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AZERBAIJAN

LAW

ON POLITICAL PARTIES*

**Unofficial translation*

Law of the Republic of Azerbaijan

On political parties

11 January 2023, 14:58

This Law, in accordance with Clauses 1 and 10 of Part I of Article 94 of the Constitution of the Republic of Azerbaijan, defines the issues for the establishment, state registration, verification, suspension and restoration, liquidation of the political party, as well as the organization of the political party's activities, membership and financial support.

Chapter 1 General Provisions

Article 1. Basic concepts

1.1. For the purposes of this Law, the following basic concepts are used:

1.1.1. political party - a non-commercial legal entity established by the citizens of the Republic of Azerbaijan in accordance with this Law in order to participate in the political life of the country and the expression of the political will of the citizens;

1.1.2. charter of a political party - a founding document that regulates the general activity of a political party and reflects the information provided for in Article 13.2 of this Law;

1.1.3. program of a political party - a document that regulates the ideological activity of a political party and reflects the issues provided for in the first sentence of Article 13.4 of this Law;

1.1.4. bodies of the political party - the supreme body of the political party, the inter-conventional collegial body and (or) chairman, as well as the control body;

1.1.5. structural institutions of the political party - consultative institutions established in the political party for relevant directions, the department established to deal with current affairs at the headquarters of the political party (secretariat, apparatus, etc.), as well as local organizations;

1.1.6. headquarters of the political party - the place where the governing bodies of the political party are located;

1.1.7. a member of a political party - a citizen of the Republic of Azerbaijan who has reached the age of 18 and has been admitted to a political party;

1.1.8. representative - a person identified by the local organization from among the members of the political party for the purpose of representation in the highest body of the political party;

1.1.9. representation norm - the norm determined based on the number of political party members in the local organization in order to determine the number of representatives of the local organization;

1.1.10. membership fee - funds regularly paid by the members of the political party in the form of money in accordance with the statutes of the political party;

1.1.11. state financial assistance - funds allocated from the state budget to political parties in accordance with this Law;

1.1.12. donation - funds given by the citizens of the Republic of Azerbaijan to a political party in the form of money or other property, as well as financial assistance provided in other forms, without imposing any obligation on the political party to achieve any goal.

1.2. Other concepts used in this Law express the meanings defined by the normative legal acts of the Republic of Azerbaijan.

Article 2. Legislation of the Republic of Azerbaijan on political parties

2.1. The legislation of the Republic of Azerbaijan on political parties consists of the Constitution of the Republic of Azerbaijan, international agreements to which the Republic of Azerbaijan is a party, this Law and other normative legal acts of the Republic of Azerbaijan.

2.2. The participation of political parties in the elections of MPs of the Milli Majlis of the Republic of Azerbaijan, the President of the Republic of Azerbaijan and municipal elections as

well as national voting (referendum) is regulated by the Election Code of the Republic of Azerbaijan.

Article 3. State guarantees for activity of a political party

3.1. Everyone has an equal right to establish a political party or to join an existing political party.

3.2. The right provided for in Article 3.1 of this Law can be limited only in the cases specified by the Constitution of the Republic of Azerbaijan, the Constitutional Law of the Republic of Azerbaijan "On Regulation of the Implementation of Human Rights and Freedoms in the Republic of Azerbaijan" and this Law. The imposed restrictions should not change the essence of that right, they should be directed at a legitimate aim stipulated in the Constitution of the Republic of Azerbaijan and the Constitutional Law of the Republic of Azerbaijan "On the Regulation of the Implementation of Human Rights and Freedoms in the Republic of Azerbaijan" and should be proportional to that aim.

3.3. The free activity of all political parties registered with the state is guaranteed.

3.4. The state guarantees the establishment of political parties in accordance with the Constitution of the Republic of Azerbaijan and the laws of the Republic of Azerbaijan and the creation of equal legal conditions for the implementation of their activities, as well as the observance of their rights and legal interests.

3.5. Legal regulation of the activities of political parties by the state should serve to promote political pluralism.

3.6. The state provides financial assistance to political parties at the expense of the state budget in accordance with the procedure established by Article 25 of this Law.

3.7. Except for cases provided by law, state bodies (institutions), local self-government bodies, officials are not allowed to interfere with the activities of political parties.

3.8. A political party may file an administrative and judicial complaint regarding the violation of its rights and legal interests. With the consent of its member, a political party can also file a complaint for the protection of his rights, freedoms and legally protected interests related to his party membership.

3.9. The activities of political parties that violate the Constitution of the Republic of Azerbaijan and the laws of the Republic of Azerbaijan can be terminated only by court order.

3.10. Disputes related to the state registration, suspension and cancellation of the political party are considered by the court of appeals.

3.11. Dissolution of a legal person is not applied to a political party as a criminal-legal measure.

Article 4. Principles of establishment and operation of a political party

4.1. Political parties are established and operate based on the principles of voluntarism, equal rights of members, self-management, collegiality, rule of law and transparency.

4.2. Political parties are equal before the law.

4.3. It is not allowed to establish and operate political parties for the following purposes:

4.3.1. Forcible change of the constitutional structure of the Republic of Azerbaijan, fragmentation of territorial integrity, seizure or retention of power by force, open calls for mass riots, terrorism;

4.3.2. promotion of terrorism, religious extremism, violence and cruelty, as well as racial, religious, origin, gender, ethnic and other discrimination, as well as actions contrary to the protection of health and the environment;

4.3.3. incitement of racial, religious or ethnic enmity.

4.4. It is not allowed to establish and operate political parties of foreign countries, as well as their divisions and organizations, on the territory of the Republic of Azerbaijan.

4.5. The establishment and activity of parties is prohibited in the Armed Forces of the Republic of Azerbaijan, state bodies (institutions), local self-governing bodies, educational institutions, as well as in the legal entity created by the owner in accordance with the Labor Code of the Republic of Azerbaijan regardless of its organizational-legal form, name and type of activity, in its branch office, and branch and representative office of foreign legal entity.

4.6. The activities of political parties cannot be aimed at restricting the basic human and civil rights and freedoms of their members established in the Constitution of the Republic of Azerbaijan, international agreements to which the Republic of Azerbaijan is a party, and other normative legal acts of the Republic of Azerbaijan.

4.7. A political party is not allowed to operate without state registration.

4.8. The headquarters of the political party must be located in the Republic of Azerbaijan. A political party can carry out its activities in the entire territory of the Republic of Azerbaijan.

4.9. A political party does not have the right to speak on behalf of the entire nation and appeal on behalf of the entire nation.

4.10. Political parties should not misuse their rights.

4.11. Membership in a political party should be ensured for men and women under the same conditions, and equal opportunities should be created for them.

4.12. The charter of a political party should not limit the participation of persons with disabilities in the activities of that party.

4.13. During the suspension of the activity of the political party (with the exception of payment by the political party of mandatory state payments, fines, payments under existing civil-legal and labor contracts, compensation of damages caused as the result of activity, as well as the actions specified in Article 8.2 and the first sentence of Article 8.7 of this Law) or in the case of state registration of its liquidation, it is prohibited for the party to have activity in any form as well as for its party bodies (structural institutions) and members to speak or act on behalf of the political party, to hold meetings, conduct financial transactions, or participate in the illegal organization or operation of party activities. The bodies (structural bodies) of the political party, whose term of office has expired, are prohibited to take any actions related to the activity of the political party, including making decisions or signing documents.

4.14. The political party is responsible for the violation of this Law by the following entities:

4.14.1. bodies and structural institutions of the political party;

4.14.2. an official authorized to represent a political party;

4.14.3. an official who has the authority to make decisions on behalf of a political party;

4.14.4. an official who has the authority to control the activities of a political party;

4.14.5. a member, who acts officially on behalf of a political party as a result of failure to exercise control by the subjects provided for in Articles 4.14.1-4.14.4 of this Law.

Chapter 2

Establishment of a political party, state registration, verification, suspension and restoration of the activity, dissolution of a political party

Article 5. Establishment of a political party

5.1. A political party is founded by at least 50 citizens (founders) of the Republic of Azerbaijan, who are fully functional.

5.2. In order to establish a political party, founders hold a constituent meeting. The founders are not allowed to participate in the constituent meeting of the political party through a representative.

5.3. The charter and program of the political party are adopted at the founding meeting, and an authorized person is determined from among the founders for the purpose of representation. In accordance with Article 5.7 of this Law, if deficiencies are found in the charter and program of the political party, appropriate changes are made to those documents at the constituent assembly. The official minutes are developed on the results of the constituent assembly of the political party. The name, surname, patronymic, date of birth, registered address and contact phone number of the founders and the authorized person are indicated in the minutes of the constituent assembly.

5.4. Within 30 days from the date of the constituent assembly, the authorized person of the political party applies to the body (institution) determined by the relevant executive authority and submits the minutes of the constituent assembly, the party's charter and program. The application is signed by an authorized person and other founders of the political party and is notarized.

5.5. The body (institution) determined by the relevant executive authority verifies the compliance of the documents with the requirements of Articles 5.1-5.4 of this Law within 30 days from the date of receipt of the application.

5.6. If deficiencies are found in the submitted documents, the body (institution) determined by the relevant executive power body shall provide information on their elimination to the authorized person of the political party or send it by registered mail not later than 30 days from the date of receipt of the application, as well as explains him the legal consequences of non-compliance with the requirements of Article 4.7 of this Law. All deficiencies must be reported at the same time.

5.7. After receiving the information provided for in Article 5.6 of this Law, the authorized person of the political party takes measures to eliminate the deficiencies found in the personal documents and applies to the body (institution) determined by the relevant executive power body with an application. The application is signed by an authorized person of the political party and notarized.

5.8. If there are no deficiencies in the submitted documents, the body (institution) determined by the relevant executive power body shall submit or send via registered mail the information to the authorized person of the political party within 30 days from the date of receipt of the application provided for in Article 5.5 or Article 5.7 of this Law.

5.9. Within 180 days from the date of receiving the information provided for in Article 5.8 of this Law, the authorized person of the political party shall take measures to ensure the number of members of the political party provided for in Article 6.1 of this Law and compile the register of members in accordance with Article 20.10 of this Law.

Article 6. State registration of political party

6.1. For state registration, a political party must have at least 5,000 members.

6.2. The authorized person of the political party shall, not later than 10 days after the expiration of the period specified in Article 5.9 of this Law, apply to the body (institution) determined by the relevant executive authority in accordance with the Law of the Republic of Azerbaijan "On State Registration and State Register of Legal Entities" for state registration of the political party.

6.3. Failure to submit the register in accordance with Article 5.9 of this Law or failure to comply with the deadlines specified in Articles 5.9 and 6.2 of this Law shall result in the restart of the process of establishing a political party.

6.4. The political party submits annual information (until January 15) to the body (institution) determined by the relevant executive authority about subsequent changes in the register of its members.

6.5. A political party publishes and (or) broadcasts in the media the information on its state registration within three days from the date of its registration.

6.6. Other issues related to the state registration of a political party (including the case provided for in Article 30 of this Law) are regulated by the Civil Code of the Republic of Azerbaijan and the Law of the Republic of Azerbaijan "On State Registration and State Register of Legal Entities".

Article 7. Verification of political party activities

7.1. Except for cases provided for in Article 28 of this Law, the body (institution) determined by the relevant executive authority verifies the compliance of the activity of the political party with the requirements of normative legal acts and its charter. For this purpose, the body (institution) determined by the relevant executive authority:

7.1.1. studies the compliance of the activity of the political party with the normative legal acts and statutes of the Republic of Azerbaijan;

7.1.2. investigates cases of violations of the requirements of the normative legal acts of the Republic of Azerbaijan during the establishment of the political party;

7.1.3. issues a written warning to the political party in accordance with Article 7.4 of this Law;

7.1.4. files a claim in the court about the suspension of the activity of the political party or its liquidation in accordance with the procedure provided for in Articles 8 and 9 of this Law.

7.2. The body (institution) determined by the relevant executive authority for the purpose of studying the compliance of the activity of the political party with the normative legal acts and statutes of the Republic of Azerbaijan:

7.2.1. considers the applications received from the members of the political party, as well as state bodies (institutions), local self-government bodies, legal and physical persons, and reviews the information published (broadcasted) in the media;

7.2.2. reviews the information in the register of political party members at least twice a year using public electronic information resources;

7.2.3. receives the explanation of the legal representative of the political party on the issue;

7.2.4. Takes other measures determined by the normative legal acts of the Republic of Azerbaijan.

7.3. The body (institution) determined by the relevant executive authority for the purpose of investigating violations of the requirements of normative legal acts issued during the establishment of a political party:

7.3.1. receives the explanation of the legal representative of the political party on the issue;

7.3.2. if the violation of provisions of Article 6.1 of this Law is determined and in case the number of the members of a political party is below 4,500 at the time of state registration, it files a claim with a court to cancel the state registration of that political party;

7.3.3. gives a written notification to the political party if another case of violation of normative legal acts to be eliminated is determined.

7.4. In case the violation of normative legal acts and the charter of a political party is determined as a result of measures taken within the framework of Article 7.2 of this Law (except for the case of violation of Article 4.3 of this Law, also the first sentence of Article 4.13 of this Law by a suspended political party, as well as if the number of members in a state-registered political party is below 4,500), the body (institution) determined by the relevant executive authority shall issue a written notification to the political party.

7.5. The cases of violation are specified and justified, the requirements for their elimination and the necessary period (for the submission of the documents provided for in Articles 30.1, 30.3 and 30.5 of this Law 30 days) is defined, as well as the legal consequences of failure to eliminate violations are explained in the warning provided for in Articles 7.3.3 and 7.4 of this Law. The notification shall be delivered to the political party or sent by registered mail. The political party shall eliminate the specified violations within the period specified in the notification, and inform the body (institution) determined by the relevant executive authority.

Article 8. Suspension and restoration of political party activity

8.1. A political party may temporarily suspend its activities. This decision (with the precise indication of the period of suspension of activity) is taken by the congress of the political party.

8.2. Within 3 days from the date of the congress, the political party submits the adopted decision to the body (institution) determined by the relevant executive authority and publishes and (or) broadcasts the information about the suspension of its activities in the media.

8.3. If the political party does not report the violations determined by the body (institution) determined by the relevant executive power body in accordance with Articles 7.3.3 and 7.4 of this Law and does not inform about it within the period indicated in the notification, its activity may be suspended for a period from two to six months with the decision of the court of appeal based on the claim by the authority (institution) determined by the relevant executive power body. The decision of the court of appeal to suspend the activity of the political party is adopted in accordance with the Administrative Procedure Code of the Republic of Azerbaijan. The body (institution) determined by the relevant executive authority shall publish in the media information about the suspension of the activity of the political party within three days from the date of entry into force of that court decision.

8.4. The activity of the political party is considered to be suspended from the date of the adoption of congress decision or the entry into force of relevant court decision.

8.5. During the period of suspension of the political party's activity, the term of office of its bodies and structural institutions stipulated in the charter is stopped.

8.6. In the case provided for in Article 8.1 of this Law, the activity of the political party is considered to be resumed at the end of the suspension period of its activity.

8.7. In the case provided for in Article 8.3 of this Law, at the end of the suspension period of activity, the political party shall, within 30 days, eliminate the violations specified in the notification of the body (institution) determined by the relevant executive authority provided for in Articles 7.3.3 and 7.4 of this Law, and submit this information to the body (institution) determined by the relevant executive authority. When the complete elimination of the violations specified in the notification is determined in the submitted information, the body (institution) determined by the relevant executive authority shall submit the information to the political party or send by registered mail not later than 30 days from the receipt date of information. The activity of the political party is considered to be restored from the date of receipt of this information.

8.8. In accordance with Articles 8.6 and 8.7 of this Law, within three days from the date of resumption of its activity, the political party publishes and (or) broadcasts information in the media.

8.9. If the information is not submitted to the body (institution) determined by the relevant executive authority within the period stipulated in the first sentence of Article 8.7 of this Law, and if it is determined that the violations indicated in the warning have not been fully eliminated in the submitted information, the authority (institution) determined by the relevant executive authority shall take action in accordance with the Article 9.3 of this Law.

8.10. The activity of a political party that prevents the elimination of the circumstances that led to the declaration of a military or emergency state and the implementation of the specified measures, may be suspended until the end of the period of the military or emergency state. Issues in this regard are regulated in accordance with the laws of the Republic of Azerbaijan "On Martial Law" and "On Emergency".

Article 9. Dissolution of the political party

9.1. A political party may be dissolved on the basis of a decision of a political party congress or a court in the cases specified by this Law and the Civil Code of the Republic of Azerbaijan (taking into account Article 3.11 of this Law).

9.2. The decision of the congress of the political party on the liquidation of the political party is adopted in accordance with the regulations of the political party.

9.3. The body (institution) determined by the relevant executive power body files a claim in the court of appeal for the dissolution of the political party in the following cases:

9.3.1. when the political party violates the requirements of Article 4.3 of this Law;

9.3.2. in the cases stipulated in Articles 7.3.2 and 8.9 of this Law;

9.3.3. when the suspended political party violates the requirements of the first sentence of Article 4.13 of this Law;

9.3.4. when the number of members in a state-registered political party is below 4,500.

9.4. Dissolution of a political party in the cases provided for in Article 9.3 of this Law is considered the last necessary measure that can be applied against the political party.

9.5. The decision of the court of appeal on the dissolution of the political party is adopted in accordance with the Administrative Procedure Code of the Republic of Azerbaijan based on the claim of the body (institution) determined by the relevant executive authority.

9.6. The body (institution) determined by the relevant executive authority shall publish and (or) broadcast information on the cancellation of the political party in the media within three days from the date of entry of the note to the state register of legal entities on the cancellation of the political party.

9.7. Other issues related to the dissolution of a political party are regulated by the Civil Code of the Republic of Azerbaijan and the Law of the Republic of Azerbaijan "On State Registration and State Register of Legal Entities".

Chapter 3 Organization of political party activities

Article 10. Name and symbols of the political party

10.1. The political party must have a name and the word "party" must appear in its name. It can be an abbreviated form of the name of the political party, as well as have the symbols of the political party (flag, emblem, etc.).

10.2. The name, abbreviated name and symbols of the political party must differ from the name, abbreviated form and symbols of state bodies (institutions), local self-government bodies, legal entities registered or annulled in the Republic of Azerbaijan, including other political parties, and must not imitate trademarks protected by law.

10.3. It is not allowed to refer to racial, religious, origin, gender, ethnic characteristics, as well as use the names of natural persons in the name, abbreviated name and symbols of the political party.

10.4. The name, abbreviated name and symbols of the political party should not serve to promote the goals specified in Article 4.3 of this Law.

10.5. The symbols of the political party must differ from the state symbols of the Republic of Azerbaijan and foreign countries, as well as from the symbols of international organizations.

10.6. The political party submits sketches of the symbols to the body (institution) determined by the relevant executive authority within 30 days from the date of adoption of the decision on approval of its symbols.

10.7. If the State Flag of the Republic of Azerbaijan is raised (hung) or placed together with the flag of a political party, the size of the flag of the political party cannot be bigger than the size of the State Flag of the Republic of Azerbaijan.

Article 11. Activities of the political party

11.1. The political party operates in the following directions:

11.1.1. participates in the country's political life;

11.1.2. participates in the expression of the political will of citizens, as well as in the formation of public opinion;

11.1.3. conducts political awareness among citizens;

11.1.4. promotes national values and patriotism;

11.1.5. supports the political activity of its members;

11.1.6. expresses the political will of its members;

11.1.7. participates in holding elections, as well as national voting (referendum);

11.1.8. by presenting opinions and proposals on various issues, influences the formation of the internal and external policy of the Republic of Azerbaijan.

Article 12. Rights and duties of the political party

12.1. A political party has the following rights:

12.1.1. freely disseminate information about its goals and activities;

12.1.2. promote its ideas, goals and program;

12.1.3. to coordinate activities with other political parties, as well as to form alliances and political blocs on a voluntary basis for the purpose of representing and defending common interests;

12.1.4. To exercise the rights stipulated in the Election Code of the Republic of Azerbaijan regarding the participation at the elections of the MPs of the Milli Majlis of the Republic of Azerbaijan, the President of the Republic of Azerbaijan and the municipal elections, as well as the holding of the national vote (referendum);

12.1.5. holding meetings, meetings, conferences and consultations related to issues on directions of its activity;

12.1.6. Holding meetings, rallies, demonstrations, street marches and pickets in accordance with the Law of the Republic of Azerbaijan "On Freedom of Free Assembly";

12.1.7. to defend the rights and legal interests of itself and its members in accordance with Article 3.8 of this Law;

12.1.8. refuse admission to membership of a person who does not agree with the goals (goals) stated in the charter (program) of the political party;

12.1.9. take the initiative on issues related to the directions of activity, including making relevant proposals to state bodies (institutions), local self-government bodies;

12.1.10. to prepare and submit drafts of legal acts, as well as to participate in the preparation of drafts of legal acts by state bodies (institutions), local self-government bodies, to raise issues related to changes in legal acts, their interpretation, suspension or cancellation of their validity;

12.1.11. To establish print media in accordance with the Law of the Republic of Azerbaijan "On Media" (to be a participant in print media);

12.1.12. to engage in entrepreneurial activity in accordance with Article 12.2 of this Law;

12.1.13. establish international cooperative relations in accordance with Article 19 of this Law;

12.1.14. to accept donations in accordance with Article 24 of this Law;

12.1.15. to have abbreviated name, also emblem, flag and other symbols;

12.1.16. to hold conferences, meetings, discussions and other public events;

12.1.17. To raise (hang) or place the State Flag of the Republic of Azerbaijan during the events;

12.1.18. to exercise other rights in accordance with this Law, as well as other normative legal acts of the Republic of Azerbaijan.

12.2. Except for the preparation and sale of socio-political publications, other promotional and campaign materials, a political party cannot engage in other types of entrepreneurial activity. A political party may create or participate in economic societies for the purposes of Article 12.1.11 of this Law to engage in the types of entrepreneurial activity provided for in the first sentence of Article 12.2 of this Law.

12.3. A political party has the following duties:

12.3.1. to comply with the Constitution, laws, other normative legal acts of the Republic of Azerbaijan and its charter in its activities;

12.3.2. keep the register of its members;

12.3.3. To fulfill the duties stipulated in the Election Code of the Republic of Azerbaijan regarding participation in holding the elections of the MPs of the Milli Majlis of the Republic of Azerbaijan, the President of the Republic of Azerbaijan and municipal elections, as well as the national vote (referendum);

12.3.4. to conduct accounting in accordance with Article 27 of this Law, to submit the financial report and additional information and documents on financial activity as appropriate;

12.3.5. to respect the rights and freedoms of individuals and legal entities;

12.3.6. not to interfere in the activities of state bodies (institutions), local self-government bodies, officials, as well as in the entrepreneurial activities of other persons;

12.3.7. to respect the right of another political party to be free and independent to disseminate its political ideas and views;

12.3.8. to ensure the performance of the National Anthem of the Republic of Azerbaijan when raising or hanging the National Flag of the Republic of Azerbaijan during ceremonies and other solemn events;

12.3.9. perform other duties in accordance with this Law, as well as other normative legal acts of the Republic of Azerbaijan.

12.4. Meetings of the supreme and inter-conventional collegial management bodies of the political party are allowed to be held online via videoconference only due to anti-epidemic regime, sanitary-hygiene and quarantine regime.

Article 13. Charter and program of the political party

13.1. A political party should have a charter and program any person to have opportunity to get familiarized with. The charter and program are adopted at the founding meeting. Changes in the charter and program of the state-registered political party, as well as the new

charter and program, are adopted in accordance with the second sentence of Article 13.4 and Article 14.2.1 of this Law.

13.2. The following must be provided for in the charter of a political party:

13.2.1. the name and abbreviated name of the political party (if any);

13.2.2. the location of the headquarters of the political party (legal address);

13.2.3. the purpose, activities, rights and duties of the political party;

13.2.4. issues of membership in a political party (admission and termination of membership, registration of members, disciplinary measures, payment of membership fees, etc.);

13.2.5. rights and duties of political party members;

13.2.6. the procedure for political party members to file an intra-party complaint;

13.2.7. bodies and structural institutions of the political party, their organization and authorities, their terms of office;

13.2.8. the procedure for adopting intra-party decisions, including the charter and program and making changes to them, the decision to suspend, reorganize and liquidate the political party, and ways of control here;

13.2.9. issues of financial support of political party activity (income, expenses, property, financial report, accounting, etc.).

13.3. The charter may include other provisions related to the activity of the political party that do not contradict this Law and other normative legal acts of the Republic of Azerbaijan.

13.4. The political party's program should include the principles, goals and tasks of the party, as well as the means of fulfilling the goals and tasks. The authority to make changes in the program of a state-registered political party, as well as to adopt a new program, can be given to the congress or the inter-congressional collegial management body by the charter of the political party.

13.5. The charter and program do not allow usurpation of the powers of state bodies (institutions), local self-government bodies, officials, as well as state control and inspection functions.

13.6. After the state registration, the political party submits the changes made to its charter and program to the body (institution) determined by the relevant executive authority in accordance with the Law of the Republic of Azerbaijan "On State Registration and State Register of Legal Entities".

Article 14. The supreme governing body of the political party

14.1. The supreme governing body of the political party is the congress of the political party. The congress is held in the periods determined by the charter of the political party, but not less than once in 5 years. The next and extraordinary congress of the political party is called by the decision of the party's inter-conventional collegial governing body (in the absence of that body, the chairman of the party). Within the framework of issues related to the powers of the extraordinary congress, it is also convened based on the appeal made by the supervisory body and at least two-thirds of the party members to the inter-conventional collegial management body (in the absence of that body, to the chairman of the party).

14.2. The exclusive powers of the Congress include:

14.2.1. making changes in the charter of the state-registered political party, as well as adopting a new charter;

14.2.2. determination of the numerical composition, election of members and termination of powers of inter-conventional collegial management and supervisory bodies of the political party;

14.2.3. electing and terminating the powers of the chairman of the political party;

14.2.4. inter-convention collegial management, listening to the reports of supervisory bodies and chairman of the political party;

14.2.5. making decision on the suspension, reorganization and liquidation of the political party.

14.3. Taking into account Articles 15.2, 15.4, 16.2, 16.4 and 17.2 of this Law, other issues may be attributed to the powers of the congress in accordance with the charter of the political party.

Article 15. Inter-conventional collegial governing body of the political party

15.1. A collegial governing body (bodies) may be established to exercise general leadership of a political party in the inter-convention period. The congress determines the numerical composition of the inter-conventional collegial management body, elects its members and terminates its powers.

15.2. Inter-organizational collegial governing body:

15.2.1. carries out general leadership to the political party during the pre-convention period;

15.2.2. convenes the next and extraordinary congress meeting;

15.2.3. reports on its activities to the congress;

15.2.4. makes a decision on forming alliances and political blocs with other political parties;

15.2.5. makes a decision on the establishment of the political party's print media or participation in it;.

15.2.6. makes decisions on the management of the party's property and funds within the framework of the powers defined by the charter of the political party.

15.3. Taking into account Articles 14.2, 16.2 (in case of a chairman position in a political party), 16.4 and 17.2 of this Law, other issues may be referred to the powers of the inter-congress collegial management body in accordance with the charter of the political party.

15.4. If the political party does not have an inter-conventional collegial governing body, the powers provided for in Article 15.2 of this Law shall be exercised by the chairman of the party in accordance with the charter of the political party.

Article 16. Chairman of the political party

16.1. A chairman who is the governing body can be elected to carry out the current management of the activities of the political party. The chairman is considered to be the highest elected official of the party. The congress elects the chairman and terminates his powers. The term of office of the chairman, as well as the presence of his deputies, can be determined by the charter of the political party.

16.2. Chairman:

16.2.1. carries out current management of political party activities, acts on behalf of the party without power of attorney;

16.2.2. represents a political party;

16.2.3. reports on its activities to the congress;

16.2.4. In accordance with the Civil Code of the Republic of Azerbaijan, issues power of attorney, establishes relations on behalf of the party, disposes of the party's property and funds within the framework of the powers defined by the charter of the political party;

16.2.5. convenes extraordinary meetings of collegial management and control bodies of the political party congress;

16.2.6. submits information to the control body of the political party in accordance with article 49-1.6 of the Civil Code of the Azerbaijan Republic that he, the persons specified in articles 49-1.1.3 and 49-1.1.5 of the Civil Code of the Republic of Azerbaijan, act as the relevant person in relation to the concluded contract, as well as about the particularities of their interests in relation to this contract (its origin, scope and etc.).

16.3. Taking into account Articles 14.2, 15.2 (if the political party has an inter-conventional collegial governing body), 15.4 and 17.2 of this Law, other issues may be attributed to the powers of the chairman in accordance with the charter of the political party.

16.4. In the absence of a chairman position in a political party, the inter-conventional collegial management body of the party exercises the powers provided for in Article 16.2 of this Law in accordance with the charter of the political party.

16.5. The chairman and deputy chairman may be represented in the inter-conventional collegial management body and advisory bodies of the political party, including their leadership.

16.6. The chairman may delegate the implementation of part of his powers to his deputies (if any).

16.7. The chairman is obliged to perform the duties specified in Article 49.3 of the Civil Code of the Republic of Azerbaijan.

Article 17. Supervisory body of the political party

17.1. The supervisory body is the collegial control-inspection body of the political party. The congress determines the number composition of the supervisory body, elects its members and terminates their powers.

17.2. Supervisory body:

17.2.1. supervises the fulfillment of the requirements of the charter and program of the political party, and the decisions of the party bodies;

17.2.2. supervises internal party disciplinary and financial issues;

17.2.3. inspects the financial and economic activity of the political party;

17.2.4. informs the inter-conventional collegial governing body (in the absence of that body, the chairman of the party) about the results of control and inspection;

17.2.5. reports on its activities to the congress;

17.2.6. appeals to the inter-conventional collegial governing body of the political party (in the absence of that body, to the chairman of the party) about convening an extraordinary congress;

17.2.7. directly verifies the conformity of the decisions of the political party bodies (except for the congress) and structural bodies with normative legal acts and the political party's charter, as well as examines complaints about their actions or inactions.

17.3. Taking into account Articles 14.2, 15.2, 15.4, 16.2 and 16.4 of this Law, other issues may be attributed to the powers of the supervisory body in accordance with the charter of the political party.

17.4. A member of the supervisory body cannot be represented in other bodies and structural institutions of the political party.

Article 18. Structural institutions of the political party

18.1. Consultative institutions in the political party for relevant directions, a separate section (secretariat, apparatus, etc.) for the purpose of dealing with current affairs in the headquarters of the political party, as well as local organizations can be established.

18.2. The order of organization and powers of structural institutions, their terms of office are determined by the charter of the political party.

18.3. The status of a local organization is equal to the status of a branch of a legal entity in accordance with the Civil Code of the Republic of Azerbaijan.

18.4. The local organization is created by the political party for the relevant administrative territorial unit of the Republic of Azerbaijan.

18.5. The name of the local organization should refer to the name of the party that created it and the name of the corresponding administrative territorial unit where it was created.

18.6. The upper body of the local organization is the general meeting (conference, etc.). Members registered in the local organization of the political party participate in the general meeting. At the general meeting, a report on the activities of the local organization is heard, representatives are elected to the congress of the political party in accordance with the norms of representation established in the political party.

Article 19. International relations of the political party

19.1. A political party can cooperate with political parties of other countries, including signing agreements.

19.2. A political party can become a member of international alliances of political parties.

19.3. In the cases provided for in Articles 19.1 and 19.2 of this Law, the political party informs the body (institution) determined by the relevant executive authority within 30 days from the date of conclusion of the agreement or membership.

Chapter 4 Political party membership issues

Article 20. Membership in a political party

20.1. A person who meets the requirements of Article 1.1.7 of this Law can be a member of a political party. A person can be a member of only one political party. A member of a state-registered political party can be registered in only one local organization of the party (if any).

20.2. No one can be forced to join or remain a member of any political party.

20.3. Membership in a political party cannot be limited by race, ethnicity, religion, language, sex, origin, creed or social affiliation.

20.4. Foreigners and stateless persons cannot be members of a political party.

20.5. Judges of the courts of the Republic of Azerbaijan, the Human Rights Commissioner (ombudsman) of the Republic of Azerbaijan, military personnel, as well as special-ranking employees of the prosecutor's office, justice, internal affairs, customs, emergency situations, migration, foreign affairs, tax authorities, the Broadcasting Council of the Public Television and Radio Broadcasting Company, members, general director and his deputies, members of the Board of Directors and the Chamber of Accounts of the Central Bank of the Republic of Azerbaijan, religious figures, notaries cannot be members of the political party and cannot participate in the activities of the political party. Those persons must leave the membership of the political party before starting their work (service).

20.6. Other civil servants, except for persons who are in a special type of civil service provided for in Article 20.5 of this Law, as well as employees holding administrative positions in public legal entities created on behalf of the state implementing state policy in the relevant area and having the power of authority (supervision, verification, issuance of legal documents or the application of liability measures) may be members of a political party, but may not participate in the activities of a political party in the performance of their duties.

20.7. The chairmen of trade unions or their deputies cannot be represented in the body of the political party at the same time.

20.8. The founders of the political party provided for in Article 5.1 of this Law are considered to be members of the party.

20.9. A membership to a political party is terminated in the following cases:

20.9.1. when a person leaves the membership of a political party based on his application;

20.9.2. when a person dies or is declared dead by court decision;

20.9.3. when a person's citizenship of the Republic of Azerbaijan is terminated;

20.9.4. when the person is recognized as having limited legal capacity or incompetent by court decision;

20.9.5. when a person is expelled from a political party.

20.10. Keeps the register of political party members (with first name, surname, patronymic, date of birth, registered address, local organization of the registered party (if any) and contact phone number).

Article 21. Rights of political party member

21.1. The rights of a political party member are determined by its charter, taking into account Article 21.2 of this Law. Those rights cannot conflict with the Constitution of the Republic of Azerbaijan and other normative legal acts, international agreements to which the Republic of Azerbaijan is a party.

21.2. A political party member has the following rights:

21.2.1. to participate in the organization of political party bodies and structural institutions, as well as to be elected (appointed) to them in the manner specified in the charter of the political party;

21.2.2. to apply to political party bodies and structural institutions with requests, suggestions, applications and complaints and to receive an answer on the merits of one's request, as well as to receive information about their activities;

21.2.3. to complain about the action or inaction of the political party bodies and structural institutions in accordance with the procedure provided for in the political party's charter and Article 21.5 of this Law;

21.2.4. to express one's will in a free form;

21.2.5. withdraw from the membership of a political party;

21.2.6. to exercise other rights in accordance with this Law, as well as other normative legal acts of the Republic of Azerbaijan and the charter of the political party.

21.3. A person's membership in a political party and his participation in the party's activities, as well as the absence of a political party membership, can not be the basis for limiting his rights and freedoms (except for the cases provided for in Articles 20.5-20.7 of this Law), granting any privileges or refusing to perform duties established by law.

21.4. When submitting official information about himself, it is not allowed to require a person to indicate his or her membership in a political party.

21.5. Disputes between a political party and its members are resolved within the party's charter. A member of a political party may file a complaint with the body determined by the relevant executive authority in order to complain about the activities of the bodies and structural institutions of the political party, including their actions or inactions.

Article 22. Duties of a political party member

22.1. The duties of a member of a political party are determined by its charter, taking into account Article 22.2 of this Law. Those duties cannot conflict with the Constitution of the Republic of Azerbaijan and other normative legal acts, international agreements to which the Republic of Azerbaijan is a party.

22.2. A member of a political party has the following duties:

22.2.1. get acquainted with the charter and program of the political party;

22.2.2. comply with the requirements specified in the charter and program of the political party;

22.2.3. to fulfill legal decisions of political party bodies and structural bodies;

22.2.4. participate in the activities of the political party;

22.2.5. pay the membership fee;

22.2.6. not to allow actions that harm the name, goals and tasks of the political party;

22.2.7. to inform the political party about the changes in the information about him in the register maintained in accordance with Article 20.10 of this Law;

22.2.8. perform other duties in accordance with this Law, as well as other normative legal acts of the Republic of Azerbaijan and the charter of the political party.

Chapter 5

Financial support of the activity of the political party

Article 23. Financing of political party activities

23.1. The activity of the political party is financed from the following sources:

23.1.1. membership fee;

23.1.2. donation;

23.1.3. state financial assistance;

23.1.4. the income obtained from the activity provided for in Articles 12.1.11 and 12.1.12 of this Law;

23.1.5. under civil law contracts, including funds received from the use and sale of property, debt (loans);

23.1.6. property acquired through legal succession and inheritance;

23.1.7. other income not prohibited by law.

23.2. A political party is prohibited from being financed by, including receiving donations from:

23.2.1. State bodies (institutions), except for the case provided for in Article 23.1.3 of this Law;

23.2.2. local self-governing bodies and their subordinate institutions;

23.2.3. other legal entities, including public associations and foundations, religious institutions;

23.2.4. international organizations, foreign states and foreign legal entities;

23.2.5. foreigners and stateless persons;

23.2.6. minors, persons declared incompetent or partially incompetent by court;

23.2.7. physical persons who do not indicate their name, surname, patronymic, date of birth, registered address and contact telephone number.

23.3. The upper limit of annual membership fees paid by a member of a political party may not exceed 35 times the minimum wage. Payments in excess of the membership fee are considered donations.

23.4. A political party may establish a privilege or concession in the payment of membership fees for some categories of members (pensioners and those in need of other social protection, students, etc.).

23.5. The income of the political party from its entrepreneurial activity is not distributed among its members and is used only for the purposes defined by its charter.

23.6. It is prohibited for a political party to open any type of account (including any type of financial institutions) outside the borders of the Republic of Azerbaijan.

23.7. The political party accepts funds only in the national currency and by transferring them to a bank account without cash.

23.8. Membership fees, donations and other gratuitous transfers received by the political party are exempt from income tax in accordance with the Tax Code of the Republic of Azerbaijan.

Article 24. Donation

24.1. A political party can only accept donations from citizens of the Republic of Azerbaijan.

24.2. A political party cannot directly or indirectly provide material or other services, any privileges or concessions, make such an offer or make such a promise to a donor or any other person in exchange for an accepted or promised donation.

24.3. A person donating to a political party may not request or accept any kind of material or other benefits, privileges or concessions, directly or indirectly, for himself or third parties in exchange for the donation he has given or will give, and he may not agree to such an offer or promise.

24.4. Donations can be accepted in the form of cash or other property. The following financial assistance received by a political party is also considered a donation:

24.4.1. part of the property provided on preferential terms (including the granted debt (loan), etc.), performed work or rendered service, which is lower than its market price;

24.4.2. cash or other property (its value) received as a result of the fulfillment of the obligation by the guarantor, as well as debt forgiveness, expiration of the term or other circumstances not related to the direct fulfillment of the obligation by the political party.

24.5. The upper limit of a person's donations to one or more parties during the year cannot exceed 35 times the minimum wage. The value of the donation received in the form of other property is determined by market price.

24.6. The information on the amount of donations received by the political party and the persons who made the donation, as well as information on the cases provided for in Articles 24.4.1 and 24.4.2 of this Law, shall be submitted to the Central Election Commission of the Republic of Azerbaijan in the manner determined by the body (institution) defined by the relevant executive authority. Bank operations and any other operations cannot be carried out by a political party on donation without providing information about it.

24.7. The political party must return the donation received in violation of the requirements of this Law within 30 days from the day of its acceptance or from the date of receipt of the information of the Central Election Commission of the Republic of Azerbaijan about the receipt of the donation in violation of the requirements, if this is not possible, it must be transferred to the state budget.

Article 25. State financial assistance to the political party

25.1. In accordance with Article 25.2 of this Law, financial aid is allocated by the state for financing the activity of the political party, and for this purpose, funds are provided in a separate budget line every year.

25.2. Funds provided for in Article 25.1 of this Law (hereinafter referred to as funds) shall be allocated since the formation of the Milli Majlis of the Republic of Azerbaijan in the authorized composition based on the information of the Central Election Commission of the Republic of Azerbaijan on the number of valid votes won to winning political parties that participated at the new calling to the Milli Majlis of the Republic of Azerbaijan and be divided between political parties in the following manner and transferred to their bank accounts quarterly in accordance with Article 25.7 of this Law:

25.2.1. 40 percent of funds are divided equally among the political parties represented in the Milli Majlis of the Republic of Azerbaijan;

25.2.2. 50 percent of the funds are divided among the members of the Milli Majlis of the Republic of Azerbaijan, and the amount received as a result of multiplying the amount received by the number of MPs elected from the political parties represented in the Milli Majlis of the Republic of Azerbaijan is allocated to those political parties. In the event of an increase or decrease in the number of MPs representing political parties in the Milli Mejlis of the Azerbaijan Republic, as a result of repeat and by-elections to the Milli Mejlis of the Azerbaijan Republic, as well as in connection with the emergence (change) of the party affiliation of the current MPs, as well as for other reasons, this fund will also be allocated to these political parties in accordance with the rule established in the first sentence of the article. The unused part of the funds provided for the political parties in the first sentence of this article for the corresponding quarter is distributed among the political parties in proportion to the number of MPs representing the political parties in the Milli Mejlis of the Azerbaijan Republic at the end of this quarter;

25.2.3. Five percent of funds is allocated for new political parties represented in the Milli Majlis of the Azerbaijan Republic in the amount corresponding to the share of each political party for the corresponding quarter as a result of repeat and by-elections to the Milli Majlis of the Azerbaijan Republic, as well as in connection with the creation (change) of party affiliation of acting MPs in accordance with Article 25.2.1 of this Law;

25.2.4. 2.5 percent of the funds are divided equally among the political parties who won valid votes in the elections to the Milli Majlis of the Republic of Azerbaijan, but are not represented in the Milli Majlis of the Republic of Azerbaijan;

25.2.5. 2.5 percent of the funds are divided proportionally according to the number of votes won among the political parties provided for in Article 25.2.4 of this Law.

25.3. In accordance with Articles 25.2.4 and 25.2.5 of this Law, the upper limit of the annual state financial assistance allocated to a political party cannot be more than double revenue of this party, indicated in the financial report submitted in accordance with Article 27 of this Law (excluding funds allocated within the framework of state financial assistance).

25.4. As a result of repeated and additional elections to the Milli Majlis of the Republic of Azerbaijan, the funds to be allocated to the new political parties represented in the Milli Majlis of the Republic of Azerbaijan in accordance with Article 25.2.3 of this Law are calculated from the quarter following the date of approval of the results of those elections by the Constitutional Court of the Republic of Azerbaijan.

25.5. In connection with the creation (change) of the party affiliation of active deputies, the funds to be allocated to the new political parties represented in the Milli Majlis of the Republic of Azerbaijan according to the number of deputies, those deputies:

25.5.1. from the quarter following the date of registration as a member of a state-registered political party, or;

25.5.2. is calculated from the quarter following the date of state registration of the political party of which he is a member.

25.6. During the year, during the application of Article 25.2.3 of this Law, if there is a shortage of funds, that shortage shall be paid from the unused part of the funds allocated to political parties from the state budget in accordance with Article 25.1 of this Law, and if the unused part is not available or insufficient, additional financial assistance shall be allocated from the reserve sources of the state budget.

25.7. Funds allocated from the state budget in accordance with Article 25.1 of this Law are transferred quarterly to the bank account of the political party in equal shares by the body (institution) determined by the relevant executive authority taking into account the requirements of Article 25 of this Law.

After the quarterly distribution of funds for the provision of state financial assistance to political parties, the unused part of quarterly allocated funds (except for funds provided for in paragraph three of Article 25.2.2 of this Law), taking into account the obligations that may arise during the year in accordance with Article 25.6 of this Law, is distributed equally among the political parties represented in the Milli Majlis of the Republic of Azerbaijan at the end of each quarter by the body (institution) determined by the relevant executive authority.

25.8. When political parties participate in the last elections to the Milli Majlis of the Republic of Azerbaijan as part of a bloc of political parties, the funds allocated from the state budget are given separately to each political party in accordance with Article 25.2 of this Law.

25.9. When a political party refuses funds allocated from the state budget, these funds are used in accordance with the second sentence of Article 25.7 of this Law.

Article 26. Property of the political party

26.1. A political party may own and use any property not prohibited by law necessary to ensure its activity.

26.2. The property of the political party is used only for the achievement of goals and objectives arising from its charter and program, as well as for the implementation of tasks.

26.3. Members of a political party do not have rights in relation to property of the party.

26.4. A political party cannot own industrial enterprises, cooperatives, or production enterprises (except for the cases considered in Article 12.2 of this Law).

26.5. The body (institution) determined by the relevant executive authority takes measures to provide it with headquarters based on a reasoned request of the political party and within available resources.

Article 27. Financial report of the political party

27.1. Taking into account the requirements established by this Law, the political party maintains accounting and prepares financial statements in accordance with the Law of the Republic of Azerbaijan "On Accounting".

27.2. The annual financial report by the political party together with the audit report is submitted to the Central Election Commission of the Republic of Azerbaijan not later than April 1.

27.3. The financial report includes the number of political party members who pay membership fees, as well as the amount of donations received by the political party.

27.4. The form, content and submission procedure of the financial report of the political party is determined by the body (institution) determined by the relevant executive authority.

27.5. Based on the application of the Central Election Commission of the Republic of Azerbaijan, the political party must submit additional information and documents on financial activities.

27.6. The political party publishes its annual financial report together with the audit report in the media. The Central Election Commission of the Republic of Azerbaijan publishes the annual financial report of the political party on its official website.

27.7. If the financial report is not submitted in an appropriate manner, the state financial aid for the remaining quarters of that year will not be paid to the political party. If the mentioned

violation is repeated in the next year, the political party will not be paid state financial aid for the remaining quarters of that year, as well as for the next year.

Article 28. Verification of the financial activity of the political party

28.1. Auditing of the expenditure of state financial assistance by the political party is carried out by the Chamber of Accounts of the Republic of Azerbaijan.

28.2. The verification of other financial activities of the political party is carried out by the Central Election Commission of the Republic of Azerbaijan.

Chapter 6 Final conclusions

Article 29. Liability for violation of this Law

For violation of the requirements of this, persons shall be liable Law in cases established by the Civil Code of the Republic of Azerbaijan, the Code of Administrative Offenses and the Criminal Code.

Article 30. Transitional provisions

30.1. Before the entry into force of this Law, a state-registered political party is obliged, within 180 days from the date of entry into force of this Law, to take measures to increase the number of its members to the number provided for in Article 6.1 of this Law, and in accordance with Article 20.10 of this Law, compiles a register of its members and submits it to the body (institution) determined by the relevant executive authority.

30.2. The body (institution) determined by the relevant executive authority checks the compliance of the register of political party members with the requirements of Articles 6.1 and 20.10 of this Law within 30 days from the date of its submission. If deficiencies are found in the register of the members of a political party, the body (institution) determined by the relevant executive authority shall submit or send by registered mail the information on the elimination to the political party not later than 30 days after its submission. All deficiencies must be reported at the same time.

30.3. Within 30 days from the date of receipt of the information stipulated in Article 30.2 of this Law, the political party shall remove the deficiencies found in the register of members and submit the register to the body (institution) determined by the relevant executive authority.

30.4. If no deficiencies are found in the submitted register of members of the political party, the body (institution) determined by the relevant executive authority shall submit or send via registered mail the information to the political party within 30 days from the date of submission of the register in accordance with Article 30.2 or 30.3 of this Law.

30.5. Within 90 days from the date of receipt of the information provided for in Article 30.4 of this Law, the political party approximates its charter and program to the requirements of this Law, adopts it in the absence of a program, and submits the changes made to its charter and program, or the new charter and program to the body determined by the relevant executive authority (institution).

30.6. If the requirements of Articles 30.1, 30.3 and 30.5 of this Law are not complied with, the body (institution) determined by the relevant executive authority shall take measures in accordance with Articles 7.4 and 9.3.4 of this Law.

30.7. State financial assistance provided for in Articles 25.2.4 and 25.2.5 of this Law is provided to political parties that received valid votes in the elections to the Milli Majlis of the Azerbaijan Republic after the entry into force of this Law, but not represented in the Milli Majlis of the Azerbaijan Republic.

30.8. From the date of entry into force of this Law, the Law of the Republic of Azerbaijan "On Political Parties" (Report of the Supreme Soviet of the Republic of Azerbaijan, 1992, No. 11, Article 387, No. 12, Article 454; Legislative Collection of the Republic of Azerbaijan, 1997, No. 3, Article 226; 2001, No. 11, Article 683; 2002, No. 8, Article 463; 2004, No. 2, Article 57, No. 5, Article 321, No. 8, Article 598; 2005, No. 4, Article 278, No. 6, Article 464; 2006, No. 3, Article

225; 2007, No. 11, Articles 1049, 1053; 2010, No. 4, Article 276; 2012, No. 5, Article 414; 2014, No. 11, Article 1332; 2015, No. 4, Article 366; 2017, No. 5, Article 684; 2018, No. 6, Article 1158, No. 7 (Book I), Articles 1406, 1429; 2020, No. 12 (Book I), Article 1443) is repealed.

Ilham Aliyev
President of the Republic of Azerbaijan

Baku city, December 16, 2022