

THE 1945 CONSTITUTION OF THE REPUBLIC OF INDONESIA¹

THE 1945 CONSTITUTION OF THE REPUBLIC OF INDONESIA, BEFORE AMENDMENT (1945-18 October 1999) ²	THE 1945 CONSTITUTION OF THE REPUBLIC OF INDONESIA, AS AMENDED AT 17 AUGUST 2002 ³
THE PREAMBLE TO THE CONSTITUTION	THE PREAMBLE TO THE CONSTITUTION
<p>Whereas freedom is the inalienable right of all nations, colonialism must be abolished in this world as it is not in conformity with humanity and justice;</p> <p>And the moment of rejoicing has arrived in the struggle of the Indonesian freedom movement to guide the people safely and well to the threshold of the independence of the state of Indonesia which shall be free, united, sovereign, just and prosperous;</p> <p>By the grace of God Almighty and impelled by the noble desire to live a free national life, the people of Indonesia hereby declare their independence.</p> <p>Subsequent thereto, to form a government of the state of Indonesia which shall protect all the people of Indonesia and their entire native land, and in order to improve the public welfare, to advance the intellectual life of the people and to contribute to the establishment of a world order based on freedom, abiding peace and social justice, the national independence of Indonesia shall be formulated into a constitution of the sovereign Republic of Indonesia which is based on the belief in</p>	No change.

¹ This version translated and developed by Helen Pausacker, Rohan Gould and Tim Lindsey, Asian Law Centre, University of Melbourne.

² Developed from the translation of the first edition, published by the then Yogyakarta-based Information Ministry of the Republic of Indonesia in 1950 <<http://asnic.utexas.edu/asnic/countries/indonesia/ConstIndonesia.html>>, Courtesy: Embassy of the Republic of Indonesia, Washington D.C.

³ Developed from the version published in Kompas newspaper, 12 August 2002

<p>the One and Only God, just and civilised humanity, the unity of Indonesia, democracy guided by the inner wisdom of deliberations amongst representatives and the realization of social justice for all of the people of Indonesia.</p>	
<p><i>THE 1945 CONSTITUTION</i></p>	<p>THE CONSTITUTION</p>
<p>Chapter I. Form of the State and Sovereignty</p> <p>Article 1</p> <ol style="list-style-type: none"> 1. The State of Indonesia shall be a unitary state which has the form of a republic. 2. Sovereignty shall be vested in the people and shall be exercised in full by the Majelis Permusyawaratan Rakyat. 	<p>Chapter I. Form of the State and Sovereignty</p> <p>Article 1</p> <ol style="list-style-type: none"> 1. The State of Indonesia is a Unitary State which has the form of a Republic. 2. Sovereignty is in the hands of the people and is exercised in accordance with the Constitution. 3. The Indonesian State is a state ruled by law (negara hukum).
<p>Chapter II. The Majelis Permusyawaratan Rakyat</p> <ol style="list-style-type: none"> 1. The Majelis Permusyawaratan Rakyat shall consist of the members of the Dewan Perwakilan Rakyat augmented by the delegates from the regional territories and groups as provided for by statutory regulations. 2. The Majelis Permusyawaratan Rakyat shall meet at least once in every five years in the State capital. 3. All decisions of the Majelis Permusyawaratan Rakyat shall be taken by a majority vote. 	<p>Chapter II. The Majelis Permusyawaratan Rakyat</p> <p>Article 2</p> <ol style="list-style-type: none"> 1. The Majelis Permusyawaratan Rakyat (People's Consultative Assembly) shall consist of the members of the Dewan Perwakilan Rakyat (People's Representative Council) and the members of the Dewan Perwakilan Daerah (Regional Representative Council), who shall be chosen in general elections, and further regulated by law. 2. No change. 3. No change.

<p>Article 3</p> <p>The Majelis Permusyawaratan Rakyat shall determine the constitution and the guide lines of the policy of State.</p>	<p>Article 3</p> <ol style="list-style-type: none"> 1. The Majelis Permusyawaratan Rakyat shall amend and determine the Constitution. 2. The Majelis Permusyawaratan Rakyat shall appoint the President and/or the Vice President. 3. The Majelis Permusyawaratan Rakyat may only remove from office the President and/or the Vice President during their terms of office in accordance with the Constitution.
<p>Chapter III. The Executive Power Article 4</p> <ol style="list-style-type: none"> 1. The President of the Republic of Indonesia shall hold the power of government in accordance with the Constitution. 2. In exercising his duties, the President shall be assisted by a Vice-President. 	<p>Chapter III. The Executive Power Article 4</p> <ol style="list-style-type: none"> 1. No change 2. No change
<p>Article 5</p> <ol style="list-style-type: none"> 1. The President shall hold the power to make statutes in agreement with the Dewan Perwakilan Rakyat. 2. The President shall make government regulations to expedite the enforcement of laws. 	<p>Article 5</p> <ol style="list-style-type: none"> 1. The President has the right to submit Bills to the Dewan Perwakilan Rakyat. 2. No change
<p>Article 6</p> <ol style="list-style-type: none"> 1. The President shall be a native Indonesian citizen. 2. The President and the Vice-President shall be elected by the Majelis Permusyawaratan Rakyat by a majority vote. 	<p>Article 6</p> <ol style="list-style-type: none"> 1. Candidates for the President and the Vice President must have been Indonesian citizens since birth, must never have taken other citizenship of their own accord, must never have committed treason, and must be spiritually and physically able to carry out the duties and obligations of the President and Vice-President. 2. Further conditions for becoming President and Vice President

	shall be regulated by law.
	<p>Article 6A</p> <ol style="list-style-type: none"> 1. The President and the Vice President shall be elected as a pair directly by the people. 2. The pairs of Presidential and Vice Presidential candidates shall be proposed by political parties or groups of political parties that participate in general elections, before the general elections are conducted. 3. The Presidential and Vice Presidential candidate pair that receives more than fifty per cent of the number of votes in the general elections, and receives no less than twenty per cent of the votes in a province in a majority of provinces, shall be appointed President and Vice President. 4. In the event that no Presidential and Vice Presidential candidate pair is elected, the people shall directly choose between the two candidate pairs that received the most number of votes in the general elections, and the pair that receives the highest number of votes shall be appointed President and Vice President. 5. Further procedures for conducting the election of the President and the Vice President shall be regulated by law.
<p>Article 7</p> <p>The President and Vice-President shall hold office for a term of five years and shall be eligible for re-election.</p>	<p>Article 7</p> <p>The President and Vice-President shall hold office for a term of five years, and shall be eligible for re-election to the same office for one further term.</p>
	<p>Article 7A</p> <p>The President and/or the Vice President may be removed from office during their term by the Majelis Permusyawaratan Rakyat on the advice of the Dewan</p>

	<p>Perwakilan Rakyat, if they are either proven to have violated the law by engaging in treason, corruption, bribery, another serious criminal offence, or disgraceful conduct, or proven to no longer fulfil the requirements of the office of President and/or Vice President.</p>
	<p>Article 7B</p> <ol style="list-style-type: none"> 1. A advice to remove the President and/or Vice President from office may only be submitted by the Dewan Perwakilan Rakyat to the Majelis Perwakilan Rakyat if it has already requested the Constitutional Court to investigate, try, and decide on the opinion of the Dewan Perwakilan Rakyat that the President and/or the Vice President has violated the law by engaging in treason, corruption, bribery, another serious criminal offence, or disgraceful conduct, and/or the opinion that the President and/or the Vice President no longer fulfil the requirements of the office of President and/or Vice President. 2. The opinion of the Dewan Perwakilan Rakyat that the President and/or the Vice President have committed such violations of the law or no longer fulfil the requirements of the office of President and/or Vice President is in the course of carrying out the supervisory function of the Dewan Perwakilan Rakyat. 3. A request by the Dewan Perwakilan Rakyat to the Constitutional Court may only be submitted with the support of at least two-thirds of the number of members of the Dewan Perwakilan Rakyat present at a plenary session that is attended by at least two-thirds of the total number of members of the Dewan Perwakilan Rakyat.

4. The Constitutional Court is obliged to investigate, try and decide with the greatest possible justice and fairness on this opinion of the Dewan Perwakilan Rakyat no more than ninety days after the request of the Dewan Perwakilan Rakyat is received by the Constitutional Court.
5. If the Constitutional Court has decided that the President and/or the Vice President has been proven to have violated the law by engaging in treason, corruption, bribery, another serious criminal act, or disgraceful conduct, and/or it is proven that the President and/or the Vice President no longer fulfil the requirements of the office of President and/or Vice President, the Dewan Perwakilan Rakyat shall hold a plenary session to submit advice for the removal from office of the President and/or the Vice President to the Majelis Permusyawaratan Rakyat
6. The Majelis Permusyawaratan Rakyat is obliged to hold a session to decide on this advice of the Dewan Perwakilan Rakyat no later than thirty days after the Majelis Permusyawaratan Rakyat receives the advice.
7. The decision of the Majelis Permusyawaratan Rakyat on the advice for the removal from office of the President and/or Vice President must be made in a plenary session of the Majelis Permusyawaratan Rakyat that is attended by at least three-quarters of the total number of members and with the approval of at least two-thirds of the number of members present, after the President and/or Vice President has had an opportunity to provide an explanation in a plenary session of the Majelis

	Permusyawaratan Rakyat.
	Article 7C The President may not suspend and/or dissolve the Dewan Perwakilan Rakyat.

<p>Article 8</p> <p>Should the President die, resign or be unable to perform his duties during his term of office, he shall be succeeded by the Vice-President until the expiry of his term of office.</p>	<p>Article 8</p> <ol style="list-style-type: none"> 1. If the President should die, resign, be removed from office, or become unable to perform his or her duties during his or her term of office, then he or she shall be replaced by the Vice President for the remainder of the term. 2. If the office of Vice President becomes vacant, the Majelis Permusyawaratan Rakyat shall hold a session within sixty days to elect a Vice President from two candidates proposed by the President. 3. If the President and the Vice President should die, resign, be removed from office, or become unable to perform their duties during their term of office at the same time, the joint executors of presidential duties shall be the Minister for Foreign Affairs, the Minister for Internal Affairs, and the Minister of Defence. Within thirty days, the Majelis Permusyawaratan Rakyat must hold a session to elect a President and a Vice President from two pairs of Presidential and Vice Presidential candidates proposed by the political parties or groups of political parties whose Presidential and Vice Presidential candidate pairs received the first and second highest number of votes in the previous general election, for the remainder of the current term of office.
<p>Article 9</p> <p>Before assuming office, the President and the Vice-President shall take the oath of office according to their religions, or solemnly promise before the Majelis Permusyawaratan Rakyat or the Dewan Perwakilan Rakyat as follows:</p> <p>The President's (Vice-President's) Oath</p>	<p>Article 9</p> <ol style="list-style-type: none"> 1. Before assuming office, the President and the Vice-President shall take the oath of office according to their religions, or solemnly promise before the Majelis Permusyawaratan Rakyat or the Dewan Perwakilan Rakyat

“In the name of God Almighty, I swear that I will perform the duties of the President (Vice-President) of the Republic of Indonesia to the best of my ability and as justly as possible, and that I will strictly observe the Constitution and consistently implement the law and regulations in the service of the country and the people.”

The President’s (Vice-President’s) Promise

“I solemnly promise that I will perform the duties of the President (Vice-President) of the Republic of Indonesia to the best of my ability and as justly as possible, and that I will strictly observe the Constitution and consistently implement the law and regulations in the service of the country and the people.”

as follows:

The President’s (Vice President’s) Oath

“In the name of God Almighty, I swear that I will perform the duties of the President (Vice-President) of the Republic of Indonesia to the best of my ability and as justly as possible, and that I will strictly observe the Constitution and consistently implement the law and regulations in the service of the country and the people.”

The President’s (Vice President’s) Promise

“I solemnly promise that I will perform the duties of the President (Vice-President) of the Republic of Indonesia to the best of my ability and as justly as possible, and that I will strictly observe the Constitution and consistently implement the law and regulations in the service of the country and the people.”

2. If the Majelis Permusyawaratan Rakyat is unable to hold a session, the President and the Vice President shall swear according to their religion or solemnly promise before the leadership of the Majelis Permusyawaratan Rakyat, witnessed by the leadership of the Supreme Court.

<p>Article 10</p> <p>The President is the Supreme Commander of the Army, the Navy and the Air Force.</p>	<p>Article 10</p> <p>No change</p>
<p>Article 11</p> <p>In agreement with the Dewan Perwakilan Rakyat, the President declares war, makes peace and concludes treaties with other states.</p>	<p>Article 11</p> <ol style="list-style-type: none"> 1. In agreement with the Dewan Perwakilan Rakyat, the President declares war, makes peace and concludes treaties with other states. 2. The President must have the agreement of the Dewan Perwakilan Rakyat in order to conclude other international treaties that have wide and profound effects on the life of the people relating to the financial burden of the State, and/or that necessitate the amendment or enactment of laws. 3. Further stipulations concerning international treaties shall be regulated by law.
<p>Article 12</p> <p>The President declares the state of emergency. The conditions for such a declaration and the measures to deal with the emergency shall be governed by law.</p>	<p>Article 12</p> <p>No change</p>
<p>Article 13</p> <ol style="list-style-type: none"> 1. The President appoints ambassadors and consuls. 2. The Presidents receives the credentials of foreign ambassadors. 	<p>Article 13</p> <ol style="list-style-type: none"> 1. The President appoints ambassadors and consuls. 2. In appointing ambassadors, the President shall have regard to the advice of the Dewan Perwakilan Rakyat. 3. The President shall receive the appointment of ambassadors of other countries, having regard to the advice of the Dewan Perwakilan Rakyat.
<p>Article 14</p> <p>The President grants mercy, amnesty,</p>	<p>Article 14</p> <ol style="list-style-type: none"> 1. The President shall grant pardons and restoration of rights, having

pardon and restoration of rights.	regard to the advice of the Supreme Court. 2. The President shall grant amnesties and abolitions, having regard to the advice of the Dewan Perwakilan Rakyat.
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<p>Article 15</p> <p>The President grants titles, decorations and other distinctions of honour.</p>	<p>Article 15</p> <p>The President shall grant titles, decorations and other distinctions of honour as provided for by law.</p>
<p>Chapter IV. The Supreme Advisory Council</p> <p>Article 16</p> <ol style="list-style-type: none"> 1. The composition of the Supreme Advisory Council shall be regulated by law. 2. The Council has the duty to reply to questions raised by the President and has the right to submit recommendations to the government. 	<p>Article 16</p> <p>The President shall form an advisory council, which has the task of providing advice and counsel to the President, to be further regulated by law.</p>
<p>Chapter V. The Ministers of State</p> <p>Article 17</p> <ol style="list-style-type: none"> 1. The President shall be assisted by the Ministers of State. 2. These Ministers shall be appointed and dismissed by the President. 3. These Ministers shall head the government departments. 	<p>Chapter V. The Ministers of State</p> <p>Article 17</p> <ol style="list-style-type: none"> 1. The President shall be assisted by Ministers of State. 2. These Ministers shall be appointed and dismissed by the President. 3. Each Minister shall hold a particular portfolio in government. 4. The formation, modification and dissolution of the State Ministries shall be regulated by law.
<p>Chapter VI. The Regional Governments</p> <p>Article 18</p> <p>The division of the territory of Indonesia into large and small regions shall be regulated by law in consideration of and with due regard to the principles of deliberation in the government system and the inherited rights of the Special Regions.</p>	<p>Chapter VI. The Regional Governments</p> <p>Article 18</p> <ol style="list-style-type: none"> 1. The Unitary State of the Republic of Indonesia shall be divided into Provinces and these Provinces divided into Regencies (kabupaten) and Towns, and each of these Provinces, Regencies and Cities shall have Regional Governments, regulated by law. 2. The Regional Governments of Provinces, Regencies and Towns shall themselves regulate and

	<p>administer matters of government on the basis of autonomy and the duty of assistance.</p> <ol style="list-style-type: none">3. The Regional Governments of Provinces, Regencies and Towns shall have Regional People's Representative Councils (Dewan Perwakilan Rakyat Daerah) whose members are elected in general elections.4. Governors, Regents and Mayors shall be the respective heads of the Regional Governments of the Provinces, Regencies and Towns and shall be democratically elected.5. The Regional Governments shall implement autonomy to the fullest extent except in matters of government that are determined by law to be matters for the Central Government.6. The Regional Governments have the right to enact regional regulations and other regulations in order to implement autonomy and the duty of assistance.7. The structures and procedures for the administration of regional government shall be regulated by law.
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	<p>Article 18A</p> <ol style="list-style-type: none"> 1. The relationship between the authority of the Central Government and that of the Regional Governments of Provinces, Regencies and Towns, or between the authority of the Provinces and that of the Regencies and Towns, shall be regulated by law, having regard to the uniqueness and diversity of the regions. 2. The relationships of finance, public services, and the utilisation of natural resources and other resources between the Central Government and the Regional Governments shall be regulated and implemented justly and harmoniously in accordance with law.
	<p>Article 18B</p> <ol style="list-style-type: none"> 1. The State recognises and respects particular Provincial Governments which have a special or unique status that is regulated by law. 2. The State recognizes and respects the individual communities of traditional law and their traditional rights as long as they survive, and in accordance with the development of the community and the principle of the Unitary State of the Republic of Indonesia, as regulated by law.
<p>Chapter VII. The Dewan Perwakilan Rakyat Article 19</p> <ol style="list-style-type: none"> 1. The composition of the Dewan Perwakilan Rakyat shall be regulated by law. 2. The Dewan Perwakilan Rakyat shall meet at least once a year. 	<p>Chapter VII. The Dewan Perwakilan Rakyat Article 19</p> <ol style="list-style-type: none"> 1. The members of the Dewan Perwakilan Rakyat shall be elected in a general election. 2. The composition of the Dewan Perwakilan Rakyat shall be regulated by law.

	3. The Dewan Perwakilan Rakyat shall meet at least once a year.
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<p>Article 20</p> <ol style="list-style-type: none"> 1. Every law shall require the approval of the Dewan Perwakilan Rakyat. 2. Should a bill not obtain the approval of the Dewan Perwakilan Rakyat, the bill shall not be resubmitted during the same session of the Dewan Perwakilan Rakyat. 	<p>Article 20</p> <ol style="list-style-type: none"> 1. The Dewan Perwakilan Rakyat shall have the power to make laws. 2. Every Bill shall be discussed by the Dewan Perwakilan Rakyat and the President in order to reach mutual assent. 3. If a Bill does not obtain mutual assent, the Bill shall not be resubmitted during the same session of the Dewan Perwakilan Rakyat. 4. The President shall sign into law those Bills that have obtained mutual assent. 5. In the event that a Bill that has obtained mutual assent is not signed into law by the President within thirty days from the time it was mutually assented to, the Bill may legitimately become law and must be enacted as law.
	<p>Article 20A</p> <ol style="list-style-type: none"> 1. The Dewan Perwakilan Rakyat shall have legislative, budgetary, and supervisory functions. 2. In carrying out its functions, besides the rights provided for elsewhere in this Constitution, the Dewan Perwakilan Rakyat has the right of interpellation, the right of angket [that is, the right to carry out inquiries], and the right to express its opinion. 3. Besides the rights provided for elsewhere in this Constitution, each member of the Dewan Perwakilan Rakyat has the right to submit questions, the right to convey suggestions and opinions and a right of immunity.

	<p>4. Further stipulations concerning the rights of the Dewan Perwakilan Rakyat and the rights of the members of the Dewan Perwakilan Rakyat shall be regulated by law.</p>
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<p>Article 21</p> <ol style="list-style-type: none"> 1. The members of the Dewan Perwakilan Rakyat have the right to submit a bill. 2. Should such a bill not obtain the sanction of the President notwithstanding the approval of the Dewan Perwakilan Rakyat, the bill shall not be resubmitted during the same session of the Dewan. 	<p>Article 21</p> <p>No change</p>
<p>Article 22</p> <ol style="list-style-type: none"> 1. In the event of a compelling emergency, the President has the right to issue government regulations in lieu of laws. 2. Such regulations must obtain the assent of the Dewan Perwakilan Rakyat during its subsequent session. 3. Where the approval of the Dewan is not obtained, the government regulations shall be revoked. 	<p>Article 22</p> <p>No change</p>
	<p>Article 22A</p> <p>Further stipulations concerning the procedures for the enactment of laws shall be regulated by law.</p>
	<p>Article 22B</p> <p>The members of the Dewan Perwakilan Rakyat may be removed from office, in accordance with conditions and procedures provided by law.</p>
	<p>Chapter VIIA. The Dewan Perwakilan Daerah</p> <p>Article 22C</p> <ol style="list-style-type: none"> 1. The members of the Dewan Perwakilan Daerah are elected from each Province through general elections. 2. The members of the Dewan Perwakilan Daerah from each Province shall be of equal number, and the total number of members of the Dewan

	<p>Perwakilan Daerah shall be no more than one-third of the members of the Dewan Perwakilan Rakyat.</p> <ol style="list-style-type: none"> 3. The Dewan Perwakilan Daerah shall sit in session at least once a year. 4. The structure and position of the Dewan Perwakilan Daerah shall be regulated by law.
	<p>Article 22D</p> <ol style="list-style-type: none"> 1. The Dewan Perwakilan Daerah can submit Bills to the Dewan Perwakilan Rakyat that relate to regional autonomy; the relationship between the centre and the regions; the formation, development and inclusion of the regions; the management of natural resources and other economic resources; and the fiscal balance between the centre and the regions. 2. The Dewan Perwakilan Daerah participates in the discussion of Bills that relate to regional autonomy; the relationship between the centre and the regions; the formation, development and inclusion of the regions; the management of natural resources and other economic resources; and the fiscal balance between the centre and the regions; and it also submits its advice to the Dewan Perwakilan Rakyat regarding Bills concerning the State Budget and Bills concerning taxes, education and religion. 3. The Dewan Perwakilan Daerah may supervise the implementation of laws concerning: regional autonomy; the formation, development and inclusion of the regions; the relationship between the centre

	<p>and the regions; the management of natural resources and other economic resources; the implementation of the State Budget; taxes; education; and religion; and to submit the results of its supervision to the Dewan Perwakilan Rakyat as material for consideration and further action.</p> <p>4. The members of the Dewan Perwakilan Daerah may be removed from office in a manner that complies with conditions and procedures regulated by law.</p>
<p>Chapter VIII. Finance</p> <p>Article 23</p> <ol style="list-style-type: none"> 1. The annual state budget shall be determined by law. In the event that the Dewan Perwakilan Rakyat does not approve a draft budget, the government shall adopt the budget of the preceding year. 2. All government taxes shall be determined by law. 3. The forms and denominations of the currency shall be determined by law. 4. Other financial matters shall be regulated by law. 5. In order to examine the accountability of the state finances, a State Audit Board shall be established by statutory regulation. The findings of the Board shall be reported to the Dewan Perwakilan Rakyat. 	<p>Chapter VIII. Finance</p> <p>Article 23</p> <ol style="list-style-type: none"> 1. The State Budget, as the realization of the management of the finances of the State, shall be determined each year by law and implemented openly and with accountability for the greatest prosperity of the people. 2. The State Budget Bill is submitted by the President to be discussed with the Dewan Perwakilan Rakyat and taking into consideration the advice of the Dewan Perwakilan Daerah. 3. If the Dewan Perwakilan Rakyat does not agree to the State Budget Bill submitted by the President, the Government shall adopt the State Budget of the preceding year.
	<p>Article 23A</p> <p>Taxes and other levies for the needs of the State that are compulsory in nature shall be regulated by law.</p>

	<p>Article 23B</p> <p>The forms and denominations of the currency shall be regulated by law.</p>
	<p>Article 23C</p> <p>Other matters relating to the finances of the State shall be regulated by law.</p>
	<p>Article 23D</p> <p>The State possesses a central bank, the structure, position, authority, responsibilities, and independence of which are regulated by law.</p>
	<p>Chapter VIIIA. The Audit Board</p> <p>Article 23E</p> <ol style="list-style-type: none"> 1. In order to review the management of and responsibility over the finances of the State, a free and independent Audit Board shall be formed. 2. The results of an audit of the finances of the State shall be submitted to the Dewan Perwakilan Rakyat, the Dewan Perwakilan Daerah, and the Dewan Perwakilan Rakyat Daerah, in accordance with their respective authority. 3. The results of such an audit shall be acted on by a representative body and/or another board in accordance with the law.
	<p>Article 23F</p> <ol style="list-style-type: none"> 1. The members of the Audit Board are chosen by the Dewan Perwakilan Rakyat, taking into consideration the advice of the Dewan Perwakilan Daerah, and approved by the President.

	<ol style="list-style-type: none"> 2. The Chairperson of the Audit Board shall be elected from and by its members.
	<p>Article 23G</p> <ol style="list-style-type: none"> 1. The Audit Board shall be located in the capital city, and have representative offices in each province. 2. Further provisions regarding the Audit Board shall be determined by law.
<p>Chapter IX. The Judicial Power</p> <p>Article 24</p> <ol style="list-style-type: none"> 1. The judicial power is exercised by a Supreme Court and other such courts of law as are provided for by law. 2. The composition and powers of these legal bodies shall be regulated by law. 	<p>Chapter IX. The Judicial Power</p> <p>Article 24</p> <ol style="list-style-type: none"> 1. The judicial power is the independent power to maintain a system of courts with the objective of upholding law and justice. 2. The judicial power is exercised by a Supreme Court and the courts below it in the respective environments of public courts, religious courts, military courts, administrative courts and by a Constitutional Court. 3. Other bodies with functions that relate to judicial power are regulated by law.
	<p>Article 24A</p> <ol style="list-style-type: none"> 1. The Supreme Court has the authority to hear matters at the level of cassation, to review regulations that are below legislation against the legislation, and it has other authority as determined by law. 2. Justices of the Supreme Court must possess integrity and irreproachable character and be just, professional, and have

	<p>experience in the field of law.</p> <ol style="list-style-type: none"> 3. Candidates for Justices of the Supreme Court shall be submitted by the Judicial Commission to the Dewan Perwakilan Rakyat for approval and then be confirmed by the President. 4. The Chief Justice and Deputy Chief Justice of the Supreme Court shall be elected from and by the Justices of the Supreme Court. 5. The structure, position, membership and procedures of the Supreme Court and the legal bodies below it shall be regulated by law.
	<p>Article 24B</p> <ol style="list-style-type: none"> 1. An independent Judicial Commission shall have the authority to suggest the appointment of Justices of the Supreme Court and shall have further authority to protect and uphold the honour, dignity and the good behaviour of judges. 2. The members of the Judicial Commission must possess knowledge and experience in the field of law, integrity, and irreproachable character. 3. The members of the Judicial Commission are appointed and removed by the President with the agreement of the Dewan Perwakilan Rakyat. 4. The structure, position and membership of the Judicial Commission shall be regulated by law.

Article 24C

1. The Constitutional Court has the authority to hear matters at the lowest and highest levels and to make final decisions in the review of legislation against the Constitution, the settlement of disputes regarding the authority of State bodies whose authority is given by the Constitution, the dissolution of political parties, and the settlement of disputes concerning the results of general elections.
2. The Constitutional Court has the duty to adjudicate on the opinion of the Dewan Perwakilan Rakyat regarding allegations of misconduct by the President and/or the Vice President in accordance with the Constitution.
3. The Constitutional Court is comprised of nine constitutional judges who are appointed by the President, of whom three are proposed by the Supreme Court, three by the Dewan Perwakilan Rakyat, and three by the President.
4. The Chairperson and Vice Chairperson of the Constitutional Court are elected from and by the constitutional judges.
5. Constitutional judges must possess integrity and irreproachable character, be just, be statespersons who fully understand the Constitution and administrative law, and must not hold government office.
6. The appointment and removal of constitutional judges, the procedural rules of the Constitutional Court and other provisions regarding the Constitutional Court shall be regulated by law.

<p>Article 25</p> <p>The appointment and dismissal of judges shall be regulated by law.</p>	<p>Repealed</p>
	<p>Chapter IXA. The Territory of the State</p> <p>Article 25A</p> <p>The Unitary State of the Republic of Indonesia is an archipelagic State which possesses territory, the demarcations and the rights of which are determined by law.</p>
<p>Chapter X. The Citizens</p> <p>Article 26</p> <ol style="list-style-type: none"> 1. Citizens are native Indonesian persons and persons of other nations who have acquired a legal status as citizens. 2. Conditions to acquire and other matters on citizenship shall be determined by law. 	<p>Chapter X. Citizens and Inhabitants</p> <p>Article 26</p> <ol style="list-style-type: none"> 1. Citizens are native Indonesian persons and persons of other nations who have acquired a legal status as citizens. 2. Inhabitants are Indonesian citizens and foreign persons who reside in Indonesia. 3. Matters relating to citizens and inhabitants are regulated by law.
<p>Article 27</p> <ol style="list-style-type: none"> 1. All citizens have equal status before the law and in government and shall abide by the law and the government without any exception. 2. Every citizen has the right to work and to live in human dignity. 	<p>Article 27</p> <ol style="list-style-type: none"> 1. All citizens have equal status before the law and in government and shall abide by the law and the government without any exception. 2. Every citizen has the right to work and to live in human dignity. 3. Every citizen has the right and duty to participate in the defence of the nation.
<p>Article 28</p>	<p>Article 28</p>

Freedom of association and assembly, of verbal and written expression and the like, shall be regulated by law.	No change.
	<p>Chapter XA. Human Rights</p> <p>Article 28A</p> <p>Each person has the right to live and has the right to defend their life and their living.</p>
	<p>Article 28B</p> <ol style="list-style-type: none"> 1. Each person has the right to form a family and to continue their family line through legitimate marriage. 2. Each child has the right to viable life, growth and development, and to protection from violence and discrimination.
	<p>Article 28C</p> <ol style="list-style-type: none"> 1. Each person has the right to develop themselves through the fulfilment of their basic needs, the right to education and to obtain benefit from science and technology, art and culture, in order to improve the quality of their life and the welfare of the human race. 2. Each person has the right to advance themselves in struggling to obtain their collective rights to develop their community, their people, and their nation.
	<p>Article 28D</p> <ol style="list-style-type: none"> 1. Each person has the right to the recognition, the security, the protection and the certainty of just laws and equal treatment before the law.

	<ol style="list-style-type: none"> 2. Each person has the right to work and to receive just and appropriate rewards and treatment in their working relationships. 3. Each citizen has the right to obtain the same opportunities in government. 4. Each person has the right to citizenship.
	<p>Article 28E</p> <ol style="list-style-type: none"> 1. Each person is free to profess their religion and to worship in accordance with their religion, to choose their education and training, their occupation, their citizenship, their place of residence within the territory of the State and to leave it and to return to it. 2. Each person has the freedom to possess convictions and beliefs, and to express their thoughts and attitudes in accordance with their conscience. 3. Each person has the freedom to associate, gather, and express their opinions.
	<p>Article 28F</p> <p>Each person has the right to communicate and to obtain information in order to develop themselves and their social environment, and the right to seek out, obtain, possess, store, process, and transmit information using any means available.</p>
	<p>Article 28G</p> <ol style="list-style-type: none"> 1. Each person has the right to the protection of themselves, their family, their honour, their dignity, the property that is in their

	<p>control, and the right to feel safe and to be protected from the threats of fear from doing or not doing something that is a basic right.</p> <p>2. Each person has the right to be free from torture or treatment that lowers human dignity and has the right to obtain political asylum from other countries.</p>
	<p>Article 28H</p> <p>1. Each person has the right to physical and spiritual welfare, to have a home, to have a good and healthy living environment and to obtain health services.</p> <p>2. Each person has the right to assistance and special treatment in order to gain the same opportunities and benefits in the attainment of equality and justice.</p> <p>3. Each person has the right to social security that allows their full personal development as a human being.</p> <p>4. Each person has the right to private property and this right may not be arbitrarily interfered with by anyone at all.</p>
	<p>Article 28I</p> <p>1. The right to live, the right not to be tortured, the right to freedom of thought and conscience, the right not to be enslaved, the right to be individually recognized by the law, and the right not to be prosecuted under retrospective laws are basic human rights that may not be interfered with under any circumstances at all.</p> <p>2. Each person has the right to be free from discriminatory treatment on any grounds and has the right</p>

	<p>to obtain protection from such discriminatory treatment.</p> <ol style="list-style-type: none"> 3. Cultural identity and the rights of traditional communities are respected in accordance with the continuing development of civilization over time. 4. The protection, advancement, upholding and fulfilment of basic human rights is the responsibility of the State, especially the Government. 5. In order to uphold and protect basic human rights in accordance with the principle of a democratic State ruled by laws, the implementation of human rights shall be guaranteed, regulated and provided for in regulations and legislation.
	<p>Article 28J</p> <ol style="list-style-type: none"> 1. Each person is obliged to respect the basic human rights of others in orderly life as a community, as a people, and as a nation. 2. In the enjoyment of their rights and freedoms, each person is obliged to submit to the limits determined by law, with the sole purpose of guaranteeing recognition and respect for the rights of others and to fulfil the requirements of justice and taking into consideration morality, religious values, security, and public order in a democratic community.
<p>Chapter XI. Religion</p> <p>Article 29</p> <ol style="list-style-type: none"> 1. The State shall be based upon the belief in the One and Only God. 	<p>Chapter XI. Religion</p> <p>Article 29</p> <p>No change</p>

<p>2. The State guarantees all persons freedom of religion and freedom to worship according to their religion and belief.</p>	
<p>Chapter XII. National Defence</p> <p>Article 30</p> <ol style="list-style-type: none"> 1. Every citizen has the right and duty to participate in the defence of the country. 2. The rules governing defence shall be regulated by law. 	<p>Chapter XII. National Defence and Security</p> <p>Article 30</p> <ol style="list-style-type: none"> 1. Each citizen has the right and duty to participate in national defence and security. 2. National defence and security is carried out through a system of universal people's defence and security by the Indonesian National Military and the State Police of the Republic of Indonesia, as the primary force, and the people, as supporting forces. 3. The Indonesian National Military is comprised of the Army, the Navy, and the Air Force as instruments of the State with the task of defending, protecting and preserving the unity and sovereignty of the State. 4. The State Police of the Republic of Indonesia is an instrument of the State that safeguards the security and order of the community, with the task of protecting, sheltering, and serving the community, and upholding the law. 5. The structure and position of the Indonesian National Military and the State Police of the Republic of Indonesia, the relationship of authority between the Indonesian National Military and the State Police of the Republic of Indonesia in carrying out their tasks, the requirements for the participation of citizens in national defence and security, and matters relating to defence and security

	shall be regulated by law.
<p>Chapter XIII. Education</p> <p>Article 31</p> <ol style="list-style-type: none"> 1. Every citizen has the right to education. 2. The government shall establish and conduct a national education system which shall be regulated by law. 	<p>Chapter XIII. Education</p> <p>Article 31</p> <ol style="list-style-type: none"> 1. Each citizen has the right to education. 2. Each citizen is obliged to attend primary education and the Government is obliged to bear the cost. 3. The Government shall develop and maintain a national system of education that increases faith, God-consciousness and noble conduct, in the course of educating the people, which is regulated by law. 4. The State shall prioritize expenditures on education, so that it shall comprise at least 20% of the State Budget and Regional Budgets in order to fulfil the needs of national education. 5. The Government shall advance science and technology by respecting religious values and national unity, for the progress of human civilization and the welfare of the human race.
<p>Article 32</p> <ol style="list-style-type: none"> 1. The Government shall advance the national culture. 	<p>Article 32</p> <ol style="list-style-type: none"> 1. The State shall advance the national culture of Indonesia among human civilization by guaranteeing the freedom of the people to cultivate and develop their cultural values. 2. The State shall respect and cultivate regional languages as a national cultural treasure.
<p>Article 33</p> <ol style="list-style-type: none"> 1. The economy shall be organized 	<p>Article 33</p> <ol style="list-style-type: none"> 1. The economy shall be organized

<p>as a common endeavour based upon the principles of the family system.</p> <ol style="list-style-type: none"> 2. Sectors of production that are important for the country and affect the life of the people shall be controlled by the State. 3. The land, the waters and the natural riches contained therein shall be controlled by the State and exploited to the greatest benefit of the people. 	<p>as a common endeavour based upon the principles of the family system.</p> <ol style="list-style-type: none"> 2. Sectors of production that are important for the country and affect the lives of many people shall be controlled by the State. 3. The land, the waters and the natural riches contained therein shall be controlled by the State and utilised for the greatest prosperity of the people. 4. The national economy is organized based on economic democracy and the principles of togetherness, efficiency of justice, sustainability, environmental awareness, self-sufficiency and by safeguarding the equilibrium between progress and the unity of the national economy. 5. Further stipulations concerning the implementation of this Article shall be regulated by law.
<p>Article 34</p> <p>The poor and destitute children shall be cared for by the State.</p>	<p>Article 34</p> <ol style="list-style-type: none"> 1. The poor and destitute children shall be cared for by the State. 2. The State shall develop a system of social security for all the people and shall empower the weak and impoverished in accordance with human dignity. 3. The State shall be responsible for the provision of suitable healthcare facilities and public service facilities. 4. Further stipulations concerning the implementation of this Article shall be regulated by law.
<p>Chapter XV. The Flag and the Language</p>	<p>Chapter XV. The Flag, the Language, the State Emblem and the National Anthem</p>

<p>Article 35</p> <p>The national flag of Indonesia shall be the Honoured Red-and-White.</p>	<p>Article 35</p> <p>No change</p>
<p>Article 36</p> <p>The national language of Indonesia shall be the Bahasa Indonesia or the Indonesian language.</p>	<p>Article 36</p> <p>No change</p>
	<p>Article 36A</p> <p>The State emblem is the Garuda Pancasila, with the motto, Bhinneka Tunggal Ika.</p>
	<p>Article 36B</p> <p>The national anthem is Indonesia Raya.</p>
	<p>Article 36C</p> <p>Further stipulations regarding the national flag, the national language, the State emblem and the national anthem shall be regulated by law.</p>
<p>Chapter XVI. Amendments to the Constitution</p> <p>Article 37</p> <ol style="list-style-type: none"> 1. In order to amend the Constitution, not less than two thirds of the total number of members of the Majelis Permusyawaratan Rakyat shall be in attendance. 2. Decisions shall be taken with the approval of not less than two thirds of the number of members in attendance. 	<p>Chapter XVI. Amendments to the Constitution</p> <p>Article 37</p> <ol style="list-style-type: none"> 1. A proposal to amend the Constitution may be placed on the agenda of a session of the Majelis Permusyawaratan Rakyat if it is proposed by not less than one-third of the total number of members of the Majelis Permusyawaratan Rakyat. 2. Each proposal to amend the Constitution shall be submitted in writing and shall clearly show the parts which are proposed to be amended, with reasons. 3. In order to amend the

	<p>Constitution, not less than two-thirds of the total number of members of the Majelis Permusyawaratan Rakyat must be present at the session.</p> <p>4. Decisions to amend the Constitution shall be made with the agreement of not less than fifty per cent plus one member of the entire membership of the Majelis Permusyawaratan Rakyat.</p> <p>5. The form of the Unitary State of the Republic of Indonesia may not be amended.</p>
<p style="text-align: center;">INTERIM PROVISIONS</p> <p>Article I</p> <p>The Preparatory Committee for Indonesian Independence shall arrange and implement the transfer of government to the Government of Indonesia</p>	<p style="text-align: center;">INTERIM PROVISIONS</p> <p>Article I</p> <p>All regulations and legislation that are in force shall continue to have effect until new regulations and legislation are enacted under this Constitution.</p>
<p>Article II</p> <p>All State bodies and regulations that exist shall continue to function until new bodies are formed under this Constitution.</p>	<p>Article II</p> <p>All State bodies that exist shall continue to function in so far as they implement the provisions of this Constitution and until new bodies are formed under this Constitution.</p>
<p>Article III</p> <p>The first President and Vice President will be chosen by the Preparatory Committee for Indonesian Independence</p>	<p>Article III</p> <p>The Constitutional Court shall be formed at the latest by 17 August 2003 and before its formation its authority shall be exercised in full by the Supreme Court.</p>
<p>Article IV</p> <p>Until the Majelis Permusyawaratan Rakyat , the Dewan Perwakilan Rakyat and the Supreme Advisory Council are formed in accordance with this Constitution, their powers will be fully exercised by the President, assisted by a</p>	<p>Repealed</p>

National Committee.	
<p style="text-align: center;">ADDITIONAL PROVISIONS</p> <p>Article I</p> <p>Within six months following the end of the Greater East Asia war, the President will arrange and implement all matters stipulated by this Constitution.</p>	<p style="text-align: center;">ADDITIONAL PROVISIONS</p> <p>Article I</p> <p>The Majelis Permusyawaratan Rakyat shall carry out a review of the material and legal status of Provisional Decrees of the Majelis Permusyawaratan Rakyat and the Decrees of the Majelis Permusyawaratan Rakyat, to be decided on at the 2003 Session of the Majelis Permusyawaratan Rakyat.</p>
<p>Article II</p> <p>Within six months following the formation of the Majelis Permusyawaratan Rakyat, the Majelis will meet to confirm the Constitution.</p>	<p>Article II</p> <p>With the finalization of this amendment of the Constitution, the 1945 Constitution of the Republic of Indonesia is comprised of the Preamble and the Articles.</p>