

THE CONSTITUTION OF THE PHOENIX UNION

PREAMBLE:

HIS MAJESTY THE EMPEROR OF THE SYRIXIAN EMPIRE,
HIS MAJESTY THE EMPEROR OF MALORIA,
HIS MAJESTY THE TSAR OF CERETIS,
HIS MAJESTY THE GRAND KING OF ANDRENNE,
HIS MAJESTY THE KING OF KASCHOVIA,
HIS MAJESTY THE KING OF XENTHERIDA,
HER MAJESTY THE KING OF ARRANDAL,
THEIR HIGHNESSES THE PRINCESSES OF SIL DORSETT,
AND HIS HIGHNESS THE PRINCE OF HIGHTON:

DRAWING INSPIRATION from the diverse cultural and religious inheritance of Craviter and Collandris, as well as the universal values of the inviolable and inalienable rights of the human person, freedom, democracy, equality and the rule of law,

BELIEVING that the nations of Craviter and Collandris, after bitter experiences in the region, intend to continue along the path of civilization, progress and prosperity, for the good of all their inhabitants; that they wish to remain open to culture, learning, trade, and prosperity; and that they wish to deepen the democratic and transparent nature of their public lives, and to strive for peace, justice and solidarity throughout the world,

CONVINCED that, while remaining proud of their own national identities and history, the peoples of these nations and continents are determined to transcend their former divisions and, united ever more closely, to forge a common destiny,

CONVINCED that, thus, united in diversity, Craviter and Collandris offer them the best chance of pursuing, with due regard for the rights of each individual and in awareness of their responsibilities towards future generations and all of Eras, the great venture which makes of it a special area of hope,

DETERMINED to continue the work accomplished within the framework of the previous Phoenix Union Constitution and subsequent legislative accomplishments,

GRATEFUL to the members of the Phoenix Union for having prepared the draft of this Constitution on behalf of the citizens and States of the Union,

HEREBY ORDAIN AND ESTABLISH THIS NEW CONSTITUTION FOR THE PHOENIX UNION.

TABLE OF CONTENTS:

1. Fundamental Charter of Human Rights
 2. Structure and Procedure of the Phoenix Commission
 3. Structure and Procedure of the All-Union Court of Justice
 4. Miscellaneous/General Provisions
 5. Union Agreements
-

ARTICLE I: FUNDAMENTAL CHARTER OF HUMAN RIGHTS

1. The Union shall recognise the rights, freedoms and principles set out in the following Fundamental Charter of Human Rights.
2. Fundamental rights, as guaranteed by this Constitution and as they result from the constitutional traditions common to the Member States, shall constitute general principles of the Union's law.
3. Every national of a Member State shall be a citizen of the Union. Citizenship of the Union shall be additional to national citizenship and shall not replace it. Citizens of the Union shall enjoy the rights and be subject to the duties provided for in the Constitution.
4. All citizens of the Union are entitled to all the rights and freedoms set forth in this Charter, without distinction of any kind, such as race, sex, language, religion, national or social origin, property, birth or other status.
5. All citizens of the Union have the right to life, liberty and security of person.
6. No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.
7. All citizens of the Union are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Charter and against any incitement to such discrimination.
8. All citizens of the Union have the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the Constitution or by law.

9. All citizens of the Union are entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of their rights and obligations and of any criminal charge against him.
10. All citizens of the Union charged with a penal offense have the right to be presumed innocent until proven guilty according to law in a public trial at which they have had all the guarantees necessary for their defense. No one shall be held guilty of any penal offense on account of any act or omission which did not constitute a penal offense, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.
11. No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. All citizens of the Union have the right to the protection of the law against such interference or attacks.
12. All citizens of the Union have the right to leave any country, including their own, as well as to return to their country.
13. All citizens of the Union have the right to seek and to enjoy in other countries asylum from persecution. This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the Phoenix Union.
14. All citizens of the Union have the right to a nationality. No one shall be arbitrarily deprived of their nationality nor denied the right to change his nationality.
15. Any couple of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution. Marriage shall be entered into only with the free and full consent of the intending spouses. The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.
16. All citizens of the Union have the right to own property alone as well as in association with others. No one shall be arbitrarily deprived of their property.
17. All citizens of the Union have the right to freedom of thought, conscience and religion; this right includes freedom to change one's religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

18. All citizens of the Union have the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.
 19. All citizens of the Union have the right to freedom of peaceful assembly and association.
 20. All citizens of the Union are entitled to realization, through national effort and international cooperation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for their dignity and the free development of their personalities.
 21. All citizens of the Union have the right to a standard of living adequate for the health and well-being of themselves and of their families, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond their control. Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.
 22. All citizens of the Union have the right to a primary and secondary-level education. Tertiary and quaternary-level education shall be equally accessible to all on the basis of merit.
 23. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. Parents also have a prior right to choose the kind of education that shall be given to their children.
 24. All citizens of the Union have the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits. In addition, all citizens of the Union have the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which they are the authors.
 25. All citizens of the Union are entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.
 26. Nothing in this Charter may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.
-

ARTICLE II:

STRUCTURE AND PROCEDURE OF THE PHOENIX COMMISSION

1. A body shall be created to draft and amend legislation, hereby known as the Phoenix Commission, that will feature appointed members from each member state to participate in deliberations concerning Union law.
2. Each member state shall send one delegate to become a member of the Phoenix Commission, by any manner they deem necessary. This delegate shall be known as the "*Phoenix Union Commissioner for <NATION>*".
3. The head of the Phoenix Commission shall be the Chairman of the Phoenix Commission. The Chairman may call meetings of the Commission, represent the interests of the Union abroad, and mediate discussion during Commission meetings. The Chairman may not vote on Phoenix Commission resolutions; upon their election, their home member state will replace them with a new Commissioner.
4. The Chairman of the Phoenix Commission may serve up to two consecutive 4-month terms. Every 4 months, an election will be held. For one day, candidacy declarations period shall be held, and then, following candidacy declarations, there will be a one-day voting period. Should the election result in a tie, a runoff election will be held, with the two highest ranking candidates from the original race. In the case of a tie vote in a runoff election, the candidates shall cast lots before the Commission, and the one to whom the lot shall fall shall be declared elected. Following the end of a Chairman's time in office, should their home nation wish to reinstate them as its Commissioner, it may do so.
5. The Chairman will appoint the Deputy Chairman of the Phoenix Commission to assist them in their role as Chairman. In the event of a long-term absence by the Chairman or inability to fulfill the duties of the Chairman, the Deputy Chairman shall serve as acting Chairman until their return or the next election, depending on which occurs first.
6. Should a nation wish to call a meeting of the Commission, their Phoenix Union Commissioner must contact the Chairman. If no valid reason is given, the Chairman reserves the right to reject the request.

7. Any proposed legislation, except the admission of new members, if it attains a simple majority during the voting period, shall be passed into law.
 8. A nation wishing to be a member state must submit a message addressed to the Commission requesting admission. New members may then be admitted to the Union by two-thirds majority vote from the Phoenix Commission. By two-thirds majority vote, the Commission may vote to deprive any member state or observer state of Phoenix Union membership.
 9. Observer States are states that have similar privileges to member states, however they are not permitted to cast votes on resolutions, and may not sign Union Agreements.
 10. An observer state must fulfill at least one of the following criteria:
 - a. Has an extensive history with one or more member states, such as being a former colony of one or more member states.
 - b. Has a head of state is the head of state of a member state.
 - c. Is a protectorate of a member state.
-

ARTICLE III:

STRUCTURE AND PROCEDURE OF THE ALL-UNION COURT OF JUSTICE

1. A body shall be created to arbitrate disputes between member states, including observer states, hereby known as the All-Union Court of Justice.
2. The Court shall be composed of a body of independent judges, elected regardless of their nationality- with the exception that only nationals of full member states are allowed to be elected- from among persons of high moral character, who possess the qualifications required in their respective countries for appointment to the highest judicial offices, or are jurisconsults of recognized competence in international law.
3. The Court shall consist of four members, no two of whom may be nationals of the same state. A person who for the purposes of membership in the Court could be regarded as a national of more than one state shall be deemed to be a national of the one in which he ordinarily exercises civil and political rights.
4. The members of the Court shall be elected by the Phoenix Commission every four months, coinciding with the election for

the Chairman of the Phoenix Commission, from a list of persons nominated during the general candidacy declaration period.

5. No state may nominate more than two persons, not more than one of whom shall be of their own nationality. Before making these nominations, each national group is recommended to consult its highest court of justice, its legal faculties and schools of law, and its national academies and national sections of international academies devoted to the study of law.
6. The four nominees with the highest amount of votes shall be given seats on the Court. If less than four persons are nominated during the candidacy declarations period, the candidacy declarations period shall be extended for one further day. If still no judges are nominated, the Chairman of the Phoenix Commission will pick the four members of the Court for that term.
7. Upon the election of the four members of the Court for that term, their home member states shall replace them with new Commissioners.

ARTICLE IV:

GENERAL AND/OR MISCELLANEOUS PROVISIONS

1. To be eligible for full membership of the Phoenix Union, an applicant state must be located on either the continent of Craviter or the continent of Collandris.
2. The seat of the Phoenix Commission and the All-Union Court of Justice shall remain at the Phoenix Parliament Building; 32 Avanti Boulevard, Pataliputra, Syrixia. This building shall be renamed to the Union Building. This, however, shall not prevent the Commission and the Court from sitting and exercising their functions elsewhere whenever they consider it desirable.
3. The member states shall pay membership dues to the Union annually, the amount of which shall be proportional to their annual gross domestic product. These dues shall be compiled into the Phoenix Union Treasury, which can be used for financial support and international aid, as well as other reasons that may be determined by the Commission.
4. If a member state engages in armed conflict against another state, other member states are not required to assist the member state attacking the non-member state, unless both are signatories

of the Collective Defense Agreement. Armed conflict between member states is prohibited, and the aggressive party will immediately be subject to a Commission vote regarding their ejection from the Union.

5. The official anthem of the Phoenix Union shall be the song "[A Phoenix Takes Flight](#)" by the Syrixian composer Dhugosh Singh. Its music can be found [here](#).
6. The official flag of the Phoenix Union shall be [this flag](#), and [this](#) shall be its seal.
7. Amendments to this Constitution may be proposed during a meeting of the Commission and may be passed by a two-thirds majority.

ARTICLE V: UNION AGREEMENTS

PHOENIX CONTINENTAL RAILWAY:

To encourage visa-free internal travel, the Phoenix Union will operate and pay for the construction of the Phoenix Continental Railway, or PCR for short. The PCR will link the capitals and megacities of all member states and will make efforts to branch out towards smaller rural areas as well. It will also link nations separated by the Strait and/or another body of water by underwater tunnels.

The PCR will be funded by the Union Treasury, and a budget of the annual due income will be diverted towards either the construction of or the operation of the PCR. The PCR will aim to modernize transportation in the Union by embracing newer systems and technologies. The priority of the PCR will be to ensure that citizens of the Union's member states can travel freely and easily with the assistance of other transportation organizations that are operated by the Phoenix Commission.

To supervise the Phoenix Continental Railway, the four-member Phoenix Continental Railway Board (PCRB) will be established, made up of four Phoenix Union Commissioners chosen every four months by the Chairman of the Phoenix Commission from amongst those member states that are signatories to this agreement.

Participating nations must comply with the following key deployments minimum requirements through private, public or combined means (Parts 1A-5A):

1A) Deploy railroad allowing passage through their nation to other member states.

1B) Standardization of rail components such as rail gauge width, platform to railcar access, emergency equipment, maintenance levels, etc.

1C) Standardization of rail communication frequency ranges, voice procedure, code-share, dispatching systems, railway signaling, etc.

1D) Maintenance and operation of rail networks within each member state are to be handled by the member state or its designated rail authority.

1E) Maintenance is to be kept at or above standardized maintenance levels as agreed upon through the PCRБ regulations.

1F) Maintenance costs for critical infrastructure (key tunnels, bridges, causeways, etc) undertaken for the purposes of this agreement that would not otherwise have been built and are key to the PCRБ system may be shared. While sharing maintenance costs the control and operation of that infrastructure piece fall under the authority of the PURB.

2) Provide connection to their capital or its designated transportation hub by this network.

3) Provide rail service within their nation to major cities (Top 10 population cities) or their designated transit centers.

4) Member states shall coordinate their rail services, fee schedules, and code-shares with other participating nations through the Phoenix Union Continental Railway Alliance (PCRA), an organization founded by this agreement within the Union and chaired by the PCRБ. No member state shall be shown preference over another by the PCRA/PCRБ.

5A) Make available use of their nation's rail networks by other member states' rail corporation(s) under reasonable regulation through your designated regulating agency and charging only fair use and maintenance fees no greater or worse than those that would be charged to railroads within that nation. Coordination shall be organized through the PCRA.

5B) Share funding of major connection infrastructure required to unite member nations. Those nations failing to participate in funding of

major connection infrastructure may not use that infrastructure until their nation or private rail entities have paid their nation's share.

6) Encourage construction of intercity and local transportation to rural locations within their nation accessible by the rail network.

7) Encourage allowing investment from other union nation's railroads seeking to expand or improve existing rail infrastructure and offer services to and within your nation. Per your national rail regulations.

8) The PCR will aim to modernize transportation in the Union by embracing and encouraging newer systems and technologies.

9) The priority of the PCRA will be to ensure that citizens of Union member states can travel freely and easily through the coordinated efforts of member transportation organizations.

10) Any member state unable to undertake the logistics of operation of their own network may designate the PCR as their national railroad board and will be billed for operational costs accordingly.

INTERNATIONAL FREE TRAVEL ZONE (IFTZ):

Any citizen of a Phoenix Union member state that is a signatory to this agreement is able to travel freely between the accepting nations. Border control between nations in the IFTZ is abolished, with an external border control cost being shouldered equitably by accepting member nations. Signatories to this agreement shall function as a single jurisdiction for international travel purposes, with a common visa policy.

COLLECTIVE DEFENSE AGREEMENT:

Any attack by a non-Union member directly against a Phoenix Union member state that is a signatory to this agreement is considered an attack against all signatories. This Agreement mandates that all signatories take measures to defend the signatory being attacked. However, the mutual defense obligation is only enacted if the attack against the signatory is unjustified. Signatories to this agreement are not obligated to come to the defense of a non-signatory nation, nor can a non-signatory nation be compelled to come to the defense of a signatory or another non-signatory nation.
