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**EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW**  
**(VENICE COMMISSION)**

**AMENDMENTS TO THE  
CONSTITUTION OF CROATIA**

# HOUSE OF REPRESENTATIVES OF THE CROATIAN PARLIAMENT

## AMENDMENTS

### TO THE CONSTITUTION OF THE REPUBLIC OF CROATIA

#### Article 1

In the Constitution of the Republic of Croatia (“Official Gazette”, No. 56/90, 135/97 and 8/98 – cleared text), in Chapter I ORIGINAL FOUNDATIONS, in Paragraph 1, Sub-paragraph 12, the full stop at the end is erased and the following wording is added: “at the historic turning-point marked by the rejection of the communist system and changes in the international order in Europe, the Croatian nation by its freely expressed will in the first democratic elections (1990) - reaffirmed its millennial statehood. By the new Constitution of the Republic of Croatia (1990) and the victory in the Homeland War (1991 - 1995), the Croatian nation expressed its resolution and readiness to establish and preserve the Republic of Croatia as an independent and autonomous, sovereign and democratic state.”

Paragraph 2 is erased.

#### Article 2

In Article 7, Paragraphs 2 and 3, the wording: “House of Representatives” is erased.

#### Article 3

The title of Chapter III: “III. FUNDAMENTAL FREEDOMS AND RIGHTS OF MAN AND CITIZEN” is amended and reads: “III. PROTECTION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS.”

#### Article 4

In Article 14, Paragraph 1, the wording: “Every man and citizen” is replaced with the word: “Everyone”, and the word: “all” is erased.

#### Article 5

In Article 17, Paragraph 1, the word: “Parliament” is replaced with the wording: “Croatian Parliament”.

In Paragraph 2, the word: “citizens” is replaced with the word: “persons”.

#### Article 6

In Article 26, the word: “citizens” is replaced with the wording: “citizens of the Republic of Croatia”.

Article 7

In Article 27, the word: “citizens” is replaced with the word: “everyone”.

Article 8

In Article 32, Paragraph 2, the word: “citizen [[gradanin=“a resident”]]” is replaced with the word: “citizen [[drzavljanin=a member of a state]]”.

Article 9

In Article 35, the wording: “man and citizen” is erased.

Article 10

In Article 42, the wording: “All citizens” is replaced with the wording: “Everyone”, and the full stop at the end of the sentence is erased and the following wording is added: “in accordance with the law.”

Article 11

In Article 43, Paragraph 1, the word: “Citizens” is replaced with the word: “Everyone”, the wording: “citizens may” with the wording: “everyone may” and the full stop at the end of the sentence is erased and the following wording is added: “in accordance with the law.”

Article 12

In Article 44, the word: “citizen [[gradanin]]” is replaced with the word: “citizen [[drzavljanin]]”.

Article 13

Paragraph 1 of Article 45 is amended and reads:

“The Croatian citizens who have reached the age of 18 years shall have universal and equal right of suffrage, in accordance with the law. The right of suffrage shall be exercised at direct elections by secret ballot.”

In Paragraph 2, the wording: “House of Representatives of the Parliament” is replaced with the wording: “Croatian Parliament”.

Article 14

In Article 46, the wording: “Every citizen” is replaced with the word: “Everyone”.

Article 15

In Article 47, Paragraph 1, the word: “citizens [[gradana]]” is replaced with the word: “citizens [[drzavljana]]”.

Article 16

In Article 49, Paragraph 2, the second sentence is amended and reads:  
“The use of a monopoly position determined by law shall be forbidden.”

Article 17

In Article 53, Paragraph 3, the wording: “House of Representatives of the Croatian Parliament” is replaced with the wording: “Croatian Parliament”.

Article 18

In Article 57, Paragraph 1, the word: “citizens” is replaced with the word: “persons”.

Article 19

In Article 58, the word: “citizen” is erased, and the full stop at the end of the sentence is erased and the following wording is added: “in accordance with the law”.

Article 20

In Article 69, Paragraph 2, the wording: “the right of citizens to” is replaced with the wording: “the conditions for”.

In Paragraph 3, the wording: “Citizens, state bodies, public bodies and economic bodies and associations shall be obliged” is replaced with the wording: “Everyone shall be obliged”.

Article 21

Paragraph 2 of Article 70 is erased.

Article 22

In Article 71, Paragraph 1, the wording: “House of Representatives” is replaced with the wording: “Croatian Parliament”.

Paragraph 2 is erased.

Article 23

In Article 72, Paragraph 1, the wording: “Houses of the Croatian Parliament” is replaced with the wording: “Croatian Parliament”.

Paragraph 2 is erased.

In the former Paragraph 3, which became Paragraph 2, the wording: “Houses of Parliament” is replaced with the wording: “Croatian Parliament”.

#### Article 24

In Article 73, Paragraph 1, the wording: "Houses of the Croatian Parliament" is replaced with the wording: "Croatian Parliament", and the wording: "Houses of Parliament" with the wording: "Croatian Parliament".

In Paragraph 2, the word: "Houses" is erased.

In Paragraph 3, the wording: "particular House of Parliament" is replaced with the wording: "Croatian Parliament", a full stop is placed after the wording: "majority of representatives" and the wording: "that House" is erased.

#### Article 25

In Article 74, Paragraph 2, the word: "Parliament" is replaced with the wording: "Croatian Parliament".

#### Article 26

In Article 75, Paragraph 2, the wording: "Parliament" is replaced with the wording: "Croatian Parliament".

In Paragraph 3, the wording: "House of Parliament" is replaced with the wording: "Croatian Parliament".

In Paragraph 4, in the first and second sentence, the wording: "House of Parliament" is replaced with the wording: "Croatian Parliament".

In Paragraph 5, the wording: "House of Parliament" is replaced with the wording: "Croatian Parliament", and the word: "House" after the wording: "credentials-and-immunity commission" is erased.

#### Article 27

In Article 77, Paragraph 1, the wording: "House of Representatives and House of Counties may" is replaced with the wording: "Croatian Parliament may", and the wording: "particular House" is erased.

In Paragraph 2, the wording: "House of Representatives" is replaced with the wording: "Croatian Parliament".

#### Article 28

In Article 78, Paragraph 1, the wording: "Houses of the Croatian Parliament shall be in regular session" is replaced with the wording: "Croatian Parliament shall be in regular session".

In Paragraph 2, the wording: "Houses of the Croatian Parliament shall be in session" is replaced with the wording: "Croatian Parliament shall be in session", and the wording: "in the House" is erased.

In Paragraph 3, the word: "House [[doma]]" is replaced with the wording: "Croatian Parliament", and the word: "House [[dom]]" is replaced with the wording: "Croatian Parliament".

## Article 29

In Article 79, Paragraph 1, the wording: "House of Representatives and House of Counties shall have" is replaced with the wording: "Croatian Parliament shall have".

Paragraph 2 is erased.

In the former Paragraph 3, which become Paragraph 2, the wording: "particular House of Parliament" is replaced with the wording: "Croatian Parliament", and the word: "House" after the word: "rules of procedure" is erased.

In the former Paragraph 4, which became Paragraph 3, the word: "House" is erased.

## Article 30

In Article 80, Paragraph 1, the wording: "House of Representatives" is replaced with the wording: "Croatian Parliament", in Sub-paragraph 5, the word: "Parliament" is replaced with the wording: "Croatian Parliament", and in Sub-paragraph 11, the word: "Parliament" is replaced with the wording: "Croatian Parliament".

## Article 31

Article 81 is erased.

## Article 32

In Article 82, Paragraph 1, the wording: "House of Representatives and House of Counties shall pass" is replaced with the wording: "Croatian Parliament shall pass".

## Article 33

In Article 83, Paragraphs 1, 2 and 3, the wording: "House of Representatives" is replaced with the wording: "Croatian Parliament".

In Paragraph 2, the wording: "freedoms and rights of man and citizen" is replaced with the wording: "human rights and fundamental freedoms".

Paragraph 4 is erased.

## Article 34

In Article 84, the word: "Houses" is erased.

## Article 35

Article 85 is amended and reads:

"All representatives, clubs of representatives and working bodies of the Croatian Parliament, as well as the Government of the Republic of Croatia shall have the right to propose laws."

## Article 36

In Article 86, Paragraph 2, the wording: "House of Representatives" is erased.

Article 37

In Article 87, Paragraphs 1 and 3, the wording: "House of Representatives" is replaced with the wording: "Croatian Parliament".

Article 38

In Article 88, Paragraphs 1 and 3, the wording: "House of Representatives" is replaced with the wording: "Croatian Parliament", and in Paragraph 1, the wording: "freedoms and rights of man and citizen" is replaced with the wording: "human rights and fundamental freedoms".

Article 39

In Article 92, Paragraph 1, the wording: "Houses of the Croatian Parliament may" is replaced with the wording: "Croatian Parliament may".

In Paragraph 3, the word: "House" is erased.

Article 40

In Article 93, Paragraph 2, the wording: "House of Representatives" is replaced with the wording: "Croatian Parliament".

Article 41

In Article 96, Paragraph 2, the wording: "House of Representatives of the Croatian Parliament" is replaced with the wording: "Croatian Parliament".

Article 42

Sub-paragraph 1 of Article 98, Paragraph 1 is amended and reads:

"- call elections for the Croatian Parliament and convene its first session".

Sub-paragraph 3 is amended and reads:

"- entrust the person who, on the basis of the distribution of representative seats in the Croatian Parliament and conducted consultations, enjoys the trust of the majority of all representatives, with the mandate to compose the Government".

Article 43

In Article 99, Paragraph 3, the wording: "competent committee of the House of Representatives" is replaced with the wording: "competent committee".

Article 44

In Article 100, Paragraph 3, the wording: "House of Representatives" is erased.

Article 45

In Article 101, Paragraph 1, the wording: "House of Representatives [[Zastupnickog doma]]" is erased, and the wording: "House of Representatives

[[Zastupnicki dom]]“ is replaced with the wording: "Croatian Parliament”.

In Paragraph 3, the wording: “House of Representatives of the Croatian Parliament” is replaced with the wording: “Croatian Parliament”, and the word: “House” is erased.

In Paragraph 4, the wording: “House of Representatives [[Zastupnickom domu]]” is replaced with the wording: “Croatian Parliament”, and the wording: “House of Representatives [[Zastupnicki dom]]” with the wording: “Croatian Parliament”.

#### Article 46

In Article 103, Paragraph 2, the wording: “competent committee of the House of Representatives” is replaced with the wording: “competent committee”.

#### Article 47

In Article 104, Paragraph 1, the wording: “House of Representatives of the Croatian Parliament” and the word: “House” are replaced with the wording: “Croatian Parliament”.

In Paragraph 2, the wording: “House of Representatives” is replaced with the wording: “Croatian Parliament”.

#### Article 48

In Article 105, Paragraph 2, the wording: “House of Representatives” is replaced with the wording: “Croatian Parliament”.

#### Article 49

In Article 110, Paragraph 2, the wording: “House of Representatives of the Croatian Parliament” is replaced with the wording: “Croatian Parliament”.

In Paragraph 3, the wording: “House of Representatives” is replaced with the wording: “Croatian Parliament”.

In Paragraph 4, the wording: “House of Representatives” is replaced with the wording: “Croatian Parliament”.

#### Article 50

In Article 111, Paragraph 2, the wording: “House of Representatives” is replaced with the wording: “Croatian Parliament”.

#### Article 51

In Article 112, the wording: “House of Representatives” is replaced with the wording: “Croatian Parliament”.

#### Article 52

In Article 113, Paragraph 1, Sub-paragraph 3, the word: “Parliament” is replaced with the wording: “Croatian Parliament”.

Article 53

In Article 115, Paragraph 1, the wording: “House of Representatives of the Croatian Parliament” is replaced with the wording: “Croatian Parliament”.

Article 54

In Article 116, Paragraph 1, the wording: “House of Representatives of the Croatian Parliament” is replaced with the wording: “Croatian Parliament”.

In Paragraphs 3, 4, and 5, the wording: “House of Representatives” is replaced with the wording: “Croatian Parliament”.

In Paragraph 6, the wording: “House of Representatives” is replaced with the wording: “Croatian Parliament”.

Paragraph 7 is amended and reads:

“If a vote of no confidence in the Prime Minister or the entire Government is passed, the Prime Minister and the Government shall submit resignations. Should the confidence in the new Prime Minister’s Designate and the members he proposed for the composition of the Government not be passed within 30 days, the Speaker of the Croatian Parliament shall notify the President of the Republic of Croatia thereof. Once the President of the Republic has received the notification of the Speaker of the Croatian Parliament, he shall immediately pass a decision on the dissolution of the Croatian Parliament and simultaneously call the elections for the Croatian Parliament.”

In Paragraph 8, the wording: “House of Representatives” is replaced with the wording: “Croatian Parliament”.

Article 55

In Article 119, Paragraph 2, the wording: “competent committee of the House of Representatives” is replaced with the wording: “competent committee”, and the wording: “House of Representatives of the Croatian Parliament” is replaced with the wording: “Croatian Parliament”.

Article 56

In Article 122, Paragraph 2, the wording: “unless it involves the violation of law on the part of a judge” is replaced with the wording: “unless it involves the violation of law which is a criminal act on the part of a judge”.

Article 57

In Article 124, Paragraph 2, the wording: “competent committee of the House of Representatives” is replaced with the wording: “competent committee”.

In Paragraph 3, the wording: “House of Representatives of the Parliament” is replaced with the wording: “Croatian Parliament”.

Article 58

In Article 125, Paragraph 2, the wording: “competent committee of the House of Representatives” is replaced with the wording: “competent committee of the Croatian Parliament”, and the wording: “House of Representatives of the Croatian Parliament” is replaced with the wording: “Croatian Parliament”.

In Paragraph 4, the wording: “House of Representatives of the Parliament” is replaced with the wording: “Croatian Parliament”.

#### Article 59

In Article 126, Paragraph 1, the wording: “House of Representatives” is replaced with the wording: “Croatian Parliament”.

In Paragraph 2, the wording: “House of Representatives” is replaced with the wording: “Croatian Parliament”, and the wording: “of the House of Representatives, competent for the issue of Constitution” with the wording: “of the Croatian Parliament, competent for the Constitution”.

#### Article 60

In Article 129, Paragraph 1, Sub-paragraph 4, the wording: “violated fundamental freedoms and rights of man and citizen” is replaced with the wording: “violated human rights and fundamental freedoms”, and the word: “guaranteed [[zajamceno]]” is replaced with the word: “guaranteed [[zajamceni]]”.

In Sub-paragraph 5, the wording: “House of Representatives of the Croatian Parliament” is replaced with the wording: “Croatian Parliament”.

#### Article 61

In Article 130, the wording: “House of Representatives” is replaced with the wording: “Croatian Parliament”.

#### Article 62

In Article 132, Paragraph 1, the wording: “constitutional freedoms and rights of man and citizen” is replaced with the wording: “human rights and fundamental freedoms guaranteed by the Constitution”.

#### Article 63

In Article 139, the wording: “House of Representatives” is erased.

#### Article 64

In Article 140, Paragraphs 1, 2 and 3, the wordings: “House of Representatives of the Croatian Parliament” and “House of Representatives of the Parliament” are replaced with the wording: “Croatian Parliament”.

In Paragraph 4, the wording: “House of Representatives” is erased.

#### Article 65

In Article 142, Paragraphs 1, 3 and 5, the wordings: “to the House of Representatives of the Parliament”, “House of Representatives of the Parliament” and “of the House of Representatives of the Parliament” are replaced with the wordings: “to the Croatian Parliament”, “Croatian Parliament” and “of the Croatian Parliament”.

Article 66

In Article 143, the wording: "House of Representatives of the Croatian Parliament" is replaced with the wording: "Croatian Parliament".

Article 67

In Article 144, Paragraph 1 is amended and reads:

"The Croatian Parliament shall decide on whether the amendments of the Constitution shall be approached by the majority of votes of all representatives."

In Paragraph 2, the wording: "House of Representatives" is replaced with the wording: "Croatian Parliament".

Article 68

Article 145 is amended and reads:

"The Croatian Parliament shall decide on the amendments to the Constitution by a two-thirds majority vote of all representatives".

Article 69

In Article 146, the wording: "House of Representatives of the Croatian Parliament" is replaced with the wording: "Croatian Parliament".

Article 70

Chapter IX is added after Article 146, as well as Articles 146a, 146b and 146c, which read:

"IX. FINAL PROVISIONS

Article 146a

By coming into effect of these Amendments to the Constitution of the Republic of Croatia, the House of Counties of the Croatian Parliament shall cease with its work, and the duty of the former president and the members of the State Judicial Council, as well as of the president of the Supreme Court of the Republic of Croatia shall also cease.

Article 146b

The Croatian Parliament shall pass the Constitutional Law for the Implementation of the Constitution of the Republic of Croatia.

Article 146c

The Amendments to the Constitution of the Republic of Croatia shall come into effect when proclaimed by the House of Representatives of the Croatian Parliament."

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Zagreb, 28 March 2001

HOUSE OF REPRESENTATIVES OF THE CROATIAN PARLIAMENT  
Speaker  
of the House of Representatives of the Croatian Parliament  
**Zlatko Tomčić**, signed