



Strasbourg, 13 March 2000

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CDL (2000) 4 rev
Eng. only

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

**DECREE OF THE PRESIDENT OF UKRAINE
ON ANNOUNCEMENT
OF THE ALL-UKRAINE REFERENDUM
ON THE PEOPLE'S INITIATIVE**

*Unofficial translation
by the Secretariat of the Venice Commission*

« Voice of Ukraine (Golos Ukrainy) », 18 January 2000 N° (2255)

**Decree of the President of Ukraine
On announcement of the all-Ukraine referendum
on the people's initiative**

In order to meet the request by more than three million citizens of Ukraine, duly registered by the Central Electoral Committee according to its protocol “On the general results of the collection of signatures of citizens of Ukraine on the request to hold an all-Ukraine referendum on the people's initiative” of 15 January 2000; considering the urgent necessity of consolidating the society for solving the most important socio-economic problems; of ensuring the effective functioning of state powers in Ukraine, of overcoming several years of confrontation and polarisation of different political forces, legislative and executive branches of powers, that is slowing the implementation of the economic reform and endangering the independent, democratic Ukrainian State governed by the rule of law; of consulting the opinion of Ukrainian citizens on a range of important questions that could influence the future of the country, and of introducing the corresponding changes to the Constitution of Ukraine in the light of articles 72 and paragraph 6, sub-paragraph 1 of article 106 of the Constitution of Ukraine, **I establish:**

1. To hold an all-Ukraine referendum on the people's initiative on Sunday, 15 April, 2000.
2. To include in voting bulletins the following questions and possible optional answers:
 - 1) “Are you in favour of expressing no confidence in the XIVth sitting of the Verkhovna Rada of Ukraine and of introducing a corresponding amendment to Article 90 of the Constitution of Ukraine with the following content:

“in the case of a vote of no confidence in the Verkhovna Rada expressed at all-Ukraine referendum the President of Ukraine is empowered to dissolve the Verkhovna Rada of Ukraine?”

Yes.
No”.
 - 2) “Do you support the proposal to complete Article 90 of the Constitution of Ukraine with a new third part with the following content:

“The President of Ukraine can suspend before term the powers of the Verkhovna Rada of Ukraine, if the Verkhovna Rada of Ukraine fails to form a stable and operational majority in one month; or if it fails to adopt the State budget of Ukraine prepared and submitted in due form by the Cabinet of Ministers of Ukraine in three months, that could be considered as an additional reason for the dissolution of the Verkhovna Rada of Ukraine by the President of Ukraine, with a corresponding amendment to paragraph 8 part one of Article 106 of the Constitution of Ukraine:

“and other cases as established in the Constitution of Ukraine?”

Yes.
No.”
 - 3) “Do you agree to limit the immunity of the National Deputies of Ukraine and exclude paragraph three of Article 80 of the Constitution of Ukraine which reads:

“National Deputies of Ukraine cannot be, without the consent of the Verkhovna Rada, criminally liable, detained or arrested?”

Yes.
No.
 - 4) “Would you agree to reduce the number of National Deputies of Ukraine from 450 to 300 and to replace, in this context, in the first part of Article

76 the words “four hundred and fifty” by “three hundred”, and to make corresponding changes in the legislation on elections?

Yes.
No.”

- 5) “Do you agree that it is necessary to create a two-chamber parliament, where one of the chambers would represent interests of the Ukrainian regions, and to introduce the corresponding changes to the Constitution of Ukraine and legislation on elections?

Yes.
No.”

- 6) “Do you agree that the Constitution of Ukraine should be adopted at an all-Ukraine referendum?

Yes.
No.”

3. Citizens make their choice by deleting one item: to make a positive answer, they delete “No”, to make a negative answer, they delete “Yes”.

4. To charge the Central Electoral Committee, regional and local electoral committees with the responsibility to organise the all-Ukraine referendum on the people’s initiative on questions which are subject to this Decree.

The Central Electoral Committee, regional and local electoral committees are empowered to prepare and hold the all-Ukraine referendum on the people’s initiative according to the Constitution of Ukraine, the Law of Ukraine “On national and local referendums” in parts which do not contradict the Constitution of Ukraine.

5. The Cabinet of Ministers of Ukraine shall ensure the funding of the preparation of the all-Ukraine referendum on the people’s initiative, according to the estimate of costs, approved by the Central Electoral Committee.

6. The central executive bodies, The Council of Ministers of the Republic of Crimea and local administrations have to provide all necessary organisational and technical help to the commissions on the all-Ukraine referendum.

7. This Decree enters into force on the date of its publication.

President of Ukraine
L. Kuchma

Kyiv
15 January 2000
N° 65/2000