



CIVILNET

Developing Civil Society in Japan and Asia

The CivilNet program continues JCIE's long tradition of leadership in promoting the development of a vibrant civil society in Japan, Asia Pacific, and around the world. With more than three decades of experience in the field, JCIE finds itself in a unique position to create collaborative networks of civil society organizations worldwide and enhance cooperation among them in addressing common challenges. One top priority is the promotion of a broader and deeper understanding of civil society in Japan and around the world, particularly through research and dialogue projects that contribute to an enhanced role for civil society organizations in the governance of society. JCIE also provides information on recent developments in Japanese civil society and grassroots international exchange through its *Civil Society Monitor* and *GrassNet* newsletters.

Another important CivilNet initiative facilitates philanthropic programs in Japan and Asia Pacific on behalf of domestic and overseas foundations and corporations. In 1997, JCIE created one of the country's first donor advised funds in cooperation with Levi Strauss & Co., in order to distribute small-scale grants to Japanese NGOs in various priority areas.

A final category of CivilNet activities involves the promotion of grassroots exchanges and projects that examine internationalization at the local level, particularly the role of community-based initiatives and organizations. Through its cooperation with local governments, its Grassroots Network, and other similar activities, JCIE strives to foster cooperation between civil society leaders and local governments and to provide local civil society leaders in Japan with opportunities to engage in dialogues with their counterparts in other countries.

Civil Society Research and Dialogues

The Role of Philanthropy in Postwar U.S.-Japan Relations

After World War II, philanthropy played a critical, but often overlooked, role in driving the dramatic change in perceptions and values that enabled two bitter foes, Japan and the United States, to become the closest of allies. JCIE is conducting a major study that examines the long-term impact of foundations and individual philanthropists, mainly in the United States but also in Japan, on the bilateral relationship. This project is designed to fill gaps in the knowledge of U.S.-Japan relations and shed light on the historic role of philanthropy and civil society in international relations. Building on extensive archival research and interviews, the research team of in-house researchers and outside experts is examining the motivations of foundation personnel, the relationship between philanthropic activity and government policy, and the impact of philanthropic support in areas such as U.S.-Japan intellectual exchange projects, institution building in Japan, Japanese studies in the United States, and American studies in Japan.

Following a series of three workshops in the United States and Japan that explored various facets of philanthropic involvement in the bilateral relationship during the critical period of 1945–1975, a fourth workshop was held on July 12–13, 2003, at JCIE's offices in Tokyo. The researchers gathered to discuss the preliminary outlines and drafts of their findings, as well as strategies for the final phase of archival research and interviews. A final conference will be held in Tokyo in October 2004, followed by meetings in the United States, and the results of the study will be published in Japanese and English.

Researchers:

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Promoting University-Based Lectures and Research on Civil Society

Opportunities to promote concrete research and studies on the topic of civil society in Japan have been increasing as general interest in NGOs, nonprofit organizations (NPOs), and philanthropic organizations has been growing in recent years. University courses on NPOs/NGOs are also increasing. At the same time, research and teaching on civil society has not yet been undertaken in a systematic fashion.

Over the past several decades, a number of interdisciplinary centers for the study of civil society and philanthropy have been established in universities around the United States in response to student interest and societal needs. This research project, supported by the Shibusawa Eiichi Memorial Foundation, examines selected university institutes and research centers with particularly strong records of success, with the aim of exploring appropriate methods of

institutionalizing university research and teaching on civil society in Japan. A preliminary survey of U.S. university research centers was conducted in FY2003 and a workshop was held in Tokyo on January 22, 2004, so that scholars, practitioners, and other experts could discuss further questions to be addressed.

Participation in Keio University's Center of Excellence Project

The Ministry of Education, Culture, Sports, Science and Technology's Center of Excellence (COE) program encourages globally competitive research activities at Japanese universities through a competition for university-based projects. In FY2003, a project involving Keio University's Faculty of Law, titled "Political Participation and Civil Society in Asia in a Multicultural and Multigenerational Age," was selected as a COE project, and JCIE was involved in the research aspect in its capacity as a private organization. In FY2003, JCIE carried out a survey of the current state of and issues involving civil society in the Philippines, Thailand, and Bangladesh in order to obtain an overview of the situation.

Policies for Revitalizing NGOs Involved in International Cooperation

From July to December 2003, JCIE conducted a research project to explore policies for revitalizing Japanese NGOs involved in international cooperation activities. The project, which was commissioned by the Tokyo Foundation, examined the necessary steps for Japanese NGOs in this field to become a strong presence in Japanese society. To obtain a wide range of perspectives on this issue, the project team included not only representatives from NGOs and the field of international cooperation but also corporate executives and scholars. The project report, which was discussed at a meeting held on February

25, 2004, contained recommendations regarding new measures to raise public awareness of NGOs in Japan, the creation of a funding system to alleviate financial constraints, the improvement of NGOs' management skills, and NGO-government relations. The final report (in Japanese) was published by and is available from the Tokyo Foundation.

Researchers:

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The Civil Society Sector and NGO Activities in Asia and Europe

There is a growing awareness worldwide that NGOs are becoming indispensable actors in the governance of societies and that they play a vital role at both the domestic and international levels. The Japan Institute for Social and Economic Affairs (Keizai Koho Center) and JCIE, recognizing the need for healthy partnerships between the business and civil society sectors especially in countries where Japanese corporations operate, launched a survey of NGOs with the aim of contributing to the building of sound cross-sectoral partnerships. Five member countries of ASEAN—Indonesia, Malaysia, the Philippines, Singapore, and Thailand—and two European countries—the United Kingdom and Germany—were selected as target countries because they play host to extensive networks of Japanese business operations. Research in Asia focused on NGOs in the fields of the environment and education, and in Europe on NGOs in the fields of the environment and corporate social responsibility. Surveys were conducted from March 2002 to September 2003. The research findings will be posted on the JCIE website.

Cooperation with the Asia Pacific Philanthropy Consortium

The Asia Pacific Philanthropy Consortium (APPC), an informal association of like-minded institutions, was created in 1994 with the primary objective of increasing the flow and effectiveness of philanthropic giving within and to the region. JCIE serves as the focal point in Japan for coordinating APPC activities in Japan.

Governance, Organizational Effectiveness, and the Nonprofit Sector

From the fall of 2002 to the summer of 2003, APPC conducted an international comparative study on methods of strengthening the internal governance of civil society organizations in Asia. A dozen researchers and practitioners from around Asia Pacific (China, Taiwan, Hong Kong, Korea, Japan, India, Pakistan, Bangladesh, Australia, Indonesia, Philippines, and Thailand) were each asked to write a paper on their country or region. JCIE President Tadashi Yamamoto served as research director and wrote an overview of the survey project, and JCIE staff contributed the chapter on Japan, both of which can be downloaded from the APPC website along with the other papers from the conference (www.asianphilanthropy.org). The papers were presented at the APPC Conference, “Governance, Organizational Effectiveness and the Nonprofit Sector,” held on September 5–7, 2003, in Manila, Philippines. About 120 civil society leaders from 17 countries were in attendance. JCIE plans to translate relevant country papers into Japanese for dissemination and use within Japan’s nonprofit sector.

Researchers:

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China: YUANZHU DING, *Peking University*, with XUNQING JIANG and XIN QI

Hong Kong: TERRENCE Y. K. YUEN, *Center for Civil Society and Governance, University of Hong Kong*

India: AARTI MADHUSUDAN, *GIVE Foundation*

Indonesia: RUSTAM IBARAHIM, *Institute for Economic and Social Research, Education and Information (LP3ES)*, with TOM MALIK, *Rio Tinto Foundation*, and ABDI SURYANINGATI, *Civil Society Alliance for Democracy*

Japan: SATOKO ITOH, *JCIE/Japan*

Republic of Korea: JUNKI KIM, *Seoul National University*

Pakistan: ZUBAIR KHURSHID BHATTI, *Pakistan Center of Philanthropy*

Philippines: CARMENCITA T. ABELLA, *Ramon Magsaysay Awards Foundation*, with MA AMOR L. DIMALANTA, *Partner of Bridges Inc.*

Taiwan: ANDY KAO, *Himalaya Foundation*, with YU-YUAN KUAN, *National Chung Cheng University*, and MARIE-CLAUDE PELCHAT, *Himalaya Foundation*

Thailand: JUREE VICHIT VADAKAN, *Center for Philanthropy and Civil Society*

Human Security Research and Dialogues

Human Security Challenges of HIV/AIDS and Other Communicable Diseases in Asia: Exploring Effective Regional and Global Responses

HIV/AIDS and other communicable diseases have emerged as serious threats to human security in Asia. In order to draw attention to this, JCIE co-sponsored a one-day international conference with the Asia Society, titled “Human Security Challenges of HIV/AIDS and Other Communicable Diseases in Asia.” The conference was held on March 22, 2004, in Tokyo, and featured a keynote address by Tommy Thompson, chairman of the board of the Global Fund and U.S. secretary of health and human services, and opening remarks by Yoshiro Mori, former prime minister of Japan. There were nine panelists, including Helene Gayle, director of the Bill & Melinda Gates Foundation. More than 100 policymakers, media representatives, business executives, academics, and representatives from NGOs, health organizations, and other international agencies gathered from around the world to explore strategies for enhancing regional and global collaboration in the fight against HIV/AIDS and other major diseases.

In his remarks, Prime Minister Yoshiro Mori announced the launch of the Friends of the Global



Former Prime Minister Yoshiro Mori announces the creation of Friends of the Global Fund, Japan.

Fund, Japan, a group that will promote regional collaboration in dealing with communicable diseases and encourage the support and participation of diverse sectors in Japan, both nongovernmental and governmental, in advancing the work of the Global Fund to Fight AIDS, Tuberculosis and Malaria. JCIE will act as the secretariat for the Friends of the Global Fund, Japan, and Prime Minister Mori will serve as its chair.

Japan's Response to the Spread of HIV/AIDS

In March 2004, JCIE released a survey report that examines how various actors in the public and private sectors in Japan have been addressing the domestic and global spread of HIV/AIDS. This report, which was commissioned by the Open Society Institute and conducted by JCIE's chief program officer Satoko Itoh and her team, is one of the first extensive analyses in English of the issue. Currently, AIDS is not part of the mainstream policy agenda in Japan, partly due to the relatively low prevalence of the disease in Japan. However, infection rates have been rising steadily in Japan and even more dramatically in other Asian countries, highlighting the need for Japan to place higher priority on addressing the epidemic as both a domestic and an international policy issue. This report surveyed domestic trends in the spread of the disease, as well as efforts by Japanese government agencies, NGOs, private foundations, the media, and the corporate sector to address the epidemic, both at home and internationally. The published report has been widely distributed, including at the March 22, 2004, conference on “Human Security Challenges of HIV/AIDS and Other Communicable Diseases in Asia.”

Human Security in the United Nations

At the initiative of Prime Minister Keizo Obuchi, the Trust Fund for Human Security (TFHS) was established in the United Nations in March 1999 to support UN projects addressing various threats to human lives, livelihoods, and dignity around the world. In the autumn of 2003, JCIE was commissioned by Japan's Ministry of Foreign Affairs to conduct an assessment of several projects funded by TFHS, with a focus on how the human security concept has been incorporated and applied in TFHS-funded projects from the conception phase through the design and implementation processes. The analysis focused particularly on the impact of a human security approach on specific projects. The ultimate aim of the project was to provide UN institutions and other organizations with useful lessons for carrying out effective human security projects in the future.

The research looked at five projects in Southeast Asia undertaken by the United Nations Development

Programme (UNDP), the World Health Organization (WHO), the Economic and Social Commission for Asia and the Pacific (ESCAP), and the International Labor Organization (ILO). The research team, comprised of Susan Hubbard of the Center for International Conflict Resolution at Columbia University and Tomoko Suzuki of JCIE, conducted interviews with officers in UN headquarters and field offices involved in the design and implementation of the target projects, as well as with local stakeholders in the projects. The fieldwork was conducted in late 2003 in four countries: Thailand, Vietnam, Indonesia, and East Timor. JCIE held a workshop in Tokyo on February 27–28, 2004, to discuss the preliminary findings and their implications with the projects' UN field officers and partner organizations as well as Japanese politicians and government officials, UN representatives, and other human security experts. The final report was submitted to the Ministry of Foreign Affairs in the spring of 2004 and is available on JCIE's website.

Promoting Civil Society Activities

Levi Strauss Foundation Advised Fund of JCIE

Levi Strauss & Co. has long been recognized for its active corporate philanthropy program, which provides support not only for various causes in the United States, but also in countries worldwide where it has offices and factories. In 1997, Levi Strauss & Co. joined forces with JCIE to create one of the first donor advised funds in Japan. Under this arrangement, Levi Strauss Foundation provides a grant to JCIE, which in turn redistributes the funds to NGOs in Japan according to guidelines set by the foundation. The fund is unique in the Japanese context because it provides institution-building support for new organizations in their initial stages, allows more flexibility than usual by providing the funds at the start of the project, and enables these groups to respond to emerging issues not yet well recognized in the community.

In keeping with new guidelines set in FY2002, grants were offered in three areas: preventing the spread of HIV/AIDS, achieving economic independence, and ensuring access to education. As a complement to these grant areas, additional funds were awarded to help build the capacity of organizations whose activities fall within those three areas. JCIE received 160 applications and made 15 grants in FY2003, disbursing a total of ¥20 million (approximately \$165,000).

Preventing the Spread of HIV/AIDS

Japan AIDS & Society Association, Tokyo
¥2,000,000

To disseminate important HIV/AIDS-related reports and statements issued by international institutions and conferences that could have an impact on Japan's public policy.

The Organizing Committee for the AIDS Forum in Yokohama, Kanagawa

¥300,000

To implement the 10th AIDS Forum in Yokohama, which fosters network building among NGOs involved in HIV/AIDS issues and promotes public awareness on HIV/AIDS prevention.

Tohoku HIV Communications (THC), Miyagi

¥500,000

To develop a model for cooperating with municipal and educational institutions on HIV/AIDS education and awareness and train professionals in the Tohoku region to teach about HIV/AIDS prevention.

Prevention Program for Youth

OurPlanet-TV, Tokyo

¥2,000,000

To support a visual media (i.e., video, graphic art, photography) contest for youth on the theme of safer sex and HIV/AIDS.

Japan HIV Center, Tokyo

¥1,000,000

To implement the Young Sharing Program, which seeks to heighten knowledge about HIV/AIDS prevention by having young people share their thoughts with each other on sex and HIV/AIDS.

Positive Café Noce, Nagano

¥500,000

To carry out HIV/AIDS prevention and awareness activities for youth in cooperation with local medical and educational institutions.

Achieving Economic Independence

Women's Network Saya-Saya, Tokyo

¥2,000,000

To help battered women increase their employment potential and achieve financial independence through job training and professional courses taught by former victims of violence.

Kanagawa Women's Space Ms LA, Kanagawa

¥2,000,000

To operate a specialized shelter known as a "Step House" that will help mothers and children who are victims of domestic violence gain long-term economic independence.

Youth Support Center, Tokyo

¥1,600,000

To expand the Community Uncle Project, which opens up job opportunities for youths with *futoukou* (refusal to attend school) or *hikikomori* (withdrawal from society) syndromes.

Genki Hyakubai Network, Osaka

¥1,500,000

To strengthen follow-up support for formerly homeless people and to circulate information that will help them avoid becoming homeless again.

Ensuring Access to Education

Torcida, Aichi

¥500,000

To offer lectures on international understanding conducted by Japanese-Brazilian youths for local citizens. This project seeks to build the self-esteem of Japanese-Brazilian youths in Toyota City who have dropped out of school.

The Bigakko Association, Miyagi

¥1,000,000

To promote various art activities for children with intellectual and mental disabilities to help them engage in society through art.

Schools Online Japan, Osaka

¥1,600,000

To carry out IT education aimed at heightening the future prospects of *futoukou* youths and students of ethnic schools who do not receive IT education as part of their curriculum.

Capacity Building

Clothesline Project Japan, Saitama

¥2,000,000

To strengthen the organization's ability to make policy recommendations on upcoming revisions to the Domestic Violence Law and subsequent policies.

Center for Prisoners' Rights, Tokyo

¥1,500,000

To employ professional staff who can strengthen the center's capacity to counsel prison convicts and develop policy recommendations.

"Positive Lives Asia" Photo Exhibition, Tokyo

As part of its effort to promote HIV/AIDS awareness and education, the Levi Strauss Foundation supported the production of "Positive Lives Asia," a series of photo-documentary essays featuring the stories of people affected by HIV/AIDS and positive responses to the epidemic. Positive Lives was initiated and is managed by a major British HIV charity, the Terrence Higgins Trust, and an international photo documentary agency, Network Photographers. JCIE served as the intermediary between the Levi Strauss Foundation, the Positive Lives Committee, and the Japanese coordinator of the exhibitions, the Japan AIDS & Society Association (JASA). JASA is an umbrella organization that addresses AIDS issues through joint efforts by researchers, doctors, NGOs, journalists, and individuals affected by HIV.

Following an exhibition tour in 2002 that covered a total of 66 local communities throughout Japan and attracted 30,000 visitors, a major photo exhibit was held at the UN Gallery in Tokyo from September 19 to October 18, 2003. One hundred twenty photos and four large canvas images were featured, covering 17 countries. The exhibit was co-hosted by the United Nations Population Fund (UNFPA), and JCIE collaborated in the administration of the event. It received wide media coverage and attracted more than 2,000 visitors, mainly young people and some dignitaries, including Her Imperial Highness, Princess Takamado.

Promoting International Activities at the Local Level

Miyazaki Prefecture Commemorative Symposium on Internationalization

Miyazaki Prefecture hosted the Foreign Ministers Meeting for the Kyushu-Okinawa Talks of the 2000 G-8 Summit. To follow up on this, with the cooperation of JCIE, Miyazaki Prefecture issued a three-year plan in 2001 for a series of symposiums that will commemorate the summit and take up the issue of internationalization. JCIE was commissioned to organize the first of these symposiums in 2001 on the theme of “Building Bridges to the World—Local Cultural and Arts Activities.” In 2002, JCIE organized a second symposium on “International NGO Networks and Local-Level Internationalization.” The third symposium was held on July 8, 2003, on the theme of “Local-Level Internationalization through Sports-Related Exchanges.” The keynote speaker was Tsuyoshi Kitazawa, a former soccer player on the Japan National Team who is currently an ambassador for the Japan Football Association. Approximately 700 people, including 400 high school students, attended the symposium.

Support for Miyazaki Prefecture’s Japan-Korea International Symposium

In cooperation with the Miyazaki Prefectural Government, which is working to promote grass-roots level exchange between Japan and Korea, JCIE provided logistical support for the Japan-Korea International Symposium in which participants undertook discussions on methods for Japan-Korea cooperation at the local level. Held in Seoul on February 23, 2004, with the joint sponsorship of that city’s Seocho Ward, this event represented the first time Miyazaki Prefecture had conducted an international symposium overseas. The main theme of the symposium was “Considering Grassroots-Level Japan-Korea Exchange.” Discussions included an examination of the importance of and possible future methods for promoting such exchange, local government initiatives in Miyazaki Prefecture that had led to the successful revival of certain regions, and the deep relationship and connection between Miyazaki Prefecture and Korea. Tadahiro Ando, governor of Miyazaki Prefecture, attended the symposium, which drew more than 300 citizens of Seoul who hold a strong interest in Japan-Korea exchange.

Promoting Understanding of Japan's Civil Society

Civil Society Monitor

JCIE's *Civil Society Monitor* newsletter serves as one of the only sources of English-language information on the current state of the Japanese nonprofit sector. It seeks to link Japan's nonprofit sector with the international community by reporting on current events and noteworthy activities and organizations in Japan's emerging civil society. The eighth issue, published in December 2003, focused on the recent debate on reforms to the public interest corporation system in Japan and other new developments in the legal environment for Japanese civil society. All issues are available on JCIE's website.

Grassroots Network

In an effort to keep pace with the proliferation of local-level international activities in Japan, JCIE launched a "Grassroots Network" section on its Japanese website. Major grassroots organizations involved in international activities are listed in the Grassroots Network database, which provides information on the organizations' activities, offers links to individual organization websites, and lists websites that are available in 15 foreign languages. As part of its efforts to build networks among these organizations, JCIE has also begun to publish an electronic monthly magazine, *GrassNet*, that reports on new trends, issues, and developments in the field of local-level international exchange and cooperation in Japan. This monthly magazine currently reaches more than 1,600 subscribers, and is available on the JCIE website as well. Select articles have been translated into English and are also available on the website.

Providing up-to-date information in English on Japan's civil society



Civil Society Monitor

Japan Center for International Exchange No. 8 December 2003

New Legal Reform Efforts Receive Mixed Welcome

SEVERAL NOTEWORTHY SHIFTS have been taking place within the legal environment surrounding Japan's nonprofit sector recently, with important implications for the sector's future growth. Over the past five years, starting with the 1998 Law to Promote Specified Nonprofit Activities (the "NPO Law"), various legislative actions and reforms have succeeded in establishing a foundation for the growth of newly emerging nonprofit organizations (NPOs) in Japan. At the same time, a series of administrative reforms, underway since late 2000, has triggered efforts to reevaluate the basic legal framework governing the traditional types of civil society organizations. Although the two tides of reforms ultimately are heading toward the same goal, the sector's future remains uncertain. Both efforts face many issues and challenges and will require close attention.

One focus of reforms involves "public interest corporations" (*koseki hojin*), which are incorporated under Article 34 of the 1898 Civil Code, while another involves NPOs that are incorporated under the provisions of the 1998 NPO Law. Public interest corporations, numbering approximately 26,000, are defined as incorporated associations and foundations that provide services for the public good and without a profit motive. Their fields of activity include health, employment and labor, education, and arts and culture, among others. In order to be incorporated as a public interest corporation, an organization must undergo a lengthy and complicated approval process. Approval is given at the discretion of the appropriate national or local government agency with jurisdiction over that organization's field of activities.

There are now roughly 14,000 NPOs incorporated under the 1998 law. NPOs in this category are those involved in specifically designated activities, including health and welfare, social education, NPO support, and community development. Under the NPO Law, incorporation is based solely on a set of objective criteria (authentication process) rather than on an approval process involving the discretion of government agencies. Because the incorporation process is simpler, there has been a rapid proliferation of this type of NPO.

However, while the NPO Law represented a significant step toward creating a more enabling environment for nonprofit activities in Japan, there were several aspects of the system that called for reevaluation. As a result, important amendments were made recently—both to the NPO Law and to tax measures concerning NPOs—that further strengthened the framework supporting NPO activities. These are outlined in the following article.

Also, as described in the article on page three, these amendments have been accompanied by a reevaluation of the legal framework for public interest corporations in response to widespread calls for reform. The resulting proposal has become the source of much debate within the nonprofit sector, as the potential impact has broad and uncertain implications not just for public interest corporations but for the sector as a whole. ☘

Major Legal Developments Relating to Japan's Nonprofit Sector

- December 1998: NPO Law enacted, facilitating establishment of nonprofit organizations as legal entities
- March 2001: Law Amending in Part the Special Tax Measures Law approved, setting objective criteria regarding eligibility of NPOs to receive tax-deductible donations
- April 2002: Chukan Hojin (Mutual Benefit Nonprofits) Law enacted, giving legal status to these organizations
- December 2002: Amendments made to the NPO Law and to the 2001 tax bill
- June 2003: Proposal for legal reforms concerning public interest corporations announced