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***{ Editor's Note:***

*This Edition of the Constitution of the Republic of Indonesia is based on an unofficial translation provided by the embassy of Indonesia in Kiev; it incorporates the first amendment of 1999, the second amendment of 2000, the third amendment of 2001 and the fourth amendment of 2002. }*

### **The Preamble to the Constitution**

Whereas independence is the inalienable right of all nations, therefore, all colonialism must be abolished in this world as it is not in conformity with humanity and justice; And the moment of rejoicing has arrived in the struggle of the Indonesian independence movement to guide the people safely and well to the gate of the independence of the state of Indonesia which shall be independent, united, sovereign, just and prosperous; By the grace of God Almighty and motivated by the noble desire to live a free national life, the people of Indonesia hereby declare their independence. Subsequent thereto, to form a government of the state of Indonesia which shall protect all the people of Indonesia and all the independence and the land that has been struggled for, and to improve public welfare, to educate the life of the people and to participate toward the establishment of a world order based on freedom, perpetual peace and social justice, therefore the independence of Indonesia shall be formulated into a constitution of the Republic of Indonesia which shall be built into a sovereign state based on a belief in the One and Only God, just and civilised humanity, the unity of Indonesia, and democratic life led by wisdom of thoughts in deliberation amongst representatives of the people, and achieving social justice for all the people of Indonesia.

## **Chapter I Form of the State and Sovereignty**

### **Article 1 []**

- (1) The State of Indonesia is a unitary state in the form of a republic.
- (2) Sovereignty is in the hands of the people and is implemented according to this Constitution.
- (3) The State of Indonesia is a state based on the rule of law.

## **Chapter II The People's Consultative Assembly (MPR)**

### **Article 2 []**

- (1) The MPR consists of the members of the DPR and the members of the DPD who have been elected through general elections, and are regulated further by law.
- (2) The MPR convenes in a session at least once in every five years in the capital of the state.
- (3) All decisions of the MPR must be taken by a majority vote.

### **Article 3 []**

- (1) The MPR has the authority to amend and enact the Constitution.
- (2) The MPR inaugurates the President and/or Vice President.
- (3) The MPR may only dismiss the President and/or Vice-President during his/her term of office in accordance with the Constitution.

## **Chapter III The Executive Power**

### **Article 4 []**

- (1) The President of the Republic of Indonesia holds the power of government in accordance with the Constitution.
- (2) In exercising his/her duties, the President is assisted by a Vice-President.

### **Article 5 []**

- (1) The President is entitled to submit bills to the DPR.
- (2) The President may issue Government regulations as required to implement laws.

### **Article 6 []**

- (1) Any candidate for President or Vice-President must be a citizen of Indonesia since birth, must never have acquired another citizenship by his/her own will, must never have committed an act of treason against the State, and must be mentally and physically capable of implementing the duties and obligations of President or Vice-President.
- (2) The requirements to become President or Vice-President are further regulated by law.

### **Article 6A []**

- (1) The President and Vice-President are elected as a pair directly by the people.
- (2) The pairs of candidates for President and Vice-President must be proposed prior to the holding of general elections by political parties or coalitions of political parties which are participants in the general elections.
- (3) The Presidential and Vice-Presidential candidate pair which polls a vote of more than fifty percent of the total number of votes during the general election and in addition polls at least twenty percent of the votes in more than half of the total number of provinces in Indonesia are declared elected as the President and Vice-President.
- (4) In the event that no Presidential and Vice Presidential candidate pair is elected, the people directly chooses 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 is appointed President and Vice President.
- (5) The procedure for the holding of the election of the President and Vice-President is be further regulated by law.

### **Article 7 []**

The President and Vice President hold office for a term of five years and may subsequently be reelected to the same office for one further term only.

### **Article 7A []**

The President and/or the Vice-President may be dismissed from his/her position during his/her term of office by the MPR on the proposal of the House of Representatives (Dewan Perwakilan Rakyat or DPR), both if it is proven that he/she has violated the law through an act of treason, corruption, bribery, or other act of a grave criminal nature, or through moral turpitude, and/or that the President and/or Vice-President no longer meets the qualifications to serve as President and/or Vice-President.

### **Article 7B []**

- (1) Any proposal for the dismissal of the President and/or the Vice-President may be submitted by the DPR to the MPR only by first submitting a request to the Constitutional Court to investigate, bring to trial, and issue a decision on the opinion of the DPR either that the President and/or Vice-President has violated the law through an act of treason, corruption, bribery, or other act of a grave criminal nature, or through moral turpitude, and/or that the President and/or Vice-President no longer meets the qualifications to serve as President and/or Vice-President.
- (2) The opinion of the DPR that the President and/or Vice-President has violated the law or no longer meets the qualifications to serve as President and/or Vice-President is undertaken in the course of implementation of the supervision function of the DPR.
- (3) The submission of the request of the DPR to the Constitutional Court can only be made with the

support of at least 2/3 of the total members of the DPR who are present in a plenary session that is attended by at least 2/3 of the total membership of the DPR.

(4) The Constitutional Court has the obligation to investigate, bring to trial, and reach the most just decision on the opinion of the DPR at the latest ninety days after the request of the DPR was received by the Constitutional Court.

(5) If the Constitutional Court decides that the President and/or Vice-President is proved to have violated the law through an act of treason, corruption, bribery, or other act of a grave criminal nature, or through moral turpitude; and/or the President and/or Vice-President is proved no longer to meet the qualifications to serve as President and/or Vice-President, the DPR holds a plenary session to submit the proposal to impeach the President and/or Vice-President to the MPR.

(6) The MPR holds a session to decide on the proposal of the DPR at the latest thirty days after its receipt of the proposal.

(7) The decision of the MPR over the proposal to impeach the President and/or Vice-President must be taken during a plenary session of the MPR which is attended by at least 3/4 of the total membership and shall require the approval of at least 2/3 of the total of members who are present, after the President and/or Vice-President have been given the opportunity to present his/her explanation to the plenary session of the MPR.

#### **Article 7C []**

The President may not freeze and/or dissolve the DPR.

#### **Article 8 []**

(1) In the event that the President dies, resigns, is impeached, or is not capable of implementing his/her obligations during his/her term, he/she will be replaced by the Vice-President until the end of his/her term.

(2) In the event that the position of Vice-President is vacant, the MPR should hold a session within sixty days at the latest to elect a Vice-President from two candidates nominated by the President.

(3) In the event that the President and the Vice President die, resign, are impeached, or are permanently incapable of performing their tasks and duties within their term of office simultaneously, the tasks and duties of the presidency must be undertaken by a joint administration of the Minister of Foreign Affairs, the Minister of Home Affairs, and the Minister of Defence. At the latest thirty days after that, the MPR holds a session to elect a new President and Vice President from the tickets nominated by the political parties or coalitions of political parties whose tickets won first and second place in the last presidential election, who will serve for the remainder of the term of office.

#### **Article 9 []**

(1) Prior to taking office, the President and Vice President have to swear an oath in accordance with their respective religions or shall make a solemn promise before the MPR or DPR. The oath or promise shall be as follows:

Presidential (Vice-Presidential) Oath:

"I swear before God that, to the best of my ability, I fulfil as justly as possible my duties as President (Vice-President) of the Republic of Indonesia, that I uphold faithfully the Constitution, conscientiously implement all statutes and regulations, and devote myself to the service of Country and Nation."

Presidential (Vice-Presidential) Promise:

"I solemnly promise that, to the best of my ability, I fulfil as justly as possible my duties as President (Vice-President) of the Republic of Indonesia, that I uphold faithfully the Constitution, conscientiously implement all statutes and regulations, and devote myself to the service of Country and Nation."

(2) In the event that the MPR or DPR is unable to convene a sitting, the President and Vice-President have to swear an oath in accordance with their respective religions or make a solemn promise before the leadership of the MPR witnessed by the leadership of the Supreme Court.

#### **Article 10 []**

The President is the Supreme Commander of the Army, the Navy and the Air Force.

#### **Article 11 []**

(1) The President with the approval of the DPR may declare war, make peace and conclude treaties with other countries.

(2) The President in making other international agreements that will produce an extensive and fundamental impact on the lives of the people which is linked to the state financial burden, and/or that will requires an amendment to or the enactment of a law, obtains the approval of the DPR.

(3) Further provisions regarding international agreements are to be regulated by law.

#### **Article 12 []**

The President may declare a state of emergency. The conditions for such a declaration and the subsequent measures regarding a state of emergency are regulated by law.

#### **Article 13 []**

- (1) The President appoints ambassadors and consuls.
- (2) In the appointment of ambassadors, the President has regard to the opinion of the DPR.
- (3) The President receives the accreditation of ambassadors of foreign nations and shall in so doing have regard to the opinion of the DPR.

#### **Article 14 []**

- (1) The President may grant clemency and restoration of rights and shall in so doing have regard to the opinion of the Supreme Court.
- (2) The President may grant amnesty and the dropping of charges and shall in so doing have regard to the opinion of the DPR.

#### **Article 15 []**

The President may grant titles, decorations and other honours as provided by law.

#### **Article 16 []**

The President establishes an advisory council with the duty of giving advice and considered opinion to the President, which is further regulated by law.

### **Chapter V Ministers of State**

#### **Article 17 []**

- (1) The President is assisted by Ministers of State.
- (2) Ministers of State are appointed and dismissed by the President.
- (3) Each Minister of State is responsible for a particular area of Government activity.
- (4) The formation, change, and dissolution of ministries of state is regulated by law.

### **Chapter VI Regional Authorities**

#### **Article 18 []**

- (1) The Unitary State of the Republic of Indonesia is divided into provinces and those provinces are divided into regencies (kabupaten) and municipalities (kota), each of which has regional authorities which are regulated by law.
- (2) The regional authorities of the provinces, regencies and municipalities shall administer and manage their own affairs according to the principles of regional autonomy and the duty of assistance (tugas pembantuan).
- (3) The authorities of the provinces, regencies and municipalities include for each a Regional People's House of Representatives (DPRD) whose members shall be elected through general elections.
- (4) Governors, Regents (bupati) and Mayors (walikota), respectively as head of regional government of the provinces, regencies and municipalities, must be elected democratically.
- (5) The regional authorities exercise wide-ranging autonomy, except in matters specified by law to be the affairs of the central government.
- (6) The regional authorities have the authority to adopt regional regulations and other regulations to implement autonomy and the duty of assistance.
- (7) The structure and administrative mechanisms of regional authorities is regulated by law.

#### **Article 18A []**

- (1) The authority relations between the central government and the regional authorities of the

provinces, regencies and municipalities, or between a province and its regencies and municipalities, are regulated by law having regard to the particularities and diversity of each region.

(2) The relations between the central government and regional authorities in finances, public services, and the use of natural and other resources are regulated and administered with justice and equity according to law.

#### **Article 18B []**

(1) The State recognises and respects units of regional authorities that are special and distinct, which are regulated by law.

(2) The State recognises and respects traditional communities along with their traditional customary rights as long as these remain in existence and are in accordance with the societal development and the principles of the Unitary State of the Republic of Indonesia, and are regulated by law.

### **Chapter VII The People's Representative Council (DPR)**

#### **Article 19 []**

(1) Members of the DPR are elected through a general election.

(2) The structure of the DPR is regulated by law.

(3) The DPR convenes in a session at least once a year.

#### **Article 20 []**

(1) The DPR holds the authority to establish laws.

(2) Each bill must be discussed by the DPR and the President to reach joint approval.

(3) If a bill fails to reach joint approval, that bill may not be reintroduced within the same DPR term of sessions.

(4) The President signs a jointly approved bill to become a law.

(5) If the President fails to sign a jointly approved bill within 30 days following such approval, that bill legally becomes a law and must be promulgated.

#### **Article 20A []**

(1) The DPR holds legislative, budgeting and oversight functions.

(2) In carrying out its functions, in addition to the rights regulated in other articles of this Constitution, the DPR holds the right of interpellation (interpelasi), the right of investigation (angket), and the right to declare an opinion.

(3) Other than the rights regulated in other articles of this Constitution, every DPR member holds the right to submit questions, the right to propose suggestions and opinions, and the right of immunity.

(4) Further provisions on the rights of the DPR and the rights of DPR members are regulated by law.

#### **Article 21 []**

DPR members have the right to propose bills.

#### **Article 22 []**

(1) Should exigencies compel, the President shall have the right to establish government regulations in lieu of laws.

(2) Such government regulations must obtain the approval of the DPR during its next session.

(3) Should there be no such approval, these government regulations shall be revoked.

#### **Article 22A []**

Further provisions regarding the procedures to establish laws are regulated by law.

#### **Article 22B []**

DPR members may be removed from office, according to conditions and procedures which are regulated by law.

### **Chapter VII A The Council of Representatives of the Regions (DPD)**

**Article 22C []**

- (1) The members of the DPD are elected from every province through a general election.
- (2) The total number of members of DPD in every province is the same, and the total membership of the DPD may not exceed a third of the total membership of the DPR.
- (3) The DPD holds a session at least once every year.
- (4) The structure and composition of the DPD is regulated by law.

**Article 22D []**

- (1) The DPD may propose to the DPR Bills related to regional autonomy, the relationship of central and local government, formation, expansion and merger of regions, management of natural resources and other economic resources, and Bills related to the financial balance between the centre and the regions.
- (2) The DPD must participate in the discussion of Bills related to regional autonomy; the relationship of central and local government; formation, expansion, and merger of regions; management of natural resources and other economic resources, and financial balance between the centre and the regions; and provides consideration to the DPR over Bills on the State Budget and on Bills related to taxation, education, or religion.
- (3) The DPD may oversee the implementation of laws concerning regional autonomy, the formation, expansion and merger of regions, the relationship of central and local government, management of natural resources and other economic resources, implementation of the State Budget, taxation, education, or religion and submit in addition the result of such oversight to the DPR in the form of materials for its further consideration.
- (4) The members of the DPD may be removed from office under requirements and procedures that shall be regulated by law.

**Chapter VII B General Elections****Article 22E []**

- (1) General elections must be conducted in a direct, general, free, secret, honest, and fair manner once every five years.
- (2) General elections are conducted to elect the members of the DPR, DPD, the President and Vice-President, and the Regional People's Representative Council (Dewan Perwakilan Rakyat Daerah or DPRD).
- (3) The participants in the general election for the election of the members of the DPR and the members of the DPRD are political parties.
- (4) The participants in the general election for the election of the members of the DPD are individuals.
- (5) The general elections are organised by a general election commission of a national, permanent, and independent character.
- (6) Further provisions regarding general elections are regulated by law.

**Chapter VIII Finances****Article 23 []**

- (1) The State Budget as the basis of the management of state funds must be determined annually by law and is implemented in an open and accountable manner in order to best attain the prosperity of the people.
- (2) The Bill on the State Budget is submitted by the President for joint consideration with the DPR, which consideration shall take into account the opinions of the DPD.
- (3) In the event that the DPR fails to approve the proposed Bill on the State Budget submitted by the President, the Government implements the State Budget of the preceding year.

**Article 23A []**

All taxes and other levies for the needs of the state of a compulsory nature are regulated by law.

**Article 23B []**

The forms and denomination of the national currency are regulated by law.

**Article 23C []**

Other matters concerning state finances are regulated by law.

**Article 23D []**

The state has a central bank, the structure, composition, authorities, responsibilities and independence of which is regulated by law.

**Chapter VIII A Supreme Audit Board (BPK)****Article 23E []**

- (1) To investigate the management and accountability of state finances, there must be a single Supreme Audit Board which is free and independent.
- (2) The result of any investigation of state finances must be submitted to the DPR, DPD or DPRD in line with their respective authority.
- (3) Action following the result of any such investigation will be taken by representative institutions and/or bodies according to law.

**Article 23F []**

- (1) The members of the BPK are chosen by the DPR, which has regard to any considerations of the DPD, and will be formally appointed by the President.
- (2) The leadership of the BPK is elected by and from the members.

**Article 23G []**

- (1) The BPK is based in the capital of the nation, and has representation in every province.
- (2) Further provisions regarding the BPK are regulated by law.

**Article 24 []**

- (1) The judicial power is independent and possess the power to organise the judicature in order to enforce law and justice.
- (2) The judicial power is implemented by a Supreme Court and judicial bodies underneath it in the form of public courts, religious affairs courts, military tribunals, and state administrative courts, and by a Constitutional Court.
- (3) Other institutions whose functions have a relation with the judicial powers shall be regulated by law.

**Article 24A []**

- (1) The Supreme Court has the authority to hear a trial at the highest (cassation) level, to review ordinances and regulations made under any law against such law, and possess other authorities as provided by law.
- (2) Each justice of the Supreme Court must possess integrity and a personality that is not dishonourable, and must be fair, professional, and possess legal experience.
- (3) Candidate justices of the Supreme Court are proposed by the Judicial Commission to the DPR for approval and shall subsequently be formally appointed to office by the President.
- (4) The Chair and Vice-Chair of the Supreme Court are elected by and from the justices of the Supreme Court.
- (5) The structure, status, membership, and judicial procedure of the Supreme Court and its subsidiary bodies of judicature are regulated by law.

**Article 24B []**

- (1) There must be an independent Judicial Commission which shall possess the authority to propose candidates for appointment as justices of the Supreme Court and possesses further authority to maintain and ensure the honour, dignity and behaviour of judges.
- (2) The members of the Judicial Commission must possess legal knowledge and experience and must

be persons of integrity with a personality that is not dishonourable.

(3) The members of the Judicial Commission are appointed and dismissed by the President with the approval of the DPR.

(4) The structure, composition and membership of the Judicial Commission is regulated by law.

#### **Article 24C []**

(1) The Constitutional Court possesses the authority to try a case at the first and final level and has the final power of decision in reviewing laws against the Constitution, determining disputes over the authorities of state institutions whose powers are given by this Constitution, deciding over the dissolution of a political party, and deciding disputes over the results of general elections.

(2) The Constitutional Court possesses the authority to issue a decision over an opinion of the DPR concerning alleged violations by the President and /or Vice-President of this Constitution.

(3) The Constitutional Court is composed of nine persons who must be constitutional justices and who must be confirmed in office by the President, of whom three shall be nominated by the Supreme Court, three nominated by the DPR, and three nominated by the President.

(4) The Chair and Vice-Chair of the Constitutional Court are elected by and from the constitutional justices.

(5) Each constitutional justice must possess integrity and a personality that is not dishonourable, and must be fair, must be a statesperson who has a command of the Constitution and the public institutions, and may not hold any position as a state official.

(6) The appointment and dismissal of constitutional justices, the judicial procedure, and other provisions concerning the Constitutional Court is regulated by law.

#### **Article 25 []**

The appointment and dismissal of judges is regulated by law.

### **Chapter IX A State Territory**

#### **Article 25A []**

The Unitary State of the Republic of Indonesia is an archipelagic state, the boundaries and rights of whose territory are established by law.

### **Chapter X Citizens and Residents**

#### **Article 26 []**

(1) Citizens consist of indigenous Indonesian peoples and persons of foreign origin who have been legalised as citizens in accordance with law.

(2) Residents consist of Indonesian citizens and foreign nationals living in Indonesia.

(3) Matters concerning citizens and residents are regulated by law.

#### **Article 27 []**

(1) All citizens are equal before the law and the government and are required to respect the law and the government, with no exceptions.

(2) Every citizen has the right to work and to earn a humane livelihood.

(3) Each citizen has the right and duty to participate in the effort of defending the state.

### **Chapter X A Human Rights**

#### **Article 28 []**

The freedom to associate and to assemble, to express written and oral opinions, etc., is regulated by



law.

**Article 28A []**

Every person has the right to live and to defend his/her life and existence.

**Article 28B []**

- (1) Every person has the right to establish a family and to procreate based upon lawful marriage.
- (2) Every child has the right to live, to grow and to develop, and has the right to protection from violence and discrimination.

**Article 28C []**

- (1) Every person has the right to develop him/herself through the fulfilment of his/her basic needs, the right to get education and to benefit from science and technology, arts and culture, for the purpose of improving the quality of his/her life and for the welfare of the human race.
- (2) Every person has the right to improve him/herself through collective struggle for his/her rights to develop his/her society, nation and state.

**Article 28D []**

- (1) Every person has the right of recognition, guarantees, protection and certainty before a just law, and of equal treatment before the law.
- (2) Every person has the right to work and to receive fair and proper remuneration and treatment in employment.
- (3) Every citizen has the right to obtain equal opportunities in government.
- (4) Every person has the right to citizenship status.

**Article 28E []**

- (1) Every person is free to choose and to practice the religion of his/her choice, to choose one's education, to choose one's employment, to choose one's citizenship, and to choose one's place of residence within the state territory, to leave it and to subsequently return to it.
- (2) Every person has the right to the freedom to believe his/her faith (kepercayaan), and to express his/her views and thoughts, in accordance with his/her conscience.
- (3) Every person has the right to the freedom to associate, to assemble and to express opinions.

**Article 28F []**

Every person has the right to communicate and to obtain information for the purpose of the development of his/her self and social environment, and has the right to seek, obtain, possess, store, process and convey information by employing all available types of channels.

**Article 28G []**

- (1) Every person has the right to protection of his/herself, family, honour, dignity, and property, and has the right to feel secure against and receive protection from the threat of fear to do or not do something that is a human right.
- (2) Every person has the right to be free from torture or inhumane and degrading treatment, and has the right to obtain political asylum from another country.

**Article 28H []**

- (1) Every person has the right to live in physical and spiritual prosperity, to have a home and to enjoy a good and healthy environment, and has the right to obtain medical care.
- (2) Every person has the right to receive facilitation and special treatment to have the same opportunity and benefit in order to achieve equality and fairness.
- (3) Every person has the right to social security in order to develop oneself fully as a dignified human being.
- (4) Every person has the right to own personal property, and such property may not be unjustly held possession of by any party.

**Article 28I []**

- (1) The rights to life, freedom from torture, freedom of thought and conscience, freedom of religion, freedom from enslavement, recognition as a person before the law, and the right not to be tried under a law with retrospective effect are all human rights that cannot be limited under any circumstances.
- (2) Every person has the right to be free from discriminative treatment based upon any grounds

whatsoever and has the right to protection from such discriminative treatment.

(3) The cultural identities and rights of traditional communities must be respected in accordance with the development of times and civilisations.

(4) The protection, advancement, upholding and fulfilment of human rights are the responsibility of the state, especially the government.

(5) For the purpose of upholding and protecting human rights in accordance with the principle of a democratic and law-based state, the implementation of human rights must be guaranteed, regulated and set forth in laws and regulations.

#### **Article 28J []**

(1) Every person has the duty to respect the human rights of others in the orderly life of the community, nation and state.

(2) In exercising his/her rights and freedoms, every person has the duty to accept the restrictions established by law for the sole purposes of guaranteeing the recognition and respect of the rights and freedoms of others and of satisfying just demands based upon considerations of morality, religious values, security and public order in a democratic society.

### **Chapter XI Religion**

#### **Article 29 []**

(1) The State is based upon the belief in the One and Only God.

(2) The State guarantees all persons the freedom of worship, each according to his/her own religion or belief.

### **Chapter XII State Defence and Security**

#### **Article 30 []**

(1) Every citizen has the right and duty to participate in the defence and security of the state.

(2) The defence and security of the state is conducted through the total people's defence and security system, with the Indonesian National Military (TNI) and the Indonesian National Police (POLRI) as the main force, and the people as the supporting force.

(3) TNI, consisting of the Army, Navy and Air Force, as an instrument of the state has the duty to defend, protect, and maintain the integrity and sovereignty of the state.

(4) POLRI, as an instrument of the state that maintains public order and security, has the duty to protect, guard, and serve the people, and to uphold the law.

(5) The structure and status of TNI and POLRI, the authority relationships between TNI and POLRI in performing their respective duties, the conditions concerning the participation of citizens in the defence and security of the state, and other matters related to defence and security, is regulated by law.

### **Chapter XIII Education**

#### **Article 31 []**

(1) Every citizen has the right to receive education.

(2) Every citizen has the obligation to undertake basic education, and the government has the obligation to fund this.

(3) The government manages and organise one system of national education, which increases the level of spiritual belief, devoutness and moral character in the context of developing the life of the nation is be regulated by law.

(4) The state prioritises the budget for education to a minimum of 20% of the State Budget and of the Regional Budgets to fulfil the needs of implementation of national education.

(5) The government advances science and technology with the highest respect for religious values and national unity for the advancement of civilisation and prosperity of humankind.

#### **Article 32 []**

(1) The state advances the national culture of Indonesia among the civilisations of the world by assuring the freedom of society to preserve and to develop cultural values.

(2) The state respects and preserve local languages as national cultural treasures.

### **Chapter XIV The National Economy and Social Welfare**

#### **Article 33 []**

(1) The economy is organized as a common endeavour based upon the principles of the family system.

(2) Sectors of production which are important for the country and affect the life of the people are under the powers of the State.

(3) The land, the waters and the natural resources within are under the powers of the State and must be used to the greatest benefit of the people.

(4) The organisation of the national economy shall be conducted on the basis of economic democracy upholding the principles of togetherness, efficiency with justice, continuity, environmental perspective, self-sufficiency, and keeping a balance in the progress and unity of the national economy.

(5) Further provisions relating to the implementation of this article are regulated by law.

#### **Article 34 []**

(1) Impoverished persons and abandoned children are taken care of by the State.

(2) The state develops a system of social security for all of the people and empowers the inadequate and underprivileged in society in accordance with human dignity.

(3) The state has the obligation to provide sufficient medical and public service facilities.

(4) Further provisions in relation to the implementation of this Article are regulated by law.

### **Chapter XV National Flag, Language, Coat of Arms and Anthem**

#### **Article 35 []**

The national flag of Indonesia is the Red and White (Sang Merah Putih).

#### **Article 36 []**

The national language is Indonesian (Bahasa Indonesia).

#### **Article 36A []**

The national coat of arms is the Pancasila eagle (Garuda Pancasila) with the motto Unity in Diversity (Bhinneka Tunggal Ika).

#### **Article 36B []**

The national anthem shall be Indonesia Raya.

#### **Article 36C []**

Further provisions regarding the national flag, language, coat of arms and anthem shall be regulated by law.

### **Chapter XVI Constitutional Amendments**

#### **Article 37 []**

(1) A proposal to amend the Articles of this Constitution may be included in the agenda of an MPR session if it is submitted by at least 1/3 of the total MPR membership.

(2) Any proposal to amend the Articles of this Constitution must be introduced in writing and must clearly state the articles to be amended and the reasons for the amendment.

(3) To amend the Articles of this Constitution, the session of the MPR requires at least 2/3 of the total membership of the MPR to be present.

(4) Any decision to amend the Articles of this Constitution must be made with the agreement of at least fifty per cent plus one member of the total membership of the MPR.

(5) Provisions relating to the form of the unitary state of the Republic of Indonesia may not be amended.