**Peaceful Assembly and Peaceful Procession Law**

(2016, Pyidaungsu Hluttaw Law Number 38)

The 3rd Waxing Day of Thadingkyut, 1378 M.E

(October 4th, 2016)

Pyidaungsu Hluttaw enacted this law.

**Chapter (1)**

**Terms and Definition**

1. This law shall be called **Peaceful Assembly and Peaceful Procession Law**.
2. Words in this law shall have the following meanings:
3. **Citizen** refers to a person who is born to parents both of whom are nationals of the Union Republic of Myanmar and is a legal citizen on the day the constitution is confirmed and enacted.
4. **Arms** refer to weapons and equipment, the definitions of which provided in Arms Act and Ammunitions Act, as well as things that can be dangerous to another person.
5. A **peaceful assembly** refers to a peaceful gathering of more than one person, unarmed and following the rules, and giving speeches in permitted public places according to this law for the purpose of expressing their wishes and convictions.
6. **Fire arms** are weapon, ammunitions and other objects, the definition of which provided in arms act, as well as things that can be dangerous to a person.
7. **Peaceful Assembly** is peaceful gathering and delivering speech at public venue without fire arms by a citizen or an entity with the intention of expressing their sentiments and opinions. In this term, activities of individual citizens are included.
8. **Peaceful Procession** is peaceful and orderly procession and chanting in public road without arms by a citizen or an entity with the intention of expressing their sentiments and opinions. In this term, activities of individual citizens are included.
9. **Notification** is giving written information about the peaceful assembly or peaceful procession to the competent township police officer according to this law.
10. **Poster** refers to an expression that does not harm the dignity of a person; it be in words, signs, images, photographs, paintings, cartoons, statues, television broadcast, or something expressed in any other way, and held in hand, placed in the ground, pasted on another item or some other way, for the purpose of expressing one’s wishes and convictions.
11. **Sign** refers to an expression that does not harm the dignity of a person; it includes the name of a party or an association or an organization in words, to be held in hand, placed in the ground, or hung or expressed in some other ways, for the purpose of expressing one’s wishes and convictions.
12. **Flag** refers to flags of the Union, official parties, and official associations and organization.

**Chapter (2)**

**Purpose**

3. The purpose of the law is as following.

* 1. Every citizen shall preserve national security, rule of law, peace and tranquility of the community and public morality
	2. To be able to utilize peaceful assembly and peaceful procession rights which is the described in the fundamental rights of citizens in the Constitution of Myanmar and to provide legal protection on exercising these rights.
	3. To protect the public from harassment, danger, harm, and obstruction from those who are exercising their right to peaceful assembly and peaceful procession.

**Chapter (3)**

**Notification**

1. Citizens or entities who want to exercise peacefully assembly and procession rights shall inform in written form to the competent township police officer at least 48 hours before the intended day with the following information. If the procession will pass through other townships, one should inform the competent township police officers 48 hours by providing copy of the notification letter.
	1. The purpose, venue, date, time period of the peaceful assembly, main content of speech and the chants that will be used in the peaceful assembly
	2. The purpose, route, date, townships which are in the route, time period and the chants of the peaceful procession
	3. The name and contact information of who send notification letter, the leader and the person who will deliver the speech
	4. The agenda and estimated number of participants for peaceful assembly and peaceful procession
	5. If peaceful assembly and procession is conducted by an organization, the record of decision or documentation of the organization
	6. The agreement on the regulation according to this law and predefined regulation created by competent person or organization based on the local need

**Chapter (4)**

**Processing of the notification**

1. When the competent chief township police force received the notification letter notified according to the article 4, one should report to township general administrative department and competent chief of district police force as soon as possible.
2. The administrator of township general administrative department received the notification letter notified according to the article 5, one must report to the competent administrator of district general administrative department as soon as possible.
3. If more than one group notified to conduct peaceful assembly and peaceful procession, the chief of township police force must facilitate to negotiate with the organizers.

**Chapter (5)**

**Rules**

1. The peaceful assembly shall be conducted only at the place described in the notification letter notified according to the article 4.
2. When having a peaceful procession, so as not to disturb the public, people are given permission to gather only at the informed starting point of the route and to proceed peacefully along the informed route.
3. Those who participate in a peaceful assembly and a peaceful procession must obey the following rules:
	1. They must not cause disturbance to public, public nuisances, endangerment, harm or coercible verbal and physical behavior
	2. Behavior causing environmental pollution at the venue of assembly and the route of procession
	3. They must not intentionally obstruct or disturb vehicles, pedestrians, and people.
	4. They must not say things or behave in a way that could affect the country or the Union, race, or religion, human dignity and moral principals.
	5. They must not spread incorrect news or incorrect information.
	6. They cannot carry and display flags, posters, and signs during a peaceful assembly and a peaceful procession other than those which were notified (in the letter).
	7. During a peaceful procession, they must not use loudspeakers other than the approved hand-held ones; they must not recite or shout chants other than the ones informed.
	8. They must not behave or speak in a way which could lead to discrimination or defamation based on differences of human beings.
	9. They shall not give money or other items to a person as an incentive with a dishonest motive to participate in peaceful assembly and peaceful procession.
	10. They shall not use coercion, threatening, blackmailing, or misuse of power to a person in order to participate in the peaceful assembly and procession.
	11. They must not violate the predefined regulation and related agreement created by competent person and organization for the local need
4. In peaceful assembly and peaceful procession, the people who participate in the peaceful assembly and peaceful procession must-
	1. not carry any kind of arms
	2. not cause someone in danger or assault violently
	3. behave in a way that could destroy the government, public, or private properties
5. When a competent person or entity forbid to assembly and procession as those who participate in a peaceful assembly and peaceful procession violate a regulation from this law or predefined regulation created by the competent individual or entity, the assembly and procession should be stopped and dispersed.

**Chapter (6)**

**Taking Action**

1. A police officer with a rank of no less than a deputy is to give necessary protection to the attendees of a peaceful assembly and peaceful procession, conducted in accordance with the law, so that there can be no harassment, destruction, or obstruction.
2. A police officer no less than a deputy is to do the following:
	1. Warn the leader of the peaceful assembly and peaceful procession if any violation to the rules in this law, regulations predefined by competent individual or entity were found or compliant of violating the rules is received.
	2. Report to the Chief of Township Police Force when the warning in sub-section (a) is not heeded.
3. At the receipt of the report submitted according to Section 14 Sub-section (b), the Chief of Township Police Force must immediately report it to the Administrator of the Township General Administrative Department and can warn to stop peaceful assembly or a peaceful procession.
4. If the violation of the rules continues, assembly or procession continues after the warning to stop according to Section 15 by the Chief of the Township Police Force, the Chief of the Township Police Force or a police officer no less than a deputy whom he delegate must continue to take an action in accordance with the existing laws, bylaws, policies, and procedures. In taking action, it must be monitored not to use excessive force.
5. If an individual or organization conduct assembly or procession without notifying according to this law, competent Chief of Township Police Force must take action according to Section 16.

**Chapter (7)**

**Offenses and Penalties**

1. If it is evident that a person disturbs, destroys, obstructs, annoys, assaults, bullies or harms the participants of a peaceful assembly or a peaceful procession, one shall receive an imprisonment sentence no longer than one year or a fine of no more than one hundred thousands kyat or both.
2. If it is evident that a person found conducting a peaceful assembly or a peaceful procession without notifying according to article 4, one shall receive an imprisonment sentence no longer than three months or a a fine of no more than thirty thousand kyat or both. If a person found committing the same offense recurrently, one shall receive an imprisonment sentence no longer than one year or a fine of no more than one hundred thousands kyats or both.
3. If it is evident that a person found violating article 8. 9.10, one shall receive an imprisonment sentence no longer than a month or a fine of no more than ten thousands kyats or both. If a person found committing the same offense recurrently, one shall receive an imprisonment sentence no longer than three months or a fine of no more than thirty thousands kyats.
4. Anyone violating the prohibitions from article 11, one shall be prosecuted according to the existing laws.

**Chapter (8)**

**Miscellaneous**

1. The offense against which an action is taken by this law shall be deemed as cognizable offense.
2. If any one commit any offense describe under this law should be prosecuted at the competent court within 15 days of the offense was committed.
3. In prosecution for offenses against article 18 and 19, if the offenses happened in more than one township, the court in the township where the offenses was started has the jurisdiction.
4. The competent township chief of police force should be notified if the person who notified according to the article 4 does not want to conduct peaceful assembly and peaceful procession,
5. The bylaws, announcements, orders, directives and procedures promulgated according to The Rights on Peaceful Assembly and Peaceful Procession Law (2011, Pyidaungsu Hluttaw Law No. 15) can be exercised as long as they are not repugnant to this law.
6. When implementing the provisions in this Act, the Ministry of Home Affairs:
	1. Can issue bylaws or rules and regulations with approval from the Union Government;
	2. Can issue necessary announcements, orders, instructions, and procedures.
7. With this law, The Rights on Peaceful Assembly and Peaceful Procession Law (2011, Pyidaungsu Hluttaw Law No. 15) is repealed.

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 I sign according to the Constitution of the Union of the Republic of Myanmar.

President of the Union

The Union of the Republic of Myanmar