

Decree-Law N0 196 of 29 January 1999 regulating demonstrations and public meetings

Kinshasa

The President of the Republic, Vu, as amended and supplemented to date, the Decree-Law constitutional No. 003 of 27 May 1997 on the organization and the exercise of power in the Democratic Republic of Congo, especially Articles 5 and 8;

Whereas the current regulations on events and meetings public has become obsolete and is in contradiction with the new institutional and democratic order established in the country particularly May 17, 1997;

Given the need to establish a new text procedures for the exercise of freedom demonstration and meeting to be enjoyed by all Congolese; Given the urgency;
Decrees

Chapter I: From the general principle of freedom of events and meetings
Public

Article 1: All Congolese have the right to organize demonstrations and peaceful meetings and participate individually or collectively, publicly or private, in accordance with the law, public order and morality.

Chapter II: the nature of events and meetings

Article 2 shall be deemed to include events, marches, \ parades, processions, welcoming ceremonies, processions, political, Cultural or religious meetings are considered all gatherings settled at least two people having no continuous movement movement from one location to another.

Article 3 shall be regarded as public events and meetings held on public roads or in public places open, not closed or those to which the public is permitted or invited, shall be regarded as the private events and meetings outside of the highway, in places public or private closed and closed.

Chapter III: statement

Section: Article 4 of the principle: Without prejudice to the provisions of Article 1 of This Decree-Law, demonstrations and meetings referred to in Article 3 paragraph 1 are subject to a prior declaration to the political and administrative authorities competent. However, events and meetings on the field public may be subject to prior authorization.

Section II: Competent authorities for prior notification

Article 5: For demonstrations or public meetings referred to in Article 4, prior statements were made to political and administrative authorities following follows: - for the province, the chief towns of the province and city of Kinshasa: Governor of the province or the city of Kinshasa - for other cities: the

Page 2

Mayor - for the city: the mayor - for the territory: Administrator
Territory - for the community: the Head of Community - for the city: the City Manager.

In the case of events and meetings on the public domain, These authorities are competent to grant the appropriate authorizations prerequisites.

Section III: Procedure Article 6: It is allowed to the competent authority or its Officer within 3 days to take note of the statement from the date of filing. In this case also requires prior notification referred to in Article 4 paragraph 2, the aforementioned authority has 5 days from the filing of the statement, to answer the query. In both cases, the timeout wins respectively taking act and grant permission office.

Chapter IV: The commitment of the participants Article 7 The competent authorities seizures prior notification are required to ensure peaceful conduct demonstrations or public meetings in their territories and respect for public order and morality without attempting to interfere. However, they may, by mutual agreement with the organizers or their agents, postpone the date or change the itinerary or place events or public meetings planned.

Article 8: Security forces intervene to disperse demonstrations in case of spills or serious disorders.

Chapter V: Section 9 Penalties: Any person who organized the demonstrations or public meetings in violation of the provisions of article 4 of this Decree-Law will be passable by a fine of 3-5000 and a Congolese francs penal servitude 1 to 3 months, or one of these penalties, without prejudice of reparations for damages caused by participants the event or meeting complained.

Article 10: All the facts offense committed during demonstrations or public meetings are punished under criminal law. Their organizers will be held civilly liable and sentenced to reparations jointly with the authors of those facts.

Chapter VI: Final Provisions Article 11 shall be repealed Decree of August 17

1959 and no25/505 order of October 5, 1959 and all other previous provisions contrary to this Decree-Law.

Article 12: This Decree-Law shall enter into force on the date of signature