

HRCM's comments to the Freedom of Assembly Bill
(Submitted to the Parliament on 06th August 2012)

1. HRCM proposes to amend the Article 4 (c) as follows.

For the purposes of this Act, Peaceful Assembly will be defined as, or an assembly will be considered as a peaceful assembly, if the organizer of the assembly informs that the assembly is for the realization of peaceful objectives and if violent acts do not occur during the assembly or if there is no presence of calls, writings, drawings or actions calling for violent acts. Further, there should not be any acts against the law, neither should there be any encouragement for such acts, or there should not be any objects that could create violence or cause damage (to anyone or anything).

2. HRCM proposes to amend Article 9(a) as follows.

“Peacefulness” with reference to assembly is defined as, the organizer of the assembly informing that the assembly is for the realization of peaceful objectives and if violent acts do not occur during the assembly or if there is no presence of calls, writings, drawings or actions calling for violent acts. Further, there should not be any acts against the law, neither should there be any encouragement for such acts, or there should not be any objects that could create violence or cause damage (to anyone or anything).

3. HRCM propose to strike off subsection (c) of Article 24 from the Act.

4. HRCM propose to amend Article 49 (a) as follows.

It is the responsibility of Maldives Police Service to take all actions necessary to protect participants of every assembly, except those held in contravention with this act or those limitations permitted in this act. In this manner, for the purpose of holding an assembly, Maldives Police Service should facilitate different routes for the smooth flow of both traffic and pedestrians.

5. HRCM notes that it is important to specify 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.

HRCM stresses that the reason for this suggestion is to limit the possibility of violence where one group of people hold a counter demonstration.

