

# Law of Georgia on Assemblage and Manifestations

*(Latest amendment 24.02.2004 N 3401)*

## Chapter I

### Main Part

#### Article 1

1. This Law governs relations arising from exercise of the Constitutional right to assemble publicly and without arms both indoors and outdoors without prior permission.
2. The right referred to in paragraph 1 of this Article does not apply to members of armed forces, police and security service. *(24.02.2004 N 3401)*
3. This Law establishes the obligation to notify the authorities in advance if the assembly or manifestation will be held in public thoroughfare.

#### Article 2

Georgian legislation on assemblage and manifestations consists of the Georgian Constitution, this Law, decrees of President of Georgia and bylaws adopted on the basis thereof.

#### Article 3.

Definition of terms

- a) "assemblage" means gathering by a group of citizens indoors or outdoors or a public meeting to express solidarity or protest;
- b) "manifestation" means a public demonstration, mass public uprising, or a march in the street to express solidarity or protest as well as a march using posters, slogans, transparencies, and other visible tools;
- c) "principal" is a political party, association, company, institution, organization or a group of citizens initiating an assemblage or manifestation;
- d) "trustee" is person who has been trusted by an initiator of an assemblage or manifestation.
- e) "organizer" is a person appointed by an initiator of an assemblage or manifestation to lead the movement;
- f) "responsible persons" mean the trustee and the organizer of an assemblage or manifestation;
- g) "authorized representative" is an official appointed by a local governance body to exercise functions for the purposes of this Law.

#### Article 4

1. This Law must be observed in organizing or holding an assemblage or manifestation as well as in expressing publicly by citizens of their views;
2. In organizing or holding an assemblage or manifestation, it is prohibited to call for subversion or forced change of the constitutional order of Georgia, infringement on independence or violation of territorial integrity of the country, which constitute propaganda of war and violence and trigger a national, ethnical, religious or social confrontation.

#### Article 5

Where a circumstance under paragraph 3 of Article 1 is the case, in order to organize and hold an assemblage or manifestation, trustees of political parties, associations, companies, institutions, organizations or a group of citizens

must submit a prior notification to a local governance body according to the place of holding the planned action. A notification shall be signed by the trustee and the organizer, persons responsible for organizing and holding an assemblage or manifestation.

#### **Article 6**

1. A local governance body may, without prior notification, determine a permanent place and time for holding assemblages.

2. The power of a local governance body referred to in paragraph 1 of this Article does not restrict the exercise of the right determined in Article 25 of the Georgian Constitution in other places.

#### **Article 7**

The rule of mandatory notification does not apply to regular citizens participating in the assemblage or manifestations who would like to express their opinion with posters, slogans, transparencies, and other visible tools; however, they may not use entrances and stairs of buildings, block roads or hinder the movement of transport and pedestrians.

#### **Article 8**

1. A notification on organizing and holding an assemblage or manifestation shall be submitted to a local governance body at least 5 days prior to a scheduled date of the event.

2. A notification shall include:

a) Form, purpose, place, route, beginning and end, date, and possible number of participants of an assembly or manifestation;

b) The Principal's identity;

c) Identity, address and phone number of responsible persons as well as a date and time when the notification is submitted.

3. The notification shall be accompanied with a document verifying the authority of the trustee. It shall also include a description of how the responsible persons will ensure first medical aid service during an assemblage or manifestation.

4. The notification shall be signed by persons responsible for organizing and holding an assemblage or manifestation.

5. Removed by Decision of the Constitutional Court N 2/2/180-183 dated 05.11.2002

6. The local governance body shall make a decision referred to in paragraph 5 of this Article within two days of the date of filing the notification. The decision may be challenged before the court. *(15.05.98, # 1392)*

7. As soon as a local governance body receives a notification, it shall confirm the date and time of receipt of notification on its copy.

8. Officials who have received a notification shall explain to persons responsible for organizing and holding an assemblage or manifestation the requirements under this Law and possible liability for violation of these requirements.

#### **Article 9**

1. Assemblage or manifestation shall not be held in: the building of Georgian Parliament, residence of President of Georgia, buildings of the Constitutional Court and Supreme Court, courts, prosecutor's office, police, penitentiary buildings, military units and objects, railway stations, airports, hospitals, diplomatic missions and within 20-meter radius of their territory, buildings of governmental institutions, local governance bodies, and companies, institutions and organizations of special regime or having armed guards. Entrances of these objects shall not be fully blocked.

2. An organizer or a trustee shall be freely allowed in objects referred to in paragraph 1 of this Article.

#### **Article 10**

1. To maintain public order and ensure normal functioning of governmental and public bodies, companies, institutions, and public transport, a local governance body may, within three days of receipt of notification and with attendance by responsible persons, consider whether it would be appropriate to change the place and date of an assemblage and manifestation and make a recommendation to the responsible persons, if:

a) The form, place, and time (but not purpose and goals) of the assemblage or manifestations coincide with those of another assemblage or manifestation, a notification on which has been sent earlier.

b) the assemblage or manifestation creates an objective threat to the normal functioning of companies, institutions and organizations;

c) the assemblage or manifestation is scheduled to be held in places described in Article 9(1) of this Law.

2. A local governance body shall, within a term specified in paragraph one of this Article, assign its authorized representative and notify persons responsible for organizing and holding an assemblage or manifestation thereon.

#### **Article 11**

1. An assemblage or manifestation should be held in place and time indicated in the notification, in accordance with route and purposes specified therein.

2. Participants and persons responsible for organizing and holding an assemblage or manifestation shall comply with requirements under this Law and obligations assumed by the notification.

Participants of assemblages and manifestations shall not:

a) have arms, explosives, inflammables, tear gas, radioactive, paralyzing and poisonous substances or alcoholic beverages with them;

b) deliberately hinder the work of public transport.

4. The authorities may halt the assemblage or manifestation if the latter is being conducted with violations of law. (15.05.98, # 1392)

#### **Article 12**

1. Local governance bodies shall ensure adequate conditions for holding an assemblage or manifestation.

2. Government institutions, officials and citizens may not obstruct an assemblage or manifestation held in observance of this Law as a public expression by citizens of their views.

Infringement on the right of mass media to obtain and distribute information on an assemblage or manifestation is punishable under law.

#### **Article 13**

1. Where there is a mass violation of Articles 4(2) and 11 of this Law, an assemblage or manifestation shall be halted immediately at the request of an authorized representative of a local governance body.

2. Where circumstances referred to in paragraph 1 of this Article are the case, responsible persons shall break up an assemblage or manifestation and take measures to drive the participants away. Participants of the assemblage or manifestation must leave the assemblage or manifestation immediately at the request of responsible persons or an authorized representative.

A decision on halting an assemblage or manifestation can be appealed against in the court. The latter shall adjudge on lawfulness of the decision within three working days of the receipt of appeal.

#### **Article 14**

1. A local governance body is empowered not to allow holding an assemblage or manifestation if there is evident information checked by police that the assemblage or manifestation directly threatens the constitutional order and life and health of citizens. A decision on refusing to allow holding an assemblage or manifestation is taken by an authorized representative. *(Decision of the Constitutional Court N 2/2/180-183 dated 05.11.2002)*

2. A decision of a local governance body on forbidding holding an assemblage or manifestation may be appealed against in a court. The court shall pass a final decision within two working days.

#### **Article 15**

Damage inflicted to the State, an organization or a citizen during an assemblage or manifestation shall be reimbursed in accordance with rules established by law.

### **Chapter II**

#### **Concluding Provisions**

#### **Article 17**

This Law shall become effective on the 15<sup>th</sup> day of its publication.

#### **Article 18.**

Entry into force of this Law shall invalidate Resolution of the State Council of the Republic of Georgia as of June 15, 1992 on "Rules of organizing and holding meetings, demonstrations and other political movements in the Republic of Georgia" (Compilation of Normative Acts of the Republic of Georgia State Council, vol. I, 1995; art. 76).

President of Georgia

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Tbilisi

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