

PROVISIONAL CONSTITUTION
OF THE
REPUBLIC OF WEST PAPUA



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PROVISIONAL CONSTITUTION OF THE REPUBLIC OF WEST PAPUA

PREAMBLE

Thanks to the patronage and the assistance of God Almighty, Creator of all the world, the memorable time has arrived for the people of West Papua to determine the future of Land and People of West Papua for the present and for all generations to come as a Free Country and a Sovereign People among the other peoples of the earth.

The Republic of West Papua, which rests on Brotherly Love, maintain and guarantees the fundamental Human Right-Freedom, Democracy and Justice and always has at heart prosperity and happiness for the People and actively contributes towards the safeguarding of everlasting universal peace.

CHAPTER I. THE STATE

Section 1.

Territory, Form of Government and Sovereignty

Article 1. The Republic of West Papua includes the total territory formerly known as Netherlands New Guinea.

Article 2. (1) The Republic of West Papua is a democratic, constitutional State and has the form of a Unitary State.
(2) Sovereignty is vested in the People and is fully exercised by the Senate conjointly with the Government.

Section 2

Fundamental Principles

prosperity.
Article 3. (1) The Government is obliged to ensure that the production of national wealth takes place under the supervision of the State for the benefit of the entire Country.
Article 4. The will of the People is the foundation of the authority of the Government by the way of general, periodical, direct and secret elections and equality before the law of all sections of the population.
Article 5. (1) The Government is obliged to further education for all the people and to guarantee the freedom of education.
(2) The Government is obliged to further social security as well as the laying down of the conditions of employment and labour, to fight unemployment and to secure provision in old-age for the employed.
Article 6. (1) Widow and orphans shall be provided for by the Government.
(2) The Government is obliged to protect and give equal treatment to all religious beliefs.
(3) Family life shall be respected by Society and State.
(2) The Government is obliged to safeguard the free choice of religious rules.
Article 7. (1) The Government is obliged to take steps to elevate the national level of prosperity and to ensure to every one a standard of living in conformity with human dignity.
Article 8. The Government is obliged to further international co-operation in the interests universal peace.
(2) The Government is obliged to give every one, according to their capacities, the opportunity to take part in the exploitation of the sources of prosperity.

Section 3.

Emblems of the State

Article 7. (1) The Government is obliged to counter monopolies of the Country's sources of
Article 12. (1) The National Flag is the *Morning-Star*.
(2) The National Anthem is *the Hai Tanahken Papua*.
(3) The Arms of the State are the *Crowned Pigeon*.
(4) The official language of the Republic of West Papua is, as long as the Government has not decided otherwise, the Malay language as "lingua franca".

- Article 18. (1) Every one is entitled to a just hearing of his case by judges who are impartial in deciding his rights and duties and in deciding grounds for a criminal prosecution instituted against him.
(2) No one shall be detached against his will from the Judge whom the law assigns to him.
- Article 19. (1) As long as the public prosecutor has not as yet proved the guilt of some one who has been summoned in accordance with the operative system of law, he is entitled to be considered not guilty.
(2) No one shall be prosecuted or punished except under a statutory regulation enacted.
(3) No one shall be insulted, ill-treated or punished in a cruel, inhuman way by process of law.
- Article 20. (1) No misdemeanour or offence shall be penalised by the total confiscation of the goods belonging to the guilty party.
(2) The forfeiture of citizenship and the deprivation of civic right in consequence of a sentence are not permitted, except as regards those who join the Armed Forces of a Foreign Power or serve the interests of a Foreign State to the detriment of the interests of the Republic of West Papua.
- Article 21. All that are in the State territory are entitled to move freely from one place to another; likewise every one may cross the borders of the State territory and he is provided he is a citizen or a resident of the State, entitled to return.
- Article 22. (1) No one shall be made a slave or a serf. All kinds of slavery or such-like personal bondage are forbidden.
(2) Discrimination on account of race, religion, sex or section of population is forbidden.
- Article 23. (1) With due observance of paragraph 2,
Article 26. (1) The freedom and the privacy of every one's letters in the State territory are inviolable except by order of a judge or at the command of another authority, in the cases defined by law.
(2) Every one is entitled to assemble in freedom and good order without violence and to establish associations.
(3) Every one is entitled to make demonstration in freedom and to strike.
- Article 27. (1) All, both collectively and individually, may freely raise complaints with the Government either orally or in writing.
(2) The rights expressed under c. of paragraph 1 may be restricted in such a way as is deemed necessary and right in the interests of the country and of public order and decency.
(2) All, both collectively and individually, may freely present petitions to the Government.
- Article 24. (1) Every one is entitled to freedom of religion inner conviction.
Article 28. (1) Every one is entitled to own property, both collective and individual, and entitled to legal protection of his property.
(2) By virtue of the freedom mentioned in paragraph 1, every one is free in the choice of the religion that he wants to profess.
(2) No one's property may be expropriated for the general benefit unless compensation is made in accordance with a statutory regulation.
(3) The religion of children under the age of 21 is determined by their parents or their guardian.
- Article 29. (1) Every citizen is entitled to participate in the Government, either directly or through freely elected representatives in accordance with a regulation to be laid down by law.
Article 25. (1) Every one's house is inviolable.
(2) It is forbidden to enter some one's premises against the occupants will, except if this happens by virtue of a current statutory regulation.
(3) Every citizen is entitled and obliged to take an active part in the National Defence.
- Article 30. (1) Every citizen is entitled to work according to his capacities and is free in the choice of his occupation with fair conditions of employment.
(2) Every one who does some work is entitled to an appropriate reward for himself and family in accordance with human dignity.

suffrage nor may they have been deprived of eligibility.

- Article 35. (1) The President and the Vice-President are elected directly by the whole people in a presidential election in accordance with a regulation to be laid down by law, for a term of office of 5 years, but they can at all times resign whilst notifying the Senate.
- (2) The President and the Vice-President can be re-elected, but for not more than 2 (two) successive terms of office.
- (3) Without prejudice to what is expressed in paragraph 1 the first President and the first Vice-President are designated by those who prepare the formation of the State of West Papua.

Article 36. Before taking office the President and the Vice-President, each in the way of their religion, are sworn in by the President of the Supreme Court, without prejudice to what is expressed in paragraph 3 of article 35 when they are sworn in by the oldest member, taking the following oath:

"I swear before God Almighty that in order to be elected President (Vice-President) of the Republic of West Papua I have given nothing nor promised nor shall give anything to anybody, under whatever name or pretext, directly or indirectly.

"I swear that in order to do or not to do anything in this office I shall not accept a promise or gift from any one whomsoever directly or indirectly.

"I swear that according to my ability I shall further the prosperity of the Republic of West Papua and that I shall protect and defend the general and private liberties of all the Residents of the State.

"I swear, loyal to the Constitution, that I shall maintain all the legal regulations that are operative for the Republic of West Papua and that I shall have them maintained, that I shall faithfully serve Country and People of West Papua and that I shall faithfully fulfil all the obligations that are laid on me by the office of President (Vice-President) of the Republic of West Papua as befits a good Head of the State (Vice-Head of the State).

"So help me God."

Article 37. (1) When the President retires from office, dies or if by another cause he should be prevented from performing his duties, the Vice-President will fill this vacancy until the President's remaining term of office has come to an end.

Article 40. (1) The Ministers are appointed by the President in order to assist him in governing the Country, each as Head of his Ministry, during the President's term of office. They are fully responsible to the President.

(2) The Ministers are citizens of the Republic of West Papua and at least 28 years of age, they must not have been excluded from the exercise of suffrage, nor may they have been deprived of eligibility.

Article 38. (1) Other than office, the office of a Minister the President and Vice-President may not at the same time occupy a post with another public institution or a regional administration.

Article 41. (2) The President and the Vice-President may not conduct a business or take an active part in a business which provides them with an income without cost to the State. President, but the Ministers may at all times submit their resignation to the President.

Article 39. The Senate lays down by an act of law the amount of the salaries of the President and the Vice-President.

Article 42. Before taking office the Ministers, each in the way of their religion, are sworn in by the President or the Vice-President, taking the following oath:

"I swear before God Almighty that in order to be appointed a Minister I have given nothing nor promised nor shall give anything to anybody whomsoever, under whatever name or pretext, directly or indirectly.

"I swear that in order to do or not to do anything in this office I shall not accept a promise or gift from any one whomsoever directly or indirectly.

"I swear that according to my ability I shall further the prosperity of the Republic of West Papua and that I shall protect and defend the general and private liberties of all the Residents of the State.

"I swear, loyal to the Constitution, that I shall maintain all the legal regulations that are

The Ministers

Section 2

Article 46. (1) The Senate consists of 100 Members who represent the whole People of West Papua; they are elected directly for 5 years in a general election.

(2) The general election for the member of the Senate will be regulated by law.

Article 47. Eligible for membership of the Senate are citizen who live within the State boundaries and who are at least 28 years of age and can read and write; they must not have been excluded from the exercise of suffrage, nor may they have been deprived of eligibility.

Article 48. (1) Before taking office the Member of the Senate, each in the way of their religion, are sworn in by the President or by the President of the Senate who has the power do so, taking the following oath:

"I swear before God Almighty that in order to be elected as a Member of the Senate I have given nothing nor promised nor shall give anything to anybody whomsoever, under whatever name or pretext, directly or indirectly.

"I swear that in order to do or not to do anything in this office I shall not accept a promise or gift from any one whomsoever directly or indirectly.

"I swear that I shall always help the Constitution and all the other legal regulations that are operative for the Republic of West Papua to be maintained that according to my ability I shall further the prosperity of the Republic and I shall faithfully serve Country and People of West Papua as befits a good Representative of the People.

"So help me God."

(2) Before taking offices of President and Vice-President of the Senate these two, each in the way of their religion, are sworn in by the President, taking the following oath:

"I swear before God Almighty that in order to be elected President (Vice-President) of the Senate I have given nothing nor promised nor shall give anything to anybody whomsoever, under whatever name or pretext, directly or indirectly.

"I swear that in order to do or not to do anything in this office I shall not accept any promises or gift from any one whomsoever directly or indirectly.

"I swear that according to my ability I shall further the prosperity of the Republic of West Papua and that I shall protect and defend the general and private liberties of all the Residents of the State.

is declared in full possession of his faculties by the President of the Senate on the strength of a medical certificate.

"I swear that I shall always maintain the constitution and all the other legal regulations that are operative for the Republic of West Papua, that according to my ability I shall further the prosperity of the Republic of West Papua and that I shall faithfully serve Country and People of West Papua as befits a good representative of the People.

Article 50. (1) A member of the Senate may not at the same time occupy a post with another public West Papua as befits a good representative of the People.

(2) When the member of the Armed Forces who is on active service accepts membership of the Senate, he must be placed on the half-pay list until his membership of the Senate has come to an end; only then can he return to active service.

Article 49. (1) A person can be declared disqualified from Senate membership, after it has become apparent.

(3) A member of the Senate may not at the same time be Governor or of a Province, Secretary General or Under Secretary of a Ministry or a high official of a Ministry or Province, all of whom are appointed in accordance with a regulation to be laid down by law.

weakness of faculties.

down that he is a drunkard or an agitator.

c. that he is involved in a misdemeanour.

Article 51. (1) When a Member of the Senate loses his rights to Senate membership his seat falls vacant. (2) One who in the general elections acts in defiance of the regulations, laid down in the General Election Act, can be declared deprived of his right to become a member of the Senate.

(2) When some one who does not have a right to become a Member of the Senate is elected to the Senate, or when in the general elections some one acts in defiance of the regulations, laid down in the General Election Act, can be declared deprived of his right to become a member of the Senate.

(3) The declaration by which a person is disqualified from Senate membership, as expressed in paragraph 1a, can be annulled by the President, if the person in question

Article 52. When without valid reasons a Member of the Senate does not attend the Senate meetings for 6 (six) months in succession, his seat can be considered vacant.

Article 53. When a dispute arises about the question whether a Member of the Senate is no longer entitled to his membership, the Senate will make a decision, for which majority of two

- Article 58. (1) The Senate has the right of interpellation; the Senate Members also have the right to ask question.
- (2) Either, orally or in writing the Government gives explanations to the Senate concerning all aspects of the Government's policy, or concerning order and State deems it necessary to obtain information.
- (3) The Senate has the right of inquiry in accordance with a regulation to be laid down by law.

Section 4

The Supreme Court

Article 59. The constitution and the powers of the Supreme Court are laid down by law.

- Article 60. (1) The President of the Supreme Court, the Vice-President of the Supreme Court and the Judges who are Members of the Supreme Court are appointed for life by the President.
- (2) The conditions of appointment, the salaries and the other costs chargeable to the coffers of the State arising from the discharge of an office with this public institution will be settled by the Senate.
- (3) Without prejudice to what is expressed in paragraph 1:
- a. The President of the Supreme Court, the Vice-President of the Supreme Court and the Judges who are Members of the Supreme Court may present a petition for resignation to the President.
- b. They may do so after reaching the pensionable age of 55 (fifty-five)

Article 61. (1) The President of Supreme Court, the Vice-President of the Supreme Court and the Judges who are Members of the Supreme Court may not at the same time occupy a post with another public institution or a regional administration.

- (2) The Supreme of the Supreme Court, the Vice-President of the Supreme Court and the Judges who are Members of the Supreme Court may not conduct a business or take an active part in a business which provides them with an income without cost to the State.
- Article 64. (1) The Chairman, the Vice-Chairman and the Members of the Audit Office may not at the same time occupy a post with another public institution or a regional administration.
- (2) The Chairman, the Vice-Chairman and the Members of the Audit Office may not conduct a business or take an active part in a business which provides them with an income without cost to the State.

Section 5

The Audit Office

Article 62. The constitution and the powers of the Audit office are laid down by law.

Section 6

The Bank of West Papua

Article 63. (1) The Chairman of the Audit Office, the Vice-Chairman of the Audit office and the Members of the Audit Office are appointed for life by the President.

Article 65. The organisation and the powers of the Bank of West Papua will be laid down by law.

(2) The condition of the appointment, the salaries and the other costs chargeable to the coffers of the State arising from the discharge of an office with this public institution will be settled by the Senate.

Article 66. (1) The Governor and the Managers of the Bank of the West Papua are appointed for life by the President.

- (2) Without prejudice to what is expressed in paragraph 1:
- a. The Chairman, the Vice-Chairman and the Members of the Audit Office may present a petition for resignation to the President.
- b. They may do so after reaching pensionable age of 55 (fifty-five).
- (3) Without prejudice to what expressed is paragraph 1:
- a. The Governor and the Managers may present a petition for resignation to the President.
- b. They may do so after reaching the pensionable age of 55 (fifty-five).

Article 67. (1) The Governor and the Managers of the Bank of West Papua may not at the same time occupy a post with another public institution or with a regional administration.

Government function in accordance with a regulation to be laid down by law.

- Article 70. (1) The President institutes Ministerial Departments.
(2) The Ministers are each at the head of their own Departments.
(3) The Presidents appoints Under-Secretaries, who are at the head of special sections of each Department.
(4) Ministers of State are Ministers who are not in charge of the control of a Department, but who have a separately defined responsibility.

- Article 71. (1) The President presides over the meeting of the Cabinet to plan the Government's policy, and when he is prevented from doing so the Vice-President presides over the meetings of the Cabinet.
(2) In cases of emergency and in other cases in which the state security is threatened the Cabinet meeting are presided over directly by the President.
(3) The Government may invite officials of public institutions or other high officials to attend Cabinet meeting; they have no voting-power.

Article 72. All the President's decrees, also those regarding his powers with respect to the Armed Forces of the Republic of West Papua, are co-signed by the Minister or Ministers concerned, excluding what is defined in Article 40, paragraph 1 and 3 and in Article 70, paragraph 1, 2 and 3.

Article 73. The President, by and with the advice of the Cabinet, can confer orders of merit, titles and other insignia.

Section 2. Legislation

- Article 74. (1) Legislative authority is exercised by the Senate together with the Government.
(2) The Senate frames and lays down the Constitution of the Republic of West Papua, understanding that before the Bill becomes an Act and has been promulgated there is no Act operative.

- (4) All the Acts passed by the Senate acquire the force of law as soon as they have been sanctioned by the Government.
Article 75. The Government introduces Bill to the Senate, accompanied by an explanatory memorandum motivating the Bill, and accompanied by a message from the President.
(5) The Acts are inviolable.

- Article 76. (1) Exercising its right of amendment the Senate will deliberate on the Bill. Beforehand the permanent judicial section will make preliminary inquiries and exchange views with the Government by letter.
(2) Within 7 (seven) days the Senate notifies the Government of its objections to the Bill.
(2) The Senate's Standing Orders will regulate the procedures in accordance with which the Bill is considered in the Senate.

- Article 79. (1) Before a Bill has been passed by the Senate, it can be withdrawn by the Government.
Article 77. (2) When the Senate has passed a Bill, this Bill becomes an act of law and the Senate sends it to the Government to be signed by the President and co-signed by the Minister or Ministers concerned.
(3) As soon as an Act has received the President's assent, it is promulgated by the Minister of Justice in the Government Gazette within 7 (seven) days.
(4) Excluding what is defined in paragraph 4 a majority is required for each Bill, whether it is to be passed or rejected.
(4) Without prejudice to the rights and powers of the Senate, the Government can postpone the coming into operation of an Act or make an act retrospective; on the present is required.

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- Article 80. (1) The Senate is entitled to submit Bills to the Government.
(2) When the Senate decides to introduce a Bill, this Bill is sent to the Government for sanction.

Article 84. (1) The law and the Government Ordinances can institute other State Organs in the Republic of West Papua and make a further arrangement of items already mentioned in the law or the Ordinances.

(2) The law and the relative Government Ordinances give rules for the promulgation of such an arrangement.

Article 85. (1) The law establishes rules for the form of promulgation and for the time of coming into operation of an Act of a Government Ordinance.

(2) The promulgation in the form as prescribed by law is a necessary condition for having the force of law.

Article 86. (1) Out of their own Members the Senate elect a President and one or more Vice-Presidents. For such an election the assent of the President of the Republic is required.

(2) As long as the election of a President and Vice-President has not yet received presidential assent, the meeting is for the time being presided over by the oldest Member in age.

(3) Without prejudice to what is defined in paragraph 1 and 2 the President of the first Senate is designated by those who prepare the formation of the State of West Papua.

Article 87. (1) The Senate meets in the Capital.

(2) The Senate meetings are presided over by the President, and in case he should be prevented from attending, by the Vice-President.

(3) The meetings are open to the public for the time of their duration.

(4) The meetings can take place if two thirds of the Members are present.

Article 88. (1) The Senate meets at the request of the Government or when the President or at least 10 (ten) Members deem it necessary.

(2) The President of the Senate calls the Members together.

Article 89. (1) A Minister or Ministers may attend the Senate meetings and he or they can be allowed or asked to speak by the President of the Senate; however, no voting-power.

(2) Other high officials may attend the meeting and when asked to speak by the President of the Senate they can speak.

Section 3.

Jurisdiction

Article 90. (1) When the President or Members of the Senate deem it necessary to hold a private meeting, notice of this must be given by the President whilst stating his motives.

Article 94. (1) Jurisdiction for the entire country in the highest instance is vested in the Supreme Court. Those who are familiar with the discussions in a private meeting, or who officially or by virtue of their profession can be familiar with them; and who let or make them leak out can be prosecuted.

(2) The Supreme Court has the power to superintend all the law suits coming up before lower courts and also further appeal and review cases in accordance with a regulation to be laid down by law.

Article 91. (1) The Senate Members cast their votes as free people, to the best of their knowledge, not by order of or with the obligation to consultation with those who appointed them.

Article 95. (1) Within the Supreme Court there is an Attorney-General who is assisted by one or more Solicitors-General, who is (are) appointed by the President on the proposal of the Senate for the time of 5 (five) years. For such a proposal two thirds of the votes of the Senate Members are necessary.

Article 92. No Member of the Senate can be arrested, taken into custody or proceeded against because of what he has said or done in discharging his responsibility in Senate meetings.

(2) The Attorney-General is the Head of the Prosecuting Authority and at the same time the Head of the Crime-Prevention and Law-Enforcement Police.

(3) At the court session the Attorney-General, and the officials of the Prosecuting Authority in the lower courts, submit claims in the name of the State.

Article 96. (1) The Supreme Court investigates and pronounces sentence in the first and last instance

Article 101. A military pact with one or more countries must first be approved by two thirds of the Senate Members present.

Article 102. (1) In order to help guarantee the international legal order as a civilized Nation, the Republic of West Papua will adhere to and also honour all the obligations imposed by the international treaties, either existing or yet to be effected.
(2) With due observance of paragraph 1 the Senate will ratify all the international treaties already in existence.
(3) In conformity with what is defined in paragraph 1 the Republic of West Papua will join the existing international organisations.

Article 103. (1) With due observance of Article 11 of this Constitution the Government will, in accordance with the Country's financial situation, establish relations with foreign countries and receive representatives of foreign countries in the Republic of West Papua.
(2) The President appoints the Heads of the representatives of the Republic of West Papua and receives the Heads of the representatives of foreign countries.

CHAPTER V. NATIONAL DEFENCE AND SECURITY

Article 104. (1) The President has the supreme command of the Armed Forces.
(2) The President is Chairman of the National Defence Council.
(3) The President appoints and dismisses the officers of the Armed Forces.

Article 105. (1) The formation of the Armed Forces of the Republic of West Papua, which will consist of volunteers and conscripts, is laid down by law.
(2) By the Armed Forces of the Republic of West Papua are meant: Army, Navy and Air Force.
(3) The salaries and other income will be regulated in accordance with a statutory regulation.

Article 108. In case of a state of war the Director-General of the State Police is under the orders of the Chief of Staff of the Army.

Article 106. (1) The President declares war, makes peace and concludes treaties with other countries with the approval of the Senate in conformity with article 102.

Article 109. To safeguard the security and public order a State Police Force is instituted by law by the Government.
(2) The President pronounces the Country in a state of danger either for the entire territory of the Republic of West Papua or for a part of it, or for a whole province or for a part of it.
(3) The law regulates the stages of the state of danger and the consequences of such a pronouncement and further decrees when the constitutional power of the Civil Authorities concerning public order and the police shall totally or partially be transferred to the Armed Forces, and the Civil Authorities shall be subordinate to the Authorities.

Article 110. Without prejudice to the Senate's right to grant supplies the Government bears the highest responsibility for the Country's Finance.
(4) When the Country is in danger of war the President can give order for general mobilisation.

Article 111. (1) The Audit Office controls and checks every item of expenditure from the coffers of the State.

Article 107. In case of a state of war the Minister of the National Defence can be appointed Commander-in-Chief of the Armed Forces of the Republic of West Papua, and if he is not, the Audit Office is obliged to submit to the Senate in the next year, during the session of the Senate, a report concerning its check on the Finance for the previous year entitled, as far as this is deemed necessary, to ask for supplementary information.

Article 112. The levying of taxes and excise-duties in the interest of the Country takes place by or in virtue of the law.

Article 116. (1) The Central Government must delegate part of its powers concerning public services expressed in paragraph 2, to the Regional Government, which is regulated by law.

- (2) The public services mentioned are:
- a. Justice and Police;
 - b. Education and Culture;
 - c. Public Health;
 - d. Economy and Industry;
 - e. Finance
 - f. Social Affairs
 - g. Communications, Public Works and Energy;
 - h. Information.

Article 117. For the benefit of a Region (Province) the Regional (Provincial) Government can levy taxes with permission of the State.

Article 118. The regulations which are issued by the Regional Government are subordinate to the laws and ordinances of the Central Government.

CHAPTER VIII.

TRANSITORY, AMENDING, SUPPLEMENTARY AND FINAL PROVISIONS.

Section 1

Transitory provisions

Article 119. (1) All the Acts and administrative regulations which were still operative before October 1st, 1962, remain, if they are not in defiance of this Constitution, operative after the “Day of the Proclamation” as Acts and administrative regulations of the Republic of West Papua herself, as long as and insofar as these Acts and administrative regulations can be regarded as operative under this Constitution.

(2) The responsibility and the powers of the State Organs dating from before October 1st, 1962, can, under what is defined in paragraph 1, be exercised as long as and insofar as they have not yet been regulated by law.

(3) The ordinance with regard to the Flag, the National Anthem and the Arms of the State which were in use on the “Day of the Proclamation”, has the same legal character as an Act.

Section 2.

Amending provisions

Article 120. (1) As soon as this Constitution has become operative the Government will institute a committee of investigation to see to it that the entire legislation then in existence is adapted to this Constitution.

(2) Thus the Government will also form a complete State machinery for the realisation of the principal points of this Constitution which form the heart of the National Struggle, by reorganising the men available.

Article 121. In consequences of the Proclamation of July 1st, 1971, the Government, by Decree of the President, will, anticipating the law as expressed in Article 106, soon from an Army for the Liberation of the Country.

Article 122. The National Liberation Council of West Papua is called National Council for short. As long as and insofar as the Senate as expressed in article 97, paragraphs 1 and 2, does not yet fully officiate as an elected Senate, the legislative authority as expressed in Article 74, paragraph 1, is exercised by the National Council together with the Government.

Article 125. (1) The Members of National Council consist of two groups:

- a. The Members of the Senate;
- b. The additional Members, appointed by those who prepare the formation of the

requirements of the active freedom fighters as well as of those who prepare the formation of the Republic of West Papua.

- Article 129. (1) This Constitution takes effect on the “Day of the Proclamation”, i.e. July 1st, 1971.
(2) If and_insofar as arrangements for the formation of the State Organs of the Republic of West Papua were already made before the point of time mentioned in paragraph 1, everything in conformity with the stipulations of this Constitution, these arrangements are to be retrospective from the day when the relative arrangements were made.

THE NATIONAL ANTHEM OF WEST PAPUA

HAI TANAHKU PAPUA

<i>Old Indonesian Spelling</i>	<i>New Indonesian Spelling</i>	<i>English Translation</i>	<i>Dutch Translation</i>
Hai tanah ku Papoea, Kau tanah lahirku, Ku kasih akan dikau sehingga adjalku.	Hai tanah ku Papua, Kau tanah lahirku, Ku kasih akan dikau sehingga ajalku.	Oh Papua, my land Where I was born and raised Thee I shall always love Till' my day of eternal rest comes	O mijn land Papoea Mijn geboorteland Jou zal ik liefhebben Tot mijn levenseinde
Kukasih pasir putih Dipantaimu senang Dimana Lautan biru Berkilat dalam trang.	Kukasih pasir putih Dipantaimu senang Dimana Lautan biru Berkilat dalam terang.	I love the whiteness of your sands On your beaches, joyful Where the azure seas Sparkle bright in the day	Ik hou van het witte zand Van je fijne stranden Waar de blauwe oceaan Blinkt in het licht
Kukasih gunung-gunung Besar mulialah Dan awan jang melajang Keliling puntjaknja.	Kukasih gunung-gunung Besar mulialah Dan awan yang melayang Keliling puncaknya.	Your high peaks I adore Majestic and grand Sublime clouds, surrounding Around the tops, they do	Ik hou van het geluid van de branding Die op je stranden slaat Een lied dat steeds Mijn hart verheugt
Kukasih dikau tanah Jang dengan buahmu Membajar keradjinan Dan pekerdjaanku.	Kukasih dikau tanah Yang dengan buahmu Membayar kerajinan Dan pekerjaanku.	I love this land of mine Naturally abounding with bounty That shall pay me off and my labour in full	Ik hou van de bergen Groot en verheven En de wolken die zweven Om hun toppen
Kukasih bunji ombak Jang pukul pantaimu Njanjian jang selalu Senangkan hatiku.	Kukasih bunyi ombak Yang pukul pantaimu Nyanyian jang selalu Senangkan hatiku.	Thy roaring waves, I am smitten with Ever crashing against your white, sandy beaches A melody that shall eternally In my heart remain	Ik hou van de bossen Het dekkleed van mijn land Ik mag zo graag zwerven Onder je schaduw
Kukasih hutan-hutan Selimut tanahku Kusuka mengembara Dibawah naungmu.	Kukasih hutan-hutan Selimut tanahku Kusuka mengembara Dibawah naungmu.	I love the sprawling forests That this land is built upon 'Tis rapture to traipse Under its benevolent shade	Ik hou van je grond Die met je vruchten Mijn ijer betaalt En mijn werk
Sjukur bagimu, Tuhan, Kau berikop tanahku	Syukur bagimu, Tuhan, Kau berikop tanahku	Thank you, oh Lord on high	Dank zij u Heer Gij hebt mij het land gegeven

