

Public Marches and Demonstrations

Public events about an issue might take the form of marches, demonstrations or vigils. You can use public events to inform and educate the public. You can use public events to show government that you have public support for your cause, or to attract media attention and publicity for your issue.

Freedom of speech, assembly and association

The Namibian Constitution guarantees freedom of speech and expression, freedom to assemble peacefully and freedom of association. Public events engage all of these freedoms. They are important instruments of dialogue in society and signs of a healthy democracy. But the government has the right to place reasonable restrictions on public events, where this is necessary to protect interests such as national security or public order.

Legal rules on public events

Namibia's **Public Gatherings Proclamation** places requirements on the planning of any public gatherings. Anyone who wants to hold a public gathering must notify the police in advance. The notice must be in writing and given to the commander of the police station nearest to the place where the gathering will be held at least three days in advance. The notice must state the place and time of the gathering, the nature of the gathering, the person or organisation that is organising the gathering and the names and addresses of the persons who are in charge or who will speak. Failure to follow these rules can lead to a fine or even imprisonment.

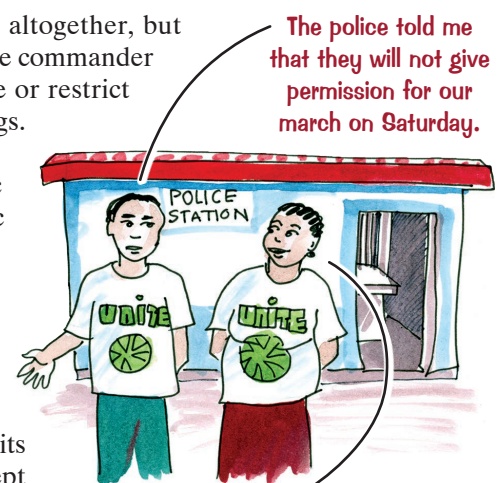
This law does *not* give police the power to prohibit a public gathering altogether, but police are allowed to place conditions on the public gathering if the police commander believes, for example, that it may endanger the public, lead to violence or restrict other people's rights. No one may carry weapons at public gatherings. The police have the power to disperse the gathering if it becomes a riot. In practice, police can and often do help to make sure that a public demonstration is safe and orderly. They can also help to organise traffic to make sure that no one is in danger of getting hurt.

There are some special rules for public gatherings near courts and Parliament and during election campaigns.

The **Demonstrations in or near Court Buildings Prohibition Act** prohibits demonstrations and gatherings within 500 metres of a courtroom, except on weekends and public holidays (when courts would not normally be in session). However, this restriction is limited to demonstrations connected with a court proceeding or inquest, such as opposing a bail application. Public gatherings about some other issue outside a court are acceptable. The purpose of this law is to ensure that no one tries to influence magistrates or judges in the exercise of their duties.

The **Powers, Privileges and Immunities of Parliament Act** makes it a crime to interrupt Parliament or to assault, obstruct or intimidate MPs or staff. It is also a crime to refuse to withdraw from Parliament, including the surrounding yard and garden, if ordered to do so by the Speaker or Chairperson. Although these rules are not specific to public demonstrations, it is easy to see how they might apply to gatherings near Parliament. As in the case of the rules about gatherings near courts, these rules are designed to ensure that no one interferes with the duties of Parliament.

There are also special rules under the **Electoral Act** about political activities during election campaigns by political parties, associations, organisations and independent candidates. These guidelines are intended to protect public safety. For example, it is forbidden to use intimidation or to carry weapons at rallies, meetings, marches or demonstrations. Speakers at political rallies are also forbidden to use language which incites violence against any person or group. ►



We need to go back inside and discuss this again. The police have the power to place reasonable restrictions on our march to protect public safety and order, but they cannot stop us from exercising our constitutional rights to assemble and speak!

Tips on organising a successful public event

1. **Participation:** Make sure that there are a reasonable number of people who are willing to attend. A poor turn-out is likely to send the wrong message. You may need to organise transport if your supporters need to come far to attend the event.
2. **Clear message:** Focus the event around one clear issue. If possible, focus on a call for specific action. Your message will get lost if there are signs or speeches on many different issues. If the purpose of the event is unclear, it will have less impact.
3. **Location:** Choose a location that will reach a large number of people, such as the centre of town or a place with symbolic importance. For example, if your concern is a law, you may want to march to Parliament to take your message to the law-makers.
4. **Timing:** It might be difficult to get people to take part during working hours, so you may want to organise your event at lunchtime or on a weekend. You may want to schedule your event on a significant date, such as International Women's Day or Independence Day. If you are targeting a particular person or group to receive your message, make sure that the person or group will be present at the time of the event.
5. **Agenda:** Decide on the order of activities in advance. Keep the agenda short and focussed, so that people maintain their enthusiasm.
6. **Getting noticed:** Make sure that anyone who is speaking can be seen and heard by everyone. Arranging for a well-known person to speak may help attract attention. Attract attention with big banners or placards with simple images or messages. If your protest is in the evening, people can hold candles or torches. Have everyone wear the same colour shirt, or a particular kind of hat. Think up a chant that people can shout, sing a song that fits the message or invite a band or a choir to perform.
7. **Publicity:** Give advance notice to your supporters, the public and the media, and be sure that everyone knows the correct place and time. You can hand out leaflets, put up posters, arrange for advance announcements on radio or ask community and church leaders to inform people. Designate a person as the spokesperson, and let the media know that this person will be available to explain more about why the event is being held. Make sure that you include the time, date, and location of the protest. Be sure to put photos of the event on social media. ■



Plan well for maximum impact. For example, if you decide to march to Parliament, you should choose a time when the National Council or the National Assembly is in session. Arrange for the march to take place when the MPs are entering or leaving the building so that they will see it. You might want to ask the Speaker of Parliament or a particular MP to receive a letter or a petition on your issue.



Past demonstrations organised in Windhoek

