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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

LAW

ON ASSEMBLAGE AND MANIFESTATIONS

OF THE REPUBLIC OF GEORGIA

**THE LAW OF GEORGIA
ON ASSEMBLAGE AND MANIFESTATIONS**

**Chapter I
Basic Provisions**

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 a prior permission.
2. The right referred to in Paragraph 1 of this Article does not apply to persons working in the military forces, police or special service unit of the Ministry of Finance (*24.02.2004 N 3401*).
3. This Law establishes the obligation to notify the authorities in advance if an assemblage or manifestation will be held in public thoroughfare.

Article 2

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

Article 3

Definition of terms:

- a) "Assemblage" means a gathering of a group of citizens indoors or outdoors or a public meeting to express solidarity or protest;
- b) "Manifestation" means a public demonstration, mass public rally, or a march in the street to express solidarity or protest as well as a march with the use of posters, slogans, banners, and other visual tools;
- c) "Principal" is a political party, association, company, institution, organization or a group of citizens initiating an assemblage or manifestation;
- d) "Trustee" is a 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 organize and 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 government 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 public expression of their views by citizens;

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 of independence or violation of the territorial integrity of the country, also to make appeals which constitute propaganda of war and violence and trigger a national, ethnical, religious or social confrontation.

Article 5

1. In cases provided for in Paragraph 3 of Article 1 of this Law, in order to organize and hold an assemblage or a manifestation, trustees of political parties, associations, companies, institutions, organizations or a group of citizens must submit a prior notification to a local government body according to the place of holding the planned action. The notification shall be signed by the trustee and the organizer, persons responsible for organizing and holding an assemblage or manifestation.

2. Citizens under 18 years of age and persons who are not citizens of Georgia shall not have a right to act as such responsible persons.

Article 6

1. A local government body has a right to determine a permanent place and time for holding assemblages about which no preliminary warning notice has been made.

2. The power of a local government body referred to in Paragraph 1 of this Article, does not restrict the prerogative to exercise the right recognized in Article 25 of the Georgian Constitution in other places.

Article 7

The rule of mandatory notification does not apply to regular citizens who would like to express their opinion by means of posters, slogans, banners, 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 government body at least 5 days prior to a scheduled date of the event.

2. A notification shall include:

- a) Form, purpose, place, route, the time of beginning and ending the event, the date, and possible number of participants of an assembly or manifestation;
- b) The Principal's identity;
- c) Identity, place of residence (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 written information 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. Abolished by Decision of the Constitutional Court N 2/2/180-183 dated 05.11.2002.
A local government body will not accept a notification if:

- a) The notification does not comply with the requirements of Paragraph 2 of this Article;
- b) The form, time, and place of an assemblage or a manifestation coincides with that of another assemblage or a manifestation the notification of which has been submitted earlier, or with any other mass action;
- c) If conducted, the assemblage or manifestation will cause a material danger to public safety and order, or constitutional rights and freedoms of other people.

6. The local government body shall make a decision referred to in Paragraph 5 of this Article within two days after submission of the notification. The decision may be appealed in court. (15.05.98, # 1392).

7. As soon as a local government body receives a notification, it shall confirm the date and time of receipt of the 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 responsibility for violation of these requirements.

Article 9

1. An assemblage or a manifestation shall not be held in: the building of Georgian Parliament, residence of the President of Georgia, buildings of the Constitutional Court and Supreme Court of Georgia, courts, prosecutor's office, police, penitentiary buildings, law enforcement bodies, military units and sites, railway stations, airports, hospitals, diplomatic missions and within 20-meter radius of their territory, buildings of governmental institutions, local government bodies, and companies, institutions and organizations of special regime or having armed guards. Entrances of these objects shall not be fully blocked (29.12.2006 N4266).

2. Free access right of an organizer or a trustee to objects referred to in Paragraph 1 of this Article shall be guaranteed.

Article 10

1. To maintain public order and ensure normal functioning of governmental and public bodies, enterprises, institutions, and public transport, a local government body may, within three days upon receipt of a notification and in the presence of responsible persons, consider whether it would be appropriate to change the place and date of an assemblage and manifestation and give a written recommendation to the responsible persons, if:

- a) the assemblage or manifestation creates a real threat to the normal functioning of enterprises, institutions and organizations;
- b) the assemblage or manifestation is scheduled to be held in places described in Article 9(1) of this Law.

2. Within the term specified in Paragraph 1 of this Article, a local government body shall assign its authorized representative and notify persons responsible for organizing and holding an assemblage or manifestation thereon.

Article 11

1. An assemblage or manifestation must be held at the 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 the requirements under this Law and obligations assumed in the notification.
3. Participants of an assemblage or manifestation shall be prohibited:
 - a) To have arms, explosives, inflammables, tear gas, radioactive, paralyzing and poisonous substances or alcoholic beverages with them;
 - b) To hinder the work of public transport deliberately.
4. The authorities may halt an assemblage or a manifestation if the latter is being conducted with violations of the law. (15.05.98, # 1392).

Article 1

1. Local government bodies shall ensure adequate conditions for holding an assemblage or a manifestation.
2. Government institutions, officials and citizens may not obstruct an assemblage or manifestation held in compliance with this Law as a public expression of their views by citizens.
3. Infringement on the right of mass media to obtain and dissemination of information about an assemblage or a manifestation is punishable under the law.

Article 13

1. In case of a mass violation of Articles 4(2) and 11 of this Law, an assemblage or a manifestation shall be halted immediately at the request of an authorized representative of a local government body.
2. Where the circumstances referred to in Paragraph 1 of this Article take place, responsible persons shall break up an assemblage or a 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.
3. A decision on halting an assemblage or manifestation can be appealed in the court. The latter shall adjudge on lawfulness of the decision within three working days upon receipt of the appeal.

Article 1

1. A local government body is empowered not to allow holding an assemblage or a manifestation if there is evident information checked by the police that the assemblage or manifestation directly threatens the constitutional order of the country, 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 government body on forbidding holding an assemblage or manifestation can be appealed against in a court which shall make a final decision within two working days.

Article 15

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

Article 16

Persons violating the rules of organizing and holding an assemblage or a manifestation shall bear the responsibility in compliance the Georgian legislation.

**Chapter II
Concluding Provisions**

Article 17

This Law shall become effective on the 15th day of its publication.

Article 18.

Enactment 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 Actions in the Republic of Georgia" (Compilation of Normative Acts of the State Council of the Republic of Georgia, vol. I, 1995; Art. 76).