

*POLITICAL  
PARTIES*

*DRAFT LAW*

# ***Political Parties Draft Law***

**Chairman of the Executive Committee of  
the Palestinian Liberation Organization**

**President of the Palestinian National  
Authority**

Following review of the  
Declaration of Independence, and  
the Basic Law of the Palestinian  
National Authority, and the  
Charter of the Palestinian  
Liberation Organization (PLO)

And after the approval of the  
Palestinian Legislative Council in  
its session held on...

**We Decree the following law:**

## **Article (1)**

All Palestinian political factions and parties represented within the  
Palestinian National Council are legal factions and parties, and  
shall be subject to the provisions of this law.

## **Article (2)**

The political system in Palestine is based on the principles  
established by the Basic Law to include; political pluralism,  
freedom to form parties, participation in political institutions,  
general, direct, and free elections, the freedom of expression,

association and assembly, within the framework of applicable laws and legislation.

### **Article (3)**

A party is each political organization consisting of a group of Palestinians according to the provisions of this law, aiming at participating in the political life and achieving specific goals related to political, economic and social affairs, and employing legitimate and peaceful means to assume power.

### **Article (4)**

All parties are equal before law. Parties shall be established and run their activities openly and in public. Law shall guarantee protection of the party and its legitimacy.

### **Article (5)**

Each Palestinian, male or female, can be a member in a party if he wishes to. However, a Palestinian citizen shall not be a member in more than one party at one time.

### **Article (6)**

It is not allowed to persecute members of the party, on the basis of origin, gender, religion, goal, social status, private property, economic level or color.

### **Article (7)**

- A- Government officials shall not participate in partisan activities, except in cases stipulated by the law.
- B- All individuals working in the armed forces, or in various security apparatus, shall not be members in political parties.

### **Article (8)**

Any party aiming to overthrow or topple the constitutional government, threaten the independence and integrity of the country, call for war or internal violence, expose political life, democracy, regional integrity and unity of society shall be prohibited.

## **Establishing a party**

### **Article (9)**

The bylaws of any party shall include the following:

- 1- Full name of the party (and the acronym, if any)

- 2- Official address.
- 3- Functions, objectives and means the party seeks to achieve.
- 4- Conditions to join and leave the party.
- 5- Rights and duties of party members.
- 6- Party's organizational structure.
- 7- Rules, provisions and jurisdictions of leadership.
- 8- List of leadership members.
- 9- Funding resources and methods of financial disbursement.
- 10- Mechanisms of party's internal auditing.
- 11- Procedures to amend the party's bylaws.
- 12- Provisions of suspending party's activities and party restructuring or cessation of activities.
- 13- Description of party's emblem, slogans and symbols.
- 14- Any other provisions or regulations provided that they do not contradict with the provisions of this law.

#### **Article (10)**

- 1- The names, slogans, emblems, or symbols of the party shall not resemble those, which belong to any other registered party, or to a party which ceased its activities for less than three years.
- 2- Symbols and slogans of the party shall not be used without the party's permission.

#### **Article (11)**

- 1- Concerned and relevant bodies of the party shall look independently in decisions of accepting membership or dismissal from the party according to the procedures agreed upon. No justification is required as to refusal or dismissal of membership.
- 2- A member has the right to suspend his membership in the party at any time.
- 3- The bylaws shall explain methods of dismissal, justifications for resorting to these methods, and the concerned body in charge of implementation.
- 4- Dismissal decisions from the party shall be made by the concerned committee as established in the bylaws. Such decision shall be in written, and can be appealed before a higher body in the party. In addition, it shall be possible to resort to court to rule on the legitimacy of the decision.

#### **Article (12)**

- 1- The General Assembly is considered the highest representative body of the party. It shall convene as stated in the bylaws, and once every two years.
- 2- Each member of the party shall have the right to participate in the General Assembly, according to the procedures specified in the party's bylaws.
- 3- Decisions of the General Assembly shall be made through a majority vote.
- 4- The basic jurisdictions of the General Assembly include preparation and development of the party's bylaws, conduct amendments or additions when necessary, election of the party's leadership and control bodies, restructuring of the party or winding up and implementation of these tasks, according to the provisions of the law.

#### **Article (13)**

- 1- The executive branch of the party shall be formed of three members at least, elected by the General Assembly for a specific period of time not less than two years, and in accordance with the bylaws.
- 2- The Financial Auditing Committee of the party shall be elected by the General Assembly for two years. It shall audit the party's finances, the papers and expenses of its budget.
- 3- The bylaws shall establish the rules and regulations of convening the General Assembly, the Leadership Bodies, the Financial Auditing Committee, and powers vested in each of them.

#### **Article (14)**

The party shall have the right to establish branches, representation offices, and popular organizations without the need for registration.

#### **Article (15)**

- 1- The party shall be registered at the Ministry of Justice.
- 2- The party shall submit to the Ministry of Justice, one month after convening the of the General Assembly, the following documents:
  - a- Request for registration signed by the party's leader.
  - b- Number of members in the general assembly.
  - c- List of names of party's founders, positions, residence addresses, telephone numbers and signatures.
  - d- The party's bylaws.
  - e- The official legal address of the party.

- f- Samples of slogans, emblems, and symbols used by the party.

### **Article (16)**

- 1- The Ministry of Justice shall decide on the registration of a party within one month from the date of the party's submission of required documents to the Ministry.
- 2- The Parties' Registration Department at the Ministry of Justice shall decide after reviewing the introductory and the identification documents to :
  - a- Either registers the party.
  - b- Or refuse the registration.
- 3- The Parties' Registration Department shall deliver to the party a registration certificate within seven days from the date of issuing the decision.
- 4- A party, whose bylaws or documents are in contradiction with the Basic Law of the Palestinian National Authority, or with the provisions of this law, shall not be registered.
- 5- In case of refusing the request, the Registration Department shall inform the requesting party the decision in written within seven days, explaining the reasons for this refusal.
- 6- The party may appeal the decision before the judiciary, provided that this shall take place within one month from the date of issuing the refusal decision.
- 7- If the party has not been informed about the decision to register or refuse to register the party within the specified, then the party shall be considered as registered. The Registration Department at the Ministry of Justice shall provide the party with a registration certificate within the next seven days.

### **Article (17)**

- 1- The party shall provide the Ministry of Justice with any amendments made to its bylaws within ten days from the amendment.
- 2- The old bylaws shall continue to be implemented until the amendments are registered.

### **Article (18)**

The party's finance shall consist of the following:

- a- Membership fees
- b- Donations
- c- PA Donations if allowed by the law.

- d- Money collected through party's activities (exhibitions, drawings, publications, lectures, and other activities that do not affect the status of the party as a political non-commercial entity.)

#### **Article (19)**

A party shall not receive money or materials from the following sources:

- a- Political or legitimate entities in other countries.
- b- Any governmental source, except within what is allowed by the law.
- c- Any companies or projects at which the Palestinian National Authority subscribes with more than 40%.

#### **Article (20)**

All funds or material received by the party in violation to law shall be transferred to the PA within one month.

#### **Article (21)**

- 1- The National Authority shall provide financial assistance from its budget to all parties that participated in the latest elections, in order to cover administrative and miscellaneous expenses of the party.
- 2- The total annual amount granted to the parties shall be allocated through the budget law.
- 3- 50% of the amount allocated to support parties shall be distributed in accordance with the proportional representation principle, based on the total votes the party or its list of candidates scored, and for all those who obtained more than 2% of the votes. The other 50% of the total amount shall be distributed in proportion to the number of seats that the party or its list scored.
- 4- The party shall distribute the amount received from the Authority on a proportional basis among party members or its deputies, or according to its bylaws.

#### **Article (22)**

The amount allocated to the party from the Authority's budget shall be transferred periodically.

**Article (23)**

- 1- The party shall publish its annual budget in the official papers, prior to the ratification of the general budget of the National Authority, i.e. before 1/8. The budget shall include the expenses, disbursements and income.
- 2- Amounts spent for the elections shall be separately indicated in the budget statement.
- 3- The party's budget shall be handled according to the accounting legislation, laws, and practices applicable in Palestine.

**Article (24)**

If the party does not publish its budget in a timely manner as per article (23), it shall lose its right to obtain financial assistance from the Authority in the new fiscal year.

**Article (25)**

The activity of a party may only be suspended by a ruling issued by the Supreme Court, and in accordance with this law.

**Article (26)**

The high Supreme Court might prohibit the activity of any party aiming at changing the constitutional system, replacing the legitimate government by violence, threatening the regional integrity of the country, instigating violence, or forming armed groups, or agitating sectarianism or regionalism or social or civic violence.