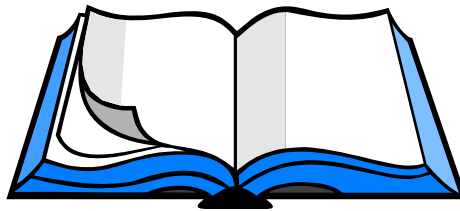




Emerika Bluma 1, 71000 Sarajevo  
Tel. 28 35 00 Fax. 28 35 01

## **Department for Legal Affairs**



# **AMENDMENTS CVI-CXIII ON THE CONSTITUTION OF REPUBLIKA SRPSKA**

**“Official Gazette of Republika Srpska”, 98/03**

**Note:** [Constitution of Republika Srpska](#) was published in the “Official Gazette of Republika Srpska”, 21/92.

On basis of Article 136. Of t5he Constitution of Republika Srpska, the National Parliament of Republika Srpska, on its session held on November 11, 1994, passes

**DECREE  
ON PROCLAMATION OF AMENDMENTS XXVI- XLIII ON THE  
CONSTITUTION OF REPUBLIKA SRPSKA**

Pursuant to Article 70, Paragraph 1, Item 1 and Article 136 of the Republika Srpska Constitution, Article 161 of the Rules of Procedure of the National Assembly of Republika Srpska (Official Gazette of Republika Srpska, no.50/01), at its 11<sup>th</sup> session held on 29, November 2003, the National Assembly of Republika Srpska issued the

**DECISION ON PROCLAIMING THE AMENDMENTS CVI-CXIII TO THE  
REPUBLIKA SRPSKA CONSTITUTION**

I

Amendments CVI-CXII to the Republika Srpska Constitution are hereby proclaimed and are, pursuant to Article 135 of the Republika Srpska Constitution, adopted by the National Assembly of Republika Srpska at its session held on 28, November 2003 and by the Council of Peoples of Republika Srpska at its session held on 29, November 2003.

II

This Decision shall enter into force on the day of issuance and shall be published in the Official Gazette of Republika Srpska.

No. 01/1067/03  
29.11.2003.  
Banja Luka

President  
of the National Assembly  
Dr. Dragan Kalinic

**AMENDMENTS CVI-CXIII TO THE REPUBLIKA SRPSKA CONSTITUTION**

These amendments shall constitute the integral part of the Republika Srpska Constitution and shall enter into force on the day of their proclamation.

**Amendment CVI**

Article 68, Item 3 is being changed and reads:

“3. measures falling under its jurisdiction in case of state of war or state of emergency proclaimed by institutions of Bosnia and Herzegovina, as well as measures in case of state of emergency proclaimed by the institutions of Republika Srpska.

Provisions of Item 3 of this Article shall not pertain to mobilizing the army and other measures falling under the competency of the institutions of Bosnia and Herzegovina.”

### **Amendment CVII**

Article 70, Paragraph 3 (amended by amendments XXXV and LXI) is being changed and reads:

“National Assembly, in accordance with the Constitution and law, proclaims:

State of emergency for the Republika in case of endangering safety, in case of natural disasters (flood, earthquake and fire), natural catastrophes, epidemics, violation of human rights and freedoms and normal functioning of the constitutional bodies of the Republika.

Provisions of Paragraph 3 of this Article shall not pertain to mobilizing the army and other measures falling under the competency of the institutions of Bosnia and Herzegovina.”

### **Amendment CVIII**

Article 80, Paragraph 2, Item 1, text amended by the amendment XL, is being changed and reads:

“ The President of the Republika:

1. Shall perform, in accordance with this Constitution and the Constitution of Bosnia and Herzegovina and law, tasks falling under the scope of defense, safety and relations of the Republika with other states and international organizations.”.

In Article 80, Paragraph 2, after the Item 1, Item 2 is being added and reads:

“2. shall approve limited use of units of the Republika Srpska Army in order to assist civilian authorities when responding to natural disasters and catastrophes, in accordance with the Law on Defense of Bosnia and Herzegovina.”.

In Article 80, Paragraph 2, Items 2 and 3 become Items 3 and 4.

### **Amendment CIX**

Article 81, Paragraphs 1 and 2 are being deleted, and Paragraph 3 is being changed and reads:

“During the state of war and state of emergency proclaimed by the institutions of Bosnia and Herzegovina, and in case the National Assembly cannot meet, at the proposal of the Government or on his own initiative and after hearing the opinion of the President of the National Assembly, the President of the Republika shall issue decree with force of law also on the issues falling under the competency of the National Assembly and shall appoint and dismiss the holders of the function who are elected, appointed and dismissed by the National Assembly.”.

In Article 81, Paragraph 5, after the words “state of war”, new words “proclaimed by the institutions of Bosnia and Herzegovina” are being added, and the words “and imminent war threat” are being replaced with the words “state of emergency”.

### **Amendment CX**

Article 104 is being changed and reads:

“ Any citizen has a right and duty to defend and protect the territory and the constitutional order of Bosnia and Herzegovina and Republika Srpska.

Rights and duties in the area of defense shall be regulated in the separate law.”

### **Amendment CXI**

Article 105 is being changed and reads:

“Republika Srpska shall have its army, which is part of the armed forces of Bosnia and Herzegovina and shall be organized in accordance with laws of Bosnia and Herzegovina and laws of Republika Srpska.

The army of Republika Srpska shall consist of professional and reserve forces.”.

### **Amendment CXII**

Article 106, Paragraph 1 is being changed and reads:

“Pursuant to the Constitution of Bosnia and Herzegovina and laws, the Presidency of Bosnia and Herzegovina shall have command over the army of Republika Srpska, both in peace and war.”.

Paragraph 2 of Article 106 is being deleted.

### **Amendment CXIII**

Article 107 is being deleted.