**Constitution of the Republic of**

**Ivanistan**

**Chapter I state definition**

We, the people that live in the country of Ivanistan,do establish the republic of Ivanistan on the twenty third of September two thousand and eighteen. Our country should be known as an independent and sovereign republic.

It’s has a defined territory by geographical coordinates

1st coordinates 44.766607N,20.404731E

2nd coordinates 44.763835N,20.425654E

3rd coordinates 44.750827N,20.428674E

4th coordinates 44.751315N,20.399160E

**Article 1 People of the state (citizenship, language)**

1. Citizens of the republic are all humans who are the children of a citizen of the republic, who are born in this republic or, who are naturalized.
2. The official language is English and/or Serbian

**Article 2 Form of the republic**

1. This Constitution is the supreme law of the land; it is directly binding on all Republic authority. The general rules of public international law constitute an integral, inviolable part of the national law.

**Article 3 Republics Symbols, Capital**

1.The Republic of Ivanistan has the National Colors, the State Flag, Seal, and Coat of Arms as well as the National Anthem.

2.The State Motto is "Freedom,Peace,and equality"

3.The capital of the State is the Ivangrad.

**Chapter II State Objectives**

**Article 4 General Constitutional Objectives**

1.The Republic of Ivanistan promotes justice and universal protection of human rights as individual rights. The Republic encourages fraternity among its citizens by establishing solidarity, general welfare, and national unity.

2.The Republic of Ivanistan acknowledges the right of the People to national autonomy and self-determination, and the right of minorities to group autonomy.

3.The Republic promotes:

a.public health care;

b.education and schooling;

c.schemes for social welfare;

d.preservation and development of culture;

e.preservation and maintenance of historical objects;

f.environmental protection, intergenerational equity, and the protection of nature for its intrinsic value including the protection of nature's right;

g.natural and social sciences.

**Article 5 State Security**

1.The Republic promotes worldwide peace. Acts undertaken to prepare war or to otherwise disturb the peaceful relations

between nations are unconstitutional.

2.The Republic takes adequate measures to preserve its integrity even in the state of war or civil war.

3.The Republic protects the People against terrorism, extremism, and catastrophes.

**Chapter III State Organization**

**Part I General Organization**

**Article 6 Elections**

1.Elections are held only in these conditions:

1. Death of a leader
2. The leader is charged and prosecuted for a crime
3. Resignation of the leader
4. By a executive decision made by the leader

2. All election must be held anonymously**,**fairly and should

overpower any decision of the leader.

**Article 7 Organizational Principles**

1.The Republic separates executive, legislative, and adjudicative powers. Offices in different powers are incompatible with each other (horizontal incompatibility). Offices in national entities are incompatible with any public office on a lower level (vertical incompatibility) and with any other salaried office, private or public (economic incompatibility).

**Article 8 National Powers**

1.Republic powers belong to the national entities for the following subject matters:

a.state defence,

b.foreign relations,

c.economic regulations,

d.infrastructure and traffic,

e.taxation,

f.solidarity systems,

g.private, criminal, and procedural law,

h.educational and other standards,

i.and all other subject matters which by their very nature or as a corollary to the subjects listed have to be centralized on the national level.

2.The Republic may give up sovereign powers to international or supranational bodies, including systems of mutual collective security and trade organisations, as long as it retains an adequate representation in those bodies and those bodies guarantee sufficient legal protection for the Citizens.

**Part II Representation of the State**

**Article 9 Head of State**

1.The President is the head of the Republic of Ivanistan. He or she has the right of pardon, to conduct foreign affairs, and to all other representative functions of the republic.

2.The President is elected by the people of this nation and all future presidents are picked by the current president unless of his death where all parties enter the election

3.Every resident citizen with the right to vote who has attained the age of eighteen is eligible for the office of President.

4.Before taking office, President takes the following Oath or Affirmation: "I do solemnly swear (or affirm) that I will faithfully execute this office, honoring and protecting the Constitution of the State,and the protection of the people and their rights ."

5.The President shall not be held accountable for any actions performed by the state and its people he is only held accountable for actions performed by himself and shall be tried by the supreme court

**Part III Executive Power**

**Article 10 National Government, President**

1.The executive power of the State is vested in the national Government and its President. It includes diplomatic affairs.

2.The President is the head of the National Government. The President freely chooses the National Ministers.

3.The President is Commander in Chief of the Armed Forces.

**Article 11 Impeachment**

An impeachment of the President is only possible under these conditions:

1. The president has committed a crime that that is judged by the supreme court
2. The president is disabled from performing his duty under medical conditions

**Article 12 Regional Equalization of Finances**

The State provides for an overall equalization of finances, giving due consideration to the regions' repective debts, burdens, economic power, and infrastructural responsibilities.

**Part IV Legislative Power**

**Article 13 National Parliament**

1.The legislative power is ruled by the president.

2.The National Parliament consists of 20 members. Members of the National Parliament are residents elected by the President.

3.Everyone eligible to vote has recourse to the Supreme Court for scrutiny of the elections.

4.The national parliament draws up its own rules of procedures and elects a parliamentary president and parliamentary vice presidents.

5.Decisions of the National Parliament require a majority of the votes cast (simple majority) unless this Constitution provides otherwise.

**Article 14 Rights of Members of Parliament**

1.Members of Parliament are only bound by their conscience.

2.Members of Parliament may not be subjected to court proceedings or disciplinary action for a vote cast or a statement made by them in the National Parliament or in any of its committees (Indemnity).

4.Members of Parliament are entitled to adequate remuneration ensuring their independence. The remuneration may not be altered for the present term.

**Article 15 Lawmaking Process**

1.Bills can be introduced only by the President or by National parliament. Bills can specify the additional requirement of a public referendum after they have been voted upon.

2.Laws altering this Constitution must be created and approved by the president.All laws are void if they are unconstitutional.

3.Laws have to specify their effective date. They are approved by the Parliamentary President and promulgated in the Official National Publication.

5.Bills can be submitted to a referendum if provided by parliamentary decision or as part of the initiative.

**Article 16 Budget**

1.The bill for the yearly budget law is introduced by the President.

2.Budget laws are not subjected to referendums.

**Article 17 Treaties**

1.The President signs treaties with other states.

2.The legislative power of the President and the national parliament includes the power to ratify treaties with other states.

3.Treaties not ratified within six months have to be revoked by the President.

**Article 18 National Ordinances**

1.Laws may empower National Ministers to adopt National Ordinances regarding a specified subject matter.

2.National Ordinances do not require ratification by Parliament.

**Article 19 State of Emergency**  
  
1.In cases of grave and immediate threat to the existence of the State, the President may take necessary measures of defence.  
2.All emergency measures must be confirmed or revoked by the Parliament at the earliest time possible. The President is bound by the Parliaments decisions.

**Part V Adjudicative Power**

**Article 20 Independent Courts**

1.The adjudicative power is vested in states.

2.Judges are 2 people in the parliament. Their office ends at time of retirement or when they lose their electoral rights.

**Article 21 Supreme Court**

1.The Supreme Court decides issues involving this Constitution. In particular, the Supreme Court has jurisdiction over:

a.disputes between state entities concerning their respective rights and duties under this Constitution;

b.challenges of a national or regional entity, a Court in the course of its determination, or a third of the Members of Parliament against the constitutionality of a law;

c.claims of individuals regarding violations of their constitutional rights;

d.popular complaints about the violation of fundamental rights;

e.cases on appeal from National Courts as the Supreme Court deems necessary to review;

f.all other cases assigned to its jurisdiction by law.

2.Decisions of the supreme court are directly binding for all entities of the State.

3.The office of Supreme Court Justices does not exceed a period of 15 years.

**Article 22 National Courts**

1.National courts have supreme jurisdiction over review and other matters assigned to it by law.

2.Separate national courts shall be established for private law, penal law, and general public law.

3.The supreme court decides by extraordinary review in cases of inconsistent application of the law by different national courts.

**Chapter IV Fundamental Rights**

**Part I General Provisions**

**Article 26 Human Rights**

1.The State acknowledges liberty and equality of all humans.

2.Human dignity must be respected in any case.

3.Everyone is free to do or not to do whatever he or she chooses. Everyone is responsible for acts freely chosen.

4.Slavery is abolished.

**Article 27 Applicability**

1.Fundamental rights apply to natural persons, domestic and foreign, who are assigned these rights. They apply to legal persons, domestic and foreign, where, and to the extent that, the nature of the rights permits.

2.Fundamental rights are inviolable and inalienable. They include the freedom not to make use of them (negative

freedom). Their exercise may, in single instances, be waved by free and responsible declaration of the right holder, but such declaration is never binding for future instances.

**Chapter IV Fundamental Rights**

**Part I General Provisions**

**Article 28 Personal Integrity**

1.Everyone has the right to life and bodily integrity.

2.Everyone has the right to remain free (personal freedom).

3.All citizens are free to reside anywhere in, move throughout, enter, and leave the Territory with the permission of the police .

**Article 29 Property Integrity and Related Rights**

1.Everyone has the right to acquire, own, possess, exclusively use, and convey public property.

2.Property may be taken without due compensation.

**Section II Religious Freedom**

**Article 30 Freedom of Religion and Belief**

1.Everyone has the right to choose and practice his or her religion, creed, conscience, faith, confession, and belief.

2.Everyone can refuse to give religious instructions.

**Section III Freedom of Communication**

**Article 31 Freedom of Expression and Information**

1.Everyone has the right to freely express and disseminate his or her opinions.

2.The Freedom of the press and other media is guaranteed.

3.Everyone has the right to freely retrieve information from publicly available sources.

4.Censorship is abolished.

**Article 32 Right to Assemble and Associate**

1.Everyone has the right to peacefully assemble.

2.Everyone has the right to associate with others. This includes association in political parties.

3.Every adult has the right to marry one partner.

**Article 33 Right to Privacy**

1.Everyone has the right to privacy.

2.The home is inviolable.

3.The privacy of letters as well as the secrecy of mail and telecommunication are inviolable.

**Section IV Freedom of Profession and Activities**

**Article 34 Freedom of Profession**

1.All citizens have the right to freely choose their occupation, their place of work, and their place of study or training.

2.There is no duty to work. Forced labor is prohibited.

**Article 35 Freedom of Research, Science, and Teaching**

1.Everyone has the right to research and conduct science.

2.Everyone has the right to perform arts.

3.Everyone has the right to teach and to found private school

**Section V Political Rights**

**Article 36 Electoral Rights**

1.All resident adults have the equal right to vote and to be elected. In national elections, only citizens have this right.

3.Anyone who has attained the age of eighteen years is an adult.

**Article 37 Right to Petition**

Everyone has the right to address written petitions to the competent agencies, to governments, and to parliaments.

**Article 38 Freedom of Citizenship**

1.Citizens can at any time give up their citizenship.

**Article 39 Right to Self-Determination and Resistance**

1. Everyone has the right to collective self-determination including the right to decide about membership in regional or local entities. The State guarantees these rights through adequate powers of decentralized regional and local governments.

2.All citizens have the right to civil disobedience and resistance against attempts to abolish this constitutional order, should no other remedy be available.

**Section VI Other Liberties**

**Article 40 Freedom of Procreation and Childrearing**

1.Everyone has the right to procreation.

2.Parents have the right to bringing up and educating their children. They have the right to decide about their children's participation in religious instructions.

**Part III Equality**

**Article 41 Equality**

1.All humans are equal before the law (general equality).

2.Matrimonial equality and legitimacy equality are guaranteed.

3.All citizens are equally eligible for public office according to their professional aptitude.

**Article 42 Prohibition of Discrimination and Privileges**

1.No person may be discriminated against or privileged on the basis of sex, gender, origin, race, language, origin, parentage, creed, faith, or nobility.

2.Measures for the advancement of persons are admissible to remedy past discrimination (affirmative action).

**Part IV Right to Protection**

**Article 43 Protection**

1. People have the right to possess firearms and other weapons for purpose of protection of themself and the law,sporting,or hunting.

**Article 44 Special Protection**

1.Protection of human dignity is a duty of the State and the person or a group.

2.The institution of marriage has the special protection of the State.

3.Families, mothers, and minors have the special protection of the State.

4.Everyone persecuted on political grounds has the right to asylum.

**Part V Welfare Rights**

**Article 45 Special Support**

1.Everyone has the right to livelihood, health care, shelter, and education.

2.Mothers and Fathers have the special support of the State.

**Part VI Procedural Rights**

**Article 46 Access to courts**

1.Everyone has free recourse to the courts.

2.Everyone has the right to a constitutional judge. Extraordinary courts are not allowed.

3.Persons and groups have recourse to the court acting for other rightholders not being in a position to seek relief in their own name (third party standing).

**Article 47 Fair Trial**

1.Everyone has the right to a fair trial. Evidence obtained illegally is inadmissible. Everyone has the right of access to all state information required for the exercise or protection of any of his or her rights (file access).

2.Everyone has the right to trial by jury.

3.No one may be deprived of life or liberty without due process of law.

4. No law shall be passed stipulating regulations of the past without due compensation for all losses (*ex post facto* law).

**Article 48 Criminal Justice**

1.No act may be punished unless it constituted a criminal offence under the law before having been committed (*nulla poena sine lege*). No one may be punished for the same act more than once (double jeopardy).

2.Everyone accused or arrested enjoys the right

a) to a speedy and public trial,

b) to be presumed innocent until proven guilty,

c) not to be a witness against himself,

d) promptly to be informed about the reason of accusation or detention and about the right to be silent (Miranda rights),

e) to counsel for defence,

f) to communicate with next-of-kin, partner, and legal, medical, and religious counsellor,

g) to be released no later than 72 hours after the arrest if not further detended after court hearing, and

h) to redress in case of false imprisonment.

**Chapter V Individual Restrictions**

**Part I General Provisions**

**Article 49 Admissible Restrictions**

1.The State can apply restrictions on individual rights only for the purpose of protecting individual rights of other persons or furthering other state interests explicitly mentioned in this Constitution (constitutional interest).

2.Any restriction on individual rights must be competent and narrowly tailored to further the constitutional interest. Such restriction must be an adequate means to achieve the purpose of furthering the constitutional interest. In no case may the essence of a fundamental right be infringed.

3.Any restriction must apply generally and not solely to an individual case.

**Article 50 Special Restrictions**

1.Possession and use of drugs resulting in strong and imminent danger for the general public is prohibited.

**Part II Duties**

**Article 51 General Duties**

1.Parents have the duty to rear and educate their minor children.

2.Adults have the duty to support and assist their parents if they are in need.

3.Parents and children have the duty to ensure that minors attend public schools or equivalent institutions (compulsory schooling). Vocational schools and certified private schools are equivalent to public schools.

**Article 52 Civil Service**

1.Every citizen of age of 18 serves 3 months in the Armed Forces, in the unarmed civil services, or in equivalent non-profit services.

2.Whoever is unable to serve is liable to compensate the community.

**Part III Burdens**

**Article 53 Taxation**

1.The State levies taxes from the citizens.

2.The State levies taxes throughout the Territory.

**Part IV State Monopolies**

**Article 54 Monopolies on objects**

No one but the State may own ultra-hazardous material.

**Article 55 Monopolies on activities**

1.No one but the State may coin or print money.

2.The State retains the monopoly on mail and telecommunication networks.