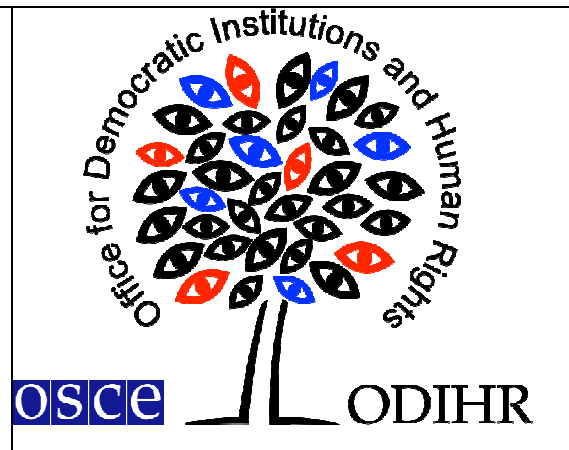


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OPINION

**ON DRAFT AMENDMENTS TO SOME LEGISLATIVE
ACTS OF UKRAINE CONCERNING TRANSPARENCY
OF FINANCING OF POLITICAL PARTIES AND
ELECTION CAMPAIGNS**

based on an unofficial English translation of the draft Amendments

This Opinion was prepared by OSCE/ODIHR based on comments by:

Ms. Barbara Jouan, OSCE/ODIHR Core Group of Experts on Political Parties

OSCE/ODIHR Opinion on Draft Amendments to some Legislative Acts of Ukraine concerning Transparency of Financing of Political Parties and Election Campaigns

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OSCE/ODIHR Opinion on Draft Amendments to some Legislative Acts of Ukraine concerning Transparency of Financing of Political Parties and Election Campaigns

I. INTRODUCTION

1. *On 7 July 2014, the Head of the Committee on Human Rights, National Minorities and International Relations of the Verkhovna Rada (Parliament) of Ukraine requested the Organization for Security and Co-operation in Europe's Office for Democratic Institutions and Human Rights (OSCE/ODIHR) to provide an opinion that would review Draft Amendments to some Legislative Acts of Ukraine concerning Transparency of Financing of Political Parties and Election Campaigns (hereinafter "draft Amendments").*
2. *By letter of 9 July 2014, the Director of the OSCE/ODIHR confirmed the OSCE/ODIHR's readiness to review the draft Amendments for compliance with OSCE commitments and international standards.*
3. *This Opinion has been prepared in response to the above-mentioned request.*

II. SCOPE OF REVIEW

4. This Opinion analyzes the provisions of the draft Amendments against the background of their compatibility with relevant international standards and OSCE commitments.
5. The Opinion is based on an unofficial English translation of the draft Amendments and errors may therefore result.
6. In view of the above, the OSCE/ODIHR would like to make mention that this Opinion is without prejudice to any written or oral recommendations and comments to the draft Law or related legislation that the OSCE/ODIHR may make in the future.

III. EXECUTIVE SUMMARY

7. The OSCE/ODIHR welcomes the aim of ensuring more transparency in the financing of political parties and election campaigns in Ukraine, and notes that many of the amendments, if adopted, would constitute a significant step towards a functional and transparent system of campaign and party funding in Ukraine. At the same time, some of the amendments, notably those on the analysis of campaign finances by the relevant election commissions ahead of the elections, appear difficult to implement in practice, whilst in other areas, the amendments appear insufficient. Notably, it still appears possible to circumvent rules on campaign financing by directly funding political parties. Also, the system of monitoring and enforcement of the rules in respect of political parties is not carried out by a single, independent body with sufficient powers of investigation, and does not introduce dissuasive and proportional penalties for violations of reporting obligations on the part of political parties. Finally, consideration could be given to the introduction of ceilings on campaign spending, and to the creation of a public funding system.

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1. Key Recommendations:

- A. To clarify what is meant by the term ‘analysis’ of campaign finance reports and to grant the relevant election commissions sufficient time to carry out the required analysis; [pars 13-19]
- B. To clarify that the financial reports of political parties should also cover their branches, and to define the modalities and potential content of the analysis of political party finances carried out by the Ministry of Justice; [pars 21-22]
- C. To consider establishing a new independent agency to oversee political party financing, with a sufficiently robust mandate and specialized resources to carry out the task of monitoring and ensure compliance with both political party and campaign finance rules, instead of tasking the Ministry of Justice to do this; [par 25-26]
- D. To introduce a carefully balanced and designed overall campaign spending limit for all elections in Ukraine; [par 34]
- E. To consider introducing a ceiling on the amount of private donations that political parties may receive in total; [pars 35-36]
- F. To consider introducing an equitable system of public funding for political parties and election campaigns in Ukraine based on objective criteria, taking into account the need to ensure balanced participation of women and men in political decision-making; [pars 37-38]

2. Additional Recommendations:

- G. To require the publication by territorial election commissions of their analyses of local elections; [par 20]
- H. To clearly define donations in the Law on Political Parties; [par 23]
- I. To ensure that all campaign finance and political party finance reports remain available for some time after the elections, or after their annual submission, at the premises and on the website of the relevant body to which reporting is required; [pars 21 and 25]
- J. To clarify whether the provisions of the Administrative Offenses Code on violations of campaign financing reporting requirements apply to the reports on general finances of political parties as well, and amend the Code accordingly, while considering the introduction of liability for parties (as opposed to individuals) as well; [pars 29-31]
- K. To include a clear reference to the principle of proportionality in Article

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212-15 of the Administrative Offenses Code; [pars 30-31]

- L. To include in relevant legislation provisions on the power for independent oversight bodies or electoral commissions to carry out external and independent audits of political parties and campaign funds; [pars 32-33] and
- M. To provide that candidates not affiliated to a political party may request the return of unused campaign funds that they themselves placed in the fund [par 39].

IV. ANALYSIS AND RECOMMENDATIONS

1. International Standards

- 8. This Opinion analyses the draft Amendments from the viewpoint of their compatibility with international standards on political party and campaign financing and OSCE commitments. International standards relevant to the financing of political parties and election campaigns are found principally in the United Nations (UN) Convention Against Corruption¹ and, since the regulation of the financing of political parties affects the freedom of association of political parties and their members, in Article 22 of the International Covenant on Civil and Political Rights,² and Article 11 of the European Convention on Human Rights (ECHR),³ which both protect the freedom of association. The right to free elections guaranteed by Article 3 of the First Protocol to the ECHR is also of relevance. This Opinion further takes into consideration OSCE commitments, in particular on the protection of the freedom of association (1990 Copenhagen Document, par 9.3) and free and periodic elections (1990 Copenhagen Document, pars 5, 6, 7 and 8).
- 9. In addition, soft-law standards in this area can be found in the recommendations of the UN, Council of Europe and of OSCE bodies and institutions. These include General Comment 25 of the UN Human Rights Committee on the right to participate in public affairs, voting rights and the right of equal access to public service,⁴ Council of Europe Committee of Ministers Recommendation 2003 (4) on Common Rules Against Corruption in the Funding of Political

¹ UN Convention Against Corruption, adopted on 31 October 2003, ratified by Ukraine on 2 December 2009, available at:

http://www.unodc.org/documents/treaties/UNCAC/Publications/Convention/08-50026_E.pdf.

² The International Covenant on Civil and Political Rights (adopted by General Assembly resolution 2200A (XXI) on 16 December 1966). This Covenant was ratified by Ukraine on 12 November 1973.

³ The Council of Europe's Convention for the Protection of Human Rights and Fundamental Freedoms, entered into force on 3 September 1953. The Convention was ratified by Ukraine on 11 September 1997.

⁴ UN Human Rights Committee General Comment 25, *The right to participate in public affairs, voting rights and the right of equal access to public service*, UN Doc. CCPR/C/21/Rev.1/Add.7, available at: <http://www.refworld.org/docid/453883fc22.html>.

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Parties and Electoral Campaigns,⁵ as well as the Joint Guidelines on Political Party Regulation issued by OSCE/ODIHR and the European Commission for Democracy through Law of the Council of Europe (Venice Commission).⁶ Reference will also be made in this Opinion to reports by the Council of Europe's Group of States against Corruption (GRECO),⁷ previous Opinions issued by the OSCE/ODIHR (individually or jointly with the Venice Commission), as well as election reports from previous OSCE/ODIHR election observation missions in Ukraine.⁸

2. The Proposed Framework for Reporting and Analysis

10. In order to achieve free and fair competition between political parties, it is essential to establish transparent and equitable rules on political party and campaign financing, both during and between election periods. These rules should guarantee the independence of political parties and allow for private contributions, as a form of political participation, whilst at the same time preventing private donors from exercising excessive and undue influence. Rules on political party financing should aim at creating opportunities for political parties to compete on a level playing field and ensure transparency of the financial background of any actor competing for a political mandate.
11. The draft Amendments propose a framework for improving the transparency of both political parties and campaign finances, by enhancing the current system of reporting and analysis. The proposed amendments place the responsibility for monitoring and analysis of campaign finances on various election commissions: depending on the type of election (national, district or local) oversight and analysis of campaign finances is carried out by the relevant election commission (the Central Election Commission, the District Election Commissions, and the Territorial Election Commissions). The election legislation provides that income and expenditures are run through dedicated electoral fund accounts during all types of elections.⁹ The draft Amendments introduce a series of changes in the timing, content and publicity of reporting on campaign finance by administrators of these electoral funds, and introduce administrative punishment for violations of these new reporting provisions.

⁵ Council of Europe Committee of Ministers Recommendation 2003 (4) on *Common Rules Against Corruption in the Funding of Political Parties and Electoral Campaigns*, available at: [http://www.coe.int/t/dghl/cooperation/economiccrime/cybercrime/cy%20activity%20interface2006/rec%202003%20\(4\)%20pol%20parties%20EN.pdf](http://www.coe.int/t/dghl/cooperation/economiccrime/cybercrime/cy%20activity%20interface2006/rec%202003%20(4)%20pol%20parties%20EN.pdf).

⁶ OSCE/ODIHR and Venice Commission *Guidelines on Political Party Regulation* (2010), available at: <http://www.osce.org/odihr/77812>.

⁷ Available at: http://www.coe.int/t/dghl/monitoring/greco/default_en.asp.

⁸ All OSCE/ODIHR election observation mission reports can be found at: <http://www.osce.org/odihr/elections/ukraine>.

⁹ Article 49 par 1, Law on Election of National Deputies of Ukraine; Article 42 par 1, Law on Election of the President of Ukraine; Article 63 par 1, Law on Elections of Members of the Supreme Council of Autonomous Republic of Crimea, Local Councils and Villages, Settlements & Town Mayors.

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2.1 Reporting on Election Campaign Financing

12. It is welcome that the proposed draft Amendments¹⁰ specifically state what electoral fund managers are to report on.¹¹ Moreover, it is a positive development that the draft Amendments to Article 49 par 6 of the Law on Election of National Deputies and Article 42 par 5 of the Law on Election of the President of Ukraine propose to introduce a requirement to publish reports on campaign finance on the website of the Central Election Commission for the presidential and parliamentary elections.¹² In addition, it is a laudable contribution to transparency that detailed information on candidates would be published on the commission website (see the proposed amendments to Article 63 par 2 of the Law on Election of National Deputies and Article 56 par 2 of the Law on Election of the President of Ukraine).
13. The draft Amendments require an ‘analysis’ of the submitted reports on candidates’ electoral campaign, after the receipt and publication of financial reports by the relevant election commission. Both interim financial reports, to be submitted before the presidential, parliamentary and local elections, and final financial reports, to be submitted after each of these elections by electoral fund managers, have to be analyzed. All reports are analyzed by the election commission to which they are submitted (i.e. the Central Election Commission for presidential candidates and candidates running in a proportional representation race; the District Election Commission for candidates running in a majoritarian race and the Territorial Election Commission for local elections).¹³
14. Moreover, the draft Amendments require parties to submit interim reports closer to the election day: for parliamentary elections under Article 49 par 6 of the Law on Election of National Deputies, the date to issue an interim report has been moved from twenty days before the election day to five days before the election day, and for presidential election (Article 42 par 5, Law on Election of the President of Ukraine) it has been moved from fifteen days to five days before the election day.
15. However, as mentioned, the draft Amendments also require an ‘analysis’ of the reports submitted to the relevant election commissions before the election day.

¹⁰ See Article 49 par 8 of the Law on Election of National Deputies; Article 42 par 7 of the Law on Election of the President of Ukraine; Article 63 par 7 of the Law on Elections of Members of the Supreme Council of Autonomous Republic of Crimea, Local Councils and Villages, Settlements & Town Mayors.

¹¹ See in this regard also GRECO Compliance Report on Ukraine (Third Evaluation Round), par 53-55, available at:

[http://www.coe.int/t/dghl/monitoring/greco/evaluations/round3/GrecoRC3\(2013\)14_Ukraine_EN.pdf](http://www.coe.int/t/dghl/monitoring/greco/evaluations/round3/GrecoRC3(2013)14_Ukraine_EN.pdf).

¹² See also *OSCE/ODIHR-Venice Commission Guidelines on Political Party Regulation*, par 200 and the OSCE/ODIHR Final Report on the 2012 parliamentary elections, which underlined that “the legislation and system of regulation of party and campaign finance could be reviewed so as to increase transparency and accountability, and to create more equitable conditions for campaigning. Full disclosure, before and after elections, of sources and amounts of contributions and the types and amounts of campaign expenditure could be considered.”

¹³ See the amended versions of Article 49 par 7, Law on Election of National Deputies; Article 42 par 6, Law on Election of the President of Ukraine and Article 63 par 6, Law of Ukraine on Elections of Members of the Supreme Council of Autonomous Republic of Crimea, Local Councils and Villages, Settlements & Town Mayors.

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This analysis must be carried out swiftly: for the presidential and proportional races of the parliamentary elections the Central Election Commission has three days for analyzing interim reports (see the proposed amendments to Article 42, par 5 and 6 of the Law on Election of the President of Ukraine and to Article 49 pars 6 and 7 of the Law on Election of National Deputies). District Election Commissions have five days for the analysis of reports on majoritarian elections, a term that is reduced to only two days if there are repeat elections (see proposed amendments to Article 49 pars 6 and 7 of the Law on Election of National Deputies).

16. While it is positive that the new reporting deadlines provide the public with more information about spending in the vital final stages of the electoral process, this at the same time significantly reduces the time for analysis of financial reports. Considering the number of candidates and races being run simultaneously, especially for parliamentary elections, it is difficult to see how any meaningful analysis could realistically be undertaken within the deadlines set by the draft Amendments, if interim financial reports are indeed handed in on time.
17. This is exacerbated by the fact that it is not clear what is actually meant by an ‘analysis’ of the campaign finance reports. The draft Amendments leave the definition of the form and procedure of the analysis up to the Central Election Commission.¹⁴ A number of different forms of analysis could be imagined, ranging from a simple check to see if the formal legal requirements were fulfilled (which could perhaps not justifiably be called an ‘analysis’) to a basic analysis (checking whether the information provided is internally consistent) to a full-scale and in-depth analysis, where possible violations are investigated in a manner involving additional checks and information-gathering.
18. Although some aspects of the reporting and analysis of the spending of electoral funds could be dealt with in lower level regulations, the lack of a qualifying statement in the draft Amendments as to the extent of the analysis of such reports creates uncertainty for candidates and political parties. Particularly, such reports are filed, published and analyzed a few days before election day, at a time when stakes are high; statements of this kind could thus have a significant impact on the outcome of the relevant election. This lack of clarity could mean that the consequences of violating key provisions in the draft Amendments might not be sufficiently ‘foreseeable’, which would risk being in violation of Article 11 par 2 of the ECHR, which requires that restrictions to the right to freedom of association shall be prescribed by law.¹⁵
19. It is therefore recommended to clarify what is meant by the term ‘analysis’ of campaign finance reports and to grant the relevant election commissions sufficient time to carry out the required analyses.

¹⁴ See proposed amendments to Article 49 par 9, Law on Election of National Deputies; Article 42 par 8, Law on Election of the President of Ukraine and Article 63 par 8, Law of Ukraine on Elections of Members of the Supreme Council of Autonomous Republic of Crimea, Local Councils and Villages, Settlements & Town Mayors.

¹⁵ See, among others, the ECtHR judgment in the case of *Maestri v. Italy*, application number 39748/98, of 17 February 2004, par 30.

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20. In addition, it appears that for local elections, although the draft Amendments oblige the relevant election commission (in this case a Territorial Election Commission) to analyze interim and final financial reports under the new Article 63 par 6 of the Law of Ukraine on Local Elections, no deadline is specified for this and publication of the analysis does not appear to be foreseen.¹⁶ At the same time, publication of the interim financial reports in local print media (not on the Internet) is required under proposed amendments to Article 64 pars 13, 14 and 15 of the Law of Ukraine on Local Elections. It is not clear why the analysis would not be published. To enhance transparency, the draft Amendments should provide for the publication of the analyses of the territorial election commissions.
21. Finally, in the interest of transparency, it is recommended to ensure that all campaign finance reports remain available for some time after the elections at the premises and on the website of the relevant body to which reporting is required.

2.2 Reporting on Political Party Financing

22. It is to be welcomed that a clear set of annual reporting requirements on political party financing is outlined in proposed amendments to Article 17 of the Law of Ukraine on Political Parties, providing for an annual report to the Ministry of Justice on each political party's financial situation. The Ministry of Justice then has to analyze the report, as well as draft and approve conclusions based on the results of the analysis. It is recalled here that GRECO had recommended to Ukraine to (i) clearly define the content and form of annual accounts of political parties, following a uniform format and accompanied by adequate source documents; (ii) ensure that income (specifying, in particular, individual donations above a certain value together with the identity of the donor), expenditure, debts and assets are accounted for in a comprehensive manner; (iii) consolidate the accounts to include local party branches as well as other entities which are related directly or indirectly to the political party or under its control; and (iv) require that the annual accounts are subject to the scrutiny of an independent monitoring mechanism and made easily accessible to the public, within timeframes specified by law.¹⁷
23. In a manner similar to the provisions on campaign finance, the amendments to Article 17 of the Law on Political Parties do not define in any way what political parties may expect from the 'analysis' carried out by the Ministry of Justice. It is not clear how this analysis is carried out or what its outcome would be. In addition, these amendments do not specify whether party branches are to be covered as well. It is recommended to clarify in Article 17 that the financial reports of political parties should also cover their branches, and to define the modalities and potential content of the analysis of political party finances carried out by the Ministry of Justice.

¹⁶ See proposed amendments to Article 63 pars 4, 5 and 6 of the Law of Ukraine on Elections of Members of the Supreme Council of Autonomous Republic of Crimea, Local Councils and Villages, Settlements & Town Mayors.

¹⁷ GRECO, Compliance Report on Ukraine (Third Evaluation Round), pars 65-67.

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24. GRECO had recommended to clearly define and regulate donations – including indirect contributions such as in-kind donations (to be evaluated at their market value), loans and other permitted sources of political party funding and to ensure that membership fees are not used to circumvent the rules on donations.¹⁸ No such amendments appear to have been proposed, and it is therefore recommended that donations be clearly defined and regulated in the Law on Political Parties in line with GRECO recommendations.
25. Moreover, it is recommended, as with campaign finance reports, to enhance transparency by ensuring that after their submission, all political party finance reports remain available for some time at the premises and on the website of the relevant body to which reporting is required.

3. Independence of the Regulatory Authority

26. Bodies charged with oversight of political party financing should be sufficiently independent from other state structures to ensure that oversight is carried out in an impartial manner.¹⁹ Considering its status as a part of the executive branch, it may be questioned whether the Ministry of Justice should be charged with the analysis of reports on political party finance. It may also not be conducive to the effective implementation of relevant regulations if multiple bodies deal with both political party and campaign finance, since these two issues are closely intertwined. Where two separate bodies deal with these related issues, it may be challenging to ensure efficient information-sharing and co-ordination between the election commissions and the Ministry of Justice, as GRECO has noted in the past in respect of other countries.²⁰ This may be exacerbated by the intention to create a separate anti-corruption body, an issue which the OSCE/ODIHR has recently had the opportunity to comment on.²¹ Such a body may also have powers in the area of elections insofar as the prevention of corruption is concerned, potentially creating further jurisdictional conflicts with the Central Election Commission and/or the Ministry of Justice.
27. It is thus recommended to reconsider whether the analysis of political party financial reports should be carried out by the Ministry of Justice. Instead, consideration may be given to mandating a new independent agency with a sufficiently robust mandate and specialized resources to carry out the task of monitoring and ensuring compliance with both political party and campaign finance rules, as has been recommended in the past by GRECO.²²

¹⁸ GRECO, Compliance Report on Ukraine (Third Evaluation Round), pars 60-63.

¹⁹ OSCE/ODIHR – Venice Commission Guidelines on Political Party Regulation, par 212; Council of Europe Committee of Ministers Recommendation 2003 (4), Article 14.

²⁰ Cf in this context GRECO's 3rd Compliance Report in respect of Italy, par 140 *et seq.*, available at: [http://www.coe.int/t/dghl/monitoring/greco/evaluations/round3/GrecoEval3\(2011\)7_Italy_Two_EN.pdf](http://www.coe.int/t/dghl/monitoring/greco/evaluations/round3/GrecoEval3(2011)7_Italy_Two_EN.pdf).

²¹ OSCE/ODIHR Opinion on Two Draft Anti-Corruption Laws of Ukraine, 18 July 2014, available at: http://www.legislationline.org/download/action/download/id/5470/file/OSCE-ODIHR%20Final%20Opinion%20on%20Two%20Anti-Corruption%20Draft%20Laws%20UKR_18%20July%202014_LSU_EN-With%20Annexes.pdf.

²² GRECO, Compliance Report on Ukraine (Third Evaluation Round), pars 71-74.

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4. Effective Enforcement

28. Generally, political party and campaign financing provisions should be accompanied by appropriate enforcement mechanisms to deal with violations. This requires an independent body with sufficient powers to impose dissuasive and proportionate sanctions.²³ The proposed introduction to the Administrative Offences Code of a fine for failure to submit interim and final financial reports on income and expenditure of electoral funds, the preparation of reports in violation of established requirements and the presentation in these reports of incomplete or misleading information is therefore to be welcomed (proposed amendments to Article 212-15, Administrative Offences Code).
29. It is also to be welcomed that under the draft Amendments (Article 212-15, Administrative Offences Code), violations of the specified procedure for contributing and receiving resources for an election campaign would be subject to a fine totaling the double amount of the contributed or received resources. It is recalled in this context that GRECO had recommended to ensure that: (i) all infringements of the existing and yet to be established rules on financing of political parties and election campaigns are clearly defined and made subject to an appropriate range of effective, proportionate and dissuasive sanctions; (ii) any party representatives and election candidates themselves are liable for infringements of party and campaign funding rules; and (iii) the limitation periods applicable to these offences are sufficiently long to allow the competent authorities to effectively supervise and investigate political funding.²⁴
30. In light of these recommendations, it is clear that the measures proposed are not sufficient. In particular, it is not specified whether the provisions of the Administrative Offences Code on violations of campaign finance reporting requirements apply also to the reports on general finances of political parties (see the proposed amendments to Articles 212-15 of the Administrative Offences Code). This means that there would be no specific sanction if political parties did not submit financial reports or submitted deliberately false reports (assuming such conduct would not be covered by provisions of the Criminal Code).
31. Monetary penalties imposed against violators, either in the form of the loss of public funding or the imposition of fines, are common dissuasive sanctions. As previously recommended by the OSCE/ODIHR, in a joint opinion with the Venice Commission, the introduction of public funding would create an additional incentive to refrain from campaign finance violations.²⁵ Irregularities in financial reporting, non-compliance with financial-reporting regulations or improper use of public funds should also result in the loss of all or part of public funds for the party (which may require amendments to key provisions on sanctions).

²³ OSCE/ODIHR – Venice Commission Guidelines on Political Party Regulation, par 215; Council of Europe Committee of Ministers Recommendation 2003 (4), Article 16.

²⁴ GRECO, Compliance Report on Ukraine (Third Evaluation Round), pars 76-79.

²⁵ OSCE/ODIHR and Venice Commission Joint Opinion on the Draft Amendments to the Laws on Election of People's Deputies and on the Central Election Commission and on the Draft Law on Repeat Elections of Ukraine, 17 June 2013, par 56, available at <http://www.legislationline.org/documents/id/17963>.

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32. As mentioned above, sanctions are not only required to be dissuasive, but shall also be proportional. Although a general requirement of proportionality of sanctions may well be included in other relevant provisions of Ukrainian legislation, OSCE/ODIHR notes that in the draft provisions, no mention is made of the importance of proportional punishment.²⁶ Moreover, to be effective, sanctions for political parties (in addition to those for individuals) may be considered. It is recommended to include a clear reference to the principle of proportionality in Articles 212-15 of the Administrative Offenses Code. It is also recommended that these Articles be made applicable to violations of political party reporting requirements. Ideally, financial accountability should apply to all levels of party activities, national and local, and should affect both individuals and the political parties.
33. In addition, no structure/institution is currently vested with the power to request audits of political parties or campaign funds to check the veracity of the respective reports, as has been recommended to Ukraine in the past.²⁷ Although auditing should certainly not be a regular occurrence for political parties or in the context of campaign finance, it can be a vital tool in detecting violations.²⁸ Indeed, in many cases, financial auditing may be the only way to uncover irregularities in party finances, and it is difficult to see how a credible system of political party financing could function without this tool.
34. It is therefore recommended to include in the Law on Political Parties and in the relevant laws on local, parliamentary and presidential elections of Ukraine provisions on powers for independent bodies or electoral commissions to carry out external and independent audits of political parties and campaign funds.

5. Spending Limits

35. The draft Amendments do not propose any campaign spending limits. Generally, all systems for financial allocation and reporting, both during and outside of official campaign periods, should be designed to ensure transparency, consistent with the principles of the UN Convention against Corruption and relevant Council of Europe recommendations. As the UN Human Rights Committee has noted, “Reasonable limitations on campaign expenditure may be justified where this is necessary to ensure that the free choice of voters is not undermined or the democratic process distorted by the disproportionate expenditure on behalf of any candidate or party. [...] It is recommended to consider introducing reasonable limitations on campaign spending.”²⁹ Such spending limits, although legitimate in principle, should be balanced with the equally legitimate need to protect other rights, such as those of free association and expression. This requires that spending limits are carefully constructed so that they are not overly burdensome.³⁰ In the Final Report on the 2012 parliamentary elections in Ukraine, the OSCE/ODIHR

²⁶ OSCE/ODIHR – Venice Commission Guidelines on Political Party Regulation, par 225.

²⁷ GRECO, Compliance Report on Ukraine (Third Evaluation Round), pars 68-70.

²⁸ OSCE/ODIHR – Venice Commission Guidelines on Political Party Regulation, par 214.

²⁹ UN Human Rights Committee, General Comment 25, par 19.

³⁰ OSCE/ODIHR – Venice Commission Guidelines on Political Party Regulation, par 196.

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underlined that “the lack of spending limits caused many contestants to rely on the support of wealthy individuals or business interests.”³¹ To prevent such practices in future, and guarantee a level playing field for all parties, it is recommended that a carefully balanced and designed overall campaign spending limit be introduced for all elections in Ukraine.

36. On a similar note, the current legislation on political parties does not foresee a ceiling for the total amount which may be contributed to political parties. Since there is also no cap on the amount that political parties may donate to their own election funds, this creates the possibility of channeling unlimited amounts of funding for election campaigns through the relevant political parties’ accounts.³² The same is true of candidates’ own funds.³³
37. Private funding of political parties and candidates is a form of political participation.³⁴ However, in order to limit the ability of particular domestic groups to gain an unfair political advantage, certain restrictions on financial contributions are fully legitimate if applied in a just, appropriate and proportional manner.³⁵ It is a central characteristic of systems of democratic governance that parties and candidates are accountable to the citizenry, not to wealthy special interest groups.³⁶ It is thus recommended to consider introducing a ceiling on the amount of private donations that political parties may receive in total.

6. Public Funding

38. Ukraine does not currently have a system in place for direct public funding of political parties or election campaigns. The relevant legislation currently provides only for indirect state funding, namely the printing at state expense of election programs in newspapers, and air time on national television (see e.g. Articles 72 and 73 of the Law on Election of People’s Deputies). The Council of Europe Committee of Ministers Recommendation 2003 (4) provides that “[t]he state should provide support to political parties. [...] Objective, fair and reasonable criteria should be applied regarding the distribution of state support.”³⁷
39. Direct public funding would reduce the dependency of political parties on private donors, and would also help to ensure that parties have equal opportunities to compete in elections.³⁸ At the same time, any such system should be based on clear guidelines to ensure that funds are allocated in an objective and unbiased manner.³⁹ Allocation of public funds can also be made

³¹ Available at: <http://www.osce.org/odihr/98578>.

³² Cf. GRECO, Compliance Report on Ukraine (Third Evaluation Round), pars 47-52.

³³ Ibid.

³⁴ OSCE/ODIHR – Venice Commission Guidelines on Political Party Regulation, par 170.

³⁵ OSCE/ODIHR – Venice Commission Guidelines on Political Party Regulation, par 173.

³⁶ Ibid.

³⁷ Article 1, Council of Europe Committee of Ministers Recommendation 2003 (4).

³⁸ OSCE/ODIHR – Venice Commission Guidelines on Political Party Regulation, par 176.

³⁹ Ibid., par 178.

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contingent on requirements for women's political participation.⁴⁰ It is recommended to consider introducing an equitable system of public funding for political parties and election campaigns in Ukraine based on objective criteria. These could include parliamentary representation, or the number of votes received by the respective party and should ideally take into account the need to ensure balanced participation of women and men in political decision-making.

7. Other Issues

40. No amendments have been made to Article 43 point 11 of the Law on Election of the President of Ukraine, which provides that unused campaign funds of political parties may be returned to them upon request of a candidate, whereas unused funds of self-nominated candidates are sent to the State treasury. As noted by the OSCE/ODIHR and the Venice Commission on previous occasions, there appears to be no justification for this discriminatory practice.⁴¹ It is recommended to provide in Article 43 par 11 of the Law on Election of the President of Ukraine that self-nominated candidates may also request the return of unused campaign funds that they themselves placed in the fund.

[END OF TEXT]

⁴⁰ Recommendation Rec(2003) 3 of the Committee of Ministers to member states on balanced participation of women and men in political and public decision making, available at: <https://wcd.coe.int/ViewDoc.jsp?id=2229>.

⁴¹ *OSCE/ODIHR and Venice Commission Joint Opinion on the Draft Amendments to the Laws on Election of People's Deputies and on the Central Election Commission and on the Draft Law on Repeat Elections of Ukraine*, 17 June 2013, par 52, available at <http://www.legislationline.org/documents/id/17963>.

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Annex 1: Draft Law of Ukraine on Amending Some Legislative Acts of Ukraine on Ensuring Transparency of Financing of Political Parties in Ukraine and Election Campaigns, and Comparative Table

Draft

Tabled by National Deputies of Ukraine
P.O. Poroshenko
O.Ya.Tiahnybok
V.V. Klychko
A.S.Hrytsenko
S.V.Soboliev
Yu.Ya. Stets
A.V.Shevchenko

LAW OF UKRAINE

On Amending Some Legislative Acts of Ukraine on Ensuring Transparency of Financing of Political Parties in Ukraine and Election Campaigns

The Verkhovna Rada of Ukraine r e s o l v e s:

I. To amend the following legislative acts of Ukraine:

1. In the Code of Ukraine on Administrative Offences (*Vidomosti* [Bulletin] of the Verkhovna Rada of UkrSSR 1984, Appendix to № 51, p. 1122):

1) Article 212-15 is to be stated in the following wording:

“Article 212-15. Violation of Procedure for Submission of Reports on Incoming and Spent Resources of Election Funds and Procedure for Campaign Financing

“A failure to submit interim and final financial reports on the incoming and spent resources of election funds within the specified period, preparation of reports with violation of the established requirements, presentation in the interim and final financial reports of incomplete or misleading information is subject to a fine imposed on citizens totalling from one to two hundred untaxed minimum incomes of citizens. Violation of the specified procedure for contributing and receiving resources for election campaign is subject to a fine totalling the double amount of the contributed or received resources.”

2. In the Law of Ukraine on Political Parties in Ukraine (*Vidomosti of the Verkhovna Rada of Ukraine* 2001, № 23, p. 118):

1) Article 17 is to be stated in the following wording:

“Article 17. Financial Reports of Political Party

Political parties maintain bookkeeping records and reports pursuant to the established procedure.

A political party has to submit to the Ministry of Justice of Ukraine every year by 31 March of the year following the reporting year a party report on paper (signed by the

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party leader stamped with the party seal) and in an electronic form on property, incomes, expenses and financial liabilities for the previous year in a form identified by the Ministry of Justice of Ukraine.

The party report on property, incomes, expenses and financial liabilities must contain information about the party's property and its value as of 31 December of the reporting year, the date of contribution of resources to the party, the purpose, the person who contributed the respective resources (stating the title, family name, first name and patronymic of an individual, his/her place of residence (housing address) or location), the date of each payment from the party's accounts, the recipient, purpose and amount of each payment, the amount of each financial liability and the entity to which the financial liability is due, the time of emergence and termination of each financial liability.

The party report on property, incomes, expenses and financial liabilities is published in full on the official web-site of the Ministry of Justice of Ukraine not later than on the fifth day after its delivery to the Ministry of Justice of Ukraine.

Analysis of the party report on property, incomes, expenses and financial liabilities as well as drafting and approval of the conclusion based on the results of such analysis is done by the Ministry of Justice of Ukraine within a period not exceeding two months from the day of delivery of a respective report to the Ministry of Justice of Ukraine. Results of the analysis are published on the official web-site of the Ministry of Justice of Ukraine not later than on the fifth day from the day of approval of the conclusion based on the analysis results.

If in the course of the analysis of financial reports signs of violation of legislative requirements are found, the Ministry of Justice of Ukraine notifies the relevant law enforcement bodies for inquiry and reaction as provided for by law.”

3. In the Law of Ukraine on Elections of National Deputies of Ukraine (*Vidomosti of the Verkhovna Rada of Ukraine* 2012, № 10-11, p. 73):

1) Article 49 is to be stated in the following wording:

“**Article 49.** Election Fund Managers

1. The party appoints from among the candidates included in the election list of this party or its proxies in the nationwide constituency provided for in Part 5 Article 75 of this Law not more than two managers of the party's election fund accumulation account. A candidate for the national deputy in a single-mandate constituency may be a manager of the current account of his/her own election fund or appoint not more than one manager of the current account of his/her own election fund from among his/her proxies. Managers of the party's election fund accumulation account have an exclusive right to use resources from the party's election fund accumulation account, and the manager of the current account of the election fund of a candidate for the national deputy has an exclusive right to use resources from the current account of the respective candidate.

2. The party appoints from among the candidates included in the election list of this party or its proxies in the respective single-mandate constituency one manager for each current account of the party's election fund who has an exclusive right to manage resources of such current account of the party's election fund.

3. Managers of resources of the accumulation account of the party's election fund must maintain records of receipt and transfer of resources of the election fund to the current accounts. Managers of current account of the election funds ensure

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observation of the financial discipline and the proper use of resources of the election fund.

4. The banking institution in which the accumulation or current account of an election fund is opened provides a manager of the respective fund on a weekly basis or upon his/her request with information about the amounts and sources of contributions to the election fund accounts, movement of resources as well as account balances.

5. The manager of resources of the current account of the election fund must maintain records of the use of resources of the respective current account of the election fund. The manager of resources of the current account of the party election fund has to submit to the manager of resources of the accumulation account of the party election fund eight days before the election day an interim financial report on the use of resources of the respective current account of the election fund for the period starting the day of opening of the accumulation account of the election fund and ending ten days before the election day.

The manager of resources of the current account of the party election fund has to submit to the manager of resources of the party election fund not later than on the seventh day after the election day the final financial report on the use of resources of the respective current account of the election fund.

6. The manager of resources of the accumulation account of the party election fund has to submit to the Central Election Commission not later than five days before the election day an interim financial report on the incoming and spent resources of the election fund for the period starting the day of opening of the accumulation account of the election fund and ending ten days before the election day (on paper and in an electronic form) that is to be published in full on the official web-site of the Central Election Commission not later than on the day following the day of its delivery to the Central Election Commission.

The manager of resources of the accumulation account of the party election fund has to submit to the Central Election Commission not later than on the fifteenth day after the election day the final financial report on the incoming and spent resources of the election fund (on paper and in an electronic form) that is to be published in full on the official web-site of the Central Election Commission not later than on the day following the day of its delivery to the Central Election Commission.

The manager of resources of the current account of the election fund of a candidate for the national deputy in a single-mandate constituency has to submit to a district election commission not later than eight days before the election day an interim financial report (on paper and in an electronic form) on the incoming and spent resources of the election fund for the period starting the day of opening of the current account and ending ten days before the election day. In the case when the Central Election Commission makes a decision to conduct repeat election in the single-mandate constituency, the manager of resources of the current account of the election fund of a candidate for the national deputy in the single-mandate constituency included in the ballot for repeat voting has to submit to a district election commission four days before the repeat election day (on paper and in an electronic form) an interim financial report on the incoming and spent resources of the election fund for the period starting the day of decision making on conducting the repeat voting and ending five days before the repeat election day.

The district election commission not later than on the day following the day of delivery of the interim financial report on the incoming and spent resources of the election fund of a candidate for the national deputy in a single-mandate constituency

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forwards a copy thereof (on paper and in an electronic form) to the Central Election Commission pursuant to the procedure identified by the Central Election Commission. The Central Election Commission publishes the interim financial report on the incoming and spent resources of the election fund of a candidate for the national deputy in a single-mandate constituency on its official web-site immediately but not later than two days before the election day. In the case of repeat elections in a single-mandate constituency, the Central Election Commission published an interim financial report on the incoming and spent resources of the election fund of a candidate for the national deputy in a single-mandate constituency included in the ballot paper for repeat voting on its official web-site immediately but not later than two days before the repeat election day.

The manager of resources of the current account of the election fund of a candidate for the national deputy in a single-mandate constituency has to submit to the district election commission not later than on the seventh day after the election day the final financial report on the incoming and spent resources of the election fund (on paper and in an electronic form). When repeat voting is conducted in a single-mandate constituency, the manager of resources of the current account of the election fund of a candidate for the national deputy in a single-mandate constituency included in the ballot for repeat voting has to submit to the district election commission not later than on the seventh day after the repeat election day the final financial report on the incoming and spent resources of the election fund (on paper and in an electronic form).

The district election commission not later than on the day following the day of delivery of the financial report on the incoming and spent resources of the election fund of a candidate for the national deputy in a single-mandate constituency forwards a copy thereof (on paper and in an electronic form) to the Central Election Commission pursuant to the procedure identified by the Central Election Commission. The Central Election Commission publishes the full financial report on the incoming and spent resources of the election fund of a candidate for the national deputy in a single-mandate constituency on its official web-site immediately after its delivery but not later than on the eighteenth day after the election day. When repeat voting is conducted in a single-mandate constituency, the Central Election Commission publishes the full financial report on the incoming and spent resources of the election fund of a candidate for the national deputy in a single-mandate constituency included in the ballot for repeat voting on its official web-site immediately after its delivery but not later than on the eighteenth day after the repeat election day.

7. Analysis of financial reports provided for in Part 6 of this article is carried out by the election commission to which they were submitted.

The Central Election Commission not later than two days before the election day (repeat election day) publishes on its official web-site the analysis of financial reports provided for in Paragraph 1 Part 6 of this article, and not later than on the thirtieth day after the election day – the analysis of financial reports provided for in Paragraph 2 Part 6 of this article.

District election commissions not later than three days before the election day put on the board with official materials of the respective commission for general information and forward to the Central Election Commission pursuant to the procedure it established for publication of the official web-site of the Central Election Commission that has to be done not later than two days before the election day

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(repeat election day) the analysis of financial reports submitted to the respective commission as provided for in Paragraph 3 Part 6 of this article, and not later than on the twentieth day after the election day (repeat election day) – the analysis of financial reports provided for in Paragraph 5 Part 6 of this article.

If in the course of analysis of financial reports signs of violation of the requirements of this Law are found, the Central Election Commission or the respective district election commission notifies relevant law enforcement bodies for inquiry and reaction as provided for by law.

8. The financial reports provided for in Parts 5 and 6 of this article must disclose the information subject to publication on the official web-site of the Central Election Commission about all incomes to the accumulation and current account (current accounts) of the election fund of a party, a candidate for the national deputy in a single-mandate constituency, undertaken expenses and balance of resources in the respective accounts, including information about the date of each contribution to the election funds of a party, a candidate for the national deputy in a single-mandate constituency, its amount, the person who contributed to the respective account of the election fund (stating the family name, first name and patronymic of this person, the place of residence (housing address), name of the party (if the contribution was made by the party who nominated the candidate in a single-mandate constituency), the purpose, the date and amount of each payment from the respective account of the election fund, the full name of the recipient of each payment and the recipient code.

9. Forms of financial reports provided for in Parts 5 and 6 of this article, and the procedure for their analysis are identified by the Central Election Commission.”;

2) Part 2 Article 57 is to be stated in the following wording:

“2. Within three days after registration of a candidate for the national deputy, all information stated in the declaration he/she submitted is to be posted on the official web-site of the Central Election Commission except for the data provided for in the Law of Ukraine on Fundamental Principles of Preventing and Fighting Corruption as information with limited access.”;

3) in Part 2 Article 63:

In the first sentence after the words “is open” the words “and provided in response to an information request” are added; in the second sentence after the words “the nominating subject” the words “and curriculum vitae” are added.

4. In the Law of Ukraine on Elections of the President of Ukraine (*Vidomosti of the Verkhovna Rada of Ukraine* 1999, № 14, p. 81):

1) Article 42 is to be stated in the following wording:

“**Article 42. Managers of Election Fund Accounts**

1. A candidate for the President of Ukraine appoints from among his/her proxies not more than two managers of the accumulation account of the election fund who have an exclusive right to manage in accordance with the laws of Ukraine the resources coming to the accumulation account. Managers of the accumulation account of the election fund must maintain records of receipt and transfer of resources coming to the accumulation account to the current accounts.

2. A candidate for the President of Ukraine appoints one manager of each current account in a respective territorial constituency who has an exclusive right to manage

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resources of the respective current account of the election fund. Managers of current account ensure observation of the financial discipline and the proper use of resources of the election fund, and maintain the records of the use of resources of the respective current account of the election fund.

3. The banking institution in which the accumulation or current account of an election fund is opened provides a manager on a weekly basis or upon his/her request with information about the amounts and sources of contributions to the election fund accounts, movement of resources as well as account balances.

4. A manager of the current account of the election fund must submit to the manager of the accumulation account of the election fund eight days before the election day an interim financial report on the use of resources of the respective current account of the election fund for the period starting the day of opening of the current account of the election day and ending ten days before the election day. When the Central Election Commission announces repeat voting, the managers of the current account of the election fund of the candidate for the President of Ukraine included in the ballot for repeat voting must submit to the manager of the accumulation account six days before the repeat election day an interim financial report on the use of resources of the respective current account of the election fund for the period starting the day of decision making on including the candidate for the President of Ukraine in the ballot for repeat election and ending seven days before the repeat election day.

The manager of the current account of the election day must submit to the manager of the accumulation account of the party not later than seven days after the election day (if the candidate for the President of Ukraine is included in the ballot for repeat election – not later than on the seventh day after the repeat voting day) the final financial report on the use of resources of the respective current account of the election fund.

5. The manager of resources of the accumulation account of the election fund must submit to the Central Election Commission five days before the election day an interim financial report on the incoming and spent resources of the election fund of the period starting the day of opening of the accumulation account and ending ten days before the election day (on paper and in an electronic form) that is published in full on the official web-site of the Central Election Commission not later than on the following day after its delivery to the Central Election Commission. When the Central Election Commission announces repeat voting, the manager of resources of the accumulation account of the candidate for the President of Ukraine included in the ballot for the repeat voting has to submit to the Central Election Commission four days before the repeat election day an interim financial report on the incoming and spent resources of the election fund for the period starting the day of decision making on including the candidate for the President of Ukraine in the ballot for repeat voting and ending seven days before the repeat election day (on paper and in an electronic form) that is published in full on the official web-site of the Central Election Commission not later than on the following day after its delivery to the Central Election Commission.

The manager of resources of the accumulation account of the election fund has to submit to the Central Election Commission not later than on the fifteenth day after the election day (and when the candidate is included in the ballot for repeat voting – not later than on the fifteenth day after the repeat election day) the final financial report on the incoming and spent resources of the election fund (on paper and in an electronic form) that is published in full on the official web-site of the Central

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Election Commission not later than on the following day after its delivery to the Central Election Commission.

6. Analysis of financial reports provided for in Part 5 of this article is carried out by the Central Election Commission.

The Central Election Commission not later than two days before the election day (and in the case of repeat voting – two days before the repeat election day) publishes on its official web-site the analysis of financial reports provided for in Paragraph 1 Part 5 of this article, and not later than on the thirtieth day after the election day – the analysis of financial reports provided for in Paragraph 2 Part 5 of this article.

If in the course of the analysis of financial reports signs of violation of the requirements of this Law are found, the Central Election Commission notifies the relevant law enforcement bodies for inquiry and reaction as provided for by law.

7. Financial reports provided for in Parts 4 and 5 of this article must contain the information subject to publication on the official web-site of the Central Election Commission about all contributions to the accumulation and current accounts of the election fund of the candidate for the President of Ukraine, exercised expenses and balances of respective accounts, including information about the date of each contribution to the election fund, its amount, the person who contributed to the respective account of the election fund (stating the family name, first name and patronymic, place of residence (housing address), name of the party (if the contribution was made by the party that nominated the candidate for the President of Ukraine), purpose, date and amount of each payment from the respective account of the election fund, full name of the recipient of each payment, and recipient code.

8. Forms of financial reports provided for in Parts 4 and 5 of this article as well as the procedure for their analysis are specified by the Central Election Commission.”;

2) in Article 43 Part 14 is eliminated;

3) in Part 2 Article 56:

In the first sentence after the words “is open” the words “and provided in response to an information request” are added; in the second sentence after the words “the nominating subject” the words “and curriculum vitae” are added.

5. In the Law of Ukraine on Elections of Members of the Supreme Council of Autonomous Republic of Crimea, Local Councils and Village, Settlement, Town Mayors (*Vidomosti of the Verkhovna Rada of Ukraine* 2010, № 35-36, p. 1220, p.491):

1) part 2 Article 43 is to be stated in the following wording:

“2. After registration of a candidate for the council member, for village, settlement or town mayor, all information stated in the declaration he/she submitted except for the data provided for in the Law of Ukraine on Fundamental Principles of Preventing and Fighting Corruption as information with limited access is published in local printed media and within five days after registration of the candidate for the council member it is published on the official web-site of the Central Election Commission.”;

2) Article 63 is to be stated in the following wording:

“**Article 63.** Manager of Election of Fund of Local Party Organization, Candidates for Council Members, Candidates for Village, Settlement, Town Mayor

1. A local organization of the party whose candidates for council members are registered in multi-mandate constituencies, candidates for council members in a single-mandate or a single-mandate majoritarian constituency, candidates for village, settlement, town mayors from among their respective authorized representatives and

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proxies appoint managers of the election fund who together with the head of a local party organization, the candidate for the council member, the candidate for the village, settlement, town mayor are responsible for the use of resources of the respective election fund in according with the Ukrainian legislation. Managers of the respective election fund can be:

- two authorized representatives of a local party organization upon decision of a managing body of the local party organization;
 - one proxy of a candidate for the council member in a single-mandate or a single-mandate majoritarian constituency;
 - one proxy of a candidate for a village, settlement, town mayor.
2. Managers of resources of the election fund have to maintain records of the incoming and spent resources of their election fund.
 3. The banking institution in which the account of an election fund is opened provides a manager of the election fund on a weekly basis or upon his/her request with information about the amounts and sources of contributions to the election fund account.
 4. A manger of the election fund has to submit to the respective territorial election commission not later than five days before the election day an interim financial report on the incoming and spent resources of the election fund for the period starting the day of opening the election fund account and ending seven days before the election day (on paper and in an electronic form). When the respective territorial election commission announces repeat voting, the manages of the election fund of a candidate for the council member in a single-mandate or a single-mandate majoritarian constituency, a candidate for the village, settlement or town mayor included in the ballot for repeat voting has to submit to the respective territorial election commission not later than five days before the repeat election day an interim financial report on the incoming and spent resources of the election fund for the period starting the day following the day of official publication of a decision of the respective territorial election commission on conducting repeat elections and ending seven days before the repeat election day (on paper and in an electronic form).
 5. A manager of the election fund has to submit to the respective territorial election commission not later than five days after the election day (and when a candidate for the council member in a single-mandate or a single-mandate majoritarian constituency, a candidate for the village, settlement, town mayor is included in the ballot for repeat voting – not later than five days after the repeat election day) the final report on the incoming and spent resources of the election fund.
 6. Analysis of interim and final financial reports on the incoming and spent recourses of the election fund is carried out by the territorial election commission that received them. If in the course of analysis of interim and final financial reports signs of violation of the requirements of this Law are found, the territorial election commission notifies relevant law enforcement bodies for inquiry and reaction as provided for by law.
 7. Interim and final financial reports on the incoming and spent recourses of the election fund must contain information subject to publication in local printed media, and in the cases provided for in Part 15 Article 64 of this Law – also on the official web-site of the Central Election Commission, information about all contributions to the election fund account, exercised expenses and respective account balances, including information about the date of each contribution to the election fund, its amount, the person who made the contribution to the respective account of the

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election fund (stating his/her family name, first name and patronymic, place of residence (housing address), name of the local party organization (when the contribution was made by the local party organization), purpose, date and amount of each payment from the election fund account, full name of the recipient of each payment, and recipient code.

8. Forms of financial reports provided for in this article, and the procedure for their analysis are identified by the Central Election Commission not later than 40 days before the election day.”;

3) in Article 64:

Part 13 is to be stated in the following wording:

“13. Interim financial reports on the incoming and spent resources of the election fund are published by the territorial election commission that received them in local printed media not later than two days before the election day (and in the case of repeat voting – not later than two days before the repeat election day).”;

new Parts 14 and 15 are added to the article as follows:

“14. The final financial reports on the incoming and spent resources of the election fund are published by the territorial election commission that received them in local printed media within five days after the delivery of such reports to the territorial election commission.

15. Copies of reports provided for in Part 5 Article 63 of this Law delivered to the election commission of the Autonomous Republic of Crimea, oblast, raion, district (of a city with oblast or republican (in the Autonomous Republic of Crimea) significance) are to be forwarded by the election commission to the Central Election Commission not later than the next day after their delivery pursuant to the procedure established by the Central Election Commission for publication on the official website of the Central Election Commission. The Central Election Commission must publish such reports in full not later than on the thirtieth day after the official announcements of the results of respective local elections.”.

II. FINAL PROVISIONS

1. This Law enters in force on the day following the day of its publication.

2. Political parties submit to the Ministry of Justice of Ukraine reports on property, incomes, expenses and financial liabilities for the year of 2014 in the form identified by the Ministry of Justice of Ukraine by 31 March 2015.

3. If this Law enters in force during the period that makes it impossible to submit interim or final reports on the incoming and spent resources of the election funds of the candidates for the President of Ukraine, local party organizations during the respective local elections, candidates for the members of local councils, candidates for the village, settlement, town mayor within the period provided for by law, such reports will be submitted within the period identified by the Central Election Commission. In this case, interim reports on the incoming and spent resources of the election funds of candidates for the President of Ukraine, local party organizations during the respective local elections, candidates for the members of local councils, candidates for the village, settlement, town mayor are submitted and published pursuant to the procedure provided for by law not later than two days before the respective election day (and in the case of repeat voting – not later than two days before the repeat election day).

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4. The Ministry of Justice of Ukraine is to identify the form of the report of a political party on property, incomes, expenses and financial liabilities for the previous year within two month after this Law enters in force.

5. The Central Election Commission within three days after this Law enters in force has to:

bring its normative legal acts in compliance with this Law;

ensure adoption of normative legal acts the necessity of which follows from this Law.

**Chair of the Verkhovna
Rada of Ukraine**

COMPARATIVE TABLE

To the draft Law of Ukraine on Amending Some Legislative Acts of Ukraine on Ensuring Transparency of Financing of Political Parties in Ukraine and Election Campaigns

Current wording	Amended wording
<p>Code of Ukraine on Administrative Offences (<i>Vidomosti</i> [Bulletin] of the <i>Verkhovna Rada of UkrSSR</i> 1984, Appendix to № 51, p. 1122)</p>	
<p>Article 212-15. Violation of Procedure for Provision of Financial (Material) Support for Campaigning</p> <p>Violation of the procedure for provision of financial (material) support for the purposes for election campaign - is subject to a fine imposed on citizens totalling from 50 to 70 untaxed minimum incomes of citizens and on officials – from 70 to 100 untaxed minimum incomes of citizens.</p>	<p>Article 212-15. Violation of Procedure for Submission of Reports on Incoming and Spent Resources of Election Funds and Procedure for Campaign Financing</p> <p>A failure to submit interim and final financial reports on the incoming and spent resources of election funds within the specified period, preparation of reports with violation of the established requirements, presentation in the interim and final financial reports of incomplete or misleading information -</p> <p>is subject to a fine imposed on citizens totalling from one to two hundred untaxed minimum incomes of citizens.</p> <p>Violation of the specified procedure for contributing and receiving resources for election campaign,</p> <p>is subject to a fine totalling the double amount of the contributed or received resources.</p>
<p>Law of Ukraine on Political Parties in Ukraine (<i>Vidomosti of the Verkhovna Rada of Ukraine</i> 2001, № 23, p. 118)</p>	
<p>Article 17. Financial Reports of Political Party</p> <p>A political party must publish a financial report on incomes and expenses as well as a report on property of a political party in a nationwide mass media outlet on an annual basis.</p>	<p>Article 17. Financial Reports of Political Party</p> <p>Political parties maintain bookkeeping records and reports pursuant to the established procedure.</p> <p>A political party has to submit to the Ministry of Justice of Ukraine every year by 31 March of the year</p>

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Current wording	Amended wording
<p>Political parties keep accounting record pursuant to the established procedure.</p>	<p>following the reporting year a party report on paper (signed by the party leader stamped with the party seal) and in an electronic form on property, incomes, expenses and financial liabilities for the previous year in a form identified by the Ministry of Justice of Ukraine.</p> <p>The party report on property, incomes, expenses and financial liabilities must contain information about the party’s property and its value as of 31 December of the reporting year, the date of contribution of resources to the party, the purpose, the person who contributed the respective resources (stating the title, family name, first name and patronymic of an individual, his/her place of residence (housing address) or location), the date of each payment from the party’s accounts, the recipient, purpose and amount of each payment, the amount of each financial liability and the entity to which the financial liability is due, the time of emergence and termination of each financial liability.</p> <p>The party report on property, incomes, expenses and financial liabilities is to be published in full on the official web-site of the Ministry of Justice of Ukraine not later than on the fifth day after its delivery to the Ministry of Justice of Ukraine.</p> <p>Analysis of the party report on property, incomes, expenses and financial liabilities as well as drafting and approval of the conclusion based on the results of such analysis is done by the Ministry of Justice of Ukraine within a period not exceeding two months from the day of delivery of a respective report to the Ministry of Justice of Ukraine. Results of the analysis are published on the official web-site of the Ministry of Justice of Ukraine not later than on the fifth day</p>

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Current wording	Amended wording
	<p>from the day of approval of the conclusion based on the analysis results.</p> <p>If in the course of the analysis of financial reports signs of violation of legislative requirements are found, the Ministry of Justice of Ukraine notifies the relevant law enforcement bodies for inquiry and reaction as provided for by law.</p>
<p>Law of Ukraine on Elections of National Deputies of Ukraine (<i>Vidomosti of the Verkhovna Rada of Ukraine</i> 2012, № 10-11, p. 73)</p>	
<p>Article 49. Election Fund Managers</p> <p>1. The party appoints from among the candidates included in the election list of this party or its proxies in the nationwide constituency provided for in Part 5 Article 75 of this Law not more than two managers of the party's election fund accumulation account. A candidate for the national deputy in a single-mandate constituency may be a manager of the current account of his/her own election fund or appoint not more than one manager of the current account of his/her own election fund from among his/her proxies. Managers of the party's election fund accumulation account have an exclusive right to use resources from the party's election fund accumulation account, and the manager of the current account of the election fund of a candidate for the national deputy has an exclusive right to use resources from the current account of the respective candidate.</p> <p>2. The party appoints from among the candidates included in the election list of this party or its proxies in the respective single-mandate constituency one manager for each current account of the party's election fund who has an exclusive right to manage resources of such current account of the party's election fund.</p> <p>3. Managers of resources of the accumulation account of the party's</p>	<p>Article 49. Election Fund Managers</p> <p>1. The party appoints from among the candidates included in the election list of this party or its proxies in the nationwide constituency provided for in Part 5 Article 75 of this Law not more than two managers of the party's election fund accumulation account. A candidate for the national deputy in a single-mandate constituency may be a manager of the current account of his/her own election fund or appoint not more than one manager of the current account of his/her own election fund from among his/her proxies. Managers of the party's election fund accumulation account have an exclusive right to use resources from the party's election fund accumulation account, and the manager of the current account of the election fund of a candidate for the national deputy has an exclusive right to use resources from the current account of the respective candidate.</p> <p>2. The party appoints from among the candidates included in the election list of this party or its proxies in the respective single-mandate constituency one manager for each current account of the party's election fund who has an exclusive right to manage resources of such current account of the party's election fund.</p> <p>3. Managers of resources of the</p>

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<p>election fund must maintain records of receipt and transfer of resources of the election fund to the current accounts. Managers of current account of the election funds ensure observation of the financial discipline and the proper use of resources of the election fund.</p> <p>4. The banking institution in which the accumulation or current account of an election fund is opened provides a manager of the respective fund on a weekly basis or upon his/her request with information about the amounts and sources of contributions to the election fund accounts, movement of resources as well as account balances.</p> <p>5. The manager of resources of the current account of the election fund must maintain records of the use of resources of the respective current account of the election fund.</p> <p>The manager of resources of the current account of the party election fund has to submit to the manager of resources of the accumulation account of the party election fund 30 days before the election day an interim financial report on the use of resources of the respective current account of the election fund for the period starting the day of opening of the accumulation account of the election fund and ending 32 days before the election day</p> <p>The manager of resources of the current account of the party election fund has to submit to the manager of resources of the party election fund not later than on the seventh day after the election day the final financial report on the use of resources of the respective current account of the election fund.</p> <p>6. The manager of resources of the accumulation account of the party election fund has to submit to the Central Election Commission not later than 20 days before the election day an interim financial report on the incoming and spent resources of the election fund for the</p>	<p>accumulation account of the party's election fund must maintain records of receipt and transfer of resources of the election fund to the current accounts. Managers of current account of the election funds ensure observation of the financial discipline and the proper use of resources of the election fund.</p> <p>4. The banking institution in which the accumulation or current account of an election fund is opened provides a manager of the respective fund on a weekly basis or upon his/her request with information about the amounts and sources of contributions to the election fund accounts, movement of resources as well as account balances.</p> <p>5. The manager of resources of the current account of the election fund must maintain records of the use of resources of the respective current account of the election fund.</p> <p>The manager of resources of the current account of the party election fund has to submit to the managers of resources of the accumulation account of the party election fund eight days before the election day an interim financial report on the use of resources of the respective current account of the election fund for the period starting the day of opening of the accumulation account of the election fund and ending ten days before the election day.</p> <p>The manager of resources of the current account of the party election fund has to submit to the manager of resources of the party election fund not later than on the seventh day after the election day the final financial report on the use of resources of the respective current account of the election fund.</p> <p>6. The manager of resources of the accumulation account of the party election fund has to submit to the Central Election Commission not later than five days before the election day an interim financial report on the incoming and</p>

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<p>period starting the day of opening of the accumulation account of the election fund and ending 32 days before the election day (on paper and in an electronic form) that is to be published in full immediately on the official web-site of the Central Election Commission.</p> <p>The manager of resources of the accumulation account of the party election fund has to submit to the Central Election Commission not later than on the fifteenth day after the election day the final financial report on the incoming and spent resources of the election fund (on paper and in an electronic form) that is to be published in full immediately on the official web-site of the Central Election Commission.</p> <p>The manager of resources of the current account of the election fund of a candidate for the national deputy in a single-mandate constituency has to submit to a district election commission twenty days before the election day an interim financial report on the incoming and spent resources of the election fund for the period starting the day of opening of the current account and ending twenty-two days before the election day (on paper and in an electronic form).</p> <p>The district election commission not later than on the day following the day of delivery of the interim financial report on the incoming and spent resources of the election fund of a candidate for the national deputy in a single-mandate</p>	<p>spent resources of the election fund for the period starting the day of opening of the accumulation account of the election fund and ending ten days before the election day (on paper and in an electronic form) that is to be published in full on the official web-site of the Central Election Commission not later than on the day following the day of its delivery to the Central Election Commission.</p> <p>The manager of resources of the accumulation account of the party election fund has to submit to the Central Election Commission not later than on the fifteenth day after the election day the final financial report on the incoming and spent resources of the election fund (on paper and in an electronic form) that is to be published in full on the official web-site of the Central Election Commission not later than on the day following the day of its delivery to the Central Election Commission.</p> <p>The manager of resources of the current account of the election fund of a candidate for the national deputy in a single-mandate constituency has to submit to a district election commission not later than eight days before the election day an interim financial report (on paper and in an electronic form) on the incoming and spent resources of the election fund for the period starting the day of opening of the current account and ending ten days before the election day. In the case when the Central Election Commission makes a decision to conduct repeat election in the single-mandate constituency, the manager of resources of the current account of the election fund of a candidate for the national deputy in the single-mandate constituency included in the ballot for repeat voting has to submit to a district election commission four days before the repeat election day (on paper and in</p>

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<p>constituency provides a copy thereof (on paper and in an electronic form) to the Central Election Commission that has to publish it on its official web-site immediately.</p> <p>The manager of resources of the current account of the election fund of a candidate for the national deputy in a single-mandate constituency has to submit to the district election commission not later than on the tenth day after the election day the final financial report on the incoming and spent resources of the election fund (on paper and in an electronic form).</p> <p>The district election commission not later than on the day following the day of delivery of the financial report on the incoming and spent resources of the election fund of a candidate for the national deputy in a single-mandate constituency provides a copy thereof (on paper and in an electronic form) to the Central Election Commission that has to publish it on its official web-site immediately.</p>	<p>an electronic form) an interim financial report on the incoming and spent resources of the election fund for the period starting the day of decision making on conducting the repeat voting and ending five days before the repeat election day.</p> <p>The district election commission not later than on the day following the day of delivery of the interim financial report on the incoming and spent resources of the election fund of a candidate for the national deputy in a single-mandate constituency forwards a copy thereof (on paper and in an electronic form) to the Central Election Commission pursuant to the procedure identified by the Central Election Commission. The Central Election Commission publishes the interim financial report on the incoming and spent resources of the election fund of a candidate for the national deputy in a single-mandate constituency on its official web-site immediately but not later than two days before the election day. In the case of repeat elections in a single-mandate constituency, the Central Election Commission published an interim financial report on the incoming and spent resources of the election fund of a candidate for the national deputy in a single-mandate constituency included in the ballot paper for repeat voting on its official web-site immediately but not later than two days before the repeat election day.</p> <p>The manager of resources of the current account of the election fund of a candidate for the national deputy in a single-mandate constituency has to submit to the district election commission not later than on the seventh day after the election day the final financial report on the incoming and spent resources of the election fund (on paper and in an electronic form). When</p>

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<p>7. Analysis of financial reports provided for in Part 6 of this article is carried out by the election commission to which they were submitted.</p> <p>The Central Election Commission not later than five days before the election day publishes on its official web-site the analysis of financial reports provided for in Paragraph 1 Part 6 of this article, and not later than on the thirtieth day after the election day – the analysis of financial reports provided for in Paragraph 2 Part 6 of this article.</p> <p>District election commissions not later than five days before the election day put on the board with official materials of the respective commission for general information and forward to the Central Election Commission for immediate publication of its official web-site the analysis of financial reports submitted to the respective commission as provided for in Paragraph 3 Part 6 of this article, and not later than on the twentieth day after the election day – the analysis of financial reports provided for in Paragraph 5 Part 6 of this article.</p> <p>If in the course of analysis of financial reports signs of violation of the requirements of this Law are found, the Central Election Commission or the respective district election commission notifies relevant law enforcement bodies for inquiry and reaction as provided for by law.</p> <p>8. Forms of financial reports</p>	<p>repeat voting is conducted in a single-mandate constituency, the manager of resources of the current account of the election fund of a candidate for the national deputy in a single-mandate constituency included in the ballot for repeat voting has to submit to the district election commission not later than on the seventh day after the repeat election day the final financial report on the incoming and spent resources of the election fund (on paper and in an electronic form).</p> <p>The district election commission not later than on the day following the day of delivery of the financial report on the incoming and spent resources of the election fund of a candidate for the national deputy in a single-mandate constituency forwards a copy thereof (on paper and in an electronic form) to the Central Election Commission pursuant to the procedure identified by the Central Election Commission. The Central Election Commission publishes the full financial report on the incoming and spent resources of the election fund of a candidate for the national deputy in a single-mandate constituency on its official web-site immediately after its delivery but not later than on the eighteenth day after the election day. When repeat voting is conducted in a single-mandate constituency, the Central Election Commission publishes the full financial report on the incoming and spent resources of the election fund of a candidate for the national deputy in a single-mandate constituency included in the ballot for repeat voting on its official web-site immediately after its delivery but not later than on the eighteenth day after the repeat election day.</p> <p>7. Analysis of financial reports provided for in Part 6 of this article is carried out by the election commission to</p>

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<p>provided for in Parts 5 and 6 of this article, and the procedure for their analysis are identified by the Central Election Commission.</p>	<p>which they were submitted.</p> <p>The Central Election Commission not later than two days before the election day (repeat election day) publishes on its official web-site the analysis of financial reports provided for in Paragraph 1 Part 6 of this article, and not later than on the thirtieth day after the election day – the analysis of financial reports provided for in Paragraph 2 Part 6 of this article.</p> <p>District election commissions not later than three days before the election day put on the board with official materials of the respective commission for general information and forward to the Central Election Commission pursuant to the procedure it established for publication of the official web-site of the Central Election Commission that has to be done not later than two days before the election day (repeat election day) the analysis of financial reports submitted to the respective commission as provided for in Paragraph 3 Part 6 of this article, and not later than on the twentieth day after the election day (repeat election day) – the analysis of financial reports provided for in Paragraph 5 Part 6 of this article.</p> <p>If in the course of analysis of financial reports signs of violation of the requirements of this Law are found, the Central Election Commission or the respective district election commission notifies relevant law enforcement bodies for inquiry and reaction as provided for by law.</p> <p>8. The financial reports provided for in Parts 5 and 6 of this article must disclose the information subject to publication on the official web-site of the Central Election Commission about all incomes to the accumulation and current account (current accounts) of the election fund of a party, a candidate for the national</p>

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	<p>deputy in a single-mandate constituency, undertaken expenses and balance of resources in the respective accounts, including information about the date of each contribution to the election funds of a party, a candidate for the national deputy in a single-mandate constituency, its amount, the person who contributed to the respective account of the election fund (stating the family name, first name and patronymic of this person, the place of residence (housing address), name of the party (if the contribution was made by the party who nominated the candidate in a single-mandate constituency), the purpose, the date and amount of each payment from the respective account of the election fund, the full name of the recipient of each payment and the recipient code.</p> <p>9. Forms of financial reports provided for in Parts 5 and 6 of this article, and the procedure for their analysis are identified by the Central Election Commission.</p>
<p>Article 57. Declaration of Property Status, Incomes, Expenses and Financial Liabilities of Candidate for National Deputy</p> <p>1. The declaration on property, incomes, expenses and financial liabilities for the year preceding the year of the beginning of the election process is to be submitted by a candidate for the national deputy in the form provided for in the Law of Ukraine on Fundamental Principles of Preventing and Fighting Corruption.</p> <p>2. After registration of a candidate for the national deputy, information stated in the declaration he/she submitted is to be posted on the official web-site of the Central Election Commission except for the confidential data.</p>	<p>Article 57. Declaration of Property Status, Incomes, Expenses and Financial Liabilities of Candidate for National Deputy</p> <p>1. The declaration on property, incomes, expenses and financial liabilities for the year preceding the year of the beginning of the election process is to be submitted by a candidate for the national deputy in the form provided for in the Law of Ukraine on Fundamental Principles of Preventing and Fighting Corruption.</p> <p>2. Within three days after registration of a candidate for the national deputy, all information stated in the declaration he/she submitted is to be posted on the official web-site of the Central Election Commission except for the data provided for in the Law</p>

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<p>3. Mistakes and inaccuracies found in the submitted declaration should be corrected and do not constitute grounds for a refusal to register a candidate for the national deputy.</p>	<p>of Ukraine on Fundamental Principles of Preventing and Fighting Corruption as information with limited access.</p> <p>3. Mistakes and inaccuracies found in the submitted declaration should be corrected and do not constitute grounds for a refusal to register a candidate for the national deputy.</p>
<p>Article 63. Fundamental Principles of Information Support for Elections</p> <p>1. Voters have a right to access to diverse, objective and unbiased information necessary for making a conscious, informed and free choice.</p> <p>2. Information contained in the documents submitted to the Central Election Commission for registration of candidates is open. The Central Election Commission publishes on its official web-site the data about the family name, first name (all names) and patronymic (if available), day, month, year and place of birth, citizenship stating the period of residence in Ukraine, information about the position (occupation), place of work, party affiliation, place of residence, presence or absence of criminal record, nominating subject of each candidate.</p> <p>...</p>	<p>Article 63. Fundamental Principles of Information Support for Elections</p> <p>1. Voters have a right to access to diverse, objective and unbiased information necessary for making a conscious, informed and free choice.</p> <p>2. Information contained in the documents submitted to the Central Election Commission for registration of candidates is open and provided in response to an information request. The Central Election Commission publishes on its official web-site the data about the family name, first name (all names) and patronymic (if available), day, month, year and place of birth, citizenship stating the period of residence in Ukraine, information about the position (occupation), place of work, party affiliation, place of residence, presence or absence of criminal record, nominating subject and curriculum vitae of each candidate.</p> <p>...</p>
<p>Law of Ukraine on Elections of the President of Ukraine (<i>Vidomosti of the Verkhovna Rada of Ukraine 1999, № 14, p. 81</i>)</p>	
<p>Article 42. Managers of Election Fund Accounts</p> <p>1. A candidate for the President of Ukraine appoints from among his/her proxies not more than two managers of the accumulation account of the election fund who have an exclusive right to manage in accordance with the laws of</p>	<p>Article 42. Managers of Election Fund Accounts</p> <p>1. A candidate for the President of Ukraine appoints from among his/her proxies not more than two managers of the accumulation account of the election fund who have an exclusive right to manage in accordance with the laws of</p>

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<p>Ukraine the resources coming to the accumulation account. Managers of the accumulation account of the election fund must maintain records of receipt and transfer of resources coming to the accumulation account to the current accounts.</p> <p>2. A candidate for the President of Ukraine appoints one manager of each current account in a respective territorial constituency who has an exclusive right to manage resources of the respective current account of the election fund. Managers of current account ensure observation of the financial discipline and the proper use of resources of the election fund, and maintain the records of the use of resources of the respective current account of the election fund.</p> <p>3. The banking institution in which the accumulation or current account of an election fund is opened provides a manager on a weekly basis or upon his/her request with information about the amounts and sources of contributions to the election fund accounts, movement of resources as well as account balances.</p> <p>4. A manager of a current account of the election fund has to submit to the manager of the accumulation account of the election fund not later than seven days after the election day (repeat election day) a financial report on the use of resources of the respective current account of the election fund.</p> <p>5. A manager of the accumulation account of the election fund has to submit to the Central Election Commission not later than fifteen days before the election day (and in the case the candidate is included in the ballot for repeat voting – not later than fifteen days after the repeat voting day) a financial report (on paper and in an electronic form) on the incoming and spent resources of the election fund.</p> <p>6. The form of a financial report is identified by the Central Election</p>	<p>Ukraine the resources coming to the accumulation account. Managers of the accumulation account of the election fund must maintain records of receipt and transfer of resources coming to the accumulation account to the current accounts.</p> <p>2. A candidate for the President of Ukraine appoints one manager of each current account in a respective territorial constituency who has an exclusive right to manage resources of the respective current account of the election fund. Managers of current account ensure observation of the financial discipline and the proper use of resources of the election fund, and maintain the records of the use of resources of the respective current account of the election fund.</p> <p>3. The banking institution in which the accumulation or current account of an election fund is opened provides a manager on a weekly basis or upon his/her request with information about the amounts and sources of contributions to the election fund accounts, movement of resources as well as account balances.</p> <p>4. A manager of the current account of the election fund must submit to the manager of the accumulation account of the election fund eight days before the election day an interim financial report on the use of resources of the respective current account of the election fund for the period starting the day of opening of the current account of the election day and ending ten days before the election day. When the Central Election Commission announces repeat voting, the managers of the current account of the election fund of the candidate for the President of Ukraine included in the ballot for repeat voting must submit to the manager of the accumulation account six days before the repeat election day an interim financial report on the use</p>

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<p>Commission not later than eighty days before the election day.</p> <p>7. Analysis of financial reports is carried out by the Central Election Commission. If in the course of the analysis of financial reports signs of violation of the requirements of this Law are found, the Central Election Commission notifies the relevant law enforcement bodies for inquiry and reaction as provided for by law.</p>	<p>of resources of the respective current account of the election fund for the period starting the day of decision making on including the candidate for the President of Ukraine in the ballot for repeat election and ending seven days before the repeat election day.</p> <p>The manager of the current account of the election day must submit to the manager of the accumulation account of the party not later than seven days after the election day (if the candidate for the President of Ukraine is included in the ballot for repeat election – not later than on the seventh day after the repeat voting day) the final financial report on the use of resources of the respective current account of the election fund.</p> <p>5. The manager of resources of the accumulation account of the election fund must submit to the Central Election Commission five days before the election day an interim financial report on the incoming and spent resources of the election fund of the period starting the day of opening of the accumulation account and ending ten days before the election day (on paper and in an electronic form) that is published in full on the official web-site of the Central Election Commission not later than on the following day after its delivery to the Central Election Commission. When the Central Election Commission announces repeat voting, the manager of resources of the accumulation account of the candidate for the President of Ukraine included in the ballot for the repeat voting has to submit to the Central Election Commission four days before the repeat election day an interim financial report on the incoming and spent resources of the election fund for the period starting the day of decision making on including the candidate for the President of Ukraine in the ballot</p>

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	<p>for repeat voting and ending seven days before the repeat election day (on paper and in an electronic form) that is published in full on the official web-site of the Central Election Commission not later than on the following day after its delivery to the Central Election Commission.</p> <p>The manager of resources of the accumulation account of the election fund has to submit to the Central Election Commission not later than on the fifteenth day after the election day (and when the candidate is included in the ballot for repeat voting – not later than on the fifteenth day after the repeat election day) the final financial report on the incoming and spent resources of the election fund (on paper and in an electronic form) that is published in full on the official web-site of the Central Election Commission not later than on the following day after its delivery to the Central Election Commission.</p> <p>6. Analysis of financial reports provided for in Part 5 of this article is carried out by the Central Election Commission.</p> <p>The Central Election Commission not later than two days before the election day (and in the case of repeat voting – two days before the repeat election day) publishes on its official web-site the analysis of financial reports provided for in Paragraph 1 Part 5 of this article, and not later than on the thirtieth day after the election day – the analysis of financial reports provided for in Paragraph 2 Part 5 of this article.</p> <p>If in the course of the analysis of financial reports signs of violation of the requirements of this Law are found, the Central Election Commission notifies the relevant law enforcement bodies for inquiry and reaction as provided for by law.</p>

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	<p>7. Financial reports provided for in Parts 4 and 5 of this article must contain the information subject to publication on the official web-site of the Central Election Commission about all contributions to the accumulation and current accounts of the election fund of the candidate for the President of Ukraine, exercised expenses and balances of respective accounts, including information about the date of each contribution to the election fund, its amount, the person who contributed to the respective account of the election fund (stating the family name, first name and patronymic, place of residence (housing address), name of the party (if the contribution was made by the party that nominated the candidate for the President of Ukraine), purpose, date and amount of each payment from the respective account of the election fund, full name of the recipient of each payment, and recipient code.</p> <p>8. Forms of financial reports provided for in Parts 4 and 5 of this article as well as the procedure for their analysis are specified by the Central Election Commission.</p>
<p>Article 43. Procedure for Establishing Election Fund and Use of Its Resources</p> <p>1. The election fund of the candidate for the President of Ukraine is established using his/her private resources, resources of the party that nominated the candidate, as well as voluntary contributions from other individuals.</p> <p>3. A voluntary contribution made by an individual to the election fund of one candidate for the President of Ukraine may not exceed four hundred minimum salaries. The contributions made by the candidate for the President of Ukraine as well as the resources of the party</p>	<p>Article 43. Procedure for Establishing Election Fund and Use of Its Resources</p> <p>1. The election fund of the candidate for the President of Ukraine is established using his/her private resources, resources of the party that nominated the candidate, as well as voluntary contributions from other individuals.</p> <p>3. A voluntary contribution made by an individual to the election fund of one candidate for the President of Ukraine may not exceed four hundred minimum salaries. The contributions made by the candidate for the President of Ukraine as</p>

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<p>nominating the candidate that are transferred to the accumulation account are not limited in terms of the amount and the number of transfers.</p> <p>Other limits, including those provided for in financial and banking legislation, except for the requirements set forth herein with regard to establishing the election fund of a candidate for the President of Ukraine are not applied.</p> <p>4. The following persons may not make voluntary contributions to the election fund:</p> <p>1) foreign citizens and persons without citizenship;</p> <p>2) anonymous contributors (who do not indicate the information envisaged by Part 5 of this article in the payment document).</p> <p>5. A voluntary contribution from a physical person to the election fund is accepted by a banking institution or post office if the person submits one of the documents specified in Part 2 Article 2 of this Law. The payment document must also contain the family name, first name and patronymic, date of birth and permanent residence address of the person.</p> <p>6. The banking institution or post office has to transfer the voluntary contribution to the accumulation account of the election fund no later than the next working day after the day it received the respective payment document. The overall term for the cashless transfer of a contribution to the election fund account may not exceed two banking days.</p> <p>7. The manager of the accumulation account of the election fund may refuse a contribution from an individual to which end he/she files the respective request and payment document to the banking institution in which the election fund account was opened. Such contribution has to be returned to the person at the expense of the contribution, and if such return is impossible it is credited to the</p>	<p>well as the resources of the party nominating the candidate that are transferred to the accumulation account are not limited in terms of the amount and the number of transfers.</p> <p>Other limits, including those provided for in financial and banking legislation, except for the requirements set forth herein with regard to establishing the election fund of a candidate for the President of Ukraine are not applied.</p> <p>4. The following persons may not make voluntary contributions to the election fund:</p> <p>1) foreign citizens and persons without citizenship;</p> <p>2) anonymous contributors (who do not indicate the information envisaged by Part 5 of this article in the payment document).</p> <p>5. A voluntary contribution from a physical person to the election fund is accepted by a banking institution or post office if the person submits one of the documents specified in Part 2 Article 2 of this Law. The payment document must also contain the family name, first name and patronymic, date of birth and permanent residence address of the person.</p> <p>6. The banking institution or post office has to transfer the voluntary contribution to the accumulation account of the election fund no later than the next working day after the day it received the respective payment document. The overall term for the cashless transfer of a contribution to the election fund account may not exceed two banking days.</p> <p>7. The manager of the accumulation account of the election fund may refuse a contribution from an individual to which end he/she files the respective request and payment document to the banking institution in which the election fund account was opened. Such contribution has to be returned to the person at the</p>

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<p>State Budget of Ukraine.</p> <p>8. If a voluntary contribution received from an individual exceeds the limit provided for in Part 3 of this article, the surplus of the established amount of the contribution, on the basis of the respective request and payment document filed by the manager of the accumulation account of the election fund, is returned to the individual by the banking institution in which the account of the election fund was opened at the expense of the contribution, and if such return is impossible, the resources are credited to the State Budget of Ukraine.</p> <p>9. The manager of the accumulation account of the election fund must refuse the contribution from an individual who, according to this Law, is not entitled to make such contribution, should the manager be aware of such fact. On the basis of the request by the manager of the accumulation account to refuse the contribution due to such reason, the banking institution, in which the election fund account was opened, has to credit this contribution to the State Budget of Ukraine. If the election fund manager becomes aware of the fact that the individual who made the contribution had no right to do so, he/she must within three days from the day he/she became aware of this, to refuse to accept such contribution by transferring the respective funds to the State Budget of Ukraine.</p> <p>10. The Central Election Commission and the banking institution in which the election fund account was opened controls the process of receiving, recording and using resources of the election funds pursuant to the procedure established by the Central Election Commission jointly with the National Bank of Ukraine and the central executive body in charge of development of the state policy on postal communication issue not later than eighty-three days before the election day. The banking</p>	<p>expense of the contribution, and if such return is impossible it is credited to the State Budget of Ukraine.</p> <p>8. If a voluntary contribution received from an individual exceeds the limit provided for in Part 3 of this article, the surplus of the established amount of the contribution, on the basis of the respective request and payment document filed by the manager of the accumulation account of the election fund, is returned to the individual by the banking institution in which the account of the election fund was opened at the expense of the contribution, and if such return is impossible, the resources are credited to the State Budget of Ukraine.</p> <p>9. The manager of the accumulation account of the election fund must refuse the contribution from an individual who, according to this Law, is not entitled to make such contribution, should the manager be aware of such fact. On the basis of the request by the manager of the accumulation account to refuse the contribution due to such reason, the banking institution, in which the election fund account was opened, has to credit this contribution to the State Budget of Ukraine. If the election fund manager becomes aware of the fact that the individual who made the contribution had no right to do so, he/she must within three days from the day he/she became aware of this, to refuse to accept such contribution by transferring the respective funds to the State Budget of Ukraine.</p> <p>10. The Central Election Commission and the banking institution in which the election fund account was opened controls the process of receiving, recording and using resources of the election funds pursuant to the procedure established by the Central Election Commission jointly with the National Bank of Ukraine and the central executive body in charge of development</p>

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Current wording	Amended wording
<p>institution in which the election fund account was opened submits to the respective election commission information about the incoming and spent resources of the election fund.</p> <p>11. The election fund resources that were not used by a candidate for the President of Ukraine nominated by a party, upon his/her written request certified according to the procedure provided for by law and submitted to the banking institution not later than within ten days after the official announcement of the election results, are transferred to the current account of the respective party within five days after the day such request was received. If the candidate fails to submit the request within this period, the banking institution must irrevocably transfer the unused funds of the election fund to the State Budget of Ukraine on the fifteenth day after the official announcement of the election results by the Central Election Commission or (for candidates who were not included in the ballot for repeat voting) the publication of the decision to conduct repeat voting. The election fund resources which were not used by a self-nominated candidate for the President of Ukraine, are transferred the State Budget of Ukraine not later than on the tenth day after the official announcement of the election results.</p> <p>12. In the case of de-registration of a candidate for the President of Ukraine, the remaining resources of his/her election fund are irrevocably transferred to the State Budget of Ukraine not earlier than on the tenth day after the respective decision was announced.</p> <p>13. A contribution that arrived to the election fund after the day of elections, (if the candidate was included in the ballot for repeat voting – after the repeat election day) is returned by the banking institution to the respective individual at the expense of the contribution and if such return is impossible, it is transferred</p>	<p>of the state policy on postal communication issue not later than eighty-three days before the election day. The banking institution in which the election fund account was opened submits to the respective election commission information about the incoming and spent resources of the election fund.</p> <p>11. The election fund resources that were not used by a candidate for the President of Ukraine nominated by a party, upon his/her written request certified according to the procedure provided for by law and submitted to the banking institution not later than within ten days after the official announcement of the election results, are transferred to the current account of the respective party within five days after the day such request was received. If the candidate fails to submit the request within this period, the banking institution must irrevocably transfer the unused funds of the election fund to the State Budget of Ukraine on the fifteenth day after the official announcement of the election results by the Central Election Commission or (for candidates who were not included in the ballot for repeat voting) the publication of the decision to conduct repeat voting. The election fund resources which were not used by a self-nominated candidate for the President of Ukraine, are transferred the State Budget of Ukraine not later than on the tenth day after the official announcement of the election results.</p> <p>12. In the case of de-registration of a candidate for the President of Ukraine, the remaining resources of his/her election fund are irrevocably transferred to the State Budget of Ukraine not earlier than on the tenth day after the respective decision was announced.</p> <p>13. A contribution that arrived to the election fund after the day of elections, (if the candidate was included in the</p>

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Current wording	Amended wording
<p>to the State Budget of Ukraine.</p> <p><u>14. The Central Election Commission publishes information about the size of the election funds of the candidates for the President of Ukraine and the financial reports on their use in the newspapers <i>Holos Ukrainy</i> and <i>Uriadovy Courier</i> not later than on the eighteenth day after the election day.</u></p>	<p>ballot for repeat voting – after the repeat election day) is returned by the banking institution to the respective individual at the expense of the contribution and if such return is impossible, it is transferred to the State Budget of Ukraine.</p> <p>Eliminated</p>
<p>Article 56¹. Fundamental Principles of Information Support for Elections</p> <p>1. Voters have a right to access to diverse, objective and unbiased information necessary for making a conscious, informed and free choice.</p> <p>2. Information contained in the documents submitted to the Central Election Commission for registration of candidates for the President of Ukraine is open. The Central Election Commission publishes on its official web-site the data about the family name, first name (all names) and patronymic (if available), day, month, year and place of birth, citizenship stating the period of residence in Ukraine, information about the position (occupation), place of work, party affiliation, place of residence, presence or absence of criminal record, nominating subject of each candidate for the President of Ukraine.</p> <p>3. Election commissions, mass media and information agencies, state authorities, governmental bodies of the Autonomous Republic of Crimea, local self-government bodies, their officers, citizens' associations as well as of the entities when presenting information about the elections other than campaigning as provided for in Article 58 of this Law, have to observe the principles of objectivity, impartiality,</p>	<p>Article 56¹. Fundamental Principles of Information Support for Elections</p> <p>1. Voters have a right to access to diverse, objective and unbiased information necessary for making a conscious, informed and free choice.</p> <p>2. Information contained in the documents submitted to the Central Election Commission for registration of candidates for the President of Ukraine is open and provided in response to an information request. The Central Election Commission publishes on its official web-site the data about the family name, first name (all names) and patronymic (if available), day, month, year and place of birth, citizenship stating the period of residence in Ukraine, information about the position (occupation), place of work, party affiliation, place of residence, presence or absence of criminal record, nominating subject and curriculum vitae of each candidate for the President of Ukraine.</p> <p>3. Election commissions, mass media and information agencies, state authorities, governmental bodies of the Autonomous Republic of Crimea, local self-government bodies, their officers, citizens' associations as well as of the entities when presenting information about the elections other than campaigning as provided for in Article 58 of this Law, have to observe the</p>

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Current wording	Amended wording
balance, accuracy, completeness and correctness of information.	principles of objectivity, impartiality, balance, accuracy, completeness and correctness of information.
<p>Law of Ukraine on Elections of Members of the Supreme Council of Autonomous Republic of Crimea, Local Councils and Village, Settlement, Town Mayors (Vidomosti of the Verkhovna Rada of Ukraine 2010, № 35-36, p. 1220, p.491)</p>	
<p>Article 43. Declaration of Property Status, Incomes, Expenditures and Financial Liabilities by Candidates for Council Members and Candidates for Village, Settlement, Town Mayors</p> <p>1. The declaration on property, incomes, expenses and financial liabilities for the year preceding the year of the beginning of the election process is to be submitted by a candidate for the council deputy or a candidate for the village, settlement, town mayor in the form provided for in the Law of Ukraine on Fundamental Principles of Preventing and Fighting Corruption.</p> <p>2. After registration of a candidate for the council member, for village, settlement or town mayor, information stated in the declaration he/she submitted except for the confidential data is published in local printed media or disclosed by other means.</p> <p>3. Mistakes and inaccuracies found in the declaration do not constitute grounds for a refusal to register or for de-registration of a candidate for the council member or a candidate for the village, settlement, town mayor and should be corrected.</p>	<p>Article 43. Declaration of Property Status, Incomes, Expenditures and Financial Liabilities by Candidates for Council Members and Candidates for Village, Settlement, Town Mayors</p> <p>1. The declaration on property, incomes, expenses and financial liabilities for the year preceding the year of the beginning of the election process is to be submitted by a candidate for the council deputy or a candidate for the village, settlement, town mayor in the form provided for in the Law of Ukraine on Fundamental Principles of Preventing and Fighting Corruption.</p> <p>2. After registration of a candidate for the council member, for village, settlement or town mayor, all information stated in the declaration he/she submitted except for the data provided for in the Law of Ukraine on Fundamental Principles of Preventing and Fighting Corruption as information with limited access is published in local printed media and within five days after registration of the candidate for the council member it is published on the official web-site of the Central Election Commission.</p> <p>3. Mistakes and inaccuracies found in the declaration do not constitute grounds for a refusal to register or for de-registration of a candidate for the council member or a candidate for the village, settlement, town mayor and should be corrected.</p>

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Current wording	Amended wording
<p>Article 63. Manager of Election of Fund of Local Party Organization, Candidates for Council Members, Candidates for Village, Settlement, Town Mayor</p> <p>1. A local organization of the party whose candidates for council members are registered in multi-mandate constituencies, candidates for council members in a single-mandate or a single-mandate majoritarian constituency, candidates for village, settlement, town mayors from among their respective authorized representatives and proxies appoint managers of the election fund who together with the head of a local party organization, the candidate for the council member, the candidate for the village, settlement, town mayor are responsible for the use of resources of the respective election fund in according with the Ukrainian legislation.</p> <p>Managers of the respective election fund can be:</p> <p>two authorized representatives of a local party organization upon decision of a managing body of the local party organization;</p> <p>one proxy of a candidate for the council member in a single-mandate or a single-mandate majoritarian constituency;</p> <p>one proxy of a candidate for a village, settlement, town mayor.</p> <p>2. Managers of resources of the election fund have to maintain records of the incoming and spent resources of their election fund.</p> <p>3. The banking institution in which the account of an election fund is opened provides a manager of the election fund on a weekly basis or upon his/her request with information about the amounts and sources of contributions to the election fund account.</p> <p>4. Managers of the election fund</p>	<p>Article 63. Manager of Election of Fund of Local Party Organization, Candidates for Council Members, Candidates for Village, Settlement, Town Mayor</p> <p>1. A local organization of the party whose candidates for council members are registered in multi-mandate constituencies, candidates for council members in a single-mandate or a single-mandate majoritarian constituency, candidates for village, settlement, town mayors from among their respective authorized representatives and proxies appoint managers of the election fund who together with the head of a local party organization, the candidate for the council member, the candidate for the village, settlement, town mayor are responsible for the use of resources of the respective election fund in according with the Ukrainian legislation.</p> <p>Managers of the respective election fund can be:</p> <p>two authorized representatives of a local party organization upon decision of a managing body of the local party organization;</p> <p>one proxy of a candidate for the council member in a single-mandate or a single-mandate majoritarian constituency;</p> <p>one proxy of a candidate for a village, settlement, town mayor.</p> <p>2. Managers of resources of the election fund have to maintain records of the incoming and spent resources of their election fund.</p> <p>3. The banking institution in which the account of an election fund is opened provides a manager of the election fund on a weekly basis or upon his/her request with information about the amounts and sources of contributions to the election fund account.</p> <p>4. A manger of the election fund</p>

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<p>have to submit to the respective territorial election commission not later than five days after the local election day a financial report in the form identified by the Central Election Commission not later than 40 days before the local election day.</p> <p>5. Analysis of financial reports is carried out by the territorial election commission. If in the course of analysis of financial reports signs of violation of the requirements of this Law are found, the territorial election commission notifies the relevant law enforcement bodies for inquiry and reaction as provided for by law.</p> <p>6. The forms of financial reports provided for in this article are identified by the Central Election Commission not later than 40 days before the election day.</p>	<p>has to submit to the respective territorial election commission not later than five days before the election day an interim financial report on the incoming and spent resources of the election fund for the period starting the day of opening the election fund account and ending seven days before the election day (on paper and in an electronic form). When the respective territorial election commission announces repeat voting, the manages of the election fund of a candidate for the council member in a single-mandate or a single-mandate majoritarian constituency, a candidate for the village, settlement or town mayor included in the ballot for repeat voting has to submit to the respective territorial election commission not later than five days before the repeat election day an interim financial report on the incoming and spent resources of the election fund for the period starting the day following the day of official publication of a decision of the respective territorial election commission on conducting repeat elections and ending seven days before the repeat election day (on paper and in an electronic form).</p> <p>5. A manager of the election fund has to submit to the respective territorial election commission not later than five days after the election day (and when a candidate for the council member in a single-mandate or a single-mandate majoritarian constituency, a candidate for the village, settlement, town mayor is included in the ballot for repeat voting – not later than five days after the repeat election day) the final report on the incoming and spent resources of the election fund.</p> <p>6. Analysis of interim and final financial reports on the incoming and spent recourses of the election fund is</p>

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	<p>carried out by the territorial election commission that received them. If in the course of analysis of interim and final financial reports signs of violation of the requirements of this Law are found, the territorial election commission notifies relevant law enforcement bodies for inquiry and reaction as provided for by law.</p> <p>7. Interim and final financial reports on the incoming and spent recourses of the election fund must contain information subject to publication in local printed media, and in the cases provided for in Part 15 Article 64 of this Law – also on the official web-site of the Central Election Commission, information about all contributions to the election fund account, exercised expenses and respective account balances, including information about the date of each contribution to the election fund, its amount, the person who made the contribution to the respective account of the election fund (stating his/her family name, first name and patronymic, place of residence (housing address), name of the local party organization (when the contribution was made by the local party organization), purpose, date and amount of each payment from the election fund account, full name of the recipient of each payment, and recipient code.</p> <p>8. Forms of financial reports provided for in this article, and the procedure for their analysis are identified by the Central Election Commission not later than 40 days before the election day.</p>
<p>Article 64. Establishing Election Fund and Control of Incomes, Records and Use of Its Resources</p> <p>1. An election fund of a local party organization whose candidates are</p>	<p>Article 64. Establishing Election Fund and Control of Incomes, Records and Use of Its Resources</p> <p>1. An election fund of a local party organization whose candidates are</p>

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<p>registered in multi-mandate constituencies is established using the party's own resources as well as voluntary contributions from individuals.</p> <p>An election fund of a candidate for the council member in a single-mandate, single-mandate majoritarian constituency, a candidate for the village, settlement, town mayor nominated by a local party organization is established using their own funds, voluntary contributions of individuals as well as resources of the respective local party organization.</p> <p>An election fund of a self nominated candidate in a single-mandate constituency, a single-mandate majoritarian constituency, a candidate for the village, settlement, town mayor is established using their own funds as well as voluntary contributions of individuals.</p> <p>Own resources of a local party organization, a candidate for the council members, a candidate for the village, settlement, town mayor are not limited in terms of the amount and the number of transfers.</p> <p>2. The amount of a voluntary contribution made by one individual to one election fund may not exceed ten minimum salaries.</p> <p>3. The following persons may not make voluntary contributions to the election fund:</p> <p>1) foreign citizens, persons with double citizenship and stateless individuals;</p> <p>2) anonymous donors (who do not indicate the information envisaged in Part 4 of this article in the payment document).</p> <p>4. A voluntary contribution from a physical person to the election fund is accepted by a banking institution or post office if the person submits one of the documents specified in Part 2 Article 3 of this Law. The payment document must also contain the family name, first name (all names) and patronymic (if available),</p>	<p>registered in multi-mandate constituencies is established using the party's own resources as well as voluntary contributions from individuals.</p> <p>An election fund of a candidate for the council member in a single-mandate, single-mandate majoritarian constituency, a candidate for the village, settlement, town mayor nominated by a local party organization is established using their own funds, voluntary contributions of individuals as well as resources of the respective local party organization.</p> <p>An election fund of a self nominated candidate in a single-mandate constituency, a single-mandate majoritarian constituency, a candidate for the village, settlement, town mayor is established using their own funds as well as voluntary contributions of individuals.</p> <p>Own resources of a local party organization, a candidate for the council members, a candidate for the village, settlement, town mayor are not limited in terms of the amount and the number of transfers.</p> <p>2. The amount of a voluntary contribution made by one individual to one election fund may not exceed ten minimum salaries.</p> <p>3. The following persons may not make voluntary contributions to the election fund:</p> <p>1) foreign citizens, persons with double citizenship and stateless individuals;</p> <p>2) anonymous donors (who do not indicate the information envisaged in Part 4 of this article in the payment document).</p> <p>4. A voluntary contribution from a physical person to the election fund is accepted by a banking institution or post office if the person submits one of the documents specified in Part 2 Article 3 of this Law. The payment document must also contain the family name, first</p>

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<p>date of birth and residence address of the citizen.</p> <p>5. A voluntary contribution is to be transferred by the banking institution or post office to the election fund account not later than the next working day after the receipt of the respective payment document. The period of the cashless transfer of a contribution of the election fund should not exceed one banking day.</p> <p>6. The manager of the election fund may refuse a contribution from an individual to which end he/she files the respective request and payment document to the banking institution in which the election fund account was opened. Such contribution has to be returned to the person at the expense of the contribution, and if such return is impossible it is credited to the budget of the Autonomous Republic of Crimea or a respective local budget.</p> <p>7. If a voluntary contribution received from an individual exceeds the limit provided for in Part 2 of this article, the surplus of the established amount of the contribution, on the basis of the respective request and payment document filed by the manager of the election fund, is returned by the banking institution in which the account of the election fund was opened. The resources are returned to the individual at the expense of the contribution, and if such return is impossible, the resources are credited to the budget of the Autonomous Republic of Crimea or a respective local budget.</p> <p>8. The manager of the election fund must refuse the contribution from an individual who, according to this Law, is not entitled to make such contribution. On the basis of the request by the manager of the election fund to refuse the contribution due to such reason, the banking institution, in which the election fund account was opened, has to credit this contribution to the Autonomous Republic of Crimea or a respective local</p>	<p>name (all names) and patronymic (if available), date of birth and residence address of the citizen.</p> <p>5. A voluntary contribution is to be transferred by the banking institution or post office to the election fund account not later than the next working day after the receipt of the respective payment document. The period of the cashless transfer of a contribution of the election fund should not exceed one banking day.</p> <p>6. The manager of the election fund may refuse a contribution from an individual to which end he/she files the respective request and payment document to the banking institution in which the election fund account was opened. Such contribution has to be returned to the person at the expense of the contribution, and if such return is impossible it is credited to the budget of the Autonomous Republic of Crimea or a respective local budget.</p> <p>7. If a voluntary contribution received from an individual exceeds the limit provided for in Part 2 of this article, the surplus of the established amount of the contribution, on the basis of the respective request and payment document filed by the manager of the election fund, is returned by the banking institution in which the account of the election fund was opened. The resources are returned to the individual at the expense of the contribution, and if such return is impossible, the resources are credited to the budget of the Autonomous Republic of Crimea or a respective local budget.</p> <p>8. The manager of the election fund must refuse the contribution from an individual who, according to this Law, is not entitled to make such contribution. On the basis of the request by the manager of the election fund to refuse the contribution due to such reason, the banking institution, in which the election fund account was opened, has to credit</p>

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<p>budget at the expense of the contribution.</p> <p>9. Sampling control of the incomes, records and use of resources of the election fund is carried out by the respective territorial election commission and the banking institution in which the election fund account was opened.</p> <p>10. The election fund resources that were not used by a local party organization, upon decision of the higher managing body of the local party organization made within five days after the official announcement of local election results, are transferred by the manager of the election fund to the current account of the local party organization within three days after the managing body of the local party organization made such decision. If the said decision was not made within the specified period, the banking institution must irrevocably transfer the unused funds of the election fund to the budget of the Autonomous Republic of Crimea or the respective local budget on the tenth day after the official announcement of respective local election results by the territorial election commission.</p> <p>The election fund resources that were not used by a candidate for the council member, a candidate for the village, settlement, town mayor are transferred by the manager of the election fund within five days after the official announcement of local election results to the current bank account of the respective candidate for the council member, a candidate for the village, settlement, town mayor. If the unused resources were not transferred within the specified period, they are not returned and the banking institution must irrevocably transfer them to the budget of the Autonomous Republic of Crimea or the respective local budget within ten days after the official announcement by the territorial election commission of the respective election results.</p> <p>11. In the case of de-registration of</p>	<p>this contribution to the Autonomous Republic of Crimea or a respective local budget at the expense of the contribution.</p> <p>9. Sampling control of the incomes, records and use of resources of the election fund is carried out by the respective territorial election commission and the banking institution in which the election fund account was opened.</p> <p>10. The election fund resources that were not used by a local party organization, upon decision of the higher managing body of the local party organization made within five days after the official announcement of local election results, are transferred by the manager of the election fund to the current account of the local party organization within three days after the managing body of the local party organization made such decision. If the said decision was not made within the specified period, the banking institution must irrevocably transfer the unused funds of the election fund to the budget of the Autonomous Republic of Crimea or the respective local budget on the tenth day after the official announcement of respective local election results by the territorial election commission.</p> <p>The election fund resources that were not used by a candidate for the council member, a candidate for the village, settlement, town mayor are transferred by the manager of the election fund within five days after the official announcement of local election results to the current bank account of the respective candidate for the council member, a candidate for the village, settlement, town mayor. If the unused resources were not transferred within the specified period, they are not returned and the banking institution must irrevocably transfer them to the budget of the Autonomous Republic of Crimea or the respective local budget within ten days after the official announcement by the</p>

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<p>candidates, removal of a candidate from the ballot the remaining resources of their own election funds upon a decision of the territorial election commission are transferred to the budget of the Autonomous Republic of Crimea or the respective local budget.</p> <p>12. Voluntary contributions that arrived to the election fund after the deadline provided for in Part 8 Article 62 of this Law for local elections are transferred by the banking institution to the budget of the Autonomous Republic of Crimea or the respective local budget.</p> <p>13. Financial reports on the incoming and spent resources of the election fund of a local party organization, a candidate for the council member, a candidate for the village, settlement, town member are published by the territorial election commission in local printed media within five days after the respective reports were delivered to the election commission.</p>	<p>territorial election commission of the respective election results.</p> <p>11. In the case of de-registration of candidates, removal of a candidate from the ballot the remaining resources of their own election funds upon a decision of the territorial election commission are transferred to the budget of the Autonomous Republic of Crimea or the respective local budget.</p> <p>12. Voluntary contributions that arrived to the election fund after the deadline provided for in Part 8 Article 62 of this Law for local elections are transferred by the banking institution to the budget of the Autonomous Republic of Crimea or the respective local budget.</p> <p>13. Interim financial reports on the incoming and spent resources of the election fund are published by the territorial election commission that received them in local printed media not later than two days before the election day (and in the case of repeat voting – not later than two days before the repeat election day).</p> <p>14. The final financial reports on the incoming and spent resources of the election fund are published by the territorial election commission that received them in local printed media within five days after the delivery of such reports to the territorial election commission.</p> <p>15. Copies of reports provided for in Part 5 Article 63 of this Law delivered to the election commission of the Autonomous Republic of Crimea, oblast, raion, district (of a city with oblast or republican (in the Autonomous Republic of Crimea) significance) are to be forwarded by the election commission to the Central Election Commission not later than the next day after their delivery pursuant to the procedure established by the Central Election Commission for publication on the official web-site</p>

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	of the Central Election Commission. The Central Election Commission must publish such reports in full not later than on the thirtieth day after the official announcements of the results of respective local elections.