

**HRCM's concerns to the Freedom of Peaceful Assembly Act passed by the Parliament**

**(Submitted to the President's Office on 07<sup>th</sup> January 2013)**

**Article 24 (c)**

HRCM notes that this provision limits the (geographical) area where people can hold an assembly – by either standing or sitting. Since, the Maldives is a small island nation with limited physical land space, HRCM notes that the right to assembly comes under question if parameters are established for assemblies near schools, mosques, hospitals.

HRCM believes that it would be better to have specific times whereby people will be prohibited from assembling at while sitting or standing near the areas places specified (in this article) or to stipulate ways in which people can hold an assembly in these areas (such as silent demonstrations) and to specify which tools and/or objects can be used when assembling in these areas.

**Article 20 (f) and (g)**

HRCM notes that while subsections (f) and (g) of this Article state that protection is given from potential obstructions and material loss resulting from the actions of anti-demonstrators, instances and ways in which a counter assembly can take place by another group while one group of people is exercising their right to peaceful assembly, is not specified in this Article.

Hence, HRCM notes that there is no mention of how such a situation (whereby a group of people infringes one group's right to peaceful assembly) will be dealt with. HRCM further notes that this amendment was included in the proposed amendments sent to the Parliament by the Commission while the bill was in the committee stage.

**Article 54**

This article states that reporters / journalists' covering assemblies / demonstrations have to be accredited under the Accreditation Regulation formulated by the Maldives Broadcasting Commission within 3 months of this Act being passed. However, HRCM notes that the Maldives Media Council is the statutory body that has the power to regulate all Maldivian Media. Moreover, Article 2(b) of the Media Council Regulation states that the formation of regulations and code of ethics as one of the objectives of the Media Council. HRCM also notes that Maldives Media Council has brought this issue to the attention of the Attorney General's Office.

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 7<sup>th</sup> January 2013

