

Bylaws of the Confederacy of Sovereign Systems



I. Fundamental Rights

Article 1

- (1) Sentient dignity is inviolable. It is the duty of all state authority to respect and protect it.
- (2) The Confederate people therefore declare their belief in inviolable and inalienable sentient rights as the basis of every sentient community, of peace and of justice in the galaxy.
- (3) The following fundamental rights shall bind the legislature, the executive and the judiciary as directly applicable law.

Article 2

- (1) Everyone has the right to the free development of his or her personality, provided that he or she does not infringe the rights of others and does not violate the constitutional order or moral law.
- (2) Everyone has the right to life and physical integrity. The freedom of the person is inviolable. These rights may only be interfered with on the basis of a law.

Article 3

- (1) All sentients are equal before the law.
- (2) Men and women shall have equal rights. The state shall promote the actual implementation of equal rights for women and men and shall work towards the elimination of existing disadvantages.
- (3) No one shall be discriminated against or given preference on the grounds of sex, descent, race, language, nationality and origin, creed, religious or political beliefs. No one shall be discriminated against on the grounds of disability.

Article 4

- (1) Freedom of faith, conscience and religious and philosophical belief shall be inviolable.
- (2) The undisturbed practice of religion shall be guaranteed.
- (3) No one may be forced to perform military service with weapons against his conscience. Further details shall be regulated by a confederate law.

Article 5

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- (1) Everyone has the right freely to express and disseminate his or her opinions in speech, writing and pictures and to inform himself or herself without hindrance from generally accessible sources. Freedom of the press and freedom of reporting by radio and film shall be guaranteed. There shall be no censorship.
- (2) These rights shall be limited by the provisions of general law, the legal provisions for the protection of youth and the right to personal honour.
- (3) Art and science, research and teaching are free. The freedom of teaching shall not release from loyalty to the Constitution.

Article 6

- (1) Marriage and the family shall be under the special protection of the state.
- (2) The care and upbringing of children is the natural right of parents and their primary duty. The state community shall watch over their activities.
- (3) Children may only be separated from the family against the will of the legal guardians on the basis of a law if the legal guardians fail or if the children threaten to become neglected for other reasons.
- (4) Every mother shall be entitled to the protection and care of the community.
- (5) Children born out of wedlock shall be provided by law with the same conditions for their physical and mental development and their position in society as are provided for children born in wedlock.

Article 7

- (1) All education shall be under the supervision of the State.
- (2) The legal guardians shall have the right to decide on the child's participation in religious education.
- (3) Religious education shall be an ordinary subject in public schools, with the exception of non-denominational schools. Without prejudice to the state's right of supervision, religious instruction shall be given in accordance with the principles of the religious communities. No teacher may be obliged to teach religious education against his or her will.
- (4) The right to establish private schools shall be guaranteed. Private schools as substitutes for public schools shall require the approval of the state and shall be subject to the laws of the system. Approval shall be granted if the private schools are not inferior to the public schools in their teaching aims and facilities and in the academic training of their teachers, and if a segregation of pupils according to the property status of their parents is not promoted. Approval shall be refused if the economic and legal position of the teachers is not sufficiently secured.

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(5) A private primary school shall only be approved if the education administration recognises a special educational interest or, at the request of parents or guardians, if it is to be established as a community school or as a confessional or ideological school and a public primary school of this type does not exist in the municipality.

(6) Pre-schools shall remain abolished.

Article 8

(1) All Confederate citizens shall have the right to assemble peacefully and without arms without registration or permission.

(2) For assemblies in the open air, this right may be restricted by law or on the basis of a law.

Article 9

(1) All Confederate citizens have the right to form associations and societies.

(2) Associations whose purposes or activities contravene the criminal laws or which are directed against the constitutional order or against the idea of international understanding shall be prohibited.

(3) The right to form associations for the protection and promotion of working and economic conditions is guaranteed for everyone and for all professions. Agreements which restrict or seek to hinder this right shall be null and void, and measures directed to this end shall be unlawful.

Article 10

(1) The secrecy of correspondence and the secrecy of postal and telecommunications communications shall be inviolable.

(2) Restrictions may only be ordered on the basis of a law. If the restriction serves to protect the free democratic basic order or the existence or security of the Confederacy or of a system, the law may stipulate that it shall not be communicated to the person concerned and that review by organs and auxiliary organs appointed by the people's representation shall take the place of legal recourse.

Article 11

(1) All confederate citizens shall enjoy freedom of movement throughout the Confederate territory.

(2) This right may be restricted only by law or on the basis of a law and only in cases where there is no sufficient means of livelihood and where this would result in special burdens for the general public, or where it is necessary in order to avert an

imminent danger to the existence or the free democratic basic order of the Confederacy or of a system, to combat the danger of epidemics, natural disasters or particularly serious accidents, to protect young people from neglect or to prevent criminal offences.

Article 12

- (1) All Confederate citizens shall have the right freely to choose their occupation, place of work and place of training. The exercise of a profession may be regulated by law or on the basis of a law.
- (2) No one shall be compelled to perform any particular work, except within the framework of a traditional general public service obligation which is the same for all.
- (3) Forced labour shall be permitted only in cases of deprivation of liberty ordered by a court.

Article 12a

- (1) Men may be required to serve in the armed forces, in the Confederate Border Guard or in a civil defence unit from the age of eighteen standard years.
- (2) Anyone who refuses military service with weapons for reasons of conscience may be obliged to perform alternative service. The duration of alternative service may not exceed the duration of military service. The details shall be regulated by a law which must not interfere with the freedom of conscientious objection and must also provide for a possibility of alternative service which has no connection with the units of the armed forces and the Confederate Border Guard.
- (3) Conscripts who are not called up for service in accordance with paragraph 1 or 2 may, in the case of defence, be obliged by law or on the basis of a law to perform civilian services for defence purposes, including the protection of the civilian population, in employment relationships; obligations in public service relationships are permissible only for the performance of police duties or such sovereign duties of public administration which can be performed only in a public service relationship. Employment relationships in accordance with sentence 1 may be established with the armed forces, in the area of their supply as well as with the public administration; obligations in employment relationships in the area of the supply of the civilian population are only permissible in order to cover their vital needs or to ensure their protection.
- (4) If, in the case of defence, the need for civilian services in the civilian medical and medical services as well as in the fixed military hospital organisation cannot be met on a voluntary basis, women from the age of eighteen to fifty-five may be called

upon to perform such services by law or on the basis of a law. In no case shall they be required to serve with arms.

(5) For the period before the case of defence, obligations under paragraph 3 may only be established in accordance with Article 80a, paragraph 1. In order to prepare for service in accordance with paragraph 3, for which special knowledge or skills are required, participation in training events may be made obligatory by law or on the basis of a law. Sentence 1 shall not apply in this respect.

(6) If, in the event of defence, the need for labour in the fields referred to in subsection 3, sentence 2, cannot be met on a voluntary basis, the freedom of confederate citizens to give up an occupation or a job may be restricted by law or on the basis of a law in order to secure this need. Prior to the occurrence of the case of defence, paragraph 5, sentence 1 shall apply accordingly.

Article 13

(1) The home shall be inviolable.

(2) Searches may only be ordered by the judge, or, in case of imminent danger, by the other organs provided for by law, and may only be carried out in the form prescribed therein.

(3) If certain facts give rise to the suspicion that a person has committed a particularly serious criminal offence individually determined by law, technical means for acoustic surveillance of dwellings in which the accused is presumably staying may be used for the prosecution of the offence on the basis of a judicial order if the investigation of the facts would be disproportionately difficult or futile by other means. The measure shall be limited in time. The order shall be issued by a panel of three judges. In case of imminent danger, it may also be issued by a single judge.

(4) In order to avert urgent danger to public safety, in particular a common danger or danger to life, technical means for the surveillance of dwellings may only be used on the basis of a court order. In the case of imminent danger, the measure may also be ordered by another body designated by law; a judicial decision shall be obtained without delay.

(5) If technical means are provided exclusively for the protection of persons working in dwellings during an operation, the measure may be ordered by a body designated by law. Any other use of the information thus obtained shall only be permissible for the purpose of criminal prosecution or the prevention of danger and only if the lawfulness of the measure has first been established by a court; in the case of imminent danger, the court's decision shall be obtained without delay.

(6) The Confederate Government shall inform the Separatist Parliament annually of the use made of technical means in accordance with paragraph 3 and of the use made of technical means in the Confederate sphere of competence in accordance with

paragraph 4 and, insofar as judicial review is required, in accordance with paragraph 5. A body elected by the Confederate Parliament shall exercise parliamentary control on the basis of this report. The systems shall ensure equivalent parliamentary control.

(7) Interventions and restrictions may otherwise only be carried out to avert a common danger or a danger to the life of individuals, or, on the basis of a law, to prevent urgent dangers to public safety and order, in particular to remedy the shortage of space, to combat the danger of epidemics or to protect young people in danger.

Article 14

- (1) The right to property and the right of succession shall be guaranteed. Their content and limits shall be determined by law.
- (2) Property shall be an obligation. Its use shall at the same time serve the common good.
- (3) Expropriation is permissible only for the common good. It may only be carried out by law or on the basis of a law which regulates the type and extent of compensation. The compensation shall be determined after a fair consideration of the interests of the general public and of the parties involved. In the event of a dispute over the amount of compensation, recourse shall be had to the ordinary courts.

Article 15

Land, natural resources and means of production may, for the purpose of socialisation, be transferred into common ownership or into other forms of common economy by a law regulating the nature and extent of compensation. Article 14, paragraph 3, sentences 3 and 4, shall apply *mutatis mutandis* to the compensation.

Article 16

- (1) Confederate nationality may not be withdrawn. The loss of citizenship may only occur on the basis of a law and against the will of the person concerned only if the person concerned does not thereby become stateless.
- (2) No Confederate citizen may be extradited to a foreign country.

Article 16a

Politically persecuted persons shall enjoy the right of asylum.

Article 17

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Everyone has the right, individually or in association with others, to address written petitions or complaints to the competent authorities and to the People's Assembly.

Article 17a

(1) Laws concerning military service and alternative service may provide that, for members of the armed forces and alternative service, during the period of military or alternative service, the fundamental right to express and disseminate one's opinion freely in speech, writing and pictures, the fundamental right of freedom of assembly and the right of petition, in so far as it grants the right to present petitions or complaints in community with others, shall be restricted.

(2) Laws serving the purpose of defence, including the protection of the civilian population, may provide that the fundamental rights of freedom of movement and inviolability of the home shall be restricted.

Article 18

Anyone who abuses freedom of expression, in particular freedom of the press, freedom of teaching, freedom of assembly, freedom of association, secrecy of correspondence, post and telecommunications, property or the right of asylum in order to fight against the free democratic basic order shall forfeit these basic rights. The forfeiture and its extent shall be pronounced by the Confederate Constitutional Court.

Article 19

(1) To the extent that a fundamental right may be restricted by or on the basis of a law under these Bylaws, the law must apply generally and not only to the individual case. In addition, the law must name the fundamental right, stating the article.

(2) In no case may the essence of a fundamental right be affected.

(3) Fundamental rights shall also apply to domestic legal persons insofar as they are applicable to them by their nature.

(4) If a person's rights are violated by public authority, legal recourse shall be open to him or her. If no other jurisdiction is established, ordinary legal recourse shall be available.

II. The Confederacy and the Systems

Article 20

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- (1) The Confederacy of Independent Systems is a democratic and social confederate state.
- (2) All state power shall emanate from the people. It shall be exercised by the people in elections and votes and by special legislative, executive and judicial bodies.
- (3) The legislature shall be bound by the constitutional order, the executive and the judiciary by law and justice.
- (4) All Confederate citizens have the right of resistance against anyone who attempts to eliminate this order, if no other remedy is possible.

Article 20a

The State shall, also in responsibility for future generations, protect the natural foundations of life and animals within the framework of the constitutional order by legislation and, in accordance with law and justice, by executive power and the administration of justice.

Article 21

- (1) Political parties shall participate in the political decision-making process of the people. They shall be free to establish themselves. Their internal organisation must conform to democratic principles. They shall be publicly accountable for the origin and use of their funds and for their assets.
- (2) Parties whose aims or the behaviour of their supporters are aimed at impairing or eliminating the free democratic basic order or at endangering the existence of the Confederacy of Independent Systems are unconstitutional.
- (3) Parties whose aims or the conduct of their supporters are designed to impair or eliminate the free democratic basic order or to jeopardise the existence of the Confederacy of Independent Systems shall be excluded from state funding. If the exclusion is established, tax benefits for these parties and for donations to these parties shall also cease to apply.
- (4) The Confederate Constitutional Court shall decide on the question of unconstitutionality under paragraph 2 and on the exclusion from state funding under paragraph 3.
- (5) Further details shall be regulated by confederate laws.

Article 22

The capital of the Confederacy of Independent Systems shall be Raxus Secundus. The representation of the state as a whole in the capital shall be the

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responsibility of the Confederacy. Further details shall be regulated by confederate law.

Article 23

(1) The Confederacy may by law transfer sovereign rights to intergovernmental bodies.

A. Insofar as the systems are responsible for the exercise of State powers and the the performance of state duties, they may transfer sovereign rights to neighbouring border institutions.

(2) The Confederacy may, for the purpose of preserving the peace, join a system of mutual collective security; in this the Confederacy shall thereby consent to restrictions on its sovereign rights.

(3) For the settlement of inter-state disputes, the Confederacy shall conclude agreements on general, comprehensive, compulsory, international arbitration.

Article 24

The general rules of international law shall form an integral part of confederate law. They take precedence over the laws and create rights and obligations directly to the inhabitants of the confederate territory.

Article 25

(1) Acts which are likely to and are committed with the intention of disturbing the peaceful coexistence of peoples, in particular to prepare wars of aggression are unconstitutional. They shall be punishable.

(2) Weapons intended for warfare may only be manufactured, transported and put into circulation only with the permission of the confederate Government. The details shall be regulated by a confederate law.

Article 26

All Confederate merchant ships shall form a uniform merchant fleet.

Article 27

(1) The municipalities must be guaranteed the right to regulate all matters of the local community under their own responsibility within the framework of the law. Associations of municipalities shall also have the right of self-administration within

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the scope of their statutory tasks in accordance with the law. The guarantee of self-administration shall also include the foundations of financial self-responsibility; these foundations shall include an economic power-related tax source to which the municipalities are entitled with the right of assessment.

(3) The Confederacy shall ensure that the constitutional order of the systems complies with fundamental rights and the provisions of paragraphs 1 and 2.

Article 28

The exercise of State powers and the performance of State functions shall be a matter for the systems, unless otherwise provided for or permitted by these Bylaws.

Article 29

Confederate law shall break system law.

Article 30

(1) The maintenance of relations with foreign states shall be the responsibility of the Confederacy.

(2) The systems shall be heard in good time before any treaty is concluded which affects the special circumstances of a system.

(3) Insofar as the systems are responsible for legislation, they may conclude treaties with foreign states with the consent of the Confederate Government.

Article 31

(1) Every Confederate citizen shall have the same civic rights and duties in every system.

(2) Every Confederate citizen shall have equal access to every public office according to his aptitude, ability and professional achievement.

(3) The enjoyment of civil and civic rights, admission to public office and rights acquired in public service shall be independent of religious belief. No one shall suffer any disadvantage as a result of belonging or not belonging to a confession or belief.

(4) The exercise of powers under sovereign law shall, as a rule, be entrusted as a permanent task to members of the public service who are in a relationship of service and loyalty under public law.

(5) The law governing the civil service shall be regulated and developed with due regard to the traditional principles of the civil service.

Article 32

If, in the exercise of a public office entrusted to him or her, a person breaches the official duty incumbent on him or her towards a third party, liability shall in principle lie with the system or the body in whose service he or she is employed. In the case of intent or gross negligence, recourse is reserved. The ordinary course of law may not be excluded for claims for damages and for recourse.

Article 33

- (1) All confederate and system authorities shall provide each other with mutual legal and administrative assistance.
- (2) In order to maintain or restore public security or order, a system may, in cases of particular importance, request forces and facilities of the Confederate Border Police to assist its police if the police would be unable to perform a task without such assistance or could do so only with considerable difficulty. In order to provide assistance in the event of a natural disaster or a particularly serious accident, a system may request police forces of other systems, forces and facilities of other administrations as well as of the Confederate Border Police and the armed forces.
- (3) If the natural disaster or accident endangers the territory of more than one system, the confederate Government may, to the extent necessary to combat it effectively, instruct the system governments to place police forces at the disposal of other systems and to deploy units of the Confederate Border Police and the armed forces to assist the police forces. Measures taken by the Confederate Government in accordance with sentence 1 shall be revoked at any time at the request of the systems affected, and otherwise immediately after the danger has been eliminated.

Article 34

- (1) Civil servants from all systems shall be used in appropriate proportions in the supreme confederate authorities. The persons employed by the other confederate authorities shall, as a rule, be taken from the system in which they work.
- (2) The laws on military service shall also take into account the division of the Confederacy into systems and their particular national circumstances.

III. The Confederate Parliament

Article 35

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- (1) The Members of the Confederate Parliament shall be elected by universal, direct, free, equal and secret suffrage. They are representatives of the whole people, not bound by orders or instructions and subject only to their conscience.
- (2) Anyone who has reached the age of eighteen standard years is entitled to vote; anyone who has reached the age of maturity is eligible to be elected.
- (3) Further details shall be determined by a confederate law.

Article 36

- (1) Subject to the following provisions, the Confederate Parliament shall be elected for four standard years. Its term of office shall end when a new Confederate Parliament convenes. The new election shall take place no earlier than forty-six and no later than forty-eight standard months after the beginning of the electoral period. In the event of a dissolution of the Confederate Parliament, the new election shall take place within sixty days.
- (2) The Confederate Parliament shall convene no later than the thirtieth standard day after the election.
- (3) The Confederate Parliament shall determine the conclusion and resumption of its sittings. The Speaker of the Confederate Parliament may convene it earlier. He shall be obliged to do so if one third of the members or the Head of State so request.

Article 37

- (1) The Confederate Parliament shall elect its Speaker, his deputies and the Secretaries. It shall adopt its Rules of Procedure.
- (2) The Speaker shall exercise domiciliary rights and police powers in the building of the Confederate Parliament. No search or seizure may take place in the premises of the Confederate Parliament without his authorisation.

Article 38

- (1) The Confederate Parliament shall be responsible for scrutinising elections. It shall also decide whether a Member of the Parliament has lost his or her membership.
- (2) An appeal against the decision of the Confederate Parliament may be lodged with the Confederate Constitutional Court.
- (3) Further details shall be regulated by a confederate law.

Article 39

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- (1) The Confederate Parliament shall sit in public. At the request of one tenth of its members or at the request of the Confederate Government, the public may be excluded by a two-thirds majority. A decision on the motion shall be taken in closed session.
- (2) A majority of the votes cast shall be required for a resolution of the Confederate Parliament, unless these Confederate Bylaws provide otherwise. The Rules of Procedure may allow exceptions for elections to be held by the Confederate Parliament.
- (3) Truthful reports on the public sittings of the Confederate Parliament and its committees shall remain free from any liability.

Article 40

- (1) The Confederate Parliament and its committees may require the presence of any member of the Confederate Council.
- (2) The members of the Confederate Government and their representatives shall have access to all meetings of the Confederate Parliament and its committees. They must be heard at all times.

Article 41

- (1) The Confederate Parliament shall have the right and, at the request of one quarter of its members, the duty to set up a committee of enquiry which shall take the necessary evidence in open court. The public may be excluded.
- (2) The provisions governing criminal proceedings shall apply mutatis mutandis to the taking of evidence. The secrecy of correspondence, post and telecommunications shall remain unaffected.
- (3) Courts and administrative authorities shall be obliged to provide legal and administrative assistance.
- (4) The decisions of the committees of enquiry shall not be subject to judicial discussion. The courts shall be free to assess and evaluate the facts on which the investigation is based.

Article 41a

- (1) The Confederate Parliament shall appoint a Committee on Foreign Affairs and a Committee on Defence.
- (2) The Committee on Defence shall also have the rights of a committee of enquiry. At the request of one quarter of its members, it shall have the duty to make a matter the subject of its enquiry.

- (3) Article 44, paragraph 1, shall not apply in the field of defence.

Article 41b

- (1) The Confederate Parliament shall appoint a committee to monitor the intelligence activities of the Confederacy.
- (2) The details shall be regulated by a confederate law.

Article 42

- (1) A Member of Parliament may not at any time be prosecuted in a court of law or in the service of a court or otherwise be called to account outside the Confederate Parliament because of his vote or because of a statement he has made in the Confederate Parliament or in one of its committees. This shall not apply to defamatory insults.
- (2) A Member may not be held responsible or arrested for an act punishable by law without the authorisation of the Confederate Parliament, unless he is arrested when the act is committed or in the course of the following day.
- (3) The authorisation of the Parliament shall also be required in the case of any other restriction of a Member's personal liberty or for the institution of proceedings against a Member.
- (4) Any criminal proceedings against a Member, any detention and any other restriction of his personal freedom shall be suspended at the request of the Parliament.

Article 43

Members of Parliament shall be entitled to refuse to testify about persons who have entrusted facts to them in their capacity as Members of Parliament or to whom they have entrusted facts in this capacity, as well as about these facts themselves. The seizure of documents shall be inadmissible to the extent that this right to refuse to testify extends.

Article 44

- (1) Any person standing for election to a seat in the Confederate Parliament shall be entitled to the leave necessary to prepare for his election.
- (2) No one may be prevented from taking up and exercising the office of a Member of Parliament. Dismissal for this reason is inadmissible.

(3) Members of Parliament shall be entitled to an appropriate allowance that safeguards their independence. They shall have the right to free use of all means of public transport. The details shall be regulated by a confederate law.

IV. Head of State

Article 45

(1) The Head of State shall be elected without debate by the Confederate Parliament. Every Confederate citizen who has the right to vote in the Confederate Parliament and has reached the age of forty may be elected.

(2) The term of office of the Head of State shall be five years. Subsequent re-election shall be permitted only once.

(3) The Confederate Parliament shall convene no later than thirty days before the expiry of the term of office of the Head of State, and in the event of premature termination, no later than thirty days after that date.

(4) After the expiry of the term of office, the period referred to in subsection 3, first sentence, shall begin with the first meeting of the Confederate Parliament.

(5) The person who receives the votes of the majority of the members of the Confederate Parliament shall be elected. If this majority is not obtained by any candidate in two ballots, the candidate who obtains the most votes in a further ballot shall be elected.

(6) The details shall be regulated by a confederate law.

Article 46

(1) The Head of State may not be a member of the government or of a legislative body of the Confederacy or of a system.

(2) The Head of State may not hold any other salaried office, trade or profession and may not be a member of the management or supervisory board of a profit-making enterprise.

Article 47

On taking office, the Head of State shall take the following oath before the assembled members of the Confederate Parliament and the Bundesrat:

"I swear that I will devote my strength to the welfare of the Confederate people, increase its benefit, avert harm from it, uphold and defend the Confederate Bylaws and the laws of the Confederacy, fulfil my duties conscientiously and do justice to everyone. So help me God."

The oath can also be taken without religious affirmation.

Article 48

The powers of the Head of State shall be exercised by the longest serving member of the Confederate Council in the event of his being prevented from attending or in the event of his premature termination of office.

Article 49

Orders and decrees of the Head of State shall require the countersignature of the competent Councilmember in order to be valid.

Article 50

(1) The Head of State shall represent the Confederacy in international law. He shall conclude treaties with foreign states on behalf of the Confederation. He shall certify and receive the envoys.

(2) Treaties regulating the political relations of the Confederation or relating to matters of confederate legislation shall require the consent or participation of the respective bodies responsible for confederate legislation in the form of a confederate law. The provisions on the confederate administration shall apply mutatis mutandis to administrative agreements.

Article 51

(1) The Head of State shall appoint and dismiss confederate judges, confederal civil servants, officers and non-commissioned officers, unless otherwise provided by law.

(2) He shall exercise the right of pardon for the Confederation in individual cases.

(3) He may transfer these powers to other authorities.

Article 52

(1) The Confederate Parliament may impeach the Head of State before the Confederate Constitutional Court for intentional violation of the Confederate Bylaws or another confederate law. The motion to impeach must be made by at least one quarter of the members of the Confederate Parliament. The decision to bring an indictment shall require a majority of two-thirds of the members of the Confederate

Parliament. The indictment shall be represented by a representative of the indicting body.

(2) If the Confederate Constitutional Court finds that the Head of State is guilty of a wilful violation of the Confederate Bylaws or of another confederate law, it may declare him or her deprived of office. After the indictment has been filed, it may, by temporary order, determine that he is prevented from exercising his office.

V. Confederate Council

Article 53

(1) The Confederate Council shall consist of the Chair of the Confederate Council and four Councilmembers.

(2) Each Councilmember shall be responsible for one of the following portfolios:

- a. Finance and the Budget;
- b. Defence and national security;
- c. Intelligence and homeland security;
- d. Foreign Affairs, external relations and the diplomatic corps.

Article 54

(1) The Councilmembers shall be elected by the Confederate Parliament without debate on the proposal of a Member of the Confederate Parliament.

(2) The person who receives the votes of the majority of the members of the Confederate Parliament shall be elected.

(3) If neither of the nominees receives the votes of the majority of the members of the Confederate Parliament, a new ballot shall be held without delay, in which the person receiving the most votes shall be elected.

Article 55

On assuming office, the Councilmembers shall take the oath before the Confederate Parliament provided for in Article 47.

Article 56

On assuming office, the Head of State shall also become the Chair of the Confederate Council. Each Councilmember shall manage his or her portfolio independently and bears responsibility for them. The Confederate Council shall decide on disagreements between Members of the Council. The Chair of the Confederate

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Council shall conduct their business in accordance with rules of procedure adopted by the Confederate Council. Any decision, agreement or legislative proposal of or by the Confederate Council shall be reached or put forth only after a consensus vote by the Confederate Council.

Article 56a

- (1) The Councilmember responsible for defence and national security shall have command and authority over the confederate armed forces.
- (2) While exercising his or her command authority, the Councilmember shall act as the Supreme Martial Commander of the Confederate Droid Armies.

Article 57

The Chair of the Confederate Council and the Councilmembers may not hold any other salaried office, trade or profession, nor may they be members of the management or, without the consent of the Confederate Parliament, of the supervisory board of a profit-making enterprise.

Article 58

- (1) The Confederate Parliament may express its censure of a Councilmember only by electing a successor according to Article 54.
- (2) Forty-eight standard hours must elapse between the request and the election.

Article 59

The Chair of the Confederate Council shall appoint a Councilmember as his deputy.

VI. Legislation of the Confederation

Article 60

- (1) The systems shall have the right to legislate insofar as these Confederate Bylaws do not confer legislative powers on the confederacy.
- (2) The delimitation of competence between the confederacy and the systems shall be determined in accordance with the provisions of these Confederate Bylaws on exclusive and concurrent legislation.

Article 61

In the area of exclusive confederate legislation, the systems shall have the power to legislate only if and to the extent that they are expressly authorised to do so in a confederate law.

Article 62

(1) In the field of concurrent legislation, the systems shall have the power to legislate as long as and to the extent that the confederacy has not exercised its legislative competence by statute.

(2) In the fields referred to in Article 64, paragraph 1, nos. 4, 7, 11, 13, 15, 19a, 20, 22, 25 and 26, the confederacy shall have the right to legislate if and to the extent that the creation of equal living conditions within the confederate territory or the preservation of legal or economic unity in the interests of the confederacy as a whole requires confederate legislation.

(3) If the confederacy has made use of its legislative competence, the systems may by law make regulations deviating therefrom concerning:

- A. hunting (excluding the law on hunting licences);
- B. nature conservation and landscape management (excluding the general principles of nature conservation, the law on the protection of species or marine nature conservation);
- C. land distribution;
- D. regional planning;
- E. the water balance (excluding substance- or plant-related regulations);
- F. university admission and university degrees;
- G. land tax.

Confederate laws in these areas shall enter into force at the earliest six months after their promulgation, unless otherwise provided with the consent of the systems. In the areas referred to in sentence 1, the later law shall take precedence in the relationship between confederate and system law.

(4) A confederate law may provide that a confederate regulation which is no longer necessary within the meaning of paragraph 2 may be replaced by system law.

Article 63

(1) The Confederacy shall have exclusive legislation on:

- A. foreign affairs and defence, including the protection of civilians;
- B. nationality in the Confederacy;

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- C. freedom of movement, passports, registration and identity cards, immigration and emigration, and extradition;
- D. currency, money and coinage, weights and measures and the determination of time;
- E. the unity of the customs and trade territory, the trade and shipping treaties, the free movement of goods and the trade in goods and payments with foreign countries, including customs and border protection;
- F. the protection of confederate cultural property against emigration abroad;
- G. hyperspace lanes;
- H. postal services and telecommunications
- I. the legal relationships of persons in the service of the confederacy and of public corporations indirectly controlled by the confederacy;
- J. the protection of industrial property, copyright and publishing law;
- K. the cooperation of the confederacy and the systems
 - 1. in the criminal investigation department
 - 2. for the protection of the free democratic basic order, the existence and the security of the confederacy or of a system (protection of the constitution) and
 - 3. for the protection against efforts within the territory of the Confederacy of Independent Systems which endanger the foreign interests of the Confederacy of Independent Systems through the use of force or preparatory acts directed towards such ends,
- L. statistics for confederate purposes;
- M. the law on arms and explosives;
- N. the care of war-disabled persons and war survivors and the care of former prisoners of war;
- O. the production and use of nuclear energy for peaceful purposes, the construction and operation of installations serving these purposes, protection against dangers arising from the release of nuclear energy or from ionising radiation, and the disposal of radioactive substances.

Article 64

- (1) Concurrent legislation shall extend to the following areas:
 - A. civil law, criminal law, the constitution of courts, judicial procedure (excluding the law relating to pre-trial detention), the legal profession, the notary's office and legal advice;
 - B. civil status;
 - C. the law of associations;

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- D. the right of residence and settlement of foreigners;
- E. the affairs of refugees and displaced persons;
- F. public welfare (excluding the right to a home);
- G. war damages and reparations;
- H. war graves and graves of other victims of war and victims of tyranny;
- I. the law of the economy (mining, industry, energy industry, handicrafts, trade, commerce, banking and stock exchange business, insurance under private law) without the law of the closing time of shops, restaurants, amusement arcades, the display of persons, fairs, exhibitions and markets;
- J. labour law, including works constitution, labour protection and employment services, as well as social insurance, including unemployment insurance;
- K. the regulation of educational grants and the promotion of scientific research;
- L. the law of expropriation, in so far as it is relevant to the subject matters referred to in Articles 63 and 64
- M. the transfer of land, natural resources and the means of production into common ownership or into other forms of common economy;
- N. the prevention of abuse of economic power;
- O. the promotion of agricultural and forestry production (excluding the right of land consolidation), food security, the import and export of agricultural and forestry products, deep-sea and coastal fishing and coastal protection;
- P. urban land transactions, land law (excluding the law on development contributions) and the law on housing subsidies, the law on old debt assistance, the law on housing subsidies, the law on miners' housing and the law on miners' settlements;
- Q. measures against dangerous or transmissible diseases in sentient animals and animals, admission to the medical and other healing professions and to the healing trade, as well as the law on pharmacies, medicines, medical devices, remedies, narcotics and poisons;
- R. the economic security of hospitals and the regulation of hospital care rates;
- S. the law relating to foodstuffs, including animals used for their production, the law relating to luxury foodstuffs, consumer goods and animal feed, as well as protection in the marketing of agricultural and forestry seed and planting material, the protection of plants against diseases and pests, and animal protection;
- T. planetary transportation routes;
- U. waste management, air pollution control and noise abatement (excluding protection against behavioural noise);
- V. state liability;

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W. the medically assisted generation of sentient life, the examination and artificial modification of hereditary information, and regulations on the transplantation of organs, tissues and cells;

X. the status rights and obligations of civil servants of the systems, municipalities and other bodies governed by public law, as well as of judges in the systems, with the exception of career paths, remuneration and pensions

Y. hunting;

Z. nature conservation and landscape management;

AA. land distribution

AB. regional planning

AC. water management;

AD. university admission and university degrees.

Article 65

Bills shall be introduced in the Confederate Parliament by the Confederate Council or from among the members of the Confederate Parliament.

Article 66

Confederate laws shall be passed by the Confederate Parliament.

Article 67

(1) The Confederate Bylaws may be amended only by a law which expressly amends or supplements the wording of the Confederate Bylaws. In the case of international treaties which have as their object a peace settlement, the preparation of a peace settlement or the dismantling of an occupation-law regime, or which are intended to serve the defence of the Confederacy of Independent Systems, a supplement to the wording of the Confederate Bylaws which is limited to this clarification shall suffice to make it clear that the provisions of the Confederate Bylaws do not preclude the conclusion and entry into force of the treaties.

(2) Such a law shall require the consent of two-thirds of the members of the Confederate Parliament and ratification of at least two-thirds of the systems.

(3) An amendment to these Confederate Bylaws which affects the division of the confederacy into systems, the fundamental participation of the systems in legislation or the principles laid down in Articles 1 and 20 shall be inadmissible.

Article 68

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(1) A law may authorise the Confederate Council, a Councilmember or the system governments to issue statutory instruments. In doing so, the content, purpose and extent of the authorisation granted must be specified in the law. The legal basis shall be stated in the ordinance. If the law provides that an authorisation may be further delegated, the delegation of the authorisation shall require a statutory instrument.

(2) Insofar as system governments are empowered by confederate law or on the basis of confederate laws to issue ordinances, the systems shall also be empowered to issue regulations by law.

Article 69

(1) Laws enacted in accordance with the provisions of these Confederate Bylaws shall be executed by the Head of State after countersignature and promulgated in the Confederate Law Gazette. The Confederate Law Gazette may be kept in electronic form. Statutory ordinances shall be promulgated by the authority issuing them. The details of promulgation and the form of countersignature and execution of laws and statutory orders shall be regulated by a confederate law.

(2) Every law and statutory instrument shall specify the date on which it enters into force. In the absence of such a provision, they shall enter into force on the fourteenth day after the end of the day on which the Confederate Law Gazette has been issued.

VII. Jurisprudence

Article 70

The judicial power shall be entrusted to the judges; it shall be exercised by the Confederate Constitutional Court, by the confederate courts provided for in these Confederate Bylaws and by the courts of the systems.

Article 71

(1) The Confederate Constitutional Court shall decide:

A. on the interpretation of these Confederate Bylaws on the occasion of disputes concerning the scope of the rights and duties of a supreme confederate body or of other participants who are vested with rights of their own by these Confederate Bylaws or in the rules of procedure of a supreme confederate body;

B. in the event of differences of opinion or doubts as to the formal and substantive compatibility of confederate law or system law with these Bylaws or the compatibility of system law with other confederate law, at the request of the

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Confederate Council, a system government or a quarter of the members of the Confederate Parliament;

BA. in the event of differences of opinion as to whether a law complies with the requirements of Article 64(1), at the request of a system government or the people's representation of a system;

C. in disagreements on the rights and duties of the Confederacy and the systems, in particular with regard to the implementation of confederate law by the systems and the exercise of confederate supervision;

D. in other disputes under public law between the confederacy and the systems, between different systems or within a system, unless other legal recourse is available;

DA. on constitutional complaints which may be lodged by any person claiming that one of his fundamental rights or one of his rights has been violated by public authority;

DB. on constitutional complaints by municipalities and associations of municipalities on the grounds of violation of the right to self-government by a law, but in the case of system laws only to the extent that no complaint can be lodged with the system Constitutional Court;

DC. on complaints by associations against their non-recognition as a party for the election to the Confederate Parliament;

E. in the other cases provided for in these Bylaws.

(2) The Confederate Constitutional Court shall also act in cases otherwise assigned to it by confederate law.

Article 72

(1) The Confederate Constitutional Court shall consist of confederate judges and other members. Half of the members of the Confederate Constitutional Court shall be elected by the Confederate Parliament and half by the systems. They may not belong to the Confederate Parliament, the Confederate Council or corresponding organs of a system.

(2) A confederate law shall regulate its constitution and procedure and determine in which cases its decisions shall have the force of law. It may make prior exhaustion of the legal process a prerequisite for constitutional complaints and provide for a special acceptance procedure.

Article 73

(1) Judges shall be independent and subject only to the law.

(2) Judges employed on a full-time and permanent basis may be dismissed before the expiry of their term of office, or permanently or temporarily removed from office, or transferred to another post or retired, against their will only by virtue of a judicial decision and only for reasons and in the manner laid down by law. The legislature may fix age limits at the attainment of which judges employed for life shall retire. In the event of a change in the organisation of the courts or their districts, judges may be transferred to another court or removed from office, but only with retention of full salary.

Article 74

(1) Courts of exception shall be inadmissible. No one may be deprived of his or her lawful judge.

(2) Courts for special subject matters may only be established by law.

Article 75

The death penalty shall be abolished.

Article 76

(1) Everyone shall have the right to a fair hearing before a court.

(2) An act may be punished only if the punishability was determined by law before the act was committed.

(3) No one may be punished more than once for the same act under the general criminal laws.

Article 77

(1) The freedom of the person may be restricted only on the basis of a formal law and only in compliance with the forms prescribed therein. Detained persons may not be subjected to mental or physical abuse.

(2) Only the judge shall decide on the permissibility and duration of deprivation of liberty. In the case of any deprivation of liberty not based on a judicial order, a judicial decision shall be obtained without delay. The police may not, on their own authority, keep anyone in their own custody longer than until the end of the day after the seizure. Further details shall be regulated by law.

(3) Anyone provisionally arrested on suspicion of a criminal offence shall be brought before the judge no later than the day after the arrest, who shall inform him of the reasons for the arrest, question him and give him the opportunity to object. The

judge shall immediately either issue a reasoned written arrest warrant or order the release.

(4) A relative of the detained person or a person in his or her confidence shall be informed without delay of any judicial decision on the order or continuation of detention.

VIII. Case of Defence

Article 78

(1) The Confederate Parliament shall determine that the confederate territory is under attack by armed force or that such an attack is imminent (case of defence). The declaration shall be made at the request of the Execute Separatist Council and shall require a majority of two thirds of the votes cast, at least a majority of the members of the Confederate Parliament.

(2) The Head of State shall announce the decision in the Confederate Law Gazette. If this is not possible in time, the proclamation shall be made in another manner; it shall be made up for in Confederate Law Gazette as soon as circumstances permit.

(3) If the confederate territory is attacked by armed force and the competent confederate bodies are unable to make the determination in accordance with paragraph 1, sentence 1 immediately, this determination shall be deemed to have been made and proclaimed at the time when the attack began. The Head of State shall announce this point in time as soon as circumstances permit.

(4) If the determination of the state of defence has been proclaimed and the confederate territory is attacked by armed force, the Head of State may, with the consent of the Confederate Parliament, make declarations under international law on the existence of the state of defence.

Article 79

Upon the proclamation of a state of defence, the command and authority over all confederate armed forces shall pass to the Supreme Martial Commander of the Confederate Droid Armies.

Article 80

(1) In the event of a state of defence, the confederacy shall have the right of concurrent legislation also in those areas which belong to the legislative competence of the systems.

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(2) To the extent required by the circumstances during a state of defence, the following may be regulated by confederate law in the event of a state of defence

A. in the case of expropriation compensation may be provisionally regulated,

B. in the case of deprivations of liberty, a time limit not exceeding four days, may be fixed in the event that a judge could not act within the time limit applicable to normal times.

(3) Insofar as it is necessary for the defence against a present or imminent attack, confederate laws may regulate the administration and the finances of the Confederacy and the systems, whereby the viability of the systems, municipalities and associations of municipalities shall be preserved, in particular also in financial terms.

(4) Confederate laws in accordance with subsections 1 and 2 No. 1 may be applied in preparation for their execution even before the occurrence of the case of defence.

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