

CONVENTIO

Inter Apostolicam Sedem et Bosniam et Herzegoviam¹

BASIC AGREEMENT

Between the Holy See and Bosnia and Herzegovina

BASIC AGREEMENT

TEMELJNI UGOVOR

BETWEEN THE HOLY SEE

IZMEĐU SVETE STOLICE

AND BOSNIA AND HERZEGOVINA

I BOSNE I HERCEGOVINE

The Holy See and Bosnia and Herzegovina, Sveta Stolica i Bosna i Hercegovina,

Wishing to establish the juridical framework of relations between the Catholic Church and Bosnia and Herzegovina; Nastojeći odrediti pravni okvir odnosa između Katoličke crkve i Bosne i Hercegovine;

With reference on the part of Bosnia and Herzegovina to the constitutional principles by which it was created, and on the part of the Holy See to the documents of the Second Vatican Council and the norms of canon law; Pozivajući se Bosna i Hercegovina na ustavna načela svojega stvaranja, a Sveta Stolica na dokumente Drugoga vatikanskog sabora i na odredbe kanonskoga prava;

Mindful of the centuries-old presence of the Catholic Church in Bosnia and Herzegovina and of her current role in social, cultural and educational fields; Imajući u vidu višestoljetnu prisutnost Katoličke crkve u Bosni i Hercegovini i njezinu sadašnju ulogu na društvenom, kulturnom i obrazovnom području;

Respecting internationally recognized principles concerning the distinction between religion and the state and concerning freedom of religion; have es- Poštujući međunarodno priznata načela o odvojenosti vjere i države i o slobodi vjere; sklopili su ovaj međusobni ugovor o sljedećemu:

¹ **Firma:** 19 aprile 2006 l'Accordo basico, il Protocollo addizionale fu firmato il 29 settembre 2006, **ratifica:** 25 ottobre 2007, **in:** AAS (2007) 939-946 ove non appare come Atto della Segreteria di Stato. Vid. T. Vukšić, *Firmato l'Accordo di base tra Santa Sede e Bosnia ed Erzegovina: «L'Osservatore Romano»* 12 maggio 2006, p. 3. Id., *Crkva i Država u Bosni i Hercegovini. Zakoni, podzakonski akti, ugovori i komentari*, Sarajevo 2007; l'A. include in questo volume (p. 15-19) la traduzione degli accordi fatta da lui in lingua croata, che riportiamo ringraziandolo dell'autorizzazione.

established by mutual agreement what follows:

ARTICLE 1

Bosnia and Herzegovina and the Holy See reaffirm that the state and the Catholic Church, each in its proper sphere, are independent and autonomous, and they commit themselves to total respect for this principle in their relations and to mutual cooperation for integral human development, both spiritual and material, and for the promotion of the common good.

ARTICLE 2

1. Bosnia and Herzegovina recognizes the public juridical personality of the Catholic Church.

2. Bosnia and Herzegovina also recognizes the public juridical personality of all ecclesiastical institutions which possess such juridical personality in conformity with the norms of canon law.

3. The competent ecclesiastical authority may establish, modify, abolish or recognize ecclesiastical juridical persons according to the norms of canon law. It informs the competent agency of the civil administration accordingly, in order that registration be made according to the applicable civil norms.

ARTICLE 3

Bosnia and Herzegovina guarantees to the Catholic Church and to her juridical and physical persons the freedom to

ČLANAK 1.

Bosna i Hercegovina i Sveta Stolica, potvrđujući da su država i Katolička crkva, svaka u svom području, neovisne i samostalne, obvezuju se da će u međusobnim odnosima potpuno poštivati to načelo te da će međusobno surađivati u brizi za cjelovit duhovni i materijalni razvoj čovjeka i u promicanju općega dobra.

ČLANAK 2.

1. Bosna i Hercegovina priznaje javnu pravnu osobnost Katoličke crkve.

2. Bosna i Hercegovina priznaje i javnu pravnu osobnost svih crkvenih ustanova koje imaju takvu pravnu osobnost u skladu s odredbama kanonskoga prava.

3. Mjerodavna crkvena vlast može osnivati, mijenjati, dokidati ili priznavati crkvene pravne osobe prema odredbama kanonskoga prava. Ona o tome obavještava nadležno tijelo građanske uprave radi njihova upisa u skladu s primjenjivim civilnim propisima.

ČLANAK 3.

Bosna i Hercegovina jamči Katoličkoj crkvi i njezinim pravnim i fizičkim osobama slobodu međusobnoga

communicate and to maintain contacts with the Holy See, with the Episcopal Conferences of other countries, and also with particular Churches, institutions and persons both within the state and abroad.

ARTICLE 4

Respecting the right to freedom of religion, Bosnia and Herzegovina recognizes the free exercise by the Catholic Church, and by her communities of whatever rite, of her apostolic mission, in particular with regard to divine worship, governance, teaching and the activity of the associations indicated in Article 13.

ARTICLE 5

The competent ecclesiastical authority has the exclusive right to regulate freely its proper ecclesiastical order, to establish, alter and suppress ecclesiastical provinces, archdioceses, dioceses, apostolic administrations, territorial prelatures, territorial abbasies, personal prelatures, parishes, institutes of consecrated life and societies of apostolic life, as well as other ecclesiastical juridical persons.

ARTICLE 6

1. The Catholic Church is responsible for all ecclesiastical appointments and the conferring of ecclesiastical offices, in conformity with the norms of canon law.

2. The appointment, transfer and re-

komuniciranja i održavanja veza sa Svetom Stolicom, s biskupskim konferencijama drugih zemalja, s partikularnim crkvama, s ustanovama i osobama bilo u državi bilo u inozemstvu.

ČLANAK 4.

Poštujući pravo na vjersku slobodu, Bosna i Hercegovina priznaje Katoličkoj crkvi, i njezinim zajednicama bilo kojega obreda, slobodu vršenja njezina apostolskoga poslanja, posebno u onome što se odnosi na bogoštovlje, upravu, učiteljstvo i djelatnost društava o kojima se govori u članku 13.

ČLANAK 5.

Isključivo je pravo mjerodavne crkvene vlasti slobodno uređivati vlastiti crkveni ustroj, osnivati, mijenjati i ukidati crkvene pokrajine, nadbiskupije, biskupije, apostolske administrature, teritorijalne prelature, teritorijalne opatije, osobne prelature, župe, ustanove posvećenoga života i družbe apostolskoga života, te druge crkvene pravne osobe.

ČLANAK 6.

1. Katolička crkva je nadležna za sva crkvena imenovanja i dodjelu crkvenih službi, u skladu s odredbama kanonskoga prava.

2. Imenovanje, premještanje i smjena

removal of Bishops is the exclusive competence of the Holy See.

ARTICLE 7

1. Bosnia and Herzegovina guarantees to the Catholic Church the freedom to conduct worship.

2. Bosnia and Herzegovina guarantees the inviolability of places of worship: churches, chapels and their respective annexes.

3. Only for grave reasons and with the explicit agreement of the ecclesiastical authority may such places be destined for other uses.

4. The competent authority of Bosnia and Herzegovina cannot take security measures in the aforementioned places without previous authorization from the competent ecclesiastical authority, unless such action is urgently needed for the defence of life or health or to preserve goods of particular artistic or historical value.

5. In the event that public worship is conducted in places other than those indicated in section 2 above (as in the case of processions, pilgrimages or other activities), the ecclesiastical authorities will inform the competent authorities of Bosnia and Herzegovina, who are obliged to guarantee public order and safety.

ARTICLE 8

1. In the case of a judicial inquiry into

biskupa u isključivoj je nadležnosti Svete Stolice.

ČLANAK 7.

1. Bosna i Hercegovina jamči Katoličkoj crkvi slobodu obavljanja bogoštovlja.

2. Bosna i Hercegovina jamči nepovredivost mjesta za bogoštovlje: crkava, kapela, te popratnih crkvenih prostora.

3. Samo zbog važnih razloga te s izričitim pristankom crkvene vlasti ta mjesta mogu biti namijenjena u druge svrhe.

4. Nadležna tijela Bosne i Hercegovine ne mogu poduzeti sigurnosne mjere u tim mjestima bez prethodnoga ovlaštenja mjerodavnih crkvenih vlasti, osim ako je to žurno zbog zaštite života i zdravlja ili zbog spašavanja dobara posebne povijesne i umjetničke vrijednosti.

5. U slučajevima održavanja bogoštovlja na ostalim mjestima, osim na onima koji su označeni u stavku 2. ovoga članka (kao u slučaju procesija, hodočašća i slično), crkvene vlasti će obavijestiti o tome nadležne vlasti Bosne i Hercegovine kojima je dužnost jamčiti javni red i sigurnost.

ČLANAK 8.

1. U slučaju sudske istrage o kleriku,

alleged offences against the penal code on the part of a cleric, a religious man or woman, the judicial authorities of Bosnia and Herzegovina will inform the competent ecclesiastical authorities beforehand.

2. In every case, the seal of Confession is inviolable.

ARTICLE 9

1. Sundays and the following feast-days will be classed as non-working days for Catholics throughout the country according to the law of Bosnia and Herzegovina:

- a) 6 January, the Epiphany of the Lord;
- b) Corpus Christi;
- c) 15 August, Assumption of the Blessed Virgin Mary;
- d) 1 November, All Saints;
- e) 25 December, Christmas Day.

2. The two interested parties will come to an agreement on any changes to the feast-days, should this prove necessary.

ARTICLE 10

1. Ecclesiastical juridical persons may acquire, possess, use and usufruct or alienate moveable and immoveable goods, and may also acquire and alienate patrimonial rights, according to the norms of canon law and the legislation of Bosnia and Herzegovina.

2. The juridical persons indicated in section 1 may institute foundations.

redovniku ili redovnici zbog možebitnih kaznenih djela predviđenih kaznenim zakonom, sudske će vlasti Bosne i Hercegovine o tome prethodno obavijestiti nadležne crkvene vlasti.

2. Ispovjedna tajna je u svakom slučaju nepovrediva.

ČLANAK 9

1. Posebnim zakonom Bosne i Hercegovine kao neradni dani za katolike u cijeloj zemlji uredit će se nedjelje i sljedeće svetkovine:

- a) 6. siječnja, Bogojavljenje;
- b) Tijelovo;
- c) 15. kolovoza, Uznesenje Blažene Djevice Marije;
- d) 1. studenoga, Svi Sveti;
- e) 25. prosinca, Božić.

2. Dvije zainteresirane strane će se dogovoriti o možebitnim promjenama neradnih dana, ukoliko se za to ukaže potreba.

ČLANAK 10.

1. Crkvene pravne osobe mogu kupovati, posjedovati, koristiti ili otuđivati pokretna i nepokretna dobra, te stjecati i otuđivati imovinska prava, prema odredbama kanonskoga prava i zakonodavstva Bosne i Hercegovine.

2. Pravne osobe iz stavka 1. ovoga članka mogu osnivati zaklade.

Their activity, as far as its civil effects are concerned, is regulated according to the legal norms of Bosnia and Herzegovina.

3. Bosnia and Herzegovina will restore to the Catholic Church within ten years from the entry into effect of this Agreement all immovable goods nationalized or seized without adequate compensation. For goods which cannot be restored, Bosnia and Herzegovina will give just compensation, to be agreed upon by the authorities and those with legitimate title to the properties.

ARTICLE 11

1. The Catholic Church has the right to construct churches and ecclesiastical buildings and to enlarge or alter those already in existence, according to the laws in force in Bosnia and Herzegovina.

2. The diocesan Bishop decides when it is necessary to construct ecclesiastical buildings within the territory of his diocese, by norm of canon law, and he proposes where they are to be located; and the competent authorities of Bosnia and Herzegovina will agree unless there are objective reasons not to do so.

3. The competent authorities in Bosnia and Herzegovina will not consider requests for the construction of Catholic ecclesiastical buildings in the absence of the diocesan Bishop's written approval (cf. section 2 above).

Djelatnost tih zaklada, s obzirom na građanske učinke, ravna se prema odredbama zakonodavstva Bosne i Hercegovine.

3. Bosna i Hercegovina će Katoličkoj crkvi u roku od deset godina od stupanja na snagu ovoga ugovora vratiti sva nepokretna dobra nacionalizirana ili uzeta bez odgovarajuće naknade. Za dobra koja ne bude moguće vratiti, Bosna i Hercegovina će za njih dati pravednu naknadu o čemu će se dogovoriti dotične vlasti i zakoniti naslovnici vlasništva.

ČLANAK 11.

1. Katolička crkva ima pravo graditi crkve i crkvene zgrade te povećavati i preuređivati već postojeće prema zakonodavstvu na snazi u Bosni i Hercegovini.

2. Dijecezanski biskup odlučuje o potrebi izgradnje crkvenog objekta na području svoje biskupije, u skladu s propisima kanonskoga prava, i predlaže lokaciju; a nadležne vlasti Bosne i Hercegovine će to uvažiti ukoliko se tome ne protive objektivni razlozi.

3. Nadležne vlasti u Bosni i Hercegovini neće razmatrati molbe za izgradnju katoličkih crkvenih objekata ako molbe nemaju priloženo pismeno odobrenje dijecezanskoga biskupa (usp. stavak 2. ovoga članka).

ARTICLE 12

1. The Catholic Church is guaranteed the freedom to own, print, publish and distribute books, newspapers, journals, as well as audiovisual material, and also any other activity connected with her mission.

2. The Catholic Church has the right to establish and to administer in her own name radio and television stations, in conformity with the laws of Bosnia and Herzegovina.

3. The Catholic Church also has access to the public communications media (newspapers, radio, television, internet).

ARTICLE 13

1. Bosnia and Herzegovina recognizes the right of the Catholic faithful to form associations, in conformity with canonical norms, according to the Church's proper purposes. As far as the civil effects of their activities are concerned, such associations are to be regulated in conformity with the legal norms of Bosnia and Herzegovina.

2. Bosnia and Herzegovina guarantees to Catholics and to their associations and institutions full freedom of action and of public activity, both in speech and in writing.

ARTICLE 14

1. The Catholic Church has the right to establish educational institutions at all

ČLANAK 12.

1. Katoličkoj crkvi zajamčena je sloboda posjedovanja, tiskanja, izdavanja i širenja knjiga, novina, časopisa, kao i audiovizualnih materijala, i također bilo koja djelatnost povezana s njezinim poslanjem.

2. Katolička crkva ima pravo osnivati i voditi u svoje vlastito ime radijske i televizijske postaje, u skladu sa zakonima Bosne i Hercegovine.

3. Katolička crkva ima također pristup i na javna sredstva priopćavanja (novine, radio, televizija, internet).

ČLANAK 13.

1. Bosna i Hercegovina priznaje pravo vjernika katolika da osnivaju udruge, u skladu s kanonskim propisima, prema vlastitim ciljevima Crkve. Što se tiče građanskih učinaka njihova djelovanja, ta se društva ravnaju prema zakonskim odredbama Bosne i Hercegovine.

2. Bosna i Hercegovina jamči katolicima i njihovim društvima i ustanovama potpunu slobodu djelovanja i javnoga nastupa, bilo usmeno bilo pismeno.

ČLANAK 14.

1. Katolička crkva ima pravo osnivati obrazovne ustanove bilo kojega stupnja

levels and to administer them according to its own norms, while respecting the legal dispositions of Bosnia and Herzegovina.

2. Bosnia and Herzegovina will accord to such institutions the same rights that are guaranteed to state institutions, including financial treatment and the recognition of academic degrees and any university qualifications obtained.

3. Bosnia and Herzegovina guarantees to the pupils and students of educational institutions (cf. section 1 above) the same rights as pupils and students of state educational institutions of the equivalent level. The same rule also applies to the teaching and non-teaching staff of such institutes.

ARTICLE 15

1. Bosnia and Herzegovina recognizes and guarantees to the Catholic Church the right to pastoral care of Catholic faithful who are members of the armed forces and the forces of public order, and of those who are resident in penal institutions, in hospitals, in orphanages and in any institute of medical and social assistance, whether public or private.

2. Pastoral activity in the armed forces and in the forces of public order, and in the public institutions listed in section 1 above, will be regulated by appropriate Agreements between the competent ecclesiastical authorities and Bosnia and

i njima upravljati prema vlastitim pravilima, poštujući zakonske odredbe Bosne i Hercegovine.

2. Bosna i Hercegovina će tim ustanovama u svemu jamčiti ista prava koja su zagarantirana državnim ustanovama, uključujući novčanu potporu i priznanje stečenih akademskih stupnjeva i sveučilišnih diploma.

3. Bosna i Hercegovina učenicima i studentima obrazovnih ustanova (usp. stavak 1. ovoga članka) jamči ista prava koja imaju učenici i studenti državnih obrazovnih ustanova odgovarajućega stupnja. Isto pravilo se primjenjuje također na nastavno i ne-nastavno osoblje tih ustanova.

ČLANAK 15.

1. Bosna i Hercegovina priznaje i jamči Katoličkoj crkvi pravo na dušobrižništvo vjernika katolika koji se nalaze u oružanim snagama i u redarstvenim službama, te onih koji se nalaze u zatvorima, bolnicama, sirotištima i u svim ustanovama za zdravstvenu i socijalnu skrb, bilo javnoga bilo privatnoga značaja.

2. Dušobrižnička djelatnost u oružanim snagama i redarstvenim službama te ustanovama koje su javnoga značaja, navedenim u stavku 1. ovoga članka, uredit će se posebnim ugovorima između nadležnih crkvenih vlasti i

Herzegovina.

ARTICLE 16

1. Bosnia and Herzegovina, in the light of the principle of freedom of religion, recognizes the fundamental right of parents to see to the religious education of their children; and it guarantees within the framework of the academic programme and in conformity with the wishes of parents or guardians, the teaching of the Catholic religion in all public schools, elementary, middle and higher, and in pre-school centres, as a required subject for those who choose it, under the same conditions as other required subjects.

2. In collaboration with the competent Church authorities, the educational authorities will allow parents and adult students the possibility to avail themselves freely of such teaching at the time of registration for the academic year, in such a way that their decision does not give rise to any form of academic discrimination.

3. The teaching of the Catholic religion will be carried out by teachers who are suitable, with the canonical mandate of the local diocesan Bishop, and in possession of the qualifications required for the particular level of school by the laws in force in Bosnia and Herzegovina, with respect for all the rights and duties pertaining thereto. In the case of withdrawal of the canonical mandate by the diocesan Bishop, the teacher will

Bosne i Hercegovine.

ČLANAK 16.

1. Bosna i Hercegovina u svjetlu načela o slobodi vjere, priznaje temeljno pravo roditelja na vjerski odgoj djece te u sklopu školskoga plana i programa i, u skladu s voljom roditelja ili skrbnika, nastavu katoličkoga vjeronauka u svim javnim osnovnim i srednjim školama i predškolskim ustanovama, kao obveznoga školskoga predmeta za sve koji ga izaberu, pod istim uvjetima kao za sve druge obvezne predmete.

2. Školske će vlasti, u suradnji s nadležnim crkvenim vlastima, roditeljima i punoljetnim učenicima omogućiti da pri upisu u školsku godinu slobodno izaberu katolički vjeronauk na način da njihova odluka ne bude povod bilo kakvome obliku diskriminacije na području školske djelatnosti.

3. Katolički će vjeronauk predavati kvalificirani vjeroučitelji, s kanonskim nalogom mjesnoga dijecezanskog biskupa, i koji ispunjavaju uvjete propisane važećim zakonima Bosne i Hercegovine za dotičnu vrstu škole pridržavajući se svih prava i dužnosti koje iz toga proizlaze. U slučaju da dijecezanski biskup opozove kanonski nalog, vjeroučitelj – nastavnik neće moći nastaviti predavanje katoličkoga

not be able to continue teaching the Catholic religion.

4. Teachers of religion are full members of the teaching staff of the educational institutions mentioned in section 1 of this Article.

5. The programmes and the content of the teaching of the Catholic religion, as well as the text-books and didactic material must be prepared and approved by the Episcopal Conference of Bosnia and Herzegovina. The ways in which the teaching of the Catholic religion is conducted will be object of a particular agreement between the competent authorities of Bosnia and Herzegovina and the Episcopal Conference.

ARTICLE 17

1. The Catholic Church may freely organize institutions intended to provide charitable activity and social assistance, in conformity with the relevant civil norms.

2. Ecclesiastical institutions or institutions dependent on the Church for purposes of charitable assistance are regulated in conformity with their own statutes and they enjoy the same rights and privileges and the same treatment as the state institutions established for the same purpose.

3. The Catholic Church and Bosnia and Herzegovina will reach an agreement about mutual cooperation between their respective institutions for charitable as-

vjeronauka.

4. Vjeroučitelji su ravnopravni članovi nastavničkoga zbora obrazovnih ustanova o kojima se govori u stavku 1. ovoga članka.

5. Programe i sadržaje nastave katoličkoga vjeronauka, udžbenike i didaktičku građu treba pripremiti i odobriti Biskupska konferencija Bosne i Hercegovine. Način odvijanja nastave katoličkoga vjeronauka uredit će se posebnim ugovorom između nadležnih vlasti Bosne i Hercegovine i Biskupske konferencije Bosne i Hercegovine.

ČLANAK 17.

1. Katolička crkva može slobodno osnivati ustanove koje će osiguravati karitativno djelovanje i društvenu skrb, u skladu s odgovarajućim civilnim propisima.

2. Crkvene ustanove ili ustanove koje ovise o Crkvi namijenjene karitativnoj skrbi ravnaju se prema vlastitim statutima te imaju ista prava i povlastice i isti položaj koji imaju i državne ustanove osnovane u istu svrhu.

3. Katolička crkva i Bosna i Hercegovina dogovorit će se o međusobnoj suradnji vlastitih ustanova za karitativnu skrb.

sistance.

4. As far as civil effects are concerned, the institutions listed in section 1 of this Article will be regulated according to the legal norms of Bosnia and Herzegovina.

ARTICLE 18

1. Bosnia and Herzegovina and the Holy See will resolve, by common accord, through diplomatic means, any doubts or difficulties which might arise in the interpretation and application of the provisions of the present Agreement.

2. Matters of common interest that require new or additional solutions will be addressed by a Mixed Commission set up for the purpose, composed of representatives of the two parties, which will submit its proposals for the approval of the respective authorities.

ARTICLE 19

1. The present Agreement, drawn up in English, will be signed in duplicate, will be ratified according to the proper procedural norms of the contracting Parties and will take effect at the moment of the exchange of instruments of ratification.

2. Should one of the contracting parties consider that the circumstances in which the present Agreement was established have changed radically, in such a way as to necessitate modifications, negotiations to that effect are to be initiated.

4. Što se tiče građanskih učinaka djelovanja ustanova navedenih u stavku 1. ovoga članka, te će se ustanove ravnati prema zakonskim odredbama Bosne i Hercegovine.

ČLANAK 18.

1. Bosna i Hercegovina i Sveta Stolica će u međusobnom dogovoru, diplomatskim putem, rješavati sve dvojbe ili teškoće koje bi mogle nastati glede tumačenja ili primjene odredaba ovog ugovora.

2. Mješovito povjerenstvo, ustanovljeno u tu svrhu, sastavljeno od predstavnika dviju strana, raspravljat će o pitanjima od zajedničkog interesa koja budu zahtijevala nova ili dodatna rješenja te će svoje prijedloge podastrijeti odnosnim vlastima na odobrenje.

ČLANAK 19.

1. Ovaj će ugovor, sastavljen na engleskom, biti potpisan u duplikatu, biti ratificiran u skladu s proceduralnim propisima ugovornih strana i stupit će na snagu u trenutku razmjene ratifikacijskih instrumenata.

2. U slučaju da jedna od ugovornih strana bude smatrala da su se bitno promijenile prilike u kojima je sklopljen ovaj ugovor, tako da ga treba mijenjati, započet će odgovarajuće pregovore.

Signed in Sarajevo, on 19th April 2006	Potpisano u Sarajevu, 19. travnja 2006.
for the Holy See	Za Bosnu i Hercegovinu
✧ <i>Alessandro D'Errico</i>	<i>Ivo Miro Jović</i>
for Bosnia and Herzegovina	Za Svetu Stolicu
<i>Ivo Miro Jović</i>	✧ <i>Alessandro D'Errico</i>

ADDITIONAL PROTOCOL

to the Basic Agreement between the Holy See and Bosnia and Herzegovina²

ADDITIONAL PROTOCOL TO THE BASIC AGREEMENT BETWEEN THE HOLY SEE AND BOSNIA AND HERZEGOVINA

DODATNI PROTOKOL NA TEMELJNI UGOVOR IZMEĐU SVETE STOLICE I BOSNE I HERCEGOVINE

The Holy See and Bosnia and Herzegovina, desiring to avoid all difficulties of interpretation of the Basic Agreement signed on 19th April 2006 in Sarajevo and to ensure the precise application of Art. 10 § 3 of the same Basic Agreement, declare:

Sveta Stolica i Bosna i Hercegovina, želeći izbjeći svaku poteškoću glede tumačenja Temeljnoga Ugovora potpisanoga 19. travnja 2006. godine u Sarajevu te osigurati točnu primjenu čl. 10 § 3 istoga Temeljnog Ugovora, izjavljuju:

1. The restitution of immoveable or nationalized goods seized without adequate compensation, including the term of their restitution, will be implemented in conformity with the law that shall regulate the matter of restitution in Bosnia and Herzegovina.

1. Restitucija nekretnina ili nacionaliziranih dobara uzetih bez odgovarajuće naknade, uključujući rok njihove restitucije, bit će provedena u skladu sa zakonom kojim će se urediti materija restitucije u Bosni i Hercegovini.

2. For the identification of immoveable goods to be transferred to ecclesiastical ownership or to be adequately compensated, a Mixed Commission will be established, composed of representatives

2. Radi utvrđivanja nepokretnih dobara koja treba prenijeti u crkveno vlasništvo ili srazmjerno nadoknaditi bit će ustanovljeno Mješovito Povjerenstvo, sastavljeno od predstavnika dviju

² **Firma:** 29 settembre 2006, **ratifica:** 25 ottobre 2007, **in:** AAS (2007) 946. Vid. T. Vukšić, *Crkva i Država u Bosni i Hercegovini. Zakoni, podzakonski akti, ugovori i komentari*, Sarajevo 2007; l'A. include in questo volume (p. 15-19) la traduzione degli accordi fatta da lui in lingua croata, che riportiamo riconscenti per l'autorizzazione.

of the two parties.

3. In conformity with Art. 18 of the Basic Agreement, matters that require new or additional solutions will be addressed by common accord through the Mixed Commission, which will submit its proposals for the approval of the respective authorities.

This Additional Protocol forms an integral part of the Basic Agreement between the Holy See and Bosnia and Herzegovina and shall be ratified together with the same Basic Agreement.

The present Protocol, drawn up in English, will be signed in duplicate, and will take effect together with the Basic Agreement between the Holy See and Bosnia and Herzegovina.

Signed in Sarajevo, on the twenty-ninth of September, 2006.

for the Holy See

✠ *Alessandro D'Errico*

for Bosnia and Herzegovina

Ivo Miro Jović

strana.

3. U skladu s čl. 18 Temelnog Ugovora, materije koje zahtijevaju nova ili dodatna rješenja, razmatrat će se zajedničkim dogovorom posredstvom Mješovitoga Povjerenstva, koje će svoje prijedloge podastrijeti odnosnim vlastima na odobrenje.

Ovaj Dodatni Protokol je sastavni dio Temelnog Ugovora između Svete Stolice i Bosne i Hercegovine i bit će ratificiran zajedno s istim Temeljnim Ugovorom.

Ovaj Protokol, sastavljen na Engleskom, bit će potpisan u dva primjerka i stupit će na snagu zajedno s Temeljnim Ugovorom između Svete Stolice i Bosne i Hercegovine.

Potpisano u Sarajevu, na dvadesetdevetoga rujna, 2006.

Za Svetu Stolicu

✠ *Alessandro D'Errico*

Za Bosnu i Hercegovinu

Ivo Miro Jović

Postquam Conventio inter Apostolicam Sedem et Bosniam et Herzegoviam die XIX mensis Aprilis anno MMVI icta, simul cum Additio Foederis Testimonio die XXIX mensis Septembris anno MMVI subsignato, rata habita fuit, Instrumenta ratihabitionis accepta et reddita mutuo sunt in Civitate Vaticana die XXV mensis Octobris anno MMVII. Quae quidem Conventio, simul cum Additio Foederis Testimonio, hoc eodem die eodemque anno vigere coepit ad normam articuli decimi noni, commatis secundi, eiusdem Pactionis.