

Strasbourg, 29 May 1996
<s:\cdl\doc(96)\cdl\31.E>

Restricted
CDL (96) 31

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW

CONSTITUTIONAL COURT OF CROATIA

**RELEVANT PROVISIONS
OF THE CONSTITUTIONAL LAW
ON HUMAN RIGHTS AND FREEDOMS
AND THE RIGHTS OF NATIONAL
AND ETHNIC COMMUNITIES
OR MINORITIES IN THE REPUBLIC OF CROATIA
(04-12-1991, 08-05-1992)**

**Suspended provisions
by the Constitutional Law
dated 20 September 1995**

**THE CONSTITUTIONAL LAW ON HUMAN RIGHTS AND FREEDOMS
AND THE RIGHTS OF NATIONAL AND ETHNIC COMMUNITIES
OR MINORITIES IN THE REPUBLIC OF CROATIA**
(04-12-1991, 08-05-1992)

Article 35

Regulations and decisions passed by the special statute district assembly must fully respect sovereignty, independence and international subjectivity of the Republic of Croatia. Constitutional court of the Republic of Croatia reviews the regulations passed by the special statute district assembly and executive regulations of its executive council and other bodies which according to the provisions of this Law, may be founded in the area, upon their accordance with the Constitution and the laws of the Republic of Croatia.

Article 36

Executive bodies of the special statute district assembly and bodies with public authorities, enforce the regulations of the Republic of Croatia, of Zupanijas and the special statute district assembly.

In case of doubt which regulation is to be applied, The Constitutional Court of the Republic of Croatia shall rule.

Judicial review of legality of administrative decisions and acts of the bodies with public authorities from Paragraph 1 of this Article is carried out by the Administrative court of the Republic of Croatia.

Article 47

On a proposal of the Government of the Republic of Croatia, the President of the Republic of Croatia can dissolve a special statute district assembly and its executive council if they by their decisions or other acts, violate:

– the Constitution and the laws of the Republic of Croatia, specially if by this the realization of the constitutional and statutory rights of citizens is being disrupted, or they are being placed in a position of inequality.

– sovereignty and territorial integrity of the Republic of Croatia.

In the cases from Paragraph 1 of this Article the district assembly can initiate within 48 hours, the procedure of a review of the constitutionality and legality of the decision of the President of the Republic, at the Constitutional Court of the Republic of Croatia.

Until the decision of the Constitutional Court of the Republic of Croatia, the district assembly and its executive council can bring only those decisions which cannot stand delay or if harmful consequences of wider scale could arise because the decision has not been brought.

Article 48

If, on the basis of the provision of the former Article, the district assembly and its executive council was dissolved, the new elections for the district assembly shall be performed within three months from the decision of the Constitutional Court of the Republic of Croatia, and respectively a new executive council shall be appointed within thirty days.