

**CONSTITUTIONAL LAW  
OF THE REPUBLIC OF ARMENIA  
ON POLITICAL PARTIES**

Adopted on 16 December 2016

**CHAPTER 1  
GENERAL PROVISIONS**

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

1. This Constitutional law defines the legal status of political parties, regulates the relations pertaining to the establishment, state registration, structure, rights and responsibilities of political parties, formation of the property, sources thereof, financial activities, public assistance to political parties, statements and audit as well as international activities of political parties, financial supervision over the activities thereof, suspension, resumption and prohibition of their activities, re-organisation and liquidation of political parties.

**Article 2. The concept of “political party”**

1. A political party is a voluntary union of citizens of the Republic of Armenia which is aimed at contributing 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.

2. A political party shall obtain the status of a non-commercial legal person from the moment of state registration.

**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, international treaties of the Republic of Armenia, this Law, 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, tasks and other circumstances 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, prohibition of discrimination based on sex, race, skin colour, property status, birth, disability, age or other circumstances of personal or social nature, independence, self-governance, collegiality of the political party, transparency, publicity and accountability of the activities of the political party.

3. Taking into account the principles of activities of political parties, political parties shall be independent in determining their internal structure, goals, forms and methods of the activities, the procedure for formation of the bodies of a political party which may not contradict the democratic principles.

**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. Deployment of subdivisions of political parties within state and local self-government bodies, state pre-school, school and other educational institutions, other state organisations 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 shall elect from among its composition the head (or an acting head) of the permanently functioning governing body.
2. Decision on the establishment of a political party shall be adopted by the unanimous decision of at least 100 founders attending the founding congress of the political party.
3. Decisions on the approval of the programme and the statute of the political party, on the authorised person(s) for state registration, on the formation of governing and supervisory bodies shall be adopted by the majority votes of the founders attending the founding congress of the political party.
4. 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— <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.
2. At the moment of state registration, the political party must have not less than 800 members representing either the city of Yerevan or at least one third of the Marzes [Regions] of the Republic of Armenia, or the city of Yerevan and at least one fourth of the Marzes of the Republic of Armenia, as well as territorial subdivisions:
  - (1) in the city of Yerevan – at least three subdivisions; or
  - (2) in at least one third of the Marzes of the Republic of Armenia – at least one subdivision in each Marz; or
  - (3) in the city of Yerevan and in at least one fourth of the Marzes of the Republic of Armenia – at least one subdivision in each Marz.
3. State registration of a political party shall be carried out by the state administration body authorised by the Government of the Republic of Armenia: the Ministry of Justice (hereinafter referred to as “the state authorised body”).

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

- (1) at least two copies of the statute of the political party;
- (2) at least two copies of the programme reflecting the approaches of the political party relating to the concept on organisation of public life;
- (3) 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;
- (4) the minutes of the meeting of the founding congress, as well as the decisions on the establishment of the political party, on the 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;
- (5) list of the founders of the political party at the moment of state registration, which must contain the name, surname and signature of the member, indication regarding the relevant territorial subdivision;
- (6) the names, surnames of the founders having participated in the founding congress, photocopies of passports, signatures;
- (7) information on the composition of the governing bodies of the political party (name, surname, passport data, place of residence);

- (8) statement of information on the registered address of the permanently functioning governing body of the political party;
  - (9) document attesting the payment of state duty for state registration;
  - (10) information on the territorial subdivisions of the political party.
5. Documents provided for by part 4 of this Article shall be submitted for the purpose of state registration no later than within one year 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 state authorised 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 of the political party shall be subject to publication on the official website of the state 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 non-compliance with of the requirements prescribed by this Law for state registration, the state authorised body shall return the application for state registration. The decision of the state authorised body on returning the application for state registration of a political party must be substantiated, containing a reference to the provisions of this Law the requirements whereof have not been observed.
2. In case of correcting the inaccuracies revealed and re-submitting to the state authorised body the application for state registration not later than within one year after the day of holding the founding congress of the political

party, it shall be considered as accepted, and a state duty shall not be levied again.

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 state authorised 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; or
- (2) the number of the founders of the political party does not correspond to the requirements of this Law, or the founding congress of the political party has not adopted decision on the establishment of the political party or on the adoption of the programme or the approval of the statute of the political party or 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 elected; or

- (3) the application for state registration of the political party has been submitted one year after the day of holding of the founding congress of the political party.
2. The decision of the state authorised body on rejecting state registration of a political party must be 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.
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 a founder 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 of the political party, appeal against the decisions and actions of the bodies of the political party, voluntarily terminate the membership thereof.

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. Pursuant to part 2 of Article 46 of the Constitution of the Republic of Armenia with the amendments of 2015 (hereinafter referred to as “the Constitution”), judges, prosecutors, investigators may not be founders or members of a political party.

2. The law may prescribe restrictions on the establishment of a political party and on the right to joining a political party by servicemen of the armed forces, national security, the police and other militarised bodies.

3. Pursuant to the Constitution, 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.

#### **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 former names of registered political parties, 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 natural 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. In case of absence of an heir, the name of the dead prominent person may be used as prescribed by the Government of the Republic of Armenia.
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 may not contain words or other expressions of insulting or defamatory nature.
6. The name of a political party must not violate intellectual property rights of citizens and legal persons.
7. 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.
8. 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 may not contain words or other expressions of insulting or defamatory nature.
4. 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 Constitution, international treaties, laws and secondary regulatory legal acts.

2. The statute shall define the following:

- (1) the name, including the abbreviation of the name, as well as the description of the emblem, other 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, rights and responsibilities 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 rights and responsibilities 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.

3. The procedure for formation of the electoral lists of political parties running in elections of the National Assembly and elections of the Council of Elders of Yerevan, Gyumri and Vanadzor shall also be defined by the statute of the political party. Recommendations submitted by the members of the political parties, as well as by the territorial subdivisions shall at least be taken into account during the formation of electoral lists.

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

#### **Article 17. Governing bodies of a political party**

1. The highest governing body of a political party shall be the congress (congress, meeting, conference, assembly, etc.) 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 not later than once in four 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 prescribed by its decision, the right to take a decision whereon shall not be vested with another body by law or the statute.
3. 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, except for the amendments and supplements conditioned by the amendment of this Law;
  - (2) formation of governing and supervisory bodies;
  - (3) election of the head of the permanently functioning governing body;
  - (4) re-organisation of the political party.
4. 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.
5. 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) adopt, by the majority of votes of the total number of its members, the amendments and supplements to the statute and programme of the political party, conditioned by amendment of this Law;
- (5) take a decision on liquidation of the political party, where the congress did not have quorum;
- (6) exercise other rights reserved to it by law and the statute.

**Article 18. The procedure for adopting decisions at the congress of a political party**

1. Representatives elected as prescribed by the statute 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 half 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, except for the amendments and supplements conditioned by amendment of this Law, formation of governing and supervisory bodies, election 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 19. 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. 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 20. 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, as prescribed by law, candidates for Deputies of the National Assembly, as well as for members of the Council of Elders of Yerevan, Gyumri and Vanadzor.

#### **Article 21. Rights of political parties**

1. A political party shall have the right, as prescribed by law, to:
  - (1) participate in preparation and holding of the elections of state and local self-government bodies, as well as referenda;
  - (2) have access, as prescribed by the Law of the Republic of Armenia “On Television and Radio” and on equal and non-discriminatory conditions, during the electoral process to mass media established by state and local self-government bodies;
  - (3) establish mass media and publishing houses;
  - (4) freely disseminate information on its activities, advocate its ideas

and objectives;

- (5) organise and hold peaceful, unarmed assemblies;
- (6) create alliances (associations) with other political parties, without forming a legal person;
- (7) establish and maintain international contacts with political parties and public associations of other states, international organisations, join international unions;
- (8) carry out other activities not prohibited by law.

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 be a founder or participant of a commercial legal person, except for cases provided for by this Article.

4. During the elections to the National Assembly, alliances of political parties may be formed by at least two political parties.

5. The freedom to engage in opposition activities shall be guaranteed for political parties, including the freedom to:

- (1) publicly express its position on different issues of state and public life;
- (2) 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 22. Responsibilities of political parties**

1. A political party shall be obliged to:
  - (1) comply with the Constitution and laws;
  - (2) annually publish a report on the use of property on the official website for public notifications of the Republic of Armenia — <http://www.azdarar.am>, by 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 23. 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. A political party may not, under the right of ownership, have property that is 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 24 of this Law;
  - (3) budget financing as prescribed by Article 26 of this Law;
  - (4) income generated from activities prescribed by this Law.
3. Maximum amount of the membership fee of a natural person may not annually exceed 1000-fold of the minimum salary.
4. 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.
5. 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 24. Donations made to political parties**

1. Political parties shall have the right to receive donations — in the form of property, including monetary funds, including credits, loans, repayment of debts of the political party by third persons — from natural and legal persons, except for the 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 26 of this Law;
- (3) state and community non-commercial organisations, and commercial organisations with state and community participation;
- (4) 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;
- (5) international organisations;
- (6) stateless persons;
- (7) 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 and 6 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 2-5 and 7 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, 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 4 and 5 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 25. 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 all the political parties:

- (1) provide for an opportunity to use mass media founded with the participation of state and local self-government bodies;
- (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.

2. State bodies shall fund the activities of political parties as prescribed by Article 26 of this Law.

#### **Article 26. 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 0,04-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 of the Republic of Armenia on prohibition of activities of the political party.

## CHAPTER 6

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

#### **Article 27. 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.
5. The source of donations received by a political party shall, regardless of the value, 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 28. 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 29. 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.
2. Political parties shall have the right to join international unions.

## CHAPTER 8

### ***FINANCIAL SUPERVISION OVER ACTIVITIES OF POLITICAL PARTIES***

**Article 30. Body exercising financial supervision over the activities of 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 five 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 that are necessary for the verification of authenticity of the submitted statement.

## CHAPTER 9

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

#### **Article 31. 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 of the Republic of Armenia, 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 of the Republic of Armenia on the issue of suspension or prohibition of activities of a political party.

#### **Article 32. Suspension of activities of a political party**

1. The activities of a political party may be suspended where the political party:
  - (1) has committed a gross violation of law during its activities; or
  - (2) has not participated for two consecutive times in the elections of the National Assembly or the Council of Elders of Yerevan, Gyumri and Vanadzor, acting independently or in the composition of an alliance of political parties or in the electoral list of another political party.

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; or
- (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 on the ground referred to in point 1 of part 1 of this Article, 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 normal course of operation of a political party as a legal person.

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 in writing 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 and the Government of the Republic of Armenia.

6. The state authorised body shall promptly notify to the Government of the Republic of Armenia 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.

8. On the grounds provided for by point 1 of part 1 of this Article, the evidence on elimination of grounds for suspension shall be submitted by the political party to the state authorised body, which shall assess whether or not the violations serving as grounds for suspension have been eliminated.

The state authorised body shall submit the opinion on the eliminated violations or those existing, which serve as a ground for suspension, to the body having applied to the Constitutional Court of the Republic of Armenia.

The activities of the political party shall resume in case the violations serving as grounds for suspension have been eliminated.

9. In the case provided for by point 2 of part 1 of this Article, the activities of a political party shall be suspended for a period of one year. In case of failure to participate in the subsequent elections of the National Assembly and the Council of Elders of Yerevan, Gyumri and Vanadzor after resumption of the activities of the political party, the activities of the political party shall be suspended again. During the mentioned period, the political party may not carry out any activities, including receive any donation provided for by Article 24 of this Law, except for the activities related to collection of membership fees, fulfilment of contract obligations, including employment obligations, as well as to payment of taxes, duties and other compulsory payments.

### **Article 33. Prohibition of the activities of a political party**

1. Pursuant to part 4 of Article 46 of the Constitution, 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, member of the Council of Elders of Yerevan, Gyumri and Vanadzor, 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 34. Re-organisation of a political party**

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

2. Relations pertaining to the re-organisation of a political party shall be regulated in accordance with the rules of the Civil Code of the Republic of Armenia.

**Article 35. 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 5 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 of the political party.
4. Where the congress convened for the liquidation of a political party fails to have a quorum, the decision on liquidation of the political party shall be adopted by the permanently functioning governing body of the political party. In case the permanently functioning governing body of the political party fails to have a quorum, the political party shall be liquidated upon the decision of one of the founders of the political party. In this case, the decision on the liquidation of the political party shall be deemed as adopted, unless another decision is taken by the congress or permanently functioning governing body of the political party within three months after the day of taking the decision.
5. Where the activities of a political party have been prohibited upon the decision of the Constitutional Court of the Republic of Armenia, 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 36. Final and transitional provisions**

1. This Law shall enter into force on 1 April 2017.
2. Law of the Republic of Armenia HO-410-N of 3 July 2002 “On political parties”, except for the case provided for by part 3 of this Article, shall be repealed upon entry into force of this Law.
3. Part 2 of Article 30 of Law of the Republic of Armenia HO-410-N of 3 July 2002 “On political parties” shall, with respect to the President of the Republic, repeal on the day the newly-elected President of the Republic assumes his or her office.
4. The provisions of part 3 of Article 13 of this Law shall, with respect to the President of the Republic, members of the Television and Radio Commission, members of the Public Audit Chamber and members of the Board of the Central Bank, enter into force on the day the newly-elected President of the Republic assumes his or her office.
5. Part 3 of Article 16 of this Law shall enter into force on 1 January 2021.
6. The provisions on state registration, prescribed by the Law of the Republic of Armenia HO-410-N of 3 July 2002 “On political parties” shall extend to applications submitted for state registration of political parties before 1 February 2017. Where the applications submitted for state registration of political parties from 1 February 2017 until the date of entry into force of this Law do not comply with the requirements prescribed by this Law, the body carrying out state registration shall, within a period of five days following the receipt of the application, take a decision on returning the application, by specifying the provisions of this Law, which are not complied with under the application for state registration. No state duty shall be levied for the applications returned on the ground of non-compliance with the requirements of this Law, in case they are submitted again within one year after holding the founding congress.

President  
of the Republic of Armenia

S. Sargsyan

30 December 2016

Yerevan

HO-224-N