

# Constitution of Republic of Rosava

**The National Congress of Rosava**

# **Constitution of the Republic of Rosava**

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# **Article I**

## **Sec 1. The Republic of Rosava**

- I. The Republic of Rosava is a Democratic Republic where the people are free to choose their leaders, and those members of the Parliament which to represent them.
- II. The Republic of Rosava is to be called The Republic of Rosava, Rosava, The Rosavian Republic, and the people of the nation the Rosavians.
- III. The Republic of Rosava does not have an official language.

## **Sec 2. The Constitution of Rosava**

- I. This document is the Constitution of Rosava, or alternatively referred to as the Constitution, is above all other legislation in the Republic.
- II. The Constitution may only be altered in the manner outlined in the Constitution, and any other attempt is illegitimate and criminal.
- III. The Constitution applies to all institutions, people and entities within the Republic, without exception.

# Article II

## Sec 1. The Parliament

- I. The Legislative power of the republic is vested within the Parliament of Rosava, or the Parliament.
- II. The Parliament has 9 seats, which are to be occupied by 9 Members of Parliament.
- III. These Members of Parliament are to be selected in the manner outlined by the Constitution.

## Sec 2. The Parliamentary Acts

- I. The Parliament may exercise its Legislative Power through Parliamentary Acts or Acts.
- II. After the submission of an Act to the Parliament, the Members of Parliament have 24 hours to vote upon the Act. Upon either the true majority in-favour vote or the end of the 24 hour period with a relative majority, the Act passes, and becomes official legislation within the Republic.
  - a. The True Majority is more than half of all Members of Parliament.
  - b. The Relative Majority is more than half of the Members of Parliament that currently voted -not including Abstentions- on the act.
- III. All acts of the Parliament must abide by the Constitution. Any Parliamentary Act that conflicts with the Constitution is invalid.

- IV. In case of a conflict in the statutes of two Parliamentary Acts, the Parliamentary Act that was passed latter has the authority.

### **Sec 3. Constitutional Amendments**

- I. The Constitution of the Republic of Rosava may only be altered by the Parliament of Rosava through a Constitutional Amendment.
- II. A Constitutional Amendment must be a document clearly stating the intention to change the constitution, as well as the changes, strikes or additions in a straightforward manner.
- III. The Constitutional Amendment must be submitted to the Parliament at least one day prior to the start of the voting.
- IV. The Constitutional Amendment requires a true supermajority to pass, and cannot be voted upon after 48 hours.
  - a. The true supermajority is at least  $\frac{2}{3}$  of all of the Members of Parliament.
- V. Same or similar Constitutional Amendments may not be resubmitted after denial or timeout again before 7 days.

# Article III

## Sec 1. The Prime Minister

- I. The Executive power of the Republic is delegated to the Prime Minister.
- II. The Prime Minister is elected by the Parliament after every election.
- III. The Prime Minister may declare a state of emergency for up to 15 days, where a continuation of the state of emergency must be approved by the Parliament for another 15 days, where another approval will be required.
  - a. The Elections may not be affected by the state of emergency.

## Sec 2. The Cabinet

- I. The Cabinet is chosen by the Prime Minister, and there must be a cabinet member for every Ministry as outlined by the Constitution, and the Deputy Prime Minister. The Cabinet members who are assigned to a Ministry are in charge of the said Ministry.
- II. The Prime Minister must choose their cabinet after every election. The Prime Minister may replace any cabinet member at any time, but must give a 24 hour warning before the replacement.
- III. The Prime Minister may veto or overrule any of the decisions made by their cabinet.



- IV. The Deputy Prime Minister's task is to assist the Prime Minister and the cabinet, and temporarily take up the Prime Minister's duties when needed.
- V. One person may occupy more than 1 but no more than 3 cabinet positions.

### **Sec 3. The Ministries**

- I. The Ministry of Internal Affairs is tasked with the management of the homeland. The recordkeeping, the management of land, policy changes etc. are all responsibilities of the Internal affairs.
- II. The Ministry of National Security & Defense is tasked with the security and protection of the Republic,
- III. The Ministry of Finance is tasked with the management of the Republic's monetary and fiscal policy, as well as the National Bank.
- IV. The Ministry of Social Services is tasked with making sure the people of the Republic receive the social services they need.

# Article IV

## Sec 1. The Supreme Court of Rosava

- I. The Supreme Court of Rosava is the highest court of the Republic.
- II. The members of the Supreme Court, the Supreme Justices, are assigned and removed from the Court by a true supermajority by the Parliament.
- III. The decisions of the Supreme Court may not be appealed to any other judicial body.
- IV. Decisions made by lower courts may be appealed to the Supreme Court, but the Supreme Court has the right to dismiss any appeal case brought to them.
- V. The Decisions in the Supreme Court are made by a majority vote by the Supreme Justices.
- VI. The Courts of the Supreme Court may be held by one or more, or all of the Supreme Justices. The acting Judge must be decided by a majority vote of the Justices.
- VII. All of the procedures outlined in this document to open a Civil Case are applicable to the Supreme Court when appealing, with the exception of the ‘charging paper’ being renamed to the ‘motion for appeal’.

## Sec 2. The People's Courts

- I. The common court of the Republic is named the People's Courts, and the judges are assigned by the Department of Justice.

## Sec 3. Civil Cases

- I. Any citizen of the Republic has the right to file a lawsuit to any legal entity recognized by the Republic, to any one of the People's Courts.
  - a. While every citizen has the right to file a lawsuit, the damages of a frivolous lawsuit are to be compensated by the plaintiff - the filer of the lawsuit - to the defendant - the party the lawsuit was filed against.- The Court is responsible for ruling whether a lawsuit is frivolous or not.
  - b. A lawsuit is frivolous if it breaches any of the laws and constitution clauses regarding Civil Cases.
- II. Civil Cases must be filed by the party affected by the complaint. While the documents and the legal arguments may be made by another party on behalf of the plaintiff, the plaintiff is the party legally bonded to the case.
- III. Any Civil Case must be filed to a People's Court with a 'Charging Paper' outlining the following information;
  - a. The People's Court which the Civil Case is being filed to,

- b. Plaintiff name, and if applicable, address,
  - c. If applicable, plaintiff's representative's name and address,
  - d. The defendant's name, and if applicable, address,
  - e. The nature of the complaint,
  - f. Any evidence that will be used in the court.
- IV. Before the court session, any 'motions' may be submitted to the court, which the court may or may not accept. This includes the submission of evidence to the court, the dismissal of the case on the ground of frivolous lawsuit, and the change of court session date.
- V. All evidence that will be used in the court must be submitted to the court at least one hour before the court session, and the court must make it available for the other side to view.
- VI. In case of the abstention of the plaintiff, the court may either choose to delay the court session, or dismiss the case. In case of the abstention of the defendant, the court may choose to delay the court session, or hold the court session in absentia.

## **Sec 4. Criminal Cases**

- I. Criminal Cases are cases led by the Department of Justice, representing the government.
- II. The Criminal Cases may be submitted to any People's Court, and later appealed to the Supreme Court.

- III. The procedure and legislature regarding the Criminal Cases are identical to the procedure written in the Constitution.

## **Sec 5. Legal Doctrine**

- I. The Republic of Rosava follows a Common Law doctrine.
  - A. The practices already carried out by the government may be used as a basis of legal precedence, based upon judicial review.
  - B. The social standards and extensions of basic rights stated in the constitution may be used as a basis of legal precedence, based upon judicial review.
- II. Every defendant is innocent until proven otherwise.

## **Sec 6. Department of Justice**

- I. The Department of Justice of Rosava, or the Department of Justice, headed by the Attorney General and its members including the Attorney General appointed by the Parliament in a relative majority vote, is tasked with the upkeep, oversight and creation of People's Courts, and reports to the Parliament.

# Article V

## Sec 1. The Municipalities

- I. The Republic of Rosava is divided up into Municipalities, which are headed by a Mayor.
- II. The Municipalities choose their mayor during a local election, at the 5th of every month, in a first-past-the-post election.
- III. The Municipalities, by their Mayors, may set their own policies, within the freedoms granted by the Constitution.
- IV. The borders of a municipality, and therefore the land within it is granted to a municipality by a relative majority vote in the Parliament. Any change to it must also be approved by a relative majority vote by the parliament.
- V. The capital of the Republic shall be organised into a municipality without a mayor, and shall be under the direct control of the Ministry of Interior, which possesses the same rights as a mayor in this context.

## Sec 2. The Municipal Administration

- I. Each municipality has the right to manage its own city planning style, within the guidelines of the Ministry of Interior.
- II. Each municipality has the right to charge for the plots within its land granted by the Parliament.
- III. Each municipality has the right to a flag and a name.

IV. The Ministry of Interior may request, and the Parliament may take, a plot of land for the nation-wide needs of the Republic within a Municipality.



# Article VI

## Sec 1. The Fundamental Rights of the People

- I. Every citizen of the Republic of Rosava is entitled to the right to life, liberty and the pursuit of happiness.
- II. The parliament shall not pass any legislation to suppress the freedom of speech, unless the speech impedes on the rights of another citizen.
- III. Every citizen of the Republic of Rosava is entitled to the right of movement, with the exception of private & public property, and the apprehension of an individual by the Republic.
- IV. Every citizen of the Republic of Rosava is entitled to the right of privacy, and no entity, private or public, may not infringe the privacy of an individual, with the exception of criminal investigation & state of emergency.
- V. Every citizen of the Republic of Rosava is entitled to a right to a fair trial.
- VI. A citizen may be temporarily stripped of their rights guaranteed under this article in cases where the guaranteed freedoms of another citizen is unjustifiably impeded or when there is suspicion of such. No citizen of the Republic has the right to strip or violate any other citizens guaranteed rights unless with legal support from the constitution.

# Article VII

## Sec 1. The Manner of the Elections

- I. The Elections of the Republic are to be held on the 3rd day of every month.
- II. In the Elections, the Public Support Score system is to be used for the seat distribution.
- III. The election ballot is to include every party running, where the parties can be ranked from most to least in-favour by the voters, in a numerical style.
- IV. A party's Public Support Score (PSS) is a weighted vote system where the voter's first choice is awarded the PSS in the number of candidates. The second choice is awarded PPS in the number of candidates minus one. This continues all the way down the ranking until the last place, which awards the party in last place one PSS.
- V. The total of all the candidate parties PSS is the Total Public Support Score (TPSS). The parties with less than 10% of the TPSS are removed from the election, and their PSS count is removed from the TPSS. The remaining parties are given seats proportionate to the percentage of their PSSs to the TPSS.

## Sec 2. Early Elections

- I. The Early Election may be called by the Parliament by a true supermajority, after the calling of a Vote of No Confidence.

- II. If a vote of no confidence passes, an election must be held within 3 days.
- III. The vote of no confidence may not be voted upon more than once within 3 days.
- IV. Within the three days between the Vote of No Confidence and the Early Election, the Prime Minister and their cabinet are barred from any major policy changes.