

# **COMPARATIVE CONSTITUTIONAL REFORM CHART: AMENDMENTS IN PREPARATION FOR EU ACCESSION**

**Legal Memoranda**

**October 2013**

## Statement of Purpose

The purpose of this chart is to quantify the number of constitutional reforms made by seven selected states in preparation for European Union accession.

STATE	NUMBER OF TIMES THE CONSTITUTION WAS AMENDED <sup>1</sup>	OVERALL NUMBER OF AMENDMENTS TO THE CONSTITUTION <sup>2</sup>
<b>Bulgaria</b>	5 <sup>i</sup>	>40* <sup>ii</sup>
<b>Croatia</b>	4 <sup>iii</sup>	326 <sup>iv</sup>
<b>Czech Republic</b>	5 <sup>v</sup>	28 <sup>vi</sup>
<b>Poland**</b>	0 <sup>vii</sup>	0 <sup>viii</sup>
<b>Romania</b>	1 <sup>ix</sup>	135 <sup>x</sup>
<b>Slovakia</b>	5 <sup>xi</sup>	169 <sup>xii</sup>
<b>Slovenia</b>	6 <sup>xiii</sup>	15 <sup>xiv</sup>

\* Please note that the number “40” refers to the number of overall amendments to the Bulgarian Constitution from 2005–2007. While amendments were also made in 2003, the exact number is unavailable at this time.

\*\* Although the Constitution of Poland did not undergo amendments prior to Poland’s accession to the EU in 2004, Poland’s most recent constitution was adopted in 1997. The 1997 Constitution was significantly different from the Republic of Poland’s initial 1952 Constitution. Since 1952, Poland has had four different constitutions.

<sup>1</sup> These numbers refer to the number of times the Constitution underwent an amendment process between the commencement of an EU accession dialogue and final accession.

<sup>2</sup> These numbers refer to the number of overall amendments, both substantive and technical, made to the Constitution across all amendment processes between the commencement of an EU accession dialogue and final accession.

<sup>i</sup> BULGARIA CONST. (amendments of Sep. 2003, Feb. 2005, Mar. 2006, Sep. 2006, Feb. 2007), available at <http://www.parliament.bg/en/const>. Bulgaria joined the EU on January 1, 2007, and although the last amendment did not enter into force until February 2007, the National Assembly amended the constitution on January 26, 2006. Petar Kostadinov, *Bulgaria’s Constitution Amended*, THE SOFIA ECHO, Feb. 5, 2007, available at [http://sofiaecho.com/2007/02/05/653065\\_bulgarias-constitution-amended](http://sofiaecho.com/2007/02/05/653065_bulgarias-constitution-amended).

<sup>ii</sup> *Law on Amendments to the Constitution* (Bulgaria, 2007), available in Bulgarian at <http://dv.parliament.bg/DVWeb/showMaterialDV.jsp?idMat=3233>; Decision No. 7 of the Constitutional Court (2006) D.V. 78, available in Bulgarian at <http://dv.parliament.bg/DVWeb/showMaterialDV.jsp?idMat=2577>; *Law*

- on Amendments to the Constitution (Bulgaria, 2006), available in Bulgarian at <http://dv.parliament.bg/DVWeb/showMaterialDV.jsp?idMat=1614>; *Law on Amendments to the Constitution* (Bulgaria, 2005), available in Bulgarian at <http://dv.parliament.bg/DVWeb/showMaterialDV.jsp?idMat=14898>; *Law on Amendments to the Constitution* (Bulgaria, 2003), available in Bulgarian at <http://dv.parliament.bg/DVWeb/broevList.faces>. This number represents amendments between 2005 and 2007.
- <sup>iii</sup> Sinisha Rodin, *Croatian Constitution and Internal Market of the European Union*, in TACKLING CONSTITUTIONAL CHALLENGES ON THE ROAD TO THE EUROPEAN UNION: PERSPECTIVES FROM SOUTH-EAST EUROPEAN ACCESSION COUNTRIES 26, 30 (2012), available at [http://www.kas.de/wf/doc/kas\\_32813-1522-2-30.pdf?121201215040](http://www.kas.de/wf/doc/kas_32813-1522-2-30.pdf?121201215040); *Constitutional Judicature in the Republic of Croatia After 1990*, THE CONSTITUTIONAL COURT OF THE REPUBLIC OF CROATIA, [http://www.usud.hr/default.aspx?Show=c\\_o\\_sudu&m1=29&m2=0&Lang=en](http://www.usud.hr/default.aspx?Show=c_o_sudu&m1=29&m2=0&Lang=en) (last visited Oct. 4, 2013).
- <sup>iv</sup> *Constitutional Law Amending the Constitution* (Croatia, 2010), available in Croatian at [http://narodne-novine.nn.hr/clanci/sluzbeni/2010\\_06\\_76\\_2214.html](http://narodne-novine.nn.hr/clanci/sluzbeni/2010_06_76_2214.html); *Constitutional Law Amending the Constitution* (Croatia, 2000), available in Croatian at [http://narodne-novine.nn.hr/clanci/sluzbeni/2000\\_11\\_113\\_2224.html](http://narodne-novine.nn.hr/clanci/sluzbeni/2000_11_113_2224.html); *Constitutional Law on the Constitutional Court* (Croatia, 1999), available in Croatian at [http://narodne-novine.nn.hr/clanci/sluzbeni/1999\\_09\\_99\\_1644.html](http://narodne-novine.nn.hr/clanci/sluzbeni/1999_09_99_1644.html); *Constitutional Law Amending the Constitution* (Croatia, 1997), available in Croatian at [http://narodne-novine.nn.hr/clanci/sluzbeni/1997\\_12\\_135\\_1944.html](http://narodne-novine.nn.hr/clanci/sluzbeni/1997_12_135_1944.html).
- <sup>v</sup> *Constitutional Act No. 515/2002 Coll.* (Czech Republic, 2002), available at <http://www.psp.cz/cgi-bin/eng/docs/laws/2002/515.html>; *Constitutional Act No. 448/2001 Coll.* (Czech Republic, 2001), available in Czech at <http://www.psp.cz/sqw/sbirka.sqw?cz=448&r=2001>; *Constitutional Act No. 395/2001 Coll.* (Czech Republic, 2001), available in Czech at <http://www.psp.cz/sqw/sbirka.sqw?cz=395&r=2001>; *Constitutional Act No. 300/2000 Coll.* (Czech Republic, 2000), available in Czech at <http://www.psp.cz/sqw/sbirka.sqw?cz=300&r=2000>; *Constitutional Act No. 347/1997 Coll.* (Czech Republic, 1997), available in Czech at <http://www.psp.cz/sqw/sbirka.sqw?cz=347&r=1997>.
- <sup>vi</sup> *Constitutional Act No. 515/2002 Coll.* (Czech Republic, 2002), available at <http://www.psp.cz/cgi-bin/eng/docs/laws/2002/515.html>; *Constitutional Act No. 448/2001 Coll.* (Czech Republic, 2001), available in Czech at <http://www.psp.cz/sqw/sbirka.sqw?cz=448&r=2001>; *Constitutional Act No. 395/2001 Coll.* (Czech Republic, 2001), available in Czech at <http://www.psp.cz/sqw/sbirka.sqw?cz=395&r=2001>; *Constitutional Act No. 300/2000 Coll.* (Czech Republic, 2000), available in Czech at <http://www.psp.cz/sqw/sbirka.sqw?cz=300&r=2000>; *Constitutional Act No. 347/1997 Coll.* (Czech Republic, 1997), available in Czech at <http://www.psp.cz/sqw/sbirka.sqw?cz=347&r=1997>.
- <sup>vii</sup> *About Polish Constitution*, PRESIDENT OF THE REPUBLIC OF POLAND, <http://www.president.pl/en/about-poland/about-polish-constitution/> (last visited Oct. 3, 2013).
- <sup>viii</sup> *About Polish Constitution*, PRESIDENT OF THE REPUBLIC OF POLAND, <http://www.president.pl/en/about-poland/about-polish-constitution/> (last visited Oct. 3, 2013).
- <sup>ix</sup> *Law for the Revision of the Constitution* (Romania, 2003), available at [http://www.cdep.ro/pdfs/reviz\\_constitutie\\_en.pdf](http://www.cdep.ro/pdfs/reviz_constitutie_en.pdf).
- <sup>x</sup> *Law for the Revision of the Constitution* (Romania, 2003), available at [http://www.cdep.ro/pdfs/reviz\\_constitutie\\_en.pdf](http://www.cdep.ro/pdfs/reviz_constitutie_en.pdf).
- <sup>xi</sup> SLOVAKIA CONST. art. 156 (1992), available at <http://www.vop.gov.sk/constitution-of-the-slovak-republic>. The Slovak Parliament amended the constitution twice in 2004, and the second amendment entered into force one month after accession. *Constitutional Law No. 323/2004 Coll.* (Slovakia, 2004).
- <sup>xii</sup> *Constitutional Law No. 323/2004 Coll.* (Slovakia, 2004); *Constitutional Law No. 140/2004 Coll.* (Slovakia, 2004); *Constitutional Law No. 90/2001 Coll.* (Slovakia, 2001); *Constitutional Law No. 9/1999 Coll.* (Slovakia, 1999); *Constitutional Law No. 144/1998 Coll.* (Slovakia, 1998).
- <sup>xiii</sup> SLOVENIA CONST. art 14 (amendment of 2004); SLOVENIA CONST. art 43 (amendment of 2004); SLOVENIA CONST. art 50 (amendment of 2004); SLOVENIA CONST. ch. I (amendment of 2003); SLOVENIA CONST. arts 47, 68 (amendment of 2003); SLOVENIA CONST. art 68 (amendment of 2000); SLOVENIA CONST. art 68 (amendment of 1997).
- <sup>xiv</sup> Republic of Slovenia Constitutional Court, *Constitutional Acts Amending the Constitution*, available at <http://www.us-rs.si/en/about-the-court/legal-basis/constitution/constitutional-acts-amending-the-constitution-of-t/> (last visited Oct. 8, 2013).