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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW

CONSTITUTIONAL COURT OF CROATIA

RELEVANT PROVISIONS OF THE CONSTITUTION

THE CONSTITUTION OF THE REPUBLIC OF CROATIA
(22-12-1990)

Article 105

The President of the Republic shall be impeachable for any violation of the Constitution he has committed in the performance of his duties.

Proceedings for the impeachment of the President of the Republic may be instituted by the Chamber of Representatives by a two-thirds majority vote of all representatives.

The impeachability of the President of the Republic shall be decided upon by the Constitutional Court of Croatia by a two-thirds majority vote of all judges.

If the Constitutional Court of Croatia sustains the impeachment, the duty of the President of the Republic shall cease by force of the Constitution.

CHAPTER V - THE CONSTITUTIONAL COURT OF THE
REPUBLIC OF CROATIA

Article 122

The Constitutional Court of the Republic of Croatia shall consist of 11 judges elected by the Chamber of Representatives at the proposal of the Chamber of Zupanije for a term of eight years from among outstanding jurists, especially judges, public prosecutors, lawyers and university professors of law.

The Constitutional Court of the Republic of Croatia shall elect a president for a term of four years.

Article 123

Judges of the Constitutional Court of the Republic of Croatia shall not perform any other public or professional duties.

Judges of the Constitutional Court of Croatia shall enjoy the same immunity as representatives in the Croatian Sabor.

Article 124

A judge of the Constitutional Court of the Republic of Croatia may be relieved of office before the expiry of the term for which he was elected if he requests to be relieved, if he is sentenced to a term of imprisonment, or if he is permanently incapacitated to perform his office, as established by the Court itself.

Article 125

The Constitutional Court of Croatia shall:

- decide on the conformity of laws with the Constitution;

- decide on the conformity of other regulations with the Constitution and law;
- protect the constitutional freedoms and rights of man and citizen;
- decide jurisdictional disputes among legislative, executive and judicial branches;
- decide, in conformity with the Constitution, on the impeachability of the President of the Republic;
- supervise the constitutionality of the programmes and activities of political parties and may, in conformity with the Constitution, ban their work;
- supervise the constitutionality and legality of elections and republican referenda, and decide electoral disputes which do not fall within the jurisdiction of courts;
- conduct other affairs specified by the Constitution.

Article 126

The Constitutional Court of Croatia shall repeal a law if it finds to be unconstitutional.

The Constitutional Court of Croatia shall repeal or annul any other regulation if it finds it to be unconstitutional or illegal.

Article 127

Conditions for the election of judges of the Constitutional Court of the Republic of Croatia and the termination of their office, conditions and time-limits for instituting proceedings for the assessment of the constitutionality and legality, procedure and the legal effect of its decisions, protection of the constitutional freedoms and rights of man and citizen, and other issues important for the performance of duties and work of the Constitutional Court of the Republic of Croatia, shall be regulated by the Constitutional Act.

The Constitutional Act shall be passed by the procedure determined for amending the Constitution.

The internal organization of the Constitutional Court of the Republic of Croatia shall be regulated by its rules of procedure.