



ARTICLE 19

Myanmar: Peaceful Assembly and Peaceful Procession Bill

May 2016

Legal analysis

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Executive Summary

ARTICLE 19 welcomes the newly elected National League for Democracy's (NLD) initiative to reform protest laws in Myanmar. The speed with which the proposed Peaceful Assembly and Peaceful Procession Bill (the Bill) was put before the Parliament is a welcome sign of the government's intention to reform laws that have demonstrably been used to restrict the right to freedom of expression and the right to assembly.

At the same time, we encourage the government to pause and consult widely with civil society on the Bill before proceeding further in the Parliament. In particular, the consultation should assess whether and how provisions in the Bill could be used intentionally or otherwise to continue past repression of protesters. ARTICLE 19 is particularly concerned that the current Bill:

- Includes provisions that are not necessary in a democracy;
- Includes provisions that are vaguely written and could be used arbitrarily to restrict freedom of expression; and
- Includes criminalisation and prison sentences for peaceful protest.

The Bill will be a step forward from the current Right to Peaceful Assembly and Peaceful Procession Law, as amended in 2014. However, it continues to include criminalisation and vague provisions that ARTICLE 19 [raised concerns about in 2014](#), and which have been used to criminalise and imprison hundreds of peaceful protesters over the past two years.

ARTICLE 19 recommends that the Government:

- Pause the parliamentary process and consult with civil society broadly, with the aim of returning a revised bill. This consultation should in particular consider the potential ramifications of the Bill's provisions, testing their need in a democracy and identifying whether they can be used arbitrarily. Consultations should be guided by the "joint practical recommendations for the management of assemblies", issued by the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association and the UN Special Rapporteur on extrajudicial, summary or arbitrary executions;¹
- Consider how criminal actions potentially committed during protests, such as destruction of property or violence, could be better dealt with by using criminal laws of general application, rather than specific laws for protesters only. Based on this considerations, return a revised bill;
- Ratify the International Covenant on Civil and Political Rights (ICCPR), to which the Myanmar Government agreed in recommendations accepted during the November 2015 Universal Periodic Review (UPR) at the UN Human Rights Council. While ratifying, begin to engage more thoroughly with the international human rights system, for example by inviting the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association to Myanmar to support in the development of this Bill.

In the following analysis, ARTICLE 19 highlights the priority concerns regarding the Bill, with recommendations based upon international human rights law and standards.

¹ Joint report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special Rapporteur on extrajudicial, summary or arbitrary executions on the proper management of assemblies, A/HRC/31/66, 4 February 2016; available at: <http://freeassembly.net/reports/managing-assemblies/>

Analysis of the Bill

Definitions

ARTICLE 19 finds that definitions in the Bill (Section 2) are too broad and ambiguous, and would enable authorities to apply the law to arbitrarily and illegitimately deny the exercise of fundamental rights. In particular:

- The definition of **citizenship** (Section 2(a)), reflecting the restrictive meaning given in the Constitution, threatens to limit the exercise of fundamental rights on the discriminatory basis of nationality. International human rights law requires that all people, regardless of ethnicity, nationality or migrant status (and many other grounds) should enjoy the rights to freedom of expression and freedom of peaceful assembly without discrimination.²
- The definitions of **peaceful assembly** and **peaceful procession** (Section 2(b) and (c)) are too narrow, limiting the scope of the rights that the Bill would protect if enacted into law. Only protecting assemblies or processions that “follow the rules” or that include only “giving speeches in permitted public places”, would lead to the loss of legal protection for minor infringements that pose no danger to public order or other legitimate interests.

ARTICLE 19 notes that international human rights law is clear that an assembly does not cease to be “peaceful” simply because “rules” are not followed; for example because their path or location diverges from the “permitted road and public spaces”. “Peaceful” should be understood broadly, considering the manner of the assembly and the intention of participants; unless there is compelling evidence of intent to use, advocate or incite imminent violence, the assembly should be considered peaceful.³ Assemblies that temporarily hinder, impede or obstruct the activities of non-participants should therefore be considered “peaceful”.⁴ Even sporadic or isolated violence or offences by some individuals in an assembly should not necessarily deprive all other participants of their peaceful assembly rights.⁵

- The definitions of **poster** and **signboard** (Section 2(e) and (f)) are limited to “expression that does not harm the dignity of a person.” We find that this is unduly restrictive, and would enable broad and illegitimate content-based restrictions on the messages communicated during assemblies. There is no pressing social need to enact specific content-based restrictions that apply only to assemblies, other than those that intentionally advocate or incite imminent violence.

Recommendations:

- The definitions in Section 2 of the Bill should remove references to citizenship;
- The Bill should define “peaceful” assemblies and processions broadly, applying to all assemblies unless there is a clearly demonstrated intent to use, advocate or incite imminent violence;
- The restrictive definitions of “poster” or “signboard” should be removed.

² ICCPR, Articles 2(1) and 26. See also: HR Committee, General Comment No. 15, the position of aliens under the Covenant, 11 April 1986.

³ OSCE Guidelines on Freedom of Peaceful Assembly and of Association (OSCE Guidelines), 2nd Edition, 2010, para 25.

⁴ *Ibid.*

⁵ *Ibid.*, para 20. See also, OSCE guidelines, *op. cit.*, para 26.

Objectives of the Bill

ARTICLE 19 is concerned that Section 3 of the Bill fails to adequately establish a clear presumption in favour of the exercise of the right to freedom of peaceful assembly and freedom of expression for all people.

It is welcome that one objective of the Bill is to give legal protection to the “systematic” exercise of the rights to peaceful assembly and peaceful procession (Section 3(b)). However, it is regrettable that this protection is limited only to “citizens, as defined by the Union Republic of Myanmar Constitution.” As indicated above, there should be no discrimination in the protections afforded to the exercise of these rights on the basis of nationality or citizenship status.

This objective appears to be negatively outweighed even further by Section 3(a) and (c), which together may make the protection of fundamental rights secondary to other ambiguous aims. These objectives include the protection of “state security, rule of law, community peace and tranquillity, and public morality” and the prevention of “danger, harm and obstruction” to others. They are broader than the “legitimate aims” for restricting the freedoms of expression and peaceful assembly foreseen under international human rights law, and may therefore encourage illegitimate restrictions. We note that Article 19(3) and Article 21 of the International Covenant on Civil and Political Rights (ICCPR) limit the “legitimate aims” for restrictions to: the rights of others, nationality security, public order, public health, public morals, and public safety. Additionally, Article 19(3) and Article 21 require all restrictions to conform to the requirement of legality, and be necessary and proportionate.

Recommendations:

- Section 3 of the Bill should establish as a primary objective creating a presumption in favour of the exercise of the rights to freedom of peaceful assembly and of expression, and creating a duty for the state to protect and promote these rights without discrimination;
- Ambiguous grounds for restricting the freedoms of peaceful assembly and expression should be removed from the objectives of the Bill. Any references to restrictions, which should not necessarily be referenced in the objectives to the Bill, must conform to Articles 19(3) and 21 of the ICCPR.

Notification of assemblies

ARTICLE 19 welcomes efforts in the Bill to move from a system of prior-authorisation for assemblies to one of prior-notification. While aspects of the proposed notification system are positive, these are outweighed by burdensome content-based and bureaucratic requirements that place unnecessary obstacles to exercising the right to protest.

Positive aspects of the notification system (Section 4) that are in line with international human rights standards include:

- There is no discretionary power on the receiving authority to reject notifications;
- Notifications are required only 48 hours prior to the assembly commencing.

However, we note that international human rights law does not require participants to notify authorities of assemblies in advance, though notification requirements are generally

understood to be proportionate insofar as their purpose is to enable relevant authorities to facilitate an assembly.⁶ The UN Special Rapporteurs' have stated that "notification should not be expected for assemblies that do not require prior preparation by State authorities, such as those where only a small number of participants is expected, or where the impact on the public is expected to be minimal."⁷ This reflects best practice, where notification is only required in relation to large assemblies.⁸ In such instances, a 48-hour notification period would be proportionate.⁹

Notwithstanding these positive developments, there are a number of serious problems with the system of notification, which include the following issues.

Information required in a notification

Requirements to specify the purpose, topic and slogans of an assembly, as well as the identity and contact details of speakers, are not necessary (Section 4 (a) – (c)).¹⁰ They do not facilitate the authorities' preparation efforts, but instead provide the basis for extremely broad and illegitimate content-based restrictions in Sections 7 – 9 of the Bill. International human rights law is clear that efforts to restrict the nature or content of the message organisers and participants want to convey, especially in relation to criticism of the government, must be proscribed, unless the message constitutes "incitement to discrimination, hostility or violence".¹¹

Requirements to provide a record of an organisation's formal decision to conduct an assembly, and an organiser's "formal agreement to abide by the rules in the law" are onerous and unnecessary (Section 4 (d) – (f)).¹²

Recommendations:

- Section 4 of the Bill should be amended to only require notification for large assemblies where relevant authorities will reasonably need to plan for their facilitation;
- Further, the Bill should ensure that organisers of assemblies and protests are requested to only provide the basic information necessary to facilitate the authorities' planning for the management of assemblies. This should be limited to the date, time, location or route of the assembly, an estimate of the number of participants expected, and contact details for one or more organisers.¹³ There should be no requirement to specify the topic, demands, or agenda of an assembly, nor information regarding the content of expressions or the identity of speakers.

Form of the notification

The requirement to provide multiple notifications for assemblies that "pass by" more than one township is unnecessarily bureaucratic (Section 4). Otherwise, no formal requirements are set out for giving notice, creating uncertainty over how notice should be given.

⁶ Report on the proper management of assemblies, *op. cit.*, para 21.

⁷ *Ibid.*

⁸ See, for example, Article 3 of Moldova's Law on Public Assemblies (2008).

⁹ Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association, 21 May 2012, A/HRC/20/27; para 28

¹⁰ OSCE Guidelines, *op. cit.*, para 119.

¹¹ Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association, 24 April 2013 (the April 2013 Report of Special Rapporteur on FOAA), A/HRC/23/39; para 59.

¹² OSCE Guidelines, *op. cit.*, para 119.

¹³ The April 2013 Report of the Special Rapporteur on FOAA, *op.cit.*; para 53.

International standards are clear that notification processes must be designed so that they are simple and fast to use.¹⁴ A single assembly should only require one notification, which should then be communicated by the receiving authority to other concerned authorities.

Recommendations:

- Section 4 of the Bill should be amended to ensure that the process and form for complying with notification requirements is made as easy and quick as possible. It should require one notification per assembly, including for processions through multiple townships;
- The Bill should explicitly state whom the “relevant” chief of the township police force for making notifications to is (i.e. the township police force in which the assembly is taking place, or from which the procession is starting);
- The Bill should define broadly the forms that notification will be accepted in. Notifications should be accepted in multiple forms, including in-person, in writing, by telephone, or electronically, as well as in local languages.

Spontaneous assemblies

There is no provision in the Law for spontaneous assemblies, which should be exempt from prior notification requirements.¹⁵ The need for individuals to be able to respond urgently and with a degree of spontaneity to trigger events must be acceptable in any democratic society.¹⁶ In particular, the UN Special Rapporteur emphasised to the UN General Assembly in October 2013 that exemptions for spontaneous assemblies are especially important where elections are concerned.¹⁷

Recommendations:

- Section 4 of the Bill should be amended to provide an exemption to the requirement of notification where it is not practical or possible in the circumstances to comply with requirements, or where there is no identifiable organiser.

Prior-conditions on assemblies and safeguards against abuse

There is no clear process for the authorities to engage in a dialogue with assembly organisers to agree any conditions on the time, place and manner of an assembly. There are no safeguards to ensure any conditions are necessary and proportionate, and no avenue for appeal against the imposition of conditions.

International standards are clear that any prior conditions on an assembly must comply with the requirements of legality, legitimate purpose, necessity and proportionality.¹⁸ This should not prevent open dialogue between organisers, participants and relevant authorities, aimed at ensuring the smooth facilitation of an assembly. The UN Special Rapporteurs are clear that

¹⁴ *Ibid.*; para 52; see also: OSCE Guidelines, *op. cit.*, para 117.

¹⁵ The April 2013 Report of Special Rapporteur on FOAA, para 51. See also, by way of comparison, European Court of Human Rights (ECtHR), *Bukta and others v. Hungary*, Application No. 25691/04 (2007).

¹⁶ *Ibid.*

¹⁷ Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association, A/68/299, 7 August 2013, para 24

¹⁸ The April 2013 Report of Special Rapporteur on FOAA, para 56.

any prior-restrictions must be communicated with reasons, according to a timeframe set out in law that allows the possibility for appeal, and emergency interim relief.¹⁹

Similarly, there is no guarantee that on giving notice, organisers have any proof that notification was given or if conditions were specified. A receiving authority should be required to promptly issue receipts, as a form of assurance to organisers that they have complied with the law, and to keep a publicly accessible record of notifications and any prior-conditions placed on the assembly. Where authorities fail to acknowledge a notification, this should not be a basis for denying the right to freedom of peaceful assembly.²⁰

Recommendations:

- Sections 4 and 6 of the Bill should be amended to ensure a transparent process for placing prior-conditions on the time, place or manner of an assembly, provide a duty on authorities to communicate such decisions promptly and with justifications, and provide the possibility of review or appeal;
- Authorities should be prohibited from exerting pressure on organisers to change the content or time, place and manner of any assembly;
- The Bill should clarify that the notification requirement is satisfied upon giving of notice, and not on acknowledge of the receiving authority. As a safeguard, there should be created a duty for the receiving authority to promptly issue receipts of notification, and to include these in a publicly accessible record with any conditions placed on an assembly.

Restrictions on content and conduct of assemblies

ARTICLE 19 is deeply concerned at the extent and nature of restrictions on the conduct and content of assemblies proposed in the Bill (Section 9). Subsequent provisions make violation of these measures a basis for dispersal, bans on assemblies, and criminal sanctions. This renders the progress towards a notification system in the Bill meaningless, as authorities are still empowered to prevent or shut down assemblies that they disagree with or that create even the possibility of inconvenience or annoyance to authorities.

Two content-based restrictions relate to expressions that were not notified in advance, or which differ from notified expressions. This includes prohibitions on:

- Carrying and displaying flags, posters, and signs that are not stated in the notice (Section 9(g));
- Reciting or shouting slogans other than the ones stated in the notice (Section 9(h)).

As outlined above, there is no necessity in a democratic society for organisers or participants in an assembly to give advance notification of the content of chants, slogans, flags, posters or signs. Not giving advance notice of a particular expression also has no bearing on whether that expression causes any risk to a legitimate interest, such as public order or national security. Subsections (g) and (h) therefore do not comply with international human rights law: they do not pursue a legitimate aim, nor are they necessary.

Additional restrictions on content or conduct of expressions prohibit:

- Talking or behaving in a way to cause any disturbance or obstruction, annoyance, danger, or a concern that these might take place (Section 9(a));

¹⁹ Report on the proper management of assemblies, *op. cit.*, para 36.

²⁰ *Ibid.*, para 51.

- Behaving in a way that could destroy the government, public, or private properties or pollute the environment (Section 9(b));
- They shall not obstruct or disturb vehicles, pedestrians, and people (Section 9(c));
- Saying things or behaving in a way that could harm the country of the Union, race, or religion, human dignity and moral principles (Section 9(e));
- Spreading rumours or wrong information (Section 9(f)).

ARTICLE 19 finds that the notion of “harm” in Section 9(e) is too ambiguous; it foresees prohibitions to prevent even vague *potential* “harms”. Section 9(a) similarly anticipates restrictions on hypothetical annoyances or dangers. The obligation of the State to facilitate assemblies is to anticipate harms and to mitigate them; the existence of mere “risks” is not sufficient to disperse, prohibit or penalise assemblies.²¹

The interests to be protected from various “harms” in subparagraphs (a) (b) (c) (e) and (f) are also too ambiguous and subjective, and do not correspond to legitimate aims for restricting freedom of expression or freedom of peaceful assembly. That some may find assemblies to be “annoying” or “obstructive” is inevitable; the UN Special Rapporteurs have stated that “a certain level of disruption to ordinary life caused by assemblies, including disruption of traffic, annoyance and even harm to commercial activities, must be tolerated if the right is not to be deprived of substance.”²² Preventing the spread of “rumours or wrong information” is also not a legitimate aim under international human rights law, and such concepts are inherently subjective and therefore do not meet the requirement of legality.

There is no pressing need to specify additional content-based restrictions on expression in an assembly, beyond those that apply to all individuals at all other times (including during assemblies). In the context of assemblies, these should only be applied to prohibit expression that incites imminent violence; this includes for measures that threaten national security or public order, including the destruction of private or public property (subparagraph (b)). International standards are clear that the right to freedom of peaceful assembly extends to the expression of ideas that may be considered controversial or that are “not necessarily favourably received by the government or the majority of the population”²³ or that “may annoy or give offence to persons opposed to the ideas or claims that it is seeking to promote.”²⁴

Recommendations:

- Section 9 paras (a), (b), (c), (e), (f), (g) should be deleted in their entirety. They should be replaced with a prohibition on expression that incites imminent violence, as per Article 20(2) of the ICCPR;

Facilitation of assemblies and counter-assemblies

Section 11 of the Bill requires that the police “give necessary protection” to participants in assemblies, but limits this duty to only assemblies conducted “in accordance with the law”. The purpose is to prevent “harassment, destruction, or obstruction.”

²¹ Report on the proper management of assemblies, *op. cit.*, para 25.

²² *Ibid.* See also, Organization of American States (OAS), IACHR, Report on Citizen Security and Human Rights, 31 December 2009 (OEA/Ser.L/V/II), para 198.

²³ HR Committee, *Viktor Korneenko et al v. Belarus*, Communication No. 1274/2004, para 7.3.

²⁴ See, by way of comparison: ECtHR, *Stankov & UMO Ilinden v. Bulgaria*, Application Nos. 29221/95 and 29225/95 (2001), para 86, ECtHR, *Hyde Park and Others v. Moldova*, Application No. 33482/06 (2009), para 30, in which the ECtHR stated that the prohibition on a protest on the basis that the claims of participants were “unwelcome and unfounded” was not compatible with Article 11 of the European Convention on Human Rights.

Section 11 implies that the authorities' responsibilities are to control assemblies rather than to facilitate them. It is unclear what is meant by "protection" to participants, or what measures may be employed to prevent "harassment, destruction or obstruction." There are no provisions detailing how authorities should facilitate simultaneous assemblies, including counter-assemblies.

The Joint Report of the UN Special Rapporteurs on the management of assemblies contains extensive guidance on best practices in facilitating assemblies that should be incorporated to the Bill.²⁵

Recommendations:

- The Bill should elaborate specific duties for law enforcement authorities to facilitate assemblies, in-line with international standards;
- The Bill should also specify that the duties of law enforcement authorities extend to facilitating simultaneous and counter-protests within sight and sound of their target.

Powers to prevent, dismiss and disperse assemblies

Section 10 of the Bill allows an assembly to be "stopped and dismissed" for failure to adhere to *any rules* under the law. Sections 12 - 13 provide that assembly participants be issued with a warning if they are not complying with the rules set out in the Bill. Section 14 specifies that if warnings are not heeded, "action" will be taken "in accordance with the existing laws" until the crowd disperses; it does not make clear whether this encompasses the use of force. Section 15 provides that failure to notify in accordance with the rules set out in the Bill is a basis for dispersal, without any requirement that authorities give warnings under Sections 12 - 13.

ARTICLE 19 finds that the provisions on prevention, dismissal, and dispersal are incredibly vague, do not specify a legitimate aim, and appear to justify preventions, dismissals and dispersals, including with the use of force, in circumstances that would not be necessary or proportionate.

International human rights standards are clear that assemblies should only be dispersed when strictly unavoidable, and as a last resort.²⁶ The UN Special Rapporteurs give the example of dispersal being justified where "violence is serious and widespread and represents an imminent threat to bodily safety or property, and where law enforcement officials have taken all reasonable measures to facilitate the assembly and protect participants from harm."²⁷ It is also clear that force should never be used against a *peaceful* assembly, even if it is *unlawful*,²⁸ and failure to notify should not be the basis for dispersal.²⁹ Dispersal should only be used if there is an imminent threat of violence, and where more proportionate measures such as the use of negotiation or mediation have already been exhausted.³⁰ Governments must

²⁵ Report on the proper management of assemblies, *op. cit.*, para 49.

²⁶ Report on the proper management of assemblies, *op. cit.*, para 61.

²⁷ *Ibid.*

²⁸ OSCE guidelines, at paras 165 – 166. See also, OSCE Guidebook on Democratic Policing (2008), para 65-74.

²⁹ Report on the proper management of assemblies, *op. cit.*, para 62.

³⁰ OSCE guidelines 5.5–5.6. See also, by way of comparison, ECtHR, *Kandzhov v. Bulgaria* (2008), para 73 in which the ECtHR stated: "the applicant's actions on 10 July 2000 were entirely peaceful, did not obstruct any passers-by and were hardly likely to provoke others to violence ... However, the authorities in Pleven chose to react

also develop a range of response methods that emphasise strategies to deescalate conflict in the management of assemblies, and when it comes to dispersal enable a differentiated and proportionate use of force, for example by ensuring that law enforcement authorities are equipped with self-defence equipment and less-lethal incapacitating weapons.³¹ Specific, detailed and public operational guidelines should be developed in this respect.³² The Special Rapporteurs also warn that dispersal carries the risk of violating a broad category of human rights, including the right to bodily integrity, and is liable to escalate tensions and cause avoidable violence.³³

Recommendations:

- The Bill should provide an obligation for authorities to facilitate assemblies in line with the recommendations of the UN Special Rapporteurs;
- Powers to prevent assemblies from going ahead should be removed from the Bill, except where there is clear evidence that the organisers or participants intend to use or incite imminent violence;
- The Bill should emphasise the duty of authorities to deescalate assemblies through tactics of communication, negotiation and engagement;
- The Bill must ensure that dispersals are only ordered as a last resort and exceptional measure, in circumstances where dispersal is necessary to respond to an imminent threat of violence, with detailed provisions on the decision-making process for ordering dispersals;
- The Bill should elaborate detailed and public guidelines on the use of force, reflecting international human rights law requirements of legality, legitimate aim, necessity and proportionality.

Criminal sanctions for assemblies

ARTICLE 19 welcomes the reduction in available criminal sentences in the Bill, in particular the addition of a safeguard against the imposition of multiple offences for a single course of conduct that occurred across multiple townships in Section 21. However, we remain seriously concerned that offences in the Bill violate international human rights law on freedom of expression and freedom of peaceful assembly.

- Section 18 makes it a criminal offence to violate any rules in Sections 7 – 10. As outlined above, these provisions contain impermissible content-based restrictions on assemblies, as well as overbroad restrictions of the peaceful conduct of participants in assemblies. ARTICLE 19 considers that criminal laws of general application that concern violent conduct against individuals or property should be sufficient. The imposition of criminal penalties to conduct must take into account the principle of proportionality.
- Section 16 of the Bill creates an additional criminal offence for anyone that “disturbs, destroys, obstructs, annoys, assaults, bullies or harms” the attendees of a lawful assembly. These offences are broad and vague, and would limit the freedom of individuals to engage in counter-assemblies. ARTICLE 19 considers that merely

vigorously and on the spot in order to silence the applicant and shield the Minister of Justice from any public expression of criticism.”

³¹ Report on the proper management of assemblies, *op. cit.*, para 67. See also, by way of comparison, ECtHR, *Balçık and Others v. Turkey*, Application no. 25/02, 29 November 2007, para 28.

³² *Ibid.*

³³ Report on the proper management of assemblies, *op. cit.*, para 62.

disturbing, obstructing or annoying individuals should not be the basis for criminal liability, and that offences for “bullying” or “harm” are too broad and could be subject to abuse. In relation to violence against participants in assemblies by non-participants, regular criminal offences of assault and battery should be sufficient.

- Section 17 provides criminal liability for failure to notify the authorities about an assembly. We recall notifications should not be mandatory, and therefore failure to provide a notification or comply with requirements for notification should not be the basis for criminal liability.

Recommendations:

- Sections 16-18 of the Bill should be deleted in their entirety.

About ARTICLE 19

ARTICLE 19 advocates for the development of progressive standards on freedom of expression and freedom of information at the international and regional levels, and their implementation in domestic legal systems. The Law Programme has produced a number of standard-setting publications which outline international and comparative law and best practice in areas such as defamation law, access to information and broadcast regulation.

On the basis of these publications and ARTICLE 19's overall legal expertise, the organisation publishes a number of legal analyses each year, comments on legislative proposals as well as existing laws that affect the right to freedom of expression. This analytical work, carried out since 1998 as a means of supporting positive law reform efforts worldwide, frequently leads to substantial improvements in proposed or existing domestic legislation. All of our analyses are available at <http://www.article19.org/resources.php/legal>.

If you would like to discuss this analysis further, or if you have a matter you would like to bring to the attention of the ARTICLE 19 Law Programme, you can contact us by e-mail at legal@article19.org. For more information about the ARTICLE 19's work in Myanmar, please contact the Myanmar team Myanmar@article19.org.