

Source: <http://parlament.org.ua/upload/docs/Party%20Report%20Ukraine.pdf>  
(accessed in January 2011)

**THE LAW ON POLITICAL PARTIES IN UKRAINE**  
*(with the latest amendments as of 01/06/2010)*

**CHAPTER I.**  
**GENERAL PROVISIONS**

**Article 1.** Citizens' Right to Associate in Political Parties

Citizens' right to freely associate in political parties to exercise and protect their rights and liberties, and to satisfy their political, economic, social, cultural, and other interests is determined and guaranteed by the Constitution of Ukraine. Restrictions on this right are allowed pursuant to the Constitution of Ukraine, in the interests of national security, public order, health care, or so as to protect the rights and freedoms of other peoples, as well as in other cases envisaged by the Constitution of Ukraine.

No-one shall be forced to join a political party or restricted in voluntarily withdrawing from a political party.

Partly affiliation or non-affiliation shall not warrant any restrictions of [civil] rights and liberties or any benefits or privileges on the part of the state.

Any restrictions in terms of political party membership shall be the sole prerogative of the Constitution and laws of Ukraine.

**Article 2.** A Definition of a Political Party

A political party shall be understood as a legally registered voluntary association of citizens adhering to a certain national social development programme, aimed at assisting in the formation and expression of citizens' political will, participating in elections and other political events.

**Article 3.** Legal Basis and Regulation of the Activities of Political Parties

Political parties shall conduct their activities in accordance with the Constitution of Ukraine, this Law, and other laws of Ukraine, as well in accordance with their statutes/charters enacted in accordance with the procedures provided for by this Law.

Political parties shall be formed and shall operate in Ukraine only when having the national status.

**Article 4.** Guarantees of the Activities of Political Parties

Political parties shall be equal before the law.

Bodies of state authority and local self-government and their officials shall be prohibited to discriminate against certain political parties or grant them privileges, and nor shall they assist political parties unless otherwise provided by law.

Bodies of state authority and local self-government and their officials shall be prohibited to interfere in the formation and internal activities of political parties and their local offices, except in cases envisaged by this Law.

## **Article 5. Restrictions on the Formation and Operation of Political Parties**

The formation and operation of political parties shall be prohibited if their programme objectives or activities are aimed at:

- (1) liquidating Ukrainian independence;
- (2) forcefully changing the constitutional order;
- (3) violating Ukraine's sovereignty and territorial integrity;
- (4) undermining national security;
- (5) unlawfully seizing power;
- (6) propagandizing war and violence, inciting interethnic, racial or religious animosity;
- (7) encroaching on human rights and freedoms;
- (8) encroaching on public health.

Political parties shall not have paramilitary formations.

A political party shall be banned only if so ruled by a court of law. In the first instance such ban shall be deliberated by the Supreme Court of Ukraine.

## **CHAPTER II. MEMBERSHIP AND FORMATION OF POLITICAL PARTIES**

### **Article 6. Membership of Political Parties and Restrictions**

Only citizens with a right to vote under the Constitution of Ukraine shall be eligible as members of political parties. A citizen shall be a member of only one political party at a time.

The following persons shall not be eligible:

- (1) judges;
- (2) officials of the public prosecutor's office;
- (3) officials of bodies of the Interior;
- (4) employees of the Security Service of Ukraine;
- (5) military personnel;
- (6) officials of the state tax authorities;
- (7) staff of the State Penal Service of Ukraine.

Members of political parties shall terminate their membership while occupying any of the above posts/ranks/positions.

The procedures of joining a political party, suspending or terminating membership shall be determined by that party's statute/charter.

Political party membership shall be attested. A compulsory condition of such attested membership shall be a Ukrainian citizen's statement submitted to a given party's statutory body and expressing that citizen's desire to become a member of that party.

The form of attesting [recording] political party membership shall be determined by a given party's statute/charter.

No political party structures shall be formed within the executive, judicial or local self-government authorities, military units, state enterprises, institutions of learning, and other government-run institutions and organizations.

### **Article 7. Programme of a Political Party**

Political parties shall each have a programme. The programme of a political party shall be statement of that party's tasks and objectives, as well as ways to implement them.

### **Article 8. Statute of a Political Party**

Every political party shall have a statute. Each such statute shall contain:

- (1) name of the political party;
- (2) a list of the statutory bodies of the political party, procedures of their formation, their respective powers, and term of office;
- (3) procedures of admission to the political party, suspension and termination of membership, etc.;
- (4) rights and obligations of the membership, grounds on which membership is suspended or terminated;
- (5) procedures of the formation, general structure, and competence of regional, city, and district party organizations and the smallest party units;
- (6) procedures of introducing changes in and amendments to the statute and programme of the political party;
- (7) procedures of convening and holding party conventions, conferences, meetings, and other representative bodies of the political party;
- (8) finance sources and budget;
- (9) procedures of liquidation (self-dissolution) and reorganization of the political party, and use of funds and property left after its liquidation (self-dissolution).

### **Article 9. Name and Symbols of a Political Party**

The name and symbols of a political party shall not coincide with those of any other (registered) political parties.

Replication of the national symbols of Ukraine or other countries in the symbols of a given political party shall be prohibited.

A political party may have party symbols, including the party anthem, flag, emblem, and motto. The symbols of a political party shall be officially registered with the Ministry of Justice of Ukraine in keeping with procedures designated by the Cabinet of Ministers of Ukraine.

Regional, city, and district [party] organizations and other structural subdivisions shall use the name of a given party with supplements indicating their position within the political party's organizational structure.

### **Article 10. Formation of a Political Party**

A political party shall be formed as resolved by its constituent convention (conference, meeting). The resolution shall be supported by at least ten thousand signatures on the part of Ukrainian citizens with a right to vote during elections, [which signatures are to be] collected in at least two-thirds of the districts of at least two-thirds of the administrative regions [oblasts] of Ukraine and in the cities of Kyiv and Sevastopol, and the Autonomous Republic of the Crimea.

The constituent convention (conference, meeting) of a political party shall adopt its statute and programme, and shall elect its executive and supervisory-auditing bodies.

A political party shall start operating only after being [officially] registered. Unregistered political parties shall not be allowed to operate.

### **CHAPTER III. REGISTRATION AND RIGHTS OF POLITICAL PARTIES**

#### **Article 11.** Registration of Political Parties

Registration of political parties shall be the prerogative of the Ministry of Justice of Ukraine.

In order to register a political party, the following documents shall be submitted along with an application:

- (1) statute and programme of the political party;
- (2) minutes of the constituent convention (conference, meeting) of the political party, specifying the date, place, and number of votes for the formation of the political party;
- (3) signatures of Ukrainian citizens supporting the formation of the political party, collected in keeping with this Law and certified by the persons collecting the signatures;
- (4) information about the structure of the executive bodies of the political party;
- (5) document attesting the payment of the registration fee;
- (6) name and address of the bank with which the party has opened accounts.

The Ministry of Justice of Ukraine shall register a given political party after verifying the documents thus submitted.

After registration, a political party shall obtain the status of a legal entity.

The amount payable as registration fee shall be determined by the Cabinet of Ministers of Ukraine.

A political party, within six months from the date of registration, shall secure the formation and registration, in accordance with this Law, its organizations in most regions of Ukraine.

The regional, city, and district party organizations or other structural subdivisions envisaged by the statute shall be registered by relevant bodies of the Ministry of Justice of Ukraine, unless otherwise provided by law, only after the political party has been registered with the Ministry of Justice of Ukraine. After registration, regional, city, and district party organizations may obtain the status of a legal entity, if so envisaged by the statute.

The smallest party units, which according to the statutes of political parties, are not granted legal entity status, shall legalize their operation by written notification of the foundation of the respective body to the Ministry of Justice of Ukraine within 10 days after their foundation. The smallest party units shall also provide notice regarding the foundation with respect to local bodies of the executive power and local self-government.

The relevant body of the Ministry of Justice of Ukraine within three hours after the receipt of the documents for registration shall issue a certificate of registration to the smallest party unit.

Bodies, authorized to register political parties and their regional, city, and district organizations envisaged by the statute, shall administer the respective registers. The latter's format shall be approved by the Ministry of Justice of Ukraine.

After registration, the Ministry of Justice of Ukraine and its pertinent bodies shall issue political parties and their regional, city, district organizations or other structural

subdivisions envisaged by their statutes with registration certificates in the format designated by the Cabinet of Ministers of Ukraine.

Every political party shall annually inform the Ministry of Justice of Ukraine about its regional, city, district organizations or other structural subdivisions envisaged by the statute.

Every political party shall also advise the Ministry of Justice of Ukraine of any changes in the name, programme, statute, and executive bodies of the party, their address and whereabouts within a week after making decisions on such changes.

The Ministry of Justice of Ukraine shall annually publish a list of registered political parties and their legal addresses.

Within 30 days from the date of receipt of the documents indicated in Clauses 1-6 of this Article 11, the Ministry of Justice of Ukraine shall determine to grant or refuse registration of a given political party. The said time-limit may be extended by the Ministry of Justice of Ukraine in case of necessity, provided the additional time does not exceed 15 days.

Registration may be refused if [any of the documents] thus submitted turn out at variance with the Constitution, this or [any] other laws of Ukraine.

The registration authorities indicated in Section 5 of this Article 11 shall determine to register the statute-designated regional, city, district organizations or other structural subdivisions of a given political party within 10 days from the date of receipt of the registration application certified by the political party's supervisory body.

Enclosed the application shall be:

- a copy of the statute of the political party;
- protocol [minutes] of the constituent meeting or conference forming a given regional, city, district organization or any other structural subdivision of the political party.

When refusing registration, the Ministry of Justice of Ukraine shall provide the applicant with a written motivated resolution.

Decisions granting or refusing registration, or failure to make such a decision, on the part of the Ministry of Justice of Ukraine or other registration authorities may be appealed to a court of law.

Refusal of registration shall not prevent a given political party from applying for registration again.

## **Article 12. Rights Vested in Political Parties**

Political parties shall have a right to:

- (1) freely operate within the limits set by the Constitution of Ukraine, this and other laws of Ukraine;
- (2) participate in the elections of the President, Verkhovna Rada of Ukraine, and other bodies of state authority and local self- government and of their officials in keeping with procedures established by the laws of Ukraine;
- (3) use state-controlled media and set up their own media as provided by the laws of Ukraine;
- (4) maintain international contacts with political parties and volunteer organizations in other countries, international and intergovernmental organizations, establish (associate in) international associations in keeping with this Law;
- (5) provide ideological and material support to youth, women's and other citizens' associations, and assist with their formation.

Political parties shall be guaranteed the freedom of opposition, including:

- an opportunity to make public and defend the party stand with regard to state and public life;
- participate in the discussion of acts of the authorities, make public and motivate its criticism, using government-run and nongovernmental media in keeping with legally established procedures;
- submit proposals to bodies of state authority and local self- government, which proposals these authorities must consider in keeping with established procedures.

**Article 13. International Activities of Political Parties**

Political parties may maintain contacts with political parties and volunteer organizations in other countries, international and intergovernmental organizations, make co-operation agreements, and conduct other activities inasmuch as they do not contradict the laws and international treaties of Ukraine. Political parties shall not make any agreements making these parties subordinate to or dependent on any foreign organizations or political parties.

Political parties may establish international associations/unions or join them provided their statutes/charters envisage the creation of only consulting or coordinating central bodies.

**CHAPTER IV.  
FUNDS AND OTHER PROPERTY OF POLITICAL PARTIES**

**Article 14. Funds and Other Property of Political Parties**

The state shall guarantee political parties the right to have funds and other property to carry out their statutory tasks.

Political parties shall be non-profit organizations.

In order to carry out their statutory tasks, political parties shall be entitled to movable and immovable property, funds, equipment, transport, and other facilities the acquisition of which is not prohibited by the laws of Ukraine. Political parties may lease any such movable and immovable property as they may require.

**Article 15. Finance Restrictions**

Financing political parties shall be prohibited:

- (1) on the part of bodies of state authority and local self- government, except in cases envisaged by the law;
- (2) on the part of state and municipally owned enterprises, institutions, and organizations, as well as by enterprises, institutions, and organizations having government or municipal shares or with a foreign interest;
- (3) on the part of other countries and foreign nationals, enterprises, institutions, and organizations;
- (4) on the part of benevolent and religious associations and organizations;
- (5) on the part of anonymous persons or persons using pseudonyms;
- (6) on the part of political parties other than members of the election bloc.

Banks shall notify the Ministry of Justice of Ukraine of any entries on political parties' accounts contrary to this Law.

Funds received by political parties contrary to this Law shall be transferred by these parties to the State Budget of Ukraine or exacted by a court of law for the benefit of the state.

**Article 16.** Exercise of Title to Property Owned by a Political Party

The title to a political party's property, including money owned by that party, shall be exercised in accordance with the laws of Ukraine and in keeping with procedures designated by that party's statute.

**Article 17.** Financial Reporting of a Political Party

A political party shall have a monthly financial report covering incomes and expenditures and a report on its property carried by a central government-run periodical.

Political parties shall keep books and records in accordance with set procedures.

**CHAPTER V.**  
**STATE CONTROL OVER THE ACTIVITIES OF POLITICAL PARTIES**

**Article 18.** Bodies Exercising State Control over Political Parties

State control over political parties shall be exercised by:

- (1) the Ministry of Justice of Ukraine, in terms of observance of the Constitution, [other] laws of Ukraine, and party statute/charter;
- (2) the Central Election Committee and district election committees, in terms of observance, by a given political party, of the election procedures.

Political parties shall provide any such documents and explanations as may be required by the controlling authorities.

Decisions made by controlling authorities may be contested in keeping with legally established procedures.

**Article 19.** Measures that Can be Taken re Political Parties

The following measures can be taken with regard to political parties transgressing the Constitution, this and other laws of Ukraine:

- (1) warning of unlawful activity;
- (2) banning the political party at fault.

**Article 20.** Warning of Unlawful Activity

If the leadership of a political party publicly announces its intention to commit acts punishable under the law, the controlling authority shall issue a notice warning against such unlawful activity.

If an act committed by a political party does not entail other kinds of answerability, the controlling authority shall instruct this party to correct the transgression.

The leadership of a political party shall promptly correct any such transgressions as may have caused such warning, and shall within five days notify the authority that issued the warning of the measures taken to correct the transgressions.

### **Article 21. Banning a Political Party**

A court of law may rule to ban a political party, as submitted by the Ministry of Justice or General Prosecutor of Ukraine, in case it transgresses [any of] the requirements to the formation and operation of political parties set forth in the Constitution, this and other laws of Ukraine.

A ban on a political party shall entail termination of that party's activities, dissolution of its executive bodies, regional, city, and district organizations, the smallest party units, and other structural subdivisions envisaged by the statute of that party, and termination of its membership.

### **Article 22. Amenability of Officials and Citizens for Transgressions of the Laws on Political Parties**

Officials and citizens found to have transgressed this Law, namely:

- (1) by forming, organizing, and participating in unregistered political parties;
- (2) restricting the rights of or persecuting citizens due to political party affiliation or non-affiliation;
- (3) refusing registration to a political party for no valid reasons;
- (4) granting a political party any advantages or restricting the lawful rights of a party and its membership;
- (5) transgressing the law when using party symbols;
- (6) inflicting material or moral damage on a political party;
- (7) organizing paramilitary units;
- (8) participating in a banned political party or committing other acts punishable under the law, shall be meted out disciplinary and administrative punishments, made liable or criminally prosecuted in accordance with the laws of Ukraine.

### **Article 23. Termination of a Political Party**

A political party shall be terminated by reorganization or liquidation (self-dissolution), or when banned or stripped of the registration certificate in keeping with procedures set forth in this and other laws of Ukraine.

A political party shall be reorganized or self-dissolved as resolved by that party's convention (conference) in accordance with its status. Simultaneously, the convention (conference) shall resolve to use the party property and funds for statutory or charitable purposes.

### **Article 24. Cancellation of the Registration Certificate**

If a political party fails to comply with Section 6 of Article 11 hereof, if within three years from the date of registration this party is found to have submitted corrupt information when applying for registration, if this party fails to nominate Ukrainian presidential and parliamentary candidates within ten years, the registration authority shall turn to the Supreme Court of Ukraine, requesting cancellation of the registration certificate. The latter shall not be revoked for any other reasons.

The Supreme Court ruling revoking the registration certificate shall entail termination



of a given political party, dissolution of its executive bodies, regional, city, and district organizations, the smallest party units, and other statutory subdivisions, and shall terminate party membership.

#### **CHAPTER IV. CLOSING PROVISIONS**

1. This Law shall inure on the date of publication.
2. The enactment of this Law shall not entail re-registration of political parties.
3. The political parties shall, not later than a year from the date of the next elections to the Verkhovna Rada of Ukraine, take all measures required to implement this Law, make the required adjustments in their statutory documents, and submit them to the Ministry of Justice of Ukraine.
4. The Cabinet of Ministers, acting within its competence, shall make decisions ensuing from this Law and submit proposals aimed bringing legislative acts in conformity with this Law.

President of Ukraine  
Leonid Kuchma  
City of Kyiv,  
April 5, 2001