



# IJCSL NEWSLETTER

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## CITIZEN PARTICIPATION AND FREEDOM OF INFORMATION

### **CANADA –LAUNCH OF NATIONAL CONSULTATIONS ON A DIGITAL ECONOMY STRATEGY**

[The Government of Canada unveiled a national consultation](#) aimed at building consensus among governments, the private sector, academia and the Canadian public in developing a digital economy strategy for Canada. The commitment to developing the strategy was outlined in both the government's Speech from the Throne and Budget 2010 and is aimed at positioning Canada for leadership in the global digital economy.

### **GLOBAL-- LEARNING TO SHARE: EXPLAINING THE CONDITIONS UNDER WHICH STATES DELEGATE GOVERNANCE**

[This paper](#) seeks to investigate why and when states delegate governance functions to others - and why the other agrees to take on the responsibilities. The author seeks to determine the conditions under which host states and external actors enact these self-enforcing equilibria. In addition the paper focuses on delegation agreements where an external actor is asked to help with some governance functions by the head of a sovereign state.

### **INDIA--ROLE MODEL OF GOVERNMENT TRANSFORMATION**

In the area of government transformation, India is moving very fast, leapfrogging in many senses other countries, since the introduction of [National e-Governance Plan](#) in 2006..

### **PHILIPPINES-- NO FOI LAW FOR NOW**

[FreedomInfo reported](#) that the House of Representatives in the Philippines on June 4, 2010 was unable to pass a Freedom of Information Act because not enough congressmen showed up. The failure to obtain a quorum on the last day of the congressional session appears to end the high hopes of activists, although several news accounts noted that a few last-ditch options are being discussed. With 180 sponsors, there was no doubt that the bill enjoyed majority support in the House, but only 128 of 268 lawmakers attended the session, just shy of the 135 necessary for a quorum. The dramatic final hours of the bill are recounted in several articles in the Philippine press and a [story by Merck Maguddayao](#) for the Philippine Center for Investigative Journalism.



# IJCSL NEWSLETTER

VOLUME 7 ISSUE 6

JUNE 2010

## FISCAL MATTERS

### U.S.—

- **TREASURY OFFICIAL ACKNOWLEDGES NEED FOR GUIDANCE FOR NOT-FOR-PROFIT HOSPITALS IN WAKE OF NEW LAW**

[Tax Notes Today](#) reports that Helen Morrison, deputy benefits counsel in Treasury's Office of Tax Policy, stated on April 28, 2010 that guidance is needed "sooner rather than later" on charity hospital requirements imposed by section 9007 of the [Patient Protection and Affordable Care Act](#) (Public Law 111-148). The legislation requires tax-exempt charitable hospitals to conduct assessments of community health needs at least once every three years, to develop a financial assistance policy, and to limit amounts charged for emergency or other medically necessary care provided to individuals eligible for assistance under the financial assistance policy. The act also prohibits a charitable hospital from engaging in extraordinary collection actions before reasonably attempting to determine whether the patient is eligible for assistance under its financial assistance policy.

- **NOT-FOR-PROFIT ORGANIZATIONS FACE DENIAL OF TAX EXEMPT STATUS**

Although the [IRS in January reminded](#) tax exempt organizations that they must file returns or face denial of exemption under an obscure provision of the Pension Protection Act, as the date for the automatic denials looms, Diana Aviv of [Independent Sector](#) has raised an alarm. [According to the New York Times](#), at midnight on May 15, an estimated one-fifth to one-quarter of some 1.6 million charities, trade associations and membership groups will lose their tax exemptions, thanks to a provision buried in a 2006 federal bill aimed at pension reform. The federal legislation passed in 2006 required all not-for-profits to file tax forms the following year. Previously, only organizations with revenues of \$25,000 or more — or the vast majority of not-for-profit groups — had to file. The new law, embedded in the 393 pages of the Pension Protection Act of 2006, also directed the IRS to revoke the tax exemptions of groups that failed to file for three consecutive years. Three years have passed, and thus the deadline looms.

## FREEDOM OF ASSOCIATION AND PEACEFUL ASSEMBLY

### CHINA—

- **ANTI-DISCRIMINATION WORKING GROUP FOR DISABILITIES LAUNCHED**



# IJCSL NEWSLETTER

VOLUME 7 ISSUE 6

JUNE 2010

*A China Anti-Discrimination Working Group for Disabilities* has been established by some anti-discrimination activists on May 3, 2010, according to the [Beijing Yirenping Center](#). This group is expected to function as a joint cooperation mechanism to implement national laws and policies in order to protect the legal rights of disabled persons and to eliminate social discriminations against them. There are 82.96 million disabled persons in mainland China. This figure represents the ratio of the total population of 6.34%. Families with disabled persons account for 18.11%. That means that one in every six families has a disabled person. In recent three decades, Chinese legislative has made a series of laws on disabled persons' rights. Chinese laws clearly say "individuals with disabilities have equal rights with other citizens." And Chinese laws prohibit "any discrimination based on disability." In order to implement existing laws and to protect disabled persons' equal rights, some of China's disabled persons, NGOs activists, lawyers, and social workers have paid a lot of efforts and launched many forms of work such as mutual aid, art performances, litigation, etc.

- **AIDS ACTIVIST FORCED TO FLEE CHINA**

Wan Yanhai, the mainland's leading activist on AIDs and sexual minorities, has left China for the US with his family, saying harassment from the authorities has forced him into a self-imposed exile. In a phone interview with the [South China Morning Post](#) he said, "Before we left China, I was under a lot of pressure and was harassed by many [government] departments." Wan said not only had the local tax, commerce and industry bureaus investigated his group in recent months, but the fire department had also visited his office checking if any regulations had been breached. Beijing police also made dozens of phone calls to him last month and visited his home when he was out of town, he said. "I felt my personal safety was at stake," he said. "The mental pressure was just too much, so I've come out for a bit of breathing space." He suggested that the pressure was meant to force him to leave the country. Asked whether his departure would affect the morale of his staff and fellow Aids activists, Wan admitted this might happen but believed his staff would be capable of running projects smoothly in his absence. "Even if I hadn't left, I wouldn't be able to carry on working normally," he said. "I kept getting phone calls from the police and five, six government departments are after me - I just could not concentrate on my work."

- **RARE PUBLIC PROTEST AGAINST PROPAGANDA OFFICIAL**

Three protesters criticized a well-known propaganda official, Wu Hao, as he gave a speech at Renmin (People's) University in Beijing according to a [story](#) in the New York Times, a rare instance in which a prominent official was humiliated in public. The protesters, graduates of the university, tossed currency notes worth five mao, or less than one cent, onto the stage as Mr. Wu, deputy director of the propaganda department in Yunnan Province, spoke, many Chinese Web sites



# IJCSL NEWSLETTER

VOLUME 7 ISSUE 6

JUNE 2010

reported Friday. The notes were a reference to the “five-mao party,” a derogatory term for Chinese Internet users who are supposedly paid five mao per posting by officials to spread propaganda on the Internet.

## **IRAN—PLANNED DEMONSTRATION FAILS TO MATERIALIZE**

A planned demonstration in which Iranian teachers and workers were to join reformists in an antigovernment protest failed to materialize on May 1, 2010, apparently the result of intimidation and a large police presence, [according to the New York Times](#). Two Iranian opposition leaders, Mir Hussein Moussavi and Mehdi Karroubi, had called on April 29 for workers and teachers to join the reformists in a broad-based coalition. The call went unheeded, analysts said, largely because of government intimidation. But the lack of action may also reflect a failure of the opposition leaders to win over workers and teachers, who have their own grievances, to the antigovernment cause. And it raised questions about the ability of the opposition to mobilize a mass protest planned for June 12, the anniversary of Iran’s disputed presidential election.

## **FREEDOM OF EXPRESSION**

### **CANADA—SUPREME COURT RULES AGAINST ABSOLUTE PRIVILEGE**

Journalists do not have a constitutional right to protect the identities of their sources, the Supreme Court of Canada has ruled in [R. v. National Post](#), and others. The judgment stemmed from a series of articles about Jean Chrétien, a former Liberal prime minister, which appeared in *The National Post*, a conservative newspaper based in Toronto. “The bottom line is that no journalist can give a source a total assurance of confidentiality,” the [justices wrote in their 8-to-1 ruling](#). “All such arrangements necessarily carry an element of risk that the source’s identity will eventually be revealed.” While the decision recognized the value of investigative journalism and the need for journalists to be able to protect the identities of some sources, the court said the question of whether a reporter must reveal the identity of a source should be decided on a case-by-case basis.

### **GLOBAL—**

- **ATTEMPTS TO BLOCK HUMAN RIGHTS WEBSITES AND BLOGS INCREASING**

Governments are ramping up online attacks on human rights advocates as the Internet becomes a key battleground for fights against oppression and censorship, according to a [story](#) available on AFP and hosted by Google. “The cyberwarfare is increasing,” [Balatarin.com](#) director Mehdi Yahyanejad said at an annual Business & Human Rights Summit at the Yahoo! campus in the California city of Sunnyvale. “If you have a blog or an email on a controversial website you are going to get targeted. Governments understand this is an important issue for them.” Yahyanejad is director



# IJCSL NEWSLETTER

VOLUME 7 ISSUE 6

JUNE 2010

of [Balatarin.com](http://Balatarin.com), a popular Iranian website where people share links to Internet pages they find interesting.

- **PUBLIC SENTINEL: NEWS MEDIA AND GOVERNANCE REFORM**

Reforms are urgently needed to improve the responsiveness, transparency, effectiveness, and accountability of governance institutions so that public services work for the poor as well as the rich. The purpose of this book is to inform governance advisors about the vital role of the news media for governance reform. [This book](#) approaches the issue of news media and governance with three broad questions that it attempts to answer on the basis of quantitative data and case studies.

## **UGANDA—FREEDOM OF PRESS UNDER ATTACK**

Reports from many sources discuss the attacks on press freedom in Uganda. Some assert that like many soldiers who seized power with the gun, promising clean leadership in post-colonial Africa, the Ugandan president, Yoweri Museveni, has had problems putting earlier patriotic rhetoric into action. In the early years, after his National Resistance Army captured Kampala in 1986, Museveni sounded too good to be true. But, corruption is now making a strong case to be appended on to the name Uganda. And next year Museveni will seek to extend his reign to 30 years, having erased presidential term-limits from the country's constitution. One of the reasons why Museveni was originally labeled one of a new breed of African leaders was because of media freedoms. Magazines and newspapers thrived under the new “visionary” leader and broadcast media were liberalized, leading to the creation, over the years, of more than 150 private radio and television stations. There have always been cracks in this relationship between state and the fourth estate, but they have become ever more glaring over the last 10 years, characterized by harassment of journalists critical of the government and the closure of media houses. In Uganda today, radio stations, especially those upcountry, in more rural areas where most Ugandans live, are considered very brave to host senior opposition figures, like Kizza Besigye of the Forum for Democratic Change. Some stations have denied him paid-for airtime, citing “orders from above” or for fear of being blacklisted by the Intelligence and the Broadcasting Council. But the latest assault on the media, which has sent chills down the spines of independent newspaper editors, is the press and journalists (amendment) bill 2010. Reports indicate it has been tabled in Cabinet, although a minister recently said it is yet to be discussed. More at <http://www.guardian.co.uk/katine/katine-chronicles-blog/2010/may/25/uganda-press-bill>

## **FREEDOM OF RELIGION AND BELIEF**

### **CHINA—**

- **HOUSE CHURCH RELIGIOUS SERVICE DISRUPTED; LEADER DETAINED.**



# IJCSL NEWSLETTER

VOLUME 7 ISSUE 6

JUNE 2010

Guangzhou police detained the pastor of an underground church and broke up a Christian service in a city park. Police took Wang Dao from his home on Saturday morning for questioning and he was still in custody, his wife, who declined to give her name, said to the South China Morning Post. Wang has been charged with “gathering a crowd to disrupt social order.” Then known as Wang Tongjiang, Wang was involved in the 1989 Tiananmen pro-democracy movement as a student and was imprisoned for a year. He assumed the name Wang Dao after his release. Police also broke up an outdoor service held by Wang's church at a park in Guangzhou on Sunday morning, Wang's wife and another person said. Dozens of people were worshipping in the park when police arrived to take pictures and videos, before ordering worshippers to leave. Two people were taken away by police but released soon afterwards. The Liangren Church, which has a young following, resorted to worshipping outdoors because the congregation was barred from holding a Sunday service at their regular place of worship on May 2.

- **NEW CONTROLS IMPOSED ON MUSLIM WOMEN IN CHINA'S FAR WEST**

The [Congressional-Executive Commission on China \(CECC\) reports](#) that the Communist Party-controlled women's federation in the far western region of Xinjiang has strengthened efforts in the past year to control the religious practices of Muslim women. The Federation has carried out activities to regulate Muslim women religious specialists and to urge women to remove veils and face coverings. The Federation reported carrying out one local campaign in coordination with government offices, while a separate Communist Party office in another locality reported it would increase monitoring of Muslim women religious specialists. The restrictions on the women's religious freedom come as authorities have instituted broader campaigns targeting “religious extremism” and other perceived threats to the region's stability

## **FRANCE—SARKOZY TO PUSH FOR FULL VEIL BAN; WOMAN FINED FOR DRIVING WITH VEIL**

President Nicolas Sarkozy of France told his cabinet on April 21, 2010, that he would put forward a bill in May to ban the wearing of the full veil in public places in France, despite a warning from senior legal authorities that the bill may be unconstitutional, according to a [report by the New York Times](#). Mr. Sarkozy wants a bill that goes farther than initial proposals, including a ban on wearing the full veil — the niqab, which leaves only the eyes uncovered, and the burqa, which is almost unknown in France — from streets, markets and shops, according to his spokesman, Luc Chatel. The full veil “hurts the dignity of women and is unacceptable in French society,” Mr. Chatel quoted Mr. Sarkozy as telling the cabinet. The idea of a ban is popular with the French and with his own political party, while Mr. Sarkozy's own standing in the opinion polls has rarely been lower. An earlier proposal from a panel of the National Assembly suggested a bill banning the full veil in public places belonging to the state, like schools and public buildings, and in areas where facial recognition is vital for security reasons: airports,



# IJCSL NEWSLETTER

VOLUME 7 ISSUE 6

JUNE 2010

banks and even public transport. Mr. Sarkozy's push for broader restrictions was seen as a challenge to the Council of State, France's top administrative authority, which warned in March that "a general and absolute ban on the full veil as such can have no incontestable judicial basis" and that it could be thrown out by the courts. In a related development, [the Times also reported](#) that a 31-year-old French woman has been fined for wearing a full veil while driving. The unidentified woman told LCI television that the police had stopped her last month while she was driving in the city of Nantes, near the Atlantic coast of France. She was wearing a black niqab, and the police handed her a \$29 fine, saying that her clothing posed a safety risk to her driving. She plans to appeal,

## **U.S.—NATIONAL DAY OF PRAYER HELD TO VIOLATE FIRST AMENDMENT**

A U.S. District Judge in Wisconsin has ruled in [Freedom from Religion Foundation v. Obama](#), that the annual National Day of Prayer is unconstitutional. "It goes beyond mere 'acknowledgment' of religion because its sole purpose is to encourage all citizens to engage in prayer, an inherently religious exercise that serves no secular function in this context," wrote Judge Barbara Crabb, who said the Day of Prayer violates the First Amendment's establishment clause, which bans the creation of a "law respecting an establishment of religion" in the Constitution. Perhaps anticipating the anger that her ruling would create, she also noted there was no law *preventing* Americans from praying or organizing non-governmental days of prayer, and wrote this: "I understand that many may disagree with that conclusion and some may even view it as a criticism of prayer or those who pray. That is unfortunate. A determination that the government may not endorse a religious message is not a determination that the message itself is harmful, unimportant or undeserving of dissemination." Some members of Congress responded negatively to the ruling; House Republican leader John Boehner deemed it "troubling" and urged the Obama administration to appeal. "It violates both well-established legal precedent and the spirit of the principles on which our nation was founded," he said in a statement. A group called the American Center for Law and Justice, which represented more than 30 members of Congress in the lawsuit, also criticized the decision and vowed appeal.

## **LEGAL FRAMEWORK**

### **MACEDONIA—LAW ON ASSOCIATIONS AND FOUNDATIONS REVISED**

[ICNL reports](#) that on April 12, 2010, the Macedonian Parliament enacted the revised Law on Associations and Foundations, thus bringing Macedonian legislation in line with European standards and best regulatory practices. Importantly, the law creates a basis for further reforms to strengthen the sustainability of the civil sector in Macedonia. Since 2002, ECNL and ICNL have worked closely with the local drafters and have provided support to the Ministry of Justice in development of the draft law. The most important changes include the following:



# IJCSL NEWSLETTER

VOLUME 7 ISSUE 6

JUNE 2010

- The right of NGOs to engage directly in economic activities. The draft law allows NGOs to directly engage in economic activities related to their purpose. This will enable them to generate income as an independent source of funding without the need to spend resources to establish and manage a company, as was the practice until now.
- The right of legal entities and foreigners to form associations. Previously, legal entities and foreigners were only able to establish foundations.
- It provides citizens the right of association without the need to register a formal legal entity.
- There are improved provisions concerning the governance of NGOs, specifically clarifying the roles of the governing and management bodies.
- The law introduces the concept of “public benefit status,” which is a prerequisite for receiving tax benefits.

## MISCELLANEOUS MATTERS

### AFGHANISTAN—

- **OPIUM ADDICTION FUELS CHAOS**

[A new survey of drug addiction in Afghanistan](#) is expected to show a major rise in drug consumption in the country. The last research on drug addiction in Afghanistan was published five years ago. A new survey is being finalized now and is expected to show a 50% rise in the number of addicts to about 1.5 million. Opium is a panacea for hundreds of thousands of people in Afghanistan. In many areas, there are simply no doctors or modern pharmaceuticals available, so the brown, sticky opium is smoked and ingested by men and women, boys and girls - and even babies. It is used to treat headaches, pains, sickness and the psychological scars of three decades of war and poverty.

- **A FORCE IN FRAGMENTS: RECONSTITUTING THE AFGHAN NATIONAL ARMY**

For nearly a decade, the Afghan military has been promoted as the cornerstone of counterinsurgency in the country. Billed as a rare success story in a conflict with few bright spots, the Afghan armed forces will undoubtedly prove pivotal to stabilising Afghanistan. Yet nine years after the fall of the Taliban, there appears to be little agreement between the government of President Hamid Karzai and its international backers on what kind of army the country needs, how to build it or which elements of the insurgency the Afghan army should be fighting, [according to a report written by the International Crisis Group](#). Persistent structural flaws meanwhile have undermined the military’s ability to operate independently. Ethnic frictions and political factionalism among high-level players in the Ministry of Defence (MOD)



# IJCSL NEWSLETTER

VOLUME 7 ISSUE 6

JUNE 2010

and the general staff have also stunted the army's growth. As a result, the army is a fragmented force, serving disparate interests, and far from attaining the unified national character needed to confront numerous security threats. There is a strong need to strengthen civilian input into military development, confront corruption and factionalism within the MOD and general staff and to place sustainability of the armed forces at the forefront of Afghanistan's national security system.

- **KARLA SIMON QUOTED IN WSJ CHINA BLOG**

Stanley Lubman, one of the pre-eminent legal scholars of China, recently quoted two of Prof. Karla Simon's papers in [his blog for the Wall Street Journal](#). "The latest crackdowns reflect only one of various currents in Chinese government policy toward NGOs. A useful analysis by Karla Simon, an expert on China's NGOs, describes a complex regulatory structure and inconsistent administrative patterns. (Karla W. Simon, Regulation of Civil Society in China: Necessary Changes After the Olympic Games and the Sichuan Earthquake Fordham Int'l L. Journal, vol. 32, 2009, 943). Simon also notes that "Experiments have been conducted in outsourcing social services and reforming the registration system to move toward doing away with the "dual management" system. (Karla W. Simon and Hang Gao, [Opening the Space: New Developments for China's Community Organizations](#).)" The latter article, which is posted as a "work in progress" to the Social Science Research Network (SSRN) has made several "top ten" download lists in recent weeks.

- **NGO "CLAMP-DOWN" STORY ON NPR**

[This story](#) from NPR's Morning Edition on May 14, 2010 (by Anthony Kuhn) is the best analysis we have read or heard about the "clamp-down" on NGOs. It quotes extensively from Deng Guosheng, who heads the NGO Center at Tsinghua. It also quotes Xu Zhiyong from Gongmeng, which was closed down last July. Xu says he wants now to be more strategic in what he does and that he will no longer accept foreign funding. Prof. Deng also mentions the local level efforts to make it easier for certain NGOs to register.

- **REPORT FINDS DETERIORATING CONDITIONS FOR HUMAN RIGHTS DEFENDERS**

In its [Annual Report on the Situation of Human Rights Defenders in China \(2009\)](#), released today, Chinese Human Rights Defenders (CHRD) finds that the environment for human rights advocacy in China has deteriorated substantially in the past year. Citing the Chinese government's clampdown on NGOs, activists, human rights lawyers, online citizen journalists, and whistle-blowing petitioners, CHRD argues that Chinese civil society is facing a serious attack. "2009 stands out as a particularly repressive year in terms of the Chinese government's



# IJCSL NEWSLETTER

VOLUME 7 ISSUE 6

JUNE 2010

aggressive tactics against human rights activists,” said Renee Xia, CHRDR’s International Director. “One only needs to look at the long list of imprisoned human rights human rights defenders, such as Liu Xiaobo, Huang Qi, and Tan Zuoren, who paid heavy tolls for their fight against injustice in the past year.”

## **DEMOCRATIC REPUBLIC OF CONGO—REPORT ON MILITARY JUSTICE AND HUMAN RIGHTS.**

[This discussion paper](#) focuses on the points that warrant urgent and specific attention by the authorities in charge of conducting military justice reforms in DRC. The report provides details about issues such as efforts to establish rules and standards; attacks against the independence of military justice: military courts presided over by unqualified judges; prosecution of civilians in military courts: jurisdiction over civilians beyond legal provisions and a right to a fair trial which is constantly violated in military courts.

## **INDIA--REIGNING INJUSTICE: MURDEROUS KHAP PANCHAYATS**

According to [The Hindu](#), in Haryana today, rapid capitalist transformation is accompanied by a regressive feudal consciousness. As education and political awareness spread among Dalits, women and backward sections, alongside there is a massive consolidation of caste (khap) panchayats in defence of the status quo. The number of cases in which the totally unconstitutional caste panchayats have openly defied the law of the land by issuing illegal diktats has increased manifold. Attacks on young couples, Dalits and progressive-minded people have become frequent. According to the principles followed by khap panchayats, there could be no marriage alliance between a man and a woman if they were of same gotra or belonged to different castes. Even if they had same caste and differentgotras, they still cannot marry if they resided in the same or adjoining villages. A recent landmark judgment by the Additional Sessions Court at Karnal in the Manoj-Babli “honour” killing case, in which five accused were given the death sentence, sent shock waves among caste panchayat leaders, as it reminded them that they were not above the Constitution. The court took serious note of the fact that the policemen deployed for the security of Manoj and Babli actually facilitated the accused in perpetrating the crime. [Source: The Hindu, 7 May, 2010, beta.thehindu.com/opinion/lead/article424506.ece.](#)

## **PHILIPPINES--ARMED GROUPS AND HUMAN SECURITY EFFORTS**

[This book](#) provides an objective analysis of the issues underlying the ongoing conflicts, and of the interests and modus operandi of the parties involved. Neither romanticizing nor demonizing the various armed groups, the analysis points to ways to engage these groups with a view to promoting human security. It situates such efforts by providing the historical context, so essential to understanding the motives of the groups and why conflict persists in the Philippines.



# IJCSL NEWSLETTER

VOLUME 7 ISSUE 6

JUNE 2010

## **SRI LANKA--IMPUNITY, CRIMINAL JUSTICE, AND HUMAN RIGHTS**

[This book](#) makes an attempt to understand the obstacles to the realization of human rights norms in Sri Lanka, relating to the constitution, criminal justice system or local traditions. The ideas discussed in the book are the result of practical interventions by way of litigation, providing assistance to victims, and through debates conducted on these issues over a considerable time.

## **TIBET—YUSHU EARTHQUAKE-RELATED DEVELOPMENTS**

[Times Online](#) reports that the leading Tibetan intellectual, a writer, publisher and philosopher long seen as close to China's ruling Communist Party, has been arrested after organizing private donations for this month's earthquake in Yushu. Tra Gyal, better known by his penname of Zhogs Dung, was detained in Xining, capital of the western province of Qinghai, where the April 14, 2010 tremor killed more than 2,000 people, Tibetan sources said. Half a dozen police picked him up from his office at the Qinghai Nationalities Publishing House, took him to his home and carried out a meticulous search of his study, taking him away at about 10.00pm. The officers returned in the early hours of the morning and removed two computers, written documents and pictures and came back again at about 3.30am to show the writer's wife a formal arrest warrant for her husband. [Other sources](#) attribute his arrest to the fact that a group of prominent Tibetan intellectuals based in Qinghai's Xining province had written an open letter of condolence to the victims of the disaster. Shogdung was one of the signatories of this open letter (in his real name Tra Gyal) and it was published on his blog. The open letter expresses condolences and at the same time is critical of the Chinese government in their handling of the earthquake relief efforts. In a related development, Buddhist monks who had been delivering most of the aid to earthquake victims in its immediate aftermath were asked to return home so that professionals could offer aid, [according to the New York Times](#).

## **UGANDA--VIOLENCE AGAINST WOMEN CONTINUES UNCHECKED AND UNPUNISHED**

Violence against women is pervasive in most parts of Uganda and is widely accepted as justified by "traditional values". Women who have been subjected to violence face numerous obstacles if they seek justice. This report highlights the reasons why women are reluctant to report violence to the authorities, failures in the collection of forensic evidence, police investigations and trials, and the inadequacy of existing laws.

## **UNITED STATES—FLAWS IN IMMIGRANT DETENTION SYSTEM**

In 2009, the US Immigration and Customs Enforcement agency (ICE) held between 380,000 and 442,000 people in some 300 US detention facilities, at an annual cost of \$1.7 billion. These people are not imprisoned as punishment for criminal offenses, but rather are detained for civil immigration violations. Many will be deprived of their liberty for months, some for years. And many are being held unnecessarily, at great cost to



# IJCSL NEWSLETTER

VOLUME 7 ISSUE 6

JUNE 2010

themselves, their families, and US taxpayers. At least since 1996, ICE has enjoyed relatively unchecked powers to sweep non-citizens into detention. [This report](#) is one of a series looking at flaws in current immigration policy that can be remedied through specific administrative and legislative actions.

## **WORLD BANK GROUP--A ROADMAP FOR INTEGRATING HUMAN**

[This report](#) argues that human rights are an integral part of effective and sustainable development, and should be explicitly considered in all World Bank Group (WBG) investment decisions. It examines the WBG's integration of human rights standards into its operations — highlighting accomplishments, shortcomings, and barriers — and suggests ways forward.

## **ZAMBIA--UNJUST AND UNHEALTHY: HIV, TB, AND ABUSE IN PRISONS**

[This 135-page report](#) documents the failure of the Zambian prison authority to provide basic nutrition, sanitation, and housing for prisoners, and of the criminal justice system to ensure speedy trials and appeals, and to make the fullest use of non-custodial alternatives. Poor conditions and minimal medical care for prisoners lead to the transmission of HIV and tuberculosis (TB) - including difficult-to-treat and potentially deadly drug-resistant strains - that threaten the lives of both inmates and the general public, the report says.

## ANNOUNCEMENTS

### **SPAIN—BILBAO WINS FIRST WORLD CITY PRIZE**

The inaugural Lee Kuan Yew World City Prize has been awarded to Bilbao. The Spanish city famous for the Guggenheim art museum was picked from 78 nominations from 32 countries for a “knowledge revolution” that transformed a fading post-industrial city into a vibrant culture and business hub.

<http://www.futuregov.net/articles/2010/may/21/world-city-prize-winner-revealed/>

## RESOURCES

### **GLOBAL –ARMED CONFLICT**

- **AIDE MEMOIRE: PERTAINING TO THE PROTECTION OF CIVILIANS IN ARMED CONFLICT**

The protection of civilians in armed conflict has come to occupy a prominent place on the Security Council's agenda. In addition to the Council's biannual open debates on the issue and the regular reports of the Secretary-General, concern for the protection of civilians increasingly features in country-specific deliberations and decisions of the Council, resulting in concrete actions to improve the protection of the millions of



# IJCSL NEWSLETTER

VOLUME 7 ISSUE 6

JUNE 2010

men, women, girls and boys affected by the horrors and indignities of war. [The Aide Memoire](#) is intended to facilitate the Security Council's consideration of issues relevant to the protection of civilians in armed conflict. To this end, it highlights primary objectives for Security Council action; offers, on the basis of the Security Council's past practice, specific issues for consideration in meeting those objectives; and provides, in the addendum, a selection of agreed language from Security Council resolutions and presidential statements that refer to such concerns.

- **2010 ANNUAL REPORT OF THE SPECIAL REPRESENTATIVE FOR CHILDREN AND ARMED CONFLICT**

[The annual report of the Secretary-General's Special Representative for Children and Armed Conflict](#) shows that 16 different armies and insurgent groups – in conflicts ranging from the Philippines and Myanmar to Darfur, the Democratic Republic of the Congo (DRC) and Colombia – have recruited or used child soldiers for at least the past five years. The report also identifies the groups which subjects minors to the most brutal violence, such as killings, maimings, rapes and other sexual assaults. Radhika Coomaraswamy, the Special Representative for Children and Armed Conflict, warned that “we still live in a world with those who would use children as spies, soldiers, and human shields. “The shifting nature of conflict has put many children on the front lines. Too often children become collateral damage during military operations. Every year the release of this report should give us pause. Let us remember that we must protect the most innocent and most vulnerable,” she added.

## **GLOBAL—ARMED VIOLENCE (NOT CONFLICT): PREVENTING AND REDUCING IT; WHAT WORKS**

Armed violence creates a major social and public health burden throughout the world has a substantial impact on the health of people everywhere and severely hampers social and economic development. As a result, there is growing international momentum to place armed violence prevention and reduction in development agendas. Much international work is already underway to achieve this aim. In order to help deliver armed violence prevention and reduction, policy and decision-makers need evidence of effective practice. [This briefing paper](#) brings together promising and emerging evidence of what works to prevent interpersonal armed violence (through firearms), primarily in non-conflict situations. The paper provides an overview of the scale of armed violence, its impacts and the risk factors associated with it. It examines both direct approaches to preventing and reducing armed violence, and indirect approaches that do not address armed violence as their primary aim, but target risk factors for violence. Most scientific evidence currently comes from developed countries that generally have greater capacity and resources for designing, implementing and reporting the results of rigorous evaluations. However, the evidence-base from low- and middle-income countries is increasing, and this paper also provides examples of emerging evidence from around the world.



# IJCSL NEWSLETTER

VOLUME 7 ISSUE 6

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## **GLOBAL - CORPORATE GOVERNANCE**

- **INSIGHTS – PRIVATE SECTOR OPINION SERIES.**

Private sector experts share their insights on key corporate governance issues and trends, with emphasis on the middle and low income countries. [This publication series](#) is sponsored by the Global Corporate Governance Forum, founded by the World Bank and the Organization for Economic Co-operation and Development.

## **GLOBAL – HUMAN RIGHTS**

- **AMNESTY INTERNATIONAL REPORT 2010: THE STATE OF THE WORLD'S HUMAN RIGHTS**

[Amnesty International's 2010 report](#) documents abuses in 159 countries and shows how powerful governments are blocking advances in international justice by standing above the law on human rights, shielding allies from criticism and acting only when politically convenient.

- **COUNTRY RISK PORTAL**

[The Human Rights and Business Country Risk Portal](#) (based at the Danish Institute for Human Rights) will create the first freely available website where companies can access country-specific information on human rights risks alongside tools and advice for managing those risks. The aim of the portal is to enable companies world-wide to better understand and address their human rights impacts, to ensure that their business activities benefit all societal groups in their local business environments.

## **GLOBAL -- INTERNAL DISPLACEMENT: OVERVIEW OF TRENDS AND DEVELOPMENTS IN 2009**

In 2009, the total number of people internally displaced by conflict, generalized violence or human rights violations across the world rose to 27.1 million people, over one million more people than the 26 million who were internally displaced at the end of 2008 and 2007. This staggering total was the highest since the mid-1990s. [This Global Overview](#) provides a comprehensive review of the 2009 situation of internal displacement, based on the information on over 50 countries brought together on IDMC's website. It aims to provide information on these different situations from regional and country-specific perspectives, while providing an analysis of the different situations of IDPs globally: those newly displaced, those living in continuing displacement, and those making progress towards durable solutions. The achievements and limitations of the responses to these situations are also examined.

## **GLOBAL—ISSUES OF AN AGING POPULATION: THE SHAPE OF THINGS TO COME**



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All populations, like all individuals, must address issues of age. Unlike people, however, populations can stay young indefinitely and can even grow younger with time. [This report](#) is about the ages of populations, how age is structured within populations, why that matters, and how governments and societies can influence population age structure. The Shape of Things to Come presents evidence that certain age structures in populations can support governments' efforts to create and maintain political stability, and that others can impede such efforts. This report identifies for the first time four main types of age structures present in current populations: very young, youthful, transitional and mature. Chapters for each structure type describe their basic demographic parameters and the common development challenges and opportunities faced. A quantitative analysis shows that each structure has distinct traits in vulnerability to civil conflict, governance and economic growth.

## **GLOBAL--ROADMAP FOR ACHIEVING THE ELIMINATION OF THE WORST FORMS OF CHILD LABOR BY 2016**

More than 450 delegates from 80 countries have agreed on a Roadmap aimed at “substantially increasing” global efforts to eliminate the worst forms of child labour by 2016. Approved at the end of a two-day conference on child labor organized by the Government of The Netherlands in cooperation with the International Labor Organization (ILO), [the Roadmap](#) calls on governments, social partners and civil society organizations to strengthen access to education, social protection and decent work.



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