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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW

(VENICE COMMISSION)

**DRAFT LAW
ON MAKING AMENDMENTS AND ADDENDA
TO THE LAW
“ON CONDUCTING MEETINGS, ASSEMBLIES,
RALLIES AND DEMONSTRATIONS”**

OF THE REPUBLIC OF ARMENIA

**Draft Law on making amendments and addenda to the
Law of the Republic of Armenia
“On Conducting Meetings, Assemblies,
Rallies and Demonstrations”**

Article 1: Article 1 of the Law.

- 1) Put an endnote after the word “create”.
- 2) Edit the rest part of the article as follows: “The exercise of this right is not subject to any restriction, except the cases anticipated by the Law, which are necessary for protecting national security and public safety of a democratic state, preventing disorder and crime, protecting health and morals or rights and freedoms of others. This article does not lay obstacles for anticipating legal restrictions to the exercise of these rights by people, included in armed forces, police and state administration.

Article 2: Article 5 of the Law:

- 1) Edit part 4 as follows:
 4. If a public event is organized by juridical person, the organizer is considered to be the person who has the right to present it or the person who is authorized by the juridical person to implement the duties of the organizer.
- 2) Add a new part 7 as follows:
 7. The organizers of other events in places of general use, as well as the organizers of non-mass public events have the right to conduct these events under the rules provided by the present law for conducting mass public events.

Article 3: Invalidate paragraph 6 of part 2 of Article 6 and part 3.

Article 4: In part 7 of Article 7:

1. Delete the following words “and other requirements of the law” from paragraph 1. The following words “and stop other activities emanating from the public event” from paragraph 3.

Edit paragraph 5 as follows: “refrain from blocking free entry and exit to and from buildings, constructions and other areas in or adjacent to the venue of public event through the way provided for pedestrian.”

Article 5: Article 8, part 2:

1. Edit paragraph 5 as follows: “is obliged to ensure free entry and exit to and from buildings, constructions and other areas in or adjacent to the venue of public event through the way provided for pedestrian.”

2. Add at the end of part 6 the following “The Law of RA On the foundations of administration and administrative proceedings”.

Article 6: Article 9 of the Law:

Edit paragraph 3 as follows: “it is prohibited to conduct public events:

1. On bridges, in tunnels, underground areas, hazardous buildings, construction areas, if the public security, health of participants and others are endangered,
2. Military units, defense facilities, penitentiary centers, pre-trial detention institutions and in areas less than 150 meters away from such areas,
3. In the proper distance from away considered necessary by police for security reasons from areas of units of special, utmost important significance as specified as such by the Government of the Republic of Armenia,
4. In cultural and sport complexes, at the time of holding events. Public events could be restricted in cultural and sport complexes by the state authorized bodies for not disrupting normal course these events,.
5. If such events are aimed to overthrow forcibly the constitutional order, instigate national, racial or religious hatred, campaign for violence or war,
6. In areas not for general use, if the rights of its disposer, matron and user are violated.

Article 7: Article 10 of the Law.

1. In the second part after the word “notification” add the words “to authorized body”.
2. Delete from the second part the following words: “traffic rules or counter provisions under paragraph 3 of Article 9 and points 2,3,5 and 7 of paragraph 1 of Article 13 of this law” and the last sentence.
3. Delete from the second part the following words: “in areas of general use” and “traffic rules and counter provisions of paragraph 3 of Article 9, points 2, 3, 5 and 7 of paragraph 1 of Article 13 of this law”.
4. In Part 4: Put an endnote after the word “Mayor of Yerevan” and delete the word “such” and add after the word “event” the following “The notification is legal and will be considered, in case it is submitted”.

Article 8: In Article 11 of the Law:

1. Edit the first part as follows:
 1. Notification, signed by organizers, on conducting a mass public event shall include:
 - the venue of the mass public event, possible time of beginning and end, if a rally is envisaged, then the rout and possible schedule of the rally,

- Passport details of the organizers /in case of stateless persons, any other document certifying the identity.

In case the mass public event is organized by juridical person, together with notification, also the decision of the competent body about the organization of the event.

2. Delete part 2 and part 3, the first sentence of part 4.

3. Add the following new sentence at the end of part 5: “Copy of the notification should be sent to the relevant bodies of police”.

Article 9: In first part of Article 12 replace the words “at 12 o’clock” with “until 12 o’clock” and delete the last sentence.

2. Replace the word “notification” with the word “notifications” in the first sentence of the part 4. In the second sentence, add before the word “notification” the word “each”.

3. Edit part 6 as follows: “In the result of consideration of the notification, in the absence of the circumstances referred in the Article 13, the notification about mass public event is taken into consideration. In the presence of the circumstances referred in Article 13, a decision is taken about prohibition of a mass public event”.

Article 10: In Article 13 of the law:

1. Edit part 1 as follows: “In the result of the consideration of the notification, the decision taken by the authorized body according to the rule anticipated in Article 12, a mass public event could be prohibited only, when:”

2. Add in paragraph 1 of the part 1 before the word “notification” the words “After being informed about the missing”.

3. Edit paragraph 6 of the part 1 as follows: “the continuation of the rally in the mentioned area or at interstate highways as so long that will result in a not reasonable restriction of rights and freedoms of other people”

4. Invalidate paragraph 8 of part 1 add after the word “parties” the following words “which will endanger health of people”.

5. Invalidate paragraph 7 of part 1.

6. Delete in parts 4 and 5 the following words “upon a verbal request of the organizer” and the words “should there be such a possibility”.

Article 11: in Article 14 of the law:

1. Invalidate paragraph 5 of part 1 and paragraph 3 of part 3.

2. Add in paragraph 1 of part 1 the following: “except the cases, when the non-mass public event is growing spontaneously to a mass public event”.

3. Delete the words “organizers or participants” in paragraph 4 of part 1, replace the word “violating” with “is violated”.
4. Delete the word “or” in paragraph 4 of part 1 and paragraph 2 of part 3, the following words “set forth under paragraphs 2 and 3 of this Article” from part 4.
5. Edit paragraph 2 of part 3 as follows: “the request to terminate the public event has not been implemented in within the time-frame and the continuation of it is a real threat to lives of people, health, state and public security, public order, as well as considerable property damage will be done to state, community, natural and legal persons”.