

Translation © OSCE Presence in Albania 2002

As published in the Official Journal of the Republic of Albania 23/2001 (May)

**REPUBLIC OF ALBANIA
THE ASSEMBLY**

**LAW
Nr. 8773 dated April 23, 2001**

ON DEMONSTRATIONS

In reliance on articles 47, 78 and 83 point 1 of the Constitution, on the proposal of the Council of Ministers,

**THE ASSEMBLY
OF THE REPUBLIC OF ALBANIA**

D E C I D E D:

**CHAPTER I
GENERAL PROVISIONS**

**Article 1
Freedom to Demonstrate and its Limitation**

1. In the Republic of Albania, everyone has the right to organize and take part in peaceful demonstrations without arms.
2. This right is limited only if national security, public security, the protection of order and the prevention of crime, the safeguarding of health or morals or the defense of the rights and liberties of others is endangered.

**Article 2
Definitions**

In this law, the following terms have these meanings:

1. "Organizer" means the person who organized the demonstration and other persons who give help for carrying it out.
2. "Person helping the conduct of the demonstration" means a person who supports the organizer and leader of the demonstration.

3. “Squares and places of public passage” mean squares, boulevards, roads and every other environment that is used freely for the movement of staying of each individual.

4. “Chief of Commissariat of the Police” is the chief of the commissariat of the police in the territory where the demonstration is going on.

5. “Demonstrations” mean assemblies, manifestations, meetings and marches of a peaceful nature and without arms in which groups of persons express their views and demands about problems in which they are interested and also include urgent demonstrations. When groups of people assemble in a spontaneous manner and do not infringe public order, their activity is not included in the definition of a demonstration.

6. “Place open to the public” is a place at the disposition of other persons who may impose conditions to permit entry into it or not.

Article 3

Duties of the State Police

1. The State Police guarantee and protect the right of every person to organize and take part in peaceful demonstrations without arms. The prohibition or dispersion of a demonstration is permitted only in the cases contemplated in this law.

2. In any case, the application of measures to prohibit and disperse a peaceful demonstration without arms is done in a graduated manner.

Article 4

Presence of the Media

1. The representatives of the media have the right to be present during a demonstration and may not be excluded by anyone during its conduct.

2. The representatives of the media shall be furnished with a media membership card.

3. The present of the representatives of the media during a demonstration is made known at any time to the police forces that are following the conduct of the demonstration.

CHAPTER II

DEMONSTRATIONS IN SQUARES AND PLACES OF PUBLIC PASSAGE

Article 5

Notification of the State Police

1. In the case of a demonstration in squares or places of public passage, the organizer and director are obligated to notify the chief of the commissariat of police in writing no later than three days before the date of holding the demonstration.

2. A notification in writing should contain:
- a) the identity and address of the director and organizer of the demonstration;
 - b) the purpose of the demonstration;
 - c) the date, place, hour of starting and ending of the demonstration and its itinerary (if there is one);
 - ç) the approximate number of participants and the number of persons helping in the conduct of the demonstration;
 - d) the persons who will speak at the demonstration.

3. If the written notification does not contain the elements contemplated in point 2 of this article, it is returned to the organizer and director of the demonstration to be completed. They shall submit it again, completed, no later than 24 hours before the time when the demonstration will be held.

Article 6

Obligation of the Police

1. The Chief of the Commissariat of the Police shall, within 24 hours of receiving the application according to point 2 of article 5 or within 8 hours from receiving the application according to point 3 of article 5 of this law, by reasoned decision:

- a) communicate to the organizer or director of the demonstration the possible limitations and prohibitions or other conditions, also including the number of persons who will assist in its conduct;
- b) give a copy of the official order designating the police officer who will be responsible to assist and observe the conduct of the demonstration.

2. The Chief of the Commissariat of the Police notifies the director of local government and the prefect in writing about the demonstration.

Article 7

Urgent Demonstrations

When there are urgent circumstances, a demonstration may be conducted without respecting the time period provided in article 5 of this law, but a written notification that contains the elements specified in article 5 point 2 of this law, as well as the reason for the urgency, must be made. The notification shall be made immediately, but no later than three hours before the time of holding the demonstration.

Article 8

Prohibition of Holding a Demonstration

When there are motivated reasons why the holding of a demonstration in a square or place of public passage constitutes a real risk to national security, public security, the prevention of crime, the projection of health or morals or the protection of the rights and freedoms of others, and this risk cannot be stopped with less strenuous measures, the chief of the commissariat of the

police may prohibit the holding of the demonstration or decide on the time and place for holding the demonstration.

Article 9

Dispersion of a Demonstration

1. A demonstration in a square or place of public passage may be dispersed by police forces in uniform, only in cases when:

- a) the manner of holding the demonstration is such that it may damage public order and the security of persons in a concrete manner;
- b) crimes are committed during the holding of it;
- c) there exists an emergency situation that is connected with public security, when the place occupied by the demonstration is needed by the emergency services.

2. The police officer responsible for assisting and observing the conduct of the demonstration may order a group of persons to leave the demonstration, if he thinks that the risk is avoided with the leaving of this group of persons who are hindering the normal conduct of the demonstration. Otherwise, the police officer responsible for assisting and observing the demonstration orders the organizers, directors and participants to interrupt the demonstration and leave the location.

Article 10

Director of a Demonstration and his Helpers

1. One of the organizers or other persons who are helping the demonstration take place are designated the director of the demonstration.

2. The director and the persons assisting shall be over 18 years old. The persons assisting shall wear on their left arm a white ribbon on which is written "PMT" (Responsible Person for Conduct of Demonstration).

Article 11

Rights and Duties of the Director and his Helpers

1. The director of a demonstration is responsible for the holding and proper conduct of the demonstration. He shall support the police in keeping order, decide on interruptions, continuation or closing of the demonstration, permit persons to speak, interrupt the speakers and declare the end of their speeches or of the demonstration.

2. The director of a demonstration and his assistants have authority to give orders to the participants in the demonstration, with the purpose of keeping public order.

3. If the orders of the director of a demonstration are not obeyed by the participation and the good conduct of the meeting is endangered, the director shall end the demonstration.

CHAPTER III

DEMONSTRATIONS IN PLACES OPEN TO THE PUBLIC

Article 12

Demonstrations in Places Open to the Public

1. Demonstrations in places open to the public are also held without preliminary notification to the police according to article 5 of this law.
2. The organizers of these demonstrations may ask for the support of the police outside of these places, to avoid irregularities during or after the conduct of the demonstration.

Article 13

Persons who Follow a Demonstration

The director of a demonstration and its organizers determine which persons shall follow the demonstration, in addition to the representatives of the media who cannot be excluded in any case.

Article 14

Orders of the Director of the Demonstration and his Assistants

1. For the holding and normal conduct of a demonstration in a place open to the public, the participants in it are obligated to follow the orders of the director and his assistants.
2. The director of the demonstration may exclude participants from the meeting who break the rules in it. In such cases, the director may also ask for the help of the police to remove these persons.

Article 15

Presence of the Responsible Officer of the Police

The officer of the police responsible for observing the conduct of the demonstration in places open to the public shall be presented to the director of the demonstration and shall stand in a suitable place, which he shall make known to the director of the demonstration.

Article 16

Prohibition and Closing of a Demonstration

The holding of a demonstration in places open to the public may be prohibited and closed, if it has begun, when:

- a) the organizer, director or persons assistant permit the entry of participants who are bearing arms;
- b) there are motivated reasons to believe that the conduct of the demonstration will become violent or rebellious;
- c) a risk exists for the life or health of the participants.

Article 17

Demonstrations in Private Zones

1. The police may not enter into private zones where demonstrations are being held without the permission of the director of the demonstration or its owner, except for flagrant cases in order to stop an immediate risk to the life and health of the participants in the demonstration.

2. For this article “private zone” means a place where entry is permitted only for a set number of persons, the names of which are known.

CHAPTER IV PROHIBITIONS

Article 18 Prohibition of Bearing Arms

1. The organizer, director, persons assisting and participants in a demonstration, wherever it is held, are not permitted to bear arms even if they have permission to bear them.

2. The organizer, director, persons assisting and participants in a demonstration are prohibited from keeping means or instruments that during their use might have damage to the life and health of others. Flags and posters are excluded from this obligation.

Article 19 Prohibition of Hiding Identity

Participation in a demonstration with such clothing or the use of other things with the purpose of hiding the identity of the person is prohibited.

Article 20 Prohibition of the Use of a Uniform, Signs or Symbols

In demonstrations held in squares or places of public passage or in places open to the public, the use of uniforms, signs or symbols that refer to associations or groups that have been created to incite discrimination and violence for racial, ethnic or religious reasons is not permitted by the organizer, director, persons assisting and the participants.

CHAPTER V INTERVENTION OF THE STATE POLICE

Article 21 Recording Voices and Figures

1. The police may record voices and make films or photographs at demonstrations in squares and places of public passage or in places open to the public only if there is reason to believe that an immediate risk to order and public security exists.

2. Recordings, films and photographs shall be destroyed immediately after the demonstration if they are not needed:

- a) to begin a criminal proceeding of the participants;
- b) to prevent a danger, when it is believe that the person filmed may in the future commit criminal acts connected to demonstrations.

Article 22

Expulsion of Participants by the Police

1. During a demonstration, the police, at the request of the director of the demonstration or on their own initiative, may exclude participants or groups of participants from demonstrations held in squares and places of public passages, when they are responsible for conduct that is prohibited according to article 8 of this law.

2. In these cases, the police may make an identification of these persons, search them for weapons and order them to leave the place where the demonstration is being held.

Article 23

Measures for Dispersal of a Demonstration

1. In all the cases contemplated in this law, when a demonstration should be dispersed, the officer of the police responsible for helping and observing the conduct of the demonstration gives an order to the organizers, director, persons assisting and the participants to interrupt the demonstration and leave the place where it is being held immediately.

2. If after three clear calls by the police to disperse, the participants to not leave, the officer of the police orders the dispersal of the demonstration by force.

3. In every case, the use of force should always le limited to the minimum.

CHAPTER VI

SANCTIONS

Article 24

Sanctions

The following constitute criminal infractions:

- a) participation by persons in demonstrations prohibited from being held, according to article 8 of this law and is punished by a fine of from 1,000 to 10,000 lek;
- b) failure to comply with orders of the police for dispersal of a demonstration according to article 9 of this law and is punished by a fine of from 1,000 to 10,000 lek;
- c) the use of clothing or other things with the purpose of hiding the identity of the person during the conduct of a demonstration, according to article 19 of this law and is punished by a fine or with imprisonment up to six months;
- ç) the use of signs or symbols that refer to associations or groups created to incite violence and discrimination for racial, ethnic or religious reasons, according to article 20 of this law and is punished by a fine or by imprisonment up to six months.

CHAPTER VII FINAL PROVISIONS

Article 25 Appeal

An administrative decision given by the chief of commissariat of the police or decisions given by the officer responsible for the holding of a demonstration are appealable according to the legal provisions in force.

Article 26 Repeal

Law nr. 8145 dated September 11, 1996 “On the right to demonstrations” is repealed.

Article 27 Entry into Force

This law is effective 15 days after publication in the Official Journal.

Promulgated by decree nr. 2996 dated May 4, 2001 by the President of the Republic of Albania, Rexhep Meidani.

- Related Searches:
- [European Convention On Human Rights](#)
- [Criminal Code](#)
- [Human Rights Documents](#)
- [International Human Rights](#)
- [Human Rights Law](#)
- [International Bill Of Human Rights](#)
- [International Bill Of Rights](#)
- [Human Rights](#)