



COUNCIL OF EUROPE    CONSEIL DE L'EUROPE

Strasbourg, 7 March 2003

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**CDL-DEM (2003) 1**  
Engl. only

**EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW**  
**(VENICE COMMISSION)**

**QUESTIONNAIRE  
ON ESTABLISHMENT, ORGANISATION  
AND ACTIVITIES OF POLITICAL PARTIES**

**prepared by**

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## *1 General*

- 1.1 Are there any constitutional, legislative or regulatory texts on political parties or on private associations with political goals?
- 1.2 To which extent is the law on private associations applicable on political parties?
- 1.3 Is there a legal definition of the term “political party”?
- 1.4 Does the law distinguish between political parties on the local, the regional and the national level?
- 1.5 Does the law limit:
  - a) participation in elections?
  - b) Other political activity of the recognised political parties?

## *2 Establishment*

- 2.1 Are there any constitutional, legislative or regulatory texts on the establishment of political parties?
- 2.2 What are the material and procedural requirements to establish a political party
  - in general?
  - concerning its political program?
  - concerning founding members or concerning other individuals, who in some way have to support the establishment (and their number, citizenship, residence etc.)?
- 2.3 Are there legally defined limits for what may be legally acceptable as a political program of a political party, e.g. when it comes to political ideology or any wish to change the constitution?
- 2.4 When is a political party recognised as such, is registration required for recognition, and, if the latter is the case, under which conditions is registration granted?  
If registration is required:
- 2.5 Which authority conducts the registration procedure, and which rules are governing the registration procedure?
- 2.6 Is there a legal remedy, if recognition or registration is denied? Is there any recourse to a court of law?

## *3 Organisation*

- 3.1 Are there any constitutional, legislative or regulatory texts on the organisation of political parties?
  - Who can be a member?
  - Is membership open for national citizens only, or are foreign citizens and stateless persons accepted as members?
  - Are there formal requirements for membership as for example residence in the country or knowledge of a certain language?
- 3.2 Can membership be denied or can membership be terminated against the will of the member? Can denial or termination be challenged within the party organisation or by appeal to an external authority?
- 3.3 Are there regulations concerning the internal registration of party members and concerning access to and disclosure of information on membership, e.g. in matters concerning public financing, taxation or dissolution?
- 3.5 Which individual or body represents a political party in legal matters?
- 3.6 Are there legal requirements concerning internal democracy in a political party?
- 3.7 Is a political party required to maintain national, regional or local branches or offices?

#### 4 Political activities

4.1 Are there any constitutional, legislative or regulatory texts on the political activities of political parties?

4.2 Is it mandatory for political parties, e.g. as a prerequisite for recognition or for access to public financing,

- to present individual candidates or lists of candidates for general elections on the local, regional or national level?
- to participate in local, regional or national election campaigns?
- to get a certain number of candidates elected in local, regional and national elections?
- to conduct other political activities specified by law?

#### 5 *Supervision and control*

5.1 Are there any constitutional, legislative or regulatory texts on supervision or control of the

- *political* activities of political parties?
- *financial* activities of political parties?

And if there is supervision or control:

5.2 Is there a supervision through members? For example, is there a possibility to appeal against the party's decision in court?

5.3 Which authority is supervising or controlling political parties and to which extent?

5.4 Which rules of procedure are governing supervision or control?

5.5 Is there a legal remedy against decisions emanating from supervision or control procedures?

Is there any recourse to a court of law?

5.6 Is there any procedure for the removal of a party from a party register and what are the legal consequences of such a measure?