

Constitution of the Republic of Rosava

The National Congress of Rosava

Constitution of the Republic of Rosava

Contents

Article I

Principles of the Republic

- I. The Republic of Rosava**
- II. The Constitution of Rosava**

Article II

The Parliament of the Republic

- I. The Parliament**
- II. The Parliamentary Acts**
- III. The Constitutional Amendments**

Article III

The Executive Branch of the Republic

- I. The President**
- II. The Cabinet**
- III. The Ministries**

Article IV

The Courts of the Republic

- I. The Supreme Court of Rosava II.**
- The People's Courts**
- III. Civil Cases**
- IV. Criminal Cases**
- V. Legal Doctrine**
- VI. The Department of Justice**

Article V

The Municipalities of the Republic

- I. The Municipalities**
- II. The Municipal Administration**

Article VI

The Rights of the People

- I. The Fundamental Rights of the People**

Article VII

The Elections of the Republic

- I. The Manner of the Elections**
- II. Early Elections**

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.
- IV. The Republic of Rosava is a federal State, composed of three municipalities; Rosava, Crestmont and Valyria. The borders of each municipality are to be the same as the previous kingdoms that made up the United Kingdoms of Rosava.

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 2 houses, one house, the Municipal House, is made up of every minister-president of the Municipalities and the other is directly elected members of Parliament of which there are 5. The Municipal side of Parliament cannot propose legislation and simply votes on legislation it after the nationality elected parliament votes on it, They cannot vote down legislation that has been passed by a $\frac{2}{3}$ majority by the members of Parliament though.
- 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 written matter clearly stating the changes, strikes or additions in a straightforward manner.
- III. The Constitutional Amendment must be submitted to the Parliament at least 15 hours 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 President

I. The executive power of the Republic is delegated to the President.

II. The President is elected by national vote on the 3rd and 17th day of every month.

III. The President's roles, if the President is not available for action, are given over to the Vice President. The President not being available can be declared if they have not replied to a matter of urgency, for example a war or rebellion after an hour of contact being made. If the Vice President is not available after this time, control is split between the cabinet.

IV. The President may declare a state of emergency for up to 7 days, where a continuation of the state of emergency must be approved by the Parliament for another 7 days, where another approval will be required.

- a. The Elections may not be affected by the State of Emergency unless Parliament allows them to be via a $\frac{2}{3}$ vote in one or both Chambers.

Sec 2. The Cabinet

- I. The Cabinet is chosen by the President, and there must be a cabinet member for every Ministry as outlined by the Constitution, and the Vice President. The Cabinet members who are assigned to a Ministry are in charge of the said Ministry.
- II. The President must choose their cabinet after every election. The President may replace any cabinet member at any time, but must give a 24 hour warning before the replacement.
- III. The President may veto or overrule any of the decisions made by their cabinet.
- IV. The Vice President's task is to assist the President and the cabinet, and temporarily take up the President'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 strict Civil Law doctrine.
- II. The duty of the Judges and Justices is to review the elements of the case, and make a decision as accurate and unbiased as possible regarding the laws and legislature of the Republic of Rosava.
- III. 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 Minister-President. A Minister-President is permitted, after a request and approval to and by the President, to have one or more titles, however those titles would not hold additional power.
- II. The Municipalities choose their Minister-President during a local election, at the 5th of every month, in a first-past-the-post election.
- III. The Municipalities, by their Minister-Presidents, may set their own policies, within the freedoms granted by the Constitution.

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 and the 17th day of every month.
- II. In the Elections, the proportional representation system is to be used for the seat distribution.
- III. The election ballot is to include every party running, where each voter will have one vote to choose their preferred party.
- IV.

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 for president and for the Parliaments lower house 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 President and their cabinet are barred from any major policy changes.