



## **THE LAW OF UKRAINE**

### **about the unification of the citizens**

The Law is come into effect from the date of its publishing — the 18<sup>th</sup> of July, 1992  
(in the accordance with resolution of the Verkhovna Rada of Ukraine  
from the 16<sup>th</sup> of June, 1992 #2461-XII)

With changes inserted by the Law of Ukraine

from the 11<sup>th</sup> of November, 1993 N 3582-XII,  
from the 18<sup>th</sup> of November, 1997 N 642/97-BP,  
from the 13<sup>th</sup> of May, 1999 N 655-XIV,  
from the 21<sup>th</sup> of December, 2000 N 2171-III,  
from the 11<sup>th</sup> of July, 2001 N 2651-III,  
from the 3d of April, 2003 N 662-IV,  
from the 15<sup>th</sup> of May, 2003 N 762-IV,  
from the 4<sup>th</sup> of February, 2005 N 2424-IV,  
from the 8<sup>th</sup> of September, 2005 N 2852-IV,  
from the 9<sup>th</sup> of February, 2006 N 3428-IV,  
from 15<sup>th</sup> of April, 2008 N 274-VI,  
from the 19<sup>th</sup> of March, 2009 N 1180-VI

A right of citizens for the freedom of unification is an integral human right, fastened by the General declaration of human rights and guaranteed by the Constitution and legislation of Ukraine. The state assists of the development of political and public activity, creative initiative of citizens and creates equal conditions for the activity of their unions.

### **1. General positions**

#### **Article 1. Citizens unification**

Citizens unification is the voluntarily public forming, created on the basis of unity of the interests for common realization by the citizens of the rights and freedoms.

Citizens unification, irrespective of the name (movement, congress, association, foundation, union etc.) in accordance with this Law is determined by the political party or public organization.

The force of this Law does not spread on religious, co-operative organizations, unions of the citizens which have the primary purpose to get a profit, commercial foundations, bodies of local and regional self-government (including committees of

the microregions, houses, streets, blocks, villages), bodies of public activity (squads, comradely courts etc.), other unions of the citizens, an order of creation and activity of which is determined by the proper legislation.

The features of the legal adjusting of the trade unions activity are determined by the Law of Ukraine about trade unions.

### **Article 2. Political party**

Political party is the citizens-supporters union of the certain national program of community development which have a primary objective the participating in forming of public policy, forming of power bodies, local and regional self-government and representative office in their composition.

### **Article 3. Public organization**

Public organization is the citizens union for the satisfaction and defence its legal social, economic, creative, age-old, national-and-cultural, sports and other common interests.

### **Article 4. Limits on creation and activity of the citizens unions**

They are not a subject of legalization and activity of the legalized citizens unions is forbidden in a judicial order, when their purpose is:

change by violence of constitutional order and in any illegal form of territorial integrity of the state;

safety injury of the state in form of activity conducting in behalf of the foreign states;

propaganda of war, violence or cruelty, fascism and neo-fascism;

inflaming of national and religious enmity;

creation of the illegal militarized formings;

limitation of generally adopted human rights.

Creation and activity of political parties are forbidden, leading bodies or structural branches which are outside of Ukraine and also any structural branches of political parties in the bodies of executive and judicial power, in Military Forces and State boundary service of Ukraine, State special service of transport, State service of special connection and information defence of Ukraine, on state enterprises, in establishments and organizations, state educational establishments.

(part II of the article 4 with the changes according to the Law of Ukraine  
from 21.12.2000 # 2171-III,  
from 03.04.2003 # 662-IV,  
from 09.02.2006 # 3428-IV,  
from 19.03.2009 # 1180-VI)

### **Article 5. Legislation about the citizens unification**

The legislation about citizens unification consists of Constitution of Ukraine, this Law and acts of legislation, accepted in accordance with it.

## **II. PRINCIPLES OF ACTIVITY AND STATUS OF THE CITIZENS UNIONS**

### **Article 6. Principles of creation and activity of the citizens unions**

Citizens unions are created and operate on the basis of voluntarily, rights equality its members (participants), self-government, legality and publicity. They are free in the choice of directions of the activity.

Limitation of citizens unions activity can be set only by Constitution and laws of Ukraine.

All main questions of citizens unions activity must be decided on the meetings of all members or representatives of members of the union.

Citizens union must regularly promulgate their main documents, staff of management, information about sources of finance and expenses.

### **Article 7. Prohibition of citizens rights and freedoms limitation because of their belonging or unbelonging to the citizens unions**

Nobody can be compelled to entering into any of citizens union. Belonging or unbelonging to the citizens union can not be the ground for limitation of rights and freedoms or for the granting of any privileges and advantages by the state.

Requirement about pointing in official documents the membership(participation) in one or another citizens union is forbidden, except for cases established in the Law of Ukraine.

A refuse in acceptance or exception from political party of person because of his/her sex or nationality is forbidden. Limitations concerning the membership in political parties of separate categories of citizens are set by the Constitution and laws of Ukraine.

On the workers of citizens unions spreads the legislation about labour, social security and social insurance.

### **Article 8. The state and citizens unions**

The state provides observance of rights and legal interests of citizens union, legalized in an order which is established in this Law.

As public bodies and official persons interferences to the activity of citizens union, as the interference of the citizens union in the activity of public bodies, official persons and in the activity of other citizens union are forbidden, except for cases established by the Law.

Verkhovna Rada of Ukraine sets privileges on the taxation of profits on the separate types of economic or other commercial activity of the citizens unions, establishments

and organizations created by them, founded enterprises, maximal amounts of the separate and general annual donations in behalf of political parties, asserts the list of Ukrainian public organizations for which the state renders a financial help.

#### **Article 9. The status of the citizens union**

Citizens union of Ukraine appear and operate with Ukrainian, local and international status.

To the citizens unions belong the unions which activity spreads on territory of all Ukraine and which have local branches in the most of its regions.

To the local unions belong the unions which activity spreads on territory of the proper administrative-territorial unit or region. Territory of activity is independently determined by the citizens union.

Public organization is international, if its activity spreads on the territory of Ukraine and just one other state.

Political parties in Ukraine appear and operate only with Ukrainian status.

#### **Article 10. Associations of the citizens union**

Citizens unions have a right on a voluntary basis to found or to enter between itself into unions (associations etc.), to form blocks and coalitions, to make agreements about collaboration and mutual help.

Creation and legalization of citizens unions, an order of their activity and liquidation, is carried out in accordance with this Law.

### **III. AN ORDER OF THE CREATION AND STOPPING AN ACTIVITY OF THE CITIZENS UNIONS**

#### **Article 11. The founders of the citizens unions**

Political parties are created on initiative of the citizens of Ukraine, who came of age, unreserved a court in a capability and are not in the places of imprisonment.

The founders of public organizations can be citizens of Ukraine, citizens of other states, persons without citizenship, who came to age, but youth and children organizations - 15-years-old age.

The decision about the foundation of the citizens unions is made by Constituent Assembly or by general meeting.

The founders of the citizens unions associations are the citizens unions

#### **Article 12. The membership in the citizens unions**

The members of political parties can be only citizens of Ukraine, who came of age.

The members of public organizations, except for youth and children's, can be persons who attained 14 years. Age of members of youth and children's public organizations is determined by their regulations set by the laws of Ukraine.

(2d part of the article 12 with the changes  
according to the Law of Ukraine  
from 13.05.1999 # 655-XIV)

The public organizations can not have any fixed retention.

In the cases of the citizens unions activity, provided by its statutes, can take part the collective members.

### **Article 12<sup>1</sup>. The name of the citizens union**

The name of citizens union is determined by Constituent Assembly decision or by the general meeting of citizens union.

The name of citizens union must consist of two parts - general and individual. The general name (party, movement, congress, union, association, foundation, society etc.) can be identical for different citizens unions. The individual name of citizens union is obligatory and must substantially differ from the individual names registered in set order citizens unions with the same general name.

Citizens union may have brief name near the full name, which is fixed in the constituent and regulation documents of citizens union (decision of constituent body, statute, position).

Citizens union registered in the accordance with the set order has an exceptional right for the use of the name. Use of the name of the citizens union by physical and legal persons who does not belong to the citizens union, for aims which are not connected with activity of this union is forbidden.

(Law is augmented by the article 12<sup>1</sup>  
in accordance with the Law of Ukraine  
from 11.07.2001 #2651-III)

### **Article 13. Statute documents of the citizens unions**

The union of the citizens acts on the basis of the statute or regulations (farther-statute document):

The statute document of the citizens union must have:

- 1) the name of the union(full name and brief in the accordance with the 3d part article 12<sup>1</sup> of this Law);
- 2) the aim and task of the union;
- 3) the conditions and order for membership;
- 4) the rights and duties of the members;
- 5) an order of the foundation and activity of the statute bodies, local branches and their representatives;
- 6) sources of takings and order of the spending of money and other property of the union, order of accounting, control, realization of economic and other commercial activity which are necessary for implementation of regulation tasks;
- 7) an order of making alteration and addings to the statute document of the union;
- 8) an order of activity stopping and solving the property problems which are connected with liquidation.

In the statute document can be provided other regulations which concern the features of foundation and activity of the citizens union.

The statute document of citizens union can not contradict the Law of Ukraine.

(article 13 under the Law of Ukraine  
from 11.07.2001 #2651-III)

#### **Article 14. The legalization of the citizens union**

Legalization (legal(official) recognition) of the citizens union is the obligatory and carried out by the registration or by the informing about the foundation. The activity of the citizens union which are not legalized or disbanded by the court is forbidden.

In the case of the registration the union gets the statute of the legal person.

The political parties and International Public Organizations are liable to obligatory registration by the Ministry of Justice of Ukraine.

The legalization of the public organization is carried by the Ukraine Ministry of Justice, local bodies of the state executive power, executive committees of the villages, towns councils of people's deputies.

In the case of the local public organization activity spreading on the territory of two or more administrative-and-territorial units, its legalization is carried by the higher proper body.

Local executive public authorities, executive committee of village, town Council of people's deputies register the local branches of the registered Ukrainian and international citizens unions if such registration is set in the regulation documents of

these unions.

About legalization (official recognition) of citizens union a legalize body reports in mass medias.

(article 14 under the Law of Ukraine  
from the 11th of November, 1993 #3582-XII)

### **Article 15. The registration of the citizens unions**

For registration of citizens union his founders hand in an application. The application about registration of political party must be supported by signatures no less as one thousand citizens of Ukraine who have electoral right. To the application must be added statute (regulations), protocol of constituent conference or general meeting, information about staff of management of central regulation body, information about local branches, documents about payment of registration fee with accordance of the laws of Ukraine, except for the cases when public organization is cleared from the registration fee according to the laws of Ukraine. The political parties hand in also their programm documents.

(2d part of the article 15 with changes  
according to the Law of Ukraine  
from th 13th of May, 1999 # 655-XIV)

Application about registration of local public organization is examined in 3-day term from the day of receipt of the documents. Decision about registration or refuse in it is revealed to the declarant in writing form not later than the next working day from the day of decision-making.

Application about registration of Ukrainian and international public organization is examined during one month. Decision about registration or refuse in it is revealed to the declarant in writing form in 10-day term.

(3d part of the article 15 was replaced  
by the 3d and 4<sup>th</sup> parts according to the Law of Ukraine  
from the 8<sup>th</sup> of September, 2005 # 2852-IV,  
so because of it the parts 4<sup>th</sup> -8<sup>th</sup> consider as parts 5<sup>th</sup> -9<sup>th</sup>)

During the consideration of question about registration can be present representatives of citizens union.

Changes to the regulation documents, registered citizens union are liable to obligatory registrations.

(part 6 of the article 15 under the Law of Ukraine  
from the 4<sup>th</sup> of February, 2005 #2424-IV)

The 7<sup>th</sup> part of the article 15 is excluded

(in the accordance with the Law of Ukraine  
from the 4<sup>th</sup> of February, 2005 # 2424-IV)

Bodies which carry out the registration of the union keep the list of these unions.

The rate of the registration tax is set by the Ministry of Ukraine.

### **Article 16. Refuse in registration**

The citizens union can get the refuse if its name, statute documents, handed in for the registration, don't correspond with the legislation of Ukraine.

(1<sup>st</sup> part of the article 16 under the  
Law of Ukraine from the 11<sup>th</sup> of July, 2001 # 2651-III)

The decision about the registration refuse must have the grounds. This decision can be rebuted according to the legal proceedings.

The register body inform about the refuse of registration the citizens union through the mass medias.

(article 16 with the add-ins made by the Law of Ukraine  
from the 11<sup>th</sup> of November, 1993 # 3582-XII)

### **Article 17. Informing about the foundation**

Public organizations, their unions can legalize the foundation by a writing report according to Ministry of Justice of Ukraine, local executive public authorities, executive committees of village, settlement, local Councils of people's deputies.

### **Article 18. Symbols of the citizens unions**

The citizens union can use own symbolic.

The symbolic of the citizens union is approved in the accordance with its statute.

The symbolic of the political parties mustn't represent state or religious symbols.

The symbolic of the citizens union is liable to the state registration in order which is determined by the Ministry of Ukraine.

### **Article 19. Stopping of the citizens union activity**



The stopping of the citizens union activity can be through its reorganization or liquidation.

Reorganization is carried out according to the statute. Registration of new founded union is carried out in the order set by this Law.

Liquidation citizens union is carried out on the grounds of the statute or court decision.

#### **IV.THE RIGHTS OF THE CITIZENS UNIONS, ECONOMIC AND OTHER COMMERCIAL ACTIVITY**

##### **Article 20. The rights of the registered unions of citizens**

For the realization aims and tasks, set in the statute documents, registered citizens union have the right:

- to be the representative of civil-and-legal relations, to get the property and non-property rights;
- to present and to defend their legal interests and legal interests of its members(participants) in the state and public bodies;
- to take part in the political activity, to carry out the mass measures (meetings, demonstrations etc.);
- conceptually, organizational and materially support the other citizens union, to help in their foundation;
- to found the institutions and organizations;
- to get from the bodies of state power and management and from the bodies of local self-government an infirmation, which is necessary for realization of their aims and tasks;
- to put forward a proposals to the bodies of power and management;
- to spread the information and popularize own ideas and aims;
- to found the mass medias;
- to take part in the creation of the projects about the sex equality which are exepcted by the bodies of the executive power and local self-government;

(the 1<sup>st</sup> part of the article 20 was added with the 11<sup>th</sup> paragraph  
with accordance of the Law of Ukraine from 15<sup>th</sup> of April #274-VI)

to delegate the representatives to the complement of consultative deliberative body from the questions of providing equal rights and possibilities of women and men, which are appeared at the bodies of executive power and bodies of local self-government;

(the 1<sup>st</sup> part of the article 20 was added with the 12<sup>th</sup> paragraph  
with accordance of the Law of Ukraine from 15<sup>th</sup> of April #274-VI)

to conduct a monitoring from the questions providing of equal rights and possibilities of women and men.

(the 1<sup>st</sup> part of the article 20 was added with the 13<sup>th</sup> paragraph with accordance of the Law of Ukraine from 15<sup>th</sup> of April #274-VI)

Public organizations have a right to found enterprises which are necessary for implementation of regulation aims.

In an order set by the legislation, the political parties also have a right:

- to take part in making of public policy;
- to take part in forming of power bodies, representative office;
- to access during the election to the state mass medias.

Unions of citizens have another rights established by the laws of Ukraine.

### **Article 21. Citizens unions property**

Union of citizens can have a money and other property which are necessary for realization of its regulation activity.

Union of citizens acquires right of ownership on money and other property which are given to it by founders, members (participants) or state, which are purchased from entrance and membership fees, presented by the citizens, enterprises, establishments and organizations and also on property purchased owing to an own money or on other grounds which are not forbidden by the law.

Political parties also have a right on property purchased from the sale of social and political literature, other agitational-and-propagandistic materials, goods with own symbolic, carrying out the festivals, holidays, exhibitions, lectures, other political measures.

Public organizations also have a right on property and money purchased as a result of economic and other commercial activity of founded by them self-supporting establishments and organizations, founded enterprises.

Money and other property of citizens union, including these, which are liquidated, not can be redistributed between their members and are used for implementation of regulation tasks or on charitable aims, but in cases set by the legislative acts according to the court decision are sent to the state profit.

### **Article 22. The limits for getting money and other property by the political parties, their establishments and organizations**

Political parties, their establishments and organizations are forbidden to get money

and other property straight or mediated from:

- foreign states and organizations, international organizations, foreign citizens and persons without citizenship;
- public bodies, state enterprises, establishments and organizations, except for cases, set by the laws of Ukraine;
- enterprises, created on the basis of the mixed form of ownership, if participation of the state or foreign participant exceeds 20 percents;
- unlegalized unions of citizens;
- anonymous philanthropist.

Political parties have no authority to get profits from shares and other securities, to have accounts in the foreign banks and to save valuable there are forbidden.

Political parties have to publish the budgets for general known annually.

### **Article 23. The ownership right realization**

The citizens union right of ownership is realized by their higher regulation bodies of management (general meetings, conferences etc.) in an order which is set by the legislation of Ukraine and regulation documents.

Some functions concerning economic property management can be fixed by the higher regulation bodies of management on the bodies created by them, local branches or it is given to the unions of citizens.

### **Article 24. Economic and other commercial activity**

With the purpose of implementation of regulation tasks and aims the registered citizens unions can carry out necessary economic and other commercial activity by foundation of self-supporting establishments and organizations with status of legal person, foundation of enterprises in an order set by the legislation.

Political parties founded by them, establishments and organizations have no authority to found the enterprises, except for mass medias, and engaged in economic and other commercial activity. Just to sale the social and political literature, other agitational-and-propagandistic materials, goods with own symbolic, carrying out the festivals, holidays, exhibitions, lectures, other political measures.

Unions of citizens, founded by them establishments and organizations owe to carry out an operative and book-keeping account, statistical accounting, register in the bodies of state tax inspection and bring in a budget payments in an order and rate set by the legislation.

## **V. UNIONS OF THE CITIZENS ACTIVITY MONITORING AND CONTROL. RESPONSIBILITY FOR THE BREACH OF THE LEGISLATION**

### **Article 25. State monitoring and control over the activity of the citizens unions**

State control over the activity of the citizens union is carried out by public bodies in an order set by the legislation of Ukraine.

Bodies which conduct legalization of citizens unions carry out the control over inhibition positions of regulation by them. The representatives of these bodies have a right to be present on measures which are conducted by the citizens unions, to require the necessary documents, get explanations.

A supervision after implementation and inhibition of citizens unions legality is carried out by Office of Public Prosecutor.

Control after sources and rates of takings, payment of taxes by the citizens unions carry out the financial bodies and bodies of state tax inspection.

### **Article 26. An order of the carrying out of the financial control**

Unions of citizens give in the set order for the financial bodies the declarations about the profits and charges.

Annually on the basis of financial declarations the lists of persons whose donations in behalf of political parties exceed a rate which is determined by the Verkhovna Rada of Ukraine are published in a newspaper "Voice of Ukraine".

The special commission of Verkhovna Rada of Ukraine, which deputies - representatives of all political parties presented in parliament, examines their financial activity per year and gives a report about the conclusions on the plenary meeting of Verkhovna Rada of Ukraine.

In the case of violations of financial discipline political party carries responsibility according to the legislation. Illegal takings are drawn out according to the decision of court in an order set by the law and included to the State budget of Ukraine.

(4<sup>th</sup> part of the article 26 is under the Law of Ukraine from the 18<sup>th</sup> of November, 1997 #642/97-VR)

### **Article 27. Responsibility for the violation of the legislation**

The government personnel of legalization bodies of the citizens unions and citizens for violation of legislation about citizens unions carry disciplinary, civil,

administrative or criminal responsibility.

Unions of citizens carry responsibility provided by this Law and other legislative acts of Ukraine.

Management of citizens union, which wasn't legalized in the order set by law or which was refused in legalization, or which is forcedly disbanded according to the decision of court, but continue its activity. And also participation in the activity of such unions has an administrative and criminal responsibility.

(article 27 with add-ins made by the Law of Ukraine  
from the 11<sup>th</sup> of November # 3582-XII)

### **Article 28. The types of damages**

For the violations of the legislation the citizens union can be imposed:

- notice;
- fine;
- temporary forbid of some types of the activity;
- temporary forbid of the activity;
- forced disbandment(liquidation).

### **Article 29. Notice**

After violation by the citizens union which doesn't have in its order payment other type of penalty, set by this Law, the proper legalization body makes a notice.

### **Article 30. Fine**

In the case of the gross or systematical violations by the union the legalization body or public prosecutor must impose the fine in the court order.

### **Article 31. Temporary forbid of some types of the activity or of the whole activity of the citizens union**

With the purpose of stopping of illegal activity of citizens union, according to the legalization body or public prosecutor, a court can temporally forbid some types of activity or temporally to forbid activity of citizens union on term of three months.

Temporal prohibition of some types of citizens union activity can be carried out by establishment of prohibition on the realization of mass measures (meetings, mass meetings, demonstrations etc.), realization of publishing activity, bank transactions, actions with the wealth etc.

According to the body which applied to the court concerning the temporal prohibition

of some types or the whole activity of citizens union, the court can prolong this term. But for all that the general term of temporal prohibition must not exceed six months.

At the removal of reasons which became the ground for temporal prohibition, because of the citizens union actions, its activity can resumed by the court completely.

### **Article 32. Forced disbandment(liquidation) of the citizens union**

In the accordance with legalization body or public prosecutor the court can make the decision to disband(liquidate) the citizens union in cases:

- 1) making the actions set by the article 4 of this Law.
- 2) systematical or gross violation of requirements of the article 22 of this Law.
- 3) continuation of unlawful activity after imposition of penalties set by this Law.
- 4) dismissal of number of political party members to the number, when it is declared invalid.

A court simultaneously decides a question about stopping of issue of printing mass media for the citizens union which are disbanded.

About the forced disbandment(liquidation) of citizens union the proper body informs in mass medias during 15 days after the court decision went into effect.

Decision about forced disbandment of Ukrainian and international public organizations on territory of Ukraine is made by court.

(4<sup>th</sup> part of the article 32 is under the Law of Ukraine  
from the 15<sup>th</sup> of May, 2003 # 762-IV)

(article 32 with the add-ins made  
in the accordance with the Law of Ukraine  
from the 11<sup>th</sup> of november, 1993 # 3582-XII)

## **VI. International relations of citizens unions. International unions of citizens**

### **Article 33. International relations of the citizens unions**

Public organizations, their unions in accordance with the regulations can found or enter into international public (ungovernmental) organizations, form the international unions of citizens, support direct international contacts and relations, to conclude the proper agreements and also take part in realization of measures which do not contradict international rules of Ukraine.

Political parties have a right to found or enter into international unions, regulations of which have the rights to found only consultative and active central bodies.

### **Article 34. International public organizations. Branches of the foreign public organizations**

International public organizations, branches, departments, representative offices, other structural branches of public(ungovernmental) organizations of the foreign states on territory of Ukraine operate in accordance with this Law, other legislative acts of Ukraine.

Legalized public organization, which is the founder, became the member of international organization or another way spreads the activity on territory of the foreign state, must in a monthly term to hand in the necessary documents for registration in Ministry of Justice of Ukraine as international one.

(2d part of the article 34 with changes  
made in accordance with the Law of Ukraine  
from the 13<sup>th</sup> of May, 1999 #655-XIV,  
from the 4<sup>th</sup> of April, 2005 #2424-IV)

The order of the registration of branches and other representatives offices of foreign state public organizations is set by the Ministry of Ukraine.

<b>President of Ukraine</b>	<b><u>L.Kravchuk</u></b>
<b>Kyiv, the 16<sup>th</sup> of June, 1992 # 2460-XII</b>	