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AUTHORIZED TRANSLATION  
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**THE 1945 CONSTITUTION  
OF THE STATE OF THE REPUBLIC OF  
INDONESIA**

# THE 1945 CONSTITUTION OF THE STATE OF THE REPUBLIC OF INDONESIA

## PREAMBLE

That Freedom is actually a right of all nations and therefore colonization in this world must be removed as it contravenes the humanity and justice.

And Indonesian struggle, movement, and freedom have safely brought Indonesian people to the freedom of the State of Indonesia, that is free, united, sovereign, just, and prosperous.

By the grace of the Almighty God and motivated by a noble intention, for free national life, Indonesian people hereby declare their freedom.

And then to form a Government of the State of Indonesia that protects all Indonesian people and the entire land of Indonesia and to develop the welfare of the people, the life of the nation, and participate in the world orderliness based on freedom, eternal peace and social justice, National Freedom of Indonesia is prepared in a Constitution of the State of Indonesia, formed in a structure of the State of the Republic of Indonesia with people sovereignty based on the One Supreme God, Just and civilized humanity, Indonesian unity and Democracy lead by wisdom in Deliberation/Representation, and by realizing a Social justice to all Indonesian people.

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- \*) : First Alteration
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# THE CONSTITUTION

## CHAPTER I

### FORM AND SOVERIGNTY

#### Article 1

- (1) The State of Indonesia shall be a Unitary State in the form of Republic.
- (2) The sovereignty shall be in the hand of the people and implemented according to the Constitution. \*\*\*)
- (3) The State of Indonesia shall be a constitutional state. \*\*\*)

## CHAPTER II

### PEOPLE'S DELIBERATIVE ASSEMBLY

#### Article 2

- (1) People's Deliberative Assembly shall consist of members of House of People's Representative and members of Regional House of Representative elected through a general election and be further stipulated by virtue of law. \*\*\*\*\*)
- (2) People's Deliberative Assembly shall meet at least once in five years in the capital of the state.
- (3) All resolutions of People's Deliberative Assembly shall be adopted based on the majority of votes.

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### **Article 3**

- (1) People's Deliberative Assembly shall be authorized to amend and stipulate the Constitution. \*\*\*)
- (2) People's Deliberative Assembly shall inaugurate the President and/or Vice President. \*\*\*/\*\*\*\*)
- (3) People's Deliberative Assembly can only dismiss the President and/or Vice President in his/her term of office according to the Constitution. \*\*\*/\*\*\*\*)

## **CHAPTER III**

### **ADMINISTRATIVE POWER OF THE STATE**

#### **Article 4**

- (1) The President of the Republic of Indonesia shall hold the administrative power according to the Constitution.
- (2) In implementing his/her obligations, the President shall be assisted by one Vice President.

#### **Article 5**

- (1) The President shall be entitled to submit a bill to the House of People's Representative. \*)
- (2) The President shall stipulate a government regulation to properly implement the law.

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## Article 6

- (1) The prospective President and the prospective Vice President shall be Indonesian nationals since their birth and never accept another nationality at their own initiative, never betray the state, and be able to physically and spiritually implement the tasks and obligations as the President and Vice President. \*\*\*\*)
- (2) The requirements of being the President and Vice President shall be further stipulated by virtue of law. \*\*\*)

## Article 6A

- (1) The President and Vice President shall be elected in a pair directly by the people. \*\*\*)
- (2) A pair of the President and Vice President shall be recommended by political parties or combination of political parties being the participants of general election before the general election. \*\*\*)
- (3) A pair of the President and Vice President getting the votes of more than fifty percent of total votes in a general election with at least twenty percent votes in each province spread in more than a half of number of provinces in Indonesia, shall be inaugurated to be President and Vice President. \*\*\*)

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- (4) In case none of the pairs of prospective Presidents and prospective Vice Presidents is elected, two pairs of prospective Presidents and Vice Presidents with the first and second majority of votes in a general election shall be directly elected by the people and a pair with the most of votes shall be inaugurated as President and Vice President. \*\*\*\*)
- (5) Procedure for electing President and Vice President shall be further stipulated by virtue of Law. \*\*\*)

### **Article 7**

The President and Vice President shall hold the position for five years, and after that they can be re-elected for the same term of office, only for one times term of office. \*)

### **Article 7A**

President and/or Vice President can be dismissed in their term of office by the People Deliberative Assembly at the recommendation from the House of People's Representative, if they prove to have committed violation of the law in the form of betrayal to the state, corruption, bribery, other serious criminal acts, or disgraceful deed or if they prove not to fulfil the requirements as the President and/or Vice President. \*\*\*)

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## Article 7B

- (1) The recommendation to dismiss the President and/or Vice President can be submitted by the House of People's Representative to the People's Deliberative Assembly by first submitting a request to the Constitutional Court to hear, try, and judge the opinion of the House of People's Representative that the President and/or Vice President have committed violation to the law in the form of betrayal to the state, corruption, bribery, other serious criminal acts, or disgraceful deed; and/or the opinion that the President and/or Vice President no longer fulfil the requirements as the President and/or Vice President.\*\*\*)
- (2) The opinion of the House of People's Representative that the President and/or Vice President have committed violation to the law or no longer fulfil the requirements as the President and/or Vice President is in the framework of implementing he supervisory functions of the House of People's Representative. \*\*\*)
- (3) The submission of request of the House of People's Representative to the Constitutional Court can only be made with the support of at least 2/3 of total members of House of People's Representative present in a plenary meeting attended by at least 2/3 of total members of House of People's Representative. \*\*\*)

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- (4) Constitutional Court shall fairly hear, try, and judge the opinion of the House of People's Representative within no later than ninety days after receipt of the request of the House of People's Representative by the Constitutional Court. \*\*\*)
- (5) If the Constitutional Court judges that the resident and/or Vice President prove to have committed violation to the law in the form of betrayal to the state, corruption, bribery, other serious criminal acts, or disgraceful deed; and/or prove that the President and/or Vice President no longer fulfil the requirements as the President and/or Vice President, the House of People's Representative shall hold a plenary meeting to forward the recommendation to dismiss the President and/or Vice President to the People's Deliberative Assembly. \*\*\*)
- (6) The People's Deliberative Assembly shall hold a meeting to resolve the recommendation of the House of People's Representative within no later than thirty days as of receipt of the recommendation by the Constitutional Court.
- (7) Resolution of the People's Deliberative Assembly on the recommendation to dismiss the President and/or Vice President shall be adopted in a plenary meeting of the People's Deliberative Assembly attended by at least  $\frac{3}{4}$  of total members and approved by at least  $\frac{2}{3}$  of total present members, after the President and/or Vice President are given an opportunity to give explanation in a plenary meeting of the People's Deliberative Assembly. \*\*\*)

### **Article 7C**

The President can not freeze and/or dissolve the House of People's Representative. \*\*\*)

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### **Article 8**

- (1) If the President passes away, resigns, is dismissed, or can not implement his/her obligations in his/her term of office, he/she shall be replaced by the Vice President until expiry of his/her term of office. \*\*\*)
- (2) In case of vacant office of the Vice President, within no later than sixty days, the People's Deliberative Assembly shall hold a meeting to elect a Vice President from two nominees recommended by the President. \*\*\*)
- (3) If the President and/or Vice President jointly pass away, resign, are dismissed, or can not implement their obligations in the term of office, the joint presidential task executives shall be the Minister of Foreign Affairs, the Minister of Home Affairs, and the Minister of Defence. Within no later than thirty days thereafter, People's Deliberative Assembly shall meet to elect President and Vice President of two pairs of prospective Presidents and Vice Presidents recommended by political parties or combination of political parties whose pair of prospective President and Vice President got the first and second most votes in the previous general election, until expiry of their term of office. \*\*\*\*)

### **Article 9**

- (1) Before occupying their positions, the President and/or Vice President shall take an oath according to their religion, or seriously promise before the People's Deliberative Assembly or House of People's Representative as follows:

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Oath of the President (Vice President):

“I swear by God that I shall properly and justly fulfil the obligations of the President of the Republic of Indonesia (Vice President of the Republic of Indonesia), hold high the Constitution and implement all laws and legislation in straight and be devoted to Indonesia.”

Promise of the President (Vice President):

“I wholeheartedly promise that I shall properly and justly fulfil the obligations of the President of the Republic of Indonesia (Vice President of the Republic of Indonesia), hold high the Constitution and implement all laws and legislation in straight and be devoted to Indonesia.” \*)

- (2) If the People’s Deliberative Assembly or the House of People’s Representative can not hold a meeting, the President (Vice President) take an oath according to their religion, or wholeheartedly promise before the People’s Deliberative Assembly in witness of the Supreme Court. \*)

### **Article 10**

The President shall hold the highest power over the Army, Navy, and Air Force.

### **Article 11**

- (1) The President with the approval from the House of People’s Representative shall declare war, make reconciliation and treaties with other country(-ies). \*\*\*\*)

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- (2) In making other international treaties generating a wide and basic impact on the life of the people in relation to the state's financial burden, and/or requiring the amendment to or formation of law, the President shall require the approval from the House of People's Representative. \*\*\*)
- (3) Any further provisions on international treaties shall be stipulated by virtue of law. \*\*\*)

### **Article 12**

The President shall declare a state of danger. The terms and consequences of state of danger shall be stipulated by virtue of law.

### **Article 13**

- (1) The President shall appoint ambassadors consuls.
- (2) In case of appointing ambassadors, the President shall take into account the considerations from the House of People's Representative. \*)
- (3) The President shall accept the placement of the other countries' ambassadors by taking into account the considerations from the House of People's Representative. \*)

### **Article 14**

- (1) The President shall give clemencies and rehabilitations by taking into account the considerations from the Supreme Court. \*)
- (2) The President shall give amnesties and abolitions by taking into account the considerations from the House of People's Representative. \*)

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## **Article 15**

The President shall give titles, rewards, and the others as stipulated by law. \*)

## **Article 16**

The President shall form an advisory council assigned to give advices and considerations to the President, as further stipulated by virtue of law. \*\*\*)

## **CHAPTER IV SUPREME ADVISORY COUNCIL**

**Deleted. \*\*\*\*)**

## **CHAPTER V STATE MINISTRIES**

### **Article 17**

- 1) The President shall be assisted by the state ministers.
- (2) The ministers shall be appointed and dismissed by the President. \*)
- (3) Each minister shall be in charge of certain affairs in the government. \*)
- (4) Formation, change, and dissolution of state ministries shall be stipulated by virtue of law. \*\*\*)

## **CHAPTER VI**

### **REGIONAL ADMINISTRATION**

### **Article 18**

- (1) The Unitary State of the Republic of Indonesia shall be divided into provinces and the provinces shall be divided into districts and municipalities, where each province, district, and municipality shall have a regional administration, stipulated by virtue of law. \*\*)

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- (2) Provincial, district, and municipal administrations shall arrange and manage their administrative affairs on their own according to the principles of autonomy and assistance tasks. \*\*)
- (3) Provincial, district, and municipal administrations shall Regional House of People's Representative where the members are elected through a general election. \*\*)
- (4) Governors, District Heads, and Mayors as the heads of provincial, district, and municipal administrations shall be elected democratically. \*\*)
- (5) Regional administration shall implement the autonomy as widespread as possible, except the administrative affairs stipulated as the affairs of the Central Government by law. \*\*)
- (6) Regional administration shall be entitled to determine regional regulations and other regulations to implement the autonomy and assistance tasks. \*\*)
- (7) Composition and procedure for holding regional administration shall be stipulated by virtue of law. \*\*)

#### **Article 18A**

- (1) Authority relationship between the central government and provincial, district, and municipal administrations, or between the provincial administration and district and municipal administrations shall be stipulated by virtue of law by taking into account the regional specificity and variety. \*\*)

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\*) : First Alteration  
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- (2) Financial relationship, general services, utilization of natural resources and other resources between the central government and regional administrations shall be stipulated and implemented justly and harmoniously based on the law. \*\*)

### **Article 18B**

- (1) The state shall acknowledge and respect the regional administrative units which are special in nature as stipulated by law. \*\*)
- (2) The state shall acknowledge and respect the traditional law community units and the traditional rights thereof as long as they still survive and comply with the community development and the principles of the Unitary State of the Republic of Indonesia, as stipulated by virtue of law. \*\*)

## **CHAPTER VII**

### **HOUSE OF PEOPLE'S REPRESENTATIVE**

#### **Article 19**

- (1) Members of the House of People's Representative shall be elected through a general election. \*\*)
- (2) Composition of the House of People's Representative shall be stipulated by virtue of law. \*\*)
- (3) House of People's Representative shall meet at least once a year. \*\*)

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## Article 20

- (1) The House of People's Representative shall hold a power to form Law. \*)
- (2) Each bill shall be discussed by the House of People's Representative and the President for joint approval. \*)
- (3) If the bill fails to receive a joint approval, the bill may not be resubmitted in a meeting of the House of People's Representative. \*)
- (4) The President shall ratify a jointly approved bill to be law. \*)
- (5) In case the jointly approved bill is not ratified by the President within thirty days as of approval of the bill, the bill shall be lawful to be law and enacted. \*\*)

## Article 20A

- (1) The House of People's Representative shall have legislative, budgetary, and supervisory functions. \*\*)
- (2) In implementing the functions, in addition to the rights as stipulated in the other articles of this Constitution, the House of People's Representative shall also have interpellation, inquiry rights, and right to express opinions. \*\*)
- (3) In addition to the rights as contained in the other articles of this Constitution, each member of the House of People's Representative shall have rights to raise questions, give recommendations and opinions and immunity right. \*\*)

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- (4) Any further provisions on the rights of the House of People's Representative and the rights of members of the House of People's Representative shall be stipulated by virtue of law. \*\*)

#### **Article 21**

Members of the House of People's Representative shall be entitled to recommend a bill. \*)

#### **Article 22**

- (1) In urgency, the President shall be entitled to stipulate a government regulation in lieu of law.
- (2) The government regulation shall be approved by the House of People's Representative in the subsequent meeting.
- (3) In case of disapproval, the government regulation shall be revoked.

#### **Article 22A**

Any further provisions on procedure for forming a law shall be stipulated by virtue of law. \*\*)

#### **Article 22B**

A member of the House of People's Representative can be dismissed from his/her office, where the terms of and procedure for dismissal shall be stipulated by virtue of law. \*\*)

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## CHAPTER VIIA \*\*\*)

### THE REGIONAL HOUSE OF REPRESENTATIVE

#### Article 22C

- (1) Members of the Regional House of Representative shall be elected from each province through a general election. \*\*\*)
- (2) Number of members of the Regional House of Representative from each province shall be the same and total members of the Regional House of Representative are not more than one-thirds of total members of the House of People's Representative. \*\*\*)
- (3) The Regional House of Representative shall meet at least once in a year. \*\*\*)
- (4) Composition and position of the Regional House of Representative shall be stipulated by virtue of law. \*\*\*)

#### Article 22D

- (1) The Regional House of Representative can submit to the House of People's Representative a bill relating to regional autonomy, central and regional relationship, formation and development and merger of regions, management of natural resources and other economic resources, and those relating to proportional budget. \*\*\*)

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- (2) The Regional House of Representative shall also discuss a bill relating to regional autonomy, central and regional relationship, formation and development and merger of regions, management of natural resources and other economic resources, and those relating to proportional budget; and give considerations to the House of People’s Representative on bills relating to national budget and taxes, education, and religion. \*\*\*)
- (3) The Regional House of Representative can supervise and implement laws of: regional autonomy, central and regional relationship, management of natural resources and other economic resources, implementation of national budget, taxes, education, and religion and submit the supervisory results to the House of People’s Representative for follow-up. \*\*\*)
- (4) A member of the Regional House of Representative can be dismissed from his/her office, where the terms of and procedure for dismissal shall be stipulated by virtue of law. \*\*\*)

## **CHAPTER VIIB \*\*\*)**

### **GENERAL ELECTION**

#### **Article 22E**

- (1) General election shall be held directly, publicly, freely, secretly, fairly, and justly once in five years. \*\*\*)

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- (2) General election shall be held to elect members of the House of People's Representative, the Regional House of Representative, the President and the Vice President and the Regional House of People's Representative. \*\*\*)
- (3) Participants in a general election to elect members of the House of People's Representative and members of Regional House of People's Representative shall be political parties. \*\*\*)
- (4) Participants in a general election to elect members of the Regional House of Representative shall be individuals. \*\*\*)
- (5) General election shall be held by a general election commission which is national, permanent, and independent in nature. \*\*\*)
- (6) Any further provisions on general election shall be stipulated by virtue of law. \*\*\*)

## **CHAPTER VIII FINANCIAL MATTERS**

### **Article 23**

- (1) National budget as a realization of the national financial management shall be determined each year by virtue of law and implemented transparently and responsibly for the welfare of the people to the utmost. \*\*\*)
- (2) A bill of national budget shall be submitted by the President to discuss jointly with the House of People's Representative by taking into account considerations of the Regional House of Representative. \*\*\*)

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- (3) If the bill of national budget is not approved by the House of People's Representative proposed by the President, the Government shall implement the previous year National Budget.\*\*\*)

#### **Article 23A**

Taxes and other collectibles that are compelling in nature for the purpose of the state shall be stipulated by virtue of law. \*\*\*)

#### **Article 23B**

Kind and price of currency shall be stipulated by virtue of law. \*\*\*\*)

#### **Article 23C**

Any other things concerning state finance shall be stipulated by virtue of law. \*\*\*)

#### **Article 23D**

The state shall have a central bank of which the composition, position, authority, responsibility, and independence shall be stipulated by virtue of law. \*\*\*\*)

### **CHAPTER VIIIA \*\*\*)**

#### **AUDIT AGENCY**

#### **Article 23E**

- (1) To audit the state finance management and responsibility, a free and independent Audit Agency shall be formed. \*\*\*)

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- (2) The state finance audit results shall be submitted to the House of People's Representative, Regional House of Representative, and Regional House of People's Representative, in accordance with their competence. \*\*\*)
- (3) The audit results shall be followed up by a representative institution and/or body pursuant to the law. \*\*\*)

#### **Article 23F**

- (1) Members of Audit Agency shall be elected by the House of People's Representative by taking into account the considerations of the Regional House of Representative announced officially by the President. \*\*\*)
- (2) Management of Audit Agency shall be elected from and by members. \*\*\*)

#### **Article 23G**

- (1) The Audit Agency shall be domiciled in the capital of the state and have representative offices in each province. \*\*\*)
- (2) Any further provisions on Audit Agency shall be stipulated by virtue of law. \*\*\*)

### **CHAPTER IX**

#### **JUDICIAL POWER**

##### **Article 24**

- (1) Judicial power shall constitute an independent power to hold a judicature for law reinforcement and justice. \*\*\*)

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- (2) Judicial power shall be made by a Supreme Court and judicial bodies thereunder within a general judicature, religious court, military court, state administration court, and by a Constitutional Court. \*\*\*)
- (3) Other bodies of which the functions relate to judicial power shall be stipulated by virtue of law. \*\*\*\*)

#### **Article 24A**

- (1) The Supreme Court shall be competent to hear at cassation instance, test the legislation under the law against the law, and have other competences conferred upon by the law. \*\*\*)
- (2) Justices of the Supreme Court shall have non-disgraceful, fair, professional integrity and personality and be experienced in the field of law. \*\*\*)
- (3) The prospective justices of the Supreme Court shall be recommended by the Judicial Commission to the House of People's Representative for approval and further stipulated as justice of the Supreme Court by the President. \*\*\*)
- (4) Chief judge and deputy chief judge of the Supreme Court shall be elected from and by the justices of the Supreme Court. \*\*\*)
- (5) Composition, position, membership, and law of procedure of the Supreme Court and judicial bodies there under shall be stipulated by virtue of law. \*\*\*)

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## Article 24B

- (1) The independent Judicial Commission shall be competent to recommend the appointment of justices of the Supreme Court and have other competences in the framework of maintaining and upholding the honour, dignity, and behaviour of the judges. \*\*\*)
- (2) Members of Judicial Commission shall have knowledge and experience in the field of law and non disgraceful integrity and personality. \*\*\*)
- (3) Members of Judicial Commission shall be appointed and dismissed by the President with the approval from the House of People's Representative. \*\*\*)
- (4) Composition, position, and membership of Judicial Commission shall be stipulated by virtue of law. \*\*\*)

## Article 24C

- (1) The Constitutional Court shall be competent to hear at the first and final instances where the judgment shall be final in nature to test the law against the Constitution, judge dispute of competence of state institution of which the competence is conferred upon by the Constitution, judge dissolution of a political party, and judge a dispute on general election results. \*\*\*)

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- (2) The Constitutional Court shall pass a judgment on opinions of the House of People's Representative on alleged violation committed by the President and/or Vice President pursuant to the Constitution. \*\*\*)
- (3) The Constitutional Court shall have nine members of constitutional judges stipulated by the President, the members are proposed by the Supreme Court, three members by the House of People's Representative, and three members by the President. \*\*\*)
- (4) Chief Judge and Deputy Chief Judge of Constitutional Court shall be elected by and from constitutional judges. \*\*\*)
- (5) Constitutional judges shall have non-disgraceful, fair, professional integrity and personality, be statesmen mastering constitution and state administration, and not double as state officials. \*\*\*)
- (6) Appointment and dismissal of constitutional judges, law of procedure and any other provisions on Constitutional Court shall be stipulated by virtue of law. \*\*\*)

## **Article 25**

The requirements of becoming and being dismissed as judge shall be stipulated by virtue of law. \*\*\*)

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## **CHAPTER IXA \*\*)**

### **STATE TERRITORY**

#### **Article 25A \*\*\*\*)**

The Unitary State of the Republic of Indonesia shall be a state with many islands characterized by Nusantara (Archipelago) of which the borders and rights shall be stipulated by virtue of law. \*\*)

## **CHAPTER X**

### **NATIONALS AND POPULATION \*\*)**

#### **Article 26**

- (1) Nationals shall be the indigenous Indonesian nationals and individuals of the other countries ratified by the law as Indonesian nationals.
- (2) Population shall be Indonesian nationals and expatriates staying in Indonesia. \*\*)
- (3) Things concerning nationals and population shall be stipulated by virtue of law. \*\*)

#### **Article 27**

- (1) All nationals shall have equal position before the law and government and hold high the law and government, nothing excepted.
- (2) Each national shall be entitled to proper occupation and livelihood for humanity.

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- (3) Each national shall be entitled to and participate in state defence. \*\*)

### **Article 28**

Freedom to unite and gather, express opinions orally and in writing and the others shall be stipulated by virtue of law.

## **CHAPTER XA \*\*)** **HUMAN RIGHTS**

### **Article 28A**

Everyone shall be entitled to live and maintain their life. \*\*)

### **Article 28B**

- (1) Everyone shall be entitled to form a family and continue their generation through a legitimate marriage. \*\*)
- (2) Every child shall entitled to live, grow, and develop and be protected from violence and discrimination. \*\*)

### **Article 28C**

- (1) Everyone shall be entitled to develop themselves through the fulfilment of their basic necessities, receive education and benefit the science and technology, art and culture, to improve the quality of their life and for the welfare of the mankind. \*\*)
- (2) Everyone shall be entitled to improve themselves in fighting for their rights collectively to build their community, nation, and state. \*\*)

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### **Article 28D**

- (1) Everyone shall be entitled to fair legal recognition, certainty, protection, and assurance and equal treatment before the law. \*\*)
- (2) Everyone shall be entitled to work and receive fair and proper payment and treatment in an employment relationship. \*\*)
- (3) Each national shall be entitled to obtain an equal opportunity in the government. \*\*)
- (4) Everyone shall be entitled to nationality status. \*\*)

### **Article 28E**

- (1) Everyone shall be free to embrace their religions and worship according to their religions, choose education and teaching, occupation, nationality, residence in the state territory and leave the same, and return. \*\*)
- (2) Everyone shall be entitled to freedom to be convinced of their belief, express their opinions and attitudes, in accordance with their heart. \*\*)
- (3) Everyone shall be entitled to freedom to unite, gather, and express opinions. \*\*)

### **Article 28F**

Everyone shall be entitled to communicate and obtain information to develop their personality and social setting, and to find, obtain, have, keep, process, and give information with any means of channel available. \*\*)

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### **Article 28G**

- (1) Everyone shall be entitled to protect themselves, their family, honour, dignity, and assets under their control, and to the sense of security and protection from threat of fear to act or not to act anything being the rights. \*\*)
- (2) Everyone shall be entitled to be free from torturing or treatment humiliating human dignity and to obtain political asylum from other countries. \*\*)

### **Article 28H**

- (1) Everyone shall be entitled to be prosperous, reside, and obtain proper and sound environment and medical services. \*\*)
- (2) Everyone shall be entitled to receive facility and special treatment to obtain equal opportunity and benefits to attain equality and justice. \*\*)
- (3) Everyone shall be entitled to social security enabling to develop themselves on the whole as dignified human being. \*\*)
- (4) Everyone shall be entitled to have personal proprietary right and the proprietary right may not be taken over arbitrarily by anyone. \*\*)

### **Article 28I**

- (1) Rights to live, not to be tortured, right of freedom of mind and heart, right to have a religion, right not to be slaved, right to acknowledged as an individual before the law, and right not to be sued based on the retroactive law shall be human rights that can not be reduced in any condition. \*\*)

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- (2) Everyone shall be entitled to be free from any discriminative treatment based on anything and obtain protection from the discriminative treatment. \*\*)
- (3) Cultural identity and traditional community right shall be respected in accordance with the up-to-date development and civilization. \*\*)
- (4) Protection, improvement, reinforcement, and fulfilment of human rights shall be the responsibility of the state, particularly the government. \*\*)
- (5) To reinforce and protect human rights in accordance with the principles of democratic constitutional state, the implementation of human rights shall be guaranteed, stipulated, and contained in the legislation. \*\*)

#### **Article 28J**

- (1) Everyone shall respect human rights in the social and national life. \*\*)
- (2) In implementing their rights and freedom, everyone shall adhere to the given limitation in the law solely intended to guarantee the recognition and respect of the rights and freedom of the others and fulfil fair demands in accordance with moral considerations, religious values, security, and public order in a democratic community. \*\*)

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\*) : First Alteration  
\*\*) : Second Alteration  
\*\*\*) : Third Alteration  
\*\*\*\*) : Fourth Alteration

## CHAPTER XI

### RELIGION

#### Article 29

- (1) The state shall be based on the One Supreme God.
- (2) The state shall guarantee the freedom of its people to embrace their respective religions and to worship according to their respective religions and beliefs.

## CHAPTER XII STATE DEFENCE AND SECURITY \*\*)

#### Article 30

- (1) Each national shall be entitled and obligated to participate in the state defence and security. \*\*)
- (2) The state defence and security shall be implemented through the whole people defence and security system by Indonesian National Armed Forces and the National Police of the Republic of Indonesia, as the main power, and the people, as the supporting power. \*\*)
- (3) Indonesian National Armed Forces shall consist of the Army, Navy, and Air Forces as the state's instruments assigned to maintain, protect, and keep the state wholeness and sovereignty. \*\*)
- (4) National Police of the Republic of Indonesia as the state's instrument to maintain the public security and orderliness shall be assigned to protect, serve the public, and reinforce the law. \*\*)

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\*) : First Alteration  
\*\*) : Second Alteration  
\*\*\*) : Third Alteration  
\*\*\*\*) : Fourth Alteration

- (5) Composition and position of Indonesian National Armed Forces, National Police of the Republic of Indonesia, authorities of Indonesian National Armed Forces and National Police of the Republic of Indonesia in implementing their tasks, the terms of participation of nationals in the state defence and security, and anything relating to defence and security shall be stipulated by virtue of law. \*\*)

### **CHAPTER XIII**

#### **EDUCATION AND CULTURE \*\*\*\*)**

##### **Article 31**

- (1) Each national shall be entitled to education. \*\*\*\*)
- (2) Each national shall follow basic education and the government shall finance the same. \*\*\*\*)
- (3) The government shall exert to hold a national educational system to improve the faith and devotions as well as noble morals in the framework of developing the national life, as stipulated by virtue of law. \*\*\*\*)
- (4) The state shall give priority to educational budget of at least twenty percent of the national budget and of regional budget to fulfil the need for holding the national education. \*\*\*\*)
- (5) The government shall improve the science and technology by holding high religious norms and national unity for civilization progress and welfare of the mankind. \*\*\*\*)

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\*) : First Alteration  
\*\*) : Second Alteration  
\*\*\*) : Third Alteration  
\*\*\*\*) : Fourth Alteration

### **Article 32**

- (1) The state shall improve Indonesian national culture amidst the world civilization by guaranteeing a freedom to maintain and develop cultural values. \*\*\*\*)
- (2) The state shall respect and maintain regional languages as the national cultural asset. \*\*\*\*)

## **CHAPTER XIV**

### **NATIONAL ECONOMY AND SOCIAL WELFARE \*\*\*\*)**

#### **Article 33**

- (1) The economy shall be prepared as joint efforts based on family principle
- (2) Production branches significant to the state and anything controlling the life of many people shall be controlled by the state.
- (3) Soil and water and natural wealth contained therein shall be controlled by the state and used for the welfare of the people to the utmost.
- (4) The national economy shall be held based on economic democracy with the principles of togetherness, efficiency with justice, sustainability, environmental perception, independence, and by keeping the balance of the national economic progress and unity. \*\*\*\*)
- (5) Any further provisions on the implementation of this article shall be stipulated by virtue of law. \*\*\*\*)

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- \*) : First Alteration  
\*\*) : Second Alteration  
\*\*\*) : Third Alteration  
\*\*\*\*) : Fourth Alteration



### **Article 34**

- (1) The indigent and abandoned children shall be raised by the state. \*\*\*\*)
- (2) The state shall develop a social security system to all people and empower the weak community and the poor in accordance with human values. \*\*\*\*)
- (3) The state shall be responsible for providing proper medical service facility and public service facility. \*\*\*\*)
- (4) Any further provisions on the implementation of this article shall be stipulated by virtue of law. \*\*\*\*)

## **CHAPTER XV**

### **NATIONAL FLAG, LANGUAGE, AND SYMBOL, AS WELL AS NATIONAL ANTHEM \*\*)**

#### **Article 35**

National Flag of the State of Indonesia shall Sang Merah Putih.

#### **Article 36**

National Language shall be Indonesia Language.

#### **Article 36A**

National Symbol shall be Garuda Pancasila with the motto “Bhinneka Tunggal Ika. \*\*)

#### **Article 36B**

National Anthem shall be Indonesia Raya. \*\*)

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- \*) : First Alteration  
\*\*) : Second Alteration  
\*\*\*) : Third Alteration  
\*\*\*\*) : Fourth Alteration

## Article 36C

Any further provisions on National Flag, Language, and Symbol, as well as National Anthem shall be stipulated by virtue of law. \*\*)

## CHAPTER XVI AMENDMENT TO THE CONSTITUTION

### Article 37

- (1) Proposal on amendment to the articles of the Constitution can be scheduled in a meeting of the People's Deliberative Assembly if submitted by at least 1/3 of total members of the People's Deliberative Assembly. \*\*\*\*)
- (2) Each proposal amendment to the articles of the Constitution can be submitted in writing and part(s) proposed to be amended and reason(s) thereof shall be clearly indicated. \*\*\*\*)
- (3) To amend the articles of the Constitution, a Meeting of People's Deliberative Assembly shall be attended by at least 2/3 of total members of the People's Deliberative Assembly. \*\*\*\*)
- (4) Decision to amend the articles of the Constitution shall be made with the approval of at least fifty percent plus one member of total members of the People's Deliberative Assembly. \*\*\*\*)
- (5) The form of the State of the Republic of Indonesia can not be changed. \*\*\*\*)

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- \*) : First Alteration  
\*\*) : Second Alteration  
\*\*\*) : Third Alteration  
): Fourth Alteration

## **TRANSITIONAL PROVISIONS**

### **Article I**

The existing laws and legislation shall remain effective until the existence of the new ones according to this Constitution. \*\*\*\*)

### **Article II**

The existing state institutions shall remain functioning provided that they are used for implementing the provisions of the Constitution and until the existence of the new ones according to this Constitution. \*\*\*\*)

### **Article III**

The Constitutional Court shall be formed at the latest on August 17, 2003 and before formation of all competences thereof by the Supreme Court. \*\*\*\*)

## **ADDITIONAL PROVISIONS**

### **Article I**

The People's Deliberative Assembly shall be assigned to review legal material and status of Decision of Temporary People's Deliberative Assembly and Decision of the People's Deliberative Assembly for decision making in a Meeting of the People's Deliberative Assembly of 2003. \*\*\*\*)

### **Article II**

With the stipulation of the amendment to this Constitution, the 1945 Constitution of the State of the Republic of Indonesia shall consist of Preamble and articles. \*\*\*\*)

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- \*) : First Alteration  
\*\*) : Second Alteration  
\*\*\*) : Third Alteration  
\*\*\*\*) : Fourth Alteration

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Translated from Indonesian Language  
Jakarta, November 25, 2010  
Authorized and Sworn Translator,

**INDRA SYAHRIZA**