

# Macedonia Freedom of Assembly Law

## Article 1

This Law shall regulate the manner of exercising the citizens' right to public gathering for the purpose of peaceful expression of opinion and public protest, as well as the cases when the holding of a public gathering is disrupted.

## Article 1-a

The citizens' right to peaceful gathering may be exercised in a manner that provides peaceful expression of the public protest.

## Article 2

Public gatherings of more than 20 citizens, in terms of this Law, shall refer to gathering in an open or enclosed space for the purpose of fulfilling the entertaining, cultural, religious, humanitarian, social, political, economic, sports or similar interests of the citizens, organized by reason of public expression of the opinion or protest.

The following shall not be considered public gathering in terms of paragraph 1 of this Article:

- religious ceremonies held in spaces intended for religious purposes;
- regular folk ceremonies;
- burial processions;
- gatherings in places where the free access is closed due to consideration of syndical issues;
- regular gatherings of cultural and entertaining or sports character which the organizer, within the framework of its activity, organizes in enclosed spaces intended for that purpose and
- regular gatherings, meetings, seminars, forums of representatives of state bodies, organizations or other legal entities while exercising their competence, i.e. the activity, gathering of political parties etc. in enclosed spaces.

## Article 2-a

A public gathering for the purpose of peaceful expression of opinion or protest may be held in any place that is appropriate for that purpose, except:

- next to healthcare institutions, in a manner which obstructs the access of ambulance vehicles and disturbs the peace of the patients;
- next to kindergartens and schools while being attended by children and
- on highways and national roads, in a manner which jeopardizes the traffic.

## Article 3

For security purposes, the organizer of the public gathering may notify the Ministry of Interior about holding the public gathering and about the measures that are taken for its holding.

The notification about the public gathering referred to in paragraph 1 of this Article shall be submitted in the regional unit of the Ministry of Interior where the public gathering takes place, 48 hours before the start of the public gathering at the latest.

The organizer shall include the following data in the notification: the purpose of holding the public gathering; the place and time of the gathering; the organizer of the public gathering; the measures that the organizer has taken in terms of unobstructed organizing and course of the public gathering, and the data on organizing a security service.

## **Article 4**

In order to protect the citizens' rights, the normal flow of traffic, the supply of population with medicine, food, fuel and similar urgent goods, as well as to observe the obligations under international agreements, the public gathering organizer shall be obliged to maintain the order and peace at the public gathering and to provide security service.

If the organizer requests and the Ministry of Interior determines, that the police shall maintain the public order during the public gathering, the organizer shall bear the costs for such maintenance of the public order.

The organizer shall be obliged to stop the holding of the public gathering if the life and health, security and personal safety of the people and property are jeopardized.

In the cases referred to in paragraph 3 of this Article, the organizer shall be obliged to inform the Ministry of Interior immediately.

## **Article 5**

Persons present at the public gathering must not carry weapons and generally harmful objects as well as alcoholic beverages and narcotic drugs.

## **Article 6**

The Ministry of Interior shall stop the public gathering in cases when it is directed towards:

- jeopardizing the life, health, security, personal safety and property of the citizens;
- committing or encouraging the commitment of criminal offenses defined by law and
- jeopardizing the environment.

The Ministry of Interior shall stop the public gathering in case when its holding is contrary to the international agreements that provide for an obligation for uninterrupted flow of transport.

## **Article 7**

The public gathering organizer shall be obliged to compensate for the possible damage done during the public gathering.

## **Article 8**

Foreigners may call for and hold public gathering provided that they report it and obtain an approval for holding the public gathering from the Ministry of Interior.

## **Article 9**

The legal entity (organizer) of a public gathering shall be imposed a fine for a misdemeanor in the amount of Euro 1.100 to 3.000 in Denar counter-value if:

- it does not take measures for maintaining the order at the public gathering (Article 4 paragraph 1) and
- it does not act in accordance with the provisions referred to Article 4 paragraphs 3 and 4 of this Law.

The responsible person in the legal entity (organizer) as well shall be imposed a fine for the misdemeanor referred to in paragraph 1 of this Article in the amount of Euro 510 to 2.000 in Denar counter-value.

## **Article 10**

A fine in the amount of Euro 510 to 1.000 in Denar counter-value for a misdemeanor shall be imposed on:

- 1) natural person (organizer) if (s)he does not take measures for maintaining the order at the public gathering (Article 4 paragraph 1);
- 2) natural person (organizer) if (s)he does not act in accordance with the provisions referred to in Article 4 paragraphs 3 and 4 of this Law and
- 3) natural person if (s)he carries weapons at the public gathering as well as alcoholic beverages and narcotic drugs (Article 5).

With regard to the misdemeanor referred to in paragraph 1 of this Article, a foreigner may be imposed a misdemeanor sanction deportation of a foreigner from the country, in a period of one to ten years or forever.

## **Article 10-a**

The misdemeanor procedure for the misdemeanors provided for by this Law shall be conducted by the competent court.

Before filing a motion for initiation of a misdemeanor procedure regarding the misdemeanors provided for by this Law, the Ministry of the Interior shall conduct a settlement procedure in accordance with the Law on Misdemeanors.

## **Article 11**

As of the day this law enters into force, the Law on Public Gatherings and Public Celebrations ("Official Gazette of the Socialist Republic of Macedonia" no. 44/72, 41/85 and 51/88) shall cease to be valid.

## **Article 12**

This Law shall enter into force on the eighth day of its publication in the "Official Gazette of the Republic of Macedonia".