

COALITION PROVISIONAL AUTHORITY ORDER NUMBER 19

FREEDOM OF ASSEMBLY

Pursuant to my authority as Administrator of the Coalition Provisional Authority (CPA), and under the laws and usages of war and relevant U.N. Security Council resolutions, including Resolution 1483 (2003),

Noting the obligation of the CPA to restore and maintain order and the right of the CPA to take measures for its security and public order,

Concerned by the exploitation of demonstrations by persons intent on inciting violence against the Iraqi people, the CPA and Coalition Forces,

Noting that the provisions of the Third Edition of the 1969 Iraqi Penal Code, Part Two, Chapter Two, at paragraphs 220 to 222 unreasonably restrict the right to freedom of expression and the right of peaceful assembly.

Determined to remove the unacceptable restrictions on human rights of the former Iraqi Ba`ath Party regime, and to promote the freedom of the Iraqi people to demonstrate in a peaceful and orderly manner,

I hereby promulgate the following:

Section 1 Purpose

- 1) The prohibition on freedom of assembly contained in the Iraqi Penal Code is inconsistent with Iraq's human rights obligations and was an instrument of repression under the former Iraqi Ba`ath Party regime. It is the intention of the CPA to remove such prohibitions and advance towards normalization and the establishment of civil society as public security improves.
- 2) This Order is necessary to protect public health, welfare and safety. The maintenance of good order and safety in Iraq is a paramount responsibility of the CPA. The CPA is determined to prevent the exploitation of demonstrations by elements intent on causing death or injury.
 - a) The public health, welfare and safety of the community require that the movement of vehicular traffic on roadways be lawfully conducted with a minimum of disruption.

- b) The practice of unhindered or unrestrained picketing or demonstrating on such roadways may cause disruption of police, emergency and relief services, and injury to participants and bystanders.
- c) The practice of multiple demonstrations on the same day in different locations in municipalities may unreasonably deprive the citizens of police, emergency and relief services.

Section 2

Suspension of Laws

The provisions of the Third Edition of the 1969 Iraqi Penal Code, Part Two, Chapter Two, at paragraphs 220 to 222 which unreasonably restrict the right to freedom of expression and the right of peaceful assembly are hereby suspended.

Section 3

Unlawful Demonstration

- 1) It is unlawful for any person, group or organization to conduct or participate in any march, assembly, meeting or gathering on roadways, public thoroughfares or public places in more than one specific area of or location in, any municipality on any given day, unless acting under authority of the Coalition Force Commander or a Divisional or Brigade Commander (hereinafter "Approving Authorities").
- 2) It is unlawful for any group or organization or any individual acting with such group or organization, to conduct or participate in any march, assembly, meeting or gathering on roadways unless limited to such numbers as, upon the determination of an Approving Authority, will not unreasonably obstruct pedestrian or vehicular traffic. The Approving Authority shall, within 12 hours of receiving a notice of assembly under this Order, inform the group or organization as to the maximum number of authorized participants.
- 3) It is unlawful for any march, assembly, meeting or gathering held on roadways, public thoroughfares or public places, to continue for longer than four hours, or to be held within 500 meters of any CPA or Coalition Force facility.

Section 4

Notice of Assemblage in Writing

It is unlawful for any group or organization to conduct or participate in any march, assembly, meeting or gathering on roadways, public thoroughfares or public places unless an Approving Authority has been given notice in writing of the location, the maximum number of persons participating, and the names and addresses of the organizers of any such march, assembly, meeting or gathering, its

route, and its time of inception and duration at least 24 hours before such inception.

Section 5 Scheduling of Assembly

It is unlawful for any group, organization, or individual to conduct or participate in any march, assembly, meeting or gathering on roadways or public thoroughfares during peak traffic periods unless authorized by an Approving Authority for the area in which the march, assembly, meeting or gathering is to be held. Peak traffic periods, unless otherwise set by municipal or CPA authority, are for the purposes of this Order declared to be 0730 hours to 0900 hours, and from 1630 hours to 1800 hours in the afternoon, Saturday through Thursday except for national holidays.

Section 6 Prohibited Items

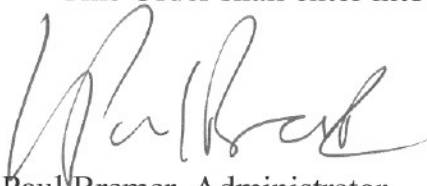
- 1) It is prohibited to bring to, or wear at, any march, assembly, meeting or gathering any:
 - a) firearm of any description;
 - b) sharpened object of any kind;
 - c) projectiles intended to cause injury, including rocks;
 - d) poles, bats, sticks or any object that may be used as a club except for materials forming part of a sign; and
 - e) helmets, masks, balaclavas or other non-traditional facial covering.
- 2) Any such prohibited items brought to any march, assembly, meeting or gathering are liable to be confiscated immediately.

Section 7 Penalties

Any individual violating this Order may be detained, arrested, prosecuted and, if convicted, sentenced to up to one year in prison.

Section 8
Entry into Force

This Order shall enter into force on the date of signature.



7/10/03

L. Paul Bremer, Administrator
Coalition Provisional Authority