

CONSTITUTIONAL COURT
ANNUAL REPORT 2020



**REINFORCING
THE SUPREMACY OF CONSTITUTION
IN THE PANDEMIC**



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VISION

Enforcing the Constitution through a Modern and Reliable Judiciary

MISSION

Strengthening the Integrity of the Constitutional Court

Increasing Constitutional Awareness of Citizens and State Administrators

Improving the Quality of Decisions

AUTHORITIES

The Constitutional Court has the authority to adjudicate at the primary and end levels whose decision is final for:

1. Examining the law against the Constitution;
2. Deciding on disputes over the authority of state institutions whose authority is granted by the Constitution;
3. Deciding on the dissolution of a political party;
4. Deciding on disputes over the results of the general election;
5. Mandatory to give a decision on the opinion of the House of Representatives regarding alleged violations by the President and/or Vice President according to the Constitution.

In addition to the above authorities, the Constitutional Court has an additional authority based on Article 157 of Law Number 10 of 2016, which is to decide in the final stage of disputes over voting results from the election of governors, regents, and mayor until the establishment of a special judicial body.

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TRAILS OF CONSTITUTIONS 2020



January 06



The Constitutional Court grants the petition for judicial review No. 42/1999 concerning Fiduciary Guarantee for some (No. 18/PUU-XVII/2019) related to the execution of Fiduciary guarantees that cannot be carried out alone by fiduciary recipients (the creditor).

January 07



Suhartoyo and Daniel Yusmic Pancastaki Foekh take the oath as constitutional justices for the office term of 2020-2025 before President Joko Widodo at the Presidential Palace, Jakarta.

January 28



Special Plenary Session delivering the 2019 Annual Report at the Plenary Hall of the Constitutional Court.

January 29



The Constitutional Court through Decision No. 48/PUU-XVII/2019 confirming the supervisory committee nomenclature in the Regional Head Election must refer to the General Election Law.

February 5



The signing of the memorandum of understanding between the Constitutional Court and Nuffic Neso.

February 17



The building of the Coordinating Ministry of Economics on Jalan Medan Merdeka Barat is handed over to the Constitutional Court.

February 22



Constitutional Court Deputy Chief Justice Aswanto attends the International Judicial Conference 2020 on Judiciary and The Changing World organized by the Supreme Court of India in New Delhi.

February 26



MK wins the archive supervision award organized by the National Archives of the Republic of Indonesia (ANRI).

March 10



Polyclinic of the Constitutional Court examines the body temperature of the Constitutional Court Chief Justice Anwar Usman and Deputy Chief Justice Aswanto at the Constitutional Court Building to prevent the spread of the corona virus.

March 16



Judges Consultative Meeting determines that there is no trial activity in the Constitutional Court starting March 17, 2020, unless otherwise specified by the Constitutional Court.

March 30



The Constitutional Court holds a virtual discussion related to the management of all trials progress: for further hearings and judgments.

April 28



Case numbers 23, 24, 25/PUU-XVIII/2020 become the first trial during the pandemic organized by maintaining physical distancing according to the health protocol regulated by the Ministry of Health of the Republic of Indonesia and WHO.

April 30



Manahan MP Sitompul takes the oath as a Constitutional Justice for the term of 2020-2025 in front of President Joko Widodo at the Presidential Palace, Jakarta.

May 8



The Constitutional Court Chief Justice Anwar Usman along with his Registrars and Secretariat General of the Constitutional Court release retired employees.

May 28



The big family of the Constitutional Court holds an Eid al-Fitr 1441 Hijriyah Gathering via Zoom attended by the Constitutional Court Chief Justice Anwar Usman, Deputy Chief Justice Aswanto, constitutional justices and all employees.

June 01



The Constitutional Court Chief Justice Anwar Usman attends a ceremony to commemorate Pancasila Day virtually from the Constitutional Court Building.

July 06



The Constitutional Court holds a pre-simulation of case application in the hall of the Constitutional Court in preparation to resolve disputes over results of Simultaneous Regional Head Election 2020.

July 17



Simulation and synchronization of the Constitutional Court Regulations on Disputes over Results of IT-based Regional Head Election (PHPKada).

August 13



The Constitutional Court Chief Justice Anwar Usman accepts directly the Inspection Result Report (LPH) on the 2019 Constitutional Court Financial Report by the Indonesian Audit Board (BPK).

August 25



Secretary-General of the Constitutional Court M. Guntur Hamzah attends a meeting while witnessing the handover of Problem Inventory List (DIM) of Bills on the Constitutional Court.

August 26



The IV AACC Congress held by the Constitutional Council of Kazakhstan as president of the association, attended by 17 member countries online including the Constitutional Court of the Republic of Indonesia.

Sep 02



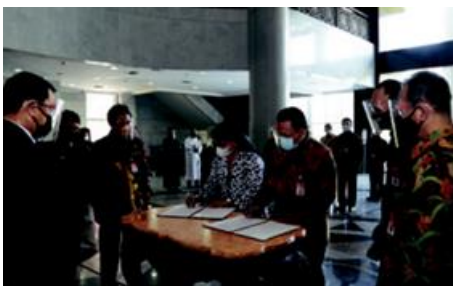
A book launching to commemorate the 17th Anniversary of the Constitutional Court followed with online and offline book review activities according to health protocols.

Sep 03



Open Recruitment for Pratama High Leadership Positions (JPT) for Head of General Bureau within the Registrar and Secretariat of the Constitutional Court held on the 11th floor MK building.

Sep 05



The Constitutional Court holds the inauguration of structural and functional officials.

Sep 22



The Constitutional Court again wins the Unqualified Opinion (WTP) Award for the 10th time successively.

Sep 28



The Constitutional Court grants decision No. 10/PUU-XVIII/2020 for a partial judicial review of Law no. 14 of 2002 concerning Tax Court rules on the inauguration mechanism and the office term of the chairman and deputy chairman of the tax court.

October 08



The Indonesian Minister of Finance Sri Mulyani mentions that COVID Mitigation Law is to protect the community involved in judicial review trials No. 37, 42, 45, 47, 49, 75/PUU-XVIII/2020.

October 23



The release of retirees held by the Constitutional Court on 11th floor of the Constitutional Court Building, witnessed by all employees of the Constitutional Court either directly or virtually.

October 27



The Constitutional Court Chief Justice Anwar Usman and Constitutional Justice Arief Hidayat receive the 25th Anniversary Kazakhstan Constitution Referendum

Medal at The Constitutional Court building, handed over by the Ambassador of the Republic of Kazakhstan for Indonesia Daniyar Sarekenov.

November 11



The Constitutional Court Chief Justice Anwar Usman, Deputy Chief Justice Aswanto, and Constitutional Justice Arief Hidayat accept the *Mahaputera Adipradana* award. Meanwhile, Constitutional Justice Wahiduddin Adams, Constitutional Justice Manahan MP Sitompul, and Justice Suhartoyo receive *Bintang Mahaputera Utama* award.

November 24



The Constitutional Court receives the Public Information Commission Award (KIP) 2020 in the Public Agency category "Towards Informative".

December 21



Secretary-General of the Constitutional Court M Guntur Hamzah with the Acting Head of the Constitutional Court Education and Training Center, Imam Margono, receive an award from the Ministry of Administration and Bureaucracy Reform, Monday (21/12), virtually at the Constitutional Court Building.



**MAHKAMAH KONSTITUSI
REPUBLIK INDONESIA**

FROM THE PUBLISHER

It is undeniable that the Covid-19 pandemic has significantly affected the social conditions, politics, and economy in almost all countries. The pandemic has sketched the challenges related to state governance. In many countries, measures directed at strengthening the rule of law and constitutionalism have experienced dynamics. The Covid-19 pandemic is a real test for the practice of constitutional democracy around the world in ways that have not happened before.

In such conditions, in 2020, the Constitutional Court, too, has and experiences its challenges to affirm the supremacy of the constitution. In times of this kind of pandemic, the role of the Constitutional Court in affirming values and constitutionalism continues to be carried out. The Constitutional Court continues to play an active role in monitoring as well as ensuring the law and constitutionalism continue to throb.

In this regard, the Constitutional Court Annual Report 2020 captures the whole progress and activities of the Constitutional Court in affirming the supremacy of the constitution during the Covid-19 pandemic. Therefore, this year's report is themed "Reinforcing the Supremacy of Constitution in the Pandemic". During the pandemic, the Constitutional Court commits to continue giving legal certainty, expediency, and justice for justice seekers. Precisely in a pandemic like this, the Constitutional Court requires to be more proactive in the framework of the new normal.

The Constitutional Court Annual Report 2020 presents information objectively to the public, not only on the implementation of constitutional duties and authorities of the Constitutional Court but also the programs and activities carried out by the Registrar and the General Secretariat as supporting systems of the Constitutional Court. In short, this Annual Report will describe all aspects and dynamics conducted by the Constitutional Court to reinforce the constitutional supremacy during the pandemic.

Apart from being a manifestation of the principle of transparency to the public, this Annual Report is a medium to prove that whatever the Constitutional Court does, especially related to resolving constitutional cases, which is the property or the public domain. On that basis, it is the right of the public to know that the justices and all the apparatus of the Constitutional Court carry out their duties in a fair and trustworthy manner. For that reason, the Constitutional Court deserves and requires itself to be able to fulfill the public's rights as much as possible. Hopefully this Constitutional Court Annual Report 2020 can provide information as expected as well as benefits to all readers.

Finally, to His Excellency the Chief Justice of the Constitutional Court, His Excellency the Deputy Chief Justice of the Constitutional Court, the Honorable Constitutional Court Justices, thank you for the direction and guidance in the preparation of this Annual Report. To the writing team, drafting team, and all parties who have given their best contribution to the completion of this Annual Report, thank you and highest appreciation. Enjoy reading.

Greetings from the Constitution!

General Secretary,

M. Guntur Hamzah



Dr. *Anwar Usman*, SH. MH.

GREETINGS FROM THE CHIEF JUSTICE OF THE CONSTITUTIONAL COURT

Bismillahirrahmanhirrahim,

The annual report is an activity routinely carried out by the Constitutional Court, to fulfill its obligations as one of the state administrators in the field of judicial power. This report is also an effort to fulfill the right to information for the public and various stakeholders who want to know the activities of the Constitutional Court throughout 2020. With the publication of periodic reports every year, it is hoped that it will increase community contribution and participation in every activity organized by the Constitutional Court.

The role and participation of the community in every activity carried out by the Constitutional Court is an important element in the implementation of judicial power. Because with the role and involvement, as well as community participation, in every activity organized by the Constitutional Court, it can become a benchmark for the implementation of the principles of transparency and accountability that the Constitutional Court has endeavored to conduct in every activity it carries out. In addition, with the high role and involvement of the community in every activity carried out, this can also be a measure of the level of public trust towards the Constitutional Court.

Public trust in the administration of judicial power is an absolute thing. Given that the judiciary is a passive state power institution. He will work, when there are complaints or requests from individuals or community groups who need justice, in the context of resolving conflicts or disputes that occur. Therefore, public trust must be maintained and cared for by implementing the principles of good governance and implementation of state institutions. If not, then the level of public trust will decline, which can lead to a malfunction in the implementation of the administration of judicial power, which of course can have broad implications for the administration of the state in general.

Community involvement in every activity carried out by the Constitutional Court is also part of civilizing law in the community. The development of a legal culture by involving the community in every activity will create a reciprocal relationship that is evolutive and natural. So that the legal culture that is built will form a strong character.

Amid the current pandemic that is being experienced by various countries in the world, including our country, the role and community involvement in law and constitutional enforcement are very important and fundamental. On the one hand, individual and society health-being still have to be guarded, however, at the same time, law and constitution are also mandatory. Without active community roles and involvement, both can't be implemented and run side by side. Therefore, the effort to always stay together, between the Constitutional Court and all elements of society, to realize the rule of law and constitution, must be maintained properly.

Finally, for all the contributions and participation from all parties to the Constitutional Court in 2020, I would like to extend my greatest appreciation. May every charity on “Reinforcing the Supremacy of Constitution in the Pandemic” double in rewards in the sight of God Almighty.



CONSTITUTIONAL JUSTICES





MAHKAMA

INDONESIA
MAJU

DIRGAHAYU MAHK

- Constitutional Justice (Office Term 2011-2016 and 2016-2021)
- Jakarta District Court Justice and Head of Education and Training of the Ministry of Justice
- Head of the Supreme Court's Legal and Judicial Research and Development Agency
- Bachelor of Law from Jakarta Islamic University
- Master of Law from STIH “IBLAM” Jakarta
- Doctor of Law from Gadjah Mada University

Before becoming a Constitutional Justice, Anwar Usman started his career as an honorary teacher in 1975. The man who was born on December 31, 1956, said that it was all God's will. Anwar, who grew up in the village of Rasabou, Bolo, Bima, West Nusa Tenggara, admitted that he was accustomed to living independently. After completing his basic education, Anwar continued his studies at the State Religion Teacher Education School for 6 years. Anwar then chose to study at the Islamic University of Jakarta, until he earned a Bachelor of Laws degree in 1984.

In college, his spare time was mostly filled with drama group activities following Ismail Subarjo's direction. He was also listed as an active member of the Aksara Studio. His love for acting led him to show his skills in a film starring Nungki Kusumastuti, Rini S. Bono, and Frans Tumbuan in 1980.

In 1985 Anwar succeeded in becoming a candidate for justice at the Bogor District Court. His career in the Supreme Court had delivered him to several positions, including Assistant to the Supreme Court Justices in 1997-2003, Head of the Supreme Court's Personnel Bureau in 2003-2006, as well as the Head of the Legal Education and Training Research and Development Agency and a Supreme Court Justice in 2006-2011. His career in the judiciary progressed until he became a Constitutional Court Justice in 2010. Subsequently, on January 12, 2015, he was

elected as the Deputy Chief Justice of the Constitutional Court of the Republic of Indonesia for the 2015-2017 period. Then, on Monday 2 April 2018, he was elected as the Chief Justice of the Constitutional Court through a plenary meeting of justices. Anwar replaced Arief Hidayat who had ended his term as a Constitutional Justice for the 2013-2018 term.



Dr. *Anwar Usman*, S.H., M.H.

- Constitutional Justice (Office terms 2014-2019 and 2019-2024)
- Professor of Criminal Law at Hasanuddin University
- Bachelor of Law from Hasanuddin University
- Master of State Defense Science from Gadjah Mada University
- Doctor of Law from Universitas Airlangga
- Diploma in Forensic and Human Rights, Institute of Groningen State, Netherlands

For this Professor of Criminal Law at Hasanuddin University (Unhas), the Constitutional Court (MK) is not a foreign thing at all. Often, he becomes a guest speaker in the training of disputes over election results at Pancasila and Constitutional Education Center in Bogor. As Dean of the Faculty of Law, Hasanuddin University, he is one of the Constitutional Court partners in providing video conference facilities. He also teaches at various levels at Hasanuddin University. He was born in Palopo, July 17, 1964, and has now been involved in a number of activities.

The journey to obtain the mandate as a constitutional justice, for Aswanto is not at all easy. He had to face many obstacles before he could serve as a constitutional justice. His assertive character makes him disliked by some people. His background as a criminal law expert was questioned because constitutional justices are generally experts at constitutional law. He admitted that his educational background was diverse. As a law degree student from Unhas, he continued his education in state defense at Gadjah Mada University (UGM), and his dissertation at Universitas Airlangga (Unair) which delivered him to his doctoral degree discussed human rights issues.

However, his experience and expertise can clear all doubts. He was also elected as a constitutional justice in 2013. Then, Aswanto was elected as the Deputy Chief Justice replacing Anwar Usman who was elected as the Chief Justice of the Constitutional Court. Aswanto was selected through voting results

in the open Judicial Plenary Meeting (RPH) conducted by nine justices after the election of the Chief Justice of the Constitutional Court on Monday 2 April 2018. From the voting results, Aswanto received five votes. This amount was a slight difference with Constitutional Justice I Dewa Gede Palguna who received four votes. Based on the results. With these votes, Aswanto was elected as the Deputy Chief Justice of the Constitutional Court for the 2018-2020 term.



Prof.
Dr. *Aswanto*, S.H., M.Si., DFM.

- Constitutional Justice (Office terms 2013-2018 and 2018-2023)
- Professor of Law at Diponegoro University
- Bachelor of Law from Diponegoro University
- Master of Law from Universitas Airlangga
- Doctor of Law from Diponegoro University

Since he was a child, Arief Hidayat had always wanted to be a teacher, not a justice. Several years earlier, the former Chief Justice of the Constitutional Court, Jimly Asshidiqqie, once invited him to participate in the nomination of constitutional justices. But the task of being a dean at his alma mater prevented him from attending the invitation. "Being a constitutional justice is an honor and at that time I didn't feel like I deserved it," said the man who was born in Semarang, February 3, 1956.

Until finally he ventured to register as a Justice of the Constitutional Court through the House of Representatives (DPR). Arief carried a paper entitled "Ultra Petita Principles in the Constitutional Court's Decision regarding the Judicial Review of the 1945 Constitution". Considering that he had been consistent with the exposure that was conveyed in the fit and proper test process, he was elected as a constitutional justice. Exactly on April 1, 2013, at the State Palace, he stood before the President of the Republic of Indonesia Susilo Bambang Yudhoyono to take the oath of office as one of the nine 'pillars' of the Constitutional Court. Arief replaced Mahfud MD who had ended his office term as a constitutional justice who had served since 2008.

According to this Professor of State Administrative Law at Diponegoro University, the Constitutional Court is not a foreign issue at all. This man has already known the ins and outs of the Constitutional Court because of his expertise in the field of state law administration. Apart from teaching, he is also a chairman of several related institutions, such as the Lecturer Association in Central Java, Center for Constitutional Studies and Democracy, Indonesian

Association of Gender Lecturer, and Center for Environmental Studies. His published articles also add to the list of achievements. At least 25 of his writing have been published in the last five years. After a while of serving as a constitutional justice, Arief Hidayat's career became complete when he was elected as the Deputy Chief Justice of the Constitutional Court at the end of 2013. Subsequently, he was elected as the Chief Justice of the Constitutional Court for the 2015 - 2017 term and was elected again for the 2017 - 2020 term.



Prof.
Dr. *Arief Hidayat*, S.H., M.S.

- Constitutional Justice (Office terms 2014-2019 and 2019-2024)
- General Director of Laws and Regulations at Ministry of Law and Human Rights
- Bachelor of Sharia Law from Syarif Hidayatullah State Islamic University
- Bachelor of Law from Muhammadiyah University Jakarta
- Master of Sharia Law from Syarif Hidayatullah State Islamic University
- Doctor of Law from Syarif Hidayatullah State Islamic University
- De Postdoctorate Wetgevingsteer in Leiden, Netherlands

Wahiduddin Adams spent his childhood in Salatiga, a small village in Ogan Komering Ilir, South Sumatra. Religious education has always been instilled in him and made a priority. No wonder if then he was sent to an Islamic school up to the high school level. He then chose to continue his education in sharia law at the State Islamic University of Syarif Hidayatullah. He continued his education in the same study program at the same campus until he obtained his doctoral degree.

In 2005, he decided to study law at the Muhammadiyah University in Jakarta. Thus, his legal education was complete. Even though he just joined the Constitutional Court, Wahiduddin was not at all unfamiliar with this judicial institution. His previous position required him to attend hearings at the Constitutional Court because as a General Director of Laws and Regulations, he was responsible for representing the Government in judicial reviews at the Constitutional Court.

“Attending trials, meeting the justices, everything is very familiar to me,” he said. The man who was born in Palembang, January 17, 1954, admitted that being a constitutional justice never crossed his mind. The first General Director of Laws and Regulations who became a constitutional justice had planned to spend his retirement teaching at his alma mater.



Dr. *Wahiduddin Adams*, S.H., M.A.

- Constitutional Justice (Office terms 2015-2020 and 2020-2025)
- High Court Justice of High Court Denpasar
- Head of South Jakarta District Court
- Bachelor of Law from Islamic University of Indonesia
- Master of Law from Tarumanegara University
- Doctor of Law from Jayabaya University

Suhartoyo was elected as a Constitutional Justice replacing Ahmad Fadlil Sumadi whose office term ended on January 7, 2015. The man who was born on November 15, 1959, was interested in social and political science in high school. He hoped to work in the Ministry of Foreign Affairs. However, his failure to become a social and political science student gave him a blessing because he finally chose to enroll as a law student. “I don't regret not being accepted as a social science student, because in fact, social and political science is the same as law. The orientation is not much different.”

Over time he became more and more interested in studying law to become a prosecutor, not a justice. However, because a groupmate on campus invited him to register for the exam to become a justice, he participated. Fate also chose a path for him. He became a justice, elected among his friends. “It was I who passed and my friends who invited me did not pass. I ended up being the justice. A sense of pride began to emerge precisely after becoming a justice,” explained this golf enthusiast.

In 1986, he first served as a candidate for justice at the Bandar Lampung District Court (PN). He was also trusted to be a district court justice in several cities until 2011. Among them were Curup District Court Judges (1989), Metro District Court Judges (1995), Tangerang District Court Judges (2001), Bekasi District Court Judges (2006) before finally serving as a justice at Denpasar High Court. He was also elected as the Deputy Chief Justice of Kotabumi District Court

(1999), Chief Justice of Praya District Court (2004), Deputy Chief Justice of Pontianak District Court (2009) and Chief Justice of Pontianak District Court (2010).



Dr. *Subartoyo*, S.H., M.H.

- Constitutional Justice (Term of Office 2015-2020)
- High Court Justice of High Court Manado
- Chief Justice of Cilacap District Court
- Kabanjahe District Court Justice
- Bachelor of Law from University of North Sumatra
- Master of Law from University of North Sumatra
- Doctor of Law from University of North Sumatra

Achieving a career as a constitutional justice had never occurred to this father of three children. Even becoming a justice in a district court did not cross the young Manahan's mind. It was the family's economic limitations that prevented him from dreaming high. Manahan, who is the second of ten children, must struggle to continue to get an education after graduating from high school. His father is a priest named Ds. S.M.S Sitompul who later became a civil servant in the Religious Affairs Office and retired as an official at the Ministry of Religion, North Sumatra, Medan in 1977. His mother, T.M Panggabean, is a housewife.

His parents strictly educated their ten children, both to seek knowledge and to participate in educational or spiritual activities at church. Fate determined that not all of their children could be delivered by their parents to get an education at a university, including Manahan who had to work first before being able to pay for his college.

After graduating from high school, his dream was to get a job soon. Armed with an English course for three months, he took the test at the Air Transportation Education Institute and was successfully accepted into the Flight Service Officer (FSO) department. By undergoing training for about two years in Curug, Tangerang, he was assigned to the Aviation Safety Unit at Polonia Airport, Medan, with the status of a Group II A civil servant and a three-year service

commitment. Meanwhile, his justice career began when he was appointed at Kabanjahe District Court (PN) in 1986. Then he moved to several places in North Sumatra while completing his master's degree until in 2002 he was trusted to be the Chief Justice of Simalungun District Court. In 2003, he was transferred to become a justice in Pontianak District Court, and in 2005 he was appointed as the Deputy Chief Justice of Sragen District Court. In 2007, he was again trusted as the Chief Justice of Cilacap District Court. After being appointed as a justice of the Manado High Court (PT) in 2010, he was asked to give lectures at Manado State University with a course in State Administration Law in the master's program. The man who was born in Tarutung, December 8, 1953, was finally elected as a constitutional justice in 2015.



Dr. *Marahan M.P. Setompul*, S.H., M.Hum.

- Constitutional Justice (Office term 2017-2022)
- Professor of Constitutional Law at Andalas University
- Director of the Center for Constitutional Studies, Faculty of Law, Andalas University
- Bachelor of Law from Andalas University
- Master of Public Administration from University of Malaya, Malaysia
- Doctor of Law from Gadjah Mada University, Yogyakarta

Saldi Isra was born on August 20, 1968. After graduating from high school, he aspired to study at the Bandung Institute of Technology (ITB) or join the Indonesian Military Academy. He chose to enter the talent scouting for admission to ITB, but fate was not on his side. He again tried his luck sitting in an admission test in 1988 to the Geology department of ITB. Again, he did not succeed. These two failures made Saldi decide to move to Jambi looking for work. In 1990 he re-registered in an admission test to state university. If he had previously chosen the science major, he switched to pragmatic majors this time, namely the Mining Engineering Department at Sriwijaya University, the Civil Engineering Department at Andalas University, and finally the Law Department at Andalas University. In the end, Saldi passed the admission test, but in a major that he had not expected before, Law Science at Andalas University.

This Minang-blooded man then served at Andalas University for almost 22 years while completing his postgraduate education by earning a Master of Public Administration at the University of Malaya, Malaysia (2001). Then in 2009 he completed his Doctor of Law education at Gadjah Mada University, Yogyakarta. A year later, he was confirmed as Professor of Constitutional Law at Andalas University.

He is known to often pay attention to constitutional issues and is actively involved in the anti-corruption movement in the country. Therefore, he is known in the world of Indonesian constitutional law as someone who 'grew up on the

streets'. On April 11, 2017, President Joko Widodo officially proposed Saldi Isra to replace Patrialis Akbar as a constitutional justice for the 2017-2022 term. He succeeded in eliminating the names of two other prospective justices who had been submitted to President Joko Widodo by the Selection Committee of Constitutional Court Justices on April 3, 2017.



Prof. *Saldi Isma*, S.H.

- Constitutional Justice (Office term 2018-2023)
- Head of National Legal Development Agency (BPHN), Ministry of Law and Human Rights
- Bachelor of Law from Gadjah Mada University
- Master of Law from Padjadjaran University Bandung
- Doctor of Law from Gadjah Mada University

Enny Nurbaningsih was elected to replace Maria Farida Indrati as a constitutional justice for the period of 13 August 2018 to August 13, 2023. The lady born in Pangkal Pinang was selected by the selection committee for constitutional justice candidates after going through a rigorous selection. The lady justice, who was appointed by President Joko Widodo, had never any thought of becoming a constitutional justice.

Young Enny originally dreamed of becoming a teacher. For her, teaching was not only a profession but also a life calling. According to Enny, teaching was not only for her self-development but also to transfer knowledge and experiences to the students she taught.

The former Head of the National Law Development Agency (BPHN) of the Ministry of Law and Human Rights also shared that by teaching, she was able to build character and teach great life values to her students. Another thing that Enny loved as much as teaching was the law. Since in high school, she was already determined to become a Bachelor of Law. To pursue that dream, she was willing to move from Pangkal Pinang to Yogyakarta to enroll in the Faculty of Law at Gadjah Mada University. In 1981, she finished her studies and received her law degree.

Her journey did not stop there. Enny had a motto to live by: Work hard, work smart, work sincerely. She pursued her other dream as a teacher or lecturer at her alma mater.

She did not only teach or give lectures but was also actively involved in organizations related to her major, which was constitutional law, such as Parliament Watch, which she established along with former Chief Justice of the Constitutional Court (2008-2013) Mahfud MD back in 1998. After being appointed as a constitutional justice, the wife of R. Sumendro realized that being a constitutional justice meant working in silence among the crowd. She knew that her responsibility as a constitutional justice to decide upon a case should be righteous, meaning that she should remain impartial. It also meant that as a constitutional justice, her family and social life would have to be restricted to avoid taking sides.



Prof.
Dr. *Enny Nurbaningsih*, S.H., M.Hum.

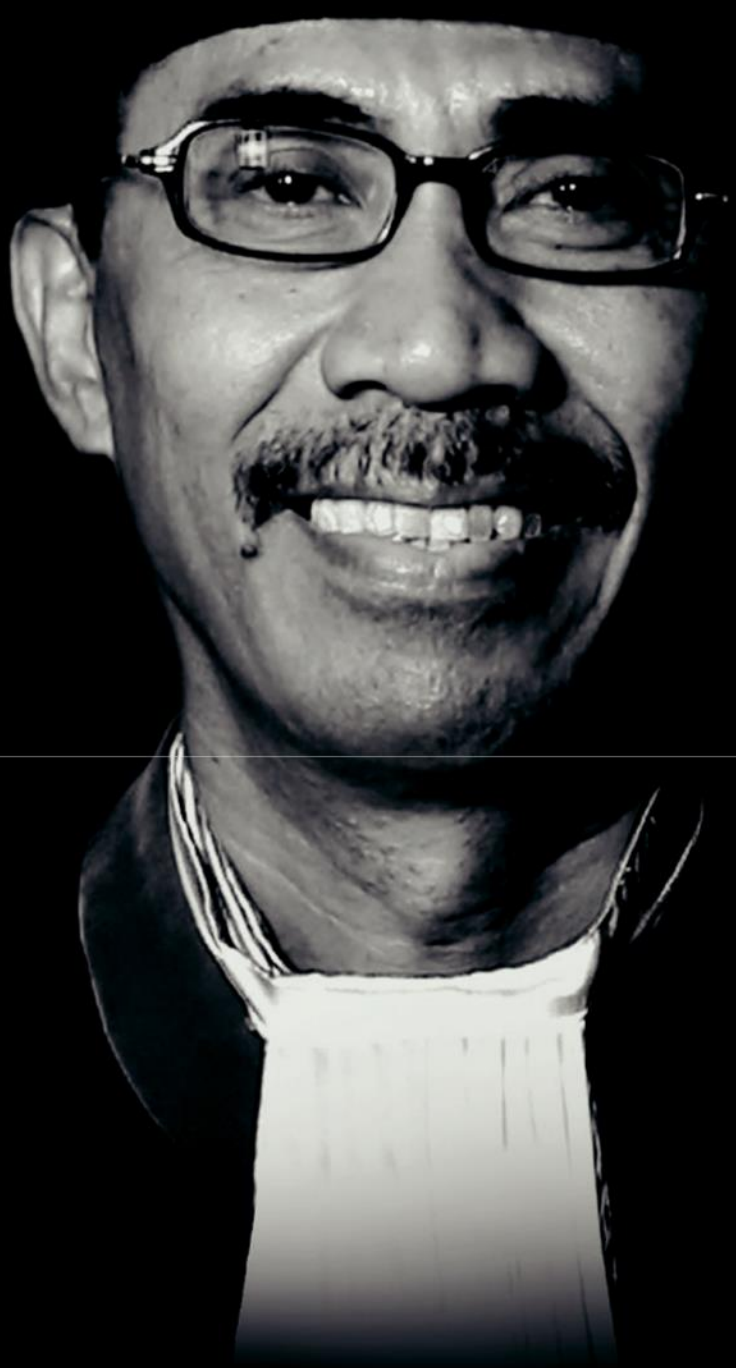
- Constitutional Justice (Office term 2020-2025)
- Bachelor of Law from Nusa Cendana University
- Master of Constitutional Law, University of Indonesia
- Doctor of Constitutional Law, University of Indonesia

Born in Kupang, East Nusa Tenggara on December 15, 1964, Daniel is the 5th son of seven siblings. He was born to the couple Mr. Esau Foekh and Mrs. Yohana Foekh-Mozes. Daniel graduated from GMIT Elementary School in Kefamenanu District. Being raised from a family of educators does not necessarily make the figure of Daniel have ideals as an educator. He dreams as a judge. However, his ideals were not supported by his father who wanted him to become an educator. Daniel saw that his father's life was very simple, so it occurred to him not to live as an educator. "I just understood why his life is very simple. He has to support seven children. Moreover, being an honest civil servant educator in Kupang, it is not possible to have other income other than salary," he said.

When his father became superintendent of a school on the island of Rote, Daniel was inspired to attend law school by his brother who used to speak at the Rote District Court. From there his love for the world of law began to grow. Although his father was against these ideals, Daniel did not give up. After graduating from SMA Negeri 1 Kupang, he took part in the university admission test in 1985 and was accepted as a student at the Faculty of Law, University of Nusa Cendana. Previously, he wanted to major in civil law because there was an assumption that graduates majoring in civil law would find it easier to get a job. But when Law no. 5/1986 concerning the State Administrative Court was enacted, he and two of his colleagues chose to major in constitutional law.

After graduating from college in 1990, Daniel became a temporary lecturer at the Faculty of Law at the Christian University of Indonesia and a permanent lecturer at the Faculty of Law at Atma Jaya University with a functional position as an Expert Assistant. During his time as a lecturer at Atma Jaya University, he was once trusted as the Vice Dean of the Faculty of Law. At that time, he was

more focused as a law lecturer when the selection of constitutional justice was begun. But due to his wife's support, he finally participated in the selection of constitutional justices. Long story short, on January 7, 2020, Daniel took the oath as Justice of the Constitutional Court. "The whole family is thrilled. My wife and I give thanks to God. For us, this is an honor from the President which must be maintained through the quality of decisions. I am grateful that many parties are involved, we pray and work *ora et labora*. I had received the information the day before, but I advised my wife not to tell me yet. It was only after the media reported that finally, everyone knew," said the man who has a life motto "to be a person who is beneficial for God, others and the country".



Dr.



CONSTITUTIONAL COURT BOARD OF ETHICS



Achmad Sodiki became a member of the Board of Ethics from an element of former Constitutional Court Justice. He has served as the Deputy Chief Justice of the Constitutional Court from 2010 to 2013, he is also an academician, Professor in the field of Law at the Faculty of Law, Universitas Brawijaya Malang with expertise in Agrarian Law.

He has held a number of positions such as an Assistant Dean I, Faculty of Law, Universitas Brawijaya, 1979-1983, Head of Master of Law Study Program, Faculty of Law, Universitas Brawijaya 1997, Professor of Law Universitas Brawijaya, 2000, Rector of Islamic University of Malang, 1998-2002, 2002-2006, Member of the 2004 Constitutional Commission, Lecturer/Promoter of Doctoral Dissertation at Brawijaya University (Malang), Airlangga University (Surabaya), Diponegoro University (Semarang), Udayana University (Bali), Mataram University (Lombok), Member of the Board of Trustees of the National Land College Yogyakarta, Head of the Cooperation Agency for the Center for Agrarian Studies (2008), served as a Constitutional Justice from 2008 until 2013.

Prof. Sodiki completed his bachelor's degree in Law from Brawijaya University, 1970, Upgrading in Constitutional Law, Faculty of Law, Airlangga University 1978, Sandwich Program, Leiden Netherlands 1989, Doctoral Degree in Law from Airlangga University 1994, Lemhanas Course, 2001.

Address:

Jl. Medan Merdeka Barat No.6 Jakarta Pusat

Place and Date of Birth:

Blitar, 11 Nov 1944

Religion: Islam

Position:

Head of Constitutional Justice Board of Ethics

Office Term: 2018 – 2021



Prof.
Dr. *Achmad Soekti*, S.H.

Ahmad Syafii Maarif became a member of the Board of Ethics from elements of community leaders, he is also an academic, a leader of interfaith tolerance. He was the General Chairman of PP Muhammadiyah, President of the World Conference on Religion for Peace (WCRP), and founder of the Maarif Institute.

He has been a lecturer at FPIPS IKIP, IAIN Sunan Kalijaga and the Indonesian Islamic University (UII) Yogyakarta. Advisor to PP Muhammadiyah (2005-present), Professor Emeritus of Yogyakarta State University (2005-present), and Founder of Maarif Institute (2003-present).

Ahmad Syafii studied at Madrasah Mualimin Muhammadiyah Lintau (1953) and Yogyakarta (1956), FKIP, Cokroaminoto University, Surakarta until he received his bachelor's degree (1964). Graduated from FKIS IKIP Yogyakarta (1968), he continued studying history at Northern Illinois University (1973) and earned an M.A. in historical science at Ohio University, Athens, United States (1980). He then earned a Ph.D. in the field of Islamism at the University of Chicago, Chicago, United States (1983), with a dissertation entitled "Islam as the Basis of State: A Study of the Islamic Political Ideas as Reflected in the Constituent Assembly Debates in Indonesia".

Address:

Jl. Medan Merdeka Barat No.6 Jakarta Pusat

Place/ Date of Birth:

Sumpurkudus, Sijunjung, 31 Mei 1935

Religion: Islam

Jabatan:

Member of Constitutional Justice Board of Ethics

Office Term: 2018 – 2021



Prof.
Dr.

Ahmad Syafie Maarif

Sudjito became a Member of the Board of Ethics from an academic element, the Professor of Gajah Mada University Yogyakarta has academic expertise in the field of Agrarian Law.

As an academic, Prof. Sudjito, his nickname, actively teaches bachelor, graduate, and postgraduate students and is also an active speaker in various seminars. He actively writes articles on various print media on the sidelines of busy teaching and guiding students as well as performing other academic tasks.

Prof. Sudjito earned a law degree from Gajah Mada University (UGM) Yogyakarta in 1979, then completed the Master's Program at the Graduate School of Public Administration UGM, then received a doctorate from Diponegoro University Postgraduate (UNDIP), Semarang.

Address:

Jl. Medan Merdeka Barat No.6 Jakarta Pusat

Place/ Date of Birth:

Bantul, 6 February 1954

Religion: Islam

Jabatan:

Member of Constitutional Justice Board of Ethics

Office Term: 2020 – 2023



Prof. M. Guntur's

Prof.
Dr.

M. Guntur Hamzah, S.H., M.H.





01

INTRODUCTION



The existence of the Constitutional Court in the Indonesian constitutional system has entered the age of 17 years. Since the Constitutional Court was formed on August 13, 2003, the Constitutional Court has always strived with all its might in upholding the pillars of democracy and the supremacy of the constitution. The Constitutional Court always maintains its dignity as an independent and impartial, transparent, accountable and modern judicial institution.

Entering the beginning of 2020, the world community was shocked by the outbreak of the epidemic SARS-nCOV2 virus. This virus was later named Corona Virus Disease 2019 (Covid-19). The spread of Covid-19 started from Wuhan, China in 2019. The massive spread of Covid-19 threatens the health and the safety of mankind.

World Health Organization (WHO) officially declared the Covid-19 outbreak a global pandemic on Wednesday (11/3/2020). Furthermore, Indonesian President Joko Widodo officially declared Covid-19 a national disaster on Monday, April 13, 2020. This is stated in Presidential Decree No. 12 of 2020 concerning the Stipulation of Non-Natural Disasters for the Spread of the Corona Virus Disease 2019 (Covid-19) as a national disaster.

The saying goes: an ounce of prevention is worth a pound of cure. The essence of preventing the spread of Covid-19 is to protect the physical and mental health and safety of citizens. Health and safety are constitutional rights as well as the most basic rights for every citizen.

The Constitutional Court is determined in ensuring the health and safety of every citizen. Because safety is the highest law. Borrowed in the words of Cicero, an Italian philosopher, "Salus populi suprema lex esto", the safety of the people is the highest law for a country. Therefore, several times, the Constitutional Court issued circulars containing guidelines regarding the implementation of work from home (WFH) for the employees to prevent the spread of Covid-19.

The Constitutional Court building was also closed to the public on March 17, 2020. Trials were delayed, including activities involving many participants. Nevertheless, activities in the Constitutional Court have continued to run based on information technology and information technology communication. The Constitutional Court continues to open access to justice services for justice seekers who intend to apply to the Constitutional Court through online services via simple.mkri.id page.

On the one hand, the Constitutional Court must take preventive measures to protect the health and safety of employees and justice seekers. On the other hand, the Constitutional Court as a judicial institution does not want to delay resolving the cases. Because this is against the principle of justice. For the Constitutional Court, delay in resolving cases is tantamount to delaying justice. Delayed justice is tantamount to not providing justice (justice delayed, justice denied). Thus, delaying justice is an injustice.

Every cloud has a silver lining. The Covid-19 pandemic does not necessarily make the Constitutional Court give up. Preventive measures should still be a top priority because it is concerning the issue of safety which is the highest law. At the same time, the Constitutional Court also carries out technological innovations as an adaptation of new habits amid a pandemic.

It is not difficult for the Constitutional Court to adapt to new habits amid a pandemic related to resolving cases. Since the Constitutional Court was established 17 years ago, the Constitutional Court has pledged itself as a modern justice institution. At that time, the Court did not have any office. The elected Chief Justice of the Constitutional Court, Jimly Asshiddiqie, used a cell phone as a mailing address. Since then, the Constitutional Court has started to build a justice system based on information communication technology (ICT).

The Constitutional Court is a pioneer of the ICT-based judiciary system. The Court is used to receiving case requests both in-person and online. Likewise, in trials, the Constitutional Court is used to conduct remote trials with video conferencing facilities spread across 42 law faculties in Indonesia. Even some experts convey information from abroad virtually.

The pandemic does not prevent the Court from holding trials. The Court has been very prepared to conduct virtual trials. This readiness is not only from the ICT side but also from the side of the regulations that have been prepared by the Court. In 2020, the Constitutional Court also updated PMK 6 of 2005 regarding the procedural law of judicial review into PMK Number 9 of 2020 which contains changes to the online trial mechanism, and others. Thus, in the middle of the Covid-19 pandemic, there has been no obstacle for the Constitutional Court to hold virtual sessions while still implementing health protocols to prevent the spread of Covid-19.

On December 9, 2020, a total of 270 regions in Indonesia held regional head elections (Pilkada) in the 2020 Simultaneous Pilkada. The implementation of the Pilkada 2020 was different from the previous election because it was during a pandemic. Likewise, the resolution of Disputes over Regional Head Election Results (PHP Kada), of course, would be different because they must pay attention to strict health protocols to prevent the transmission of Covid-19. While a special judicial body that handles disputes over election results has not been formed, then election result disputes will be handled by the Constitutional Court.

The Constitutional Court has made preparations regarding the resolutions of Disputes over Regional Head Election Results (PHP Kada) in 2020. The case management of PHP Kada 2020 would be different from before because it was during a pandemic. So that the trial of the dispute over election results would be done virtually with strict health protocols.

The implementation of remote hearings in the cases of dispute over general election results and PHP Kada is not new to the Constitutional Court. The Constitutional Court has often held hearings for examining disputes over election results and PHP Kada through remote hearings by using ICT. However, this does not then make the Court applaud itself. The Court is still preparing everything related to the technicalities of the trial during the pandemic, especially regarding the use of applications that are easily accessible by the parties from their respective residences.

Throughout 2020, only one authority was exercised by the Constitutional Court, namely the authority to conduct judicial review against the 1945 Constitution. Meanwhile, the authority to resolve disputes over Regional Head Election Results (PHP Kada) in the 2020 regional head elections (Pilkada) would be held in 2021. Indeed, the Constitutional Court opened the submission of the PHP Kada application on December 16, 2020. However, the examination hearing until the decision on the PHP Kada cases would be carried out by the Court in January-March 2021.

Various preparations have been made by the Constitutional Court in managing the PHP Kada cases. Among them are conducting technical training regarding the procedural law of the Constitutional Court in the PHP Kada case involving all stakeholders. The Constitutional Court also revised several Constitutional Court Regulations (PMK). The results of the PMK revision include the Association of Constitutional Court Regulations Numbers 6, 7, and 8 of 2020 concerning Resolution of Disputes over Governor, Regent, and Mayor Election Results.

The Covid-19 pandemic has changed the pattern of life, activity, and interaction of people and institutions. The Constitutional Court is no exception. In 2020, during the Covid-19 pandemic, the Court continues to exercise its constitutional authority. The Court accepts applications, conducts trials, and other

activities virtually. On the side-lines of the busy trials, the Constitutional Justices are also actively involved in scientific activities such as giving virtual public lectures on campuses.

In addition, on the side-lines of carrying out its constitutional duties, the Constitutional Court takes part in establishing cooperation in the national, regional, and international areas. In the international area, in 2020, the Republic of Indonesia is set to host the World Conference of Constitutional Justice forum (WCCJ) which will be held in 2022. In the regional area, for example, the Republic of Indonesia is actively involved in the Association of Courts Organizations Constitution in Asia, Association of Asian Constitutional Courts, and Equivalent Institutions (AACC). Among other things, the Constitutional Court attended virtually the 4th AACC Congress in Kazakhstan.

This is an overview of the implementation of the Constitutional Court's authority and other activities during the Covid-19 pandemic. The success of the Constitutional Court in carrying out its constitutional authority cannot be separated from the role of the supporting system, namely the Registrar and the General Secretariat of the Constitutional Court in providing technical support. judicial and technical administration.

The portrait of the Court's wisdom and activities during 2020 is illustrated in this 2020 Annual Report of the Constitutional Court. In the middle Covid-19 pandemic, the Constitutional Court remains faithful in presenting the annual report as a form of transparency and accountability. Through this year's reports, the Constitutional Court is responsible for its work and service to the people of Indonesia. This is not the only time the Court has compiled a report, but every year the Court always reports its performance track record for one full year.

Finally, happy reading.

RESOLUTION OF CONSTITUTIONAL CASES



A. Resolutions of Judicial Review Cases

B. Landmark Decision

C. Reinforcing and Consolidating Constitutional Court Procedural Law

D. Administrative Technical Support for Trials

In 2020, the Constitutional Court (MK) will be 17 years old. At such a young age, the Constitutional Court has handled a number of cases through four authorities and an obligation mandated by the Constitution. With the nine constitutional justices and the support of the Registrar as well as the General Secretariat, the Constitutional Court always strives to strengthen its role as the guardian of the constitution and the protector of the constitutional rights of citizens.

Based on Article 24C Paragraph (1) of the 1945 Constitution, the Constitutional Court has the authorities to adjudicate at the first and final levels whose decisions are final in conducting judicial reviews against the 1945 Constitution, decide on institutional authority disputes whose authority is granted by the Constitution, decide on the dissolution of political parties, and decide on disputes regarding the results of general elections. Meanwhile, based on Article 24C Paragraph (2) of the 1945 Constitution, it is stated that the Constitutional Court is obliged to give a decision on the opinion of the House of Representatives regarding alleged violations by the President and/or Vice President according to the Constitution or is better known as impeachment.

Since its establishment from 2003 to 2020, the Constitutional Court has carried out three of its authorities, namely judicial review (PUU), disputes over the authority of state institutions (SKLN), and disputes over general election results (PHPU). Meanwhile, in the case of dissolving political parties and giving decisions in the process of impeachment of the president/vice president, this has never been done, because no application has been submitted to the Constitutional Court regarding these two cases.

In its development, based on Article 236C of Law No. 12 of 2008 concerning the second amendment to Law No. 32 of 2004 concerning Regional Government, the Constitutional Court is also given the mandate to adjudicate cases of disputes over regional head election results that were previously handled by the Supreme Court. The signing of the minutes of meeting pertaining to the transfer of authority to adjudicate cases of disputes over regional head election

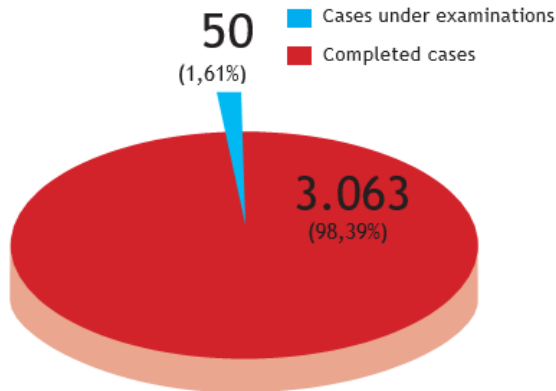
results from the Supreme Court to the Constitutional Court was then carried out on October 29, 2008 by the Chief Justice of the Constitutional Court Moh Mahfud MD and the Chief Justice of the Supreme Court Bagir Manan.

However, on May 19, 2014, the Constitutional Court canceled the authority through Decision No. 97/PUU-XI/2013. In the Court's legal considerations, the addition of the Constitutional Court's authority to adjudicate disputes over the results of regional head elections by expanding the meaning of elections as stipulated in Article 22E of the 1945 Constitution is unconstitutional. Even though the Constitutional Court is no longer authorized to adjudicate election disputes, all election decisions are still declared valid because the two articles are legal and valid products. Then, with the enactment of Law No. 10 of 2016 concerning the Second Amendment to Law No. 1 of 2015 concerning the Stipulation of Government Regulation in Lieu of Law No. 1 of 2014 concerning the Election of Governors, Regents, and Mayors to become Law (Regional Head Election Law), especially Article 157 paragraph 3, states that the Constitutional Court has the authority to adjudicate disputes over regional head election result cases unless a special judicial body is formed.

Throughout 2020, applications submitted to the Constitutional Court are related to its authority for judicial review. In the judicial review trials during the pandemic, the Constitutional Court implements virtual trials to break the chain of the spread of COVID-19. The litigants are only allowed to attend through the Zoom application, while the Panel of Judges is present directly in the Plenary Court Room by implementing strict health protocols.

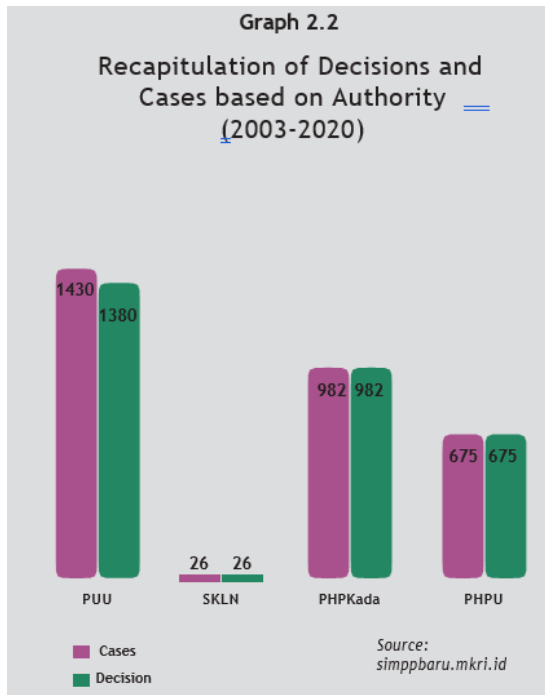
Regarding cases, since its establishment from 2003 to December 31, 2020, the Constitutional Court has registered 3,113 cases consisting of 3,063 completed cases and 50 under-investigation cases.

Graph 2.1
Recapitulation of Registered and Completed Cases (2003-2020)

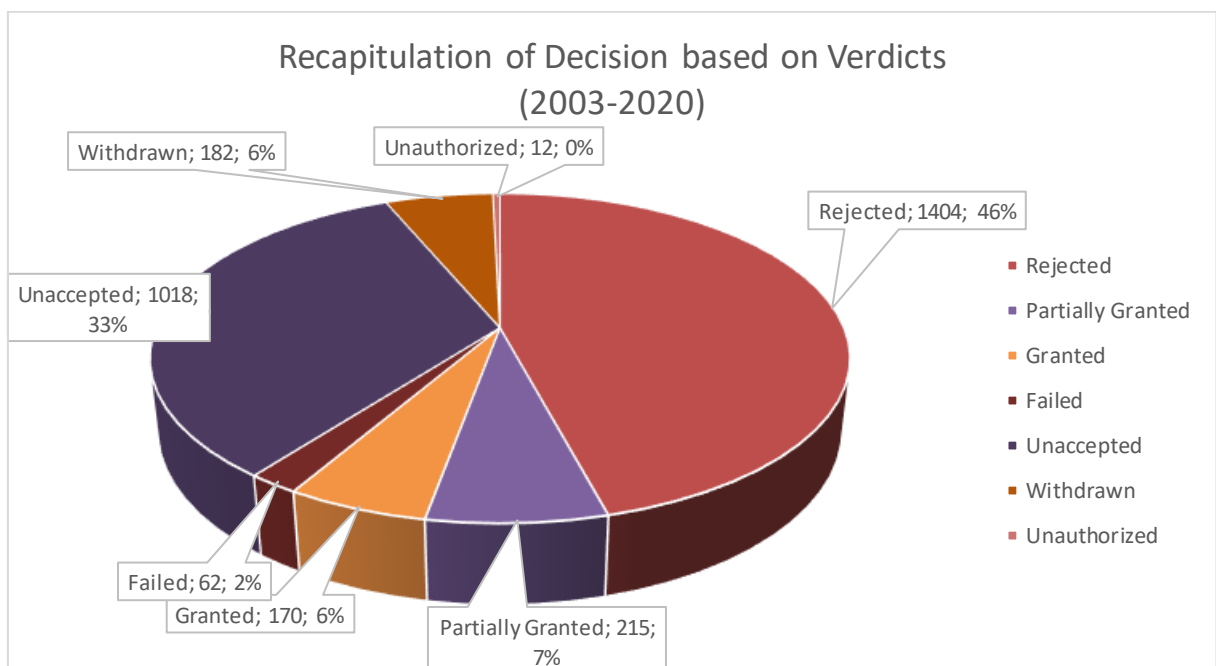


Source:
simpmpbaru.mkri.id

Based on the authority of the Constitutional Court, from the 3,113 registered cases, 1,430 cases are concerning the Judicial Review (PUU) among which 1,380 cases have been decided. Then, as many as 982 cases are related to the settlement of disputes over regional head election results (PHP Kada) which has been decided entirely. As many as 675 cases are related to Disputes over General Election Results (PHPU) and all have been decided, and 26 cases for Disputes on the Authority of State Institutions (SKLN) and have been decided entirely.



A total of 3,063 decisions can be categorized based on the verdicts. As many as 170 cases are granted; 215 cases are partially granted; 1,404 cases are rejected; 1,018 cases cannot be accepted: 62 cases fail; 182 cases are recalled by the applicants, and 12 cases are declared invalid.



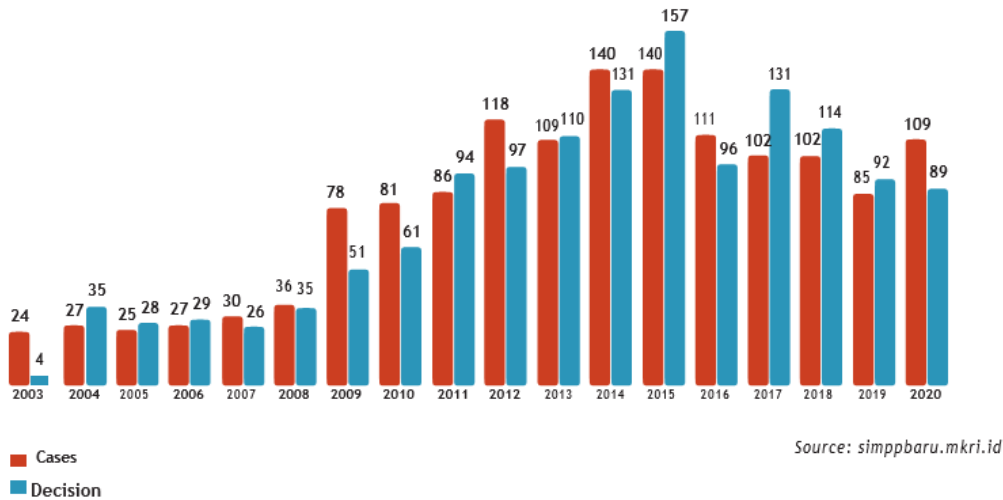
A. Resolutions of Judicial Review Cases

One of the authorities that the Constitutional Court has is judicial review. This authority is mandated by the 1945 Constitution as regulated in Article 24C Paragraph (1) and Article 10 Paragraph 1 of Law No. 24 of 2003 concerning the Constitutional Court as amended by Law No. 7 of 2020 concerning the Third Amendment to Law No. 24 of 2003 about the Constitutional Court. The technical implementation of this authority is regulated in the Constitutional Court Regulation No. 06/ PMK/2005 concerning Procedural Guidelines Judicial Review Cases.

In practice, judicial review applications are classified into two types, namely reviewing the content of the law or legal norms (material testing) and reviewing the procedure for the formation of laws (formal examination). In practice, material testing and formal testing can be carried out simultaneously by the same applicant. During its 17 years of existence, the Constitutional Court has registered 1,430 cases of judicial review and 1,380 cases have been decided.

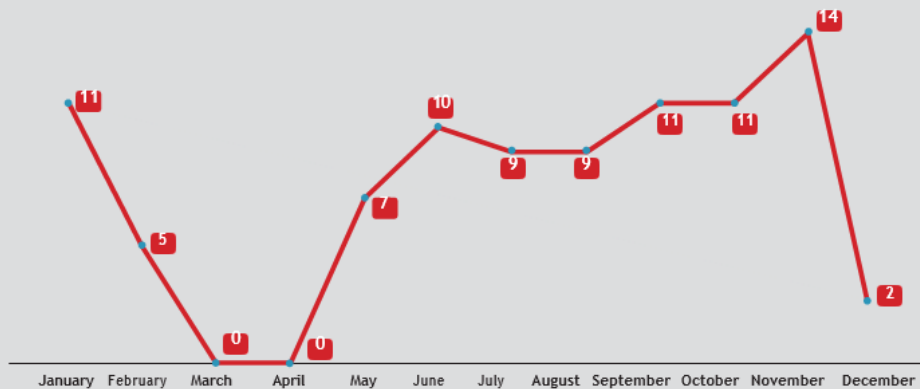
Throughout 2020, applications that are registered to the Constitutional Court are related to judicial review. However, even so, the application for judicial review registered by the Constitutional Court increased in 2020. In 2019, the Court registered 85 cases, while the cases registered in 2020 increased to 109 cases. This shows that the community's awareness of their constitutional rights remains high, despite the Covid-19 pandemic.

Graph 2.4
Recapitulation of Cases and Decisions of Judicial Review
(2003-2020)

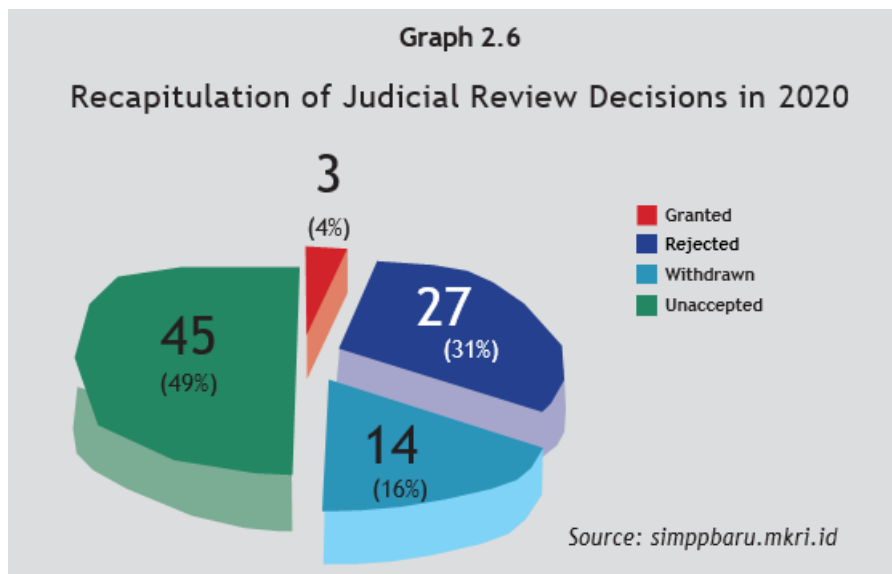


In 2020, the Constitutional Court has decided on 89 judicial review cases out of 109 registered cases, among which 30 cases are from the previous year. This means that the Court has completed as many as 64.02% of judicial review cases this year, while as many as 50 cases or 35.98% cases are still in the examination process.

Graph 2.5
Numbers of Judicial Review Decisions in 2020



Of the 89 decisions on judicial review cases, they can be detailed based on the verdicts: 3 cases are granted; 27 cases are rejected; 45 cases are unacceptable; 14 cases are withdrawn.



In terms of case settlement duration, the average duration required to settle a case in 2020, if calculated based on working days, is 82 working days or equivalent to 3.9 working months per case. The weekdays include all working days excluding national holidays, Saturdays, and Sundays. The case settlement duration in 2020 is faster than that in 2019 which took 93 working days or the equivalent of 4.4 months. Then in terms of calendar days, the average case settlement duration for 2020 is 122 calendar days or equivalent to 4.1 months. Calendar days are calculated by using the entire number of days, both weekdays, Saturdays - Sundays, and national holidays. Meanwhile, in 2019, the process of judicial review cases took 138 calendar days.

Frequency of Judicial Reviews

The number of judicial review cases conducted by the Constitutional Court increased in 2020. In 2019, 56 laws were reviewed. Meanwhile, in 2020, 61 laws were reviewed. Of the 61 reviewed laws, several laws have the highest frequency of review, namely Law No. 2 of 2020

concerning the enactment of Government Regulation in Lieu of Law No. 1 of 2020 concerning State Financial Policy and Financial System Stability for Managing the Corona Virus Disease 2019 (Covid-19) Pandemic and/or In Facing Threats That Endanger the National Economy and/or Financial System Stability to become Law (UU 2/2020) after 9 (nine) review sessions. The material review of Law No. 11 of 2020 concerning Job Creation was also reviewed 8 (eight) times throughout 2020. The following are the laws reviewed with the highest frequency



Constitutional Court Justices Plenary holds a virtual hearing.

in 2020.

Table 2.1

Frequency of Judicial Reviews

No.	Laws Reviewed	Review Frequency
1.	Material Review of Law No. 2 of 2020 concerning the Enactment of Government	9

	Regulation in Lieu of Law No. 1 of 2020 concerning State Financial Policy and Financial System Stability for Managing the Corona Virus Disease 2019 (Covid-19) Pandemic and/or In Facing Threats That Endanger the National Economy and/or Financial System Stability to become Law (UU 2/2020)	
2.	Material review of Law No. 11 of 2020 concerning Job Creation	8
3.	Law No. 10 of 2016 concerning the Second Amendment to Law No. 1 of 2015 concerning the Enactment of Government Regulations in Lieu of Law No. 1 of 2014 concerning the Election of Governors, Regents, and Mayors to become a Law	6
4.	Law No. 7 of 2020 concerning the Third Amendment to Law No. 24 of 2003 concerning the Constitutional Court	5
5.	Law No. 7 of 2017 concerning General Elections	5
6.	Law No. 3 of 2020 concerning Amendments to Law No. 4 Year 2009 concerning Minerals and Coal Mining	5
7.	Material review of Law No. 8 of 1981 about Criminal Law Procedural Code	4
8.	Material review of Government Regulations in Lieu of Laws No. 1 of 2020 concerning State	3

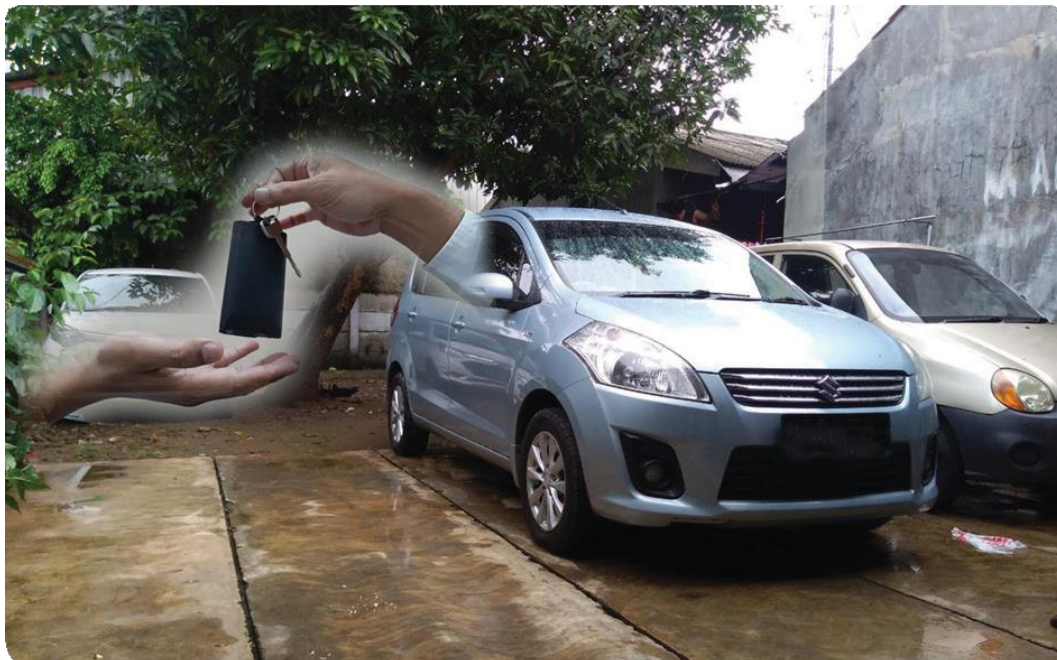
	Financial Policy and Financial System Stability for Managing the Corona Virus Disease 2019 (Covid-19) Pandemic and/or In Facing Threats That Endanger the National Economy and/or Financial System Stability	
9.	Material review of Law No. 22 of 2009 about Road Traffic and Transport	3
10.	Law No. 13 of 2003 concerning Manpower	2

B. Landmark Decision

As mentioned earlier, throughout 2020 the Court issued 87 decisions. The following is an overview of some phenomenal decisions (landmark decisions) throughout 2020.

Fiduciary Confiscation Must Be Conducted Through Court

In 2020, the Constitutional Court decided on 5 (five) judicial review cases on January 6, 2020. One of the decisions that received enough public attention was Decision No. 18/PUUXVII/ 2019 in the case of reviewing Law No. 42 of 1999 concerning Fiduciary (Fiduciary Law). The application was submitted by a husband and wife, Suri Agung Prabowo and Aprilliani Dewi.



Illustration

The materials requested to be reviewed were Article 15 section (2) and Article 15 section (3) of the Fiduciary Law. Article 15 section (2) of the Fiduciary Law states that "Fiduciary Certificates as referred to in section (1) have the same executive power as court decisions that have permanent legal force." Article 15 section (3) of the Fiduciary Law states, "If the debtor breaches the contract,



An expert presented by the Constitutional Court, Sutan Remy Sjahdeinis and experts presented by the Government, Aria Suyudi and Akhmad Budi Cahyono, each conveys their expertise in the trial of Fiduciary Law, Monday (13/5) in the Plenary Room of the Constitutional Court.

Fiduciary Recipient has the right to sell the object of the Fiduciary on his behalf."

The Petitioners suffer losses for the withdrawal or execution of the object of fiduciary (car) by the fiduciary recipient (the creditor) which is carried out arbitrarily without any legal procedures using debt collectors. Whereas the Applicant is actively paying installments or car loans which are the object of fiduciary.

According to the Petitioners, Article 15 section (2) and section (3) of the Fiduciary Law have given creditors exclusive rights to execute fiduciary objects that are equivalent with a court decision with permanent legal force, without a clear mechanism and procedure which is considered a "breach of contract". While the fiduciary giver (the debtor), is not given an equivalent legal mechanism to test its veracity.

The Court partially granted the petition. The Court states that Article 15 section (2) of the Fiduciary Law with the phrase "executive power" and the phrase "same as court decisions that have permanent legal force" are contrary to the 1945 Constitution and have no binding legal force as long as it is not interpreted "towards fiduciary where there is no agreement on breach of contract (default) and the debtor objects to voluntarily surrendering the fiduciary object, then all legal mechanisms and procedures in the execution of the Fiduciary Certificate must be carried out the same as the execution of court decisions which have permanent legal force".

The Court also stated that Article 15 section (3) of the Fiduciary Law with the phrase "breach of contract" is contrary to the 1945 Constitution and has no binding legal force as long as it is not interpreted that "the existence of a breach of contract is not determined unilaterally by the creditor but based on an agreement between the creditor and the debtor or based on legal remedies that determine that a breach of contract has occurred."



The Attorney for Case No. 18/PUU-XVII/2019 attends the hearing on the verdict of Fiduciary Law review (UUJF), Monday (6/1) in the Plenary Room of the Constitutional Court Building.

Then, the Explanation of Article 15 section (2) of the Fiduciary Law states that the phrase "executory power" is contrary to the 1945 Constitution and has no binding legal force as long as it is not interpreted as "towards fiduciary where there is no agreement on breach of contract (default) and the debtor objects to voluntarily surrendering the fiduciary object, then all legal mechanisms and procedures in the execution of the Fiduciary Certificate must be carried out the same as the execution of court decisions which have permanent legal force".

Regency/City Election Supervisory Committee to Become Election Supervisory Agency

Precisely on Wednesday, January 29, 2020, the Constitutional Court issued 6 judicial review decisions. Among them was Decision No. 48/PUU-XVII/2019 in the case of Judicial Review of Law No. 1 of 2015 concerning the Enactment of Government Regulation in Lieu of Law No. 1 of 2014 concerning the Election of Governors, Regents, and Mayors into Law as amended by Law No. 8 of 2015 concerning Amendments to Law No. 1 of 2015 concerning the Enactment of Government Regulations in Lieu of Law No. 1 of 2014 concerning the Election of Governors, Regents, and Mayors into Law as last amended by Law No. 10 of 2016 concerning the Second Amendment to Law No. 1 of 2015 concerning the Enactment of Government Regulations in Lieu of Law No. 1 of 2014 concerning the Election of Governors, Regents, and Mayors into Law (Pilkada Law) against the 1945 Constitution.



Election Supervisory Agency Building (Bawaslu).

The application for judicial review of the Pilkada Law was submitted by three commissioners from the Provincial, Regency, and City Elections Supervisory Agency (Bawaslu) namely Surya Efitrimen, Nursari, and Sulung Muna Rimbawan. Surya Efitrimen is the Head of the Bawaslu of West Sumatra Province. Nursari is the Head of Makassar City Bawaslu. Then, Sulung Muna Rimbawan is a member of the Ponorogo Regency Bawaslu.

A number of articles in Pilkada Law are reviewed by the Petitioners. Among them, Article 1 no. 17 and Article 23 section (3) of the Pilkada Law. Article 1 no. 17 of the Pilkada Law states, "Regency/City Election Supervisory Committee (*Panitia Pengawas Pemilihan Kabupaten/Kota - Panwas*), hereinafter referred to as Regency/City Panwas, is a committee formed by the Provincial Bawaslu in charge of supervising the implementation of the Election in the Regency/City area." Then, Article 23 section (3) of the Pilkada Law states,

"Provincial Bawaslu, Regency/City Panwas, and Sub-district Panwas each consists of 3 (three) persons."

The Petitioners state that the nomenclature of supervisory institutions in the Pilkada Law and the Electoral Law is different. The Pilkada Law places the position of the Regency/City Supervisory Committee (Panwas) as an ad hoc institution that can be dissolved at any time. Meanwhile, the Electoral Law No. 7 of 2017 places the Regency/City Election Supervisory Agency (Bawaslu) as a permanent institution that has a fixed term of office. The nomenclature of the Regency/City Supervisory Committee in the Pilkada Law must comply with the Electoral Law.



Veri Junaidi as the Petitioner's attorney delivers the main points of the petition for reviewing the Regional Head Election Law (UU Pilkada), Tuesday (17/9) in the Plenary Room of the Constitutional Court Building

As a result, the Court fully granted the petition. The phrase "Regency/City Election Supervisory Committee (Panwas)" must be interpreted as "Regency/City Election Supervisory Agency (Bawaslu)".

In Decision Number 48/PUUXVII/20, the Constitutional Court states that the phrase "Regency/City Panwas" in the articles of the Pilkada Law which is reviewed by the Petitioners is contrary to the 1945 Constitution and has no legal force to bind conditionally as long as it is not interpreted as "Regency/City



Commissioner of the General Elections Supervisory Agency of the Republic of Indonesia (Bawaslu RI) Fritz Edward Siregar gives a statement during the trial of the Regional Election Law, Tuesday (12/11) in the Plenary Room.

Bawaslu.” Then, the statement "each consists of 3 (three) persons” in Article 23 section (3) of the Pilkada Law is contrary to the 1945 Constitution which is legally binding as long as it is not interpreted the same as the number of members of the Provincial Bawaslu and Regency/City Bawaslu as referred to in the Election Law.

The Constitutional Court Removes Authority of Minister of Finance to Appoint Leaders of Tax Court

The Constitutional Court issued 6 decisions on 28 September 2020. One decision was partially granted by the Constitutional Court, namely Decision No. 10/PUU-XVIII/2020 in the case of judicial review of Law No. 14 of 2002

regarding the Tax Court (Tax Court Law) against the 1945 Constitution. This application was submitted by 3 justices of the tax court: Haposan Lumban Gaol, Triyono Martanto, and Redno Sri Rezeki.



The Petitioners argue the unconstitutionality of Article 5 section (2) and Article 8 section (2) of the Tax Court Law. In the petition, there are two main constitutional issues in question by the Petitioners. First, pertaining to counseling by the Ministry of Finance in Article 5 section (2) of the Tax Court Law. It should not be interpreted that the counseling of the Ministry of Finance includes proposing the Chief and Deputy Chief of the Tax Court. Second, the phrase "from the justices" and the phrase "proposed by the Minister" in Article 8 section (2) of the Tax Court Law must mean that the Chief and Deputy Chief of the Tax Court are elected from and by the justices and proposed by the tax court for one office term of five years.



Petitioners attending Judicial Review of Tax Court Law.

The Constitutional Court's legal considerations state that the Petitioners' argument is legally grounded, namely the argument regarding the phrase "from the justices" in Article 8 section (2) of the Tax Court Law which is contrary to the 1945 Constitution and has no binding legal force as long as it is not interpreted by the Chief and Deputy Chief is elected from and by the justices and proposed by the Tax Court for one office term of five years. Meanwhile, the argument of the Petitioners for the phrase "proposed by the Minister" is groundless according to law and the Constitutional Court interprets it as "proposed" by the minister.



Government giving statements on Judicial Review of Tax Court Law.

In Decision No. 10/PUUXVIII/2020, the Constitutional Court partially grants the petition. The Constitutional Court decides that Article 8 section (2) of the Tax Court Law which states, "The Chief and Deputy Chief are appointed by the President from the Justices and proposed by the Minister after obtaining an approval from the Chief Justice of the Supreme Court", is contrary to the 1945 Constitution and is not legally binding as long as it is not interpreted as "the Chief and Deputy Chief are appointed by the President who are elected from and by the justices who are subsequently proposed through the Minister with the approval of the Chief Justice of the Supreme Court for one office term of 5 (five) years.

C. Reinforcing and Consolidating Constitutional Court Procedural Law

Drawing near to the Simultaneous Regional Heads (Pilkada) Election 2020, the Constitutional Court revises and perfects the Constitutional Court Regulations (PMK). This is done by the Constitutional Court in preparation for managing Disputes over Regional Head Election Results cases (PHP Kada) in the Simultaneous Elections 2020. Moreover, this is still in times of the Covid-19 pandemic.



Judicial review cases held virtually.

Some of the revised Constitutional Court Regulation are:

1. Constitutional Court Regulation No. 1 of 2020 concerning the Trial of the Constitutional Court.
2. Constitutional Court Regulation No. 2 of 2020 concerning Stages, Activities and Schedule for Resolving Disputes over Governors, Regents, and Mayors Election Results.
3. Constitutional Court Regulation No. 4 of 2020 concerning Stages, Activities and Schedule for Resolving Disputes over Governors, Regents, and Mayors Election Results.
4. Set of Constitutional Court Regulation No. 5 and 4 of 2020 on Resolving Disputes over Governors, Regents, and Mayors Election Results.
5. Constitutional Court Regulation No. 6 of 2020 concerning Procedures for Resolving Disputes over Governors, Regents, and Mayors Election Results.
6. Constitutional Court Regulation No. 7 of 2020 concerning Stages, Activities, and Schedules for Resolving Disputes over Governors, Regents, and Mayors Election Results.
7. Constitutional Court Regulation No. 8 of 2020 concerning Amendments to Constitutional Court Regulation No. 7 of 2020 concerning Stages, Activities, and Schedules for Resolving Disputes over Governors, Regents, and Mayors Election Results.
8. Set of Constitutional Court Regulation Numbers 6, 7, and 8 of 2020 concerning Stages, Activities, and Schedules for Resolving Disputes over Governors, Regents, and Mayors Election Results.

- PERATURAN MK
- PERATURAN KETUA MAHKAMAH KONSTITUSI
- PERATURAN DAN KEPUTUSAN SEJEN



BERANDA > INFORMASI ADMINISTRASI > PERATURAN MAHKAMAH KONSTITUSI

PERATURAN MK



Peraturan MK

Peraturan Ketua Mahkamah
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TANYA JAWAB



DEWAN ETIK



HUBUNGI MK



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All Constitutional Court Regulations (PMK) and other regulations can be downloaded through the Constitutional Court's website

Constitution Court Regulation on Judicial Reviews

The enactment and ratification of Law No. 7 of 2020 concerning the Third Amendment of Law No. 24 of 2003 concerning the Constitutional Court (UU MK) imply a number of matters relating to jurisprudence and the development of legal practice in the Constitutional Court, especially regarding judicial review cases. On that basis, the Constitutional Court takes the initiative to adjust the changes by making changes to the Constitutional Court Regulation (PMK) No. 6 of 2005 concerning Proceedings in Judicial Review Cases. The changes are stipulated in the Constitutional Court Regulation No. 9 of 2020 concerning Procedures in Judicial Review Cases.

Changes made in Constitutional Court Regulation No. 9 of 2020 include application submissions (online/offline); number of applications; delivery of information from the litigants; registration of constitutional cases; the period for the delivery court summons; trial mechanism (online/offline); deliberative justice meeting mechanism; informant mechanism; decision description and mechanism; as well as decision pronouncing and submission mechanism.

D. Administrative Technical Support for Trials

In carrying out its functions and authority, the Constitutional Court is supported by the Registrar and General Secretariat of the Constitutional Court. This is as stated in the Constitutional Court Law. The provisions of the law are further regulated in Presidential Regulation No. 65 of 2017 concerning the Second Amendment based on Presidential Regulation No. 49 of 2012 concerning the Registrar and General Secretariat of the Constitutional Court (Perpres 65/2017). Article 2 of Presidential Regulation 65/2017 states that the Registrar carries out the administrative technical duties of the Constitutional Court's trials. Meanwhile, the General Secretariat carries out the administrative technical duties of the Constitutional Court. This is as regulated in Article 11 of Presidential Regulation 65/2017.

Technical supports from the Registrar and the General Secretariat of the Constitutional Court also ensure the smooth implementation of the authority of the Constitutional Court. Behind every Constitutional Court's decision, the Registrar's Work Unit provides judicial administrative technical support through coordinating trial technicalities; fostering and implementing case administration, and fostering technical services for judicial activities. All services and stages related to case management are stated in Article 8 of Constitutional Court Regulation No. 9 of 2020. The stages are: (a) Submitting the Petitioner's Application; (b) Checking the Petitioner's Application; (c) AKBP notification accompanied by DHPKP2; (d) Completing and revising the Petitioner's Application; (e) Registering the Petitioner's Application in the e-BRPK; (f) Submitting Application Copies; (g) Submitting Application as Related Parties; (h) Notifying the trial to the parties; Preliminary examination; (i) Preliminary Examination; (j) Trial Examination; (k) Justice Consultative Meeting; (l) Pronouncing the Decisions, and (m) Submitting a copy of the decision.

As previously stated, throughout 2020, the Constitutional Court made 89 decisions. This number comes from as many as 109 cases registered in 2020 and 30 cases from the previous year which were still under examination. Of these cases, the Constitutional Court held as many as 834 trial activities consisting of Justice Consultative Meetings (RPH), Panel Sessions, and Plenary Sessions. The Justice Consultative Meetings were held 281 times. Panel Sessions were conducted 225 times consisting of 117 Preliminary Examinations and 108 Petition Correction sessions. Along with that, 328 Plenary Sessions were also held, with the details of 239 Examination Trials and 89 Pronunciation/Decision Trials.

Recapitulation comparison of Panel Session, Plenary Session, and Justice Consultative Meetings in 2020 and 2019 can be illustrated through the diagram below.

Judicial administrative technical support carried out by the Court's Registrar includes the activities of delivering letters to the parties, such as a copy of the Application; improvement of the Application; summons; and a copy of the Decision. The recapitulation of summon letters can be seen in Table 2.2.

Table 2.2
Recapitulation of Summon Letters in 2020

No.	Month	Deliveries									
		Application Copy		Application Improvement		Court Summon		Decision Copy		Decree Copy	
		Case	Destination	Case	Destination	Case	Destination	Case	Destination	Case	Destination
1.	January	10	60	4	2	30	170	10	60	1	6
2.	February	2	12	7	52	31	296	5	31	-	
3.	March	2	14	2	12	21	200	-		-	
4.	April	3	18	-		6	6	-		-	
5.	May	14	86	-		21	35	6	46	1	7
6.	June	18	115	1	7	53	230	9	51	1	6
7.	July	17	103	13	93	50	242	7	36	2	14
8.	August	4	27	9	52	47	294	6	24	3	21
9.	September	9	58	10	64	50	318	9	78	2	16
10.	October	16	103	11	72	37	232	11	93	-	
11.	November	13	79	11	67	52	228	10	93	4	35
12.	December	-	-	1	7	20	80	2	14	-	-



IMPROVING THE UNDERSTANDING OF CITIZEN'S CONSTITUTIONAL RIGHTS



A. Understanding *Pancasila* and the Constitution for All

B. Research and Assessment

C. Development of Information and Communication Technology Management of the
Constitutional Court

D. Dissemination of Constitutional Information during the Pandemic

Constitutional Court Annual Report 2020

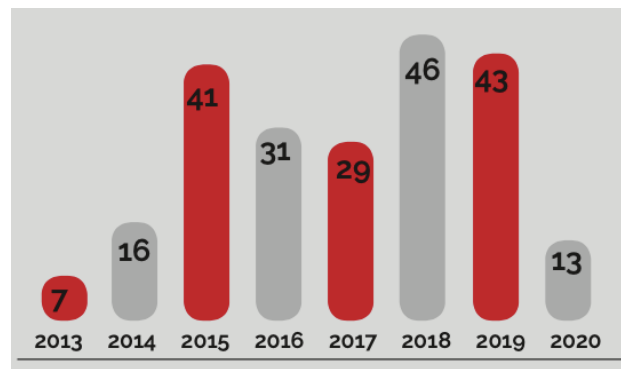
Aside from carrying out its function as The Guardian of the Constitution, Constitutional Court also serves as The Guardian of Ideology. Therefore, Constitutional Court plays an important role in the effort to strengthen Pancasila both as staatsfundamentalnorm and “the souls” of the 1945 Constitution of the Republic of Indonesia. This is in line with the mission to “Improve the understanding of the Community about the Constitutional Rights of the Citizens”.

Through this mission, the Constitutional Court also plays a role in improving the ability of the community to fight for constitutional rights wisely following applicable legal rules. In this context, the role of the Constitutional Court as a guardian of the state ideology is manifested through the implementation of activities to improve the understanding of the constitutional rights of citizens.

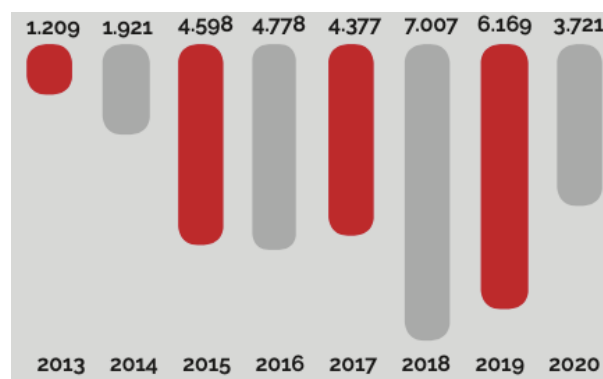
A. Understanding Pancasila and the Constitution for All

From 2013 – 2020, the Constitutional Court has been organizing 226 activities on Improving the Understanding of the Constitutional Rights of The Citizens and Procedural Laws of the Constitutional Court continuously. Within 8 years, the number of individuals participating in such activities organized by the Constitutional Court has reached 33.780 participants, with an annual average number of 4.233 participants.

In total, the Constitutional Court organized 13 series of activities in 2020. The number of the activity is lower compared to the activities conducted in the previous year. In 2018, the Constitutional Court organized almost 48 activities, whilst in 2019, 43 activities were successfully organized. The decreased number of activities is one of the effects of the COVID-19 Pandemic that has occurred since March 2020, resulting in the budget cuts to handle the pandemic. Therefore, some activities are canceled. This decrease is described in the following graphic of the development of the number of activities as well as the graphic of the development of the participants from 2013 – 2020 (Graphic 3.1 and 3.2).



Graphic 3.1 The Development of the Increased Number of the Activities on Understanding Constitutional Rights of the Citizens and Procedural Laws of Constitutional Court from 2013 - 2020



Graphic 3.2 The Development of the Participants in the occasion of Understanding Constitutional Rights of the Citizens and Procedural Laws of Constitutional Court from 2013 - 2020

The Constitutional Court conducted a survey of the public satisfaction index on the implementation of education for the first semester of 2020. There are 10 assessed aspects in the survey, they are the quality of the educational material, the quality of the educational methods, the material suitability, the punctuality of the education, the quality of the sources, the quality of the moderators, the quality of the administrative services given by the committee, the quality of the facilities and infrastructure, the quality of the banquet provided, and the quality of the safety and comfort of the educational environment. The survey uses a quantitative method with an ordinal scale of 1-4, scale 1 shows “poor” measurement, while scale 4 shows “very good” measurement.

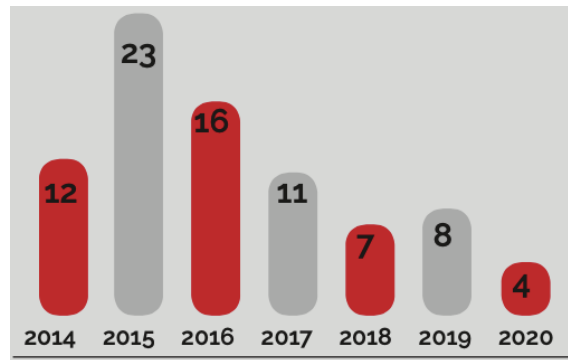
There are 438 respondents participants in the first semester of 2020, 293 respondents are males and 145 respondents are females from various educational backgrounds. The survey results show that the average score earned from the participant in 2020 (the first semester is 3,47 (very good). Compared to the survey conducted in 2019, the average score gained in 2019 was 3,37 (good). The latest survey score shows that there has been a significant improvement in public satisfaction and the results gained from the suggestions and the critiques from the participants in the previous year have been followed up accordingly by the Constitutional Court. From the total of 10 aspects surveyed, there are 2 aspects taken as a note to be improved, namely the suitability of the educational materials and the banquet service categorized as “good”. Meanwhile, the other 8 aspects are categorized as “very good”.

1. Improving the Understanding of Citizen’s Constitutional Rights

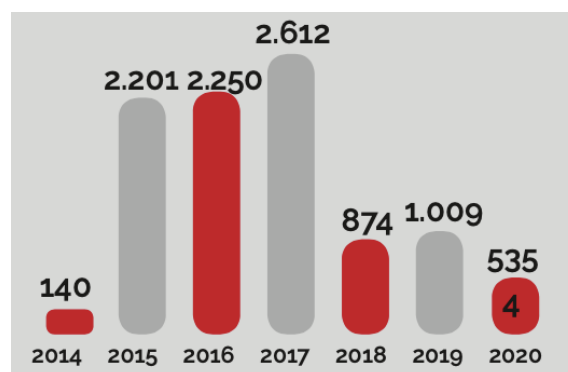
In order to implement its vision and mission, the Constitutional Court regularly organizes activities to Improve the understanding of the Constitutional Rights of the Citizens. Until 2020, there have been 81 activities organized by the Constitutional Court.

It has been recorded that 9.621 participants involved in the occasion of Improving the Understanding of Constitutional Rights of the Citizens since 2014 – 2020 and they are coming from all regions in Indonesia. The numbers of participants are shown in Diagram 3.3.

The occasion of Improving the Understanding of Constitutional Rights of the Citizens in 2020 consisted of 3 main activities, namely: Education to Improve the Understanding of Constitutional Rights of the Citizens; Virtual Constitution Halaqah; Socialization on 4 Pillars of the People’s Consultative Assembly of the Republic of Indonesia and Improving the Understanding of Constitutional Rights of the Citizens. This year, there are 4 activities conducted by the Constitutional Court, with a total of 535 participants as shown in graphic 3.4.



Graphic 3.3 The Development of the Number of Activities in Improving the Understanding of Citizens' Constitutional Rights from 2014 - 2020



Graphic 3.4 The Development of the Number of Participants Improving the Understanding of Citizens' Constitutional Rights from 2014 - 2020

1) Education to Increase the Understanding of Citizens' Constitutional Rights

Followings are the objectives of the implementation of Education to Increase the Understanding of Citizens' Constitutional Rights: (1) Increase the understanding, awareness, and obedience of the participants towards Pancasila and constitutional; (2) Increase the understanding and equalize perceptions about the Constitution and Constitutional Court Procedural Law as well as constitutional issues; (3) Provide various aspects of information about Constitutional Court as one of the parties of judicial power according to the 1945 Constitution of the Republic of Indonesia, including the latest developments in the implementation of the Constitutional Court; and (4) Increase the understanding and awareness of the participants towards patriotism and national insights.

This activity was particularly carried out in February – March 2020 when the implementation of Large-Scale Social Restrictions (*PSBB*) had not been implemented by the Government with regards to the efforts to handle the COVID-19 Pandemic. As a result, the activity was conducted through a physical meeting or offline. The number of participants in the Education to Increase The Understanding of Citizens' Constitutional Rights Program 2020 was 201 participants and consisted of 2 activities. The activity was conducted to target a group of *Forum Komunikasi Musyawarah Guru Mata Pelajaran (MGMP)* in the Citizenship subject for Senior High School level in the province of West Java and Indonesian Architect Association.

Table 3.1
The Number of Participants on Education to Improve Understanding of
Constitutional Rights Program

No	Activities	Number of Participants
1.	Improving the Understanding of Citizens' Constitutional Rights for the Communication Forum for MGMP in the Citizenship in West Java Province	125
2.	Improving the Understanding of Citizens' Constitutional Rights for the Indonesian Architects Association	76
3.	Virtual Constitution Halaqah	118
4.	Socialization of the 4 Pillars of the People's Consultative Assembly of the Republic of Indonesia and Increasing Understanding of Citizens' Constitutional Rights for Islamic	216

	Women's Organizations	
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The Deputy of the Constitutional Court of the Republic of Indonesia awarded a certificate to the representative of the participants in the closing ceremony of Improving the Understanding of Citizens' Constitutional Rights for the Indonesian Architects Association

2) Virtual Halaqah Constitution

Halaqah Constitution is one of the means to improve understanding of Pancasila and the Constitution to achieve the vision and mission of the Constitutional Court. The Constitutional Halaqah is organized as an effort to build religious Indonesian society and be aware of the constitution.

Unlike the previous years where the event was regularly conducted in mosques or Islamic boarding schools in many different regions in Indonesia. In 2020, Halaqoh Constitution was organized virtually through Zoom and Youtube platforms due to the policy on Large-Scale Social Restrictions (PSBB) from the Government and the budget constraints. The participants of the event were the general public coming from different backgrounds, occupations and origins.

The implementation of the Constitutional Halaqah on “The Relationships between Religions and the State According to the 1945 Constitution of the Republic of Indonesia” was followed by 118 participants through Zoom and Youtube Platforms.

3) Socialization of the 4 Pillars of the People's Consultative Assembly of the Republic of Indonesia and Increasing Understanding of Citizens' Constitutional Rights

The suitability of the Constitutional Court's mission in Increasing the Understanding of Citizens' Constitutional Rights with the tasks of the People's Consultative Assembly (MPR) as stated in Article 5 letter b of Law Number 17 of 2014 concerning the People's Consultative Assembly of the Republic of Indonesia, the House of Representatives of the Republic of Indonesia, the House of Regional Representatives of the Republic of Indonesia, and the Legislative Council as how it has been changed with the Law Number 13 of 2019 about the Third Change of the Law Number 17 of 2014 on the People's Consultative Assembly of the Republic of Indonesia, the House of Representatives of the Republic of Indonesia, the House of Regional Representatives of the Republic of Indonesia, and the Legislative Council to promote *Pancasila*, The 1945 Constitution of the Republic of Indonesia, the Unitary State of the Republic of Indonesia, and *Bhinneka Tunggal Ika* to be the foundation of the Constitutional Court to invite the People's Consultative Assembly of the Republic of Indonesia in organizing the Socialization of the 4 Pillars of the People's Consultative Assembly of the Republic of Indonesia and Increasing Understanding of Citizens' Constitutional Rights. Such cooperation has also been conducted as one of the innovative forms in the middle of budget constraints due to the refocusing and reallocation of the state budget in accelerating the managing COVID-19.

The group target of this event is the combination between two Islamic women's organizations namely *Muslimat Nahdlatul Ulama* and *Wanita Syarikat Islam* with 216 participants in total that consisted of 45 participants attended the event in an offline setting at *Pusat Pendidikan Pancasila dan Konstitusi*, whilst



The Opening of 4 Pillars Socialization of People Consultative Assembly and Increasing the Understanding of Citizens' Constitutional Rights for Women Islamic Organizations Attended by YM as a Chairman of the Constitutional Court, Deputy of People Consultative Assembly, General Chairperson of Head of the Women's Center of the Islamic Society, Chair IV of Muslimat NU and Secretary General of Constitutional Court

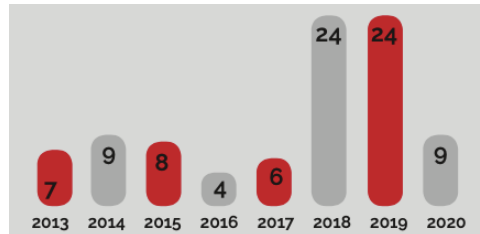
171 participants attended the event virtually (online) by using Zoom Meeting platform. The curriculum and materials in this event are the combinations between the curriculum in 4 Pillars of the People's Consultative Assembly of the Republic of Indonesia and the curriculum of Improving the Understanding of Citizens' Constitutional Rights.

2. Technical Training (Bimtek) on Constitutional Court Procedural Law

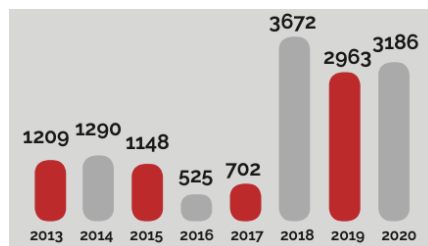
The Constitutional Court of the Republic of Indonesia organizes *Training* as an effort to improve the knowledge and understanding of the Indonesian citizens regarding the Constitutional Court Procedural Law, including the abilities and skills in composing requests, submitting the responses from the respondents, submitting the information of the related parties, conveying information from other parties in constitutional cases as well as the ability to utilize the information system for resolving constitutional cases provided. During 2013 – 2020, the Constitutional Court of the Republic of Indonesia has arranged 91 *Training* to involve 14.696 participants in total.

The following graphics show the development of the number of implemented *Training* and the development of the participants since 2013 – 2020:

In 2020, the Constitutional Court successfully organized 9 *Training* consisting of 1 activity of the Legal Bimtek of Legal Testing and 8 *Training* of Procedural Law for Resolving Disputes over the Results of the 2020 Regional Head Election, as can be seen in the following table:



Graphic 3.5 The Development of the Number of Constitutional Court Procedural Law in 2013 – 2020.



Graphic 3.5 The Development of the Number of Participants of Training on Constitutional Court Procedural Law in 2013 – 2020.

1) **Legal Training for Judicial Review Procedural Law (*Bimtek*)**

The high demand for justice seekers, particularly in the field of advocates to obtain education regarding judicial review procedures from previous years has prompted the Constitutional Court to hold training at the beginning of the year. However, due to budget constraints, the Legal Training for Judicial Review Procedural Law was only carried out once in March, right before the PSBB was implemented by the Government.

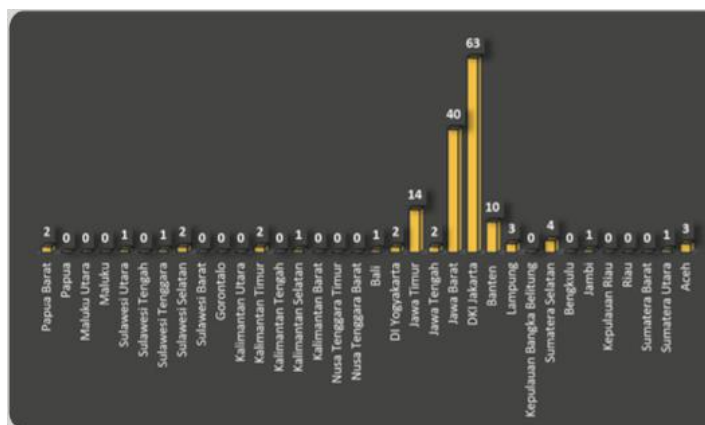
The implementation of this training for advocates formed in *Perhimpunan Advokat Indonesia (Peradil)* was successfully joined by 153 participants spread from many different regions in Indonesia. This training was conducted in an offline setting at Pancasila and the Constitution Education Center (*Pusat*

Pendidikan Pancasila dan Konstitusi). The activity was organized by using sharing funding system, where the Constitutional Court of the Republic of Indonesia borne the program fee of the activity, materials, and invited speakers in the event. Whilst *Peradil* bore the meals, transportation, and accommodation costs of the participants.

Table 3.2
The number of Trainees in 2020

No	Activities	Number of Participants
1	Technical Training on Procedural Law on Judicial Review for Peradi	153
2	Technical Training on Procedural Law for Resolving Disputes over Results of the 2020 Election of Governors, Regents, and Mayors for the General Election Commission	269
3	Technical Training on Procedural Law for Resolving Disputes over the Results of the 2020 Election of Governors, Regents, and Mayors for the General Election Supervisory Agency	399
4	Technical Training on Procedural Law for Resolving Disputes on the Results of the 2020 Election of Governors, Regents, and Mayors for Political Parties	399
5	Technical Training on Procedural Law for Resolving Disputes on the Results of the 2020 Election of Governors, Regents, and Mayors for the Constitutional Lawyers Forum	366
6	Technical Training on Procedural Law for	400

	Resolving Disputes on the Results of the 2020 Election of Governors, Regents, and Mayors for the Indonesian Advocates Association	
7	Technical Training on Procedural Law for Resolving Disputes over the Results of the 2020 Election of Governors, Regents, and Mayors for the Indonesian Advocates Congress Leader Siti Jamaliah Lubis	400
8	Technical Training on Procedural Law for Resolving Disputes on the Results of the 2020 Election of Governors, Regents, and Mayors for the Indonesian Advocates Congress led by Tjoetjoe S. Hernanto	400
9	Technical Training on Procedural Law for Resolving Disputes over the Results of the Governor Election, Regents and Mayors in 2020 for Candidates for Regional Heads	400



Graphic 3. 6 The Number of Participants Distribution of Legal Training for Judicial Review in 2020

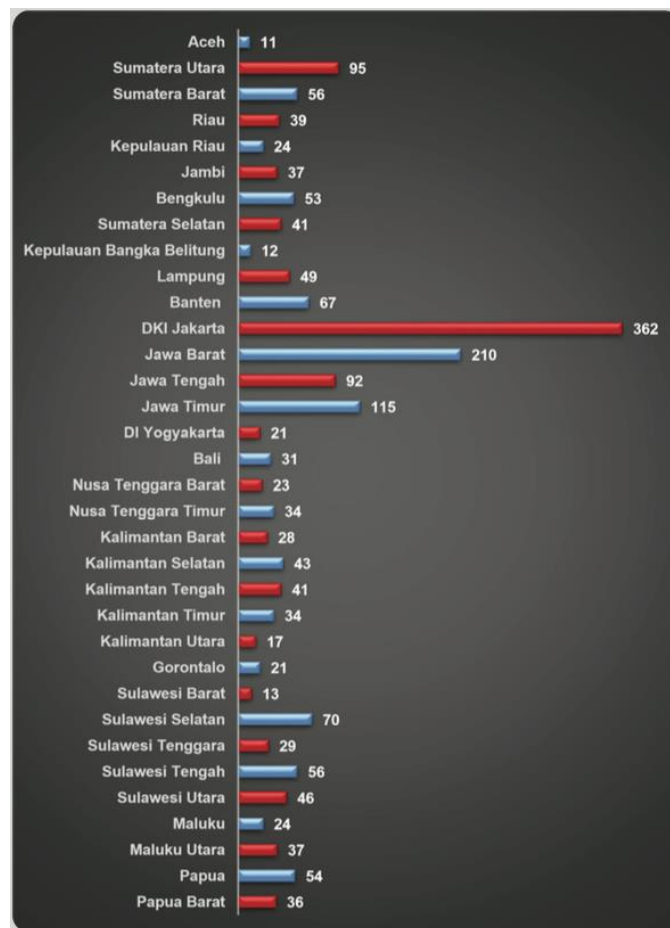
2) Technical Training (*Bimtek*) on Procedural Law for Resolving Disputes on the Results of the 2020 Election of Governors, Regents, and Mayors

The simultaneous election of Governors, Regents, and Mayors in 2020 which became the national agenda was organized on December 9th, 2020. The election served as the last gate in the implementation of the democratic party in Indonesia. On this occasion, the Constitutional Court participated in preparing itself to create necessary changes on the procedural laws related to the resolving of Disputes over the results of the Regional Head Election. The emergence of the COVID-19 Pandemic did not distract the commitment of the Constitutional Court to constantly disseminate and socialize the latest changes of the Constitutional Court's procedural laws to the relevant stakeholders through the occasion of Training.

The training on Disputes over Regional Head Elections was organized offline and online in October – December. The participants were the General Elections Commission, Election Supervisory Agency, Political Parties, Constitutional Lawyers Forum, The Association of Indonesian Advocates, and the candidates of the Regional Head Election 2020. In total, there have been 8 sessions of training conducted by the Constitutional Court and it is considered the highest number of activities organized this year involving 3.033 participants spread from many different regions in Indonesia which organized the Regional Head Election 2020.

B. Research and Assessment

The Constitutional Court carries out its duties and authorities with the supports of the Registrar and the Secretariat General. The supports gained from the Secretariat General to the Constitutional Judges are also carried out by granting researches, assessments, case studies; preparing the concept of the legal opinion; composing and developing scientific papers, managing regular scientific publication; composing the academic draft regulation; managing the library and history of the constitution; and lastly, the implementation of central administration. All of the aforementioned main tasks and functions have been carried out by the Center for Research and Case Studies, and Library Management (P4). Followings are the organized activities by the Center in 2020.



Graphic 3. 7 The Numbers of Participants in Training on Procedural Law for Resolving Disputes on the Results of the 2020 Election of Governors, Regents and Mayors



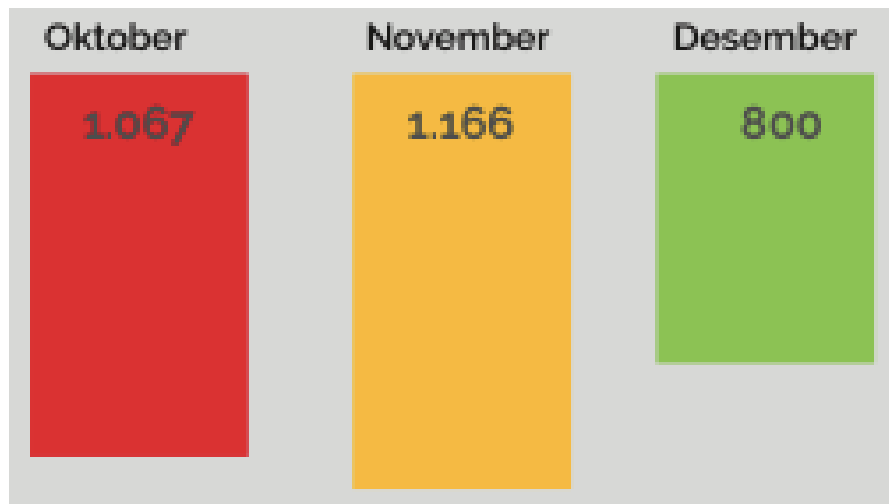
The Participants of Offline Training applying strict health protocols in attending Procedural Law for Resolving Disputes on the Results of the 2020 Election of Governors, Regents and Mayors from the General Elections Commission of the Republic of Indonesia in Pusat Pendidikan Pancasila dan Konstitusi.



Training's Participants are Divided into 8 Classes in the Practice Session for Compiling Bawaslu Information on Technical Training Activities for the Resolving of Disputes on the Results of the 2020 Election of Governors, Regents and Mayors for the General Elections Supervisory Agency.



The Constitutional Court Chief Justice, the Secretariat General, and the Management of Political Parties attend the Opening Ceremony of the Technical Training (Training) on Procedural Law for Resolving Disputes on the Results of the 2020 Election of Governors, Regents, and Mayors for Political Parties.



Graphic 3.8 The Number of Participants of Training on Procedural Laws for Governors, Regents and Mayor 2020 in October - December

1. Research

The main tasks of the Constitutional Court Researchers are different from the researchers in other institutions or agencies. Since the researchers at the Constitutional Court are mostly concerned about the process of resolving constitutional cases. In 2020, the Constitutional Court organized 2 (two) types of legal and constitutional research activities, namely Collaborative Research and Internal Research.

A. Collaborative Research

Each year, the Constitutional Court conducts a collaboration with Indonesian universities in organizing the competitive research of laws and constitutions in 2020. The conducted Collaborative Research with the Faculty of Law, Universitas Padjajaran Bandung entitled “*Pengujian Formil Undang-Undang Oleh MK: Urgensi Dan Batu Uji*” by the research team consisting of Prof. Susi Dwi Harijanti, S.H., LL.M., Ph.D.; Lailani, S.H., M.H.; dan Wicaksana Dramanda, S.H., M.H

B. Internal Research

In addition to the research conducted in collaboration with universities, the researchers of the Constitutional Court also conduct numbers of research in 2020 regarding the Decision of the Constitutional Court or the Constitution. There have been 11 research in total conducted by 24 researchers. Followings are the research titles; *“Komparasi Model Penanganan Pemilu/Pilkada Antar Panel di MK”*; *“Pemetaan Putusan MK dalam Pengujian Undang-Undang yang Berkaitan dengan Keuangan Negara”*; *“Kerangka dan Batasan Uji Formil Berdasarkan Undang-Undang Dasar 1945”*; *“Legal Standing Pemohon Dalam Pengujian Undang-Undang”*; *“Implementasi Putusan MK Dalam Perkara Pemberantasan Korupsi”*; *“Perlindungan Hak-Hak Konstitusional Masyarakat Pesisir Pantai Pasca Putusan MK Nomor 3/PUU-VIII/2010”*; *“Pengungkapan Kebenaran dan Rekonsiliasi Pasca Putusan MK Nomor 006/PUU-IV/2006: Eksistensi Komisi Kebenaran dan Rekonsiliasi Aceh”*; *“Tanggung Jawab Negara terkait Hak atas Pangan dalam Implementasi Putusan MK Nomor 36/PUU-XIV/2016”*; *“Putusan MK Terkait Perkawinan dan Konsistensi Politik Hukum Perkawinan di Indonesia”*; *“Implementasi Putusan MK Dalam Hukum Acara Pidana”*; and *“Konstitusionalitas Kewenangan Badan Anggaran Dewan Perwakilan Rakyat (DPR) Dalam Penyusunan Anggaran Pendapatan Belanja Negara (APBN) dan Anggaran Pendapatan Belanja Negara- Perubahan (APBN-P) Pasca Putusan MK Nomor 13/PUU-XI/2013”*.

2. Focus Group Discussion

The Constitutional Court does not only carry out research and case studies, but also organizes Focus Group Discussion (FGD) attended by the staff members of the Constitutional Court, academics, and others. FGD is an annual activity of the Constitutional Court aiming to explore the latest themes requiring a deeper and comprehensive study. The participants who have attended the FGD will have a level of understanding of the discourse around the contemporary issues in the field of law and constitution. In addition to attending the FGD, the participants

can easily study the latest constitutional law discourse. The FGD session does not only involve the participation of its participants but also the experts and academics to collaboratively and comprehensively study a topic.

To support the Constitutional Court, the FGD session was conducted in two different stages in 2020, they are Internal and External FGD sessions covering:

- a. Focus Group Discussion (FGD) on “the Dilemma of Government Regulation for Covid-19”. The FGD was conducted on 17 April 2020 virtually through the Zoom platform inviting Jimly Asshiddiqie as the speaker of the session and attended by all of the staff members of the Constitutional Court.



FGD on the urgency of constitutional complaint conducted on 16 – 17 November 2020.



The Constitutional Court chief justice and the Secretariat General of the Constitutional Court along with the invited speakers in the occasion of FGD on Constitutional Complaint on 16 – 17 November 2020

b. Focus Group Discussion (FGD) on “The Urgency of Constitutional Complaint to Advance and Protect the Constitutional Rights of Indonesian Citizens” was successfully organized on 16 – 17 November 2020 virtually by using Zoom Meeting Platform inviting some speakers and respondents. The participants of the FGD session consisted of the internal parties of the Constitutional Court, Academics, the Representatives of the State Institutions and Agencies, the Representative of the Management of the Association for State Administrative Law and Administrative Law Lecturers, the Representatives of the Administrator of the Constitutional Court's Procedural Law Lecturer Association, Laws Study Centres, and Non-Governmental Organization Partners,

3. Workshops

To improve the development and academic culture particularly in managing and publishing the scientific papers of the researchers and the management of journals and Constitutional Review in the Constitutional Court, *Pusat Penelitian dan Pengkajian Perkara dan Pengelolaan Perpustakaan* has organized “*Workshop Penulisan Artikel Ilmiah Internasional dan Pengelolaan Jurnal Constitutional Review Menuju Terindeks Scopus*”. The series of the events consisted of International Scientific Article Writing Workshop on 20 – 21

February 2020 and the Workshop on Constitutional Review-Journal Management Towards Scopus Index organized on 22 February 2020. Followings are the invited speakers of the agenda: Prof. Dr. Saldi Isra, S.H., M.H.; Prof. Dr. M. Guntur Hamzah, S.H., M.H.; Prof. Hikmahanto Juwana, S.H., LL.M., Ph.D.; Dhiana Puspitawati, S.H., LL.M., Ph.D.; Prof. Andri G Wibisana, S.H., LL.M., Ph.D.; serta Dr. Sadjuga, M. Sc.

In the Workshop of Constitutional Review-Journal Management Towards Scopus Index, an internal discussion related to the preparation of the journal Constitutional Review to be a Scopus-indexed journal. The participants of the International Scientific Article Writing Workshop consisted of 45 participants from the Structural Officer in the work unit of the Centre for Research and Case Studies, and Library Management, Researchers, Substitute Registrars, and also journal managers. Meanwhile, the participants joining the Workshop of Constitutional Review-Journal Management Towards Scopus Index are 5 administrators of Journal Constitutional Review, Head of Center for Research and Study of Cases and Library Management, Head of Research and Case Studies, Head of Sub-Division of Administration, and 2 (two) General Administrators.

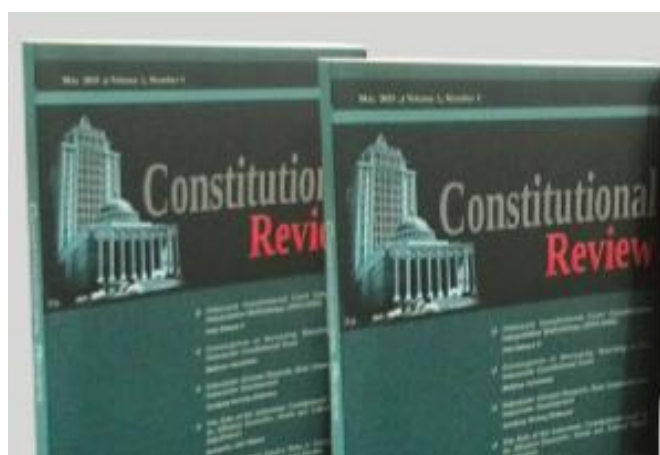
4. Constitutional Journals

In 2020, Constitutional Journals were published in March, June, September, and December with each edition contained 10 different articles. The Constitutional Journals has been accredited by the Ministry of Research, Technology and Higher Education (Risetdikti) No. 21/E/KPT/2018 achieving “Accredited Rank 2” (SINTA2/Q2). As in 2020, the publication of the Constitution Journals is limited and published on the Constitutional Court’s website.

5. Constitutional Review



In 2020, Constitutional Review was published in May and December. The journal is available in English and is projected to be an international journal focusing on constitutional issues from a global perspective. The journal contains the research results, conceptual studies, and comparative studies of the world constitution as well as indexed on Google Scholars to Scopus. Furthermore, the Constitutional Review is expected to serve as the discussion forum for academics, lecturers of law study, justices, and practitioners. In 2020, the publication of Constitutional Review is also limited and published online on the Constitutional Court's website (www.mkri.id).





**The development design of the
Constitutional Court's Library**

6. ICT-Based Library

The initial idea of organizing the Constitutional Court's Library was to prove that every decision made by the Constitutional Court is an accountable decision academically and fulfills a sense of justice. Therefore, the existence of the library is considerably able to provide quality references affecting the legal consideration of the decision-makers. The use of ICT in the operation of the library has been implemented through the library information system built back in 2006. The Constitutional Court's Library is a special library collecting the laws' references and constitutions, also other references related to the laws, social and politics.

To create a library that can support the constitutional judges as well as provide wide access for the community members who care about laws and constitutions, the development of Library ICT is conducted with the effort of developing a digital library.

In 2018, the Constitutional Court and the National Library signed a Memorandum of Understanding to realize a modern, advanced, and provide fast, appropriate Library and joined in IOS (Indonesia One Search) or joined catalog developed by the National Library, such efforts have been conducted as a part of the information service development for the society. To start the merging of the Constitutional Court's Library into Indonesia One Search, the technology of the Constitutional Court's Library has been developed by adopting INLISLite, an automatic library application built and developed by the National Library of the Republic of Indonesia since 2019.

The use of INLISLite in the Constitutional Court's Library involves the incumbents in the field of Service and Information, Information technology of National Library, and Information Technology Centre of the Constitutional Court. During the COVID-19 Pandemic, the Constitutional Court constantly organizes

coordination meetings with the National Library. It is expected that with this collaboration, Constitutional Justices, Registrars, and researchers as the main users will obtain fast and accurate services, as well as the public members, can access the information in the Constitutional Court's Library.



6. The Development of Digital Constitutional Court's Library.

After the MoU signing between the Constitutional Court and the National Library as well as the adoption of INLISLite application, then, the redesign and spatial planning, and Library Technology have been started since 2019. In the latest design, there is an arrangement of a 4m x 8m digital reading corner equipped with sofas, tables, and iPod to access digital collections of the Library.

The continuation of the development of the digital library is planned in 2020 by proceeding with the development of the spatial planning and the library

technology in the 8th floor of the Constitutional Court Main Building. However, due to the COVID-19 Pandemic, the development and spatial planning of the Library have been postponed.

7. Library Socialization Collaboration

One of the annual activities carried out by the Constitutional Court is participating in exhibitions. This effort has been conducted as a form of information dissemination to improve the understanding of the authority and the functions of the Constitutional Court. In addition, the roles of the Constitutional Court in an exhibition has been reflected as a form to socialize various services from the Library and legal information provided in the Constitutional Court's Library, as well as the medium, to introduce the information on the history of the constitution and introduce fast and modern services of the Constitutional Court to the Society transparently and accountably. In 2020, the constitutional court has planned to participate in 5 exhibitions, however, due to the COVID-19 Pandemic, the Constitutional Court only participated in one exhibition in 2020.

During the COVID-19 Pandemic, the Constitutional Court has organized an exhibition whose collaboration was carried out by the Supreme Court of the Republic of Indonesia. Through this activity, the information about the Constitutional Court's Library and the History of the Constitution, various information related to the trial mechanism, litigation, procedural law, and the development of the case being examined, are presented in large and interactive media monitors. For the visitors who wish to gain more information, the organizing committee has provided consultants for more information. This exhibition has been a part of the activities of the Annual Report of the Constitutional Court of the Republic of Indonesia, organized in JCC on 25 – 26 February 2020, in collaboration with the Supreme Court of the Republic of Indonesia.

Furthermore, the officers in charge to oversee this exhibition consisted of librarians, researchers, archivists, court officials, computer administrators, assisted by the general department and coordinated and supervised by the Head of the Centre for Research, Case Studies, and Libraries.

Table 3.3
Visitors Data Over the Years

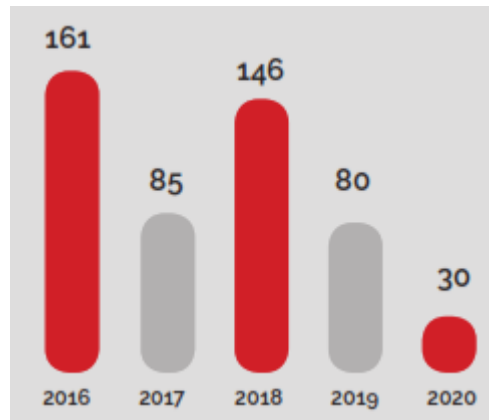
No	Exhibition	Total Visitors			
		2017	2018	2019	2020
1	Constitutional Court Exhibition	870	767	850	1365
2	Department of Law and Human Rights Exhibition	855	916	716	-
3	People Consultative Assembly Exhibition	1809	-	758	-
4	Anti-Corruption Exhibition	639	548	590	-

8. A Visit to the History Centre of the Constitution and the Constitutional Court

The Constitutional Court with its main function of the judiciary also provides opportunities to all of the members of society to have a visit to the Constitutional Court building and the facilities provided in the session of Tour of the Court. Therefore, the Constitutional Court provides such service through the visit application and visit management, visit reception, and the day of the visit.

The visit is managed by the related centers with regards to the materials presented during the visit and discussion about the constitution and the Constitutional Court (the researchers) as well as the visit to the History Centre of

the Constitution and the Constitutional Court (the librarian). Due to the emergence of the COVID-19 Pandemic in 2020, the visit has decreased. It has been recorded that only 30 visits from the Senior High School and university students both from Indonesian and international universities.



Graphic 3.10
Visitation to Constitutional Court (2018-
2020

9. Constitutional Court Anniversary Book Launch

On its 17th anniversary, the Constitutional Court has launched 28 books written by the constitutional judges both in the current and previous periods and also from the officers in the administrative and secretariat general of the Constitutional Court. Such effort has been made to improve the academic culture and tradition in the Constitutional Court. In 2020, the book launching was organized virtually and offline through Webinars, Zoom, or CloudX by presenting some invited speakers. This event entitled “*Book Launch and Review 2020*” was successfully organized on 2 September 2020.

Table 3.4

The Authors and the Books on the 17th anniversary of the Constitutional Court

No	Author	Books
1.	Anwar Usman	Independence of Judicial Power Forms and Their Relevance for Law Enforcement and Justice in Indonesia
2.	Saldi Isra	State Institutions Concept of the History, Authorization, and Constitutional Dynamic
3.	Jimly Asshiddiqie	Theory of Hierarchic Human Rights
4.	Jimly Asshiddiqie	Testing of Legislation Form in Country of Law
5.	Jimly Asshiddiqie	Omnibus Law and its Applications in Indonesia
6.	Jimly Asshiddiqie	Pancasila: National and State Constitutional Identities
7.	Jimly Asshiddiqie	Modern Justice The Implementation of ICT in the Constitutional Court
8.	Noor Sidharta	Judicial Preview of International Agreement Ratification
9.	Achmad Edi Subiyanto	The Testing of Law The Development of Applications for the Protection of Citizens' Constitutional Rights in Practice
10.	Anna Triningsih	Employment Law

		Policies and Protection of the Labours in Foreign Investment
11.	Pan Mohammad Faiz M. Lutfi Chakim	Constitutional Court Comparison of Institutional and Constitutional Authority in Asia
12.	Mardian Wibowo	Law Testing Principles
13.	Andi Hakim	Judicial Administration Models, Principles, and Governance
14.	YM Saldi Isra Achmad Edi Subiyanto Pan Mohammad Faiz Anna Triningsig	Strengthening the Presidential System In the Decision of the Constitutional Court
15.	Oly Viana Agustine	Corruption Eradication in Indonesia
16.	Irfan Nur Rachman	Judicial Law Politics National Law Development Resources
17.	Nalo Kurniawan Barlyan	Determination of Suspects and Pre-trial And the comparison in nine countries
18.	Luthfi Widagdo Eddyono	Constitutional Dynamics in Indonesia
19.	Oly Viana Agustine Muhammad Reza Winata	Economic, Social, and Cultural Rights Protection through Constitutional Courts
20.	Ananthia Ayu D Intan Permata Putri Rima Yuwana Y	Rights to Food Obligations and Responsibilities of the State in the Perspective of Human Rights
21.	Zaka Firma Aditya	Retroactive Principle The Decision of the Constitutional Court in Theory and Practice
22.	Muhammad Reza Winata	Legislation Constitution Testing The Rigidity of Follow-up in the Formation of Law
23.	Mery Christian Putri	Agreements in the Digital Economy Age Juridical and Practical Review
24.	Erlina MC Sinaga Sharfina Sabila	children's drugs Criminal
25.	Dian Onita	strengthening the function of legislation the House of Regional Representatives of the Republic of Indonesia
26.	Wilma Silalahi	Democracy, Regional Head

		Election and the Dispute Resolution at the Constitutional Court
27.	Hani Adhani	Regional Head Election Direct and Indirect Regional Head Election Controversy
28.	Dody Haryadi	The Sovereignty of the People's Representatives to Elect Officials Constitutionality of the House of Representatives' Approval in Filling Public Positions

C. Development of Information and Communication Technology Management of the Constitutional Court

As a constitutional judicial institution, the Constitutional Court does not only carry out the task of deciding cases but also facilitates public access to reach and obtain justice. Therefore, the Constitutional Court positions the governance of the judiciary as a part of the efforts to fulfill the constitutional rights of the citizens. The governance of the judiciary is an integral and inseparable part of the Constitutional Court's process of examining, adjudicating, and deciding cases.

Along with the increased demands of the effective, efficient, transparent, and accountable governance of the judicial institution, the registrar and secretariat general of the Constitutional Court constantly carries out various efforts through the utilization of Technology, Information, and Communication of the Constitutional Court optimally. It is in line with their vision to “Uphold the Constitution Through a Modern and Reliable Judiciary” as well as facilitate the society to reach and obtain justice, the Constitutional Court provides ICT-based applications and services.

As part of the orderly archives within the government of the Republic of Indonesia, the Constitutional Court applies the Dynamic Archival Information System (SIKD) application from the National Archives of the Republic of

Indonesia (ANRI). Officially, the Court received the SIKD application from ANRI in 2016. On 27 April 2017, all employees within the Registrar's Office and the Secretariat General of the Constitutional Court applied SIKD with the enactment of Circular Letter No. 5 of 2017 concerning the Use of Dynamic Archival Information Systems.

The system constantly evolves following the required features in an archive electronic system. The Constitutional Court develops the features in the system. The developed features distinguish the system that belongs to the Constitutional Court from the ones that belong to other state institutions/ministries. As a result, the system will attract other state institutions/ministries to learn about the system developed by the Constitutional Court. Various state institutions/ministries have conducted comparative studies on SIKD to the Constitutional Court, including the Supreme Court, the Ministry of Women's Empowerment and Child Protection, the Ombudsman, and others.

Constitutional Court Information System in 2020

Constitutional Court has established some information systems, as follows:

1. Online Attendance

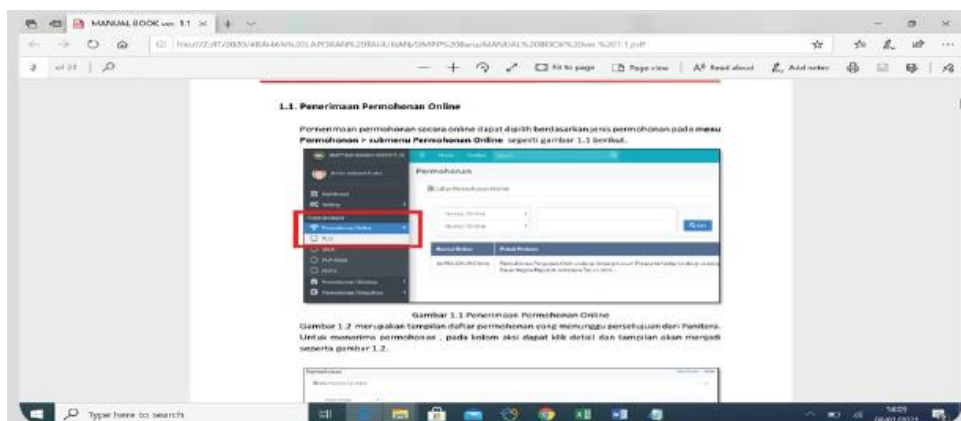
An attendance recording system accessed via internet connection based on a cloud server can meet the needs of partial working hours during the new normal with real-time mobile attendance. Work shift management, attendance monitoring in one application available on the page, Android and iOS. Then, the stored data can be accessed indefinitely in space and time by smartphones, personal computers, laptops, and tablets as long as connected to the internet. The Android mobile attendance application which is based on GPS and accompanied by the selfie feature provides access to monitor lateness and absence during the implementation of partial working hours.



Online Attendance

2. Case Management Information System (new)

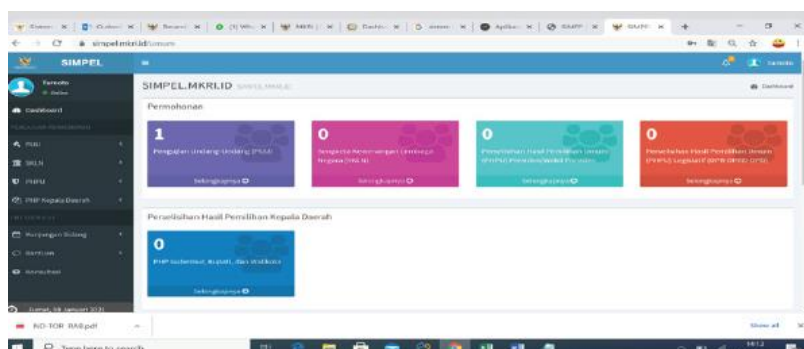
The new case management information system is an integrated online applications (simpler.mkri.id) in which the incoming data is updated real-time. The new case management information system was built for simplifying and accelerating the work of Constitutional Court internal parties in producing case resolving information needed by chiefs and outside parties. The new case management information system can provide information regarding the control of cases accurately and reliably in the form of incoming case data, cases that have been decided, withdrawn cases, and so on. The data in the new case resolving information system is also integrated with the Court's website, which can be accessed by outsiders or the public to find out any developments in the cases. In the end, it all comes down to creating accountability and transparency.



Case Management Information System

3. The New Information System of Application Submission Management

The Information System of Application Submission Management keeps improving the updated features to provide direct access for submitting online applications. Both the law test, disputes over the results of the legislative and presidential elections as well as disputes over the results of the regional head elections often occur. This information system can be accessed unlimited space and time as long as it is connected to the internet network, making it easier for justice seekers to file cases without coming to the Constitutional Court.



The Information System of Application Submission Management

4. The Updated Constitutional Court Page (*Bahasa Indonesia Version*)

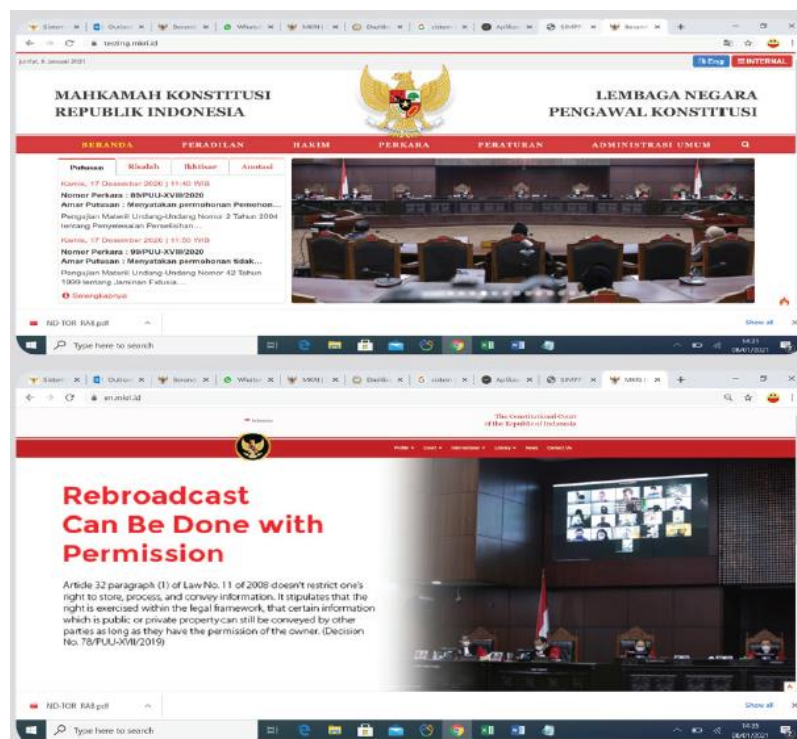
The new page of the Constitutional Court presents various news both the Court's trial and non-trial as well as other information continuously. The new page

was built using a new framework to maintain a security system and stable performance.

5. The Constitutional Court Page English Version

The Constitutional Court page English version was established with the aim that the information contained in the Indonesian version of the Constitutional Court page can be seen and read by the international community so that the information conveyed can be useful for many people as well as one of the media to introduce the Constitutional Court to the world.

The concept promoted in the development of this site is creating a one-stop-source, a primary and complete source of the Constitutional Court that can be accessed by the international community, especially partners, constitutional courts of other countries, international associations, etc.



Mkri.id page in Bahasa Indonesia and English Version

6. Internal Survey

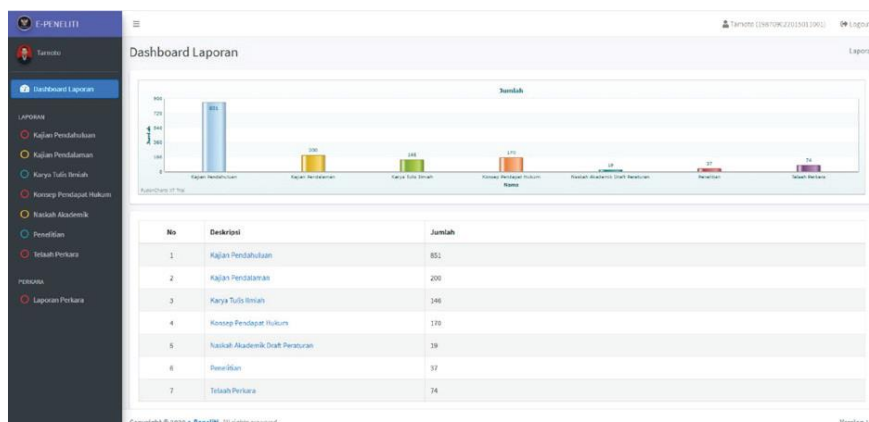
The Constitutional Court as a judicial institution must provide services to the community, in this case, justice seekers, focusing on customer satisfaction. To identify the satisfaction level of service quality in the Constitutional Court, an Index Measurement Survey was conducted. Measurement Survey The index is an appropriate step to accommodate the expectations of service users in the Constitutional Court, both internal and external users. Respondents in the internal survey were all employees to measure service performance in each work unit within the Registrar's Office and the Secretariat General of the Constitutional Court. The results of this survey can ultimately improve the quality of the performance of the Constitutional Court Institution.



Internal Survey Feature

7. E-Researcher

The application is intended to provide substance reference support services to constitutional judges regarding the goals of the research such as studies, case studies, legal opinion concepts, research results, or scientific publications. This e-



Researcher application keeps the performance results or the researcher's output.

E-research application

8. Coop

The coop information system was built to ease coop officers to input funds deposited and withdrawn by the coop members, find out in-out fund transactions so that the amount of available funds in the coop is more accurate, and simplify the coop members to check the balances and transactions in real-time.



Coop Application System

9. Trial Checklist

The trial checklist information system is used by court officers to record things needed in the trial before it begins, such as checking equipment and networks in the court and control room, setting zoom links, testing zoom with the parties (signals and equipment used by the applicants). The results of this checking and testing are inputted into the Trial Checklist Information System.

A screenshot of a web application titled 'Aplikasi Checklist Kesiapan Sidang Mahkamah Konstitusi RI'. The interface is divided into several sections for data entry. The 'Data Sidang' section includes fields for 'Tahun' (2020), 'Bulan' (11), 'Hari' (24), 'Ruang Sidang' (101-PLAU-RUMAH), and 'Ruang Sidang Photo'. The 'Data Pelanggaran' section has a table with columns for 'No.', 'Kategori', and 'Status'. Below this, there are two main checklist tables: 'Data Checklist Persiapan Sidang' and 'Data Checklist Pelaksanaan Sidang'. Each table has columns for 'No.', 'Kategori', and 'Status'. The 'Data Checklist Persiapan Sidang' table lists items like 'Membuat Daftar Hadir', 'Membuat Daftar Hadir', 'Membuat Daftar Hadir', and 'Membuat Daftar Hadir'. The 'Data Checklist Pelaksanaan Sidang' table lists items like 'Membuat Daftar Hadir', 'Membuat Daftar Hadir', 'Membuat Daftar Hadir', and 'Membuat Daftar Hadir'. At the bottom, there is a 'Catatan Selama Persiapan' section with a text area and a 'Simpan' button.

Trial Checklist Application

10. Digital Guest Book

The digital guest book information system equipped with an ID card reader is a development of a manual guest book. This application aims to ease registration and visitors data collection, office guests, and journalists who will be unrolling the trial. The advantage of a digital guest book is providing a complete record of guests who visit the court on a specific day, hour, and time along with guests' profiles due to the usage of the ID database. In addition, this application can improve accurate services and reports, the authenticity of the documents, and guaranteed data based. The digital guest book information system aids the receptionists to record guests by placing the ID card on the ID card reader so that the data is automatically stored in the data bank of this information system.

The screenshot shows the 'e-Buku Tamu' (Digital Guest Book) application interface for the Mahkamah Konstitusi RI. The form is titled 'Form Buku Tamu' and includes the following fields and options:

- No. KTP:** Text input field.
- DEVICE:** Radio button option.
- CEK KTP:** Radio button option.
- BY PASS KTP:** Radio button option with an asterisk (*) indicating it is required.
- Nama Tamu:** Text input field with an asterisk (*) indicating it is required.
- Jenis Kelamin:** Dropdown menu with an asterisk (*) indicating it is required.
- Alamat:** Text input field with an asterisk (*) indicating it is required.
- Telepon:** Text input field with an asterisk (*) indicating it is required.
- Alamat:** Text input field with an asterisk (*) indicating it is required.
- Tanggal Datang:** Date picker showing 2023-01-10.
- Waktu Datang:** Time picker showing 15:00.
- Simpan:** Button to save the record.

The footer of the application displays the copyright notice: Copyright © 2020 Mahkamah Konstitusi, Bina Utama.

E-Guest Book Application

11. Library Information System

Library Information System will replace the current system, namely simpus.mkri.id. The Constitutional Court's Library worked together with the National Library of Indonesia to increase the collection and literature more complete and accessible for anyone and from wherever they are by using the internet network.

Besides INLIS Lite was officially established and developed by the National Library of Indonesia to compile national collections in the Indonesian National Digital Library network. However, it is also used to develop library management and service based on information and communication technology in Indonesia. Library Information System INLIS Lite was developed as a one-stop software for library managers to implement automation and extend digital libraries or collections.



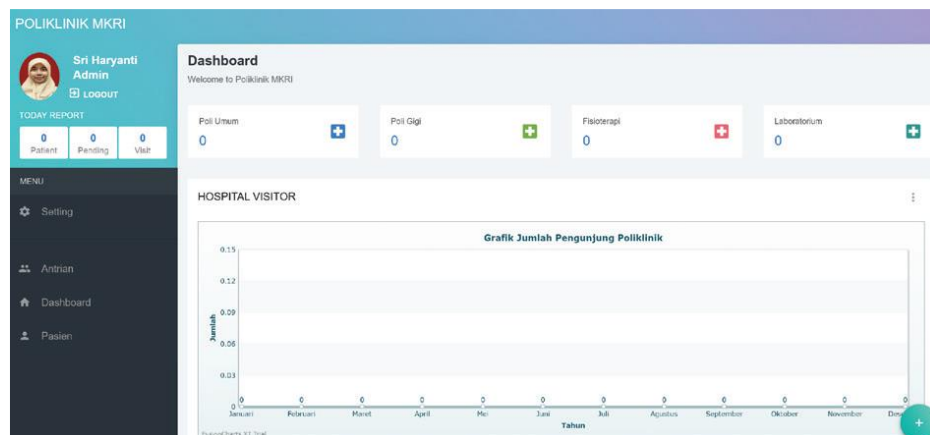
Online Library Application

12. Meeting License (In development process)

The meeting is a routine activity that requires well-established management by using a system or application. The meeting license is used to facilitate the officers to schedule (time and place) meetings held by all work units to avoid concurrent meetings agenda. The Meeting Management Information System can manage accurate and precise documentation of meeting results, meeting minutes, meeting materials, and attendance of meeting participants.

13. Polyclinic

The polyclinic information system is a system used as polyclinic management consisting of patient registration, drug stocks, and patient medical records. This application will help the users to expedite patient data search to achieve effective services and comprehensive integration from registration, treatment, and medication. The patient database is stored properly and safely.



Polyclinic Application

Strengthening Constitutional Court Data Center Security

The Information and communication technology center has worked in accordance with the 2020 action plan in the infrastructure sector, including:

1. In Collaboration with State Cyber and Code Agency in Terms of Security

- Web Application Firewall to protect applications from any attacks.
- Honeypot System is deliberately used as bait so that attackers cannot get into the network.
- Security Monitoring (IDS) is used to monitor attacks from outside and inside.

2. Assessment Data Center of Constitutional Court

A data center is a facility used for the placement of several sets of servers and a data storage system that is conditioned by setting the power supply, air conditioning, and fire prevention. It is also equipped with a physical security system.

A good data center must meet data center standards including availability, scalability or flexibility, and security. To find out whether the Constitutional Court data center has met the standardization criteria, an Assessment data center is required.

3. Vicon Mobile

The vicon mobile device serves as a video conferencing activity tool that collaborates analog and digital audio-video devices. Since it is mobile, it can be used anywhere. This device is providing time and space efficiency by connecting between sites or the public internet to be able to communicate both audio and video and broadcast in Youtube.

4. Information Technology Equipment Procurement Work in Room 2 of the Constitutional Court of the Republic of Indonesia for Fiscal Year 2020

Procurement of information and communication equipment in the Constitutional Court Building II aims to support the implementation of duties and authorities in controlling the constitution to examine, judge, and decide a case submitted by the applicant. Thus, the planned objectives can be achieved effectively and create a conducive working atmosphere to support the role of the Constitutional Court as a modern judicial institution. The purpose of this procurement is also to support all activities at the Constitutional Court that use information and communication technology so the problem can be quickly solved and can support many parties, including constitutional judges, officials, and employees within the Clerk's Office and the Secretariat General of the Court. The support is also coming from the public since they can access information through the information system of the Constitutional Court and obtain various legal and constitutional references from various sources for Constitutional Justices.

5. The Usage of Virtual Meeting

As time goes by and rapid advances in information and communication technology, especially during the Covid-19 pandemic, case management, and virtual trials require optimal use of the latest information and communication technology. One of the technology options used for the needs of Remote Courts, virtual meetings, and other Constitutional Court activities is using the Zoom Meeting application besides existing applications such as video conferences located in 42 universities and Jabber Applications.

The use of Information and Communication Technology in the Constitutional Court is one of the real efforts to realize easy access to justice for justice seekers in litigation with a modern and reliable administration.

The legal basis for the use of Information and Communication Technology in the Constitutional Court in carrying out the duties of the Court's authority and

obligations in resolving constitutional cases according to its authority is Constitutional Court Regulation No. 18 of 2009 concerning "Guidelines for Submission of Electronic Applications (Electronic Filing) and Examination of Remote Courts (Video Conference)."

The applications can be submitted to the Constitutional Court through electronic media (electronic application). An electronic application is considered accepted after it gets into the computer system of the Constitutional Court.

Chapter 1 clause (2) Constitutional Court Regulation No. 18/2009 states, "Electronic application (electronic filing), hereinafter referred to as an application, is an application through electronic media that allows the applicant to send and submit his/her application electronically to the Court". Besides, Chapter 9 clause (3) Constitutional Court Regulation No. 18/2009 stated, "An application is deemed accepted after the electronic application has entered the computer system of the Constitutional Court."

The ease of access to litigation in the Constitutional Court includes:

1. Electronic Case Management Information System.
2. Website of the Constitutional Court.
3. Information Portal of Regional Head Election in 2020.
4. Remote and Streaming Court Trial.
5. Click Constitutional Court.
6. Case Tracking and Case Retrieval
7. Online Consultation and Questions and Answers.
8. Session Schedule, Decision and Minutes of Session.

Information and Communication Technology in Constitutional Court

- Database of Election Contesting Candidates (Source Permanent Candidate List, Electoral Commission).
- Sending the Digital Documents of the Constitutional Court to the Proxy and the Parties via email to the Parties.

- Online Regional Head Election Dashboard Data.
- Mandiri Digital Corner Service at the Constitutional Court Building.
- Live Online Digitization of Documents Case.
- Remote Trial.
- Streaming Court Sessions.
- Case Tracking & Retrieval.
- Data Center Protection
- Click Constitutional Court
- Online Consultation and Questions and Answers.
- The products of the Court's Clerk's Office are Electronic Certified.
- Session Schedule, Decision and Minutes of Session.

Application of Electronic Submission

Online Application (simpl.mkri.id) of Constitutional Court is a web-based application to receive electronic applications online and in real-time (instantly). Thus, an electronic application has been submitted through simpl.mkri.id, at that time the electronic application has entered into the website: simpbaru.mkri.id.

In resolving disputes over the Regional Head Election results in 2020, the Constitutional Court has also prepared an Information Portal of Regional Head Election 2020. It aims to ease the parties, election organizers, and related parties to obtain information about Regional Head Election 2020. This portal can be accessed on the Constitutional Court's website.

When resolving disputes over the Regional Head Election results in 2020, the Constitutional Court will implement remote trial services (video conference through a virtual meeting application). Remote trials are conducted for the implementation of quick, simple, and low-cost judicial administration. The purpose of the remote trial is to ease justice seekers and stakeholders to

participate in the trial process, but they do not have to physically attend to the courtroom, as well as reduce accommodation costs.

The legal basis for remote trial is Constitutional Court Regulation 18/2009 Chapter 16 clause (3), "Remote trial examination is an examination conducted by the Panel of Justices against the applicant and/or the respondent as well as their proxies, witnesses and/or experts conducted online and real-time (instantly) remotely via video conferencing technology using telephone and network connections, thus enabling each to see and talk to each other as in an offline trial."

Regarding the preparation stage for remote trials using the Zoom Meeting application, the information technology officer creates a zoom link according to the court schedule from the Clerk. Subsequently, the information technology officer and the spokesman will send the zoom link to the parties at least a day before the trial.

Thus, the remote trial flow using the Zoom Meeting application includes:

- The parties preparing the device (laptop/smartphone / tab, it is recommended to use a laptop) then join Zoom via the link that was sent the day before.
- The parties waiting for the Host/Co-Host to admit (approve) in the waiting room.
- Host/Co-Host admitting the Zoom account of the parties according to the list provided by the spokesperson.
- After being approved, the parties will be in the main room (Panel meeting room). Then an audio and video test will be conducted to the parties, as well as the completeness of the parties, both in the format of names, clothes, and others.
- Furthermore, in the Panel's courtroom, the Panel Justice will start the trial by first taking attendance per case parties present

D. Dissemination of Constitutional Information in the Pandemic

In early 2020, the Constitutional Court established a new mechanism, namely the submission of an annual report which was carried out in the Special Plenary Session of the Constitutional Court. This is in line with the Regulation of the Constitutional Court Number 1 of 2020 concerning the Court Session. In the PMK, two types of trials are regulated, namely the Judicial Session and the Non-Judicial Session. The judicial session is held to examine constitutional cases, while the Non-Judicial Session is held for two agendas, namely (1) Swearing the Chief/ Deputy Chief Justice of the Constitutional Court, and/or (2) Submission of the Annual Report. This has been arranged in such a way that in the coming years the Special Plenary Session with the Annual Report Submission agenda will be held regularly every year.

So important is the submission of the Annual Report for the Constitutional Court institution that it becomes an important agenda that is arranged in such a way. This is a form of the Court's seriousness in being accountable to the wider community. In addition, the submission of the Annual Report is also an effort to disseminate information regarding the Constitution and the Constitutional Court during the one-year budget period that has been implemented.

During this event, apart from inviting stakeholders, the Constitutional Court also invited the editor-in-chief of the mass media and other press colleagues to cover and report the message to be conveyed in the Annual Report. This is a form of appreciation from the Constitutional Court to press colleagues as well as an effort to establish good relations.

In 2020, apart from the Annual Report Submission, the Constitutional Court also has a public relations program through national media partners, both print media, electronic media, and social media. The delivery of information through collaboration with the national mass media must be temporarily stopped due to the Government's policy of cutting the budget of many Ministries and Institutions (K/L) in the face of Covid-19.

The budget cuts experienced by the Constitutional Court did not dampen the enthusiasm for disseminating constitutional information to the public. By adapting the trends and needs of the community, the Constitutional Court finally puts forward the pattern of disseminating information through social media that is easy to access and attractive to the public.



Publication of Decision in the mass media

1. Constitutional Court in Mass Media

The Constitutional Court opened 2020 by carrying out a public relations strategy as previously planned, namely the publication of granted case decisions. In this case, the Constitutional Court still acts as the first and only institution to publish case decisions in national newspapers. This is an embodiment of the Constitutional Court's Vision of "Overseeing the Upholding of the Constitution through Modern and Reliable Courts" and the Constitutional Court's Mission "Improving Public Understanding of Citizens' Constitutional Rights."

The publication of decisions in national newspapers aims to encourage the public to put their trust in the Constitutional Court in upholding Indonesian Constitution. In addition, the publication of the granted case decisions in the

national newspaper is also an effort by the Constitutional Court to increase public understanding of their constitutional rights.

In 2020, the Constitutional Court has published two case decisions in national newspapers. First, the Decision on Case Number 18/PUU XVII/2019 concerning Judicial Review Law number 42 of 1999 concerning Fiduciary Guarantees which was decided on 6 January 2020 and published in the *Harian Republika*. Second, case Number 48/PUU-XVII/2019 regarding the Review of Law Number 1 of 2015 concerning Stipulation of Government Regulations in law number 1 of 2014 concerning the Election of Governors, Regents, and Mayors to become Laws which was decided on January 29, 2020, and published in the *Harian Republika*.

Table 3.5
News Publication

No.	Airing Date	Case	News Title
1	18 January 2020	2/PUU-XVIII/2020 - Judicial Review Law Number 3 of 2009 concerning Amendment to Law Number 14 of 1985 concerning the Supreme Court [Article 7 and 11]	Petitioner for Judicial Review of Supreme Court Law Questions the Supreme Court Justice's Office Term
2	24 January 2020	54/PUU-XVII/2019 - Application for Judicial Review of Law Number 15 of 2006 concerning the Audit Board and Law Number 15 of 2004 concerning Audit of State Finance Management and	Examination of the Audit Authority With a Specific Purpose, the State Audit Board, the Constitutional Court Hears Experts and Witnesses

		Accountability	
3	13 January 2020	59/PUU-XVII/2019, 62/PUU-XVII/2019, 70/PUU-XVII/2019, 71/PUU-XVII/2019, 73/PUU-XVII/2019, 77/PUU-XVII/2019, dan 79/PUU-XVII/2019 - UU KPK	Judicial review of the Corruption Eradication Commission Law, the Constitutional Court Hears Experts' Testimony
4	25 January 2020	Photo News "Braved the Food"	Photo News "Braved the Food"
5	25 January 2020	2/PUU-XVIII/2020 - Review of Law Number 3 of 2009 concerning Amendments to Law Number 14 of 1985 concerning the Supreme Court [clause 7 and 11] - PLENO - Listening to the statements of the parliament and the President (IV)	The position of Supreme Court Justice cannot be Equated with the President

In addition to publishing decisions in national newspapers, the Constitutional Court also collaborated with Media Indonesia Daily to publish news regarding the resolving of cases at the Constitutional Court in January 2020.

2. Constitutional Court in television

The Constitutional Court still has a strong commitment to disseminating information related to the constitution to the wider community. The Constitutional Court cooperates with the national television media including TVRI, Metro TV, TV One, i-news, and Kompas TV through 2-minute news video news in the programs that have a high number of viewers on each TV channel.



3. Constitutional Court in Online Platform

The Constitutional Court disseminates constitutional information through the mkri.id page as an online media. This is an attempt by the Constitutional Court to catch up with the development of people's lifestyles, which increasingly prefer to obtain information online through technological devices that are easy to carry and accessible at any time.

This page contains various information needed about the Constitutional Court and the resolving of cases in particular. People who want to have litigation or wish to gain insight and knowledge can get it directly through the mkri.id page. Case registration can also be done online through this portal.





4. Internal Media of Constitutional Court

The Constitutional Court has internal publications intended for a wide audience. This monthly magazine contains information on the trial, the activities of the Constitutional Court outside the trial, and the ins and outs of constitutional law issues. In 2020, the Constitutional Court has published 12 editions of the Constitution Magazine, as follows:

1. Issue 155 January 2020 entitled "The Execution of Fiduciary Guarantees Must Go Through The Court"
2. Issue 156 February 2020 entitled "Regency Supervisory Committee Turned into General Election Supervisory Agency"
3. Issue 157 March 2020 with the title "New Interpretation of Simultaneous Elections"
4. Issue 158 April 2020 entitled "Prevent the Spread of Covid-19"
5. Issue 159 May 2020 entitled "Degree Perpu Covid-19"
6. Issue 160 June 2020 entitled "Questioning the Constitutionality of the Corruption Eradication Commission Law"

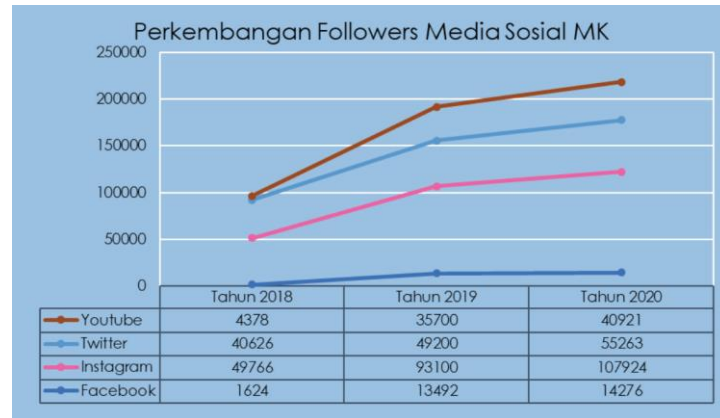
7. Issue 161 July 2020 entitled "Position of Deputy Minister"
8. Issue 162 August 2020 entitled "The Dynamics of the Indonesian Constitutional Court 2003-2020"
9. Issue 163 September 2020 entitled "Broadcast and Conventional Internet"
10. Issue 164 October 2020 entitled "Limits on the Authority of the Minister of Finance to Appoint Tax Court Leaders"
11. Issue 165 November 2020 entitled "Political Parties in Papua Special Autonomy"
12. Issue 166 December 2020 entitled "Unfair Companies of Indonesian Migrant Workers"

5. Constitution Court in Social Media

Once the Government established a health protocol due to the Covid-19 Pandemic that limited the movement of people to normal activities, the Constitutional Court took this as a challenge as well as an opportunity. The Constitutional Court tried to equalize technological developments and the public's need to know more about the constitution and the Constitutional Court through social media facilities.

Based on data in 2018, internet users were 171.17 million, or 64.68% of Indonesia's total population of 264.26 million, and most internet users are social media users. This fact has challenged the Constitutional Court as the obligation to actively disseminate massive information about the constitution through social media. Currently, the Constitutional Court manages 4 (four) social media platform accounts, as follows:

1. Instagram with username: constitutional court
2. Youtube with username: Indonesian Constitutional Court
3. Facebook with username: @ officialMKRI
4. Twitter with username: @officialMKRI



Graphic 3.11 The Development of the Constitutional Court Social Media Followers

a. Content

In terms of attracting social media users, the most important thing is to take a look at the content, or the content and visual design that you want to convey. The four social media platforms of the Constitutional Court are regularly managed with scheduled content formats, both in the form of trial information and non-trial information. The following is the content presented on the social media of the Constitutional Court.

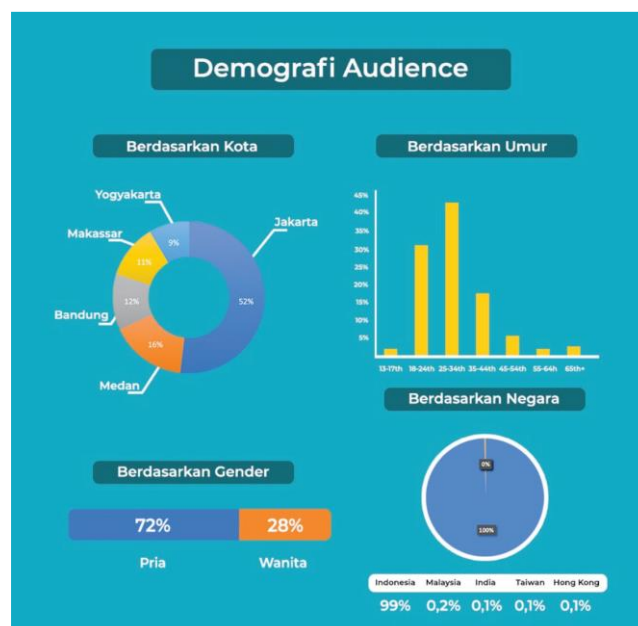
1. Video motion displays certain information or knowledge relating to the Constitutional Court, both cases and non-cases shown in photos or videos.
2. Infographics in the form of a series of information that is packaged, presented and displayed in a concise graphic format at once.
3. Did you know? Displaying information in written and visual formats about something that is considered significant for the audience to know, general, and understandable.
4. *Kamis Kuis (MisKuis)*: Thursday Quiz in the form of interaction with the audience by asking questions or games with or without being accompanied by giving a 'gift' as an attention grabber.
5. *Tatap MK*: Meeting the Court in the form of interaction by providing space and opportunity for the audience to ask questions about information of Constitutional Court which is responded to immediately;
6. *MK Mendunia*: The global Constitutional Court is information content that can be in the form of writing, photos, pictures, and or videos with specific

themes regarding the work and role of the Constitutional Court in international forums and associations;

7. *Himakon* is content that displays interesting aspects or highlights from the latest edition of Constitution Magazine;
8. Constitutional quote: An interesting and/or inspirational words from figures across the ages related to law enforcement and the constitution;
9. *Giat Pimpinan*: Leader's Activities are visual and/or written content that presents the activities of Constitutional Court chiefs during the current week;

b. Audiences Demographic

The audience's demographic data is significant to elaborate to map audience personas. One way to collect demographic data is to examine the social media platforms owned by the Constitutional Court because it contains some basic demographic information from the target users of the Constitutional Court's social media. Some of the characteristics that are required include city, age, and gender. In addition, the function of demographic data is creating relevant content for the target audience in social media. The following are the audience demographics of the Constitutional Court's social media users.



The Constitutional Court's social media followers come from big cities such as Jakarta, Medan, Bandung, Yogyakarta, and Makassar. Furthermore, the largest social media followers of the Constitutional Court are in the age range of 25-24 years. Subsequently, males are the gender who most often access the social media of the Constitutional Court.

c. Actual Dashboard and Followers Progress

Until November 2020, the development of information and followers on social media are as follows.

6. Court's Media Monitoring



To evaluate the dissemination of information on the case and decision managements of the Constitutional Court, the Court has conducted mass media monitoring activities. This activity aims to develop the right institutional communication strategy.



Instagram

Search



mahkamahkonstitusi

Edit Profile



1,644 posts

113k followers

52 following

Mahkamah Konstitusi

Akun Instagram Resmi Mahkamah Konstitusi Republik Indonesia Dikelola oleh Biro Humas dan Protokol. #MengawalKonstitusi #IndonesiaMaju
www.mkri.id



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Republik Indonesia**

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Edit Pelajari Selengkapnya

News Distribution of Constitutional Court in 2020

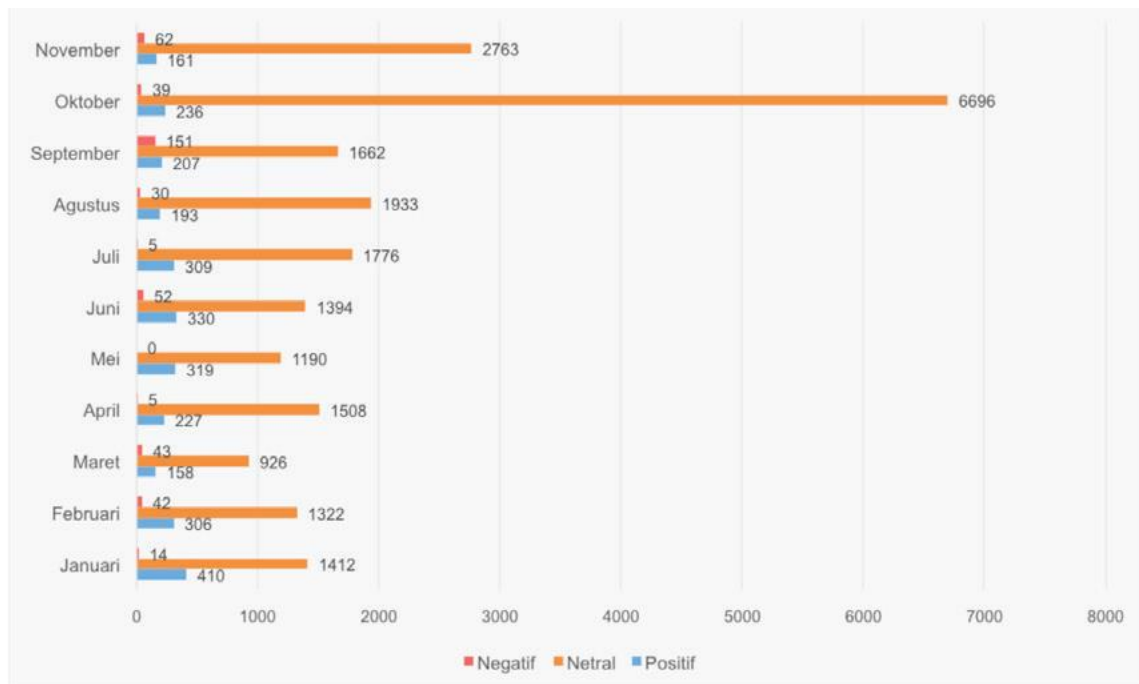


Table 3.6

Top News Topics of Constitutional Court in 2020

Month	Topics
January	Preparation for Resolving Regional Head Election
February	Independence of the Corruption Eradication Commission
March	Provisions for Presidential Candidate Threshold
April	Managing and Controlling the Pandemic of Covid-19
May	Managing and Controlling the Pandemic of Covid-19
June	Managing and Controlling the Pandemic of Covid-19
July	Provisions for Presidential Candidate Threshold
August	Content Service Over Internet Network (OTT Service)
September	Provisions for Presidential Candidate Threshold
October	Ratification of the Job Creation Law
November	Ratification of the Job Creation Law

This year, the Constitutional Court through the Bureau of Public Relations and Protocol held this activity again through the support of service providers. This was carried out by considering the comparison of the institution's internal capacity with the urgency and actuality of delivering news to all levels of leadership.

In 2020, the Constitutional Court has been mentioned 25,881 times in reports and various types of mass media. Typical topics that dominate the news, vary from month to month.

Before the Government decided to postpone the simultaneous elections in the Governor, Regent, and Mayor Elections on May 4, 2020, the Constitutional Court had been widely mentioned in the news regarding the Regional Head Elections since January 2020. Thus, the law governing it became the most widely found topic in the news with the keyword "Constitutional Court".

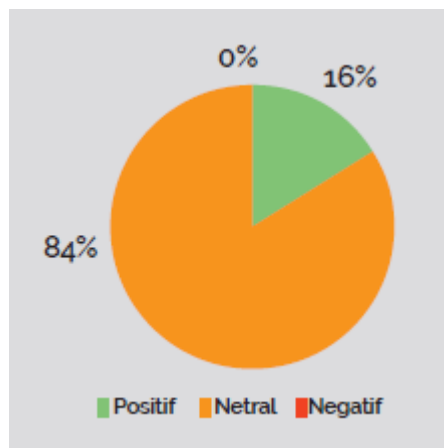
In February 2020, the Constitutional Court continued the trial of seven applications for reviewing the Corruption Eradication Commission Law which had been registered and tried since the previous year. The amount of public attention to the issue of the institution's independence has resulted in the trial of the Corruption Eradication Commission Law case in the Constitutional Court, which is widely reported in the mass media.

However, the attention of the Indonesians was diverted by the emerge of the Corona Virus Disease 2019 (Covid-19). It made the discussion of the pandemic worth much more than other news narratives throughout the following months. Therefore, it was not surprising that the "Constitutional Court" keyword was the least number in 2020.

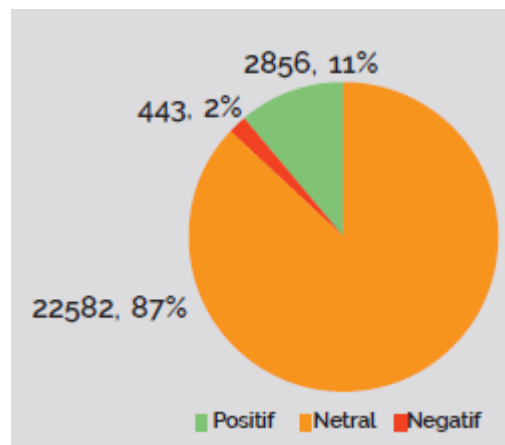
However, the Constitutional Court did not stay away from this most attention-grabbing news for so long. As the Government Regulation in Lieu of Law on state fiscal policy and financial system stability for resolving the 2019

coronavirus disease (covid-19) pandemic and/or in facing threats that endanger the national economy and/or financial system stability (Perppu COVID-19) was ratified, the Constitutional Court was again widely mentioned in the news. The spotlight on the immunity of officials who implement this policy encouraged the public to test Perppu COVID-19 to the Constitutional Court. So, successively starting from April to June, the Constitutional Court was mentioned the most in the news which raises manage and control of the Covid-19 pandemic.

Graphic 3.12
Trends in News Toned of Constitutional Court in 2019



Graphic 3.13
Trends in News Toned of Constitutional Court in 2020



In 2020, the news regarding the Constitutional Court was most significant throughout October. The Constitutional Court was mentioned 6,971 times. The pros and cons of the ratification of the Job Creation Law were the backgrounds for the widespread mention of the Constitutional Court in various mainstream media at that time. First, the Constitutional Court was certainly mentioned because of its authority to examine the law, in this case, the Job Creation Law, against the 1945 Constitution. Moreover, the news about it also highlighted various figures who doubt the Court's impartiality for deciding this case in the future. In other words, it is not only the existence but also the performance of this institution that was raised in the news on the topic of the Job Creation Law.

The impartiality of the Constitutional Court began to be doubted when the issue of the independence of this institution was raised through reports that raised the discussion of the draft amendments to the Constitutional Court Law in the Parliament in April 2020. Then, when the Constitutional Court Law was passed in September 2020, several parties said that the Constitutional Court had a transactional relationship with the legislative and legislative bodies. contributed to the negative sentiment news throughout the month. Then, the President gave the *Mahaputera Star* to 6 of the 9 Constitutional Justices in November 2020, published and reported by many mainstream media as a politically charged activity between the Constitutional Court and the President.

Table 3.7

Top Topics of Critical Reporting on the Constitutional Court in 2020

Month	News Topic
January	The Constitutional Court's Decision in the Case of Judicial Review of the Fiduciary Law
February	The Constitutional Court's Decision on Simultaneous General Elections
March	The Constitutional Court's Decision on Simultaneous

	General Elections
April	Discussion of the draft Constitutional Court Law in Parliament
May	Discussion of the draft Constitutional Court Law in Parliament
June	Provisions for Presidential Candidate Threshold
July	-
August	Discussion of the draft Constitutional Court Law in Parliament
September	Ratification of the Constitutional Court Law
October	Ratification of the Job Creation Law
November	Mahaputera Star Award to 6 Constitutional Judges

The Constitutional Court opened to receive critical reports throughout 2020. Of course, the openness to public opinion and media spotlight does not necessarily make the Constitutional Court accept all the criticisms submitted. As one of the state institutions exercising judicial power, the Constitutional Court take attention to how the criticism is conveyed. However, the Constitutional Court believes that criticism of this institution is a commensurate balance in realizing state life and healthy democratic practices in Indonesia.

DEVELOPMENT OF INTERNATIONAL AND NATIONAL COOPERATION



A. International Cooperation

B. National Cooperation

Constitutional Court Annual Report 2020

Entering 17 years in 2020, the Constitutional Court increasingly has a strategic role not only in the national scope but also internationally. His participation and contribution are not limited by his young age, because he is well aware of his roles and responsibilities not only on a national scale but also internationally. To be able to carry out its duties and authorities optimally, the Constitutional Court also needs to learn and share with institutions and the Constitutional Court from other parts of the world. Therefore, the Constitutional Court's cooperative relationship with state institutions guarding the constitution or other equivalent institutions has gone well.

A. International Cooperation

In 2020, the Constitutional Court made several efforts to develop an international role both before and during the Covid-19 Pandemic. As for some of the development activities carried out, among others;

1. Association of Asian Constitutional Court and Equivalent Institutions

As stipulated in the statutes, the Association of Asian Constitutional Court (AACC) is established to ensure the protection of human rights, guarantee democracy, apply the rule of law, protect the independence of the constitutional court and equivalent institutions, cooperate and exchange experiences and information among members to achieve the initial goal of the establishment of the AACC.

In 2020, the Indonesian Constitutional Court, which is the Permanent Secretariat of the AACC for Planning and Coordination, carried out several activities despite being constrained by the pandemic. Activities carried out include coordinating with the Constitutional Council of Kazakhstan regarding the preparation of the 4th AACC Congress, the Board of Members Meeting, and the Meeting of Secretaries General which will be held in Kazakhstan in August 2020



The international congress in the field of law and justice with the theme "The Constitution of the XXI Century - Rule of Law, Personal Values, and State Effectiveness" lasted for two days, Wednesday - Thursday (26-27/8/2020), and was attended by 17 AACC member countries. This activity is designed as a manifestation of the contribution of the Constitutional Courts throughout Asia to strengthen democratic values, the rule of law, as well as the protection of human rights and freedoms in the Asian region and beyond. For holding the congress, the Constitutional Court of the Republic of Indonesia expressed its appreciation.

In addition, so that the AACC can bring positive and reciprocal implications for its members and communities around the world, it is assessed by all AACC member countries that action is needed to expand membership to other Asian countries that have not joined the AACC.



Chief Justice of the Constitutional Court Anwar Usman along with Deputy Chief Justice of the Constitutional Court Aswanto and Constitutional Justice Arief Hidayat when delivering a virtual presentation at the AACC IV Congress held by the Constitutional Council of Kazakhstan, Thursday (27/8) in Room 11th floor Constitutional Court Building. Photo by Public Relations/Gani.



Constitutional Court's Chief Justice Anwar Usman expresses his appreciation to the President of the AACC at the virtual 4th AACC Congress, Thursday (27/8) in Room 11th Floor of the Constitutional Court Building. Photo by Public Relations/Gani.

During 2020, the Constitutional Court has set targets for countries that have the potential to be proposed to become new members of the AACC. From the preparation of targets, ten Asian countries were selected as candidates for permanent members of the AACC. The ten countries were chosen with several considerations. Among other things, the country has been an observer country for the past few years, the country has expressed interest in joining the AACC, and the country is considered to be quite active in playing a role in the activities of other international organizations. The ten countries, namely 1. Laos, 2. Cambodia, 3. Vietnam, 4. Timor Leste, 5. Nepal, 6. Sri Lanka, 7. Brunei Darussalam, 8. Jordan, 9. Qatar, and 10. The United Arab Emirates.

In 2020, the Indonesian Constitutional Court as the Secretariat Permanent AACC Planning and The coordination also carries out the updating and development of the AACC website (<http://aacc-asia.org/>).

2. International Cooperation Visit

One of the efforts to develop international cooperation was carried out by the Indonesian Constitutional Court by conducting working visits to several countries. In 2020, the Indonesian Constitutional Court made 3 (three) face-to-face visits. The following is a description of the visits made during 2020.

a. Strengthening Relations in the Regional Framework and Organization of Islamic Cooperation

On January 10, 2020, the Indonesian Constitutional Court represented by Chief Justice Anwar Usman accompanied by Secretary-General M. Guntur Hamzah made a working visit to Malaysia to attend the 2020 Opening Legal Year at the International Convention Center, Putrajaya, Malaysia.

The Opening Legal Year is an annual procession organized by the Malaysian Supreme Court as a sign of the opening of judicial activities throughout Malaysia. This procession was attended by all judges at the federal level, as well as judges at the state level. The presence of the Constitutional Court delegation

was with a mission to strengthen the relationship between the two institutions for joint work which would be applied to the AACC and WCCJ (World Conference on Constitutional Justice), especially in the framework of preparation for the judicial conference of OIC member countries (Organization for Islamic Cooperation) which was originally planned to be held in Jakarta in 2020.



Constitutional Court Chief Justice Anwar Usman congratulates the Head of MA Malaysia Tan Sri Tengku Maimun binti Tuan Mat on the successful implementation of "Opening Legal Year 2020" in Putera Jaya, Malaysia, on Friday (10/1/2020). Photo: PR/Noel.

b. Increased Capacity of Constitutional Court's "Back Office"

In a series of working visits to Malaysia, the Constitutional Court Delegation also visited the International Islamic University Malaysia (IIUM) Campus in Selangor, Malaysia as a form of cooperation between the two Institutions. On that occasion, the cooperation between the Secretariat and the Secretariat General of Constitutional Court and IIUM was then formalized in a memorandum of understanding signed by the Secretary-General of Constitutional Court, Guntur Hamzah, and Deputy Rector of International Islamic University Malaysia (IIUM) Noor Faridah Abdul Manaf.

The signing of this Memorandum of Understanding is an activity that was initiated together to increase cooperation in the academic field in various forms of activities such as seminars, workshops, public lectures, research, and joint

publications. The collaboration also allows for internship and visitation programs from IIUM students to the Constitutional Court and study assignments or research for Constitutional Court employees on the IIUM campus as well as the use of libraries in each institution for research and study purposes.



The Chief Justice Anwar Usman accompanied by the Secretary-General of the Constitutional Court Republic of Indonesia M. Guntur Hamzah and the Vice-Chancellor of IIUM Noor Faridah Abdul Manaf during the signing of the memorandum of understanding between the Constitutional Court and IIUM in the Conference Room, Muhammad Abdul Rauf Building, Gombak, Kuala Lumpur, Malaysia on Friday (10/1/2020) afternoon. Photo: Public Relations/Noel.

c. Participation in International Conference of Justices

On 22 – 23 February 2020, the Indonesian Constitutional Court represented by the Deputy Chief Justice of the Constitutional Court Aswanto participated in the 2020 International Judicial Conference held by the Supreme Court of India in New Delhi, India. In the conference attended by participants from Jamaica, France, Ghana, Peru, and Russia, Aswanto presented a paper entitled "Constitution in A Changing World: Static or Dynamic Interpretation".

Aswanto explained that constitutional justice interprets the constitution through a judicial review mechanism and has the freedom to use various interpretation approaches in making decisions. Mainly, in making decisions, constitutional justice is not only based on the interests of the current generation but it is important to pay attention to future generations.



Deputy Chief Justice of the Constitutional Court Aswanto attends the 2020 International Judicial Conference on Judiciary and The Changing World organized by the Supreme Court of India, on Saturday (22/2/2020) in New Delhi, India. Photo: Public Relations



Constitutional Justice Wahiduddin Adams together with the Chief Justice of the Constitutional Council of Algeria Mr. Kamel Fenniche, Monday (24/2) Aljazair.

d. Strengthening Cooperation within the framework of the Judicial Forum for Organization of Islamic Cooperation (J-OIC)

The Indonesian Constitutional Court delegation led by Constitutional Justice Wahiduddin Adams participated in the International Symposium organized by the Algerian Constitutional Council with the theme "Constitutional Justice and The Protection of Rights and Freedoms" on 23-24 February 2020.

In the forum, Wahiduddin conveyed some of the latest information regarding the Constitutional Court, including the settlement of Dispute Cases for the 2019 Simultaneous Election Results (PHPU 2019) and the projected settlement of disputes over the results of the elections for the Governor/Deputy Governor, Regent/Deputy Regent, and Mayor/Deputy Mayor in 2020.

In addition to conveying the progress of handling cases carried out by the Constitutional Court, within the framework of cooperation with the Constitutional Court within the Organization of Islamic Cooperation (J-OIC) Wahiduddin also mentioned the importance of friendship. He explained that maintaining brotherly ties is part of religious teachings and is the right of every citizen guaranteed by the Constitution.

3 Improving Cooperations

a. International Agenda Adaptation

To maintain good communication and relations between the Republic of Indonesia and foreign partners during a pandemic, all developments, notifications, and participation in activities are carried out intensively via email @mkri. This is related to a series of cancellations of bilateral visits and the presence of constitutional justice in international activities of friendly countries such as Switzerland, Canada, Turkey, Kyrgyzstan, and Italy (Venice Commission). The series of cancellations are also in line with the government's appeal to suspend all foreign official travel since March 13, 2020, following the Circular Letter of the Ministry of State Secretariat Number: B 18/Kemensetneg/Ses/LN.00/03/2020 Regarding Policy for the Implementation of Foreign Service Travel to Prevent the Spread of Coronavirus Disease (Covid-19).

Furthermore, based on the 2018 Istanbul Declaration mandate, and the J-OIC working group meeting in November 2019 in Bali, Indonesia, it was agreed that the Constitutional Court would hold The 2nd Judicial Conference of Constitutional and Supreme Courts/Councils of the OIC Member States Observer States in September 2020 In the Working Committee Meeting held in Bali, the three Working Committee countries present, namely Indonesia, Turkey, and Pakistan, agreed to cooperate in preparing the 2nd Conference to be held in Jakarta, Indonesia.

As a commitment to the Constitutional Court's readiness, in 2020, it has been prepared to hold the 2nd conference in South Tangerang, Banten on 7-9

September 2020, with the theme Human Rights and Constitutionalism: The Contribution of Judiciary in Moslem Countries.

The theme will be divided into two sub-themes, namely (1) Lesson learned: The Role of Judiciary to Promote Humanity and Democracy; and (2) The Protection of the Social, Economic and Cultural Rights in a pluralistic society.

However, considering that the coronavirus (Covid-19) pandemic around the world needs to be the main concern and focus, the Constitutional Court decided to postpone holding the conference until 2021 as the wisest choice. This has been conveyed to the other members of the Working Committee through an official letter to the Secretary Generals with a copy to the respective leaders of the Court and received a very positive response.

b. Virtual Diplomacy

One of the virtual diplomacies that was carried out by the Constitutional Court by organizing a webinar. In the webinar held on 9-10 November 2020, Constitutional Court acted as resource person in 3 sessions, namely by Justice Saldi Isra who explained the presentation with the titles *“Respecting and Protecting Independence within the Judiciary”* dan *“Judicial Independence and Impartiality as Manifestations of the Separation of Powers: The Experience of The Indonesian Constitutional Court,”* along with the Secretary-General Guntur Hamzah with the theme *“Public Relation Strategy to Maintain and Ensure the Independence of the Constitutional Court”*.



Constitutional Justice Saldi Isra accompanied by Constitutional Court Senior Researcher Pan Mohamad Faiz are the speakers at a virtual seminar held by the Max Planck Foundation with the Maldives Supreme Court, on Tuesday (10/11) at the Constitutional Court Building. Photo by Public Relations/Ifa.

In his presentation, Constitutional Justice Saldi Isra emphasized that the judiciary also needs to understand the limitations of its authority. The judiciary should not carry out judicial overreach in carrying out its authority by exceeding the mandate given to it. While in the Public Relations session, Guntur Hamzah explained that in practice the Constitutional Court opened freely and did not provide certain signs for the media and the public to access various information they needed.



Secretary-General M. Guntur Hamzah accompanied by the Head of the Public Relations Division for National Cooperation Fajar Laksono, along with the Head of the Sub-Division of Public Relations for Foreign Cooperation Immanuel Bungkulan Hutasoit, are the speakers at a virtual seminar held by the Max Planck Foundation with the Supreme Court of the Maldives, on Wednesday (11 /11) at the Constitutional Court Building.

Regarding the content of the news that will be made by the media, the Constitutional Court gives full trust to the media for the information to be disclosed, as long as the data written are following what is published on the official website of the institution. The collaboration between Constitutional Court and the Max Planck Institute has been implemented since 2017 through a recharging program that was attended by many Constitutional Court employees in Heidelberg, Germany.

4. International Achievements

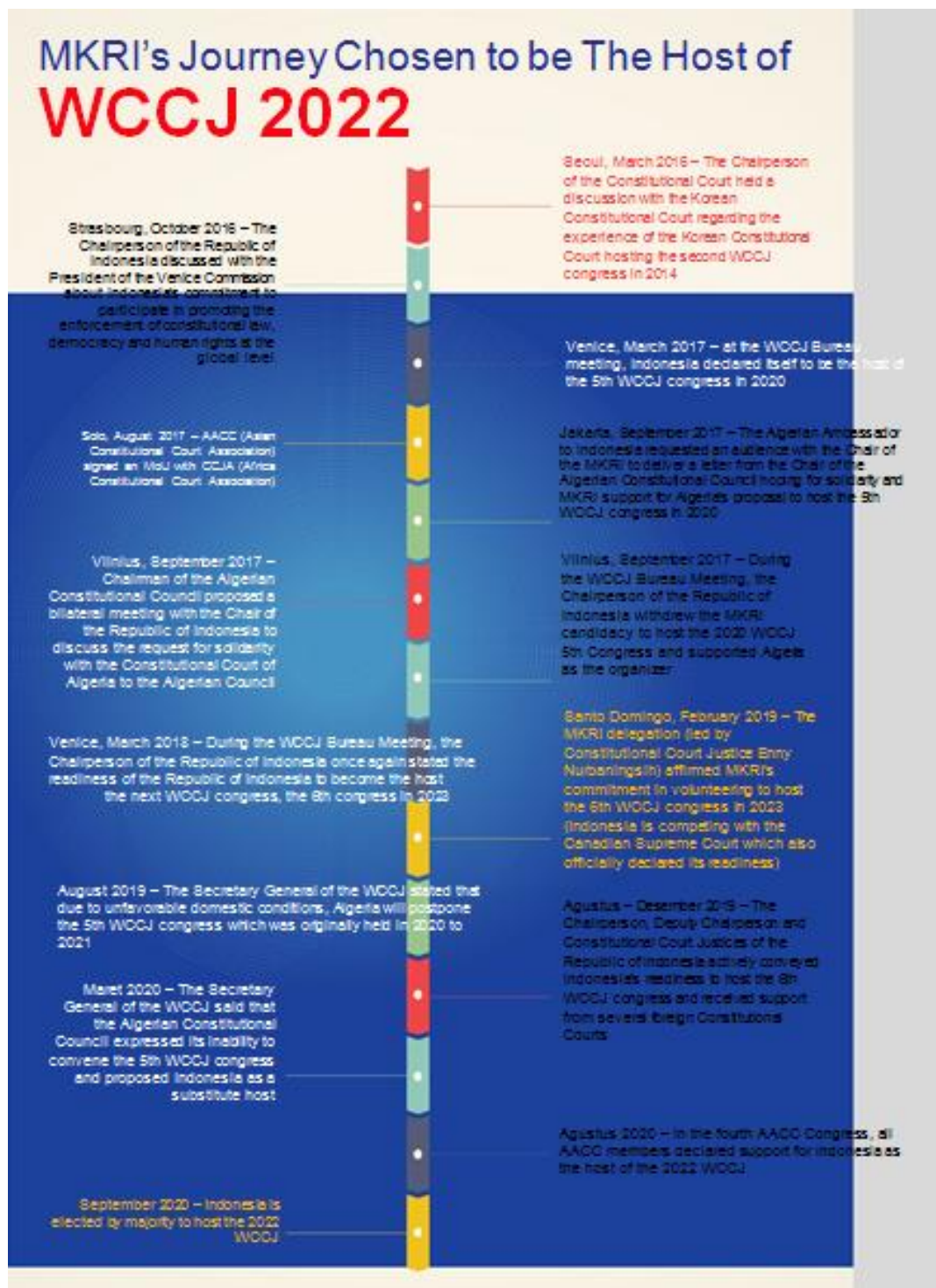
Host for The 2022 WCCJ Congress

The Constitutional Court's activities in international forums are based on efforts to participate in realizing world order as stated in the Preamble (Preamble) of the 1945 Constitution. As a judicial institution that has a vision to "Guard the Upholding of the Constitution through Modern and Reliable

Judiciary", the Constitutional Court of the Republic of Indonesia continues to improve the quality of decisions, performance, and service for justice seekers. One of them is through the involvement of the Indonesian Constitutional Court in international forums as a forum for exchanging information and experiences from similar institutions in various parts of the world.

WCCJ is a forum consisting of 117 Constitutional Courts and Supreme Courts around the world that aims to uphold and promote constitutional justice, including the protection of human rights, democracy, and law enforcement. Meanwhile, the AACC is an association of the Constitutional Court and similar institutions in Asia which currently has 20 members, the Constitutional Court is one of the initiators of the establishment of this association.

Constitutional Court's active participation has received a lot of appreciation from international forums. One of them is by giving trust to the Constitutional Court to host an international-scale meeting in 2022, namely The 5th Congress of the World Conference on Constitutional Justice (WCCJ) which has been officially submitted through the Letter of the Secretary-General of the WCCJ Number J.Dem.396 Sc/mk on September 21, 2020.



Medal Award From Kazakhstan

Chief Justice of the Constitutional Court Anwar Usman accompanied by Constitutional Justice Arief Hidayat received the Medal for the 25th Anniversary

of the Kazakhstan Constitutional Referendum, on October 27, 2020, in the Delegation Room of the Constitutional Court Building.

The medal was handed over by the Ambassador of the Republic of Kazakhstan to Indonesia Daniyar Sarekenov. The medal is an appreciation from the President of the Republic of Kazakhstan to the Constitutional Court of the Republic of Indonesia who has always supported the Constitutional Council of the Republic of Kazakhstan in upholding the constitution, democracy, and human rights at the world level.



Chief Justice of the Constitutional Court Anwar Usman and Constitutional Justice Arief Hidayat receive the Medal Commemorating the 25th Anniversary of the Constitutional Referendum of Kazakhstan in the delegation room of the Constitutional Court Building handed over by the Ambassador of the Republic of Kazakhstan to Indonesia Daniyar Sarekenov.

B. National Cooperation

The Constitutional Court still has a mission to build a constitutional justice system that can support constitutional enforcement and increase public understanding of the constitutional rights of citizens amid the Covid-19 pandemic. The efforts taken by the Constitutional Court are to develop cooperation with stakeholders, both at home and abroad.

In the national scope, the Constitutional Court continues to improve and collaborate with various institutions, agencies, community organizations, and universities throughout Indonesia. This activity aims to increase the understanding and awareness of citizens towards Pancasila and the Constitution so that the public is more aware and aware of the constitution. This is for the life of the state to behave under the noble values of Pancasila and the Constitution.



Secretary-General of the Constitutional Court M. Guntur Hamzah and Chief Justice of the Constitutional Forum Harum Kamil witnessed by Chief Justice of the Constitutional Court Anwar Usman at the signing of the Memorandum of Understanding between the Constitutional Court and the Constitutional Forum, 17 February 2020 at Building II of the Constitutional Court. Public Relations's photo.



Constitutional Justice Saldi Isra is a guest speaker for a virtual public lecture held by the Faculty of Law, Andalas University (FH Unand).

In 2020, the Constitutional Court will continue to hold several activities including book launches and reviews, Memorandum of Understanding signing, seminars, and public lectures which are held both in-person and online. However, most of the activities held online are conducted. Therefore, even in a pandemic, the Constitutional Court still initiates various activities for law enforcement.

1. Signing of the Memorandum of Understanding

The signing of this Memorandum of Understanding was carried out by the Court with various institutions, government agencies, and universities in Indonesia to expand and facilitate coordination of cooperation in organizing work activities the same will be done. In 2020

In this case, the Constitutional Court signed the Memorandum of Agreement Indonesia and the Constitutional Forum. The cooperation agreement between the Secretariat General of the House of Representatives of the Republic of Indonesia with the Constitutional Court starts on September 21 2020 and will end in September 2021. The agreement is executed in technical support efforts in

court Judicial Review In Constitutional Court. While working with Constitutional Forum for Improvement Understanding Pancasila and the Constitution. The activities are conducted from 17 February 2020 to 17 February 2025.

The Constitutional Forum is an association of members of the Ad Hoc Committee of the Working Body of the People's Consultative Assembly of the Republic of Indonesia for the period 1994 - 2004 which was assigned to prepare a draft amendment to the 1945 Constitution. This collaboration aims to continue and enhance cooperation and coordination in the context of increasing understanding of Pancasila and the Constitution and is directed for the development of legal and constitutional education studies as well as improving the quality of human resources in the field of law and constitution.

In contrast to 2019, the Constitutional Court signed 17 (seventeen) Memorandums of Understanding including the Directorate General of Population and Civil Registry, Ministry of Internal Affairs, Central Information Commission (KIP), Indonesian Ombudsman, Press Council, and 13 (thirteen) universities in throughout Indonesia. On 19 February 2019, the Constitutional Court signed a Memorandum of Understanding with the Directorate General of Population and Civil Registry of the Ministry of Internal Affairs regarding the authority to settle disputes over the 2019 general election results.

2. Seminars and Public Lecturers



Deputy Chief Justice Aswanto and Constitutional Justice Arief Hidayat accompanied by Secretary-General of the Constitutional Court M Guntur Hamzah and Deputy Chancellor Bohari Yusuf opens the National Seminar on February 29, 2020, in the Multipurpose Room, Lt. 4 Rectorate of Mulawarman University, Gunung Kelua Campus, Samarinda, East Kalimantan.

Seminars and public lectures are carried out by the Court as an effort to increase the understanding and awareness of citizens about the meaning of Pancasila and the Constitution. Many people understand Pancasila and the Constitution but do not understand the meaning contained in it, both about noble values, tolerance, and mutual respect among others.

This activity is carried out by the Constitutional Court in collaboration with institutions, agencies, universities, and community organizations. Even though this year we are faced with the Covid-19 pandemic situation, the activity is carried out online. The speakers for seminars and public lectures were delivered by the Chief Justice of the Constitutional Court, Deputy Chief Justice of the Constitutional Court, and other Constitutional Justices. From 2020 to November 2020, 68 activities have been carried out both in-person and online.

3. Keynote Speaker

To introduce the role and function of the Constitutional Court, the constitutional justice became keynote speakers in seminars and public lectures, both in-person and online. This activity is expected to make the community more familiar with the Constitutional Court by knowing its role and function. So that the public will understand the constitutional rights and obligations that are accepted and what must be done. Throughout 2020, 11 (eleven) activities have been carried out per November 2020.

Table 4.1

List of Keynote Speakers

No	Universities	Implementation	Webinar Activity	Spokesperson
1.	APHTN HAN SUMUT	Tuesday, 2 June at 09.30 WIB	Keynote Speaker of Establishing Pancasila & The Constitution in “Saving the Life of the Nation” in Collaboration between the Constitutional Court and APHTN-HAN North Sumatera.	Secretary -General Prof. Dr. M. Guntur Hamzah
2.	UII	Tuesday, 30 June at 09.00 WIB	Keynote Speaker of Webinar “Two Decades the Development and Dynamics of Judicial Power”	Constitutional Justice Dr.Suhartoyo
3.	PSHK FH UII	Friday, 17 Juli at 13.30 WIB	Keynote Speaker of Webinar “Building Harmonious Relationship between Religion and State in Public”	Constitutional Justice Dr.Wahiddudin Adam
4.	FH. Universitas Bangka Belitung	Wednesday, 9 September 2020 at 08.30	Keynote Speaker of Seminar on Law & National Publication with the theme: “Transformation of	Constitutional Justice Prof. Dr. Arief Hidayat

	WIB	Legal Ideals to realize an Advanced Indonesia”	
5. FH UPN Veteran Jawa Timur	30 September 2020 at 08.00 WIB	Keynote Speaker of “Legal and Technological Transformation in Strengthening State Resilience in The New Normal Era”	Constitutional Justice Prof. Dr. Arief Hidayat
6. Sekolah Pemilu Saturday, – MasikaIcmi - 10 Oktober Bawaslu – KPU Sulsel	at 13.00 WIB	Keynote Speaker of Webinar “Ethical Justice and Election Dispute”	Deputy Chief Justice of the Constitutional Court Prof. Dr. Aswanto
7. KNPI District Tegal	Saturday 24 Oktober at 13.00 WIB	Keynote Speaker of Webinar Silatda (Silaturahmi Pemuda) in Tegal “Judicial Review Mechanism with the spirit of Pancasila in Realizing the Supremacy of Constitutional Law”	Constitutional Justice Prof. Dr. Arief Hidayat
8. PKPA Peradi Univ. Galuh Ciamis	Thursday, 12 November at .30 WIB	Keynote Speaker of Webinar ‘Law of Procedure of the Constitutional Court”	Constitutional Justice Dr. Suhartoyo
9. South Sulawesi Family Harmony Central Board (BPP KKSS)	Saturday 14 November at 08.30 WIB	Keynote Speaker of Webinar “The Role of KKSS legal Practitioners in the Context of Law Enforcement in Indonesia”	Deputy Chief Justice of the Constitutional Court Prof. Dr. Aswanto

10. PKPA Peradi UIN Alauddin Makassar	Saturday 14 November at 14.00 WIB	Keynote Speaker of Webinar “Procedural Law of the Constitutional Court”	Deputy Chief Justice of the Constitutional Court Prof. Dr. Aswanto
11. UNS Law Student Forum	Saturday 21 November at 08.00 WIB	Keynote Speaker of “ <i>Quo Fadi</i> Human Right Enforcement in the Elimination of Sexual Crimes in Indonesia”	Constitutional Justice Prof. Dr. Enny



ORGANIZATIONAL AND INSTITUTIONAL REINFORCEMENT



A. Human Resource Development

B. Implementation of Bureaucratic Reform

C. Infrastructure

D. Supervision

E. Archive

Constitutional Court Annual Report 2020

A. Human Resources Development

To realize the Constitutional Court as a modern and trusted judicial institution, professional, competent, and integrity human resources are needed. The following are the dynamics of human resource development within the Registrar's Office and the Secretariat General of the Constitutional Court.

1. Employee Composition

Employee Statistic

Based on employee statistics as of September 1, 2020, the Constitutional Court's employees totaled 282 people who could be grouped into the following divisions.

1) Education

Based on education, there are 13 employees of the Constitutional Court with doctoral education (5%), 127 masters (45%), 112 persons with a bachelor degree (40%), 2 persons with a bachelor of applied sciences (1%), 20 persons with associate degrees (7%), and 8 high school graduates (6%).

2) Group

Based on position, there are 3 persons in Group IV/e (1%), Group IV/d is occupied by 4 people (1%), Group IV/c is 8 people (3%), Group IV/b is 5 people (2%), Group IV/a as many as 20 people (7%), Group III/d as many as 59 people (21%), Group III/c as many as 71 people (25%), Group III/b as many as 49 people (17 %), Group III/a as many as 48 people (17%), Group II/d as many as 4 people (1%), and Group II/c as many as 11 people(4%).

3) Age

Based on age, there is one person in the Constitutional Court employees in the age range of 18 – 23 years (0%), 46 people aged 24 – 29 years (16%), 76 people aged 30 – 35 years (27%), 68 people aged 36 – 41 years (24%), age 42-47 years

amounted to 50 people (18%), age 48-53 years amounted to 25 people (9%), and age 54-60 years amounted to 16 people (6%).

4) Employment Status

Based on employment status, the Constitutional Court's employees consist of 282 civil servants.

B. Exemplary Employee Appreciation

In carrying out its duties and functions, the Constitutional Court is supported by human resources consisting of three elements, namely Civil Servants (PNS), Non-Civil Servant Government Employees (PPNPN), Mancadaya, and Assistant Employees. To encourage and improve the performance of employees and employees, it is necessary to have motivation through giving awards to employees and employees. In 2020, three people were selected as Exemplary Constitutional Court Employees of 2020 for Civil Servants (PNS), namely Purwanto (Exemplary Employee I/ Bureau of Human Resources and Organizations), Anna Triningsih (Exemplary Employee II/ Research Center for Case Studies and Libraries), Eliza (Exemplary Employee III/Planning and Finance Bureau) and three others for Non-State Civil Servants, namely Rahman Karim (Exemplary Employee I/ PPNPN), Muchasan (Exemplary Employee II/Mancadaya), and Sutrisno Hermawanto (Exemplary Employee III/Mancadaya).



The Constitutional Court employees who receive the award as an exemplary employee in 2020, Thursday (13/8) at the Courtyard Building Court

C. Inauguration of Structural and Functional Officers

In 2020, the Constitutional Court has inaugurated Structural and Functional Officers, including on September 2, 2020, 5 Substitute Registrars of Level I and 1 Substitute Registrar of Level II were inaugurated and on September 3, 2020, 1 Echelon II structural official was inaugurated. In addition, during 2020 the Constitutional Court has facilitated the promotion of employees in 2 periods, namely the first period in April 2020 covering 20 employees and the second period in October 2020 covering 2 employees.

D. Covid-19 task force

Coronavirus Diseases 19 (Covid-19) is a major problem in the world, including Indonesia. In this regard, the Ministry of Administration and Bureaucracy Reform (Kemenpan RB) issued a Circular Letter of the Minister of Ministry of Administration and Bureaucracy Reform Number 19 of 2020 concerning Adjustment of the Work System of State Civil Apparatus in Efforts to Prevent Covid-19 in Government Agencies. The circular letter serves as a guideline for government

agencies in carrying out official duties by working at home/place of residence (Work from Home/WFH) as an effort to prevent and minimize the spread of Covid-19 including the Constitutional Court.



Chief Justice of the Constitutional Court Anwar Usman receives a temperature check as part of the health protocol at the Constitutional Court on March 10, 2020.



Deputy Chief Justice of the Constitutional Court Aswanto receives a temperature check as part of the health protocol at the Constitutional Court on March 10, 2020.

As of March 17, 2020, the Constitutional Court has implemented Work From Home (WFH). All employees within the Registrar's Office and the Secretariat General of the Constitutional Court conduct KDR by utilizing information technology. However, to participate in tackling and breaking the chain of the spread of Covid-19, the Constitutional Court also formed the Covid-19 Task Force. This is stated in the Decree of the Secretary-General of the Constitutional Court Number 97 of 2020 concerning the Covid-19 Task Force at the Constitutional Court.

This task force is also tasked with preventing the spread of Covid-19 through synergy and coordination between work units within the Constitutional Court and coordination with related agencies. Not only that, but the Covid-19 Task Force must also anticipate, be prepared, monitor the potential for escalation in the spread of Covid-19 for the prevention and control of Covid-19. Finally, the Covid-19 Task Force is also tasked with taking the necessary technical handling steps to prevent and overcome the spread of Covid-19 within the Constitutional Court.

Concerning the WFH team, all Constitutional Court office activities continue to run as they should by utilizing communication technology and applications. The Constitutional Court's Information and Communication Technology Team (TIK Team) also formed the Constitutional Court's Covid-19 Task Force. By dividing several categories of support, namely for constitutional justices, employees, and routine performance of the Constitutional Court.

To support constitutional justices, the Constitutional Court's ICT Team prepares various facilities that are needed at any time in conducting judges' deliberation meetings (RPH) online with the KDR pattern. Meanwhile, related to case trial support, various technological support devices and applications have been prepared by taking into account the provisions of the procedural law in the Constitutional Court. Under the provisions of the Constitutional Court Regulation

(PMK) Number 18 of 2009, remote hearings can be carried out during normal or emergency conditions.



The process of spraying disinfectant in the Plenary Session Room.



Online trial simulation meeting on April 23, 2020.

Thus, during the prevention of Covid-19, the Constitutional Court will hold an online trial while still implementing physical distancing for constitutional justice.

While providing support for employees, the Constitutional Court's ICT Team has also made technology tools that can be accessed by employees from their respective homes. Constitutional Court has opened access to documents that are directly connected to the server. Thus, each employee can carry out their duties as usual. Budi added that related to existing work tools, such as Constitutional Court's SIKD has also been opened for every employee to be able to then perform optimal performance reporting from their respective homes.

In addition to the Constitutional Court IT Team, one of the work units that are at the forefront of the Constitutional Court Covid-19 Task Force is the Constitutional Court Clinical Medical Personnel. The Constitutional Court Clinic's medical staff consists of 13 people, namely two general practitioners, two dentists, four nurses, two pharmacists, one physiotherapist, and a medical laboratory worker. In addition, the Constitutional Court Covid-19 Task Force opened a Covid-19 Post for the Constitutional Court Pratama Clinic to deal with the Covid-19 pandemic within the Court's Registrar and Secretariat General.



In the early stages of detecting Covid-19, the Constitutional Court began on April 24, 2020, by conducting rapid tests 393 times to medical personnel, constitutional justices, trial officers, assistant justice, and employees in general. Furthermore, the Medical Team of the Constitutional Court Clinic continued to carry out tracing and testing employees, and even as of Monday, December 28, 2020, there were 59 employees and employees of the Constitutional Court with positive antigen rapid swab results at the Constitutional Court Polyclinic and confirmed PCR swabs from several homes and nearest hospital and health facility. 29 PCR results were declared negative, however, 2 people passed away, namely the Head of the PPNPN Subdivision Rachmat Santoso and the Constitutional Court's Photographer Gani.

There are also the countermeasures that have been and are being carried out (treatment), including for employees who are declared positive they will be referred and accompanied to Wisma Atlet or self-quarantine at their respective homes according to health conditions; given multivitamins and necessary medical equipment; spraying disinfectant on all floors and work areas in the Constitutional Court building; monitoring the health condition of each employee; reminding employees via SMS/WA to always maintain health and apply strict health protocols, both in the office and outside the office and not to panic if there are positive employees; and carrying out an antigen swab test periodically every month as a form of the implementation of 3T (testing, tracing, treatment).

2. Human Resources Development

To improve human resources within the Registrar's Office and the Secretariat-General of the Constitutional Court, especially in supporting constitutional duties and authorities, the Constitutional Court carries out the following activities.

a. Pilot Degrees

In the 2020 period, 39 employees took part in the pilot degree program. Starting from the bachelor's up to the doctoral degree, 18 of which had doctoral degrees, 15 master's, and 6 bachelor's degrees.



Inauguration and Oath Taking of Structural and Functional Officers

Table 5.1

Constitutional Court Employee Pilot Degree 2020

No	Pilot Degree	University	Total
1.	S3	University of Utrecht (Belanda)	1 person
2.	S3	University of Sorbonne (Perancis)	1 person
3.	S3	International Islamic University of Malaysia (IIUM)	1 person
4.	S3	University of Indonesia	2 persons
5.	S3	University of Diponegoro	6 persons
6.	S3	University of Brawijaya	1 person
7.	S3	University of Padjajaran	3 persons
8.	S3	University of Andalas	1 person

9.	S3	University of Prof. Dr. Moestopo	1 person
10.	S3	University of Sebelas Maret (UNS)	1 person
11.	S2	Leiden University	1 person
12.	S2	University of Glasgow (Inggris)	1 person
13.	S2	University of Indonesia	2 persons
14.	S2	University of Pakuan Bogor	2 persons
15.	S2	University of Prof. Dr. Moestopo	7 persons
16.	S2	University of Terbuka	2 persons
17.	S1	University of Gunadharma	1 person
18.	S1	University of Terbuka	3 persons
19.	S1	University of Mercu Buana	2 person
TOTAL			39 persons

b. Summer School

This activity was organized by the Turkish Constitutional Court as the Secretary of AACC for Training and Human Resource Development of AACC on 7 – 8 September 2020. This activity was held virtually and was attended by two employees of the Constitutional Court together with other participants from 26 other member countries.



Constitutional Court employees attended the Turkish Constitutional Court Summer School on 7-8 September 2020

c. Internal Archives Supervision Technical Training

This technical training regarding the supervision of internal archives was carried out on June 24 – July 6, 2020, online through the Google Classroom Application and the Zoom Application. This activity was attended by 62 participants consisting of structural officials in the field of archives, archivists, and certain functional ministries/state institutions.

d. Education and Training

1) Investigative Audit Training

This training was carried out using a distance learning method using the zoom application held from 31 August to 04 November 2020. The training participants consist of 21 participants from the Inspectorate of Ministries and Institutions as well as the Regional Inspectorate. Participants from the Inspectorate of the Constitutional Court amounted to 1 person, namely Muhammad Rizki.

2) Training on the Procurement of Goods/Services for Basic Level II

The 2020 Basic Level of Goods/Services Procurement Training and Education was held on February 26 s.d. March 13, 2020. The activity was held with two methods, namely online at the Constitutional Court Office and offline at the LKPP Office, Rasuna Epicentrum Complex, South Jakarta. The Constitutional Court employees who were accepted as participants were 6 people.

3) Electronic-based Judicial Review Case Training

This Electronic-based Judicial Review Training was carried out using the lecture method by guest speakers from the Constitutional Court and trial application simulations using laptops as well as discussions between the guest speaker and training participants. 78 participants took part in this training from the Legal Bureau and Registrar's Office and Substitute Registrar's work units. This activity lasted for 2 days, namely on January 10 and January 17, 2020, in the Ground Floor Hall of the Constitutional Court Building.



Electronic-based Judicial Review Training on January 10 and 17, 2020 in the Ground Floor Hall of the Constitutional Court Building

constitutional justices and representatives of each work unit with the International Language School which were the Registrar and the Secretariat General of the Constitutional Court joined by 3 Justices and 1 Echelon I.



Office Application Training by BPPTIK Kominfo on 26-28 February 2020 in the 4th Floor Delegation Room.

e. English Language Course

This English course activity was attended by several employees who were divided into 4 classes, including the IELTS Preparation Group I Class in collaboration with Royal English which was attended by 10 employees; IELTS Preparation Group II class in collaboration with Royal English which was attended by 10 employees; IELTS Test class in collaboration with the British Council which was attended by 20 employees; and Executive Class working together.

f. Workshop, Socialization, and Certification

1) Preparation Workshop for Settlements of PHP Cases for the Governor, Regent, and Mayor of 2020

This activity was organized for civil servants on December 8, 2020, and followed online by 278 participants. Whereas workshops for PPNPN and Mancadaya were held on December 7, 2020, done online and followed by 352 participants.

2) Socialization of Online Application for Indonesian National Police (Polri) Performance Management System

The Socialization of Online Application for Indonesian National Police (Polri) Performance Management System was held on February 19, 2020, in the Delegation Room on the 4th Floor of the Constitutional Court Building. This activity involved 34 personnel of the National Police who served in the Registrar's Office and the Secretariat General of the Constitutional Court and several employees in the Pustik, the Security Section, and the HR Section.

3) Competency certification for Archivist Functional Positions

The 2020 Archives Functional Position Certification was held on 17 – 20 March 2020 at the National Archives Office of the Republic of Indonesia. This activity was held through lecture and discussion methods by resource persons from the National Archives of the Republic of Indonesia, which was attended by 1 member of the Constitutional Court employee,

g. Internship

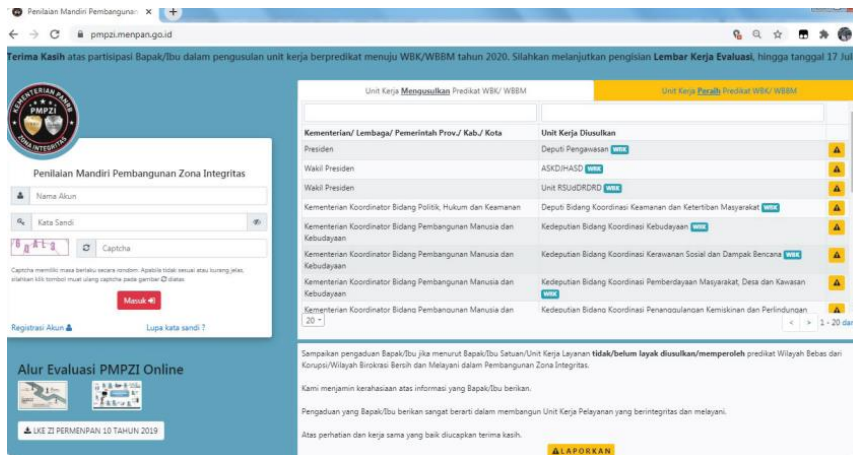
Internship activities at the Constitutional Court are carried out in 2 stages, namely in January and October 2020. The first stage was carried out from January 13 to February 7, 2020, and was attended by 40 students. The second phase of the internship was held from September 23 to October 23, 2020, virtually, which was attended by 20 students. The universities participating in the internship include Diponegoro University, Sebelas Maret University, UIN Sunan Kalijaga Yogyakarta, University of Indonesia, Trisakti University, Indonesian Islamic University, Syarif Hidayatullah State Islamic University Jakarta, and Lampung University.

B. Implementation of Bureaucratic Reform

The Constitutional Court has established Constitutional Court Regulation Number 3 of 2020 concerning the Strategic Plan of the Constitutional Court for 2020 – 2024 (Renstra MK 2020 – 2024), which regulates the target value of Bureaucratic Reform (BR) from 2020 to 2024. In 2020, the Minister of Administration and

Bureaucracy Reform has set a Minister Regulation of Administration and Bureaucracy Reform Number 25 of 2020 concerning the Road Map of Bureaucratic Reform (BR) 2020 – 2024 (National BR Road Map 2020 – 2024) as a reference in the implementation of BR for the 2020 – 2024 period for all Ministries/Agencies and Regional Governments. Entering 2020, the Constitutional Court has followed up on the notes and recommendations from the Ministry of Administration and Bureaucracy Reform on the results of the evaluation of the 2019 Constitutional Court's Bureaucratic Reform implementation, including the following:

1. Establishing a Working Group and BR Evaluation Team consisting of the Registrar's Bureaucratic Reform Implementation Team and the Secretariat-General of the Court; Bureaucratic Reform Implementation Team for Work Units; Work Unit Assessor Team; the Evaluation Team for the Implementation of Bureaucratic Reform in the Registrar's Office and the Secretariat General of the Constitutional Court in 2020.
2. Performing refinement and alignment of performances with the organizational structure by describing it in the MK Strategic Plan 2020-2024 which in its preparation involves all work units.
3. Developing the Court's business processes related to case settlement performance based on several things, namely the overall case settlement performance at the work unit level, cascading the Court's performance which has been improved in the 2020-2024 MK Strategic Plan.



Proposing Edu Center as a Corruption-Free Area through the pmpzi.menpan.go.id

4. Developing the application of online SKP as a basis for supporting employee performance by implementing performance monitoring through SIKD and real-time WFH reports.
5. Establishing an integrity zone by proposing the Pancasila and Constitutional Education Center to be designated as a Corruption Free Area (CFA) through the pmpzi.menpan.go.id application even though it has not succeeded in obtaining the CFA title.
6. Implementing online application submission services using IT facilities (online). Physically, the service is carried out by taking into account the Covid-19 health protocol, such as checking the body temperature of the applicants using a thermal scanner, providing hand washing facilities, mandatory use of masks, and physical distancing.
7. Innovating information systems, including improving the SIMPP application, developing the Contact MK feature through contactmk.mkri.id., preparing the Secretary-General Regulation on the Management of the Constitutional Court's Website, and activating/adding the SIKD Compilation Menu.

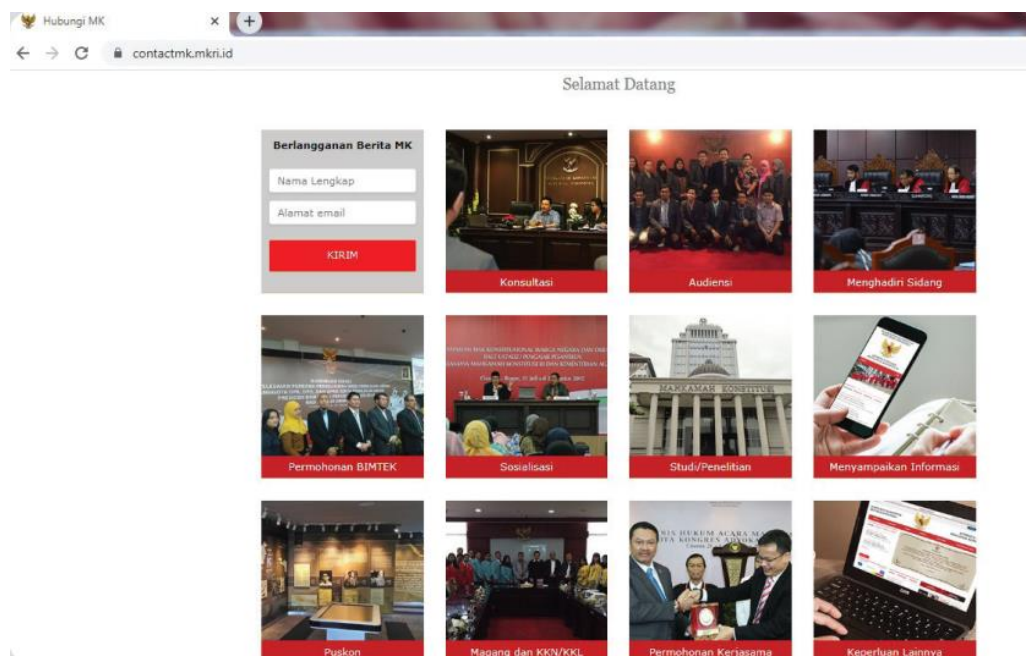
C. Infrastructure

2020 is a period of preparation for the Constitutional Court to face the settlement of disputes over 2020 Simultaneous Regional Head Elections Results (PHP Kada 2020). However, this also goes hand in hand with efforts to prevent the spread of the Covid-19 pandemic. For this reason, the Constitutional Court has prepared various supporting facilities and infrastructure to support the implementation of Indonesia's big agenda by implementing the health protocol provisions set by the Indonesian Ministry of Health.

1. Health Protocol Infrastructures

a. Several rules following the provisions of the health protocol to prevent the spread of the Covid-19 pandemic include:

1. Spray disinfectant regularly to all areas of the Constitutional Court Building



Development of contact Constitutional Court's feature via contactmk.mkri.id

2. Provide a place for washing hands and hand sanitizer in each employee's work area. Implement procedures for using elevators and stairs;



All employees and guests are required to wear masks and check the temperature

3. Carry out rapid tests and/or PCR tests for employees as an initial screening to prevent transmission of Covid 19;
 4. Require all employees to wear masks while in the Constitutional Court Building, during travel to and from work;
 5. Measurement of body temperature for every employee and guest at every entry point of the Constitutional Court Building by applicable standards;
 6. Enforce a ban on entry to work for employees, guests/visitors who have symptoms of Covid-19;
 7. Require employees to apply physical distancing in every activity while in the office environment;
 8. Provision of transportation/ vehicle pick-up for employees with the provisions of the Health protocol;
 9. Provide a quarantine/self-isolation place if there are employees who suffer from Covid-19.
- b. Procurement of several tools and equipment to prevent the transmission of Covid-19, including thermal screening equipment; infrared thermometer equipment; thermogun equipment; disinfectant booth; water purifier equipment, medical kits;

vitamins, masks, and gloves; UV lamp; hygiene facilities; antigen swabs; and cloth masks

b. Security Infrastructure

a. To support security for the implementation of the Simultaneous Disputes over regional head election result case settlement in 2020, the Constitutional Court divides the security zones as follows.

1. Zone I consists of the Main Meeting Room, Panel Meeting Room I, and II; Working Room of Constitutional Court Justices; Waiting Room for Constitutional Court Justices; and Waiting Room for the Applicant and the Parties.



Provision of Disinfectant Booths to prevent the spread of Covid-19



Security of the entire Constitutional Court Building including the Ground Floor Application Reception Room

2. Zone II consists of the Main Meeting Room Lobby; Panel I and Panel II Meeting Room Lobby; Ground Floor Application Reception Room; Ground Floor Lobby Elevator; 2nd Floor Lobby Elevator, and 4th Floor Lobby Elevator.
 3. Zone III consists of stairs outside the building and Drop Off at the Ground floor; the east and west courtyards of the Constitutional Court building; Parking area basement I and basement II.
 4. Zona Zone IV consists of Jln. Medan Merdeka Barat; Jln. Abdul Muis; and the RRI Building and the Ministry of PDT.
- b. For the need for security human resources in the Constitutional Court Building during the completion of the Simultaneous Disputes over regional head election result case settlement in 2020, it is divided into several parts as follows:
1. For the Service of the Pre Session Period, it is divided into Security as many as 48 people; There are 58 police, consisting of 11 BKO Policewomen, 31 Brimob BKO, 10 Uniform Obvits, and 6 Gambir Sector Police.

2. For Session Period Services, it is divided into 51 Security people; There are 129 police, consisting of 11 BKO Policewomen, 31 Brimob BKO, 22 Uniform Obvits, 20 Central Police/Sek Police, 25 Court Obvit Pam, 20 Escape Gegana.
3. For Post-trial Service, it is divided into 48 Security persons b. There are 58 police, consisting of 11 BKO Policewomen, 31 Brimob BKO, 10 Uniform Obvits, 6 Gambir Sector Police.

3. Household Activities

In dealing with the settlement of disputes over regional head election results in 2020, the Household Unit made several efforts as follows:



Security who is on duty for service during the pre-trial, trial and post-trial period

- a. Provision and Security of Consumption and Entertainment, in the form of activities in collaboration with the Food and Drug Supervisory Agency (BPOM) to conduct food safety tests for Constitutional Justices through sample testing of meals to be served to Constitutional Justices.

- b. Maintenance of the Cleanliness of the Constitutional Court's buildings and public facilities, including providing Assistance Personnel for Cleaning Officers; Guards in public toilet areas; and Mancadaya support; Guards in public toilet areas; and Mancadaya support;
- c. Preparation and security of court buildings and facilities, including the guarantee of electricity supply in cooperation with PLN; lift operational support and chiller system; and Principal sound system support

D. Supervision

In monitoring activities, the Constitutional Court carries out three activities, namely: Implementation of the Government Internal Control System (SPIP), Strengthening Anti-Corruption Culture, and Development of Integrity Zones.



The Constitutional Court janitor is doing maintenance on the cleanliness of the building

1. Internal Monitoring

This activity is one form of implementation of the elements of SPIP. Internal supervision is carried out through audit, review, monitoring and evaluation activities

which are carried out periodically according to the time specified in the Annual Supervision Work Program (PKPT). The goal is to ensure that the achievement of the Constitutional Court's targets is carried out effectively, efficiently, and accountably through the reliability of financial reporting, safeguarding state assets, and compliance with laws and regulations.

a. Audit

In 2020, the Inspectorate will conduct Performance Audits and/or Operational Audits in the work units of the General Bureau, Bureau of Law and Registrar Administration, Center for Information and Communication Technology and Special Audits on the use of the Covid-19 Response Acceleration Budget. The reviews carried out include reviews of the 2019 FY Financial Statements and the First Semester Financial Reports of FY 2020.

b. Review

The review of the Ministries/Agency Work and Budget Plans (RKAKL), is carried out starting from the indicative ceiling review, allocation ceiling, RK-BMN FY 2022, Budget Revision, Budget Refocusing, and Reallocation, to a reassessment of BMN FY 2020.

c. Monitoring

Monitoring is a follow-up to the results of the BPK examination and a follow-up to the results of the examination of the government internal supervision apparatus (APIP).

d. Evaluation

Evaluation activities were carried out for submitting the Corruption Free Area title for the Pancasila and Constitutional Education Center in the context of Integrity Zone Development. In addition to the supervisory activities carried out through the above matters to provide guidance for APIP and work units in monitoring the follow-up of examination results, the Inspectorate in November 2020

has compiled guidelines for Follow-up Examination Results (TLHP) which in the future will be developed into an e-mail application monitoring.

Still, in the context of implementing SPIP and to create a risk-aware culture, the Constitutional Court Inspectorate is committed to overseeing the implementation of risk management which is carried out by compiling Risk Management and Risk Monitoring Guidelines, it is hoped that these guidelines can be a guide for work units to manage risk.

In addition to serving as quality assurance as an Internal Auditor in the process of preparing financial statements, the Inspectorate also assists the BPK team as an External Auditor in the process of examining the Financial Statements of the Constitutional Court, and in 2020 the Constitutional Court again received the WTP Predicate on the Financial Statements.

2. Strengthening Anti-Corruption Culture

Strengthening the anti-corruption culture is carried out through Gratification Management Activities, Public Complaints, Conflicts of Interest, Whistle Blowing System, and Illegal Charges Eradication. The details are as follows:

a. Gratification Management

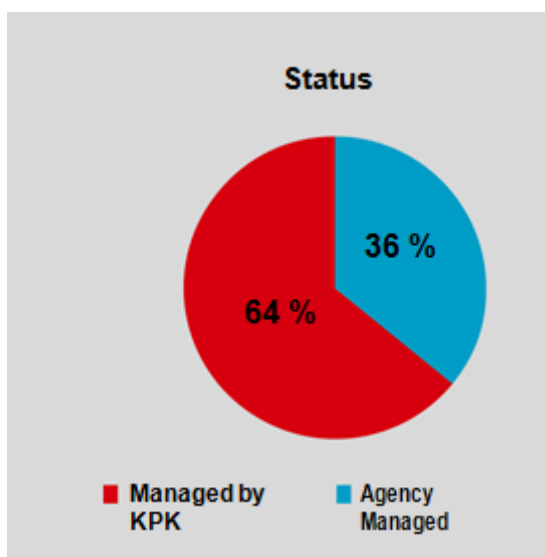
Gratification management is carried out by establishing a Gratification Control Unit (UPG) which is responsible for carrying out the function of gratification control within the Constitutional Court.

Table 5.2

Amount of Gratification Management by Gratification Control Unit

No.	Unit	Amount
1	General Secretariat	4
2	Secretariat	1
3	Bureau of Human Resources and Management	2

4	General Bureau	1
5	Pancasila and Constitutional Education Center	1
6	Bureau of Law and Registrar Administration	1
7	Bureau of Public Relations and Protocol	3
8	Center for Technology, Information & Communication	1
	TOTAL	14



The results of the UPG analysis are that as many as 5 reports have been managed by the KPK, 1 is state-owned and the other 4 are still in the KPK analysis process. Meanwhile, 9 reports have been managed by the agency with 4 reports submitted to social institutions and 5 others submitted to reporting parties.

b. Management of Public Complaints

Management of Public Complaints is carried out through the Integration of SP4N LAPOR, which is a national-based public complaint application owned by the Ministry of Administration and Bureaucracy Reform through the Constitutional Court.

c. Conflict of Interest Management

This activity is carried out in coordination with the KPK regarding the plan to map out conflicts of interest in the Constitutional Court to obtain adequate information through tracing, identification, and analysis if there is indeed a conflict of interest committed by employees. For this matter, the results of the settlements until December 2020 received were nothing.

Tabel 5.3

Results of Conflict of Interest Management in 2020

	Delivery	Amount	Status	Description
1	Orally	Nothing		Delivered directly to conflict of interest team
2	In Writing	Nothing		

d. Whistle Blowing Management System

Whistleblowing system complaints can be made by any employee or public who sees or knows of an alleged violation, by submitting a complaint through the Constitutional Court website <https://wbs.mkri.id>.

The management team must respond to complaints no later than 14 days after the complaint is received which at least contains complete or incomplete information on the complaints. The following is a report on the results of the management of WBS until December 2020.

Table 5.4

Number of Whistleblowing System Complaints

No	Month	Number of Received Complaints	Complaint Status	Results

1	January	1	Finished	Cannot be processed any further because it does not match with complaint criteria
2	February	-	-	-
3	March	-	-	-
4	April	-	-	-
5	May	-	-	-
6	June	-	-	-
7	July	-	-	-
8	August	-	-	-
9	September	-	-	-
10	October	-	-	-
11	November	1	-	-
12	December	-	-	-
	TOTAL			2

e. Report on Extortion Eradication (*Sapu Bersih Pungutan Liar*)

This activity aims to provide reasonable assurance about the veracity of the reports regarding the alleged illegal charges carried out by Constitutional Court officials. Based on the resolution up to December, the following is a recapitulation of the results.

Tabel 5.5

Extortion Eradication Results

No. Months		Total	Status	Description
1	January	Nothing	-	-
2	February	Nothing	-	-
3	March	1	Cannot be processed because it is outside the scope of the Constitutional Court's authority	Submitted To the Inspectorate
4	April	Nothing	-	-
5	May	Nothing	-	-
6	June	Nothing	-	-
7	July	Nothing	-	-
8	August	Nothing	-	-
9	September	Nothing	-	-
10	October	Nothing	-	-
11	November	Nothing	-	-
12	December	Nothing	-	-
	TOTAL	1		

3. Integrity Zone Development

One of the sub-actions in the law enforcement sector and bureaucratic reform in Presidential Regulation Number 54 of 2018 concerning the National Strategy for Corruption Prevention (Perpres Stranas PK) is the Development of

the Integrity Zone. The Integrity Zone is a predicate given to government agencies whose leaders and staff are committed to making a Corruption-Free Area/Clean and Serving Bureaucratic Area (WBK/WBBM) through bureaucratic reform, particularly in terms of preventing corruption and improving the quality of public services. Efforts to get the Integrity Zone predicate towards WBK/WBBM The Inspectorate is committed to guarding the Integrity Zone Development through the following:

a. Compilation of Guidelines for Development of Integrity Zones for Work Units

This guideline is intended to be a guide for work units in implementing the development of the Integrity Zone towards WBK/WBBM in the work unit.



The Education Center is proposed to receive the Corruption Free Zone Predicate

b. Conducting Integrity Zone Development for Work Units

In 2020, the Constitutional Court through the Inspectorate has succeeded in submitting the Pancasila and Constitutional Education Center Work Unit to be proposed for the corruption-free Area.

c. Knowledge Sharing in the Implementation of Integrity Zone Development

Knowledge Sharing related to best practices in the implementation of the Integrity Zone Development was carried out with the Organta Bureau of the Ministry of Finance of the Republic of Indonesia as an institution that has become a pioneer in producing Corruption Free Areas.

d. Conducting Socialization on Strengthening Anti-Corruption Culture at the Pancasila and Constitutional Education Center

The most important things in the development of the Integrity Zones are the prevention of corruption and the improvement of the quality of public services, to create this and as a concrete manifestation in assisting the process of developing the Integrity Zone at the Pancasila and Constitutional Education Center. The Inspectorate contributes to the socialization of anti-corruption culture to all employees in the Education Center area.



Integrity Zone Development at Pancasila and Constitutional Education Center.

e. Dissemination of Anti-Corruption Culture Strengthening Content

This activity is carried out to increase understanding to the public and also employees regarding efforts to strengthen anti-corruption culture by increasing awareness by daring to report things that are suspected of being violations in the Constitutional Court.

f. Self -Assessing the Proposal of Corruption Free Areas

In addition to acting as a companion, the Inspectorate also acts as an Internal Assessment Team in charge of assessing the readiness of the work unit to be promoted as a Corruption Free work unit. In 2020, the work unit that has successfully passed to be proposed for the Corruption Free Area is the Pancasila and Constitutional Education Center.

E. Archives

1. Submission of the Archives to the National Archives of the Republic of Indonesia

The Constitutional Court has submitted the archive as material for national accountability to the National Archives of the Republic of Indonesia (ANRI). The submission of the archives was carried out online in November 2020, which was the 19th file submission since 2006. The archives submitted were case files for 2013-2017 as many as 143 cases with a total archive of 95 textual archive boxes. In addition to the textual archives, the Constitutional Court also submitted archives in digital format which were stored in 2 flash disks. So that the total of all archives that have been submitted to ANRI since 2006 - 2020 is 2,425 files (cases) with a total of 6,150 archive boxes, sound recording archives of 1031 cassettes 870 solid discs, video archives of 27 solid discs and archives of media transfer (digital) as many as 224 solid discs and 6 flash discs.

Total case files submitted to ANRI in 2006-2020 (based on the year of submission):

Table 5.6

Number of Case Files submitted to ANRI

No.	Year of Delivery	Number of Cases	Archives (Paper)
1	2006	127	174 boxes
2	2008	44	44 boxes
3	2009	69	642 boxes
4	2010	81	257 boxes
5	2011	100	342 boxes
6	2012	342	1.126 boxes
7	2013	386	650 boxes
8	2014	258	600 boxes
9	2015	287	1.337 boxes
10	2016	400	762 boxes
11	2017	166	121 boxes
12	2020	143	95 boxes
	TOTAL	2.425	6.150 boxes

2. Office Manuscript Management

a. Incoming Mail Management

One of the tasks of the Archives Unit is to carry out the management of official documents submitted by other agencies through letters, the Court's website (Contact the Court), email, and WhatsApp. The number of official manuscripts received and registered into the Dynamic Archival Information System (SIKD) during 2020 was 1884 manuscripts, with the following details:

Table 5.7

Number of Incoming Mail Management

No.	Month	Post	Email	Website	WhatsApp	Total
1	January	177	22	6	0	205
2	February	223	28	7	0	258
3	March	161	21	8	0	190
4	April	28	21	1	18	68
5	May	60	23	0	7	90
6	June	108	27	3	6	144
7	July	123	35	1	0	159
8	August	163	21	0	0	184
9	September	156	18	2	0	176
10	October	157	26	7	0	190
11	November	171	28	20	1	220
12	Desember	159	21	8	0	188
TOTAL		1.686	291	63	32	2.072

b. Letter Drafting

To support the task and function in the Constitutional Court, official documents are required as a means of communication. The number of the official manuscript in SIKD during 2020 is 17.123 manuscripts. The detail is as follows:

Table 5.8

Number of Letters that have been Registered in SIKD

Month	Number of Official Documents	
	Amount	Percentage
January	2.020	11,80%
February	2.293	13,39%
March	1.517	8,86%
April	1.141	6,66%
May	884	5,16%
June	1.519	8,87%
July	1.630	9,52%
August	1.491	8,71%
September	1.686	9,85%
October	1.704	9,95%
November	1.238	7,23%
December	1.913	10,04%
TOTAL	19.036	100,00%

Based on the number of official documents made, 95% are electronic (electronically signed official documents). As many as 5% of official documents that have not been electronically signed are official documents that involve third parties, such as Cooperation Agreements, Contracts, and Minutes.

c. Management of Outgoing Mail and Other Expeditions

Expedition services out of the institution in the form of official texts or publication materials and other packages as a means of facilitating and supporting official communication and information delivery to external parties during 2020.

The number of sending letters and publication materials or other packages is 16,752 consisting of 4,798 outgoing letters and 11,954 publication materials /packages. The highest number was in January, namely 10,325 shipments of publication materials and packages and 3,775 mail deliveries.

3. Evaluation of the Implementation of the Dynamic Archives Information System

Since 2017 the Constitutional Court has implemented SIKD for the management of official documents/archives. Although the implementation of SIKD has been going well, there are still many problems that must be resolved immediately. In this regard, the Constitutional Court held an Evaluation of the 2020 SIKD Implementation which was held on Friday, (31/1) at the Multipurpose Building of the Constitutional Court, Jalan R.A. Kartini No. 21-24, West Bekasi, West Java.

4. E-Minutatisation 2020

E-Minutatisation is an activity of managing constitutional case files in a complete, fast, precise, easy, and inexpensive way by using information and communication technology effectively and efficiently following Secretary-General Regulation Number 51 of 2019 concerning the use of E-Minutatisation of Constitutional Case Files. The cases that have entered the e-minutatisation application until September 2020 are as follows:

Table 5.9

Input E-Minutatisation of Constitutional Cases up to September 2020

(Based on Case Type)

NO. Cases		TOTAL	%
1	Disputes over Regional Head Election Result 2016	152	15
2	Judicial Reviews 2016	111	11

3	Disputes over Regional Head Election Result 2017	60	6
4	Judicial Reviews 2017	102	10
5	Disputes over Regional Head Election Result 2018	72	7
6	Judicial Reviews 2018	102	10
7	Disputes over House of Regional Representative Election Results 2019	10	1
8	Disputes over Legislative Council Election Results 2019	251	25
9	Disputes over Presidential Election Results 2019	1	0
10	Disputes of State Institutions' Authority 2019	1	0
11	Judicial Reviews 2019	85	8
12	Judicial Reviews 2020	74	7
	TOTAL	1021	100

The number of cases that have entered the e-minutation is 1021 cases, 25% cases of Disputes over the 2019 Legislative Election Results, 15% cases of Disputes over the Results of the 2016 Regional Heads of Governors, Regents, and Mayors, and the remaining 65% other cases as illustrated in the diagram namely the PUU 2016 case, Disputes over regional head election result 2017, Disputes over regional head election result 2018, PUU 2018, PHP of the House of Regional Representative 2019, SKLN 2019, PHP President 2019, PUU 2020, and PUU 2020.

06

AWARDS



Public's Appreciation Of The Performance Of The Constitutional Court

Constitutional Court Annual Report 2020

Public's Appreciation of The Performance of The Constitutional Court

The year 2020 is full of uncertainty for all elements of the nation, even the Constitutional Court. However, thanks to the hard work of all work units in the Registrar's Office and the Secretariat General of the Constitutional Court, all the duties and responsibilities that have been carried out have received many appreciations from the public and other institutions. The Constitutional Court never feels complacent and feels satisfied with the awards that have been received. Precisely during the pandemic, the Constitutional Court tried to adapt and at the same time make improvements, repairs, and improvements in performance in serving the community.

1. National Archives of the Republic of Indonesia (ANRI) Award

The Constitutional Court received the Indonesian National Archives Award Rank II "Satisfactory" in the category of State High Institutions, Ministry-level Institutions, Non-structural Institutions, and Public Broadcasting Institutions based on the 2019 Supervision Results.



Archives Rescue and Preservation Award

This award is part of the supervision and to capture the performance and coaching of the quality improvement motivation section. In addition, it is an effort

to measure the suitability between the application of archival standards in the archive creator environment with the legislation in the archives sector.

The archival assessment aspects include program policies, management, institutions, Human Resources (HR), as well as facilities and infrastructure. Following the Regulation of the Minister for Administration and Bureaucracy Reform Number 30 of 2018 concerning Guidelines for Evaluation of Bureaucratic Reform in Government Agencies, archival supervision is one of the indicators of ANRI's assessment in evaluating bureaucratic reform.

2. Award for 2019 Financial Report Results

The Constitutional Court received the results of the Constitutional Court's Financial Report Audit. The award was received by the Chief Justice of the Constitutional Court Anwar Usman directly on Thursday (13/8) in the Delegation Room of the Constitutional Court, accompanied by the Constitutional Court Board of Ethics Achmad Sodiki, Secretary-General of the Constitutional Court M. Guntur Hamzah, and other Constitutional Court officials. The report was submitted by Member III of BPK Achsanul Qosasi who was accompanied by Main Auditor of State Finance III Bambang Pamungkas and two other BPK officials.

The report on the results of the financial audit of the ministry/state institution is intended to provide an opinion on the fairness of the presentation of the financial report. The opinion is a professional statement of the examiner regarding the fairness of the financial report based on four criteria, namely (1) conformity with accounting standards, (2) adequacy of disclosure, (3) compliance with laws and regulations, and (4) effectiveness of the internal control system



The Chief Justice of the Constitutional Court Anwar Usman receives the Constitutional Court Financial Report Audit Award directly from BPK member III Achsanul Qosasi, Thursday (13/8) in the Delegation Room of the Constitutional Court.

The provision of the opinion has been based on an audit due process that is guided by the State Financial Audit Standard (SPKN) as stipulated in BPK Regulation Number 1 of 2017. Following the audit standard, the opinion given has taken into account risk and materiality assessments that have an impact on the fairness of the presentation of financial reports.

Based on the results of the examination of the financial report, the BPK will later provide an opinion on the submitted financial report.

With this award, the Constitutional Court has been a state institution since the beginning, consistently maintaining its commitment to providing the best possible report. The Constitutional Court has proven that it has won the Unqualified Award (WTP) 14 times in its institutional report. On this occasion, Achsanul hopes that in the future the BPK and the Constitutional Court can both provide better performance reports per the constitutional mandate.

3. Unqualified Opinion Award (WTP) from Ministry of Finance

For the achievement of the Unqualified Opinion Award for the Constitutional Court's Financial Statement Examination Report, the government through the Ministry of Finance awarded the Unqualified Opinion Award (WTP) for the 14th time in a row. This award was presented virtually by the Minister of Finance Sri Mulyani at the 2020 National Working Meeting (Rakernas) on Government Accounting and Financial Reporting held by the Ministry of Finance of the Republic of Indonesia on Tuesday (22/9/2020). Secretary-General of the Constitutional Court M. Guntur Hamzah and several other structural and functional officials of the Constitutional Court witnessed the annual event with the theme "Challenges of State Financial Accountability in Handling the Covid-19 Pandemic and National Economic Recovery" from the Meeting Room of the Constitutional Court Building virtually.

This award is an indicator of better governance of ministries, institutions, and local government in carrying out the functions of financial responsibility and state government. With good and optimal management of the use of finance, the Constitutional Court participates in maintaining the constitutional rights of citizens, in terms of budget use.

4. The Best V Member of National Legal Documentation and Information Network (*Jaringan Dokumentasi dan Informasi Hukum Nasional* - JDIHN) in 2020

The Constitutional Court received an Appreciation Charter as the Best V Member of National Legal Documentation and Information Network in 2020.



The Government of the Republic of Indonesia Award to The Constitutional Court for the Achievement of Unqualified Opinion for the Financial Statement of State Ministries/Agencies 2011 to 2015



The Government of the Republic of Indonesia Award to The Constitutional Court for the Achievement of 5x Consecutive WTP Opinion for the Financial Statements of State Ministries/Agencies 2014 to 2018



The Government of the Republic of Indonesia Award to the Constitutional Court for the Achievement of 10X Consecutive WTP Opinions for the Financial Statements of State Ministries/Institutions 2010 to 2019



Award Certificate to the Constitutional Court of the Republic of Indonesia as Member of the Best National Legal Documentation and Information Network V of 2020 Category State Institutions

The Constitutional Court's achievement is one of the efforts to provide legal development facilities and increase the dissemination and understanding of legal knowledge. This integration also facilitates the search and search for laws

and regulations and other legal documentation materials as well as improving the provision of services for implementing law enforcement and legal certainty.

The JDIH is a forum for joint utilization of legal documents in an orderly, integrated and sustainable manner consisting of ministries, institutions, government agencies, universities, and other institutions engaged in the development of legal documentation and information. In simple terms, JDIH provides information on cross-sectoral legislation so that it can be accessed by the public.

5. Public Information Disclosure Award 2020

The Constitutional Court received the Public Information Disclosure Award from the Central Information Commission (*Komisi Informasi Pusat* - KIP) in 2020 as a Public Agency for the “Towards Informative” category. The award ceremony which was held online, was also attended by the Chairperson of KIP I Gede Narayana and the Vice President of the Republic of Indonesia Ma'ruf Amin virtually

The award was given based on the range of monitoring and information assessments of public bodies in 2020, conducted by KIP, involving eight judges from academics, researchers, information disclosure activists, and the mass media to assess the implementation of Law Number 14 of 2008 concerning Public Information Disclosure by each public body.

6. Archive Rescue Award

The Constitutional Court received the Archive Rescue and Preservation Award Charter for saving and preserving archives on Tuesday, (01/12). The award was given to the Constitutional Court for efforts to save archives as material for performance accountability and evidence of accountability in the life of society, nation and state and the identity and collective memory of the nation can be realized.

7. Corruption-Free Area Award (WBK) for Pancasila and Constitutional Education Center

The Pancasila and Constitutional Education Center received an award for its participation as a service work unit with the WBK predicate in 2020. The award was handed over at the Appreciation and Awarding Integrity Zone Towards WBK and a Clean and Serving Bureaucratic Region (WBBM) to realize a Corruption-free Indonesia organized by the Ministry of Empowerment State Apparatus and Bureaucratic Reform online.

For the Constitutional Court, especially the education center of the Constitutional Court, the award is the fruit of the commitment built by the entire team.

The appreciation of this award is a routine activity every year in commemoration of World Anti-Corruption Day (Hakordia) which falls on December 9.

07

FINANCIAL REPORT OF THE CONSTITUTIONAL COURT



Financial Report Of The Constitutional Court

Constitutional Court Annual Report 2020

In 2020, based on the Letter of Approval of the Budget Implementation List (SP-DIPA) for the Fiscal Year 2020 Number: SP DIPA-077.01-0/2020 dated November 12, 2019, the Constitutional Court received a Budget Ceiling of **Rp. 246,215,842,000, -** with following details: the Program for Management Support and Implementation of Other Technical Tasks of the Constitutional Court of the Republic of Indonesia in the amount of **Rp. 149,238,030,000**, and the Program for Settling Constitutional Cases and Increasing the Understanding of Citizens' Constitutional Rights in the amount of **Rp. 96,977,812,000**.

Then based on the Presidential Regulation of the Republic of Indonesia Number 54 of 2020 concerning Changes in Posture and Details of the State Revenue and Expenditure Budget for Fiscal Year 2020, the Constitutional Court's Budget has been deducted by **Rp. 25,144,336,000**. Furthermore, on April 15, 2020, based on the Letter of the Minister of Finance of the Republic of Indonesia Number S-302/MK.02/2020 concerning Measures for Adjusting the Expenditures of Ministries/Agencies for FY 2020 that The budget for the Constitutional Court was reduced/cut again to **Rp. 58,452,418,000**, so the budget for the DIPA of the Constitutional Court for the 2020 fiscal year, which was originally **Rp. 246,215,842,000**, became **Rp. 187,763,424,000**.

Furthermore, based on the Letter of the Minister of Finance of the Republic of Indonesia Number S-112/MK.2/2020 dated June 8, 2020, regarding the Determination of the Budget Unit for the Budget Section 999.08 (SABA 999.08) from the Other Expenditure Management BABUN (BA 999.08) to the BA of the Constitutional Court (BA 77) for Additional Budget of the Constitutional Court FY 2020, the Constitutional Court received an additional budget of **Rp. 5,355,000,000, -** so that the Budget Ceiling of the Constitutional Court became **Rp. 193,118,424,000**.

Based on the Letter of the Minister of Finance of the Republic of Indonesia Number S-186/MK.2/2020 dated August 12, 2020 regarding the Determination of the Budget Unit for the Budget Section 999.08 (SABA 999.08)

from the Other Expenditure Management BABUN (BA 999.08) to the BA of the Constitutional Court (BA 077) for additional The Constitutional Court's FY 2020 Budget, the Constitutional Court received an additional budget of **Rp29,270,000,000**, so that the Constitutional Court's Budget Ceiling was **Rp222,388,424,000,-**

In detail, the Program for Management Support and Implementation of Other Technical Tasks of the Constitutional Court of the Republic of Indonesia amounted to **Rp. 138,587,909,000, -** and the Program for Settling Constitutional Cases and Increasing the Understanding of Citizens' Constitutional Rights amounted to **Rp. 83,800,515,000.**

The budget was allocated for 2 (two) programs. The two programs were: Management Support and Other Technical Implementation Program and Constitutional Case Resolution Program. Below are the details of the budgeting of each program.

Concerning the realization of the budget, based on the SP2D that has been issued, the realization of the 2020 budget is Rp. 220,373,287,856, - or 99.09%, with the following details:

Program	Budget	Realization (Rp)	Realization (%)	Budget
Management Support and Other Technical Implementation Program	138.587.909.000	136.833.385.874	98,73	1.754.523.126
Constitutional Case Resolution Program	83.800.515.000	83.539.901.982	99,69	260.613.018
TOTAL	222.388.424.000	220.373.287.856	99,09	2.015.136.144

1. Management Support and Other Technical Implementation Program

In 2020, technical services for judicial administration and technical general administration will continue to be improved in providing service support, both services for constitutional justices and justice seekers (justiciabelen), as well as for stakeholders related to the Constitutional Court. This program is more directed at 3 (three) main areas, namely infrastructure building, capacity building, and organizational building.

The development of infrastructure within the Constitutional Court in 2020 has been carried out as an effort to support the smoothness and ease of the judicial process in the Constitutional Court. In addition to optimizing and rejuvenating the MK courtroom equipment, especially IT, the MK has renovated the MK II Building which will be used as infrastructure in the activities of Handling Disputes over the 2020/2021 Election Results.

The Court's focus on the area of capacity building is carried out by improving the quality of human resources directed at improving technical services for judicial administration and general administration.

Improving judicial administration technical services is carried out through efforts to increase the understanding and knowledge of the Constitutional Court employees who are directly tasked with overseeing the smooth conduct of trials and handling constitutional cases so that in the end will improve the quality of the Constitutional Court decisions. Activities such as preparatory workshops for handling disputes over election results, technical training on credit and non-credit numbers, pioneering master's and doctoral degrees, and through the Constitutional Court Working Meeting are expected to increase the understanding and knowledge of the Constitutional Court employees so that they can provide fast, precise, and satisfying services to all stakeholders.

In the area of the organizational building, the Constitutional Court always strives for the implementation of bureaucratic reform which includes aspects of the institutional (organizational), management (business process), and apparatus resources. The organizational building also includes activities to realize the smooth implementation of leadership tasks and government management functions, including through the improvement of organizational documents and the management and implementation of bureaucratic reform.

In this program, the Constitutional Court has also handled the Corona Virus Disease 2019 (Covid-19) pandemic by providing equipment and machines such as infrared thermal imaging, sterilization boxes and others, purchasing hand sanitizer, masks, multivitamins, and medicines, to the procurement of implementation rapid test and spraying of disinfectant.

2. Constitutional Case Resolution Program

Regarding the Constitutional Case Resolution Program, the biggest challenge for the Constitutional Court is to be able to resolve constitutional cases better and more smoothly through a clean and honest judicial process by applying the principles of a simple, fast, and free trial. In this constitutional case handling program, the Court's priority is to hold judicial review trials, disputes over state institutions' authority, and other cases. These activities are also supported by other activities such as the Preparation of Regulations/Provisions for Judicial Reviews, Disputes over State Institutions' Authority, and Other Cases, Research on Law and Constitution, Monitoring and Evaluation of Constitutional Court Decisions, Preparation of Legal Annotations based on Constitutional Court Decisions and Landmark Decisions, Strengthening of the Code of Ethics in Case Handling and Information and Communication Technology System support.

In 2020, in addition to conducting Technical Training on Increasing Understanding of the Constitutional Rights of Citizens for State Administrators and Academics/Teachers/Lecturers/Students to increase public knowledge and understanding of Pancasila values as the basis for mindset, attitude, and action

patterns in realizing their constitutional rights, in welcoming the 2020 Pilkada, the Constitutional Court also organized Technical Training on Understanding the Constitutional Court Procedural Law to increase participants' knowledge and understanding of the procedures for Disputes over the Election Results of Governors, Regents, and Mayors. The Constitutional Court has also disseminated case information and decisions in print media, electronic media as well as face-to-face meetings.

08

CLOSING



Constitutional Court Annual Report 2020

The Annual Report is a snapshot of the Constitutional Court's performance during 2020. Everything that the Court has done throughout 2020 is a guide in carrying out the mandate given by the 1945 Constitution. The Court hopes that the guidance it takes will bring benefits to the justice-seeking community as well as make a very meaningful contribution to the civilization of the legal world and constitution.

The 2020 Annual Report is a benchmark for achieving the objectives of the elaboration of the vision, mission, and strategy as well as describing the level of success of implementing activities following the Constitutional Court's programs and policies. This Annual Report is expected to be an evaluation material to improve performance as well as respond to various challenges in the future. Then, most importantly, it can be used to assess the achievements of the Constitutional Court so that the community can provide input for the progress and success of the Court in the future. The Constitutional Court is always open to receiving suggestions and input from various circles of society for the improvement of the Court's services. The success of the Constitutional Court is meaningless without the support of the people and other institutions as a unified system for the great goal of realizing a constitutional democracy.

Throughout 2020, the world, including Indonesia, faced the Covid-19 pandemic. The spread of Covid-19 must be prevented by all means and efforts so that the community avoids a health crisis, let alone a humanitarian crisis.

The massive spread of Covid-19 greatly affects the performance of ministries and institutions, including the Constitutional Court. Program plans designed in previous years encountered problems, so they could not be implemented optimally. Several activity programs had to be rescheduled because it was impossible to realize them during a pandemic. The implementation of the authority to settle constitutional cases, which is the Constitutional Court's core business, was hampered at the beginning of the implementation of the Large-Scale Social Restrictions (PSBB) in DKI Jakarta.

Throughout 2020 the shadow of Covid-19 haunted the lives of the world community, including Indonesia. The threat of Covid-19 can be transmitted to anyone, anytime and anywhere. The transmission of Covid-19 also does not look at a person's ethnicity, religion, and social status. Everyone has the potential to be infected with Covid-19, sometimes even unexpectedly and unexpectedly.

Efforts to prevent the transmission of Covid-19 are to implement strict health protocols, especially in carrying out activities that involve many people. Everyone is obliged to take care of themselves and their families and the surrounding environment and the spread of Covid-19.

Justice must be served. The enforcement of justice must be done immediately, it should not be delayed. Delaying justice is tantamount to ignoring justice. The Constitutional Court is dealing with these conditions, on the one hand, the Constitutional Court must pay attention to health and safety, which are the most basic rights and are the highest constitution. However, on the other hand, the Constitutional Court must exercise its constitutional authority to uphold law and justice.

The Covid-19 pandemic did not necessarily make the Constitutional Court give up. Preventive measures should still be a top priority. At the same time, the Constitutional Court also carried out technological innovations as an adaptation of new habits amid a pandemic.

It is not difficult for MK to adapt to new habits. Since the Constitutional Court was established 17 years ago, the Constitutional Court has pledged itself as a modern judicial institution. The Constitutional Court is a pioneer in Information and Communication Technology (ICT) based judicial institutions. The Constitutional Court is used to receiving case requests both online and offline. Likewise, in conducting trials, the Constitutional Court is accustomed to conducting remote trials with video conferencing facilities. So in the Covid-19 pandemic, the Constitutional Court can still hold online sessions by implementing health protocols to prevent the spread of Covid-19.

On December 9, 2020 yesterday, a number of 270 regions in Indonesia held the 2020 Simultaneous Regional Head Elections (Pilkada). The Constitutional Court has made preparations regarding the Resolution of Dispute over the Regional Head Election Result. The Resolution of Dispute over the Regional Head Election Result 2020 will be different from before because it is a pandemic. The Dispute of the Regional Head Election Result session will also be conducted online and offline with strict health protocols

Therefore, on this auspicious occasion, the Constitutional Court asks for prayers and support from all components of the nation so that all ranks in the Constitutional Court are in excellent condition, healthy, and have strength in solving Disputes over the Regional Head Election Result in the midst of a pandemic. Hopefully, the completion of the Disputes over the Regional Head Election Result in the Constitutional Court can run smoothly and successfully.

Akhirulkalam, hopefully in 2021, the Constitutional Court can improve its performance to provide the best service to the community.



APPENDICES

Constitutional Court Annual Report 2020

JUDICIAL REVIEW DECISIONS DURING 2020

No	Case No.	Subject	Applicant	Decisions	Pronouncement of Decision
1.	18/PUUXVII/2019	Law No. 42 of 1999 About Fiduciary Law	Aprilliani Dewi and Suri Agung Prabowo	<p>1. Partially accepting the petitioners' petition</p> <p>2. Stating Article 15 Paragraph (2) of Law No. 42 year 1999 about Fiduciary Guarantee (Gazetted of Republic of Indonesia 1999 No. 168, Additional Sheet Republic Indonesia No. 3889) throughout the phrase "executive strength" and the phrase "Same as a court decision which has permanent legal force" contrary by Law Law of</p>	06 January 2020

				<p>Republic of Indonesia Year 1945 and has no binding legal force. As long as it is not interpreted “with respect to fiduciary guarantees in which there is no agreement on breach of contract (default) and the debtor objected to voluntarily submitting the object as a fiduciary guarantee, then all legal mechanisms and procedures in implementing Execution of Fiduciary Guarantee should be done and applies the same as the execution of court decisions that have permanent legal force</p> <p>3. Stating</p>	
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				<p>article 15 Paragraph (3) of Law No. 42 of 1999 Concerning Fiduciary Guarantee (State Gazette of the Republic of Indonesia of 1999 No. 168, Supplement to the State Gazette of the Republic of Indonesia No. 3889) as long as the phrase “Breach of Contract” Is contrary to the 1945 Constitution Of The Republic of Indonesia and has no binding legal force as long as it is not interpreted that “The Existence of a breach of contract is not determined unilaterally by the Creditor and the Debtor or on the basis for legal remedies that</p>	
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				<p>determine if a breach of contract has Occurred”.</p> <p>4. Stating the Explanation of Article 15 Paragraph (2) of Law No. 42 Of 1999 concerning Fiduciary (State Gazette of the Republic of Indonesia Of 1999 No. 168, Supplement to the State Gazette No. 3889) as long as the Phrase “executive power” is contrary to the 1945 Constitution of Republic of Indonesia and has no binding legal force as long as It is not interpreted “With respect to Fiduciary Guarantees where there is no agreement on breach of</p>	
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				<p>contract and debtors object to voluntarily submitting objects that are fiduciary guarantees, then all legal mechanisms and procedures in the execution of the Fiduciary Certificate must be carried out the same as the execution of the court decision with permanent legal force”</p> <p>5. Ordering the Decision to be featured in the State Gazette of the Republic of Indonesia</p> <p>6. Rejecting the petition of the applicants for the rest.</p>	
2.	35/PUUXVII/2019	Judicial review on point 1 of Law no. 12 of 1969 concerning the	<p>1. Zadrack Taime;</p> <p>2. Yan Pieter Yarangga;</p> <p>3. Paul Finsen</p>	Stating the Petitioner's application cannot be accepted.	06 January 2020

		establishment of the autonomous Province of West Irian & Autonomous Regencies in the Province of West Irian	<p>Mayor;</p> <p>4. Sirzet Gwasgwas;</p> <p>5. Oktovianus Pekei;</p> <p>6. Albertus Moiwend;</p> <p>7. Yohanis Petrus Kamarka;</p> <p>8. Djanes Marambur;</p> <p>9. Yosepa Alomang;</p> <p>10. Karel Philemon Erari</p> <p>11. Pdt. Herman Awom, S.Th;</p> <p>12. Thaha M. Alhamid;</p> <p>13. Papua's Women (SPP); and</p> <p>14. Kemah Injil Gereja Masehi (KINGMI) di Papua's Land.</p>		
3.	63/PUUXVII/2019	Judicial review of	Parliament Responsive	Not accepting the Petitioner's	06 January 2020

		<p>Law No. 1 of 2015 concerning Enactment of Government Regulation In Lieu of Law No. 1 of 2014 concerning Election of Governors, Regents, And Mayors in conjunction with Law No. 8 of 2015 concerning Amendment to Law No. 1 of 2015 concerning the Enactment of Government Regulation in Lieu of Law No. 1 of 2014 concerning the Election of Governors, Regents, and Mayors in conjunction with Law no. 10 of 2016 concerning</p>	<p>Forum (PAMOR) represented By Dayanto, S.H., M.H. as Director and Muhammad Alfa Sikar as Secretary General</p>	<p>application</p>	
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		the second amendment to Law no. 1 of 2015 concerning the enactment of Government Regulation In Lieu of Law no. 1 of 2014 concerning Election of Governors, Regents, and Mayors			
4.	67/PUUXVII/2019	Judicial review of Law No. 14 of 2008 concerning Public Information Disclosure	Supriyono	Rejecting the Applicant's Petition	06 January 2020
5.	74/PUUXVII/2019	Judicial review of the Law No. 7 of 2017 concerning General Election	Ahmad Ridha Sabana dan Abdullah Mansyuri	Not accepting the Petitioner's application	
6.	81/PUUXVII/2019	Judicial review of Law No. 1 of 1946 concerning Criminal	Pitra Romadoni Nasution, S.H., M.H., David M. Agung Aruan,	Granting the petition for withdrawal	08 January 2020

		Law Regulations and Law No. 8 of 1981 concerning Criminal Procedure Code	S.H., M.H., Julianta Yudha Adhi Oetomo, S.H.		
7.	48/PUXVIII/2019	Judicial review of article 1 point 17, article 23 section (1) and section (3), article 24 section (1) and section (2) of the Law No. 1 of 2015 concerning the Enactment of Government Regulations in Lieu of Law No. 1 of 2014 concerning The Election of Governors, Regents, and Mayors Becoming Law jo. Law No. 8 of 2015	Surya Efitrimen, Nursari, and Sulung Muna Rimbawan	<p>1. Accepting the Petition in its entirety</p> <p>2. Stating the phrase “Panwas Kabupaten/Kota” (Regency/City Election Supervisory Committee) in article 1 No. 17; article 1 No. 18; article 5 section (2) letter e; Article 22A section (1); Article 22A section (3); Article 22B Letter e; Article 22B Letter f; Article 22B Letter h; Article 22B Letter j; Article 22D;</p>	

		<p>concerning Amendment to Law No. 1 of 2015 concerning the Enactment of Government Regulations in Lieu of the Law No. 1 of 2014 concerning The Election of Governor, Regents and Mayor becoming Law jo. Law No. 10 of 2016 on the 2nd Amendment on Law No. 1 of 2015 on the Enactment of Government Regulation in Lieu of Law No. 1 of 2014 concerning the election of Governor, Regents and Mayor becoming Law</p>		<p>Article 23 section (1); Article 23 Paragraph (2); Article 24 Paragraph (3); Article 25 Article 110 Paragraph (1); Article 110 section (3); Article 119 paragraph (1); Article 119 paragraph (2); Article 134 paragraph (1); Article 134 paragraph (5); Article 134 paragraph (6); Article 135 paragraph (2); Article 141; Article 144 paragraph (1); Article 144 paragraph (2); Article 144 paragraph (3); Article 146 paragraph (1); Article 146 paragraph (3); Article 152 paragraph (1); Article 152 paragraph (2); Article 154 paragraph (1);</p>	
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				<p>Article 154 paragraph (2); Article 193 paragraph (1); Article 193 paragraph (2); Article 193B paragraph (2) Law No. 1 of 2015 concerning the Enactment of Government Regulations In Lieu of Law No. 1 of 2014 concerning the Election of Governors, Regents and Mayors Becoming Law as amended by the Law No. 8 of 2015 concerning Amendment to Law No. 1 of 2015 concerning the Enactment of Government Regulations in Lieu of Law No. 1 of 2014 concerning the Election of Governor, Regents, and</p>	
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				<p>Mayor becoming Law as Amended by Law No. 10 of 2016 concerning the Second Amendment of the Law No. 1 of 2015 concerning the Enactment of Government Regulations in Lieu of Law No. 1 of 2014 concerning the Election of Governor, Regents (Gazette of the Republic of Indonesia year 2016 No.130, Additional Gazette of the Republic of Indonesia No. 5898) is contrary to the 1945 Constitution and does not have legal binding power as long as not interpreted as as “Bawaslu Kabupaten/Kota”</p>	
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				<p>(Regency/City Election Supervisory Agency)</p> <p>3. Stating the phrase “each consisting of 3 people” in article 23 section (3) of Law No. 1 of 2015 Concerning the Enactment of the Government Regulations in Lieu of Law No. 1 of 2014 concerning The election of Governors, Regents, and Mayor becoming Law as amended by Law No. 8 of 2015 concerning Amendments to Law No. 1 of 2015 concerning the Enactment of Government Regulation in Lieu of Law No. 1 of 2014 concerning the</p>	
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				<p>Election of Governors, Regents, and Mayors to become Laws as amended lastly with Law No. 10 of 2016 concerning the Second Amendment to Law No. 1 of 2015 concerning Enactment of Government Regulations in Lieu of Law No. 1 of 2014 concerning the Election of Governors, Regents, and Mayors into Law (State Gazette of the Republic of Indonesia Year 2014) 2016 No. 130, Supplement to the State Gazette of the Republic of Indonesia No. 5898) contradicts the 1945 Constitution</p>	
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				<p>and does not have conditionally binding legal force as long as it is not interpreted the same as the number of members of the Provincial Bawaslu and Regency/City Bawaslu as referred to in Law No. 7 of 2017 concerning General Elections (State Gazette of the Republic of Indonesia of 2017 No. 182, Supplement to the State Gazette of the Republic of Indonesia No. 6109);</p> <p>4. Declaring Article 24 section (1) and section (2) of Law No. 1 of 2015 concerning the Enactment of Government</p>	
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				<p>Regulation in Lieu of Law No. 1 Year 2014 about Election of Governor, Regent, and Mayor Become Law as amended by Law No. 8 of 2015 concerning Amendments to Law No. 1 Year 2015 about the Enactment of Government Regulation in Lieu of Law No. 1 Year 2014 concerning the Enactment of Government Regulations in Lieu of Law No. 1 of 2014 concerning the Election of Governors, Regents, and Mayors into Law (State Gazette of the Republic of Indonesia Year 2014) 2016 No. 130,</p>	
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				<p>Supplement to the State Gazette of the Republic of Indonesia No. 5898) contradicts the 1945 Constitution and does not have legal binding force.</p> <p>5. Instructing the featuring of this decision in the State Gazette of the Republic of Indonesia.</p>	
8.	69/PUUXVII/2019	Judicial review of Law No. 8 of 1981 concerning Criminal Procedure Code	Erko Mojra	Stating the Petitioner's application cannot be accepted.	29 January 2020
9.	75/PUUXVII/2019	Judicial review of Amendments Law No. 1 of 2015 concerning the Enactment of Government Regulation in Lieu of	<p>1. Association for Elections and Democracy (Perludem)</p> <p>2. Indonesian Women's Coalition (KPI)</p>	<p>1. Not accepting the II Petitioner's application.</p> <p>2. In Provision: Granting the Petitioner's provisional request.</p> <p>3. In the</p>	29 January 2020

		Law No. 1 of 2014 concerning the Election of Governors, Regents, and Mayors to become Laws		Principal of the Application: Rejecting the Petitioner's application in its entirety.	
10.	76/PUUXVII/2019	Judicial review of the Criminal Code Law	Forkorus Yaboisembut, S.Pd.	Not accepting the Petitioner's application.	29 January 2020
11.	84/PUUXVII/2019	Judicial review of Law No. 19 of 2019 concerning the Second Amendment to Law No. 30 of 2002 concerning the Corruption Eradication Commission	Martinus Butarbutar, S.H. and Risof Mario, S.H.	Not accepting the Petitioner's application.	29 January 2020
12.	37/PUUXVII/2019	Judicial review on Article 167 section (3) and Article 347 section (1) of Law No. 7 of 2017 about General	1. The election observers in this case were represented by Badrul Kohir and Adib Hadi Permana;	Rejecting the Petitioner's application in its entirety.	26 February 2020

		Election	<p>2. The Election Monitoring Pens in this case were represented by Kunarti and Dian Mukti;</p> <p>3. Mar`atul Mukhminah;</p> <p>4. M. Faesal Zuhri;</p> <p>5. Nurhadi;</p> <p>6. Sharon Clarins Herman; and</p> <p>7. Ronaldo Heinrich Herman</p>		
13.	55/PUUXVII/2019	Judicial review of Law No. 7 of 2017 concerning General Elections; Law No. 8 of 2015 concerning Amendments to Law No. 1 of 2015 concerning Ratification of	Association for Elections and Democracy (Perludem), in this case represented by Titi Anggraini	Rejecting the Petitioner's application in its entirety.	26 February 2020

		<p>Government Regulation in Lieu of Law No. 1 of 2014 concerning the Election of Governors, Regents, and Mayors to become Laws; and Law No. 10 of 2016 concerning the Second Amendment to the Amendment to Law No. 1 of 2015 concerning</p> <p>the ratification of Government Regulation in Lieu of Law No. 1 of 2014 concerning the Election of Governors, Regents, and Mayors to become Laws</p>			
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14.	68/PUUXVII/2019	Judicial review of Law No. 28 of 2007 concerning the Third Amendment to Law No. 6 of 1983 concerning General Provisions and Tax Procedures and Law No. 42 of 2009 concerning the Third Amendment to Law No. 8 of 1983 concerning Added Tax in Value of Goods and Services and Sales Tax on Luxury Goods	Yanto as President Director of PT Wira Pratama Gasindo	Rejecting the Petitioner's application in its entirety.	26 February 2020
15.	82/PUUXVII/2019	Application for Judicial Review of Law No. 38 of 2007 concerning the Establishment of Padang Lawas	Alamsyah Panggabean	Not accepting the Petitioner's application.	26 February 2020

		Regency in North Sumatra Province against the 1945 Constitution of the Republic of Indonesia			
16.	4/PUUXVIII/2020	Judicial review of Law No. 21 of 2001 concerning Special Autonomy for Papua Province as amended by Law No. 35 Year 2008 concerning the Enactment of Government Regulation in Lieu of Law No. 1 of 2008 concerning Amendments to Law No. 21 concerning Special Autonomy for the Province of	Penetina Cani Cesya Kogoya	Rejecting the Petitioner's application in its entirety.	26 February 2020

		Papua against the 1945 Constitution			
17.	25/PUXVIII/2020	Judicial review of Government Regulations in Lieu of Law No. 1 of 2020 concerning State Financial Policy and Financial System Stability for Managing the Corona Virus Disease 2019 (COVID-19) Pandemic and/or In Facing Threats That Endanger the National Economy and/or Financial System Stability	H. Damai Hari Lubis, S.H., M.H.	Granting the petition for withdrawal	19 May 2020
18.	85/PUXVII/2019	Application for Judicial Review of Law No. 35 of 2014	Indonesian Child Protection Commission, Aceh Child	1. Not accepting the Petitioner's	19 May 2020

		concerning Amendments to Law No. 23 of 2002 concerning Child Protection	Protection and Supervision Commission, Regional Child Protection and Supervision Commission of West Kalimantan Province, et al.	application; 2. Rejecting the petition of the Petitioners for the rest	
19.	7/PUUXVIII/202	Judicial review of Law No. 10 of 2016 concerning the Second Amendment to the Amendment to Law No. 1 of 2015 concerning the Enactment of Government Regulation in Lieu of Law No. 1 of 2014 concerning the Election of Governors, Regents, and Mayors to	Michael	Not accepting the Petitioner's application.	19 May2020

		become Laws			
20.	9/PUUXVIII/2020	Judicial review of Law No. 5 of 2014 concerning State Civil Apparatus	Mahmudin, Suyanto, Muhammad Nur Rambe, dkk	Rejecting the Petitioner's application in its entirety.	19 May 2020
21.	11/PUUXVIII/2020	Judicial review of Law No. 30 of 2014 concerning Government Administrati on of the 1945 Constitution	Moch Ojat Sudrajat S; Hapid, S.HL., M.H; Muhamad Madroni	Not accepting the Petitioner's application.	19 May 2020
22.	12/PUUXVIII/2020	Judicial review of Law No. 8 of 1981 concerning the Criminal Procedure Code against the 1945 Constitution	Sandhy Handika, Danang Yudha Prawira, S.H., dan Dr. Muh. Ibnu Fajar Rahim, S.H., M.H.	Not accepting the Petitioner's application.	19 May 2020
23.	13/PUUXVIII/2020	Review of Law No. 10 of 2016 concerning the Second	Hendra Otakan Indersyah	Not accepting the Petitioner's application.	19 May 2020

		Amendment to Law No. 1 of 2015 concerning the Enactment of Government Regulations in Lieu of Law No. 1 of 2014 concerning the Election of Governors, Regents, and Mayors to become Laws against the 1945 Constitution			
24.	30/PUUXVIII/2020	Judicial review of Law No. 39 of 2008 concerning State Ministries of the 1945 Constitution	Aristides Verissimo de Sousa Mota	Granting the petition for withdrawal	23 June 2020
25.	16/PUXVIII/2020	Judicial review of Law No. 2 of 2014 concerning Amendments to Law No. 30 of 2004 concerning	Indonesian Prosecutors Association (PJI), Olivia Sembiring, Asep N. Mulyana,	1. Not accepting Petitioner I, III, IV and V's applications; 2. Rejecting the petition of the Petitioners	23 June 2020

		the Position of Notary to the 1945 Constitution	Reda Manthovani, and R. Narendra Jatna	II for the rest	
26.	17/PUUXVIII/2020	Judicial review of Law No. 37 Year 2004 concerning Bankruptcy and Suspension of Obligation for Payment of Debt against the 1945 Constitution	Mr. Gi Man Song; Mrs. So Youn Kim	Rejecting the Petitioner's application in its entirety.	23 June 2020
27.	23/PUUXVIII/2020	Judicial review of Government Regulations in Lieu of Law No. 1 of 2020 concerning State Financial Policy and Financial System Stability for Managing the Corona Virus Disease 2019	Prof. Dr. M. Sirajuddin Syamsuddin, Prof. Dr. Sri Edi Swasono, Prof. Dr. HM. Amien Rais, MA., et al.	Not accepting the Petitioner's application.	23 June 2020

		(COVID-19) Pandemic and/or In Facing Threats That Endanger the National Economy and/or Financial System Stability			
28.	24/PUUXVIII/2020	Judicial review of Government Regulations in Lieu of Law No. 1 of 2020 concerning State Financial Policy and Financial System Stability for Handling the Corona Virus Disease 2019 (COVID-19) Pandemic and/or In Facing Threats That Endanger the National Economy and/or	<p>1. Indonesian Anti-Corruption Society (MAKI);</p> <p>2. Mega Bintang Solo Indonesia Foundation 1997;</p> <p>3. Indonesian Servant of Justice Community Harmony Institute (KEMAKI);</p> <p>4. Indonesian Law Enforcement and Oversight</p>	Not accepting the Petitioner's application.	23 June 2020

		Financial System Stability	Institution (LP3HI); 5. Legal Aid Association Cares for Justice (PEKA)		
29.	8/PUUXVIII/2020	Judicial review of Law No. 22 Year 2009 concerning Road Traffic and Transportation against the 1945 Constitution	Eliadi Hulu dan Ruben Saputra Hasiholan Nababan	Rejecting the Petitioner's application in its entirety.	25 June 2020
30.	14/PUUXVIII/2020	Judicial review of Law No. 22 Year 2009 concerning Road Traffic and Transportation against the 1945 Constitution	1. Marcell Kurniawan, S.DKV.; 2. Roslianna Ginting, S.H.	Rejecting the Petitioner's application in its entirety.	25 June 2020
31.	15/PUUXVIII/2020	Judicial review of Law No. 22 Year 2009 concerning Road Traffic	1. Novan Lailathul Rizky; 2. Indah Aprilia;	Rejecting the Petitioner's application in its entirety.	25 June 2020

		and Transportation against the 1945 Constitution	3. Carotama Rusdiyan; 4. Anidya Octavia Khoirunisa; 5. Munawir		
32.	19/PUUXVIII/2020	Judicial review of Law No. 42 of 1999 concerning Fiduciary Guarantees against the 1945 Constitution	Pazriansyah and Firdaus	Not accepting the Petitioner's application.	25 June 2020
33.	26/PUUXVIII/2020	Judicial review of Law No. 8 of 1981 concerning the Criminal Procedure Code against the 1945 Constitution	Azwarml als Armi	Not accepting the Petitioner's application.	25 June 2020
34.	35/PUUXVIII/2020	Judicial review of Law No. 7 of 2017 concerning General Elections against the 1945	Ki Gendeng Pamungkas	Granting the petition for withdrawal.	22 July 2020

		Constitution			
35.	44/PUXVIII/2020	Judicial review of Government Regulations in Lieu of Law of the Republic of Indonesia No. 2 of 2020 concerning the Third Amendment to Law No. 1 of 2015 concerning Enactment of Government Regulations in Lieu of Law No. 1 of 2014 concerning Election of Governors, Regents, and Mayors to become Laws against 1945 Constitution	The Societies Association of Solo Citizens Care for Elections (PWSPP) represented by Johan Syafaat Mahanani (as chairman) and Almas Tsaqibbirru RE A (as secretary)	Granting the petition for withdrawal.	22 July 2020
36.	18/PUXVIII/2020	Judicial review of Law No. 1 of 2015 concerning the Enactment of	1. Tiuridah Silitonga, S.T., M.M.; 2. Indrawan Susilo Prabowoadi,	Rejecting the Petitioner's application in its entirety.	22 July 2020

		<p>Government Regulation in Lieu of Law No. 1 of 2014 concerning the Election of Governors, Regents, and Mayors to become Law in conjunction with Law No. 8 of 2015 concerning Amendments to Law No. 1 Year 2015 concerning Enactment of Government Regulation in Lieu of Law No. 1 of 2014 concerning Election of Governors, Regents, and Mayors to become Law in conjunction with Law No. 10 of 2016 concerning</p>	<p>S.H., M.H.;</p> <p>3. Nurhid, S.Sos.;</p> <p>4. Mohammad Fadli, S.H.</p>		
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		Second Amendment to Law No. 1 of 2015 concerning Enactment of Government Regulations in Lieu of Law -Law No. 1 of 2014 concerning the Election of Governors, Regents, and Mayors to become Laws against the 1945 Constitution			
37.	27/PUUXVIII/2020	Judicial review of the Emergency Law No. 12 of 1951 concerning Firearms against the 1945 Constitution	Mayjend TNI (Purn) Kivlan Zen	Not accepting the Petitioner's application.	22 July 2020
38.	28/PUUXVIII/2020	Judicial review of Law No. 16 of 2004 concerning the Prosecutor's	Jack Lourens Vallentino Kastanya	Not accepting the Petitioner's application.	22 July 2020

		Office of the Republic of Indonesia against the 1945 Constitution			
39.	29/PUUXVIII/2020	Judicial review of Law No. 7 of 2017 concerning General Elections against the 1945 Constitution	Aristides Verissimo de Sousa Mota	Not accepting the Petitioner's application.	22 July 2020
40.	31/PUXVIII/2020	Judicial review of Law No. 34 of 2004 concerning the Indonesian National Army against the 1945 Constitution	Aristides Verissimo de Sousa Mota	Not accepting the Petitioner's application.	22 July 2020
41.	33/PUXVIII/2020	Judicial review of Law No. 1 of 1946 concerning Criminal Law Regulations against the 1945	Nelly Rosa Yulhiana	Not accepting the Petitioner's application.	22 July 2020

		Constitution			
42.	34/PUXVIII/2020	Judicial review of Law No. 6 of 2018 concerning Health Quarantine against the 1945 Constitution	1. Runik Erwanto, S.H.; 2. Singgih Tomi Gumilang, S.H.	Not accepting the Petitioner's application.	22 July 2020
43.	1/PUUXVIII/2020	Judicial review of Law No. 17 of 2014 concerning the People's Consultative Assembly, House of Representatives, House of Regional Representatives, and Legislative Council against the 1945 Constitution	Ignatius Supriyadi, S.H., LL.M.	Granting the petition for withdrawal.	27 August 2020
44.	50/PUUXVIII/2020	Judicial review of Law No. 11 of 2008 concerning Information and Electronic	Gunawan Simangunson g, Russel Butarbutar, Benny Irfan	Granting the petition for withdrawal.	27 August 2020

		Transactions as amended by Law No. 19 of 2016 concerning Amendments to Law No. 11 of 2008 concerning Information and Electronic Transactions against the 1945 Constitution	Siahaan, Muhammad Arsjad Yusuf, Nurharis Wijaya, Efer Koritelu, and Sarah Febrina		
45.	51/PUUXVIII/2020	Formal and Judicial review of Law No. 2 of 2020 concerning the Enactment of Government Regulation in Lieu of Law No. 1 of 2020 concerning State Financial Policy and Financial System Stability for Managing the Corona Virus	Prof. Dr. M. Sirajuddin Shamsuddin, et al; PP Persis, Women of Al-Irsyad, Executive Board of Youth of Al- Irsyad, Accurate Indonesia, LBH Catur Bhakti Foundation, KAMMI, and Islamic Women	Granting the petition for withdrawal.	27 August 2020

		Disease 2019 (COVID-19) Pandemic and/or In the Context of Facing Threats That Endanger the National Economy and/or Financial System Stability Become a Law against the 1945 Constitution			
46.	80/PUUXVII/2019	Application for Judicial Review of Law No. 39 of 2008 concerning State Ministries against the 1945 Constitution	Bayu Segara	Not accepting the Petitioner's application.	27 August 2020
47.	2/PUXVIII/2020	Judicial review of Law No. 3 of 2009 concerning the Second Amendment to Law No. 14 of 1985 concerning	Aristides Verissimo de Sousa Mota	Not accepting the Petitioner's application.	27 August 2020

		the Supreme Court against the 1945 Constitution			
48.	21/PUUXVIII/2020	Application for Judicial Review of Law No. 4 of 1996 concerning Mortgage Rights on Land and Objects Related to Land against the 1945 Constitution of the Republic of Indonesia	Inri Januar, Oktoriusman HaLawa, and Eliadi Hulu	Rejecting the Petitioner's application in its entirety.	27 August 2020
49.	40/PUUXVIII/2020	Judicial review of Law No. 5 of 2004 concerning Amendments to Law No. 14 of 1985 concerning the Supreme Court against the 1945 Constitution	Deddy Rizaldy Arwin Gommo, Maulana Farras Ilmanhuda, and Eliadi Hulu	Not accepting the Petitioner's application.	27 August 2020
50.	46/PUXVIII/2020	Judicial review of Law 8 of 1981	Prof. Dr. H.R. Abdussalam	Not accepting the Petitioner's application.	27 August 2020

		concerning the Criminal Procedure Code against the 1945 Constitution			
51.	48/PUUXVIII/2020	Judicial review of Law No. 7 of 2017 concerning General Elections against the 1945 Constitution	The Association for Elections and Democracy (Perludem), represented by Khoirunnisa Nur Agustyati as Chairman of Perludem	Not accepting the Petitioner's application.	27 August 2020
52.	38/PUUXVIII/2020	Formal and Judicial review of Law No. 2 of 2020 concerning the Enactment of Government Regulation in Lieu of Law No. 1 of 2020 concerning State Financial Policy and Financial System Stability for Managing	Indonesian Law Enforcement and Oversight Institution (LP3HI); and Legal Aid Association Cares for Justice (PEKA)	Granting the petition for withdrawal.	28 September 2020

		the Corona Virus Disease 2019 (COVID-19) Pandemic and/or In the Context of Facing Threats That Endanger the National Economy and/or Financial System Stability Become a Law against the 1945 Constitution against the 1945 Constitution			
53.	52/PUUXVIII/2020	Judicial review of Law No. 39 of 1999 concerning Human Rights against the 1945 Constitution	Alamsyah Panggabean	Not accepting the Petitioner's application.	28 September 2020
54.	56/PUXVIII/2020	Judicial review of Law 8 of 1981 concerning the Criminal	Drs. Channy Oberlin Aritonang	Not accepting the Petitioner's application.	28 September 2020

		Procedure Code against the 1945 Constitution			
55.	10/PUUXVIII/2020	Judicial review of Law No. 14 of 2002 concerning the Tax Court against the 1945 Constitution	<p>1.Drs. Haposan Lumban Gaol, S.H., M.M;</p> <p>2. Dr. Triyono Martanto, S.E., S.H.,Ak., M.M., M.Hum.;</p> <p>3. Redno Sri Rezeki, S.E., MAFIS.</p>	<p>1. Granting the petition of the Petitioners in part;</p> <p>2. Stating Article 8 section (2) Law No. 14 of 2002 concerning the Tax Court (State Gazette of the Republic of Indonesia of 2002 No. 27, Supplement to the State Gazette of the Republic of Indonesia No. 4189) which states, "The Chair and Deputy Chairmen are appointed by the President from judges proposed by the Minister after obtaining approval from the Chief</p>	28 September 2020

				<p>Justice of the Supreme Court", contradicts the 1945 Constitution of the Republic of Indonesia and has no binding legal force as long as it is not interpreted as "Chairman and Deputy Chair are appointed by the President who are elected from and by judges who are then proposed through the Minister with the approval of the Chief Justice of the Supreme Court for 1 (one) term of office for 5 (five) years”;</p> <p>3. Declaring that the petition of the Petitioners in relation to Article 5 section (2) of Law No. 14 of</p>	
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				<p>2002 concerning the Tax Court (State Gazette of the Republic of Indonesia of 2002 No. 27, Supplement to the State Gazette of the Republic of Indonesia No. 4189) cannot be accepted;</p> <p>4. Rejecting the petition of the Petitioners other than and the rest.</p> <p>5. Instructing the featuring of this decision in the State Gazette of the Republic of Indonesia.</p>	
56.	57/PUXVIII/2020	Judicial review of Law No. 14 of 2002 concerning the Tax Court against the 1945	Dr. Teguh Satya Bhakti, S.H., M.H	Not accepting the Petitioner's application.	28 September 2020

		Constitution			
57.	63/PUXVIII/2020	Judicial review of Law No. 33 of 2004 concerning Financial Balance between the Central Government and Regional Governments against the 1945 Constitution	Blora Civil Society Alliance Association represented by Seno Margo Utomo (Chairman), Sudarwanto, S.Pd I, Sp (Secretary), and Iwan Tri Handono (Treasurer), Sujad, Dr. Umar Ma`ruf, S.H., CN., M. Hum., et al.	Not accepting the Petitioner's application.	28 September 2020
58.	70/PUUXVIII/2020	Judicial review of Law No. 10 of 2016 concerning the Second Amendment to the Amendments to Law No. 1 of 2015 concerning the Enactment of Government Regulation in Lieu of Law No. 1 of 2014 concerning	1. The Solo Citizens Community for Elections (PWSPP), which is represented by the Chairman and Secretary; 2. Tresno Subagyo;	Granting the petition for withdrawal	29 September 2020

		the Election of Governors, Regents, and Mayors to become Laws			
59	53/PUUXVIII/2020	Judicial review of Law No. 12 of 2012 concerning Higher Education against the 1945 Constitution	Muhammad Anis Zhafran Al Anwary	Not accepting the Petitioner's application.	29 September 2020
60.	58/PUUXVIII/2020	Judicial review of Law No. 3 of 2020 concerning Amendments to Law No. 4 of 2009 concerning Mineral and Coal Mining against the 1945 Constitution	Association of Lawal Advocates (AAK), Dr. Bahrul Ilmi Yakup, S.H., M.H., Dhabi K. Gumayra, S.H., M.H., et al.	Not accepting the Petitioner's application.	29 September 2020
61.	65/PUXVIII/2020	Judicial review of Law No. 3 of 2020 concerning Amendments to Law No. 4	The Regional Government of the Bangka Belitung Islands Province, represented	Not accepting the Petitioner's application.	29 September 2020

		of 2009 concerning Mineral and Coal Mining against the 1945 Constitution	by Dr. H. Erzaldi Rosman, S.E., M.M (Governor) and Leaders of House of Regional Representative Bangka Belitung		
62.	78/PUUXVII/2019	Judicial review of Law No. 11 of 2008 concerning Information and Electronic Transactions as amended by Law No. 19 of 2016 concerning Amendments to Law No. 11 of 2008 concerning Information and Electronic Transactions and Law No. 28 of 2014 concerning Copyrights against the 1945 Constitution	PT Nadira Intermedia Nusantara, represented by Jemy Penton as th Main Director	Rejecting the Petitioner's application in its entirety.	29 September 2020

		of the Republic of Indonesia			
63.	41/PUXVII/2019	<p>Judicial review of Law No. 21 of 2001 concerning Special Autonomy for Papua Province as amended by Law No. 35 Year 2008</p> <p>concerning Enactment of Government Regulation in Lieu of Law</p> <p>No. 1 of 2008 concerning Amendments to Law No. 21 of the Year concerning Special Autonomy for the Province of Papua</p> <p>Become a Law against the 1945 Constitution</p>	<p>Krisman Dedi</p> <p>Awi Fonataba,</p> <p>S.Sos dan</p> <p>Darius Nawipa</p>	Rejecting the Petitioner's application in its entirety.	26 October 2020

		of the Republic of Indonesia			
64.	54/PUUXVII/2019	Application for Judicial Review of Law No. 15 of 2006 concerning the Supreme Audit Agency and Law No. 15 of 2004 concerning Audit of State Finance Management and Accountabili ty against the 1945 Constitution of the Republic of Indonesia	1. Dr. Ibnu Sina Chandranegar a, S.H., M.H.; 2. Auliya Khasanofa, S.H., M.H.; and 3. Kexia Goutama	Not accepting the Petitioner's application.	26 October 2020
65.	54/PUUXVIII/2020	Judicial review of Law No. 5 of 1999 concerning the Prohibition of Monopolistic Practices and Unfair Business	Kamal Barok,S.H., M.H., Nurul Fadhilah, Erika Rovita Maharani, S.H., Melita Kristin	Rejecting the Petitioner's application in its entirety.	26 October 2020

		Competition against the 1945 Constitution	BR., Helli Nurcahyo, S.H., and M. Suprio Pratomo		
66.	62/PUUXVIII/2020	Judicial review of Law No. 24 of 2011 concerning the Social Security Administerin g Body against the 1945 Constitution	Koko Koharudin	Rejecting the Petitioner's application in its entirety.	26 October 2020
67.	69/PUUXVIII/2020	Judicial review of the Attachment to Law No. 6 of 2020 concerning Enactment of Government Regulation in Lieu of Law No. 2 of 2020 concerning Third Amendment to Law No. 1 of 2015 concerning Enactment of	The Solo Citizens Community for Elections (PWSPP), which is represented by Johan Syafaat Mahanani (as Chairman) and Almas Tsaqibbirru RE A (as Secretary)	Not accepting the Petitioner's application.	26 October 2020

		Government Regulation in Lieu of Law No. 1 of 2014 concerning Election of Governors, Regents, and the Mayor Becomes Law against the 1945 Constitution			
68.	71/PUUXVIII/2020	Judicial review of Law no. 14 of 1985 concerning the Supreme Court, which was amended by Law No. 5 of 2004 concerning Amendments to Law No. 14 of 1985, and amended again by Law No. 3 of 2009 concerning the Second Amendment to Law No. 14 of 1985 concerning	R.M. Punto Wibisono	Rejecting the Petitioner's application in its entirety.	26 October 2020

		the Supreme Court and Law No. 48 of 2009 concerning Judicial Powers over the 1945 Constitution			
69.	72/PUVXIII/2020	Judicial review of Law No. 9 of 2010 concerning Protocol to the 1945 Constitution	Abu Bakar	Not accepting the Petitioner's application.	26 October 2020
70.	73/PUXVIII/2020	Judicial review of Law No. 17 of 2019 concerning Water Resources against the 1945 Constitution	1. Agus Wibawa; 2. Dewanto Wicaksono, S.E., M.M.; 3. Prižhatin Suryo Kuncoro; 4. Andy Wijaya	Not accepting the Petitioner's application.	26 October 2020
71	76/PUVXIII/2020	Judicial review of Law No. 39 of 2008 concerning State Ministries of the 1945	Viktor Santoso Tandiasa	Not accepting the Petitioner's application.	26 October 2020

		Constitution			
72.	77/PUUXVIII/2020	Judicial review of Article 1365 of the Civil Code against the 1945 Constitution	Zico Leonard Djagardo Simanjuntak	Rejecting the Petitioner's application in its entirety.	26 October 2020
73.	79/PUUXVIII/2020	Judicial review of Law No. 42 of 1999 concerning Fiduciary Law against the 1945 Constitution	Joshua Michael Djami	Not accepting the Petitioner's application.	26 October 2020
74.	66/PUXVII/2019	Application for Judicial Review of Law No. 13 of 2019 concerning the Third Amendment to Law No. 17 of 2014 concerning the People's Consultative Assembly, House of Representatives, House of Regional Representatives, and Legislative	Sidik, S.HI., Rivaldi, S.H., and Erwin Edison, S.H.	Granting the petition for withdrawals.	25 November 2020

		Concil against the 1945 Constitution of the Republic of Indonesia			
75.	66/PUUXVIII/2020	Judicial review of Law No. 13 of 2003 concerning Manpower against the 1945 Constitution	Slamet Iswanto; 2. Maul Gani, S.E.	Granting the petition for withdrawal.	25 November 2020
76.	83/PUXVII/2019	Application for Judicial Review of Law No. 18 of 2017 concerning the Protection of Indonesian Migrant Workers against the 1945 Constitution of the Republic of Indonesia	Saiful Mashud, S.H. (as General Chairperson of the Organization of Indonesian Migrant Workers Placement Companies)	Rejecting the Petitioner's application in its entirety.	25 November 2020
77.	3/PUUVXIII/2020	Judicial review of Law No. 25 of 2008 concerning	H. Jarizal Hatmi, S.E., Drs. Amri Swarta, M.M., Drs. H.	Not accepting the Petitioner's application.	25 November 2020

		the Establishment of the Full River City in Jambi Province against the 1945 Constitution	Zainun Manaf, Eliyusnadi, S.Kom., M.Si. DPT., Hj. Mor Anita, S.E., M.M., Pahrudin Kasim, S.H., M.H., DR. H. Rasidin, M.Ag., Satria Gunawan, and Nopantri, S.P., M.Si.		
78.	5/PUXVIII/2020	Judicial review of Law No. 40 of 2014 concerning Insurance against the 1945 Constitution	Dadang Sukresna as Chairman of the Indonesian General Insurance Association (AAUI)	Rejecting the Petitioner's application in its entirety.	25 November 2020
79.	68/PUUXVIII/2020	Judicial review of Law No. 13 of 2003 concerning Manpower against the 1945 Constitution	Labor union of PT PLN represented by Eko Sumantri (Chairman) and Sarwono (Secretary of General)	Not accepting the Petitioner's application.	25 November 2020
80.	78/PUXVIII/2020	Judicial review of Law No. 38 of 2009	1. PT. Pos Indonesia (Persero);	1. Not accepting the Petitioner's	25 November 2020

		concerning Posts against the 1945 Constitution	2. Harry Setya Putra.	application. 2. Rejecting the Petitioner II's application in its entirety.	
81.	22/PUUXVIII/2020	Application for judicial review of Law No. 10 of 2016 concerning the Second Amendment to the Amendment to Law No. 1 of 2015 concerning Enactment of Government Regulation in Lieu of Law No. 1 of 2014 concerning the Election of Governors, Regents, and Mayors to become Laws against the 1945 Constitution of the Republic of	Anwar Hafid dan H. Arkadius, Dt. Intan Baso	1. Not accepting the Petitioner's application. 2. Rejecting the Petitioner's application in its entirety.	25 November 2020

		Indonesia			
82.	80/PUXVIII/2020	Judicial review of Law No. 3 of 2020 concerning Amendments to Law No. 4 of 2009 concerning Mineral and Coal Mining against the 1945 Constitution	Benidiktus Papa, Karlianus Poasa, S.H., Felix Martuah Purba, S.H., Oktavianus Alfianus Aha, S.T., Alboin Cristoveri Samosir, S.H. and Servarius S. Jemorang, S.Pd.	Granting the petition for withdrawal.	25 November 2020
83.	95/PUUXVIII/2020	Formal and Judicial review of Law No. ... of 2020 concerning Job Creation against the 1945 Constitution	1. Zakarias Horota; 2. Agustinus R. Kambuaya; 3. Elias Patege.	Granting the petition for withdrawal.	25 November 2020
84.	20/PUXVIII/2020	Application for Judicial Review of Law No. 18 of 2017 concerning the Protection of Indonesian Migrant Workers against the 1945	H. Sunaryo, H.S. and Zarkasi	Declaring the petition of the Petitioners insofar as regarding Article 5 letter d of Law No. 18 of 2017 concerning the Protection of Indonesian Migrant Workers (State	25 November 2020

		Constitution of the Republic of Indonesia		Gazette of the Republic of Indonesia of 2017 No. 242, Supplement to the State Gazette of the Republic of Indonesia No. 6141) cannot be accepted	
85.	36/PUUXVIII/2020	Judicial review of Law No. 4 of 1984 concerning Outbreaks of Infectious Diseases and Law No. 6 of 2018 concerning Health Quarantine against the 1945 Constitution	The Indonesian Health Law Society (MHKI), which in this case was represented by its general 1, dr. Mahesa Paranadipa Maykel, M.H.	1. Not accepting the Petitioner's application. 2. Rejecting the Petitioner's application in its entirety.	25 November 2020
86.	82/PUXVIII/2020	Judicial review of Law No. 44 of 2008 concerning Pornography against the 1945 Constitution	Pina Aprilianti	Rejecting the Petitioner's application in its entirety.	25 November 2020
87.	83/PUXVIII/2020	Judicial review of	Wenro	Rejecting the Petitioner's	25 November

		Law No. 18 of 2003 concerning Advocates against the 1945 Constitution	Haloho, S.H.	application in its entirety.	2020
88.	89/PUUXVIII/2020	Judicial review of Law No. 2 of 2004 concerning Settlement of Industrial Relations Disputes against the 1945 Constitution	Yok Sagita	Not accepting the Petitioner's application.	17 December 2020
89.	99/PUUXVIII/2020	Judicial review of Law No. 42 of 1999 concerning Fiduciary Law against the 1945 Constitution	Joshua Michael Djami	Not accepting the Petitioner's application.	17 December 2020



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