

Palestinian Authority
Council of Ministers

Decision Issued on Law No. () of 2007
Concerning the Political Parties

Chairman of the PLO Executive Committee
President of the Palestinian National Authority

After reviewing the Basic Law revised in 2003 and its amendments especially Articles 26 and 43 and the Draft Law submitted by the Council of Ministers and according to the powers entrusted to me and in achievement of the public interest,

We issue the following decision:

Chapter One: Definitions and General Provisions

Article 1

For the purposes of implementing this law, the following words and phrases shall have the following meanings unless the context otherwise states:

Authority: Palestinian National Authority

Party: Every political party with legal personality and established among natural persons enjoying civil and political rights with the aim to participate in the political life and achieve objectives related to the public affairs and works in democratic means.

Department: Department of parties' registration in the Central Elections Commission

Registrar: The employee specialized in the registration of parties in Central Elections Commission

Committee: Committee for the political parties affairs established under the provisions of this Law.

Article 2

The political system in Palestine is based on the principles identified by the Basic Law, the Independence Declaration and on basis that the PLO is the sole and legitimate representative of the Arab Palestinian people in the entire places of its presence. It is also based on the political plurality, freedom of formation of parties, participation in the political institutions, principle of public, direct and free elections, freedom of expression, organizing and assembly within the framework of applicable law and legislation.

Article 3

For the purposes of enforcement of this Law, the Department specialized in the registration of parties shall be established within a maximum period of three months as of the effectiveness of the law. This department shall be specialized in reviewing applications, and preparing its own regulations in accordance with the provisions of this law and shall be issued by the Council of Ministers.

Chapter Two: By-laws of the Party

Article 4

The party's by-laws shall include the following data:

1. The full name of the party and the abbreviated name if available
2. The party's logo
3. The party's address provided that it shall not be within a headquarters of any public, private, charitable, religious, or educational institution
4. The principles on which the party is founded and the objectives it seeks to achieve
5. Membership requirements and procedures
6. Rights and duties of the party member
7. The financial system of the party including sources of financing and ways of spending
8. Internal audit mechanisms

Article 5: Registration Procedures

1. The registration application signed by the founders and attached with the following documents shall be submitted to the Department:
 - a. Three copies of the party by-laws signed by the founders
 - b. A list of the founders' names and their full personal data
 - c. A non-convicted certificate for each founder
2. The Department shall prepare and issue the forms required to perform its works

Article 6

1. In case the application form lacks any of the data required by the Law, the Registrar may ask the party to submit the missing data and documents within two weeks of submitting the registration application of the party.
2. After fulfilling the conditions and required documents, the Registrar shall refer the application along with its attachments to the Committee within fifteen days from the date of filing the application.

Article 7: Conditions, Nature and Number of Party Founders

The number of the founding members of any new party shall not be less than 150 persons fulfilling the following conditions:

1. Shall have completed 18 years old
2. Shall be a Palestinian since at least five years
3. Shall be enjoying full civil and legal eligibility

Article 8: Application of Registration

The application submitted to the committee shall include the signature of at least 150 members of the party's founding members and officially ratified on their signatures. The founding members shall be from at least nine governorates, at least 15 members from each governorate. The application shall include all the documents related to the party especially its by-laws and the names of the founding members.

Article 9**Article 10**

The Committee shall make a decision concerning the founding of the party within 90 days from the date of filing the application. The rejection decision shall be justified and shall only be taken after hearing the required clarifications from the applicants.

Article 11

The elapse of the period set in Article 16 of this Law without issuance of a decision by the Committee concerning the founding of the party shall be considered a decision of no objection as regards the foundation of the party.

Article 12

The applicants can challenge the rejection decision within 30 days from the date of its issuance before the Higher Court of Justice.

Article 13

Every citizen may challenge the registration of any party before the judiciary within a month of publishing the registration certificate in the Official Gazette, unless the judiciary had decided on the subject.

Chapter Four

Article 14: Rights and Duties of the Party**Article 15**

The parties shall respect the peaceful rotation of the authority through public, free, and direct elections and shall abide by dialogue as a means to solve any disagreement among them

Article 16

Every party shall have the right to possess audio, visual, and written media outlets to express its opinions in accordance with the provisions of the law

Article 17

The official media shall afford all parties equal rights in using its media to express their points of view to the public.

Article 18: Parties' Headquarters

1. The party's headquarters, documents, correspondences, and means of communication means shall be protected and may not be monitored, raided or confiscated unless by a judicial decision.

2. Searching of any party headquarters may not take place, except in cases of flagrante delicto and red-handed, without a judicial decision and in the presence of the public prosecutor and a representative of the party. If the latter refuses, his refusal shall be written down in the inspection minutes, and searching shall then be conducted in the presence of two witnesses.

Article 19: Membership in the Party

Every Palestinian citizen (male or female) has the right to join a party and he/she shall not be a member in more than one party at the same time.

Article 20

Every party shall abide by democratic principles in its structure, its internal relations, and its relations with others, in accordance with the following principles:

1. Membership with its democratic constraints shall alone be the source of rights and duties of the party
2. Party membership shall be opened to all citizens without discrimination.
3. Adherence to the by-laws
4. The internal relations of the party members shall be governed by a basic law that respects the following principles:
 - a. Equality among party members
 - b. Rotating the authority in the party through free and fair and periodic elections.
 - c. The provisions of the by-laws, including nominating candidates to the elections

Chapter Five

Article 21: Party Dissolving

After the announcement of its foundation, the party shall enjoy a legal personality and may only be dissolved in accordance with the provisions of its basic law or based on a decision by the high Court of Justice.

Article 22

The Higher Court of Justice has the jurisdiction over all challenges and procedures related to parties affairs.

Chapter Six

Article 23: Party's Finance

The financial sources of the party consist of:

1. Affiliation fees and members' subscriptions
2. Unconditioned grants and donations
3. The party's share from the funds allocated for the parties in the PA budget.

4. Returns of the party's investments in non-commercial activities as specified in the party's basic law. Investments in publishing newspapers and publishing and printing institutions are considered non-commercial activities as long as these investments aim at serving the party's purposes.
5. Money collected by the party through its activities (exhibitions, drawings, publications, lectures, and other activities that do not alter the nature of the party as a political non-commercial entity).

Article 24

The party's principles, objectives, methods, organizations, means and sources of funding and means and ways of spending shall be public

Article 25

Parties shall not accepting funds or donations from illegal entities

Article 26

The funds of the party shall only be spent on its objectives and purposes in accordance with the rules and procedures identified by its basic law and the provisions of this Law.

Article 27

Any illegal funds or resources received by the party shall be transferred to the PA upon their discovery.

Article 28

The funds of the party are considered public funds and therefore shall be administered according to the relevant financial principles

Article 29

The PA shall provide financial assistance from its budget to the parties that participated in the last elections to contribute to covering its activities, in accordance with a special by-law specifying the mechanism of assistance prepared by the Elections Commission and issued by the Council of Ministers

Article 30

The PA shall stop its financial assistance to the party in the following cases:

1. If the party is suspended by a court decision
2. If the party voluntarily suspended its activities.
3. If the party merged with another party, provided that a new assistance shall be re-scheduled for the new emergent party.
4. If the party violates the rules and provisions of the financial system under which it received that assistance.
5. If the party violates the provisions of the Basic Law and this Law.
6. If the party membership decreased below the specified number and the party did not raise the number within a year.

Chapter Seven

Article 31: Persons banned from Practicing a Factional Activity

The followings shall be banned from practicing partisan activities. In case they were members in any party, their membership shall be suspended:

First: PLC Speaker

Second: Judges

Third: Chairman of the Financial and Administrative Control Council (state comptroller)

Fourth: public prosecutors

Fifth: Chairman of the Employees' council (Head of the Public Service Office)

Sixth: Chairman of the Agency Against Illicit Earnings (anti-corruption agency)

Seventh: Employees of the Armed Forces and the Security and Police Apparatuses

Eighth: Governor of the Monetary Authority

Ninth: Members of the Palestinian Diplomatic and Consular Corps

Tenth: The chairman of the Central Elections Commission and members of the Commission

Eleventh: Persons less than 18 years old.

Chapter Eight

Article 32: Penalties

1. Notwithstanding any tougher penalty set forth by the Penal Code or any other law, any citizen who establishes, founds, organizes, runs or funds in any way other than the provisions of this Law an illicit party even if disguised under any religious cover or in the name of a society, organization or group regardless of the name or title, shall be sentenced to a fine of not less than three thousand J.D. and not more than 10 thousand J.D. or its equivalent in the circulated currency.
2. If the illicit party mentioned in paragraph one of this Article is hostile to the society or of a military or semi military nature or undertakes violent trainings that prepare for fighting or if the crime is committed by spying for a foreign country, the fine shall not be less than 10 thousand J.D. and not more than 15 thousand J.D. or its equivalent in the circulated currency.
3. The fine shall not be less than 15 thousand J.D. and not more than 20 thousand J.D. or its equivalent in the circulated currency if the crime is committed through spying for a hostile state.

Article 33

Upon conviction, the court shall order, in addition to the provisions set forth in Article 42 of this Law\, the dissolving of the organizations and the closure of their premises and the confiscation of their funds, equipments, belongings, tools and documents.

Chapter Nine: Final Provisions

Article 34: Adjustment of Situations

The Palestinian factions officially registered with the Palestinian National Council may register as parties when this law becomes in force, provided that they adjust their situations in accordance with this Law within six months from its enactment.

Article 35

Any party foundation based on a motif or purpose violates the provisions of the Basic Law shall be considered null and void.

Article 36

The Council of Ministers shall issue the required regulations to implement the provisions of this Law

Article 37

Any provision contradicting with the provisions of this Law shall be considered void.

Article 38

All relevant parties shall implement the provisions of this Law which shall go into effect upon its publication in the Official Gazette.

Promulgated in Ramallah on:

Mahmoud Abbas

Chairman of the executive Committee of the Palestinian Liberation Organization

President of the Palestinian National Authority