most important element of democracy, freedom of speech or expression. Yemenis can criticize the government publicly, although media censorship exists. Hundreds of columnists and human right activists write negative things about the government, the ruling political party and the Yemeni cultural heritage. Despite this background, many young Yemenis are afraid to express themselves on many topics. They either don't want to, or don't dare to talk about it. "Actually, I am socialist and want to talk about Marx and his ideas. If I talk about him, people around will criticize me. Really these things contradict completely with the principles of freedom of speech," said Ashraf Al-Hakeme, an English literature graduate, from Sana'a University. Politics, sex, and religion are the triangle of taboos in many societies. But the reasons behind the silence on these topics are different from one person to another. Interviewing 15 middle-class students, between 20 and 25 years old at Sana'a University, revealed that they are afraid of talking about political issues, especially in public places. They are afraid they may expose themselves to a lot of troubles such as, torture or detention by the "national security." Most of them believe strongly there is no freedom of speech in Yemen, even if the government pretends there is.



FREEDOM OF RELIGION AND BELIEF

AZERBAIJAN—CONTROVERSIAL NEW RELIGION LAW AMENDMENTS SIGNED BY PRESIDENT CONTAIN EVEN MORE RESTRICTIONS

[Forum 18 News reports](#) that ahead of signing the controversial new amendments (see [IJCSL-N for July 2009](#)) to the Religion Law on 20 July 2009, President Ilham Aliev bowed to pressure from the state-favored Caucasian Muslim Board and changed one of the two controversial new provisions which will restrict the rights of Muslims. While non-citizens and citizens who have gained their religious education abroad will still be banned from leading Muslim rituals, a provision which would have required the leaders of mosques to be appointed jointly by the Muslim Board and the state has been changed. They will now be appointed by the Board, which will then have to inform the State Committee for Work with Religious Organizations.



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CHINA—UNIVERSITY ADMISSIONS CRITERIA DISCRIMINATE AGAINST FALUN GONG PRACTITIONERS

[Chinascope, in a recent report](#), has documented admissions criteria for universities in various provinces. The criteria translated in the report make it clear that Falun Gong practitioners “need not apply” for admission to many tertiary education facilities throughout China.

INDIA—GOVERNMENT BLOCKS RELIGIOUS WATCHDOG GROUP

[According to the Baptist Press](#), India has rebuffed a U.S. government watchdog group tasked with monitoring religious liberty abroad by denying entry visas for the group’s planned visit. A delegation from the U.S. Commission on International Religious Freedom intended to discuss conditions with officials in India, which has seen recent outbreaks of violence against religious minorities, especially Christians. The Indian embassy in Washington did not deliver the visas necessary for the delegation’s 12 June departure, however, and has not offered any official explanation for the decision. The commission’s responsibility is to advise the administration and Congress regarding the conditions for religious liberty overseas. The president selects three members of the panel, while congressional leaders name the other six. The State Department’s ambassador at large for international religious freedom serves as a non-voting member of the commission. India is the only democracy to have blocked a visit by USCIRF, which had been requesting entry since 2001. More than 20 other countries, including Russia, China, and Saudi Arabia, have allowed the commission to enter.

RUSSIA—ATTEMPTS TO HINDER RELIGIOUS ACTIVITY BY JEHOVAH’S WITNESSES CONTINUE

Four lawyers defending Jehovah’s Witnesses have been deported since March, [Forum 18 News Service has reported](#). The deportations of the two American and two Canadian lawyers seriously hinder the Witnesses’ attempts to defend themselves in seven local court cases seeking to ban their literature as extremist. Also, a recent police detention allegedly involving torture and a raid on a Sunday service – after which one worshipper had a miscarriage and another was sent to a children’s shelter – suggest the law enforcement agencies continue to view Jehovah’s Witnesses as religious extremists even without a ban.

SOUTH AFRICA—CONSTITUTIONAL COURT RULES IN FAVOR OF RIGHT TO INHERIT BASED ON FREEDOM OF RELIGION AND OTHER FREEDOMS

The Constitutional Court of the Republic of South Africa has decided that women who are party to a polygynous Muslim marriage concluded under Muslim personal law are spouses for the purpose of inheriting or claiming from estates where the deceased died without leaving a will. The judgment arises from an application for confirmation of a declaration of constitutional invalidity made by the Western Cape High Court, Cape



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Town (High Court). The Court concluded, in [Hassam v. Jacobs NO and Others](#), that the exclusion of women in the position of applicant from the protection of the Intestate Succession Act of 1987 Act unfairly discriminates against them on the grounds of religion, marital status, and gender.

UNITED STATES—

- **NEW CHAIR FOR COMMISSION FOR INTERNATIONAL RELIGIOUS FREEDOM**

Leonard A Leo, the executive vice president of the Federalist Society, was elected chairman of the United States Commission for International Religious Freedom (USCIRF), where he currently serves as a commissioner. He will take over the year-long post from Felice Gaer on July 1.

- **CONNECTICUT--ETHICS AGENCY DROPS DIOCESE PROBE**

[According to the Hartford Courant](#), the state ethics agency has dropped its investigation of whether a protest rally by the Diocese of Bridgeport amounted to unregistered lobbying, a day after [Attorney General Richard Blumenthal](#) said the inquiry could chill freedom of speech and religion. A simple statement by the ethics enforcement officer after a closed-door meeting of the ethics board ended a probe that had triggered a firestorm of negative reaction from the diocese, Catholic groups, the [American Civil Liberties Union](#) and others, who felt the agency was illegally applying the lobby-registration law to the detriment of anyone who wanted to protest in public. Blumenthal had said his point wasn't whether the lobby registration law applied to the diocese, which had arranged for buses to bring several thousand Catholics and others to the Capitol to protest a bill that would have radically changed the way churches handle their internal business. Rather, Blumenthal said, the act of investigating the diocese, which includes asking for financial information, would likely be seen by a court as illegally intrusive and in violation of the separation of church and state. He said that under these circumstances — a protest rally at the seat of the state government — the rights of freedom of assembly, speech and religion would trump the lobby statute. He said the legislature should more clearly define and tailor the law.

VIETNAM-- 37 U.S. SENATORS URGE VIETNAM TO FREE IMPRISONED PRIEST

[According to the New York Times](#), a group of United States senators urged Vietnam's president on Wednesday to free a Roman Catholic priest as human rights groups said that his imprisonment justified putting Vietnam on a religious freedom blacklist. The priest, the Rev. Thadeus Nguyen Van Ly, was sentenced to eight years in prison in March 2007 after being charged with spreading propaganda against Vietnam's Communist government. He had previously served 16 years in prison for activities in which he advocated for human rights. "Father Ly's longstanding nonviolent activities to promote religious freedom and democracy in Vietnam are well known in the United States," wrote the senators, who included [Edward M. Kennedy](#), Democrat of Massachusetts, and [Orrin](#)



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G. Hatch, Republican of Utah. The Vietnamese Embassy in Washington did not confirm receipt of the letter or issue a comment. During Father Ly's four-hour trial in 2007, he was denied access to a lawyer and was silenced by security guards when he tried to speak, said the human rights group Freedom Now.

LEGAL FRAMEWORK

AZERBAIJAN--PARLIAMENT DROPS MOST CONTENTIOUS CHANGES TO NGO LAW



Protesters outside of Azerbaijan's parliament on 30 June deplore proposed changes to NGO law

IRFS

Azerbaijan's parliament adopted a new law on non-governmental organizations, but eliminated several controversial amendments that were widely opposed by IFEX members and other international human rights groups, [the Institute for Reporters' Freedom and Safety \(IRFS\) and RFE/RL's Azerbaijan Service report](#). NGOs and international rights groups argued that the amendments would increase the government's control over civil society and media organizations in Azerbaijan. The rejected proposals would have banned NGOs that received more than 50 percent of their funding from abroad; required all NGOs to register with the state, or else face a fine of up to 50,000 New Manats (US\$62,200); and prohibited NGOs from operating nationally if they didn't have branches in one-third of Azerbaijan's administrative units. IRFS says some restrictive amendments remain, such as foreigners with permanent residency in the country not being allowed to found NGOs, foreign NGOs being prohibited from operating unless their activities are based on a "relevant international contract," and unions having to notify the state of its members and changes to membership.



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ENGLAND & WALES—CHARITY COMMISSION PUBLISHES EMERGING FINDINGS ON PUBLIC BENEFIT ASSESSMENTS

The Charity Commission has published its [“Emerging Findings”](#) on Public Benefit Assessments, required under the 2006 Charities Act. They are already exceptionally controversial, with [many suggesting](#) that the attempt to remove charity status from fee-charging private schools is “war” by the Commission against them. One of the schools adjudged not to be operating for public benefit, St. Anselm’s, a boarding preparatory school in Bakewell, Derbyshire, has only 200 pupils. Although it had made attempts to use its facilities to help local schoolchildren, it probably would have to raise fees in order to provide more bursaries to poorer children. This newest drive by the Charity Commission to improve fairness is said by the [Sunday Times](#) to inevitably involve more discussions at a policy level.

ETHIOPIA—LICENSES OF NGOS REVOKED BY GOVERNMENT

Carrying a news story from *The Nation*, [allafrica.com reports](#) that Ethiopian authorities have suspended the operations of 42 non-governmental organizations allegedly involved in activities that are “out of their mandate” in the Southern region of the country. Ethiopia’s Southern regional state justice office chief, Mr Yilma Meresa, said that those NGOs were out to interrupt the peace and development of the region. Mr Yilma refused to disclose the names of the suspended organizations. However, he hinted that most of them were local NGOs. The Nation has learnt that international humanitarian organization Médecins Sans Frontières (MSF) and two local gender rights organizations are among the suspended NGOs. The Ethiopian government moved to revoke the licenses of the NGOs following accusations of their alleged involvement in reporting human right abuses in rural areas.

NORTHERN IRELAND—CHARITY COMMISSION FULLY OPERATIONAL; PUBLISHES DRAFT TIMETABLE FOR ACTIVITIES

The Charity Commission for Northern Ireland, established by the Charities Act 2008, has published a [Draft Timetable](#) for the implementation of its activities.

RUSSIA—CHANGES IN NON-COMMERCIAL ORGANIZATIONS LAW ADOPTED

Russian President Medvedev has signed a bill containing important amendments to Federal Law No. 7-FZ of January 12, 1996, “On Non-Commercial Organizations,” which will come into force on 1. August 2009. [ICNL reports](#) that the amendments include the following changes, among others: they provide for a simplified reporting procedure for NGOs that have annual revenue below 3 million rubles and no foreign founders or members; the Government’s mandatory audits of NGOs will no longer occur annually, but rather will take place with the same frequency as for commercial companies - every three years; if the founders of an NGO do not submit all of the documents required for registration, or if there are mistakes in the submitted documents, the registration process may now be suspended for up to three months to provide the applicant with an



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opportunity to address the deficiency, instead of denying the registration altogether; during the registration process, the registration body is limited to requesting only those documents specified in the law; and the authorities are no longer permitted to deny the registration of an affiliate office of a foreign NGO based on whether it threatens the “unique character, cultural heritage, or national interests of the Russian Federation,” as these criteria have been removed from the law.

SERBIA—LAW ON ASSOCIATIONS ADOPTED

The Serbian Parliament has approved the Law on Associations, according to a [post on ICNL's website](#). The Parliament's decision marked the culmination of long efforts to bring the legal framework for associations in Serbia closer to international standards and regional best practices. Among other issues it addresses, the Law requires only three natural or legal persons to establish an association, permits informal associations to operate, and sets out rules governing the establishment of branch offices of foreign associations operating in Serbia; currently, those branch offices operate in a legal vacuum. The Law envisages the Agency for Registration of Commercial Companies as a registration body of associations. This novel approach gives rise to a number of issues, including the Agency's non-exposure to international standards pertinent to freedom of associations.

MISCELLANEOUS MATTERS

AUSTRALIA—MAJOR CONFERENCE ON FREEDOM OF RELIGION AND BELIEF TO BE HELD

The [University of Adelaide Research Unit for the Study of Society, Law and Religion \(RUSSLR\)](#), in conjunction with other local and international institutions, will hold a major conference from 13 to 15 August, 2009 in Canberra, Australian Capital Territory. The topic, “Cultural and Religious Freedom under a bill of rights”, is highly relevant to the current debate in Australia on a bill or charter of rights. The conference will examine the implications for cultural and religious freedom of the proposed bill from the perspectives of legislators and policy makers, religious and community groups, academics and the judiciary. Participants include judges, leading academics, community leaders, theologians and other experts in law and religion from Australasia, America, Asia and Europe.

CHINA—CRACKDOWN AGAINST RIGHTS ORGANIZATIONS CONTINUES

- **LEGAL RESEARCH ORGANIZATION SHUT DOWN; LAWYERS' LICENSES REVOKED; TWO LAWYERS DETAINED**

The [Associated Press reports](#) that a legal research center in Beijing was shut down and the licenses of more than 50 lawyers — many known for their politically



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sensitive human rights work — were revoked in what appeared to be one of China's most drastic moves to restrain activist lawyers. The actions underscore a renewed official push to control these lawyers, who already run the risk of being detained, harassed, attacked and threatened with disbarment for their work. China is also preparing for the communist state's 60th anniversary on 1 October — a particularly sensitive period when dissent is not tolerated. About 20 officials from Beijing's Civil Affairs Bureau showed up at the offices of the Gongmeng rights group's legal research center and confiscated computers and other equipment, said office manager Tian Qizhuang. They also questioned researchers and other employees on the nature of their work. The suggestion was made that the organization was a social organization that was required to be registered with the Bureau, but representatives claimed that the existence of the research center was legal because it was registered as being within a larger organization, one of the legal forms of registration for NPOs. [More recently, the AP reports](#) that Xu Zhiyong, a legal scholar with the Gongmeng rights group, was taken from his home by police early Wednesday, the group said on its Web site. The group has since been unable to contact Xu and another staffer, Zhuang Lu. The Beijing public security bureau refused to answer questions over the telephone and did not immediately respond to a faxed list of questions.

- **ANOTHER ORGANIZATION HAS DIFFICULTIES BECAUSE OF ITS NEWSLETTER**
[An article in the Christian Science Monitor](#) details events with regard to Yi Ren Ping. Three security officials went recently to the Beijing office of Yi Ren Ping, a nongovernmental organization that fights discrimination against people living with Hepatitis B. They had come to confiscate copies of the group's latest newsletter, which is circulated to other NGOs and academics. A lengthy argument followed, but nobody was detained. In the case of Yi Ren Ping (public welfare, kindness, equality), its focus is social justice and particularly antidiscrimination. [According to the New York Times](#), it has filed lawsuits on behalf of people with Hepatitis B who face exclusion from school and work. This was among the topics discussed in its bimonthly newsletter that caught the eye of the authorities. They told Lu Jun, the group's coordinator, that he didn't have a license to publish it. He argued that it wasn't a commercial publication and didn't need a license. In fact, only 100 or so are circulated. Contacted later by phone, he said the officials had taken the newsletter and ordered him to show up next month at the office that had led the raid. No charges were filed. Mr Lu said he planned to sue the government department behind the raid.



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Du Bin for The New York Times

SYRIA—HUMAN RIGHTS LAWYER DETAINED

According to a [report in the New York Times](#), Syrian authorities arrested a leading human rights lawyer, his colleagues have said. The lawyer, Mohannad al-Hussani, who has been handling high-profile political cases, was summoned Tuesday to State Security, one of many intelligence agencies in [Syria](#). Mr. Hussani has not been heard from since then and no charges have been lodged against him, his colleagues said. There was no comment from the Syrian authorities. Arbitrary arrests in Syria are common, international human rights organization say, and it is common for detainees to remain in jail for months before facing any charges.

ANNOUNCEMENTS

CHINA—CHINA CHARITY FEDERATION HONORS CHARITY LEADER

Fang Qingyun, the president of the Fuzhou Charity Union, was recently honored as a “China Charity Outstanding Worker” in recognition his creation and leadership of several new charity programs. Fang was given the award by the China Charity Federation, a nationwide non-governmental charity organization that nonetheless has close links with the Chinese government, on 16, July 2009. The programs that attracted the China Charity Federation’s attention included Fang’s most recent and ambitious effort, the “331 project. Active in 9 less-developed counties which including over 1300 villages, the 331 project is designed to assist poor orphans, elderly people, and high school students. The name symbolizes the projects goals: the first three represents the three groups of people it



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is meant to help; the second three represents the 300 specific people who it assists; and the 1 represents the 1000 yuan the project gives its beneficiaries annually. Fang, who assumed the leadership of the Fuzhou Charity Union after retiring from his position as Vice Party Secretary of Fuzhou in 2006, has also worked to encourage people to give to charity.

U.K.--MICHAEL BROPHY RECEIVES OUTSTANDING CHARITY LEADERSHIP AWARD

At the annual Charity Awards sponsored by the Leadership Trust, former head and founder of the Charities Aid Foundation, Michael Brophy, was awarded the top prize. Mr. Brophy, who has now retired, was a leader and dominant player in the charity sector in the U.K., Europe, and internationally for over 20 years. He has been a great friend to ICCSL and its founders.

RESOURCES

ASIA-PACIFIC—ICNL PUBLISHES NEWSLETTER ON ITS WORK IN THE REGION

The Newsletter for ICNL's Pacific Civil Society Law Programme is available [online](#).

SOUTH AFRICA--ICCSL WEBSITE UPDATED WITH REPORTS ON SOUTH AFRICA CSO SECTOR REGULATION

The ICCSL website has been updated to include PPT presentations for the Aga Khan Foundation funded Study Tour to South Africa. They discuss in detail aspects of the legal and fiscal environment for civil society organizations in South Africa. They can be found in the [Documentation Center](#).



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