

June 20, 2022

## PARLIAMENT IN TIMES OF WAR

### An update on legislative and other activities of the Verkhovna Rada of Ukraine

#### Ban on pro-Russian political parties

*On June 20, 2022, the Eighth Administrative Court of Appeal upheld a lawsuit filed by the Ministry of Justice and banned the Opposition Platform for Life political party. This is the tenth party to be banned since February 24.*

*On March 19, 2022, the President of Ukraine put into effect the National Security and Defense Council of Ukraine's decision to suspend the activities of 11 pro-Russian parties (one party had a faction in the Verkhovna Rada). The suspension included restrictions during martial law, but was not considered a complete ban. On May 3, the Verkhovna Rada passed a law expanding the grounds for banning parties, which came into force on May 19. The Ministry of Justice subsequently filed lawsuits against the 11 pro-Russian parties, as well as two additional parties. As of June 20, all the parties are banned, except for two. The trials for the two parties are scheduled for June 23 and July 5.*



Photo source: Qirim News

## Key highlights of new procedure for banning parties

- The grounds for banning parties include:
  - Justification, recognition of lawfulness, and/or denial of armed aggression against Ukraine;
  - Glorification, justification of actions and/or inaction of individuals who have carried out or are carrying out armed aggression against Ukraine.
- Detailing of court proceedings and transferring the consideration of similar cases to the jurisdiction of the Eighth Court of Appeal in Lviv.
- In the event of a party ban, the property of the party and its regional branches becomes property of the state.
- Factions of the Verkhovna Rada formed by banned parties are disbanded.
- Expansion of the grounds for banning parties and new court procedure allowed for the swift consideration of court cases and banning activities of parties.
- The OPFL faction (Opposition Platform for Life) did not need to be dissolved, as it was disbanded after the withdrawal of a large number of its members.

## Proceedings of the trials

Most trials were closed, journalists were not allowed to attend the meetings, and parties often did not try to defend themselves by sending lawyers or other representatives to court. However, there were exceptions. For example, when the Socialists party was banned, the meeting was open, and journalists were permitted to attend. In addition, representatives of the Security Service of Ukraine (SSU) were involved in the meeting against the Socialist Party. It is likely that the SSU will also be involved in other cases.

In two cases, the parties defended themselves. The Progressive Socialist Party of Ukraine filed a counterclaim against the Ministry of Justice, and the case was postponed to June 23, 2022. OPFL was banned on June 20 and did not file counterclaims. However, the party did send lawyers, which delayed the trial for five to six hours.

As of June 20, 2022, the court ruled to ban 11 parties, which includes Opposition Platform - For Life, Opposition Bloc, Nashi (Our), Party of Shariy, Volodymyr Saldo Bloc, Socialist Party of Ukraine, State, Socialists, Justice and Development, Union of Left Forces, and Left Opposition. All the parties were on the National Security and Defense Council's suspension list, except for the Justice and Development party.

The Workers Party of Ukraine (Marxist-Leninist)'s trial is scheduled for July 5, 2022. This party was also absent from the list of the National Security and Defense Council.

While the decision to ban these parties has already been made, it has yet to come into force. There is a 30-day period for filing an appeal. The decision will take effect when the 30-day period expires or if the appeal is filed after the decision of the appellate court. The Opposition Platform - For Life party has already stated that it will appeal the court's decision.

## **The role and importance of banned parties**

Among the banned parties, only four carry political weight (Opposition Platform - For Life, Opposition Bloc, Nashi [Our], and Party of Shariy). Most banned parties are local or not widely known. Furthermore, these parties did not have a rating and had little to no representation in the Verkhovna Rada or local councils.

Opposition Platform - For Life – The only party on this list that had parliamentary representation (about 40 members of the Verkhovna Rada). It had more than 4,000 members in local councils (approximately 9% of all members in local councils in Ukraine). The party has a pro-Russian rhetoric and is often accused of collaborationism. Some of the local authorities cooperating with Russian occupiers belong to this party. Some members of the Verkhovna Rada from this party went abroad before the war. Viktor Medvedchuk is one of the party's leaders. He was under investigation for treason but escaped from house arrest at the start of the war. Vladimir Putin is the godfather of Viktor Medvedchuk's daughter. During the war, some MPs (led by the head of the faction) attended meetings of the Verkhovna Rada, voted for laws, and took part in the Conciliation Board. The party's parliamentary faction was dissolved in May. Its former members became non-partisan or joined one of the newly formed parliamentary groups (Reconstruction of Ukraine or For Peace and Life).

Party of Shariy – Shariy is a YouTube blogger with a large number of subscribers. At the start of the war, his YouTube channel was blocked in Ukraine. He lives in Spain and has been sanctioned by the National Security and Defense Council. Shariy is one of the most prominent pro-Russian propagandists, and many members of his party are currently accused of collaborationism and cooperating with Russian soldiers. The party has about 50 members of local councils.

Nashi (Our) – The party of Yevhen Murayev, who was named the candidate for Prime Minister of Ukraine in the event of a Russian occupation. The party has six members in local councils. The party has a pro-Russian rhetoric. Yevhen Murayev is also the owner of the Nash (Our) TV channel, which specializes in news programs and talk shows. The TV channel was accused of spreading Russian propaganda and was blocked at the beginning of the war.



Opposition Bloc – A party that had parliamentary representation in the Verkhovna Rada of the VIII convocation. The party list did not pass to the Verkhovna Rada of the IX convocation, but some of its members passed in the majority constituencies. It has about 200 members in local councils. The party has a pro-Russian rhetoric.

These four parties had some social influence before the war, with a rating of more than 0.5%. The Party of Shariy, Opposition Platform - For Life, and Nashi (Our) are suspected of receiving funds for their activities from the Federal Security Service of the Russian Federation (FSB). Viktor Medvedchuk and Yevhen Murayev were the owners of several news channels that were accused of spreading pro-Russian propaganda. These channels have been banned since 2021. In addition, Anatoly Shariy paid experts to mention him on air (most often on the TV channels of Viktor Medvedchuk and Yevhen Murayev).

## Consequences of the ban

In the short-term, the direct consequences include a ban on the activities of parties and the transfer of property from these parties to the state. The Opposition Platform - For Life party also lost its state funding.

There is considerable public debate and concern about the long-term consequences of pro-Russian parties:

- More than 350 political parties are registered in Ukraine and there are opportunities to create new parties (however this procedure has recently become more complicated). Old parties often change their names, leadership, and accept new members to participate in the next elections. Therefore, some are fearful that former members of pro-Russian parties will be able to return to politics.
- For example, the Communist Party of Ukraine was banned, and the Party of Regions was removed from political life after Euromaidan (these two parties formed the basis of the ruling coalition that supported Viktor Yanukovich). However, members of these parties soon returned to politics. Members of the banned Communist Party created the Left Opposition (which was banned in 2022). This party ran in the elections and won several seats in local councils. The Opposition Bloc includes many former members of the Party of Regions, which entered parliament and had a large representation in local councils. Many members of the Opposition Bloc joined the Opposition Platform for Life party.

The ban on parties is not linked to the sanctions imposed on members of banned parties. There are no restrictions on the political participation of party members, members of local



councils, or members of the Verkhovna Rada from the banned parties who continue to perform their duties. However, the situation remains unclear. If members are deprived of their mandates, they will lose their quorum. Therefore, many local councils will be unable to function.

### **Background on the weekly update on activity of Ukraine's Verkhovna Rada**

*Ukraine's democratically elected officials continue to perform their duties while enduring Russia's unprovoked and horrific invasion. These briefing notes provide the latest information about the legislative activities of the Verkhovna Rada.*

*Weekly briefing notes are prepared by the Parliamentary Centre and the Agency for Legislative Initiatives under the Parliamentary Accountability for the Security Sector (PASS Ukraine) project, funded by the Peace and Stabilization Operations Program of Global Affairs Canada.*

*The analysis included in this note is based on media reports and information obtained from the Verkhovna Rada and other legislative bodies.*

*This note is for information only and is not meant to convey opinions regarding policy decisions in the Verkhovna Rada's sole purview. The contents of this note do not necessarily reflect the views of PASS partners or Global Affairs Canada.*

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