

Civil Society Forum

Vol.3



Venue of the next 9th East Asia Civil Society Forum

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ボランティア活動国際研究会

JAPAN INTERNATIONAL INSTITUTE FOR VOLUNTEERING RESEARCH

2018年度事業計画

基本方針

市民社会分野における研究交流を3つの地域的範囲でそれぞれ異なる以下の事業を展開し、市民社会の発展を模索する機会創出に引き続き取り組む。

- 「市民セクターの20年」研究会への参画
- 第9回東アジア市民社会フォーラム開催への協力と参加
- 機関誌「Civil Society Forum」の発刊と各国市民社会の紹介

事業計画

- 「市民セクターの20年」研究会への参画

世話団体として「市民セクターの20年」研究会に参画し、2013年から2017年までの研究会の成果をまとめる作業に協力する。

- 第9回東アジア市民社会フォーラム開催への協力と参加
 - ・フォーラム日本側世話役会に共催団体として参加し、下記の活動を行う。
 - ・フォーラムのテーマ設定およびテーマに沿った日本からの発表者の人選と参加のための調整を行う。
 - ・フォーラムへの日本参加者グループを募集し旅行行程を運営管理する。

【フォーラムの概要】

日 時：2018年10月25日～27日

場 所：江南大学新社会組織研究センター（中国・無錫市）

テーマ：ふるさと創成とボランティアサービス

- 機関誌「Civil Society Forum」の発刊と各国市民社会の紹介
 - ・機関誌「Civil Society Forum」を年に2回発刊する。
 - ・海外における市民社会セクターの状況について原稿執筆の依頼を行う。
 - ・寄稿記事は機関誌に掲載し、JIVRIホームページを通じて国内外に発信する。
- その他
 - ・国際交流の一環として、海外からの視察団の受け入れを行う。
 - ・広報活動の一環としてJIVRIホームページの充実を図る。

第9回東アジア市民社会フォーラム参加者募集

東アジア市民社会フォーラムは、①市民社会における日中韓の相互理解と融和を通して、東アジア地域の平和と繁栄の実現を目指し、②東アジア地域の市民社会セクターが抱える様々な問題や課題を共有し、解決への道筋を探るとともに、③安定した市民社会の実現に向け、日中韓の相互協力で市民社会セクターの制度環境の改善を図ることを目的に開催されるものです。

近年、少子高齢化や人口減少期を迎えている3カ国においては、地方創成が大きな課題となっており、その分野における市民社会組織の役割が期待されているところです。第9回フォーラムは、市民社会レベルで3カ国の友好関係の強化を図ると同時に、地方創成に向けた市民社会組織の取り組みなどの先進事例、経験や知見について日中韓で共有し、同分野における市民社会組織の能力向上を図ります。

日程表

日 程	内 容
10月25日(木)	上海浦東国際空港到着階出口 12:20 集合 上海浦東国際空港→江南大学(無錫市) ・現地視察 ・歓迎夕食会 (江南大学ゲストハウス宿泊)
10月26日(金)	・第9回東アジア市民社会フォーラム開催 ・送別会 (江南大学ゲストハウス宿泊)
10月27日(土)	・現地視察 江南大学(無錫市) →上海浦東国際空港 上海浦東国際空港出発階解散

参加経費：航空券代（30,000円の補助有り）

参加登録料(宿泊費、食費、国内交通費含む)：15,000円(主催側の事情により変更になる場合がございます)

申込先：公益法人協会事務局 E-mail：shiraishi@kohokyo.or.jp

※航空券の手配は原則としてご自身で行っていただきます。なお、第9回東アジア市民社会フォーラム実行委員会で航空券代の一部補助を実施しており、現地（無錫市）で30,000円をキャッシュバックさせていただく予定です。航空券を手配される場合は、スケジュールに記載している浦東国際空港での集合時間にご注意ください。

WORLD REPORT

The law to strangle civil society in Nigeria

Oyebisi Babatunde Oluseyi
Executive Director, Nigeria Network of NGOs

Members of the Nigerian National Summit Group and other civil society organisations during a protest on the implementation of the 2014 National Conference report in Lagos... on Thursday. Photo: Goke Famadewa

The effort to take away the freedom of thousands of civil society organisations – now known and called the name it deserves, “obnoxious bill” seems to have failed in the public domain but is gaining attention within the membership of the National Assembly. The latest round of efforts, the Umar Buba Jubril bill (HB 585) looks doomed with growing number of citizens, citizen organisations in opposition.

Thanks to the many organisations and individuals raising awareness on the bill and pointing all stakeholders to the dangers of a bill – the video by human rights activist, Prof. Chidi Odinkalu, lawmakers who publicly spoke against the bill, the activists who protested to the Office of the Lagos State Governor, the bloggers who flooded the Internet and made the #NoNGOBilling trend on social media, the media who dispassionately featured the bill, the experts who did technical analyses of the bill, the activists who petitioned the United Nations, and many others.

This outpouring show of support against the bill has left all stakeholders thinking on how best to address both the threat and opportunity the NGO regulatory agency bill portends for national development. If the bill passes, the non-profit landscape will change significantly for the worse. Which is why many observers are worried. But it is not the end of the world yet. By now, everyone should have learnt that the sponsor of the bill will not give up going by the statements attributed to him on his justifications for why the bill must pass.

Certainly, the sector is upset! I have read calls by some groups asking for the recall of the House Committee Chair, Peter Akpatason, for what reason many non-state actors with deep understanding of the

issues are asking. As long as we all are upset, our set of actions to stop the passage of the bill must not alienate those who are more with us than against us. Given his background and antecedents as the President of NUPENG, one cautiously assumes that our struggles are not new to Akpatason and that he will be an unbiased umpire in this instance.

Of particular importance are the positions some members of the National Assembly are taking in solidarity with the bill starting with House Leader Femi Gbajabiamila. Going by his social media post on issues surrounding the bill, it appears Gbajabiamila is worried that the sector can be used as conduits for terrorism financing.

On September 21, 2017, he wrote on his Facebook page: “NGOs must be regulated to track donations, protect donor agencies and prevent abuse. Nigeria must also know what’s coming in and from what source. This is a different age. We must be vigilant. Terrorists can be funded under the guise of NGO” .

He went ahead on September 22 to post a picture of a notice of deregistration of the Kenyan Human Rights Commission by the NGO Coordination Board of Kenya. The picture came with this post by him: “NGOs cannot be above the laws of the land. They must be regulated. We have to balance the equities, that is the two potential fears and abuse on both sides and determine which outweighs the other. More importantly, the whole idea of a public hearing is to address such fears” .

Gbajabiamila’s fear on the sector being used for terrorism financing are valid and the sector stands with him on this. However, this fear has already been addressed by the 2011 Anti-Money Laundering Law and the Money Laundering Amendment Act (HB410) presently on the floor of the National Assembly. The 2011 AML sets up the Special Control Unit on Money Laundering which now monitors the funding received by non-profits. No non-profit can open a bank account without first registering with the SCUML. Interagency collaboration between the SCUML, Nigeria Financial Intelligence Unit and the Corporate Affairs Commission also ensures that what comes into the sector is known and from what source. Ask the NFIU or SCUML today what comes in, I am sure they will provide this information in a matter of seconds and not minutes.

African leaders are very quick to copy bad policies yet slow and

reluctant to copy the good ones. The deregistration of the Kenyan Human Rights Commission by the NGO Coordination Board of Kenya, we all know, was politically motivated and that it came as a result of the organisation's stand against fraud in the Kenyan elections. One agrees with Gbajabiamila that this is a "different age" and not the age where agencies of government can hide under obnoxious laws to muffle civic space.

What happened to the Kenyan Human Rights Commission is one of the reasons why we stand against the NGO regulatory agency bill as it has the potential for stifling critical voice(s) necessary for democratic growth and socio-economic development. Do we have provisions for deregistration of NGOs in the present regulatory frameworks that exist in the country? Yes, we do!

Part C of CAMA clearly states how this can and should be done. If Gbajabiamila is interested in deregistering NGOs, then the laws are already there why reinvent the wheel. One hopes and guesses he calls for the deregistration of the truly bad ones and not those holding him and the system accountable as can be seen from the Kenyan bad example of deregistration based on frivolous grounds already challenged and won in court since 2015 by KHRC- (<http://kenyalaw.org/caselaw/cases/view/121717/>).

It seems our lawmakers are not conversant with the ways of working of the non-profit sector and existing regulatory frameworks as each supporter of the bill has sounded like there isn't any regulation for the sector. This is making the sector think there are some ulterior motives if for crying out loud the seven regulatory frameworks in existence are ignored by the lawmakers who should know better. One agrees that the existing regulations need a critical review and institutional strengthening with the aim of enabling and not stifling the operations of non-profits who are already doing a lot using their own resources.

It is misleading to think all NGOs receive foreign funding; very few (4-5 per cent) do; others (96-95 per cent) use their personal resources, sourced primarily from their income, friends, family, public and corporations including from the National Assembly members. We must continue to prohibit proponents of regulation from the thoughts that no regulation existed or that they are not fit for purpose. There are and in line with international standards and norms though they need a review to be in line with 21st century NGO

regulation and in sync with the operational environment of both small, medium and large non-profits.

There are several lawmakers who will not be as bold as Senator Shehu Sanni who came out boldly on his Twitter handle on September 23 to say, “The bill on NGOs will reinforce those with tyrannical tendencies and further stifle rights to freedom of speech and assembly. I’ ll oppose it” . We need the likes of Sanni and Oghene Emmanuel Egor (representing Amuwo Odofin) who first opposed the bill in 2016 stating that, “the establishment of the Commission would defeat the aim and objectives of CSOs as it may attempt to manage and control funds received’ ’ . He further noted that: “It is not within the jurisdictions of the Federal Government to monitor funds that it did not donate nor have ownership of’ ’ .

My hope for the not too distant future is that nonprofits, National Assembly and regulators can find a pathway for working together to ensure our shared objectives of bringing the dividends of democracy and development to the doorsteps of the common man are enabled within the framework of attaining the SDGs and leaving no one behind!

Amity Foundation: A Witness of Growth of Civil Society in China

Zixuan Gu

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The purpose of this article is to observe and present the meaning of the Amity Foundation on how to construct a civil society in China from the perspective of the development of civil society in China, that is, through foundations in poverty alleviation, elderly care, environmental protection, education, public health, disaster relief, and supporting NGO development. The attempts Amity made by various social welfare fields have proved that the country needs civil society, and civil society also needs to participate in the country. Establishing a positive and interactive relationship with the country and complementing each other is the ideal mode for Chinese civil society.

1. Definition of Civil Society in China

From the original meaning of English term “civil society”, it is a concept that is entirely derived from the West and is highly inclusive, open, and constantly changing. It has been given a rich meaning in the long history of evolution. Throughout the world, whether Marx sees “civil society” as an “intermediary” placed between individuals and countries and plays a role in regulating private interests and general interests, or Hegel regards civil society as “true freedom” from norm and standard; Western civil society theory provides the most direct source of knowledge for the Chinese academic community.

Due to the establishment of China’s market economy, Chinese scholars are keenly aware that a class similar to that of the early Western civil society may be raised along with the promotion of political and social system so that China will become truly modern. Therefore, the meaning of civil society inevitably puts on the local color in the process of China’s modernization.

The “civil society” mentioned in this article is the sum of civil society as a system of state or government, and the sum of many civil organizations or non-governmental relations outside the corporate

system. The concept includes the public participation and citizens' complementarity with the government in social services.

2. The Composition and Characteristics of Civil Society in China

For a populous country like China, with the development of modernization and marketization, there is a high degree of imbalance in the level of socio-economic development; and the diversity and differentiation of interests makes social conflicts increasingly prominent. At the moment, issues such as land, environment, employment, food security, and ethnic minorities are rapidly increasing. The civil society urgently needs the involvement of a third sector other than the government and the market.

At present, the main subject of civil society in China includes non-governmental organizations, all walks of life associations, non-profit organizations, and community organizations. In addition, there are mutual aid organizations, citizen self-organizations or even interest groups in China and the number reach up to 702,000 social organizations of various types, and each year continuously has an increase of 6% to 8%. With their uniqueness and advantages, they are deeply involved in the most basic level of the Chinese society, and are widely active in different communities. Their antennae directly face the common people. Therefore, it plays an increasingly irreplaceable role in social services such as elderly care, disability assistance, education, disaster relief, poverty alleviation, and contradictory mediation in order to promote social harmony and healthy development.

Non-governmental organizations not only begin participating in settling public issues, but also serve as a bridge and link between the government and citizens. They can effectively pass on public opinions to the government. Influencing public policies with their advantages. At the same time, they are also able to explain the government's policies to the public and ensure an effective communication between two sides. The development and growth of Amity Foundation in city of Nanjing is one example of such a non-governmental organization.

3. Amity Foundation: A Witness of the Rise of China's Civil Society

Amity Foundation (Amity) was established in April 1985 with government official approval. It was initiated by the former CPPCC Vice Chairman Bishop K.H. Ting and the former Vice Chairman of the Jiangsu Provincial People's Political Consultative Conference Dr. Han Wenzao and other senior members of the Chinese Christian community. As one of the earliest Chinese NGOs established following with China's Reform and Opening-up to the outside world, it has grown from an unknown voluntary organization with only three staff members into a social organization with a staff of nearly a hundred, enjoying a good reputation both in domestic and international circles.

Over the last 30 years, Amity has been carried out a large amount of work in poverty alleviation, elderly care, environment and sustainable development, education, public health, disaster relief, and community development etc. in order to promote the growth of China's civil society. Up to 2018, Amity Foundation had raised public donations over 2.4 billion RMB. Its projects have covered 31 provinces, cities and autonomous regions in China, and benefited more than 20 million people.

1) Working Together for Poverty Alleviation in China

In 2015, the United Nations Sustainable Development Agenda adopted 17 Sustainable Development Goals. Its primary goal is to achieve "elimination of all forms of poverty in all parts of the world" by 2030 (2030 SDGs). In 2015, there are still 55.75 million people living in poverty in rural areas in China, which are mainly concentrated in the hard-tempered areas where the ecological environment is fragile and living conditions are difficult. The Chinese government solemnly promised to achieve this ambitious goal in 2020, 10 years ahead of schedule.

To achieve this goal, side of government's efforts, it is also necessary to integrate social resources and mobilize the participation of non-governmental organizations such as social organizations and individuals. Following with government, Amity Foundation has successively launched comprehensive poverty alleviation projects in rural areas such as Guizhou, Yunnan, Guangxi, Sichuan, Hunan, and Inner Mongolia. With nearly 20 rural poverty alleviation projects,



Amity helps rural communities establish local self-governance organizations in order to promote public participation. Amity believes with proper education and trainings, local farmers and villagers are able to be financial independent.

2) Rural Community Development

In addition, Amity Foundation supports the empowerment of rural community development through capacity building among villagers, and has made great contributions to environment protection, public health, AIDS prevention, providing financial aid to students, caring for orphans in other areas of society.

In over ten provinces and regions of China's central and western areas, Amity has helped establish several hundred village clinics in impoverished areas; assisted nine provinces in training over 16,000 village doctors and over 6,900 village level health workers; provided subsidies enabling over 120,000 primary and secondary students to go back to school; there was the 'Pass the Torch' project which enabled almost 900 impoverished university students to complete their studies; building projects for schools in mountainous areas meant that over 700 rural elementary and secondary schools could be rebuilt; 13,000 orphans were financially supported for their education; and programmes for the psychological care of orphans were developed.

3) Disaster Relief and Disaster Management

Since 1989, Amity has responded to major natural disasters every year complying with international humanitarian principles and Sphere standards. Instant response and accurate assessment have been hallmarks of Amity's disaster management. Furthermore, Amity provides life-saving emergency aid, offers rehabilitation and supports reconstruction in disaster-hit areas. It is committed to restore livelihoods and provide post-disaster services. Besides responding to disasters, Amity is also raising awareness and enhancing resilience by organizing preparedness and risk reduction trainings for local communities.

4) NGO Development Center

Amity Foundation's NGO Development Centers in Kunshan, Nanjing and Nantong supporting hundreds of local grassroots NGOs every year. The

center not only provides space, resources, trains for local NGOs but also creating a bigger platform for communicating, information exchange and public participation between government, units and individuals.

4. The Prospects for the Development of China's Civil Society

Civil society in China is rapidly fostered by both marketization and democratic politics, and it has an increasingly significant impact on China's political, economical, and social life. Amity Foundation's exploration in poverty alleviation, rural community development, disaster management, supporting the sector and much more and its achievements are the best witness for the rise of Chinese civil society.

The government is no longer an all-powerful sector. It exercises its limited functions such as national security, public policies, and macro-control, but also needs social organizations' complementarity. Meanwhile, it passes on a large number of functions to social organizations, making fundamental changes in the basic structure of society, which a one-way, one-dimensional relationship between the government-unit-individual is transformed into a new structure with pluralism, interaction, social participation, and spontaneous organizations. Although China's civil society still has the dual characteristics of the state and the people, it is a big leap from the initial government's complete dominance to the current autonomy and voluntary nature of civil organizations.

It is believed that in the near future, the development of China's civil society will attract a new spring, and the large institutional environment will be further improved to meet the growing needs of the current social organizations, so that more civil organizations can better cooperate with the government making more efforts to build a democratic, fair, good governance and a harmonious society.



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□会 費 3, 0 0 0円 (年会費)

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入会申込先 email: member@jivri.org

ボランティア活動国際研究会
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