

Open Letter to Parliament Regarding Decree 41 & 42

To the esteemed members of Asgardia's Parliament,

First, we would like to open this letter by congratulating you and the Head of Nation on the amazing work that you have been doing for the Nation of Asgardia. We were excited to see two new laws being given ascent by the Head of Nation - The Citizens' Rights Act and the Civil Servants act.

We understand that law is evolutionary and we understand that the laws will develop over time with amendments, decrees and legal tests. This is why we wish to provide our constructive feedback. We hope that by doing so, we will be exercising our right to self governance through our elected representatives.

We really appreciate the spirit of these laws and we are very encouraged to see that they seek to protect Asgardians and enshrine both equality and inclusivity while also denouncing hate within the nation.

However, we feel that these laws do not take into account the fact that Asgardia is a digital nation. We currently reside in the digital space and congregate, speak, debate and self-organise online, in places such as our official groups on Facebook, and asgardia.space. There are no protections to our rights in these areas.

We raise this point for debate by Parliament so that the matter can, at the very least, be addressed - for instance, moderating posts could be the same as blocking our freedom of speech, banning us from these digital spaces would be the same as exiling us from Asgardia.

We also feel that these laws lack definition in a lot of areas. These very loose terms can lead to confusion and contradiction in the text - there are words used such as "Morality" which is a very shifting term in a global community, and indeed over time as social trends change. We would like to see further amendments or expanding definitions to make these laws more robust.

While we appreciate that this law is in its first form and may well have been drafted to focus on our current situation, we also find that the current acts are not particularly forward thinking - Asgardia is a space nation, but it doesn't seem to have any inference to life in space, rights to access space, rights to live, work or reside in space, civil responsibilities -- or any other element that signifies that we're a space nation.

Finally, we wish to reiterate that our goal here is not to baselessly criticize the hard work that has been done so far, but rather to join the process of the development of these acts and provide our feedback and opinions to our elected representatives so that they may take the cause further as they see fit with our interests in mind.

Please find attached to this letter a full breakdown of the feedback which was generated through online discussions with active Asgardians.

Yours Sincerely and on behalf of Nation Builders,
Ross Cheeseright
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Attachment 1

Feedback on the Citizens' Rights Act

Articles 1, 2, 3, 4 & 11

We are very pleased to see these articles in the Citizens Rights act. We feel that these are some of the bare minimum laws required to respect basic human rights, but it would have been nice to see a commitment to the UN charters in these acts.

Article 5

We do not feel that this law goes far enough to protect the rights of an Asgardian to free speech. The article doesn't even suggest that we *have* a right to free speech - all it says is that Asgardia will not make laws that abridge freedom of speech.

Additionally, this law doesn't take into account the digital nature of Asgardia where moderating posts could arguably be seen as abridging someone's freedom of speech. The law needs to be more clearly defined to make sure that people's rights are protected - or at the very least to make it clear what our rights are.

Article 5 & 6

We are pleased to see that peaceful assembly is enshrined in law and that the law excludes hate - we are also pleased to see that 'hate speech/groups' are given a definition in the Act. However, one can wonder what the definition of 'peaceful' may be in this context.

Article 7

We feel that this law doesn't go far enough - suggesting that Asgardia will make no laws preventing citizens from petitioning governing bodies for a redress of grievances is great - and we believe this to be a minimum at least, but it doesn't suggest that the Government needs to do anything or follow any specific process. We would like to see it in Law that if petitioned, the Government should take some sort of action - for instance, if a petition with 200 signatures gets sent in, then it should be addressed and publicly responded to.

Article 8

It's great that Asgardians have been given the right to introduce legislative proposals via their elected representatives. We feel that this is a very welcome article that will encourage the participation of Asgardians in the legislative development of the Nation of Asgardia.

Article 9

This is a great step forward for transparency in Asgardia and it is a very welcome article to see in this Act and we are eager to learn how we might be able to start making such requests and getting access to such information so that we can start to monitor activities and feel more connected to the process.

Article 10

We would like to see this article extend to consider the fact that we're a digital nation and that our territory exists online more than it does in the physical world at the moment. We spend a lot of our time on groups and networks run by Asgardia.

"Legal or disciplinary actions" - Being moderated or banned on a social network would fall into this definition and without a clearly defined due process or, in fact any system for judiciary law, we feel that this right needs more work.

Article 12

This article needs more definition - if someone has a right to work, does this mean that the Government of Asgardia will be providing jobs? Or is this more a case of everyone having a right to seek employment - as to enshrine the virtues of equality and inclusion. Furthermore - free choice of employment; does this mean that a person can work only in the fields that they want? Is this a utopian view where people get to follow their passions, supported by something like a universal basic income? Or does this suggest that the government will not force people to work in certain jobs.

Everyone has the right to equal pay for equal work - again, this needs to be more clearly defined in the definitions of this act. Who decided what work is equal - is it based on the number of hours worked? Or is there some sort of scale? Will a refuse worker get as much as an engineer?

Article 13

This is welcome news - and we look forward to seeing more dedicated employment law in the future that will further define what is considered “reasonable limitation of working hours.” and so on.

Article 14

Similarly to Article 12 - when we have the right to something, does this mean that we have the right to seek education, or does this mean that the Government must provide it? Is this law designed to prevent discrimination, or is it designed to suggest that the Government will be supplying free education.

“Parents/Guardians have a prior right to choose the kind of education that shall be given to their children” - This needs a lot more work. Does this mean that a parent could opt to take their child out of school and give them a vocational education? We are concerned that such loose wording could lead to misunderstandings and look forward to further laws or definitions to guide us.

Article 15

We are concerned that with shifting terms such as ‘morality’ this law can be easily manipulated and changed to suit a shifting landscape.

We also feel that point 2 of article 15 is far too open - “The rights and freedoms may in no case be exercised contrary to the purposes and principles of the Space Nation of Asgardia.” This wording means that people could lose their rights and freedoms if what they’re doing contradicts something that Asgardia wants to do - meaning that at all times, the Government has a veto for a person’s rights.

For instance; If Asgardia decides that one of its purposes is to start to mine the moon, and the people want to peacefully assemble to try and change the law to prohibit lunar mining, this would mean that we were at odds with Asgardia’s purpose - therefore, we would lose our rights and protections - presumably including due process.

We hope that as new laws are created and the laws are more clearly defined, these sort of loose and vague propositions will be addressed and it will be more clear for Asgardians.

Article 16

It would be good if this law expressly stated a position on things such as the age of consent and in general offered some protection for children - on Earth, there are still problems in the world where there are child marriages and we would like to make sure that the basic rights of people are clearly defined in this regard.

Attachment 2

Feedback on the Civil Servants Act

Generally, we found this act to be very thoroughly executed and it goes into a lot of detail with clear definitions and it outlines the hierarchical nature of the Civil Servants. Overall, this act makes it quite clear about the function of Civil Servants - including their duties and rights.

However, we wanted to draw specific attention to Section 6, subsection 4, f

“Preventing the emergence of negative information about the Nation of Asgardia, its leadership, and the Head of Nation within his/her authority and with the approval of higher authority;”

This point of the law would seem to suggest that certain Civil Servants have a duty to cover up negative information - it seems as though it's almost a counterpoint to the Citizens' Right to information about the Government. Of course we understand that there may be use cases where the security of the nation may be at risk and information should be kept closed to protect people and the national interest - but that doesn't seem to be the case here.

We would hope that if something negative was happening in the nation, the citizens would be informed about it, rather than having it covered up by the Government and we would request that this article be clarified so that it doesn't promote the wrong sort of culture within the ranks of the Civil Service.