

LAW OF TURKMENISTAN

“On Political Parties”

This Law shall govern public relations arising in connection with the exercise by citizens in accordance with the Constitution of Turkmenistan of the right to form political parties and the peculiarities of the creation, activities, reorganization and termination of activities by political parties.

CHAPTER I. GENERAL PROVISIONS

Article 1. Concept of a political party

A political party shall be a public association on a voluntary basis established in order to enable citizens of Turkmenistan to participate in the political life of society by means of the formation and free expression of their political will and participation in elections and referendums, as well as to represent the interests of citizens in government and local self-governance bodies.

Article 2. Right of citizens of Turkmenistan to unite in political parties

1. Citizens of Turkmenistan shall be provided with equal rights and equal opportunities for the formation of political parties and free participation in their activities. Citizens of Turkmenistan, on a voluntary basis, depending on their political beliefs, shall have the right to form political parties, in compliance with the established order, to freely join or refrain from joining them, to participate in the activities of political parties and to withdraw from membership without confronting any obstacles.

2. The membership of citizens in political parties or the lack thereof does not lead to limitation of their rights and freedoms. It shall be prohibited to provide or refuse to provide citizens with privileges and benefits because of their affiliation with political parties or the lack thereof.

Article 3. Structure of political parties, their goals and objectives

1. A political party shall meet the following requirements:

- 1) organizations should be established in *velayats*, cities and towns with the rights of *velayats*;
- 2) the number of members shall be no less than one thousand people;
- 3) governing and other bodies, organizations and structural subdivisions shall be located exclusively on the territory of Turkmenistan.

2. Organizations and structural subdivisions of political parties shall be established in accordance with their charters.

3. Organizations of political parties and their structural subdivisions shall form part of the structure of political parties.

4. Goals and objectives of political parties shall be set out in their charters and programmes.

5. The main goals of the political parties shall be:

- 1) forming public opinion;
- 2) improving political awareness of citizens and their political education;
- 3) reflection of opinions of citizens regarding various aspects of public life, and making them known to the general public, state authorities and local self-governance bodies; and
- 4) participation in elections and referendums (hereinafter referred to as elections), and nomination of candidates for the President of Turkmenistan, deputies of the Mejlis, members of Halk Maslakhaty and members of Gengeshes, according to the legislation of Turkmenistan.

6. Political parties shall participate in the work of state authorities and local self-governance bodies through chosen representatives under the procedure established by the legislation of Turkmenistan.

Article 4. Legal basis for activities of political parties

In Turkmenistan, the Constitution of Turkmenistan, this Law and other regulatory and legal acts of Turkmenistan governing the activities of political parties shall form the legal basis for the activities of political parties. Political parties shall operate in accordance with their charters and programmes.

Article 5. Names of political parties

1. The names of political parties shall contain the words "political party" or "party". The word "Turkmenistan" and phrases formed on its basis may be used in the names of political parties.
2. It shall not be permitted to use the names of state authorities and administration, local self-governance bodies, as well as names of citizens in the names of political parties.
3. It shall be prohibited to call political parties using full or abbreviated names of operating parties or of those that have terminated their activities in Turkmenistan, as well as of public associations and other organizations, and to use in the names of political parties words which humiliate ethnic, religious or other feelings.
4. Organizations and structural subdivisions of political parties shall use in their names the names of political parties indicating their affiliation with the entities of the administrative and territorial division of Turkmenistan.

Article 6. Symbols of political parties

1. Political parties may have symbols the exact description of which is contained in their charters.
2. Symbols of political parties shall not have similarity with the national symbols of Turkmenistan and foreign states.
3. The symbols of other political parties and public associations operating in Turkmenistan, and symbols of banned organizations may not be used as symbols of political parties.
4. It is prohibited to humiliate the State Flag of Turkmenistan, National Emblem of Turkmenistan, National Anthem of Turkmenistan, Standard of the President of Turkmenistan and state flags, emblems and hymns of foreign states, religious symbols, as well as ethnic, religious or other feelings in the symbols of political parties.

Article 7. Basic principles of activities of political parties

1. The activities of political parties shall be based on the principles of voluntariness, equal rights, tolerance, autonomy, legality and publicity. With the exception of restrictions established by this Law, political parties shall be free to define their own structure, goals and types of their activities.
2. The activities of political parties shall not restrict human rights and civil liberties guaranteed by the Constitution and laws of Turkmenistan.
3. Political parties shall operate transparently, while their programmes, the work they carry out and other information should be available to the public.

Article 8. Restrictions related to the formation and functioning of political parties

1. Prohibition shall be imposed on the creation and activities of political parties which are aimed at forcible change of the constitutional order, allow violence in their activities, oppose the constitutional rights and freedoms of citizens, propagate war, racial, ethnic, and religious enmity, threaten the health and morality of the people, as well as political parties on ethnic or religious grounds.
2. It shall not be permitted to create political parties by regions or by being based on professional principle.
3. The creation and activities of political parties of foreign states and their representation offices shall not be permitted.

4. Political parties shall operate in accordance with the administrative and territorial division of Turkmenistan.
5. In case of emergency or martial law throughout the territory of Turkmenistan or its separate localities, activities of political parties shall be carried out in accordance with the legislation of Turkmenistan.
6. Unregistered political parties shall be prohibited from carrying out their activities and the commitment of any actions on their behalf shall entail liability established by the legislation of Turkmenistan.

Article 9. State and political parties

1. The state shall guarantee the protection of the rights and legitimate interests of political parties and create equal legal opportunities for their activities.
2. The intervention of state authorities and local self-governance bodies and their officials with the activities of political parties, as well as the intervention of political parties with the activities of these bodies and officials shall not be allowed.
3. Matters that affect the interests of political parties shall be solved by state authorities and local self-governance bodies with the participation of, or upon consultation with, political parties.
4. A person in the public service or holding public office shall not have the right to use his/her work and service advantages in the interests of a political party. The above-mentioned officials in the performance of their duties, in addition to the duties of the deputies of the Mejlis of Turkmenistan, elected members of local representative bodies and self-governance bodies shall not be bound by decisions of political parties.
5. Labour and other relations of citizens working in the bodies of political parties shall be governed by relevant regulatory and legal acts of Turkmenistan.

CHAPTER II. CREATION OF POLITICAL PARTIES

Article 10. Procedure for creation of political parties

1. Political parties shall be created by citizens of Turkmenistan in accordance with the Constitution of Turkmenistan and this Law based on the decision of the founding meeting of the political party.
2. The founding meeting shall adopt decisions regarding the creation of a political party, approval of its Charter and Programme, election of governing and audit bodies and other decisions.

Article 11. Organizational committee

1. To prepare, convene and conduct the founding meeting of a political party, citizens who have the right to be a member of a political party shall create the organizational committee consisting of no less than nine persons.
2. The organizational committee shall inform in writing the Ministry of Adalat (Justice) of Turkmenistan about the intention to create a political party and indicate its proposed name. The following shall be attached to the written notification:
 - 1) information on members of the organizational committee (surname, name, patronymic name, birth date, citizenship, place of residence and contact numbers);
 - 2) minutes of the meeting of the organizational committee, indicating the purpose of creation, term of powers (no more than six months), location, procedure for formation and use of funds and other property, as well as information on a member of the organizational committee authorized to open a settlement account for depositing funds of the organizational committee and conclude civil law transactions to ensure the activities of the organizational committee (surname, name, patronymic name, birth date, citizenship, place of residence, passport data: series, serial number, date of issuance, issuing authority, contact numbers).

3. On the day of receiving the written notification and other documents mentioned in para. 2 of this article, the Ministry of Adalat of Turkmenistan shall issue a written confirmation of the receipt of the documents to the authorized member of the organizational committee.

Article 12. Activities of the organizational committee

1. The organizational committee shall independently determine the order of work. During its term of powers, it shall hold the founding meeting of the political party. To this end, the organizational committee shall:

1) carry out administrative, campaign and information work aimed at creating the organizations of political parties in *velayats* and cities and towns with the rights of *velayats*, as well as to conduct meetings to elect delegates to the founding meetings of a political party according to the representational quota established by it;

2) under the procedure established by the legislation of Turkmenistan, open a settlement account at a banking institution through an authorized member of the organizational committee and inform the Ministry of Adalat of Turkmenistan about this.

2. Financial and other means of the organizational committee shall be formed in accordance with this Law.

3. The organizational committee shall terminate its activities after holding a founding meeting of a political party. Financial means and other property of the organizational committee, as well as the financial report on their use with the indication of the sources of funding shall be submitted to the newly created political party.

4. If the founding meeting was not held within the term of powers of the organizational committee, the organizational committee shall terminate its activities after the expiration of this term. In this case, the remaining financial means and other property of the organizational committee shall be returned to sponsors. If there is no possibility to return the financial means and other property of the organizational committee, they shall be transferred to the State Budget of Turkmenistan.

Article 13. Founding meeting of a political party

1. The founding meeting of a political party shall be considered valid if more than a half of the delegates permanently residing in Turkmenistan and representing *velayats* and cities and towns with the rights of *velayats* are present thereat.

2. The representation of all *velayats* and cities and towns with the rights of *velayats* at the founding meeting shall be obligatory.

3. Resolutions of the founding meeting of a political party shall be adopted by the majority of votes of delegates present at the meeting.

CHAPTER III. REGISTRATION OF POLITICAL PARTIES

Article 14. State registration of political parties

1. The Ministry of Adalat of Turkmenistan shall carry out the state registration of political parties with issuing an appropriate certificate thereupon.

The Ministry of Adalat of Turkmenistan shall maintain the register of political parties which have undergone state registration.

Political parties shall acquire the rights of legal persons by being included by an authorized state body in the corresponding register under the procedure spelled out in regulatory and legal acts of Turkmenistan.

2. The Ministry of Adalat of Turkmenistan, within one month from the date the documents were submitted for state registration, in accordance with Article 15 of this Law, shall make a decision regarding the state registration of a political party or the refusal to do so and within tree working days inform the party about it in writing.

3. Amendments to the Charter of a political party should be registered by the Ministry of Adalat of Turkmenistan under the procedure established by this Law.

4. When a political party, as well as amendments to its Charter, are being registered with the state, fees shall be charged in the amount determined by the Cabinet of Ministers of Turkmenistan.
5. Organizations and structural subdivisions established in accordance with the Charter of a political party and included in the corresponding register by an authorized state body shall acquire the rights of legal persons under the procedure established by regulatory and legal acts of Turkmenistan.

Article 15. Submission of documents for state registration of political parties

1. No later than one month from the day the founding meeting of a political party is conducted the following documents shall be submitted to the Ministry of Adalat of Turkmenistan:
 - 1) application of an authorized person of the political party in which their surname, first name, patronymic name, place of residence and contact numbers shall be indicated;
 - 2) approved Charter (in two copies);
 - 3) approved Programme;
 - 4) approved copies of resolutions of the founding meeting on the creation of a political party and its organizations, approval of the Charter and the Programme, election of governing and audit bodies;
 - 5) information on the seat of the permanent headquarters;
 - 6) information on the founders;
 - 7) list of citizens admitted as members; and
 - 8) a document on payment of the registration fee.
2. The Ministry of Adalat of Turkmenistan shall issue a written confirmation about the admission of all documents to an authorized person in the political party.

Article 16. Presentation of information on political parties

1. Information on the creation of political parties and termination of their activities shall be published in the state media of Turkmenistan.
2. The Ministry of Adalat of Turkmenistan shall publish a complete list of political parties which have gone through state registration as of the 1st of January of each year in the state media of Turkmenistan.
3. It shall be prohibited to disclose and disseminate information about the members of political parties without their consent.

Article 17. Refusal of state registration of a political party

1. State registration of political parties may be refused on the following grounds:
 - 1) incompatibility of provisions of the Charter with the Constitution of Turkmenistan, this Law and other regulatory and legal acts of Turkmenistan;
 - 2) incompatibility of the name or the symbols with the requirements of this Law;
 - 3) failure to submit a complete list of relevant documents under this Law or the violation of the procedure of their drawing up;
 - 4) entering deliberately false information in the documents submitted for state registration;
 - 5) submission of the documents necessary for state registration with violating the time limits established by this Law.
2. The programme of a political party shall be submitted to the Ministry of Adalat of Turkmenistan for informational purposes. Errors and inaccuracies in the programme of a political party, except for those indicated in Article 8 of this Law, may not be the grounds for refusing to register a political party. The Ministry of Adalat of Turkmenistan shall not have the right to require a political party to make amendments to the Programme.
3. In case a political party is refused registration, written information justifying the grounds for such refusal shall be provided within three days.
4. The refusal of state registration for a political party may be appealed against in a court of law under the procedure provided for by the legislation of Turkmenistan.

5. The removal of obstacles that led to the refusal of state registration for a political party shall be a ground to re-apply for registration. Consideration of a repeated application for registration and decision-making shall be carried out on a general basis under the procedure established by this Law.

CHAPTER IV. ORGANIZATIONAL STRUCTURE OF POLITICAL PARTIES

Article 18. Charter of a political party

1. Political parties, their organizations and structural subdivisions shall operate on the basis of, and in accordance with, the Charter.
2. The Charter of a political party should contain:
 - 1) name (including the abbreviated name), goals and objectives;
 - 2) description of symbols;
 - 3) seat of the headquarters;
 - 4) types of activities carried out by governing bodies and the procedure for decision-making;
 - 5) conditions and the procedure of entry into membership, withdrawal and exclusion from membership, and rights and obligations of members;
 - 6) procedure for keeping the records of members;
 - 7) procedure for the creation, reorganization and termination of activities of a political party, its organizations and structural subdivisions and in the event of terminating its activities, the procedure for distribution of property;
 - 8) procedure for electing the governing and audit bodies of a political party, its organizations and structural subdivisions, and their terms of powers;
 - 9) procedure for making amendments to the Charter and the Programme;
 - 10) procedure for nominating candidates for the elections held in Turkmenistan;
 - 11) grounds and procedure for the recall of nominated and registered candidates for the elections;
 - 12) sources of funds and other property, and property rights; and
 - 13) rights of political parties, organizations and structural subdivisions regarding the management of funds and other assets, and the procedure for keeping financial records.
3. Other provisions related to activities of political parties that do not contravene the legislation of Turkmenistan may be indicated in their charters.

Article 19. Programme of a political party

1. A political party shall have the Programme that determines its areas of activities, goals and objectives, as well as the ways of achieving these goals and objectives.
2. Information on the amendments to the Programme of a political party shall be submitted to the Ministry of Adalat of Turkmenistan within one month.

Article 20. Membership in political parties

1. Membership in political parties shall be voluntary and based on the independent expression of every citizen's will, and carried out as fixed membership.
2. A citizen of Turkmenistan who permanently resides in Turkmenistan and has reached the age of 18 may be a member of a political party. A citizen may be a member of only one political party. It shall not be permitted for citizens of foreign states, stateless persons and citizens recognized as incapable by a court of law to be members of political parties of Turkmenistan.
3. Admission to membership in political parties shall be carried out under the procedure established by the Charter on the basis of a written application of a person who has expressed his/her desire to become a member of a political party .
4. Members of political parties shall participate in their activities under the procedure established by the Charter and acquire the rights and perform the obligations in accordance with the Charter.
5. Members of political parties shall be registered therein under the procedure established by the Charter, and shall have the right to elect and to be elected to the governing bodies of political parties,

their organizations and structural subdivisions, to be informed about the activities of elected bodies of political parties and to appeal against the activities and decisions of political parties in accordance with the procedure established by the Charter.

6. It shall not be permitted for the military, officers and employees of military or law enforcement agencies to be members of political parties or support them.

7. Voluntary withdrawal from membership of a political party, death, exclusion from membership of a political party or joining another political party shall be grounds for the termination of membership in any political party.

Article 21. Governing bodies of a political party and its organizations

1. A meeting shall be the highest governing body of a political party.

2. A conference or a general meeting shall be the highest governing body of the organizations of political parties.

3. At the meeting of a political party, the governing and audit bodies shall be elected for a term not exceeding five years.

4. A conference or a general meeting of the organizations of a political party shall elect the governing and audit bodies of the organization for a period of time established by the Charter.

Article 22. Procedure for approval of the Charter and the Programme and adoption of other resolutions of a political party

1. The approval of the Charter and the Programme and making amendments thereto, the election of governing and audit bodies, nomination of candidates for elections, and the creation, re-organization and termination of activities of a political party shall be within the competence of the meeting and resolutions of the meeting shall be adopted by two-thirds of votes of the participating delegates.

2. A meeting of a political party shall be recognized as valid with the participation of delegates from *velayat* organizations and organizations of cities and towns with the rights of *velayats* according to the norms of representation.

3. Decisions by organizations of a political party regarding the election of governing and audit bodies, and nomination of candidates for elections shall be adopted at conferences and general meetings by a majority of votes of the participants.

4. Decisions of political parties and their organizations regarding the election of governing and audit bodies, and nomination of candidates for elections shall be adopted by voting conducted under the established procedure.

5. Decisions regarding other matters of activities by political parties, their organizations and structural subdivisions shall be adopted according to the Charter of a political party.

CHAPTER V. RIGHTS AND OBLIGATIONS OF POLITICAL PARTIES AND ENSURING OF THEIR ACTIVITIES

Article 23. Rights of political parties

Political parties which have gone through state registration shall have the right to:

1) openly disseminate information about their activities and freely propagate points of view, goals and objectives;

2) under the procedure established by this Law, make proposals to state authorities and local self-governance bodies regarding the development of decisions;

3) participate in elections in accordance with the legislation of Turkmenistan;

4) establish organizations and structural subdivisions, re-organize them or terminate their activities;

5) under the procedure established by the legislation of Turkmenistan, organize and hold meetings, gatherings, marches and other mass events;

6) under the prescribed procedure, establish media outlets and conduct publishing activities, and carry out political and educational events;

7) use the state media on equal conditions;

- 8) maintain relations with other political parties and public associations;
- 9) protect the rights and legitimate interests of their members in connection with their political activities as well as represent their interests in government offices and local self-governance bodies;
- 10) carry out entrepreneurial activities in accordance with the legislation of Turkmenistan and the Charter;
- 11) under the established procedure, forge international relations;
- 12) carry out other activities provided for by this Law and other regulatory and legal acts of Turkmenistan.

Article 24. Obligations of political parties

1. Political parties which have gone through state registration shall be obliged to:

- 1) observe in their activities the requirements of the Constitution, laws and other regulatory and legal acts of Turkmenistan and their charters;
 - 2) submit to the Ministry of Adalat of Turkmenistan, within the prescribed time limits, information on the number of members in organizations, the seat and the address of the permanent headquarters, data on nominated and registered candidates, a copy of the minutes on the election results approved by the relevant election commission, and information about the leaders;
 - 3) permit representatives of the Ministry of Adalat of Turkmenistan to be present at open meetings and other events of political parties, their organizations and structural subdivisions;
 - 4) notify, on a timely basis, the relevant election commission about the conduct of activities to nominate candidates for the elections, and invite their representatives to these activities;
 - 5) within the deadlines established by the legislation of Turkmenistan, submit reports on financial activities to state authorities.
2. Political parties, their organizations and structural subdivisions, as well as their officials, shall be responsible in their activities for the protection of the interests of a person, society and the state, the protection of property and public order, and ensuring peace and security.

Article 25. Property of political parties

1. For material support of the objectives provided for by this Law, the Charter and the Programme, political parties may acquire property under the procedure established by the legislation of Turkmenistan.
2. Political parties, their organizations and structural subdivisions with the rights of legal persons shall have separate property and they shall use the right to own property under the procedure and within the limits established by the legislation of Turkmenistan and their Charters. They shall have an independent balance sheet, estimate of expenses, and a separate account in banking institutions. The property of a political party, including the property of its organizations and structural subdivisions, shall form, as a whole, the property of a political party. Members of a political party shall not be the owners of its property.
3. The property of a political party may be used only for the implementation of the goals and objectives provided for by the Charter and the Programme.
4. Officials elected or appointed in accordance with the Charter of a political party shall be responsible for carrying out financial activities of a political party, its organizations and structural subdivisions with the rights of a legal person.
5. Political parties, their organizations and structural subdivisions with the rights of a legal person shall be liable for their obligations in accordance with the procedure set forth by the legislation of Turkmenistan and their Charters.
6. Political parties are not liable for the obligations of their members, nor are members of political parties liable for the obligations of political parties.

Article 26. Funds of political parties

1. Financial means and other property of political parties shall be formed from the following sources:

- 1) admission and membership fees in accordance with the Charter;
 - 2) donations;
 - 3) profits from events conducted by political parties, their organizations and structural subdivisions as well as from entrepreneurial activities of an auxiliary nature;
 - 4) money transfers received for civil law transactions; and
 - 5) other sources not prohibited by the legislation of Turkmenistan.
2. Financial means of political parties shall be deposited in accounts opened at banking institutions registered in Turkmenistan. Political parties, their organizations and structural subdivisions with the rights of a legal person shall have the right to open a settlement account only in one banking institution.
3. Political parties shall be prohibited from storing funds, precious metals and other valuables in banks, financial and other institutions located in foreign states.

Article 27. Donations to political parties

1. Political parties shall have the right to accept donations from natural and legal persons in the form of cash and other property which are confirmed by respective documents and with the indication of sources.
2. Cash donations to political parties may be carried out in a cash and non-cash form. The amount of cash donations to political parties from one person may not exceed a tenfold amount of the average monthly salary per year in Turkmenistan.
3. Political parties shall be prohibited from accepting donations from:
 - 1) foreign states, and natural and legal persons of foreign states;
 - 2) stateless persons;
 - 3) minor (underage) citizens of Turkmenistan;
 - 4) legal persons of Turkmenistan that have foreign capital in their charter capital;
 - 5) international organizations and international public movements;
 - 6) state authorities and local self-governance bodies in cases not provided for by the legislation of Turkmenistan;
 - 7) military units, military organizations and law enforcement agencies;
 - 8) charitable and religious organizations, as well as from organizations established by them;
 - 9) legal persons which have been registered for less than twelve months; and
 - 10) unknown sources.
4. The participation of representatives of political parties in congresses, scientific and other events held at the expense of the hosting party may not be considered as an unlawful acceptance of donations.
5. In case of accepting donations as mentioned in para. 3 of this article, political parties shall return them to those from who they received them, and if it is not possible, they should transfer them to the State Budget of Turkmenistan.
6. Non-cash donations from legal persons shall, in accordance with the established procedure, be transferred through banking institutions to settlement accounts of political parties.
7. Donations of personal means by natural persons to political parties in a cash or non-cash form shall be accepted upon presentation of a passport or any other document in lieu thereof by banking institutions or by completing payment documents, and shall be transferred to settlement accounts of political parties in accordance with the established procedure.
8. The value of donations accepted by political parties in the form of property shall be determined in accordance with the legislation of Turkmenistan and relevant information, including on those who provided donations, shall be specified in final financial reports of political parties.

Article 28. Economic activities of political parties

1. Political parties shall be independent in their economic activities carried out for purposes of material support of their objectives, including such issues as entrepreneurship, receiving of financial means and acquiring of other property and remuneration, and shall implement them in accordance with the legislation of Turkmenistan, the Charter and the Programme. Political parties shall be entitled to charitable activities.

2. Political parties may, in order to achieve the goals and objectives set forth in the Charter and the Programme, under the established procedure, be engaged in the following types of entrepreneurial activities:

1) implementation of informational, advertising, printing and publishing activities to propagate their points of view, goals and objectives, and make the results of their activities public;

2) production and sales of symbols, souvenirs, gifts, as well as print and polygraphic products; and

3) sales and lease of property belonging to them.

3. Political parties shall not have the right to act as founders of commercial organizations, make profits from shares and securities or get involved in other types of entrepreneurial activities except for cases provided for in para. 2 of this article.

4. Profits from entrepreneurial activities carried out by political parties may not be distributed among their members and shall be used only for purposes provided for by the Charter.

5. The results of economic activities carried out by political parties shall be specified in the final financial report in accordance with the established procedure.

6. Funds, property and other income received from unpermitted sources shall be transferred to the State Budget of Turkmenistan.

Article 29. State support for political parties

1. Political parties, when carrying out their activities in accordance with their Charter and Programme, shall have the right to use the following state support:

1) ensuring of equal conditions and guaranteed access to the state media;

2) provision of state-owned premises and means of communication under the established procedure;

3) ensuring of equal conditions for participation in elections, as well as social, political and other events.

2. The procedure for reimbursement of expenses of political parties connected with their participation in elections shall be established by the electoral legislation of Turkmenistan.

3. When the activities of a political party are suspended or terminated, their state support shall be suspended or terminated respectively.

Article 30. Financial reports of political parties

1. Political parties, their organizations and structural subdivisions with the rights of a legal person shall compile financial and accounting reports under the procedure and time limits established by the legislation of Turkmenistan.

2. Within the established timeframe, political parties shall submit their final financial reports on income and expenditures to state authorities.

3. The sources of funds and the amount of money received in the account, information on the use of these funds as well as the data about the property of political parties with the indication of prices shall be included in the final financial reports of political parties, their organizations and structural subdivisions with the rights of a legal person. The expenses of political parties, their organizations and structural subdivisions connected with their involvement in the preparation for elections and in elections themselves shall be specified in the reports separately.

4. The form of a financial report shall be determined by regulatory and legal acts of Turkmenistan and in accordance therewith, under the procedure established by political parties.

Article 31. Participation of political parties in elections

1. To participate in elections, political parties shall, under the established procedure, submit to the Central Election and Referendum Commission in Turkmenistan a copy of their state registration certificate, nominate candidates and use other rights in accordance with the electoral legislation of Turkmenistan.

2. Political parties that have gone through state registration before the adoption of a decision to conduct elections shall have the right to participate in the elections.

3. Political parties shall have the right to participate independently in the elections, as well as in accordance with the legislation of Turkmenistan the right to participate in the elections together with other political parties and public associations.

4. Political parties shall be obliged to publish information on the nomination of candidates for elections and their programmes in the media under the procedure determined by the electoral legislation of Turkmenistan.

CHAPTER VI. MONITORING OF ACTIVITIES OF POLITICAL PARTIES

Article 32. Control over activities of political parties

1. Control over the conformity of activities of political parties, their organizations and their structural subdivisions to the legislation of Turkmenistan and goals and objectives of political parties provided for in their Charters shall be exercised by the Ministry of Adalat of Turkmenistan.

2. The Ministry of Adalat of Turkmenistan shall have the right:

1) to familiarize itself, once a year, with the information and relevant documents on the activities of political parties, their organizations and their structural subdivisions;

2) to send its representatives to participate in open meetings and other activities conducted by political parties, their organizations and subdivisions;

3) to issue written warnings to political parties, their organizations and their structural subdivisions for actions contravening the legislation of Turkmenistan, the Charter and the Programme of a political party; and

4) to submit to a court of law, on the grounds specified in this Law, a statement of claim concerning the suspension or termination of activities by political parties, their organizations and their structural subdivisions.

CHAPTER VII. SUSPENSION, REORGANISATION AND TERMINATION OF ACTIVITIES OF POLITICAL PARTIES

Article 33. Suspension of activities of political parties

1. In case political parties, their organizations and structural subdivisions violate the Constitution of Turkmenistan, this Law and other regulatory and legal acts of Turkmenistan, as well as their charters and programmes, the Ministry of Adalat of Turkmenistan shall issue a written warning to them and set a deadline of at least one month for redressing these violations. If political parties fail to eliminate the afore-mentioned violations within the set deadline, activities of such political parties may be suspended by a court's decision based on a statement of claim by the Ministry of Adalat of Turkmenistan for up to six months.

2. For the period the activities of political parties are suspended, their members and leaders shall be prohibited from speaking on behalf of political parties in the media, holding meetings, gatherings and other mass events as well as from conducting debit operations in bank accounts of political parties, except for payments relating to economic activities of political parties, employment contracts, compensation of damages caused by their actions, and also payment of taxes and fines.

3. When the violations that provided grounds for the suspension of activities of political parties have been eliminated, the restoration of activities of political parties shall be carried out by a court of law; also, activities of political parties may be restored earlier.

4. No suspension of activities of political parties shall be permitted from the day of publishing officially the decision of an authorized state body of Turkmenistan regarding the calling of elections before the official announcement of the outcome of these elections.

Article 34. Reorganization of activities of political parties

1. Reorganization of activities of political parties shall be carried out by the meeting under the procedure provided for by the legislation of Turkmenistan and the charters of political parties.

2. A decision regarding the reorganization of activities of political parties shall be submitted to the Ministry of Adalat of Turkmenistan and an authorized state body maintaining the register of legal persons.

3. State registration of reorganized political parties and their inclusion by an authorized state body in the register of legal persons shall be carried out on a general basis under the procedure established by this Law and other regulatory and legal acts of Turkmenistan.

Article 35. Termination of activities of political parties

1. Political parties may terminate their activities based on the decision of their meeting or a court's decision. The decision of the meeting or a court's decision that has entered into legal force regarding the termination of activities of political parties shall be submitted to the Ministry of Adalat of Turkmenistan and an authorized state body maintaining the register of legal persons.

2. Activities of political parties may be terminated by a court's decision in the following cases:

1) violations of the requirements set forth in Article 8 of this Law;

2) failure to eliminate the revealed violations of the Law within the specified deadlines;

3) groundless non-participation in elections for five years;

4) regular and gross violations of the legislation of Turkmenistan, human rights and civil liberties, as well as regular commitment of actions contravening the goals provided for by the Charter;

5) failure to submit, within one month, information on changes subject to state registration or inclusion in the register of legal persons;

6) submission of false information for state registration and inclusion in the register of legal persons;

7) if the total number of members is less than the one established by this Law.

3. The statement of claim to a court of law regarding the termination of activities of a political party on the grounds specified in para. 2 of this article shall be submitted by the Ministry of Adalat of Turkmenistan.

4. A court of law shall not terminate the activities of political parties starting from the day of official publication of the decision by an authorized state body of Turkmenistan regarding the calling of elections before the official announcement of the outcome of these elections, except for cases mentioned in para. 1 Article 8 of this Law.

5. In case the activities of political parties are terminated on the basis of a court decision, their activities in any form in Turkmenistan shall be prohibited.

Article 36. Appeal against suspension and termination of the activity of political parties

1. A decision to suspend or terminate activities of political parties, their organizations and structural subdivisions may be appealed against under the procedure established by the legislation of Turkmenistan.

2. Termination of proceedings resulting from the abolition of the court decision on the suspension or termination of activities of political parties, their organizations and structural subdivisions may provide grounds for claims for damages. Compensation for any damage inflicted on political parties shall be carried out in accordance with the legislation of Turkmenistan.

Article 37. Results of the re-organization and termination of activities of political parties

1. The Ministry of Adalat of Turkmenistan shall publish information on the re-organization or termination of activities of political parties in the state media.

2. Resolution of property and other matters in connection with the termination of activities of political parties shall be conducted under the procedure established by the legislation of Turkmenistan.

3. Property of political parties that have terminated their activities after the settlement of obligations shall be distributed in the following order:

1) if the termination of activities of political parties is carried out by a decision of the meeting - for purposes provided for by the Charter and the Programme of the political party;

- 2) if the termination of activities of political parties is carried out by a court decision – to the State Budget of Turkmenistan.
4. After the re-organization or termination of activities of political parties, their certificate of state registration shall be deemed void, and political parties shall be excluded from the register of legal persons.

CHAPTER VIII. FINAL PROVISIONS

Article 38. Liability for the breach of this law

Violation of this law shall entail liability under the procedure established by the legislation of Turkmenistan.

Article 39. Putting the law into force

This Law shall come into force from the day of its official publication.

President of Turkmenistan
Gurbanguly Berdymuhkamedov

13 January 2012

***Translated from the state language of Turkmenistan**