



CONSTITUTION OF THE REPUBLIC OF COVANELLIS

| 2022 |

Table of Contents

PREAMBLE	3
CHARTER OF HUMAN RIGHTS	3
TITLE I. GENERAL	6
TITLE II. THE PRESIDENCY	8
TITLE III. THE NATIONAL ASSEMBLY	10
TITLE IV. CONSTITUTIONAL SUPERSESSION.....	12
TITLE V. THE GOVERNMENT.....	13
TITLE VI. TREATIES AND INTERNATIONAL AGREEMENTS.....	14
TITLE VII. THE JUDICIARY	15
TITLE VIII. CRIMINAL LIABILITY OF GOVERNMENT	16
TITLE IX. AMENDMENTS TO THIS CONSTITUTION	16

PREAMBLE

Society, from its inception and throughout history, has been characterised by a struggle between the oppressor and the oppressed; the profiteering and exploitation by the few of the many. The Covanese people, seeking to establish a new nation, in which opportunity is equitable for all, and in which the rights and duties of all people are respected and upheld equally, solemnly proclaim their attachment to the rights of humanity and to the following constitution.

CHARTER OF HUMAN RIGHTS

Article 1.

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2.

All people are entitled to the rights and freedoms set forth in this charter, without distinction in any form.

Article 3.

All people have a right to life and security of person.

Article 4.

All people have a right to freedom from slavery and servitude. No person shall be held as a slave or in servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5.

No person shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6.

All people have a right to recognition as an individual before the law.

Article 7.

All people are equal before the law and are entitled to equal protection of the law without discrimination in any form. All people are entitled to protection against discrimination and against incitement of such discrimination.

Article 8.

All people have a right to effective appeal and remedy by national tribunal for decisions and acts in contravention of the rights granted within this charter and constitution.

Article 9.

No one shall be subjected to arbitrary arrest, detention, sentencing, or exile.

Article 10.

All people are entitled equally to a fair and public hearing by an independent and impartial tribunal, in determination of their rights and of criminal charges brought against them.

Article 11.

All people charged with an offence against a foreign or domestic law has a right to be presumed innocent until proven guilty to such an offence in a trial which is deemed to be fair, public, independent and impartial.

No one shall be held guilty for an offence against a foreign or domestic law on account of any act or omission which did not constitute an offence, under any such law, at the time it was committed.

No penalty imposed shall be heavier than that which was applicable at the time an offence against a foreign or domestic law was committed.

Article 12.

All people have a right to freedom from interference in their privacy, their family, their home, and their correspondence.

All people have a right to freedom from attacks upon their honour and their reputation.

All people have a right to equal protection of the law against such interference or attacks.

Article 13.

All citizens have a right to freedom of movement and residence within the borders of the Covanese state.

All people have the right to leave the Republic of Covanellis unobstructed.

All citizens have a right to return to the Republic of Covanellis following their departure.

Article 14.

All people have a right to seek and enjoy asylum from persecution in the Republic of Covanellis for acts not in contravention of the laws of the Republic of Covanellis.

Article 15.

All people have a right to a nationality.

No person shall be arbitrarily deprived of their nationality or denied the right to change their nationality.

Article 16.

All people of full age, without any limitation due to race, nationality, gender or religion, have the right to marry and found a family. They are entitled to equal rights in marriage, during marriage and at its dissolution.

Marriage shall be entered into only with the free and full consent of the intending spouses.

Article 17.

All people have a right to own their possessions alone and in association with others.

No person shall be arbitrarily deprived of their property.

Article 18.

All people have a right to freedom of thought, conscience and religion, including the right to change their religion or belief.

All people have a right to teach, practice, worship, and observe their religion, or to refrain from any religious teaching, practice, worship or observance.

All people have a right to freedom from harassment for their religion and from proselytization.

Article 19.

All people have a right to freedom of opinion and expression, including the right to hold opinions without interference and to seek, receive, and impart information and ideas through any media and regardless of frontiers.

Article 20.

All people have a right to freedom of peaceful assembly and association, including association which disrupts the general order of society in such a way which is non-violent, and which does not infringe upon the rights set out in this charter.

No one may be compelled to belong to an association.

Article 21.

All people have a right to take part in government, directly or through chosen representatives.

All people have a right to equal access of public services.

The will of the people shall be the basis of the authority of government. All people of full age have a right to partake equally in elections which are fair and secret.

Article 23.

All people have a right to work and to free choice of employment, to just and favourable working conditions, and to protection against unemployment.

All people, without discrimination in any form, have a right to equal pay for equal work.

All people have a right to just and favourable remuneration, ensuring to them and their dependents an existence worthy of human dignity, and supplemented by other means of social protection.

All people have a right to form and join trade unions for the protections of their interests.

Article 24.

All people have a right to rest and leisure, including reasonable limitation of working hours.

All people have a right to periodic, remunerated holidays.

Article 25.

All people have a right to a standard of living adequate for them and their dependents, including to healthy food, sufficient clothing, housing and medical care, and necessary social services. All people have the right to security in the event of unemployment, sickness, disability, old age, and other lack of livelihood in circumstances beyond their control.

All children, without distinction of the marital status of their parents or distinction of any other kind, shall enjoy the same social protection.

Article 26.

All people have a right to free, equal, and quality education. Elementary and secondary education shall be compulsory.

Access to higher education shall be made equal and based on merit.

Education shall promote understanding, tolerance and respect for people of all nationalities, racial and religious groups, sexualities, genders, class, or other social distinction.

Article 27.

All people have a right to participate freely in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

All people have a right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which they are the author.

Article 28.

In exercising their rights, all people shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others.

TITLE I. GENERAL

Article 29.

Covanellis shall be a secular, democratic, and social Republic. It shall ensure the equality of all citizens before the law, without distinction of origin, race or religion.

Equal access of people of all genders to elective offices and posts, as well as to positions of professional and social responsibility, shall be ensured in all laws of the Republic.

Article 30.

National sovereignty shall vest in the people, who shall exercise it through their representatives and by means of referendum.

No section of the people nor any individual may arrogate to itself, or to themselves, the exercise thereof.

Suffrage may be direct or indirect as provided for by the Constitution. It shall be always universal, equal and secret.

All Covanese citizens who have reached their majority are entitled to the right to vote and must be provided the education to understand their vote and the means to exercise their right to vote.

Article 31.

Political parties and groups shall contribute to the exercise of suffrage. They shall be formed and carry on their activities freely. They shall respect the principles of national sovereignty and democracy.

They shall contribute to the implementation of the principle set out in the second paragraph of Article 1.

Political parties shall be entitled to equitable participation in the democratic life of the Republic.

TITLE II. THE PRESIDENCY

Article 32.

The President of the Republic shall ensure due respect for the Constitution. They shall ensure, by their arbitration, the proper functioning of the public authorities and the continuity of the State.

They shall be the guarantor of national independence, territorial integrity and due respect for Treaties.

Article 33.

The President of the Republic shall be elected for a term of one year by direct, universal suffrage.

Where the total number of citizens of the Republic is less than 10, there shall be no limit on the number of terms a President may hold office.

Where the total number of citizens of the Republic is greater than 10, no one may hold office for more than five consecutive terms.

The manner of implementation of this article shall be determined in the legislation.

Article 34.

The President of the Republic shall be elected by an absolute majority of votes cast by all Covanese citizens who have reached their majority. Votes shall be cast on a preferential basis, with voters to indicate their preference for each candidate, starting from 1 as their first preference. If no single candidate obtains an absolute majority of first preference votes in the first round of counting, the candidate with the least first preferences shall be eliminated and their votes shall be redistributed based on their second preferences. This process shall continue until one candidate obtains an absolute majority of votes.

The process of electing a President shall commence automatically on the day immediately following the 330th day of the incumbent President's term.

The election of a new President shall be held no fewer than twenty days and no more than thirty-five days before the expiry of the term of the incumbent President.

Should the Presidency of the Republic fall vacant for any reason whatsoever, or should the President, on a referral from the Government, be ruled by the National Assembly to be incapacitated, the duties of the President of the Republic shall be temporarily exercised by the President of the National Assembly or, if the latter is in turn incapacitated, by a sitting member of National Assembly elected by an absolute majority of the votes of the National Assembly.

In the case of a vacancy, or where the incapacity of the President is declared to be permanent, elections for the new President shall be held no fewer than twenty days and no more than thirty-five days after the beginning of the vacancy or the declaration of permanent incapacity.

In the event of the death or incapacitation in the seven days preceding the deadline for registering candidacies of any person who, fewer than thirty days prior to such deadline, have publicly announced their decision to stand for election, the National Assembly may decide to postpone the election.

Article 35.

The President of the Republic shall promulgate Acts of Parliament within fifteen days following the final passage of an Act and its transmission to the Government.

The President may, before the expiry of its time limit, ask the Parliament to reopen debate on the Act or any sections thereof. Such reopening of debate shall not be refused.

Article 36.

The President of the Republic may, on a recommendation from the Government when Parliament is in session, or on a motion of the National Assembly, submit to a referendum any Government Bill.

Where the referendum is held on the recommendation of the Government, the latter shall make a statement before the National Assembly and the same shall be followed by a debate.

A referendum as laid out in the first paragraph may be held upon the initiative of one fifth of the Members of the National Assembly, supported by one tenth of the voters enrolled on the electoral register. This initiative shall take the form of a Private Member's Bill.

Where the decision of the Covanese people in the referendum is not favourable to a Government or Private Member's Bill, no new referendum proposal on the same subject may be submitted before the end of a period of two years following the day of the vote.

Where the outcome of the referendum is favourable to a Government or Private Member's Bill, the President of the Republic shall promulgate the resulting legislation within fifteen days following the proclamation of the results of the vote.

Article 37.

The President of the Republic may, after consulting the President of the National Assembly, declare the National Assembly dissolved.

A general election shall take place no fewer than twenty days and no more than forty days after the dissolution.

The National Assembly shall sit as of right on the first Monday following its election. Should this sitting fall outside the Period prescribed for the ordinary session, a session shall be convened by right for a fifteen-day period.

No further dissolution shall take place within a year following said election.

Article 38.

The President shall make appointments to civil, military, ambassadorial, and other posts of the State and of the Republic as necessary and as prescribed in the legislation.

Article 39.

The President of the Republic shall accredit ambassadors and envoys extraordinary to foreign powers; foreign ambassadors and envoys extraordinary shall be accredited to them.

Article 40.

The President of the Republic shall be Commander-in-Chief of the Armed Forces. They shall preside over the higher national defence councils and committees.

Article 41.

Where the institutions of the Republic, the independence of the Nation, the integrity of its territory or the fulfilment of its international commitments are under serious and immediate threat, and where the proper functioning of the constitutional public authorities is interrupted, the President of the Republic shall take measures required by these circumstances, after formally consulting the President of the National Assembly.

The President of the Republic shall address the Nation and inform it of such measures.

The measures shall be designed to provide the constitutional public authorities as swiftly as possible, with the means to carry out their duties.

After thirty days of the exercise or extension of such emergency powers, the powers shall cease to be in effect. The President may seek to reinstate such powers after formal consultation with the President of the National Assembly.

Article 42.

The President of the Republic is vested with the power to grant individual pardons.

TITLE III. THE NATIONAL ASSEMBLY

Article 43.

The National Assembly shall pass legislation. It shall monitor the action of the Government. It shall assess public policies.

Where the total number of citizens of the Republic of Covanellis is less than ten, all citizens shall automatically be considered to be members of the National Assembly.

Where the total number of citizens of the Republic of Covanellis is greater than ten, the National Assembly shall comprise of ten members, alongside one additional member for each 10 citizens, up to a maximum of one hundred and one members. These members shall be elected by indirect suffrage of all Covanese citizens of majority.

Article 44.

Members of the National Assembly shall be elected for a term of one year. Elections shall be conducted for all seats of the National Assembly six months from the date of the vote for the election of the President of the Republic.

Members of the National Assembly shall be entitled to an allowance as provided for by the legislation.

A person may be eligible for election to the National Assembly if they:

- (a) Are a citizen of the Republic of Covanellis;
- (b) Have obtained their majority;
- (c) Have never committed an offence, punishable by imprisonment for any period greater than 14 days or by revocation of citizenship, under this or any law of the Republic;
- (d) Have never acted in a manner which attempted to undermine the integrity of the Republic of Covanellis, or to subvert the proper function of the democratic process of the Republic of Covanellis or any foreign country;
- (e) Have never previously been disqualified from membership in the National Assembly under the provisions laid out in paragraph seven of this Article; and
- (f) Do not have an actual, potential or perceivable conflict of interest between their holding membership in the National Assembly and their business or other interests, or the business or other interest of people known to them.

A person may be disqualified from membership in the National Assembly if, from the date of their election and during the course of their membership, they:

- (a) Are found to not be a citizen of the Republic of Covanellis or to have not been a citizen on the date of their election;
- (b) Are found not to have obtained their majority;
- (c) Are found to have committed an offence during or prior to their election to the National Assembly, punishable by imprisonment for any period greater than 14 days or by revocation of citizenship, under this or any law of the Republic;
- (d) Are found to have acted in a manner which attempted to undermine the integrity of the Republic of Covanellis, or to subvert the proper function of the democratic process of the Republic of Covanellis or any foreign country; or
- (e) Are found to have an actual, potential or perceivable conflict of interest between their holding membership in the National Assembly and their business or other interests, or the business or other interests of people known to them.

An independent commission, whose composition and rules of organisation and operation shall be set down in the legislation, shall be responsible for the definition of the constituencies for the election of members of the National Assembly, or modifying the distribution of the seats of members of the National Assembly.

Article 45.

No Member of the National Assembly shall be prosecuted, investigated, arrested, detained or tried in respect to opinions expressed or votes cast in the performance of their official duties.

The detention, subjecting to custodial or semi-custodial measures, or prosecution of a Member of the National Assembly shall be suspended for the duration of the session if the National Assembly so requires.

The National Assembly shall meet as of right for additional sittings in order to permit the application of the foregoing paragraph should circumstances so require.

Article 46.

No Member shall be elected with any binding mandate.

Members' right to vote shall be exercised in person.

The National Assembly shall sit as of right in one ordinary session which shall start on the fifteenth day of November and end on the first day of March.

The President may decide that the National Assembly shall meet for additional sitting days.

Article 47.

The President of the National Assembly shall be elected for the life of the Parliament from votes of incumbent members of the National Assembly.

TITLE IV. CONSTITUTIONAL SUPERSESSION

Article 48.

The provisions of this constitution shall be superseded by the Covanese Supersessional Constitution at the time the Covanese population exceeds two thousand five hundred people.

Article 49.

Sixty-two days following the time prescribed in Article 48, the sitting National Assembly shall be considered to be dissolved.

Elections for a new Parliament as described in the Covanese Supersessional Constitution shall be held no fewer than twenty days and no more than thirty-five days after this dissolution.

Elections for a new President as described in the Covanese Supersessional Constitution shall be held no fewer than twenty days and no more than thirty-five days before the termination of the sitting President's term as described in this Constitution. Where this is less than sixty-two days following the time prescribed in Article 48, elections for a new President shall be held on the same day as the elections described in paragraph two of this article.

TITLE V. THE GOVERNMENT

Article 50.

The Prime Minister shall be the leader of the party which holds the greatest number of seats within the National Assembly, or where multiple parties form a coalition that holds a greater number of seats than all opponents in the National Assembly, the leader of one party in this coalition as decided by negotiation. The President of the Republic shall appoint the Prime Minister upon receiving written notice that this criterion has been fulfilled. The term of the Prime Minister shall end when their party elects a new leader, when the Prime Minister fails to be re-elected in their seat, when another party comes to hold a greater number of seats than the party of the Prime Minister or their coalition, or when the Prime Minister tenders the resignation of themselves or the Government, whichever comes first.

On the recommendation of the Prime Minister, the President of the Republic shall appoint the other members of the Government and terminate their appointments.

Article 51.

The Government shall determine and conduct the policy of the Nation.

It shall have at its disposal the civil service and armed forces.

It shall be accountable to Parliament in accordance with the terms and procedures set out in Articles 53 and 54.

Article 52.

The Prime Minister shall direct the actions of the Government. They shall be responsible for the national defence. They shall ensure the implementation of legislation.

They may delegate certain of their powers to Ministers.

Article 53.

The Prime Minister, after deliberation by the Council of Ministers, may make the Government's programme or possibly a general policy statement an issue of a vote of confidence before the National Assembly.

The National Assembly may call the Government to account by passing a resolution of no-confidence. Such a resolution shall not be admissible unless it is signed by at least one tenth of the Members of the National Assembly. Voting may not take place within forty-eight hours after the resolution has been tabled. Solely votes cast in favour of the no-confidence resolution shall be counted and the latter shall not be passed unless it secures a majority of the Members of the National Assembly. Except as provided for in the following paragraph, no Member shall sign more than three resolutions of no-confidence during a single ordinary session and no more than one during a single extraordinary session.

The Prime Minister may, after formal consultation with the President, make the passing of a Finance Bill or Social Security Financing Bill an issue of a vote of confidence before the National Assembly. In that event, the Bill shall be considered

passed unless a resolution of no-confidence, tabled within the subsequent twenty-four hours, is carried as provided for in the foregoing paragraph. In addition, the Prime Minister may use the said procedure for one other Government or Private Members' Bill per session.

The Prime Minister may ask the President to approve a statement of general policy.

Article 54.

When the National Assembly passes a resolution of no-confidence, or when it fails to endorse the Government programme or general policy statement, the Prime Minister shall tender the resignation of the Government to the President of the Republic.

Article 55.

Instruments of the Prime Minister shall be countersigned, where required, by the ministers responsible for their implementation.

TITLE VI. TREATIES AND INTERNATIONAL AGREEMENTS

Article 56.

The President of the Republic shall negotiate and ratify treaties. He shall be informed of any negotiations for the conclusion of an international agreement not subject to ratification.

Article 57.

Peace Treaties, Trade agreements, treaties or agreements relating to international organization, those committing the finances of the State, those modifying provisions which are the preserve of statute law, those relating to the status of persons, and those involving the ceding, exchanging or acquiring of territory, may be ratified or approved only by an Act of Parliament.

They shall not take effect until such ratification or approval has been secured.

No ceding, exchanging or acquiring of territory shall be valid without the consent of the population concerned.

Article 58.

The Republic may enter into agreements with other states which are bound by undertakings identical with its own in matters of asylum and the protection of human rights and fundamental freedoms, for the purpose of determining their respective jurisdiction as regards requests for asylum submitted to them.

However, even if the request does not fall within their jurisdiction under the terms of such agreements, the authorities of the Republic shall remain empowered to grant asylum to any foreigner who is persecuted for their action in pursuit of freedom or who seeks the protection of *Covanellis* on other grounds.

Article 59.

Where a court of the Republic of Covanellis, on a referral from Member of the National Assembly or any citizen of the Republic of Covanellis with the support of more than one-tenth of the electoral roll, has held that an international undertaking contains a clause contrary to the Constitution, authorization to ratify or approve the international undertaking involved may be given only after amending the Constitution.

TITLE VII. THE JUDICIARY

Article 60.

The President of the Republic shall be the guarantor of the independence of the Judicial Authority.

Article 61.

Where the total number of citizens of the Republic of Covanellis is fewer than twenty-five, judicial candidates shall be proposed by the President and confirmed by a majority of votes of Members of the National Assembly.

Judicial candidates may be individuals who are not Covanese citizens but must have sufficient knowledge of the laws of the Republic of Covanellis to make determinations on matters referred to the courts.

Where the total number of citizens of the Republic of Covanellis is greater than twenty-five, judges shall be appointed by the High Council of the Judiciary.

The High Council of the Judiciary shall be comprised of five individuals chosen through a national lottery. Appointees shall serve as a member of the High Council of the Judiciary for a term of one year.

A person may be considered eligible for appointment to the High Council of the Judiciary if they:

- (g) Are a citizen of the Republic of Covanellis;
- (h) Have obtained their majority;
- (i) Have never committed an offence, punishable by imprisonment for any period greater than 14 days or by revocation of citizenship, under this or any law of the Republic;
- (j) Have never acted in a manner which attempted to undermine the integrity of the Republic of Covanellis, or to subvert the proper function of the democratic process of the Republic of Covanellis or any foreign country; and
- (k) Do not have an actual, potential or perceivable conflict of interest between their being appointed to the High Council of the Judiciary and their business or other interests, or the business or other interest of people known to them.

Article 62.

No one shall be arbitrarily detained.

The Judicial Authority, guardian of the freedom of the individual, shall ensure compliance with this principle in the conditions laid down by statute.

Article 63.

No one shall be sentenced to death.

TITLE VIII. CRIMINAL LIABILITY OF GOVERNMENT

Article 64.

Members of the Government shall be criminally liable for acts performed in the holding of their office and classified as serious crimes or other major offences at the time they were committed.

They shall be tried by a court of the Republic.

The court of the Republic shall be bound by such definition of serious crimes and other major offences and such determination of penalties as are laid down by the legislation.

Article 65.

The provisions of this title shall apply to acts committed before its entry into force.

TITLE IX. AMENDMENTS TO THIS CONSTITUTION

Article 66.

The President of the Republic, on the recommendation of the Prime Minister, and Members of Parliament alike shall have the right to initiate amendments to the Constitution.

A Government or a Private Member's Bill to amend the Constitution must be considered and passed by the National Assembly. The amendment shall take effect after approval by referendum.

No amendment procedure shall be commenced or continued where the integrity of national territory is placed in jeopardy.

The republican form of government shall not be the object of any amendment.