



Strasbourg, 14 November 2016

**CDL-REF(2016)063**

**Opinion No. 843 / 2016**

Engl. only

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

**ARMENIA**

**DRAFT CONSTITUTIONAL LAW**

**ON POLITICAL PARTIES**

**Article 1. Subject matter of the Law**

1. This law defines the legal status of political parties, regulates relations connected with the establishment, state registration, activities, re-organisation, suspension and prohibition of activities and dissolution of political parties and other relations connected with the legal status of political parties.

**Article 2. Concept of political party**

1. A political party is a voluntary union of citizens which, from the moment of state registration, obtains the status of a non-commercial legal person and contributes to the formation and expression of the political will of the people by participating in referenda, elections of state and local self-government bodies and through other ways of participation in the political life of the society and the state.

**Article 3. Legislation on political parties**

1. The relations connected with the formation and activities of political parties shall be regulated by the Constitution of the Republic of Armenia, this Law, international treaties of the Republic of Armenia, as well as other secondary regulatory legal acts adopted in accordance with this Law.

**Article 4. Principles of activities of political parties**

1. Political parties shall be equal before the law, regardless of the ideology, goals and objectives reflected in their programme documents.

2. The activities of a political party shall be based on the principles of voluntary membership, equal rights of members, exclusion of discrimination, independence, self-governance, collegiality of the political party, transparency, publicity and accountability of the activities of the political party.

**Article 5. Restrictions on establishment and activities of political parties**

1. Establishment or activities of political parties advocating violent overthrow of the constitutional order or using violence for the purpose of overthrowing the constitutional order shall be prohibited.

2. Establishment or activities of subdivisions of political parties within state and local self-government bodies, the Armed Forces of the Republic of Armenia, law-enforcement bodies, other state organisations, pre-school, school and other educational institutions shall be prohibited.

3. Establishment or activities of foreign political parties or subdivisions and institutions thereof in the territory of the Republic of Armenia shall be prohibited.

**Article 6. The State and the political parties**

1. Interference of officials of state and local self-government bodies into the activities of political parties shall be prohibited, except for the cases provided for by this Law.
2. Members of political parties holding offices within state and local self-government bodies of the Republic of Armenia shall not have the right to use their service (official) position to the benefit of the interests of the political party. When performing their official duties, the mentioned persons shall not be bound by the decisions of the political party.
3. Membership or non-membership to a political party shall not be a ground for restricting the rights and freedoms of a person or granting him or her any privilege or advantage by the State.

**CHAPTER 2**  
***ESTABLISHMENT AND STATE REGISTRATION OF POLITICAL PARTIES***

**Article 7. Establishment of political parties**

1. A political party is established upon the initiative of citizens of the Republic of Armenia, by the decision of the founding congress.
2. The founding congress shall have a quorum where at least 100 founders participate therein.

**Article 8. Adoption of decisions by the founding congress of a political party**

1. The founding congress of a political party shall adopt decisions on the establishment of the political party, on the adoption of the programme and approval of the statute of the political party, on the authorised person(s) for state registration, on formation of governing and supervisory bodies, as well as appoint (elect) from among its composition the head (or an acting head) of the permanently functioning governing body.
2. Decisions on the establishment of a political party, approval of the programme and the statute of the political party, formation of governing and supervisory bodies shall be adopted by the unanimous decision of at least 100 founders attending the founding congress of the political party.
3. At least one month before the day of holding the founding congress, the organisers of the founding congress shall publish a notification about the time and venue of the founding congress of the political party, as well as the general provisions of the draft statute and draft programme of the political party on the official website for public notifications of the Republic of Armenia at <http://www.azdarar.am>.

## **Article 9. Procedure for state registration of political parties**

1. The legal capacity of the political party as a legal person shall arise from the moment of state registration, whereas the legal capacity of the territorial subdivisions of the political party shall arise from the moment of state record-registration.

2. At the moment of state registration, the political party must have not less than 1 000 founders<sup>1</sup> representing either the city of Yerevan or at least one third of the Marzes [Regions] of the Republic of Armenia, or at least one third of the city of Yerevan and the Marzes of the Republic of Armenia, as well as territorial subdivisions either in the city of Yerevan or at least in one third of the Marzes of the Republic of Armenia, or in at least one third of the city of Yerevan and the Marzes of the Republic of Armenia<sup>2</sup>.

3. State registration of a political party shall be carried out by the authorised state administration body of the Government of the Republic of Armenia (hereinafter referred to as “the authorised state body”).

4. For the purpose of state registration, the political party shall provide the authorised state body with the following:

- (1) at least two copies of both the statute and the programme of the political party;
- (2) an application for state registration, signed by the members of the permanently functioning governing body of the political party, with an indication of the passport data and record-registration address of each of them;
- (3) the minutes of the meeting of the founding congress, including the decisions on the establishment of the political party, on “the designation or election of the head (or acting head) of the permanently functioning governing body”, on the formation of territorial subdivisions, on the registered offices thereof, on the approval of the statute and adoption of programme documents, on the authorised person(s) for state registration, on the formation of governing and supervisory bodies;
- (4) list of the founders of the political party at the moment of state registration, which must contain the name and signature of the member, indication regarding the relevant territorial subdivision, restrictions or ban on the right to join the political party;

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<sup>1</sup> Pursuant to the current Law of the Republic of Armenia “On political parties”, a political party shall be obliged to have no less than 200 members at the moment of state registration; however, no later than six months after the state registration the political party must have not less than 2 000 members; moreover, not less than 100 members in each Marz of the Republic of Armenia. It should be noted that such regulation is problematic as it serves as a lever to exercise supervision over a political party after its registration. The draft recommends prescribing that a political party must have 1 000 founders at the moment of state registration, without laying down a requirement for replenishing the number of its members in the future. Furthermore, the recommended regulation cuts by half the threshold set forth for the number of members of a political party, prescribing a requirement for 1 000 members instead of 2 000.

<sup>2</sup> Pursuant to the current Law of the Republic of Armenia “On political parties”, no later than 6 months after the state registration the political party must have territorial subdivisions in all marzes of the Republic of Armenia, including in the city of Yerevan.

- (5) the names of the founders having participated in the founding congress, photocopies of passports, list of signatures, indication regarding the restrictions or ban on establishment of the political party;
- (6) information on the composition of the governing bodies of the political party (name, surname, passport data, place of residence);
- (7) statement of information on the registered address of the permanently functioning governing body of the political party;
- (8) document attesting the payment of state duty for state registration.

5. Documents provided for by part 4 of this Article shall be submitted for the purpose of state registration no later than within three months following the day of holding of the founding congress of the political party.

6. In case of submission of the documents provided for by part 4 of this Article, the authorised state body shall, within a one-month period, register the political party or, in case of existence of grounds prescribed by this Law, return the application for state registration or reject the state registration of the political party.

7. The statute, programme and other programme documents of the political party shall be subject to publication on the official website of the authorised body for general information purposes, within a two-week period following the state registration of the political party.

#### **Article 10. Returning the application for state registration of a political party**

1. In case of violation of the requirements prescribed by this Law for state registration, the authorised state body shall return the application for state registration. The decision of the authorised body on returning the application for state registration of a political party must be in writing and substantiated, containing a reference to the provision of the legal act the requirements of which have been violated.

2. In case of correcting the inaccuracies revealed and re-submitting to the authorised body the application for state registration within five working days, it shall be considered as accepted on the day of initial submission, and state duty shall not be levied again. After the end of the specified time limit, upon paying the state duty, the application for state registration may be re-submitted to the authorised state body no later than within three months from the day of holding of the founding congress of the political party.

3. The return of the application for state registration may be appealed as prescribed by law.

**Article 11. Rejecting state registration of a political party**

1. The authorised state body shall reject state registration of the political party, where:
  - (1) the provisions of the statute or the programme of the political party are aimed at violent overthrow of the constitutional order of the Republic of Armenia;
  - (2) the number of the founders of the political party does not correspond to the requirements of this Law, the founding congress of the political party has not adopted decision on the establishment of the political party, on the adoption of the programme or the approval of the statute of the political party, on the formation of governing or supervisory bodies, as well as where the head (or acting head) of the permanently functioning governing body has not been appointed (elected); or
  - (3) the application for state registration of the political party has been submitted 3 months after the day of holding of the founding congress of the political party.
2. The decision of the authorised body on rejecting state registration of a political party must be in writing and substantiated, containing a reference to the provisions of this Law which have served as a ground for rejection.
3. The rejection of state registration of a political party, as well as the failure to register a political party in the time limit prescribed by this Law may be appealed as prescribed by law.

**CHAPTER 3  
STRUCTURE OF A POLITICAL PARTY****Article 12. Members of a political party**

1. Membership to a political party shall be voluntary and individual.
2. Citizens of the Republic of Armenia having attained the age of eighteen and having active legal capacity may become members of a political party. Other persons vested with the right of suffrage in the Republic of Armenia may join a political party without the right to approve the statute and the programme thereof and without the right of being elected to its governing and supervisory bodies.
3. The founders of a political party shall, by virtue of law, become members of the political party following the state registration of the political party.
4. Each person may at the same time be member of one political party only.
5. Joining a political party shall be effected based on the application of a citizen, in accordance with this Law, as provided for by the statute of the political party.
6. Members of a political party shall have the right to elect and be elected as the head of the given political party and its territorial subdivisions and to the supervisory bodies thereof, attend the sessions of the congress of the political party, get acquainted with the protocols of the bodies of the political party, receive photocopies of the decisions adopted

thereby, receive information about the activities of the political party and the governing bodies thereof, receive photocopies of documents regarding amendments to the statute of the political party and the funds received from property management, as well as receive the conclusion of the independent auditor who has carried out the audit of the financial statements thereof, and appeal the decisions and actions of the bodies of the political party.

7. Members of a political party may have other rights and responsibilities, in accordance with the statute of the political party.

8. In case of failure to perform their statutory responsibilities, members of a political party may be subjected to disciplinary liability as provided for by the statute, including to dismissal from the political party.

### **Article 13. Prohibitions for joining a political party**

1. Judges, prosecutors, investigators may not be founders or members of a political party.

2. The President of the Republic, the Human Rights Defender, members of the Central Electoral Commission, members of the Commission on Television and Radio, members of the Audit Chamber, members of the Central Bank Board may not be members of a political party during the term of exercising their powers.

3. Other restrictions on the right to found or join a political party may be prescribed by other laws.

### **Article 14. Name of a political party**

1. The name of a political party shall contain the word “political party”.

2. The name or abbreviation of a political party must not be identical or confusingly similar to the names or abbreviations of registered political parties or other non-governmental associations, of political parties the activities of which have been prohibited as prescribed by the Constitutional Law of the Republic of Armenia “On Constitutional Court” during the five years preceding the registration of the political party concerned, as well as of political parties under the process of registration.

3. The full or the short name of a prominent person may be used in the name of a political party only in case of a written consent of that person, and in case such prominent natural person has deceased – upon the written consent of his or her heir. Where the prominent person or, in case of the death thereof, his or her heir finds that the activities of the political party besmirch the reputation of that person, he or she may file a claim with a court on depriving the political party of the right to use the name of the person in the name of the political party.

4. Use of names of state and local self-government bodies or names confusingly similar to them in the name of a political party shall not be allowed.

5. The name of a political party must not violate intellectual property rights of citizens and legal persons.
6. Legal persons that are not political parties, as well as separate subdivisions and institutions thereof may not use the word “political party” in their name.
7. Territorial subdivisions of a political party shall use the name of the political party specifying the relevant territory.

#### **Article 15. Emblem and other symbols of a political party**

1. Political parties may have an emblem and other symbols, the description of which shall be prescribed by the statute of the political party.
2. The emblem and other symbols of a political party may not be identical or confusingly similar to the flag or coat of arms of the Republic of Armenia or other state, emblems and other symbols of state and local self-government bodies, as well as functioning political parties and other non-governmental associations, international organisations, organisations or political parties prohibited in the territory of the Republic of Armenia.
3. The emblem and other symbols of a political party must not violate intellectual property rights of citizens and legal persons.

#### **Article 16. Statute of a political party**

1. A political party, structural and territorial subdivisions thereof shall operate based on the statute of the political party, the provisions whereof must not contradict the requirements of the Constitution and the laws of the Republic of Armenia.
2. Political parties shall independently determine their internal structure, objectives, forms and methods of activities, which may not contradict democratic principles.
3. The statute shall define the following:
  - (1) the name, including the abbreviation of the name, as well as the description of the emblem, symbols (if any) of the political party;
  - (2) the conditions of and procedure for joining the political party and termination of membership thereof;
  - (3) rights and responsibilities of the members of the political party;
  - (4) structure of the political party, the procedure for formation and dissolution of the governing and supervisory bodies thereof, powers and terms thereof;
  - (5) the procedure for election of delegates participating in the congress of the political party;
  - (6) the procedure for establishment and termination of the activities of the territorial subdivisions of the political party;
  - (7) the procedure for formation and dissolution of governing and supervisory bodies of the territorial subdivisions of the political party, the powers and terms thereof;



- (8) the procedure for making amendments and supplements to the statute of the political party;
- (9) measures of disciplinary liability which may be imposed on the members of the political party, grounds and procedure for imposition thereof, competent bodies imposing those measures;
- (10) sources of acquisition of monetary funds and property of the political party, the property management rights of territorial and structural subdivisions thereof.

4. The statute of the political party may also contain other provisions concerning its activities.

#### **Article 17. Programme of a political party**

1. The political party must have a programme which shall specify the goals and objectives of its activities, as well as the ways of reaching those goals and fulfilling the objectives.

#### **Article 18. Governing bodies of a political party**

1. The highest governing body of a political party shall be the congress of the political party, which shall be convened by the permanently functioning governing body of the political party within the time limit provided for by the statute of the political party but no later than once in two years. The congress of the political party shall elect the bodies prescribed by the statute of the political party, which shall be accountable to the congress.

2. The congress of the political party shall be entitled to discuss any issue provided for by the statute of the political party.

The exclusive powers of the congress of the political party shall be the following:

- (1) approval of the statute and adoption of the programme of the political party, making amendments and supplements thereto;
- (2) formation of governing and supervisory bodies;
- (3) election (appointment) of the head of the permanently functioning governing body;
- (4) re-organisation of the political party;
- (5) liquidation of the political party.

3. The permanently functioning governing body of the political party shall act on behalf of the political party in the relations with other bodies and persons, whereas in case of a collegial governing body – the head of the collegial body.

The permanently functioning governing body of the political party shall:

- (1) approve the annual budget of the political party where that power is not reserved to the congress of the political party by the statute of the political party;
- (2) approve the estimate of expenditures of the political party based on the approved annual budget;
- (3) sign civil-law transactions on behalf of the political party;
- (4) exercise other rights reserved to it by law and the statute.

**Article 19. The procedure for adopting decisions at the congress of a political party**

1. Representatives elected from the subdivisions of a political party, i.e. the delegates, shall participate in the congress of the political party with the right to vote.
2. The congress of a political party shall have quorum, where at least two thirds of the total number of the congress delegates but no less than 100 delegates are attending it.
3. The decisions of the congress of a political party shall be adopted by the majority of votes of the delegates attending the congress, except for cases provided for by this Law.
4. The decisions on approving the statute and adopting the programme of a political party, making amendments and supplements thereto, forming governing and supervisory bodies, election (appointment) of the head of the permanently functioning governing body, re-organisation, liquidation of the political party shall be adopted by the majority of votes of the total number of elected delegates.

**Article 20. Territorial subdivisions of a political party**

1. Territorial subdivisions of a political party shall be established according to territorial features – in the marzes of the Republic of Armenia and administrative districts of the city of Yerevan.
2. Territorial subdivisions of a political party shall be record-registered by the state authorised body as prescribed by law.
3. Governing bodies of a political party and territorial subdivisions thereof may be located only in the territory of the Republic of Armenia. In other states, a political party may have only representations.

**CHAPTER 4*****RIGHTS, RESPONSIBILITIES OF POLITICAL PARTIES AND SOURCES OF FORMATION OF THE PROPERTY THEREOF*****Article 21. Exclusive rights of a political party, alliances of political parties**

1. Political parties and alliances of political parties shall have the exclusive right to nominate candidates for Deputies of the National Assembly.
2. Nomination of candidates by a political party during the elections to the National Assembly shall be made by the decision adopted during the sitting of the permanently functioning governing body of the political party, unless the statute of the political party reserves thereto the power to adopt such a decision at the congress of the political party.

3. Nomination of candidates by alliances of political parties during the elections to the National Assembly shall be made by the decision adopted during the sitting of the permanently functioning governing bodies of the alliances of political parties.

4. Heads of subdivisions of the political party shall participate in that sitting as prescribed by the statute of the political party. A political party included in an alliance of political parties may not independently participate in elections. A political party may be included in the composition of only one alliance.

## **Article 22. Rights of political parties**

1. A political party shall have the right, as prescribed by law, to:
  - (a) participate in preparation and holding of the elections of state and local self-government bodies, as well as referenda;
  - (b) have access — on equal and non-discriminatory conditions — during the electoral process to mass media established by state and local self-government bodies;
  - (c) establish mass media and publishing houses;
  - (d) freely disseminate information on its activities, advocate its ideas and objectives;
  - (e) organise and hold peaceful, unarmed assemblies;
  - (f) create alliances (associations) with other political parties, without forming a legal person;
  - (g) establish and maintain international contacts with political parties and public associations of other states, international organisations, join international unions and associations;
  - (h) carry out other activities not prohibited by law and in line with the statute thereof.
2. A political party shall have the right to dispose of its property and outcomes of its activities pursuant to the statutory objectives thereof.
3. A political party shall not have the right to establish a commercial legal person, except for cases provided for by this Article.
4. Political parties may nominate candidates for the head of community and members of the Council of Elders. A political party may also nominate a person not being its member as a candidate for head of community and member of the Council of Elders.
5. During the elections to the National Assembly, alliances of political parties may be formed by at least two political parties.
6. The freedom to engage in opposition activities shall be guaranteed for political parties, including the freedom to:
  - (a) publicly express its position on different issues of state and public life;
  - (b) submit individual or collective petitions to state and local self-government bodies, officials, which shall be subject to discussion by the relevant bodies and officials as prescribed by law.

**Article 23. Responsibilities of political parties**

1. A political party shall be obliged to:
  - (1) comply with the Constitution and the laws of the Republic of Armenia;
  - (2) annually publish a report on use of property on the official website of public notifications of the Republic of Armenia, <http://www.azdarar.am>, specifying the sources of the formation thereof.
2. Political parties running in elections shall submit a declaration of property and income of the political party (alliances of political parties — that of the political parties included therein) to the Central Electoral Commission within five days following the expiry of the time limit prescribed by law for registration of the electoral lists of political parties running in elections.

**Article 24. Property of a political party**

1. For the purpose of fulfilling the objectives defined by the statute and the programme, a political party may — based on the right of ownership or other property rights — have any property, except for individual types of property that, in accordance with law, may not belong to the political party or are removed from circulation.
2. Property of a political party shall be generated from:
  - (1) lump sum payments made for joining the political party (entry fees), payments made regularly in the amount prescribed (membership fees), if such are prescribed by the statute of the political party;
  - (2) donations provided for by Article 25 of this Law;
  - (3) budget financing as provided for by Article 27 of this Law;
  - (4) income generated from activities prescribed by this Law.
3. A member of a political party shall have no right of ownership over the property belonging to the political party. Donating the property of a political party shall be prohibited.
4. A political party shall not be liable with its property for the obligations of its members, whereas a member of a political party shall not be liable with his or her property for the obligations of the political party.

**Article 25. Donations made to political parties**

1. Political parties shall have the right to receive donations — in the form of property, including monetary means — from natural and legal persons, except for cases provided for by part 4 of this Article.
2. The total amount of the donation made to the political party, as well as of the work and services performed for the political party (hereinafter referred to as “donation”), expressed in monetary terms, in the course of one year may not exceed one million-fold of the minimum salary prescribed by law, including:
  - (1) ten thousand-fold of the minimum salary prescribed by law, when received from one commercial organisation;

- (2) one thousand-fold of the minimum salary prescribed by law, when received from one non-commercial organisation;
- (3) ten thousand-fold of the minimum salary prescribed by law, when received from one natural person.

3. In cases provided for by part 2 of this Article, the value of the property donated by one person to a political party may not exceed two hundred thousand-fold of the minimum salary prescribed by law. Immovable property given to a political party in the form of donation may not be alienated within at least five years from the date of donation.

4. Donations shall not be allowed from:

- (1) charitable or religious organisations, as well as organisations with participation thereof;
- (2) state and community budgets and/or extra-budgetary funds, except for financing made pursuant to Article 27 of this Law;
- (3) state and community non-commercial organisations, and commercial organisations with state and community participation;
- (4) legal persons registered up to six months before the date of making the donation;
- (5) foreign states, foreign nationals and legal persons, as well as legal persons with foreign participation, where the stocks, unit, share of the foreign participant in the authorised (share, unit) capital of that legal person is more than 30 percent;
- (6) international organisations and international non-governmental movements;
- (7) stateless persons;
- (8) anonymous persons.

5. In case of receiving donations exceeding the amount prescribed by part 2 or 3 of this Article, the political party shall be obliged to return to the donor — within two weeks following the receipt — the part exceeding the prescribed amount of donation or the donation in whole, and the donations not permitted by points 1, 4 and 7 of part 4 of this Article in whole and, in case it is impossible, to transfer them to the State Budget.

6. In case of receiving donations not permitted by points 2, 3, 5, 6 and 8 of part 4 of this Article, a political party shall be obliged to transfer them to the State Budget within two weeks following the receipt.

7. Natural persons making a donation shall be obliged to specify their name, surname, place of residence, whereas legal persons shall be obliged to specify all the information required by the rules of non-cash settlements between legal persons.

8. Allocations to political parties exceeding one hundred-fold of the minimum salary prescribed by law shall be made without cash transfer.

9. In case of receiving relevant donations prescribed by parts 5 and 6 of this Article and failing to transfer them, respectively, to the State Budget or to the donors, within the time limits prescribed by law, the political party shall be subject to liability as prescribed by law.

## **CHAPTER 5**

### ***PUBLIC SUPPORT TO POLITICAL PARTIES***

#### **Article 26. Forms of public support to political parties**

1. State and local self-government bodies shall, as prescribed by law, on equal and non-discriminatory conditions, provide the following support to the political parties:

- (1) provide for an opportunity to use mass media founded with their participation;
- (2) provide the political parties with premises, means of communication belonging to them, with the priority right for the use thereof belonging to the political parties having participated in the distribution of mandates in the elections to the National Assembly;
- (3) provide the political parties and their territorial subdivisions with relevant opportunities, as prescribed by the Electoral Code of the Republic of Armenia, to conduct an election campaign;
- (4) ensure necessary conditions for political parties to hold events.

2. State bodies shall fund the activities of political parties as prescribed by Article 27 of this Law.

#### **Article 27. State funding of political parties**

1. State funding of political parties shall be made at the expense of the funds of the State Budget of the Republic of Armenia. Such expenditures shall be reflected in the State Budget under a separate budget line.

2. The total amount of funds provided for by the State Budget of the Republic of Armenia for funding of political parties may not be less than the product of 0,03-fold of the minimum salary prescribed by law and the total number of citizens included in the electoral lists during the latest elections to the National Assembly.

3. Funds from the State Budget shall be allocated to the political party (alliance of political parties) the electoral list whereof has, during the latest elections of the National Assembly, received at least three percent of the total sum of the total number of votes cast in favour of electoral lists of all political parties having participated in the voting and the number of inaccuracies.

4. Funds provided to political parties (alliances of political parties) from the State Budget shall be distributed among the political parties (alliances of political parties) pro rata with the votes cast in favour of them during the latest elections of the National Assembly.

5. The mentioned funds shall be equally distributed among the political parties participating in the electoral alliance of political parties, unless otherwise provided for by the decision of the electoral alliance of political parties.

6. Allocation of funds of the State Budget shall be terminated from the date of adoption of a decision on re-organisation, liquidation of a political party, the date of

entry into force of the decision of the Constitutional Court on prohibition of activities of the political party.

## **CHAPTER 6**

### **STATEMENTS AND AUDIT OF POLITICAL PARTIES**

#### **Article 28. Statements of political parties**

1. Political parties shall submit financial and accounting statements to state bodies in the manner and within the time limits prescribed by legislation for legal persons.
2. Every year, no later than March 25 following the reporting year, the political party shall be obliged to publish through mass media a statement on the sources of funds and the expenditures, as well as on the property of the political party during the reporting year (hereinafter referred to as “the statement”) and, in cases provided for by law, an audit opinion thereon, as well as to post it on the official web-site of public notifications of the Republic of Armenia, as prescribed.
3. After publishing its statement through mass media and posting it on the official web-site of public notifications of the Republic of Armenia, the political party shall be obliged to submit the statement and the evidence confirming the fact of its publication to the Oversight and Audit Service of the Central Electoral Commission (hereinafter referred to as “the Oversight and Audit Service”) no later than April 1 following the reporting year.
4. The statement of a political party during the reporting year must contain data on the sources and amount of funds deposited on the account of the political party, the spending of such funds, as well as the property in possession, with an indication of its value. The statement of the political party shall, together with the total amount generated from the payments prescribed by point 1 of part 2 of Article 24 of this Law, also indicate the number of members of the political party having made such payments.
5. The source of a donation received by a political party, amounting to more than one hundred-fold of the minimum salary prescribed by law, shall be indicated in the statement of the political party.
6. Accounting of expenses made by a political party for the preparation and conduct of an election campaign shall be maintained separately.
7. The procedure for the publication and submission of the statement (including the form of the statement) shall be established by the Government of the Republic of Armenia.

**Article 29. Audit of statements of political parties**

1. Political parties possessing assets with the value exceeding ten thousand-fold of the minimum salary prescribed by law shall be obliged to publish the statements only after undergoing audit and along with the audit opinion.
2. The political party — where the value of its assets has exceeded ten thousand-fold of the minimum salary due to the value of the immovable and movable property in the balance of the political party in the reporting year, and where the particular political party has already once submitted an audit opinion to the Oversight and Audit Service in this regard — shall be released from the obligation to submit an audit opinion in the following reporting years, if no changes have taken place concerning the immovable and movable property in its balance as compared to the previous reporting year. In case of changes concerning the immovable and movable property in the balance of the political party, the political party shall be obliged to submit the statement as prescribed by law along with the audit opinion, where the price of all the transactions handled in the reporting year has exceeded ten thousand-fold of the minimum salary prescribed.
3. Political parties having received funding from the State Budget as prescribed by this Law shall be obliged to publish the statements only after undergoing audit and along with the audit opinion, where the funding from the State Budget in the reporting year has exceeded three thousand-fold of the minimum salary.

**CHAPTER 7  
INTERNATIONAL ACTIVITIES OF POLITICAL PARTIES****Article 30. International activities of political parties**

1. A political party shall have the right to establish and maintain contacts with political parties, non-governmental associations of foreign states, international organisations, conclude agreements on co-operation and implement other measures which do not contradict the Constitution, the international treaties and laws of the Republic of Armenia.
2. Political parties shall have the right to join international unions and associations.

**CHAPTER 8  
SUPERVISION OVER ACTIVITIES OF POLITICAL PARTIES****Article 31. Bodies exercising supervision over political parties**

1. The Audit and Oversight Service shall exercise supervision over financial activities of political parties.



2. For the verification of authenticity of the statement published and submitted to the Audit and Oversight Service by a political party, the political party shall, upon the request of the Audit and Oversight Service, be obliged to provide within three days the required information on the inflows and outflows of the cash account and bank account, submit primary accounting and other documents of the political party.

## **CHAPTER 9**

### ***SUSPENSION, PROHIBITION OF ACTIVITIES, RE-ORGANISATION AND LIQUIDATION OF POLITICAL PARTIES***

#### **Article 32. The procedure for suspension and prohibition of activities of a political party**

1. The activities of a political party may be suspended or prohibited upon the decision of the Constitutional Court, as prescribed by law.

2. The National Assembly of the Republic of Armenia and the Government of the Republic of Armenia may, upon the grounds prescribed by this Law, apply to the Constitutional Court on the issue of suspension or prohibition of activities of a political party.

#### **Article 33. Suspension of activities of a political party**

1. The activities of a political party may be suspended where the political party has committed a gross violation of law during its activities.

2. Within the meaning of part 1 of this Article, gross violation of law shall mean:

- (1) violation of the procedure prescribed by law for the disposal of donations or publication of the annual statements of the political party or provision of documents prescribed by law and failure to eliminate the violation within a thirty-day period after being subjected to liability as provided for by the Administrative Offences Code of the Republic of Armenia;
- (2) commission of such a violation during the foundation or state registration of a political party, for which the political party would not be registered if it has been known at the moment of state registration.

3. During the period of suspension, the political party shall be prohibited to carry out any activities, except for those activities which are necessary for eliminating the violations serving as a ground for the suspension and for ensuring the existence of a political party as a legal organisational unit, for the purpose of fulfilling the obligations assumed by civil law, obligations as per employment contract, obligations of compensation for the damage caused, obligations of paying taxes, duties and other compulsory payments prescribed by law and the like.

4. When subjecting to liability for administrative offences prescribed by point 1 of part 2 of this Article, the Audit and Oversight Service shall warn that the activities of the political party may be suspended in case of failure to eliminate the violation within a thirty-day period.

5. After subjecting to administrative liability, in case of failure to eliminate the violation within a thirty-day period, the Audit and Oversight Service shall promptly notify thereon to the National Assembly of the Republic of Armenia.

6. The state authorised body shall promptly notify to the Government about such a violation of law, committed during the foundation or state registration of a political party, for which the political party would not be registered if it has been known at the moment of registration.

7. The activities of a political party shall be suspended upon the decision of the Constitutional Court of the Republic of Armenia. For the purpose of eliminating the grounds for suspension, a reasonable time limit shall be set by the Constitutional Court. The evidence on elimination of grounds for suspension shall be submitted to the Constitutional Court of the Republic of Armenia by the political party. In case the grounds for suspension are assessed as eliminated, the Constitutional Court shall render a decision on considering the activities of the political party resumed. In case the grounds for suspension are not assessed as eliminated, the Constitutional Court shall provide a reasonable time limit to the political party for the purpose of eliminating the grounds for suspension.

#### **Article 34. Prohibition of activities of a political party**

1. Activities of political parties which advocate violent overthrow of the constitutional order or apply violence with the view of overthrowing the constitutional order shall be subject to prohibition.

2. The prohibition of the activities of a political party shall not be a ground for terminating the powers of the Deputy elected upon nomination by that political party.

3. In case of prohibition of the activities of a political party upon the decision of the Constitutional Court of the Republic of Armenia, the activities of the political party shall be considered terminated, and it shall be subject to liquidation.

#### **Article 35. Re-organisation of a political party**

1. Upon the decision of the congress of the political party, as prescribed by this Law, a political party may be re-organised (merged, consolidated, be divided or separated) into another political party.

2. In case of re-organisation of a political party, the rights and responsibilities thereof shall be distributed in accordance with the rules of the Civil Code of the Republic of Armenia.

#### **Article 36. Liquidation of a political party and consequences of liquidation**

1. A political party shall be liquidated as prescribed by law and the Civil Code of the Republic of Armenia.

2. Where a political party is liquidated, the property remaining after satisfaction of the claims of creditors shall be allocated for the objectives provided for in the statute of the political party, and where this is impossible, the property shall be transferred to the State Budget. In the case provided for by part 4 of this Article, the property remaining after the liquidation of a political party shall be transferred to the Republic of Armenia.

3. A political party may terminate its activities through liquidation, upon the decision of the congress.

4. Where the activities of a political party have been prohibited upon the decision of the Constitutional Court, a liquidation process shall be initiated against the political party. In this case the powers of the liquidation commission shall be performed by commission established by the Audit and Oversight Service.

## **CHAPTER 10**

### ***FINAL AND TRANSITIONAL PROVISIONS***

#### **Article 37. Final and transitional provisions**

1. This Law shall enter into force on the tenth day following the official promulgation.

2. The Law of the Republic of Armenia HO-410-N of 3 July 2002 “On political parties” shall be repealed upon entry into force of this Law.

3. Within 6 months following the entry into force of this Law, political parties shall be obliged to put forward their territorial subdivisions for record-registration as prescribed by law.