

CROATIAN PARLIAMENT

2275

Pursuant to Article 88 of the Constitution of the Republic of Croatia, I hereby pass the following

DECISION

PROMULGATING THE CONSTITUTIONAL ACT AMENDING THE CONSTITUTIONAL NATIONAL MINORITY RIGHTS ACT

I hereby promulgate the Constitutional Act Amending the Constitutional National Minority Rights Act, as enacted by the Croatian Parliament at its session of 16 June 2010.

Class: 011-01/10-01/50

Reg. no.: 71-05-03/1-10-2

Zagreb, 18 June 2010

Prof. Ivo Josipović, Ph.D.,
President
of the Republic of Croatia (*m.p.*)

CONSTITUTIONAL ACT

AMENDING THE CONSTITUTIONAL NATIONAL MINORITY RIGHTS ACT

Article 1

Article 19 of the Constitutional National Minority Rights Act (as published in *Narodne novine* /Official Journal of the Republic of Croatia/, no. 155/03 and 47/10) shall be amended to read as follows:

“(1) The Republic of Croatia shall guarantee members of national minorities the right to representation in the Croatian Parliament.

“(2) A minimum of three seats in the Croatian Parliament shall be reserved for representatives of those national minorities which, on the effective date of this Constitutional Law, account for more than 1.5 percent of the population of the Republic of Croatia and which achieve their right to representation on the basis of universal suffrage, by election from the party slates of such minorities or slates proposed by voters belonging to such minorities, in compliance with legislation governing the election of deputies to the Croatian Parliament.

“(3) National minorities which account for less than 1.5% of the population of the Republic of Croatia shall, in addition to their right to exercise universal suffrage, be entitled to the special right to vote enabling them to elect five deputies belonging to such national minorities from within their own special constituencies, all in compliance with legislation governing the

election of deputies to the Croatian Parliament and without the possibility of impinging upon the acquired rights of national minorities.”

Article 2

Article 20(7) shall be amended to read as follows:

“(7) The criterion relevant for determining the number of national minority members with reference to implementation of the provisions of this Article shall be the official census data on the number of national minority members in a particular local or regional self-governmental unit, which shall be adjusted (upward or downward) by the number of voters entered in or deleted from the electoral register of such unit during the period from the census to the latest confirmation of the electoral register.”

Article 3

Articles 22(2) and 22(3) shall be amended to read as follow:

“(2) The representation of national minority members in public administration and the courts shall be ensured in compliance with the provisions of special legislation and other employment policy papers of such bodies, by taking into account the share of national minority members in the total population at the level where any such public agency or court has been established as well as their acquired rights.

“(3) The representation of national minority members in local or regional self-governmental bodies shall be ensured in compliance with the provisions of special legislation governing local and regional self-government and other employment policy papers of such bodies, and in keeping with acquired rights.”

Article 4

In Article 33, a new paragraph (5) and paragraphs (6), (7) and (8) shall be inserted after paragraph (4) to read as follows:

“(5) Bodies coordinating national minority councils throughout the territory of the Republic of Croatia, as specified in paragraph (4) of this Article, shall be non-profit legal persons. They shall acquire legal personality by their entry in the register maintained by the ministry in charge of general administrative affairs. The methods of operation and funding of such coordinating bodies shall be regulated by law.

“(6) The elected national councils of national minorities shall act as coordinating bodies of national minority councils.

“(7) Where so specified by international treaties, the coordination function with regard to national minorities may also be performed by the umbrella organisations of such minorities.

“(8) The Serbian National Council shall act as a coordinating body of Serbian minority councils throughout the territory of the Republic of Croatia, and shall have legal personality.”

The former paragraph (5) shall become paragraph (9).

Article 5

This Constitutional Act shall be published in *Narodne novine*, and shall become effective on the eighth day following the date of its publication.

Class: 016-01/10-01/01

Zagreb, 16 June 2010

CROATIAN PARLIAMENT

Luka Bebić,
Speaker
of the Croatian Parliament (*m.p.*)