



THE CONSTITUTIONAL COURT  
OF THE REPUBLIC OF INDONESIA

ANUAL  
REPORT  
2022

# ORGANIZING THE SYSTEM OF CONSTITUTIONAL DEMOCRACY



The background of the cover is a vibrant yellow color, overlaid with a grid of small, semi-transparent dots. This pattern is centered on a solid black rectangular area that contains the text.

# **THE 2022 ANNUAL REPORT**

**OF THE CONSTITUTIONAL COURT**

# VISION

**UPHOLDING THE CONSTITUTION  
THROUGH A MODERN AND  
RELIABLE JUDICIARY**

# MISSION

**1. STRENGTHENING  
THE INTEGRITY OF  
CONSTITUTIONAL JUDICIARY**

**2. INCREASING CITIZENS'  
AND STATE ORGANIZERS'  
CONSTITUTIONAL AWARENESS**

**3. IMPROVING THE  
QUALITY OF DECISIONS**

# AUTHORITIES

THE CONSTITUTIONAL COURT HAS THE AUTHORITY TO ADJUDICATE THE FIRST AND FINAL LEVELS, WHOSE DECISIONS SHALL BE FINAL FOR THE FOLLOWING:

1 TO CONDUCT JUDICIAL REVIEW AGAINST THE CONSTITUTION

2 TO DECIDE ON THE DISPUTE OVER THE AUTHORITY OF STATE INSTITUTIONS WHOSE AUTHORITIES ARE GRANTED BY THE CONSTITUTION

3 TO DECIDE ON THE DISSOLUTION OF A POLITICAL PARTY

4 TO DECIDE ON A DISPUTE OVER THE RESULT OF GENERAL ELECTION

5 OBLIGED TO PASS DOWN DECISION ON THE OPINION OF THE HOUSE OF REPRESENTATIVES CONCERNING ALLEGATION OF VIOLATION BY THE PRESIDENT AND/OR THE VICE PRESIDENT AS REFERRED TO IN THE CONSTITUTION

PURSUANT TO THE DECISION OF THE CONSTITUTIONAL COURT NUMBER 85/PUU-XX/2022, THE CONSTITUTIONAL COURT SHALL HAVE THE AUTHORITY TO DECIDE ON ANY DISPUTE OVER THE DETERMINATION OF FINAL VOTE ACQUISITION IN THE ELECTION OF GOVERNORS, REGENTS, AND MAYORS.

# SEVEN KEY PRINCIPLES OF CODES OF ETHICS AND CONDUCT OF THE CONSTITUTIONAL COURT JUSTICES

# 1

## **PRINCIPLE OF INDEPENDENCE**

The constitutional court justices must carry out their judicial functions independently based on an assessment of facts, rejecting the external influence and pressure.

# 2

## **PRINCIPLE OF IMPARTIALITY**

The constitutional court justices must carry out the duties of the Court without prejudice, bias, and impartial to one side and display neutral behavior both inside and outside of the judiciaries.

# 3

## **PRINCIPLE OF INTEGRITY**

The constitutional court justices must possess certain personalities, which include honesty, loyalty, and sincerity in carrying out their duties professionally.

# PRINCIPLES

## CONDUCT OF JUSTICES



PMK Number 09/PMK/2006 Concerning the Enactment of the Declaration of Codes of Ethics and Conduct of The Constitutional Court Justices

### 4 PRINCIPLES OF APPROPRIATENESS AND COURTESY

The constitutional court justices are able to position themselves appropriately, behave respectfully, and not demean other people in interpersonal interactions.

### 5 PRINCIPLE OF EQUALITY

The constitutional court justices treat everyone in accordance with a just and civilized humanity, without discriminating against one another (equal treatment).

### 6 PRINCIPLES OF PROFICIENCY AND ACCURACY

The constitutional court justices always increase their knowledge, skills, and personal abilities which reflect accuracy in carrying out the professional duties of justices without any delay in decision-making. kecermatan dalam pelaksanaan tugas profesional hakim tanpa menunda-nunda pengambilan keputusan.

### 7 PRINCIPLES OF PRUDENCE AND WISDOM

The constitutional court justices behave and act in accordance with legal norms and other norms that exist in society.

# ICT VALUES

## IN JUDICIARY INSTITUTION

### INTEGRITY

Integrity as human capital to prevent the loss of human identity



### CLEAN

Free from corrupt and self-oriented efforts



### TRUSTWORTHY

The most important element in building and enforcing law in an era of disruption



# INTRODUCTION

This annual report is packaged “differently” compared to the previous years. Data and information are displayed differently, without any reduction at all in terms of weight of information, degree of transparency, and value of accuracy. This is in line with the general shift in people’s behavior in the digital era, one of which can be seen from social media tradition. It moves from liking the narrative tradition, to currently preferring the display of information in an attractive, concise, and clear manner. Therefore, in addition to aiming to catch more interest, such display choice is intended to make it easier and quicker for the readers to understand the substance of the displayed information.

The title “Organizing the System of Constitutional Democracy” is chosen to indicate that the range of the Constitutional Court’s (MK) performance in 2022 revolves around the issue as stated in the title. Moreover, since 2022, the MK has received and decided on many cases in relation to laws concerning the general elections or regional head elections. Aren’t elections synonymous with constitutional democracy, and vice versa?

This is reflected in, for example, the General Election Law being reviewed 25 times. Meanwhile, the Regional Head Election Law has been reviewed

7 times. Furthermore, a number of the decisions of MK that drew public interest (went viral) were related to general election matters, such as the presidential threshold, political party verification, the possibility of bringing DKPP decision to the PTUN (administrative court), a former psychotropic convict running in a regional head election, the authority to determine electoral districts in elections, and the authority of MK to decide on any dispute over the result of a regional head election being now permanent and no longer transitional. Those decisions emphasize the significant role and contribution in organizing democracy, especially ahead of the 2024 simultaneous elections.

Regarding the choice of the dominant color combination of yellow (gold), white, and black in this Annual Report, it is chosen to represent the positive aura surrounding the MK. Golden yellow represents achievement, grandeur, and ability or success in responding to all conditions. White symbolizes aspects of purity, cleanliness, and balance. Black is a symbol of strength, courage, and seriousness. Such a combination of meanings is displayed to fully represent the MK’s entity, performance, and appearance as a constitutional judiciary in 2022.

# ORGANIZING THE SYSTEM OF CONSTITUTIONAL DEMOCRACY

THE 2022 ANNUAL REPORT OF THE CONSTITUTIONAL COURT

xiv + 88 pages; 210 x 297 mm  
First Printing, May 2023



MAHKAMAH KONSTITUSI

**Publisher**

The Registrar's Office and the Secretariat General of the Constitutional Court

Jl. Medan Merdeka Barat No. 6-7 Central Jakarta 10110

Ph. (+6221) 23529000

email: [office@mkr.id](mailto:office@mkr.id)

[www.mkri.id](http://www.mkri.id)

# EDITORIAL TEAM

**COUNCIL OF DIRECTORS** Anwar Usman  
Saldi Isra  
Arief Hidayat  
Wahiduddin Adams  
Suhartoyo  
Manahan M.P. Sitompul  
Enny Nurbaningsih  
Daniel Yusmic P. Foekh  
M. Guntur Hamzah

**DIRECTOR** Heru Setiawan  
Muhidin

**PERSON IN CHARGE** Heru Setiawan

**COORDINATOR** Triyono Edy Budhiarto  
Wiryanto  
Ida Ria Tambunan  
Kurniasih Panti Rahayu  
Tatang Garjito  
Teguh Wahyudi  
Elisabeth  
Imam Margono  
Sigit Purnomo

**LEADER AND FINAL EDITOR** Fajar Laksono

**SECRETARY** Mutia Fria Darsini

**COVER DESIGN** Hermanto

**DESIGN AND LAYOUT** Teguh Birawa Putra  
Rudi  
Nur Budiman  
Hermanto

**PHOTO DOCUMENTATION** Ifa Dwi Septian  
R. Widjaya

**INFOGRAPHIC** Zahra Marida Putri  
Ilham Erwin

**WRITER** Nur Rosikin  
Lulu Anjarsari P.  
Nano Tresna A.  
Sri Pujianti  
Utami Argawati  
Ilham Wiryadi  
Bambang Panji Erawan  
Bayu Wicaksono

**MATERIAL AND DATA** Tiara Agustina  
Fitri Yuliana  
Raisa Ayudhita  
Andhini Sayu Fauzia  
Rudi Kurniawan

# CONTENTS

<b>VISION, MISSION</b>	<b>ii</b>
<b>AUTHORITIES</b>	<b>iii</b>
<b>SEVEN KEY PRINCIPLES</b>	<b>iv</b>
<b><u>ICT VALUES (INTEGRITY, CLEAN, TRUSTWORTHY)</u></b>	<b><u>vi</u></b>
<b><u>INTRODUCTION</u></b>	<b><u>vii</u></b>
<b><u>CONTENTS</u></b>	<b><u>x</u></b>
<b><u>THE MK PUBLICATIONS</u></b>	<b><u>xi</u></b>
<b><u>THE REGISTRAR'S AND SECRETARY-GENERAL'S FOREWORDS</u></b>	<b><u>xiii</u></b>
<b><u>DECIDING ON THE CONSTITUTIONAL CASES</u></b>	<b><u>1</u></b>
<b>STRENGTHENING CONSTITUTIONAL JUDICIARY'S INTEGRITY</b>	<b>23</b>
<b><u>INCREASING CONSTITUTIONAL AWARENESS</u></b>	<b><u>48</u></b>
<b><u>IMPROVING THE QUALITY OF DECISIONS</u></b>	<b><u>74</u></b>
<b><u>2023 PROJECTION</u></b>	<b><u>86</u></b>
<b><u>APPENDICES</u></b>	<b><u>88</u></b>

# THE MK PUBLICATIONS



**KONSTITUSI  
MAGAZINE**



**KONSTITUSI  
JOURNAL**



**CONSTITUTIONAL  
REVIEW**



# CONGRATULATIONS ON CONTINUING THE DEVOTION FOR THE NATION AND THE STATE



Prof. Dr. M. Guntur Hamzah, S.H., M.H. took the oath as the Constitutional Court Justice, replacing Prof. Dr. Aswanto, S.H., M.Sc., DFM on 23 November 2022 under Presidential Decree Number 114 P of 2022 concerning the Dismissal and Appointment of the Constitutional Court Justices Proposed by the House of Representatives which was stipulated on 3 November

# CONGRATULATIONS ON CARRYING OUT THE DUTIES AS THE CONSTITUTIONAL COURT JUSTICES

# FOREWORDS



// Ali bin Abi Talib said, *honest people obtain three things: trust, love, and respect*. In line with that, we have prepared this 2002 Annual Report as a medium to communicate honestly and frankly about the Constitutional Court, which the public should know about. Hopefully, trust, love, and respect will always be present with the Constitutional Court. //

**Muhidin**  
Registrar



// Through a series of data, numbers, lines, graphics, and colors in the pages bundled up into this Annual Report, we would like to communicate in an accountable and open manner to the public, to all stakeholders, what the Constitutional Court strove for, did, and achieved in 2022, together with what will be done in 2023. This is like the meaning of accountability as expressed by Pearl Zhu, a book author, *Accountability means to say what you do and do what you say!* //

**Heru Setiawan**  
Acting Officer of  
Secretary-General



# DECIDING ON THE CONSTITUTIONAL CASES



This year, the MK is 19 years old since it was first established in 2003. In the period until 2022, the MK has exercised 3 of 5 authorities: the judicial review (*pengujian undang-undang* or PUU), the dispute over the authority of the state institutions (*sengketa kewenangan Lembaga negara* or SKLN), and dispute over the results of general elections (*perselisihan hasil pemilihan umum* or PHPU), including the dispute over the results of regional head elections (*perselisihan hasil pemilihan kepala daerah* or PHP Kada). From exercising the 3 authorities, the MK has received and handled 3,463 cases.



# CONSTITUTIONAL CASES 2003 - 2022

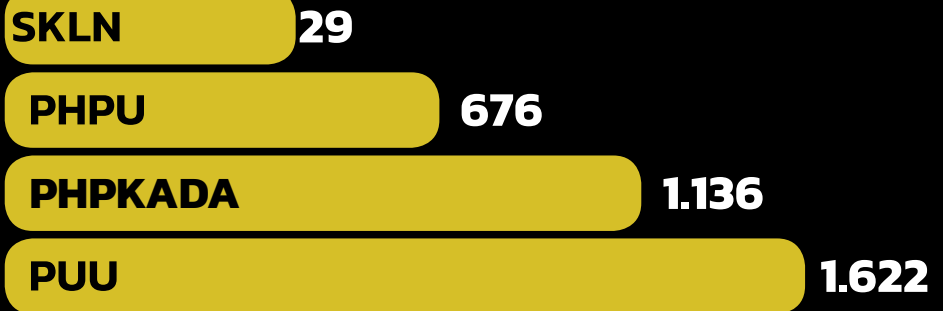


Every case has an end. *Litis finiri oportet*. Not only does it have legal certainty, but a decision must also be fair. Out of 3,463 cases, the MK has decided on **3,444 cases**.

## BASED ON AUTHORITY



**3.463**  
CASES

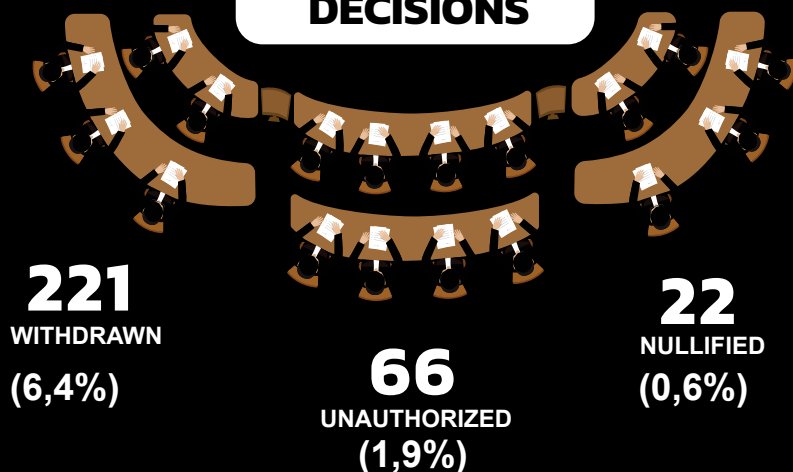


**3.444**  
DECISIONS

**BASED ON VERDICT**



**3.444**  
DECISIONS



Through its decisions, the MK responds to arguments of petitions. Legal and constitutional arguments are prepared carefully and thoroughly. Legal considerations and opinions are written down, and thus verdicts are born. There are Granted, Dismissed, or Inadmissible verdicts. Moreover, there are Withdrawn, Unauthorized or Nullified cases.

# CONSTITUTIONAL CASES 2022

## BASED ON AUTHORITY

Two types of cases were handled by the MK in 2022; 143 PUU cases and 3 cases of disputes over the results of the regional head election in Yalimo Regency, which were Cases Number 152/PHP.BUP-XIX/2022, 153/PHP.BUP-XIX/2022, and 154/PHP.BUP-XIX/2022.

**TOTAL CASES 146**

**143** PUU  
CASES

**3** PHP KADA  
CASES

The series of processes of deciding any constitutional case ends in a decision. Out of 146 cases, 128 cases were completely decided by the MK. 124 decisions of PUU cases, 3 decisions of cases of dispute over the results of the regional head election in Yalimo Regency registered in 2022, and Case Number 145/PHP.BUP-XIX/2021 concerning Disputes over the Result of the Regional Head Election in Yalimo Regency registered in 2021, were completed.

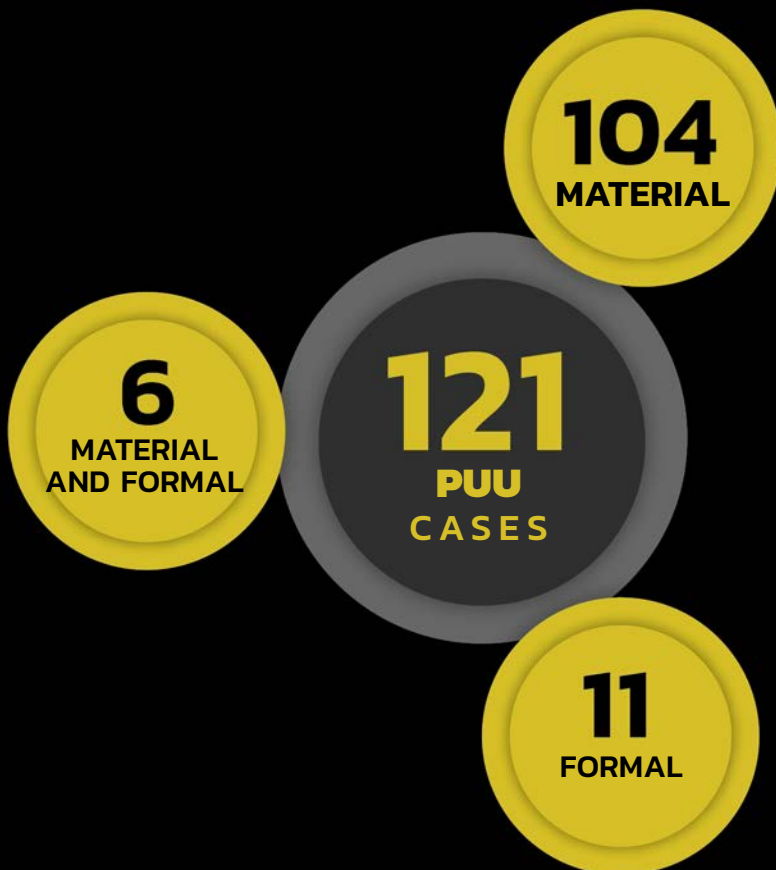
**TOTAL DECISIONS 128**

**124** PUU  
DECISIONS

**4** PHP KADA  
DECISIONS

# PUU CASES

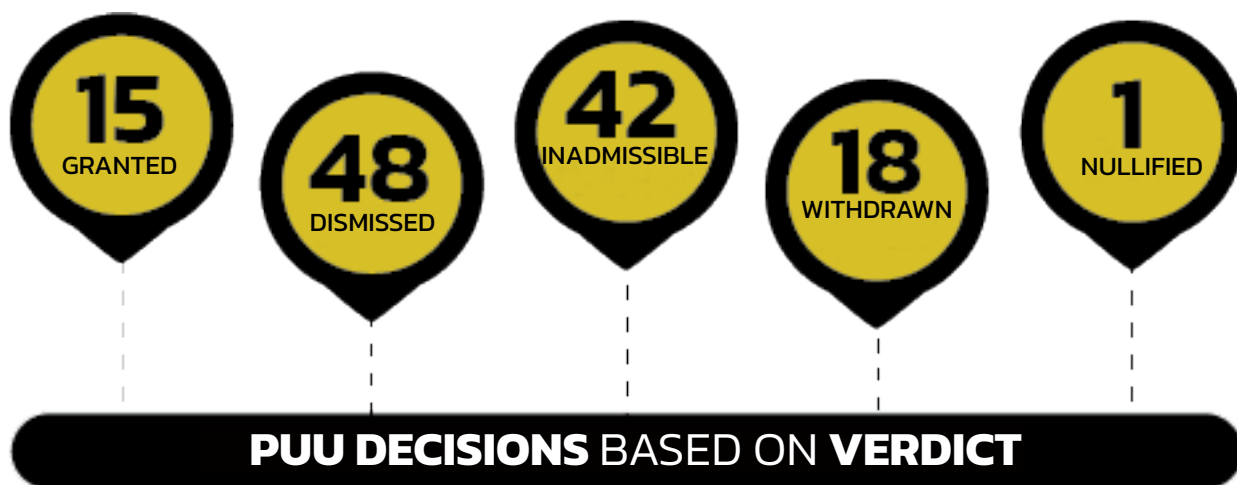
Concerning PUU cases, 121 cases were registered in 2022. 22 cases were registered in the previous year.



## MATERIAL AND FORMAL REVIEW CASES

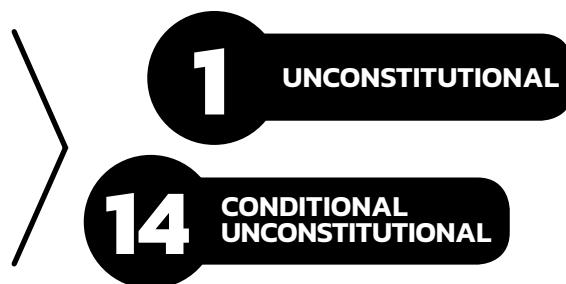
Under Article 51A of the MK Law, a PUU petition may be submitted either for formal review related to the enactment of a law and/or material review related to the constitutionality of the substance of a law. A petition may request for formal review, material review, or both formal and material reviews concurrently in one petition.

Out of 124 decisions on PUU cases, the MK passed a Granted verdict in 15 decisions, a Dismissed verdict in 48 decisions, and an Inadmissible verdict in 42 decisions. Moreover, 18 cases were withdrawn and 1 case was Nullified.

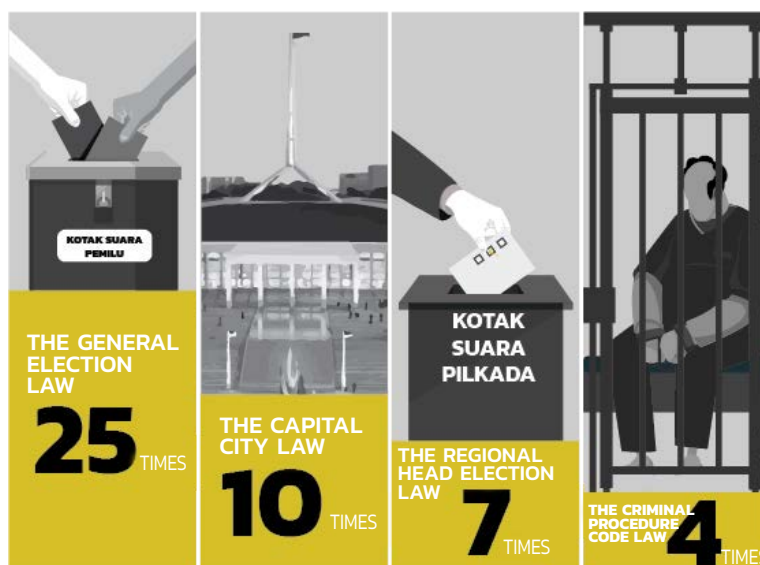


## UNCONSTITUTIONAL AND CONDITIONAL UNCONSTITUTIONAL DECISIONS

Out of 15 PUU decisions granted during 2022, one decision declared the special judiciary body for regional head election in the Regional Head Election Law unconstitutional, namely Case Number 85/PUU-XX/2022. Meanwhile, 14 decisions granted conditional unconstitutional verdicts to the petitions.

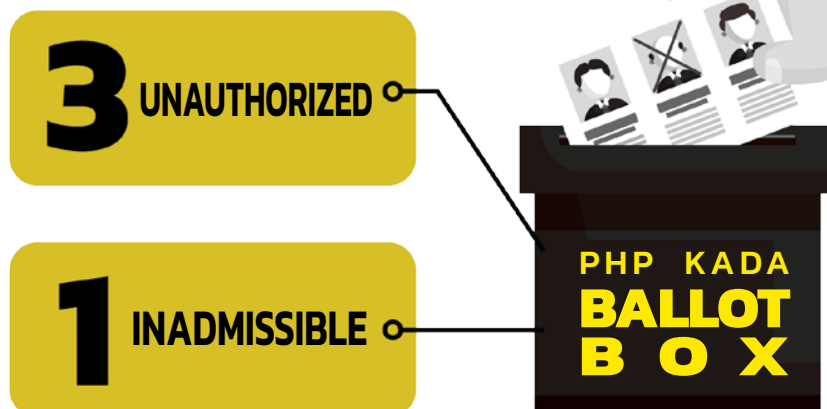


## THE MOST REVIEWED LAWS



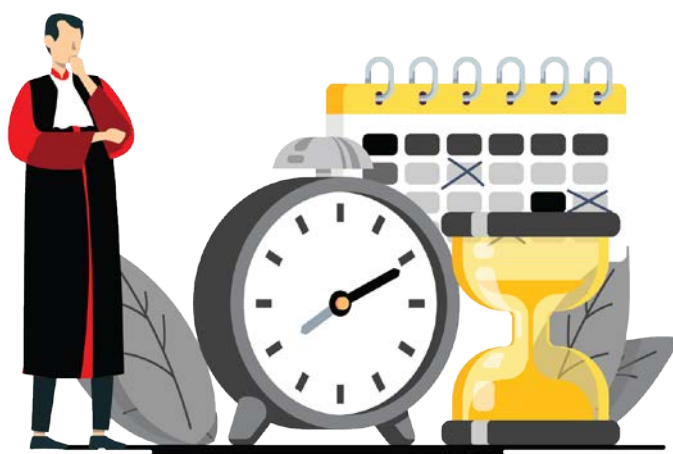
At the beginning of 2022, the MK decided four cases of disputes over the result of the regional head election in Yalimo Regency, which was a continuation of the 2020 Simultaneous Regional Head Elections process. One case was decided with an Inadmissible verdict. Regarding the other three cases, through its Decisions, the MK declared Unauthorized to decide them.

# PHP KADA CASES

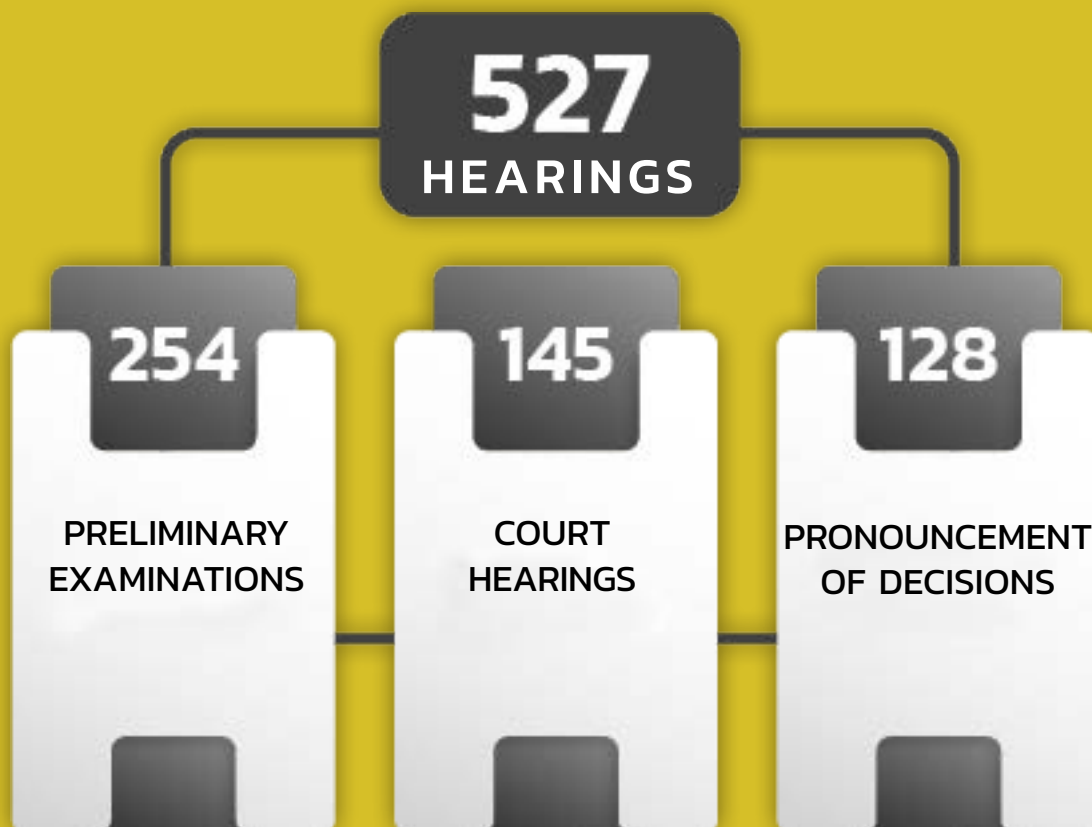
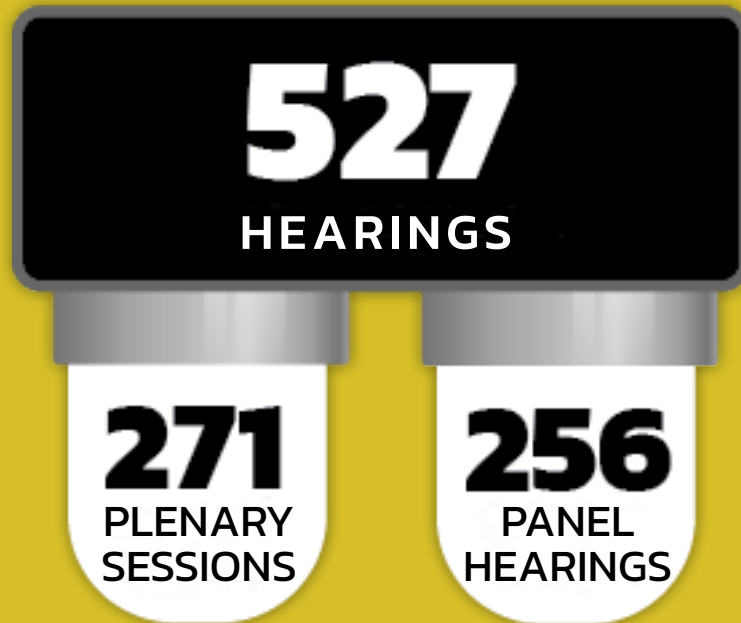


## CASE COMPLETION DURATION

*Justice delayed is justice denied.* Delay in providing justice is another form of injustice. Therefore, the case completion duration is an integral part of the MK in deciding on any cases. To decide on 124 PUU cases, it took the MK 2.6 months per case. Last year, the MK needed 2.97 months per case. This means that the case completion duration in this year was relatively faster.

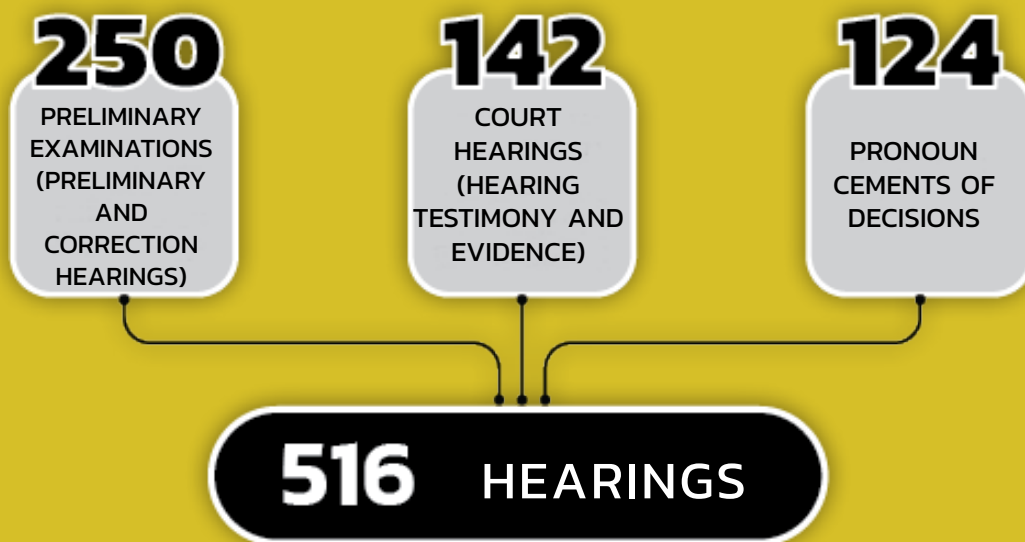


# HEARINGS

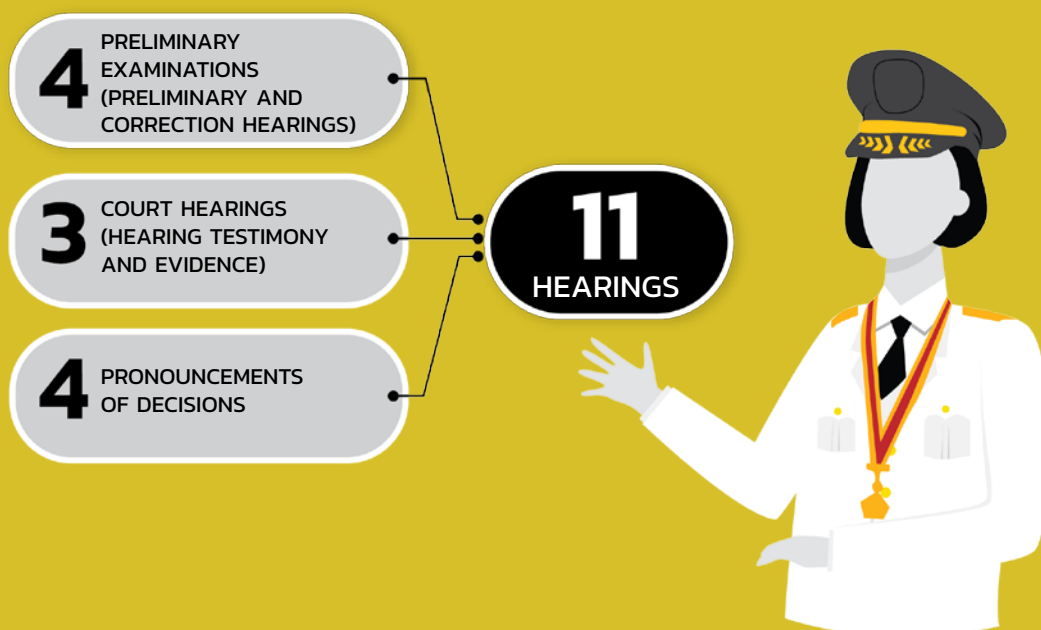


To handle 143 PUU cases and 4 cases of disputes over the results of regional head elections, the MK held 527 hearings consisting of 271 plenary sessions and 256 panel hearings. Based on the stage of the hearing, the 527 hearings consist of 254 preliminary examinations; 145 court hearings; and 128 pronouncements of decisions.

## PUU CASES



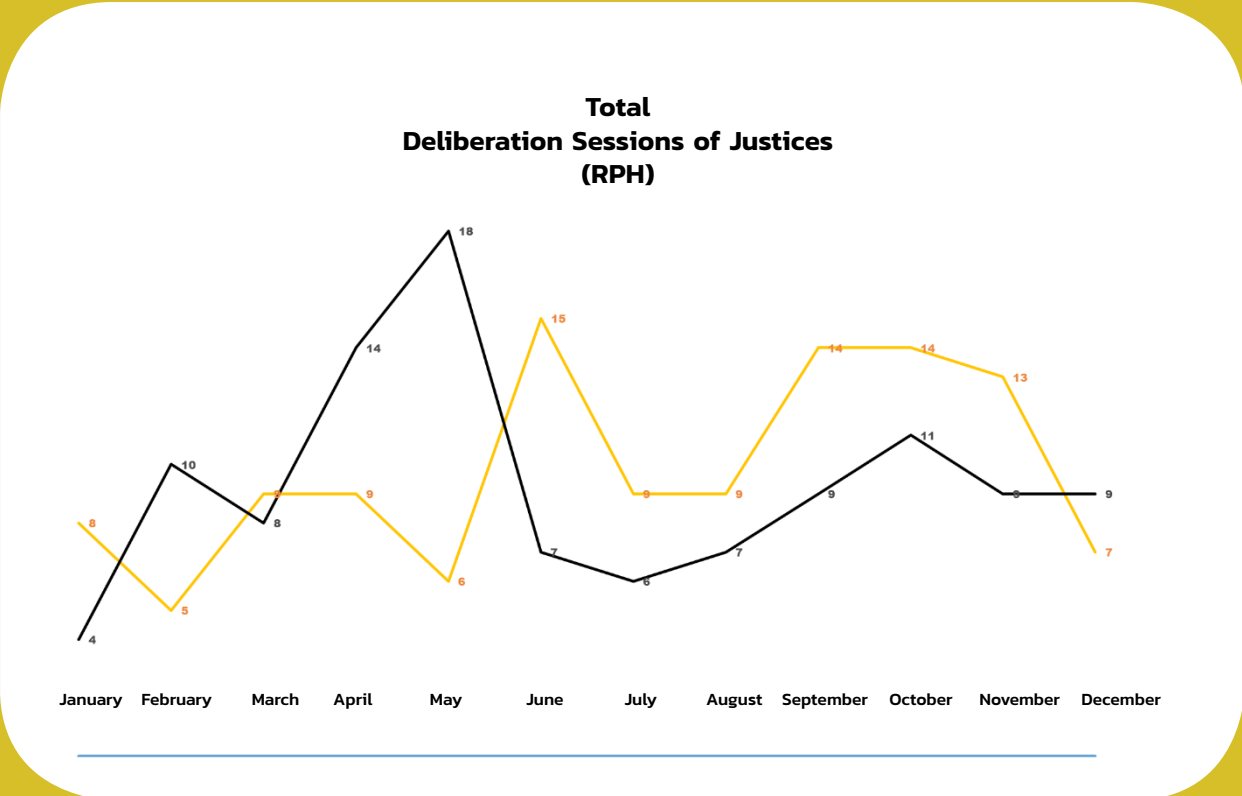
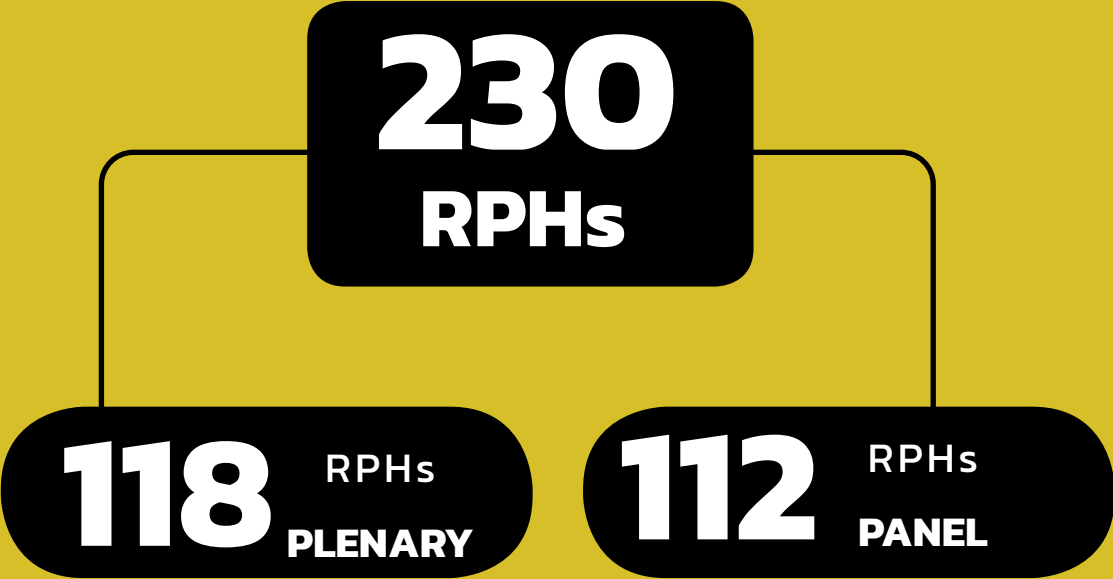
## PHP KADA CASES



# DELIBERATION SESSIONS OF JUSTICES (RAPAT PERMUSYAWARATAN HAKIM OR RPH)



RPH is held to discuss any letters relevant to cases, the discussion of cases, decision-making, and finalization of decisions. To handle 147 cases, the MK held 230 RPHs.

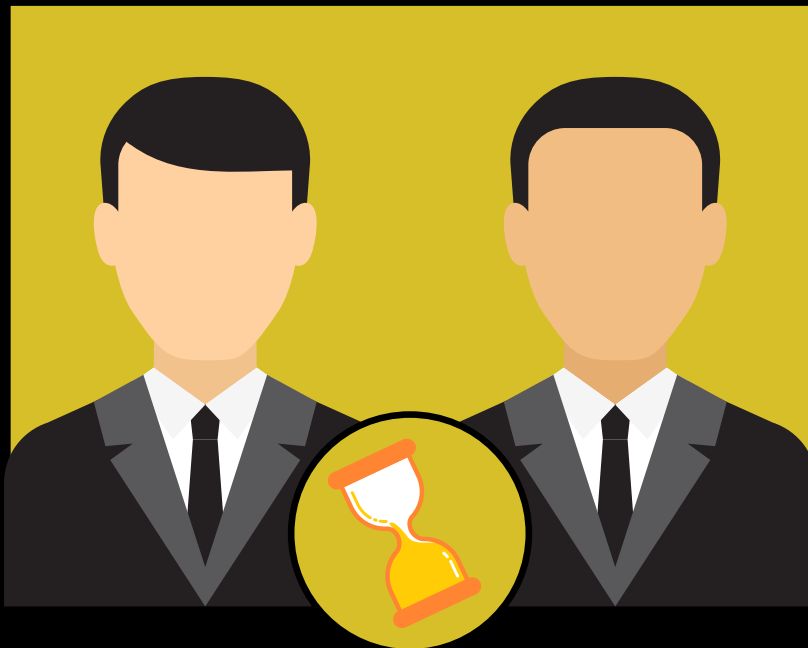


# VIRAL DECISIONS

Out of the 124 decisions in 2022, some of them drew public interest, popularly known as going viral. However, they were not always the decisions with the Granted verdicts.

1

## PRESIDENTIAL THRESHOLD CONSTITUTIONAL



The MK has again decided that the norm of the threshold for nominating the President and Vice President in the General Election Law is constitutional. Meanwhile, the percentage of the presidential threshold is an open legal policy and within the legislative domain. Such Constitutional Court's stance considers the need to strengthen the Presidential system of government under the 1945 Constitution to create an effective government. In this year, there are 10 decisions related to the judicial review of the norm of the presidential threshold.

# ✓ DIFFERENTIATION OF FACTUAL VERIFICATION OF POLITICAL PARTIES PARTICIPANTS IN THE 2024 GENERAL ELECTIONS

The MK affirms that political parties that have passed the 2019 General Election verification and passed/satisfied the provision of Parliamentary Threshold in the 2019 General Election still need to be administratively verified, but not factually verified. As for political parties that (1) do not pass/satisfy the provision of Parliamentary Threshold, (2) have only representation at the level of Provincial/Regency/City DPRD (Regional Legislative Council); (3) do not have representation at the level of Provincial/Regency/City DPRD (Regional Legislative Council), and (4) are new political parties, must be administratively and factually re-verified..



## FOLLOW-UP TO DECISION OF DKPP (ELECTION ORGANIZER HONORARY COUNCIL) ARE OPEN TO BE BROUGHT TO THE PTUN (STATE ADMINISTRATIVE COURT)



The MK reaffirms its decision that the Decisions of the Election Organizer Honorary Council (DKPP) are binding on the President, KPU, Provincial KPU, Regency/City KPU, and Bawaslu. This means that DKPP decisions must be implemented or followed up. The institution's decision to follow up a DKPP decision may become the object of a lawsuit by parties who do not accept the DKPP decision by filing a lawsuit to the State Administrative Court. A State Administrative Court decision that has had a permanent legal force must still be obeyed and becomes a judiciary body's decision which has executorial power. This is contained in MK Decision Number 32/PUU-XIX/2021 concerning the judicial review of Article 458 paragraph (3) of the General Election Law.

# A FORMER PSYCHOTROPIC CONVICT RUNNING IN REGIONAL HEAD ELECTIONS



The MK in the verdict of Decision Number 2/PUU-XX/2022 partially granted the petition for a Judicial Review of Law Number 10 of 2016 (Regional Head Election Law) submitted by Hardizal, a former Psychotropic convict. The MK declares that the Elucidation of Article 7 paragraph (2) letter i of the Regional Head Election Law is contrary to the 1945 Constitution and does not have a binding legal force as long as it is not interpreted, "except perpetrators of disgraceful acts who have obtained a court decision that has a permanent legal force and have finished serving their criminal term, as well as honestly or openly announce their identity background as former convicts."



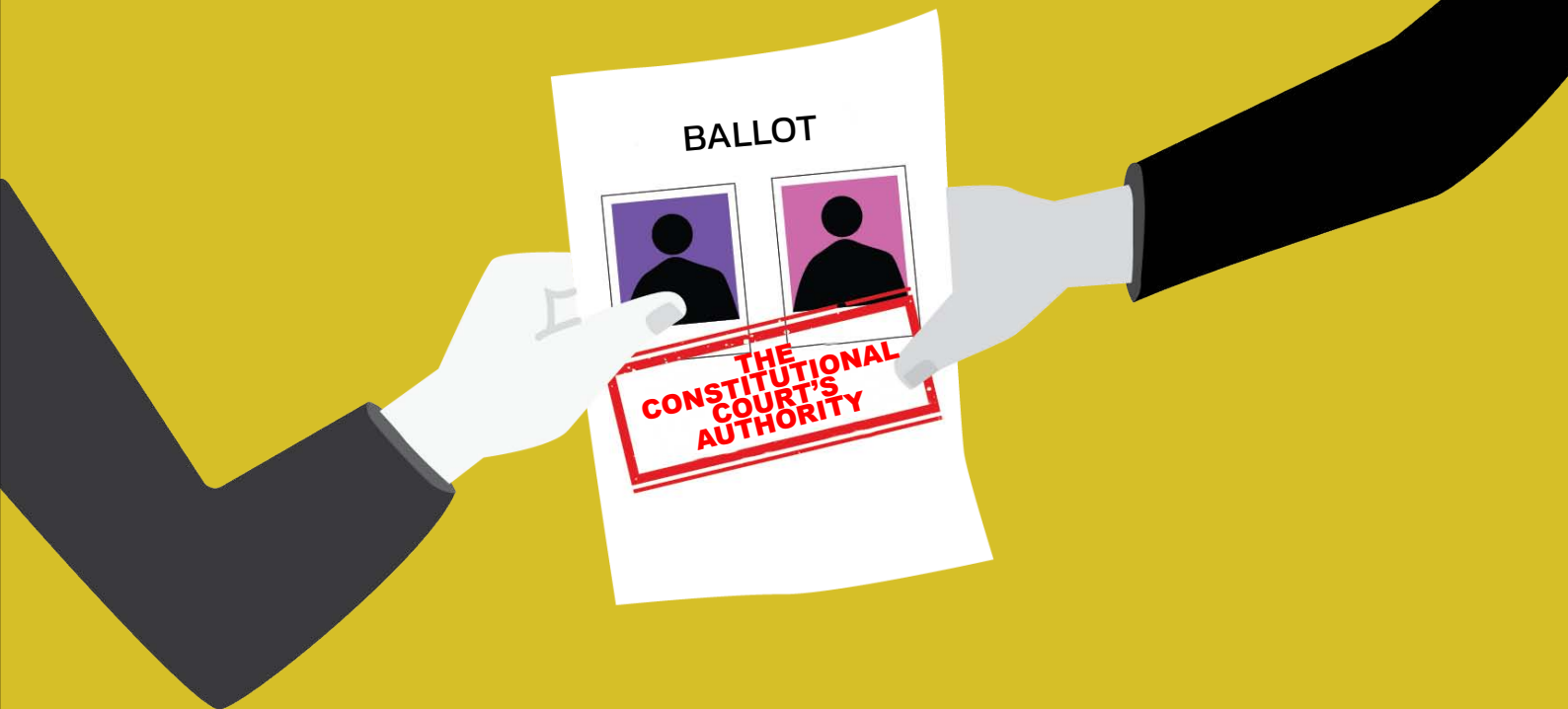


## THE DETERMINATION OF ELECTION REGIONS AND SEAT ALLOCATION ARE THE AUTHORITIES OF KPU (GENERAL ELECTION COMMISSION)

The determination of election regions (dapil) and allocation of seats for the House of Representatives, Provincial DPRD (Regional Legislative Council), and Regency City DPRD (Regional Legislative Council) members are regulated in KPU (General Election Commission) Regulations. Such is the summary of Decision Number 80/PUU-XX/2022 in a case of material review of the General Election Law. Previously, these were the authorities of legislators (the DPR (House of Representatives) and the President)



## DECIDING ON A DISPUTE OVER THE RESULT OF A REGIONAL HEAD ELECTION IS UNDER **THE AUTHORITY OF MK**



In the verdict of Decision Number 85/PUU-XX/2022, the MK declares that the phrase “until a specific judiciary is established” in Article 157 paragraph (3) of the Regional Head Election Law is contrary to the 1945 Constitution and does not have a binding legal force. The MK also declares that Article 157 paragraph (1) and paragraph (2) of the Regional Head Election Law are contrary to the 1945 Constitution and do not have a binding legal force. The MK’s legal considerations in this decision affirm that regional head elections are parts of general elections. As a consequence, deciding on any dispute over the result of a regional head election is under the authority of MK.

# MARIJUANA FOR MEDICINAL PURPOSES REQUIRES RESEARCH AND STUDY



The MK urges the Government to immediately conduct studies and research on Narcotics Category I to determine whether or not they can be used for health services and/or therapy. The results of studies and research can be used to determine policies, including amendments to laws by legislators to accommodate the needs of Narcotics Category I where they can be used for health services and/or therapy. This is stated in Decision Number 106/PUU-XVIII/2020 regarding the review of the Narcotics Law.



# THE TERM OF OFFICE AS CHIEF JUSTICE AND DEPUTY CHIEF JUSTICE OF MK REMAINS UNTIL THE EXPIRY OF THE TERM OF OFFICE



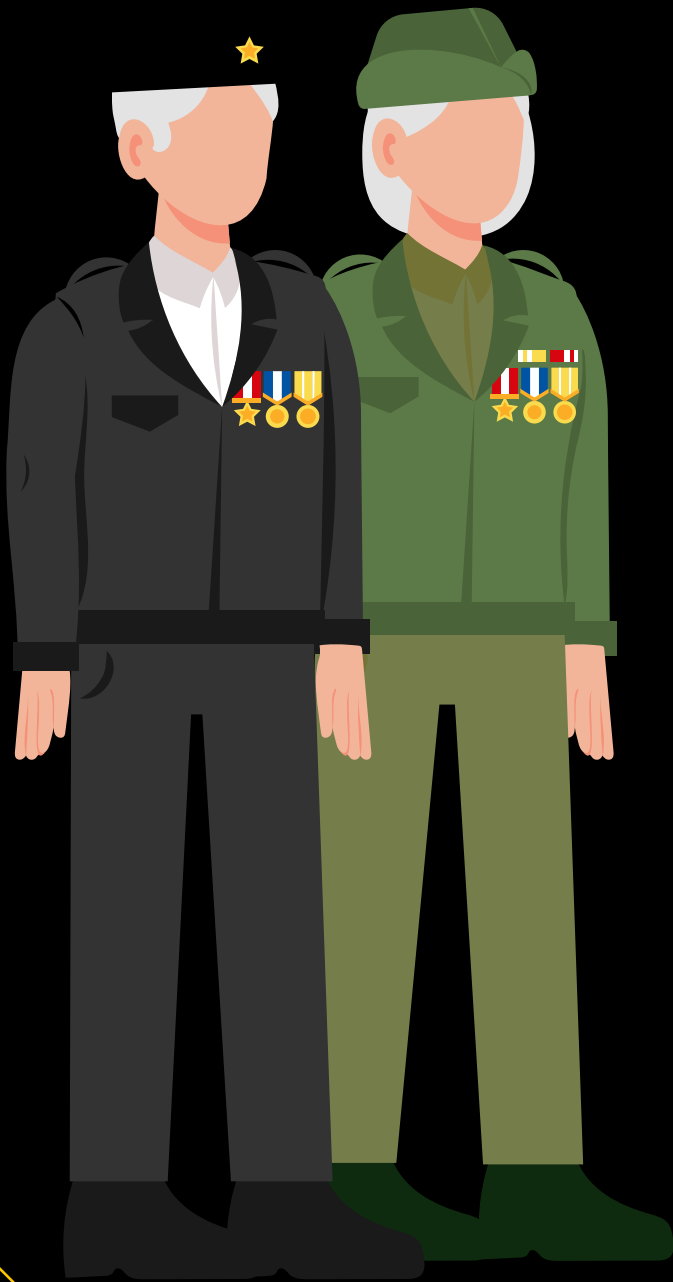
In Decision Number 96/PUU-XVIII/2020, the MK partially granted the petition submitted by Priyanto. In this decision, in the Court's opinion, the provision of Article 87 letter a of the MK Law gives rise to ambiguity in meaning due to the use of the phrase "his/her term of office". It turns out that the phrase "term of office" mentioned may be used in two meanings/contexts, namely the term of office as a Constitutional Court Justice and the term of office as Chief or Deputy Chief Justice of the Constitutional Court. The absence of confirmation of the meaning/context of "term of office" as referred to in Article 87 letter a of the Constitutional Court Law has created legal uncertainty and therefore is contrary to the 1945 Constitution.

In this decision, the MK also considers the material review of Article 87 letter b in conjunction with Article 15 of the Constitutional Court Law. The Court does not find any defect of will or intention regarding the a quo provision which may result in the a quo provision violating the 1945 Constitution. The Court is of the opinion that referring to the statement from the legislators, the constitutional court justices who were less than 55 (fifty-five) years old at the time the Constitutional Court Law was promulgated were still expected by the legislators to continue serving as the constitutional court justices because the age of the constitutional court justices had fulfilled the age requirement under the previous law which was the basis of their appointments.





## TNI (INDONESIAN NATIONAL ARMED FORCES) SOLDIERS' RETIREMENT AGE LIMIT IS CONSTITUTIONAL



The regulation regarding the age limit of the Indonesian National Armed Forces (TNI) soldiers' retirement, which provides that soldiers carry out military service up to a maximum age of 58 (fifty-eight) years for officers, and 53 (fifty-three) years for non-commissioned officers and enlisted personnel, is constitutional. This is affirmed by the MK in Decision Number 62/PUU-XIX/2021. The petition submitted by several retired TNI Members argues that Article 53 and Article 71 letter a of the TNI Law are contrary to the 1945 Constitution. The petitioners also argue that the TNI retirement age limit needs to be equalized with the Indonesian National Police (Polri) retirement age limit. In the Court's opinion, this matter is legislators' open legal policy which at any time may be amended in accordance with the demands of development needs and pursuant to the types, specifications, and qualifications of the positions or else through a legislative review. However, even though the determination of the TNI retirement age limit is legislators' open legal policy, the Court needs to reaffirm that the roles played by the two state instruments (TNI and Polri) are indeed different, but both are equal and strategic in terms of institutional positions and constitute the key strength of the system of defense and security of the entire people as stated in Article 30 paragraph (2) of the 1945 Constitution.

# THE REDUCTION OF REGIONAL HEAD'S TERM OF OFFICE DUE TO THE HOLDING OF SIMULTANEOUS ELECTIONS



The 2024 Simultaneous Regional Head Elections which will be held in November 2024 as provided in Article 201 paragraph (7) and paragraph (8) of the Regional Head Election Law is considered by Bartolomeus Mirip and Makbul Mubarak to be contrary to the 1945 Constitution. The implementation of these norms has resulted in nationwide adjustments to the stages of the holding of simultaneous Regional Head Elections, where some regions postpone the holding of the regional head elections and some other regions hold the regional head elections earlier. The Court considers that in the context of such a transitional period, the impact of a delay in the fulfillment of citizens' rights to vote and to be elected in Regional Head Elections cannot be avoided. However, the Court considers that the delay in the fulfillment of citizens' rights does not mean eliminating the citizens' rights and is in accordance with the concept of limitation of rights as provided in the provision of Article 28J paragraph (2) of the 1945 Constitution. Therefore, the MK dismisses petition Number 67/PUU-XIX/2021.





## FORMAL REVIEW OF THE CAPITAL CITY LAW

The petition for a formal review of the Capital City Law submitted by Abdullah Hehamahua, et al., is entirely dismissed by the MK. In Decision Number 25/PUU-XX/2022, the MK considers that the planning for the Capital City (Ibu Kota Negara or IKN) establishment is a part of the program of national development planning system which has been included in the Attachment of the Presidential Regulation 18/2020. Moreover, the planning for the IKN establishment has also been included in the 2020-2024 medium-term Prolegnas (National Legislation Program) and has been prioritized every year since 2020, and therefore it clearly affirms that the IKN establishment truly has had clear objectives as provided in Article 5 letter a of Law 12/2011.



# REVIEW OF THE RULES ON MARRIAGE REGISTRATION BY THE COURTS (INTERFAITH MARRIAGE)



The MK did not accept a petition for material review of the rules regarding the registration of interfaith marriages by the court as provided in Article 35 letter a of the Population Administration Law. In Decision Number 71/PUU-XX/2022, the Court is of the opinion that the Petitioners are unable to explain their constitutional rights deemed to have been specifically, actually, or potentially impaired due to the enactment of the Elucidation of Article 35 letter a of the Population Administration Law. Moreover, in their petition, the Petitioners do not convey any arguments regarding the contradiction between the articles petitioned for review and the articles of the 1945 Constitution which form the basis for the review.





## MULTIPLE INTERPRETATIONS OF ROAD ORGANIZERS' RESPONSIBILITY

Road organizers as provided in the Road Traffic and Transportation Law (LLAJ Law) are considered to have multiple interpretations by a journalist named Irfan Kamil. Starting from a specific case regarding a damaged road that has never been repaired, he petitions for the review of the phrase "road organizer" in Article 273 paragraph (1) of the LLAJ Law. In the legal consideration of Decision Number 98/PUU-XX/2022, the MK considers that the issue argued by the Petitioner regarding which party is the road organizer in Article 273 paragraph (1) of the LLAJ Law cannot be directly referred to the Elucidation to a quo Article or the general provisions. However, the regulations regarding road organizers have been clearly accommodated in the provisions stated in Law 22/2009. Therefore, the MK entirely dismisses the Petitioner's petition.



# TRACK RECORD OF CONSTITUTION

The following diagram of the Track Record of Constitution shows chronologically the time and momentum of the MK holding plenary sessions of decision pronouncement, from January to December 2022.

**JANUARY**



**18 January 2022**

- Case Number 69/PUU-XIX/2021 concerning the material review of the Harmonization of Tax Regulations Law was withdrawn.
- The case of a dispute over the result of the Yalimo Regent election Number 152-153/PHPU.BUP-XIX/2021 was decided with the MK's verdict of unauthorized.

**25 January 2022**

- Case Number 60/PUU-XIX/2021 concerning the material review of the Indonesian National Police Law was entirely dismissed.
- Two cases were inadmissible, namely Case Number 61/PUU-XIX/2021 concerning the material review of the Attorney Law, and Case Number 64/PUU-XIX/2021 concerning

**FEBRUARY**

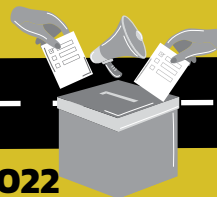


**24 February 2022**

- Case Number 71/PUU-XIX/2021 concerning material reviews of the Criminal Code Law and the Fiduciary Guarantee Law was partially granted.
- Seven cases of the material reviews of the General Election Law were inadmissible, namely Cases Number 66/PUU-XIX/2021, 68/PUUXIX/2021, 70/PUU-XIX/2021, 1/

**MARCH**

**29 MARCH 2022**



- Case Number 32/PUU-XIX/2021 concerning the material review of the General Election Law was partially granted.
- Three cases were withdrawn, namely Case Number 9/PUU-XX/2022 concerning the material review of the Attorney Law; Case Number 16/PUU-XX/2022 concerning the material review of the General Election Law; Case Number 17/PUU-XX/2022 concerning the material review of the Manpower Affairs Law; Case Number 26/PUU-XX/2022 concerning the material review of General Election Law.
- Five cases were inadmissible, namely Case of dispute over the result of the Yalimo Regent election Number 145/PHPU.BUP-XIX/2021; Cases Number 8/PUU-XX/2022 and 11/PUU-XX/2022 concerning the material review of the General Election Law; Case Number 10/PUU-XX/2022 concerning the material review of the Job Creation Law; and Case Number 12/PUU-XX/2022 concerning the National Flag, Language and Emblem Law.
- Two cases were entirely dismissed, namely Case Number 20/PUU-XIX/2021 concerning the material review of the Teacher and Lecturer Law and Case Number 62/PUU-XIX/2021 concerning the material review of the Indonesian National Armed Forces Law.

**APRIL**

**20 April 2022**



- Seven cases were entirely dismissed, namely Cases Number 67/PUU-XIX/2021, 15/PUUXX/2022, and 18/PUU-XX/2022 concerning the material reviews of the Regional Head Election Law. And Case Number 4/PUU-XX/2022 concerning the Criminal Procedure Law; Case Number 13/PUU-XX/2022 concerning the material review of General Election Law; Case Number 22/PUU-XX/2022 concerning the material review of the Trial of Replay in Java and Madura Law; Case Number 23/PUU-XX/2022 concerning the material review of the Consumer Protection Law.
- Five cases were inadmissible, namely Case Number 3/PUU-XX/2022 concerning the review of the Village Law; Cases Number 20/PUU-XX/2022 and 21/PUU-XX/2022 concerning the material review of the General Election Law; Case Number 14/PUU-XX/2022 concerning the material review of the Harmonization of Tax Regulations Law; and Case Number 27/PUU-XX/2022 concerning the material review of the Attorney Law.

**JULy**

**7 July 2022**



- Four cases were entirely dismissed, namely Case Number 33/PUUXX/2022 concerning the material review of the Job Creation Law, and Cases Number 35/PUU-XX/2022; 57/PUU-XX/2022; and 44/PUU-XX/2022 concerning the material reviews of the General Election Law.
- Four cases were inadmissible, namely Case Number 19/PUUXX/2022 concerning the material review of the Harmonization of Tax Regulations Law; Case Number 37/PUU-XX/2022 concerning the material review of the Regional Head Election Law; Case Number 52/PUU-XX/2022 concerning the material review of the General Election Law; and Case Number 63/PUU-XX/2022 concerning the material review of the North Sulawesi Law.



**20 July 2022**

- Five cases were entirely dismissed, namely three cases of the material reviews of the Capital City Law (Cases Number 25/PUU-XX/2022; 34/PUU-XX/2022; and 49/PUUXX/2022). And Cases Number 36/PUU-XX/2022 concerning the material review of the Electronic Information and Transactions Law and 106/PUU-XVIII/2020 concerning the review of the Narcotics Law.
- Two cases were withdrawn, namely Case Number 65/PUU-XX/2022 concerning the material review of the National Educational System Law and Case Number 66/PUU-XX/2022 concerning the material review of the Capital City Law.

**MAY**

**31 May 2022**

- Two cases were partially granted, namely Case Number 2/PUU-XX/2022 concerning the material review of the Regional Head Election Law and Case Number 31/PUU-XX/2022 concerning the material review of the Local Government Law.
- Six cases of the material reviews of the Capital City Law were inadmissible, namely Cases Number 39/PUU-XX/2022; 40/PUU-XX/2022; 47/PUU-XX/2022; 48/PUU-XX/2022; 53/PUU-XX/2022; and 54/PUU-XX/2022. In addition, three other cases were inadmissible, namely Case Number 41/PUU-XX/2022 concerning the material review of the Elimination of Domestic Violence Law; Case Number 42/PUU-XX/2022 concerning the material review of the General Election Law; and Case Number 50/PUU-XX/2022 concerning the material review of the Trademark and Geographical Indications Law.
- Three cases were withdrawn, namely Case Number 45/PUU-XX/2022 concerning the material review of the Prevention and Eradication of Forest Destruction Law; Case Number 46/PUU-XX/2022 concerning the material review of the Government Administration Law; Case Number 55/PUU-XX/2022 concerning the material review of the Regional Head Election Law.



**20 June 2022**

**JUNE**

- Two material reviews of the MK Law were partially granted, namely Cases Number 96/PUU-XVIII/2020 and 56/PUU-XX/2022. In addition, the case of the material review of Human Rights Law Number 30/PUU-XX/2022 was partially granted.
- Two material reviews of the MK Law were dismissed, namely Cases Number 90/PUU-XVIII/2020 and 100/PUU-XVIII/2020.
- Case Number 29/PUU-XX/2022 concerning the material review of the Audit Board Law was inadmissible.

**AUGUST**

**31 August 2022**

- Three cases were entirely dismissed, namely Case Number 38/PUU-XX/2022 concerning the material review of the Bankruptcy Law; Case Number 38/PUU-XX/2022 concerning the material review of the Press Law; Case Number 65/PUU-XIX/2021 concerning the material review of the Sharia Banking Law; and Case Number 64/PUU-XX/2022 concerning the material review of the General Election Law.
- Three cases were inadmissible, namely two cases concerning the material reviews of the Papua Special Autonomy Law (Case Number 47/PUU-XX/2022 and 43/PUU-XX/2022 XX/2022) and Case Number 67/PUU-XX/2022 concerning the material review of the Job Creation Law.
- Case Number 74/PUU-XX/2022 concerning the material review of the General Election Law was withdrawn.

## SEPTEMBER

29 September 2022



- Two cases were partially granted, namely Case Number 37/PUU-XX/2021 concerning the material review of the Job Creation Law and Case Number 85/PUU-XX/2022 concerning the material review of the Regional Head Election Law.
- Five cases were entirely dismissed, namely Cases Number 58/PUU-XX/2022 and 59/PUU-XX/2022 concerning the material reviews of the South Kalimantan Law; Cases Number 73/PUU-XX/2022 and 78/PUU-XX/2022 concerning the material reviews of the General Election Law and Case Number 84/PUU-XX/2022 concerning the material review of the Job Creation Law.
- Five cases were inadmissible, namely Case Number 71/PUU-XX/2022 concerning the material review of the Population Administration Law; Case Number 72/PUU-XX/2022 concerning the material review of the Constitutional Court Law; Case Number 76/PUUXX/2022 concerning the material review of the Job Creation Law; Case Number 77/PUU-XX/2022 concerning the material review of the Teacher and Lecturer Law; and Case Number 83/PUU-XX/2022 concerning the material review of the Child Protection Law.
- Two cases were withdrawn, namely Case Number 60/PUU-XX/2022 concerning the material review of the South Kalimantan Law, and Case Number 81/PUU-XX/2022 concerning the material review of the Ombudsman Law.
- Case Number 79/PUU-XX/2022 concerning the material review of the Advocates Law was declared as nullified.

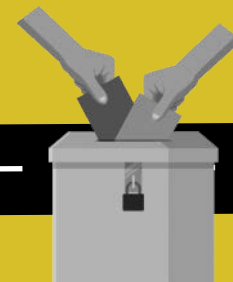
30 November 2022



- Case Number 87/PUU-XX/2022 concerning the material review of the General Election Law was partially granted.
- Four cases were entirely dismissed, namely Case Number 63/PUU-XX/2022 concerning the material review of the Copyrights Law; Case Number 61/PUU-XX/2022 concerning the material review of the Criminal Procedure Code Law; Case Number 98/PUU-XX/2022 concerning the material review of the Road Traffic and Transportation Law; and Case Number 100/PUU-XX/2022 concerning the material review of the SBSN Law (State Sharia Securities Law).

## DECEMBER

20 December 2022



- Two cases were partially granted, namely Case Number 70/PUU-XX/2022 concerning the material review of the Attorney Law and Case Number 80/PUU-XX/2022 concerning the material review of the General Election Law.
- Four cases were entirely dismissed, namely Case Number 82/PUU-XX/2022 concerning the material review of the P3 Law; Case Number 96/PUU-XX/2022 concerning the material review of the Criminal Procedure Code Law; Case Number 106/PUU-XX/2022 concerning the material review of the Health Law, and Case Number 107/PUU-XX/2022 concerning the material review of the Supreme Court Law.
- Case Number 113/PUU-XX/2022 concerning the material review of the Child Protection Law was withdrawn.
- Case Number 104/PUU-XX/2022 concerning the material review of the Indonesian National Police Law was inadmissible.

**OCTOBER**

**31 October 2022**



- Three cases were partially granted, namely Case Number 28/PUU-XX/2022 concerning the material review of the Criminal Procedure Code; Case Number 68/PUU-XX/2022 concerning the material review of the General Election Law; and Case Number 91/PUU-XX/2022 concerning the material review of the Advocates Law.
- Six cases were entirely dismissed, namely Case Number 27/PUU-XX/2022 concerning the material review of the Management of National Resources Law; Case Number 32/PUU-XX/2022 concerning the material review of the Sharia Banking Law; Case Number 51/PUU-XX/2022 concerning the material review of the Trade Law; Case Number 62/PUU-XX/2022 concerning the material review of the Flats Law; Case Number 69/PUU-XX/2022 concerning the material review of the P3 Law and Case Number 88/PUU-XX/2022 concerning the material review of the Public Information Transparency Law.
- Four cases were withdrawn, namely Case Number 90/PUU-XX/2022 concerning the material review of the Job Creation Law; Case Number 92/PUU-XX/2022 concerning the Establishment of South Papua; Case Number 94/PUU-XX/2022 concerning the material review of the Official's Financial Rights Law; and Case Number 99/PUU-XX/2022 concerning the material review of the Papua Special Autonomy Law.

**LAW**



**NOVEMBER**

**23 November 2022**

- Two cases were entirely dismissed, namely, Case Number 95/PUUXX/2022 concerning the material review of the Regional Head Election Law and Case Number 103/PUUXX/2022 concerning the material review of the MK Law.
- Three cases were inadmissible, namely Case Number 101/PUUXX/2022 concerning the material review of the General Election Law; Case Number 97/PUUXX/2022 concerning the material review of the South Sumatera Law; and Case Number 102/PUUXX/2022 concerning the material review of the Village Law.

**2023**

# STRENGTHENING CONSTITUTIONAL JUDICIARY'S INTEGRITY



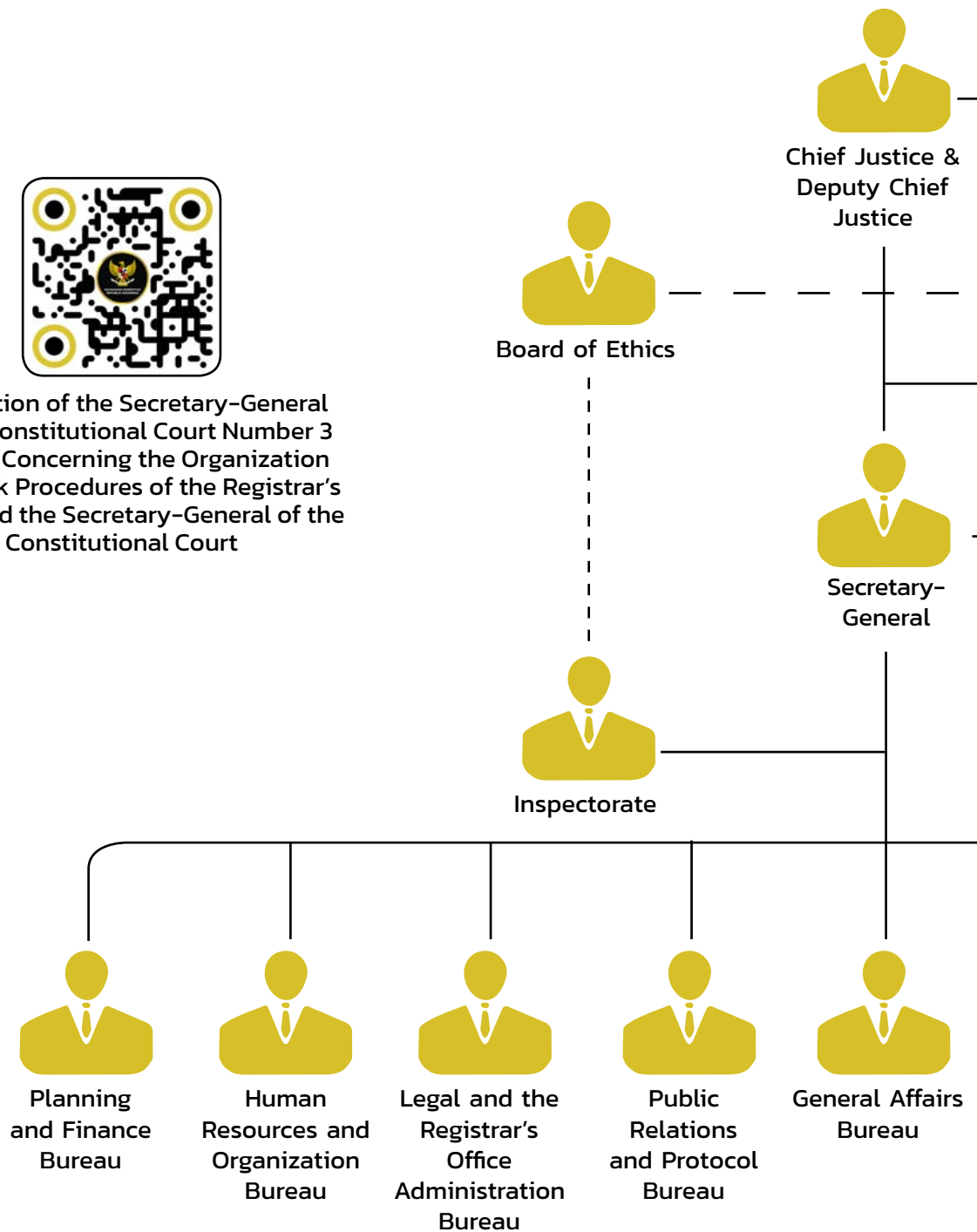


Integrity means consistency in thinking, saying, behaving, and acting in accordance with conscience, goodness, and truth. It is this value of integrity that has been maintained and developed over time to strengthen the MK as a constitutional judiciary. Under the provision of Article 12 of the Constitutional Court Law, the MK is responsible for regulating organization, personnel, administration, and finances in accordance with the principles of good and clean government. With the mindset of integrity, all resources are optimized to support the smoothness of the implementation of the MK's authorities and performance.

# ORGANIZATION OF THE REGISTRAR'S OFFICE AND OF THE CONSTITUTIONAL COURT



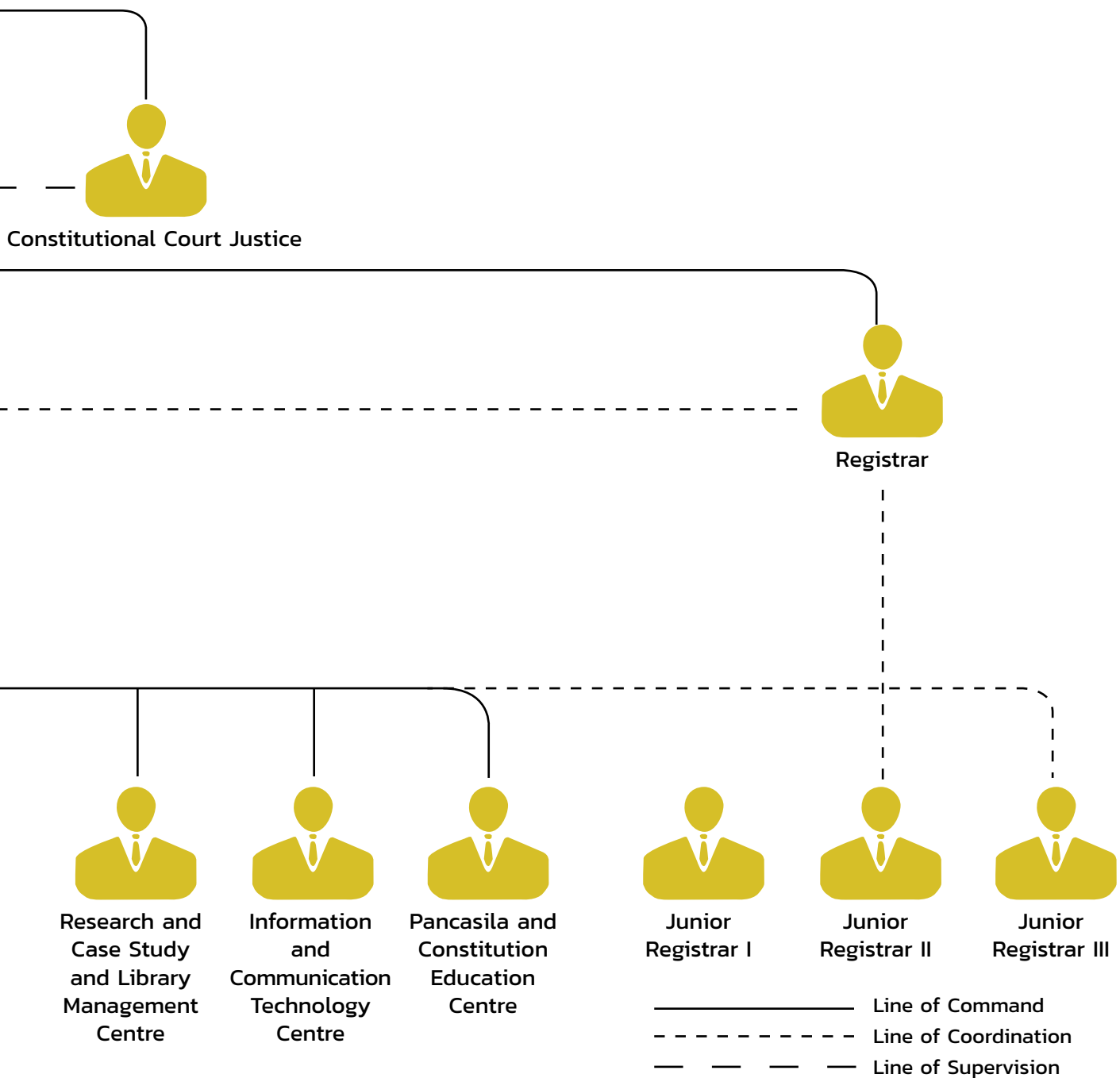
Regulation of the Secretary-General of the Constitutional Court Number 3 of 2019 Concerning the Organization and Work Procedures of the Registrar's Office and the Secretary-General of the Constitutional Court



# ORGANISATIONAL STRUCTURE

## OF THE SECRETARIAT GENERAL

### OF THE CONSTITUTIONAL COURT



# QUALITY H

## TOTAL EMPLOYEES

# 679

Human resources are the main driving force for achieving the MK's vision and mission. For this reason, efforts to provide quality human resources support being proportionate to the need always become the main concern.

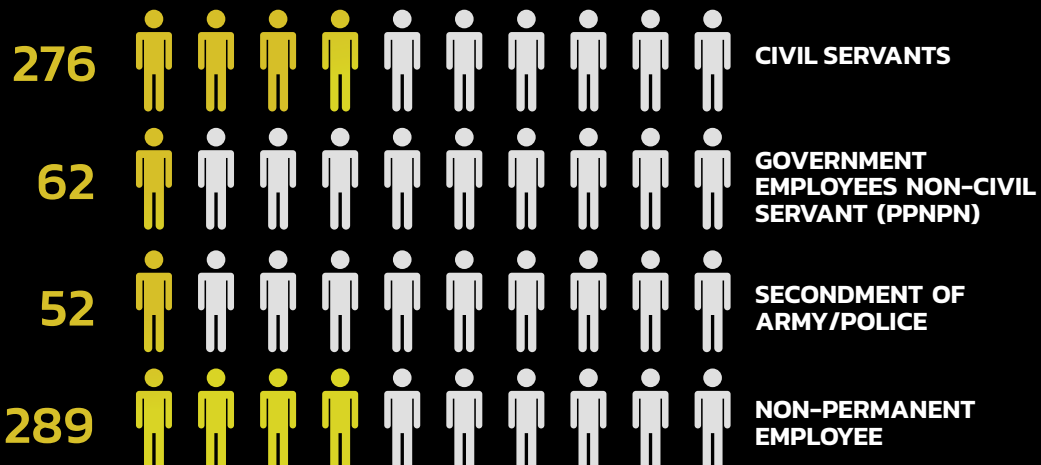
### BASED ON THE WORK UNIT



<b>Secretary-General</b>	<b>-</b>
<b>Registrar</b>	<b>1</b>
<b>External Assignment</b>	<b>3</b>

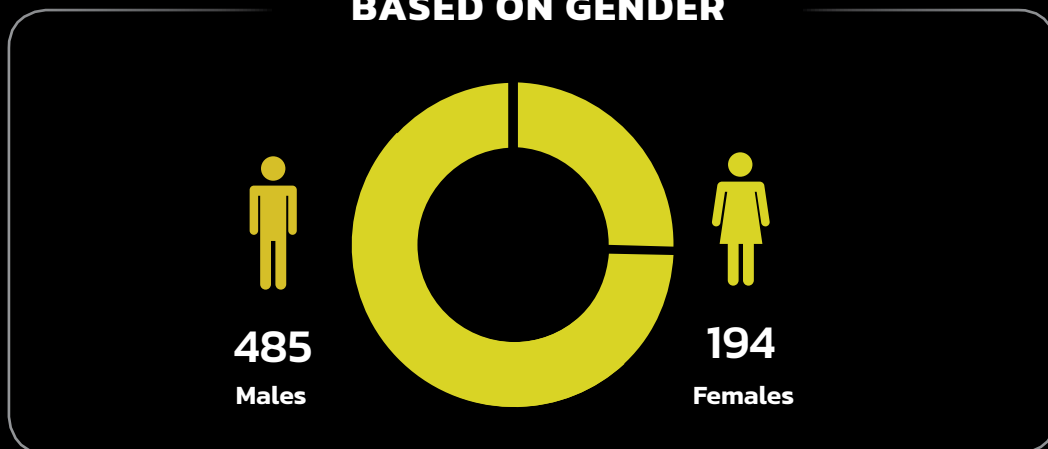
<b>Public Relations and Protocol Bureau</b>	<b>76 Persons</b>
<b>Legal and the Registrar's Office Administration Bureau</b>	<b>59 Persons</b>
<b>Planning and Finance Bureau</b>	<b>27 Persons</b>
<b>General Affairs Bureau</b>	<b>367 Persons</b>
<b>Human Resources and Organization Bureau</b>	<b>33 Persons</b>
<b>Inspectorate</b>	<b>12 Persons</b>
<b>The Registrar's Office</b>	<b>21 Persons</b>
<b>Pancasila and Constitution Education Centre</b>	<b>16 Persons</b>
<b>Research and Case Studies, and Library Management Centre</b>	<b>38 Persons</b>
<b>Information and Communication Technology Centre</b>	<b>26 Persons</b>

### BASED ON EMPLOYMENT STATUS

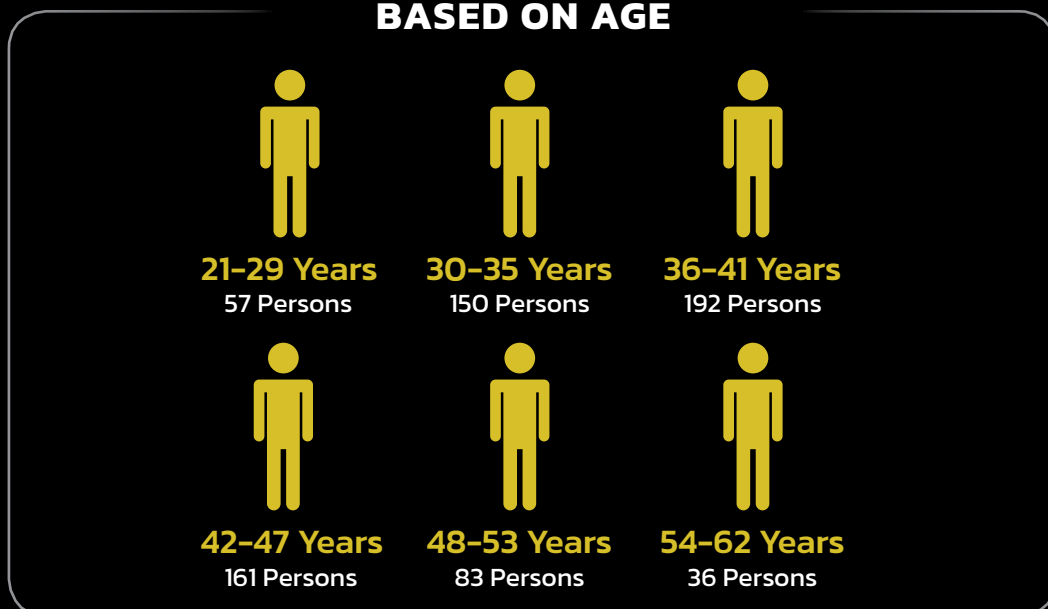


# R SUPPORT

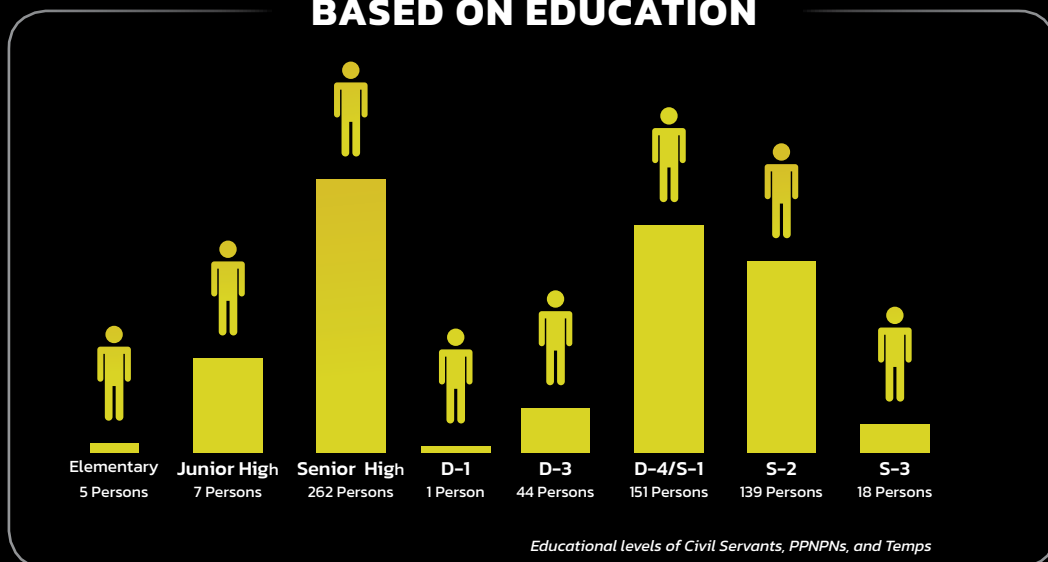
## BASED ON GENDER



## BASED ON AGE

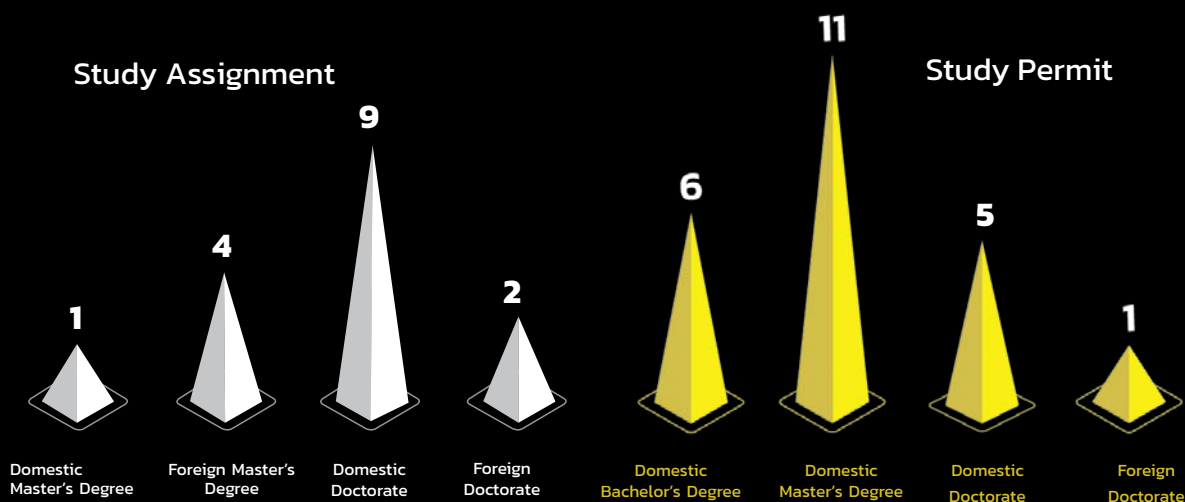


## BASED ON EDUCATION



## Rintisan Gelar (Degree Path)

As an optimization of resource competence at the institution, in 2022 the MK sent several employees to study at the domestic or international institutions under the status of Study Assignment and Study Permit. Out of the 39 employees who took part in Rintisan Gelar, 8 employees started their studies (1 Bachelor's Degree; 6 Master's Degrees; 1 Doctorate); 5 employees graduated (2 Master's Degrees; 3 Doctorates); 7 employees waited for graduation (1 Bachelor's Degree; 6 Master's Degrees); 18 employees were still in the study process (4 Bachelor's Degrees; 2 Master's Degrees; 12 Doctorates); and 1 employee did not finish Doctorate study.



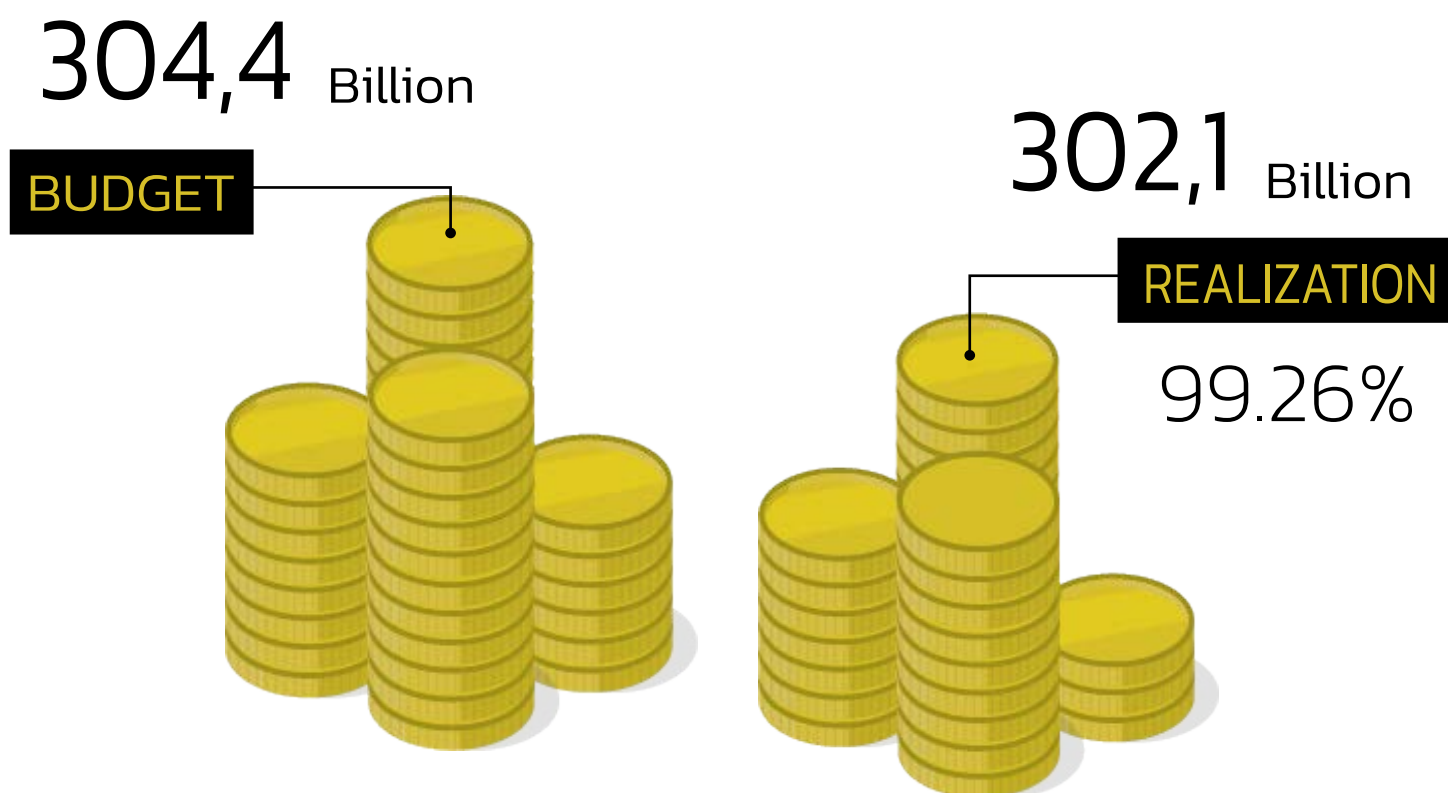
## The Constitutional Court Justice Expert Assistant

Pursuant to the Regulation of the Minister of Administrative and Bureaucratic Reform Number 40 of 2022 concerning the Functional Position of the Constitutional Court Justice Expert Assistant and Decree of the Secretary-General of the Constitutional Court Number 391 of 2022 concerning the Appointment of Civil Servants in the Functional Position of the Constitutional Court Justice Expert Assistant within the Registrar's Office and the Secretariat General of the Constitutional Court, Civil Servants in the Functional Position of Researcher turn into the Constitutional Court Justice Expert Assistant (Asisten Ahli Hakim Konstitusi or ASLI).



# TRANSPARENTLY MANAGING BUDGET

A mere professionalism is not enough, because transparency is also essential, especially regarding state finances. For this reason, in using the state budget, the MK maintains its tradition of always being transparent and accountable. The dynamic movements of monthly budget usage and absorption in real-time can be accessed at [mkri.id](http://mkri.id).



Personnel  
Expenditure

**57,7 Billion**

99.28%



Goods Expenditure

**236,7 Billion**

99,23%



Capital Expenditure

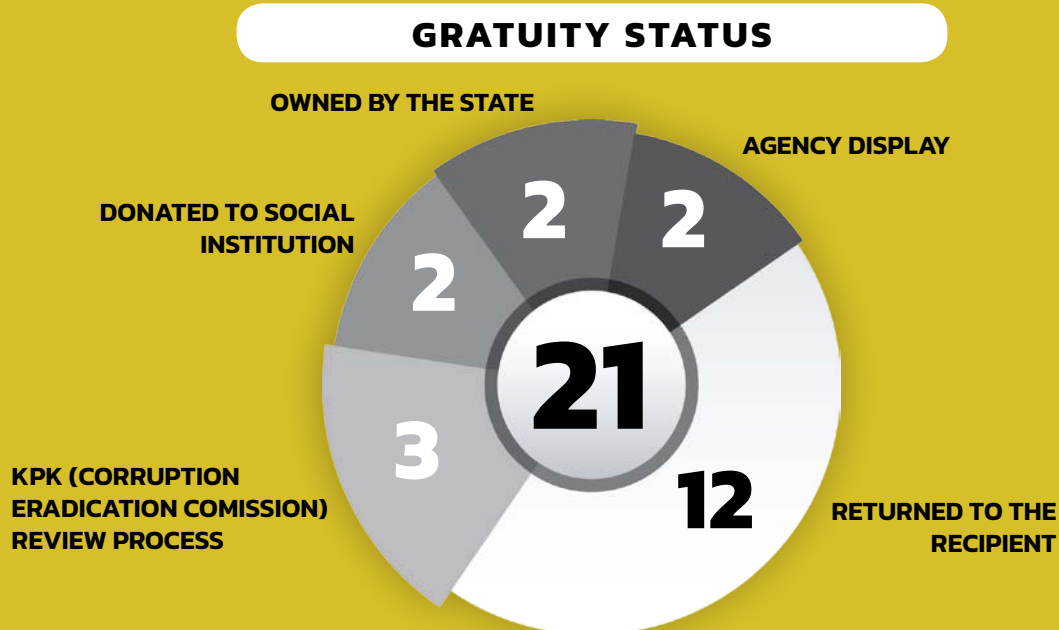
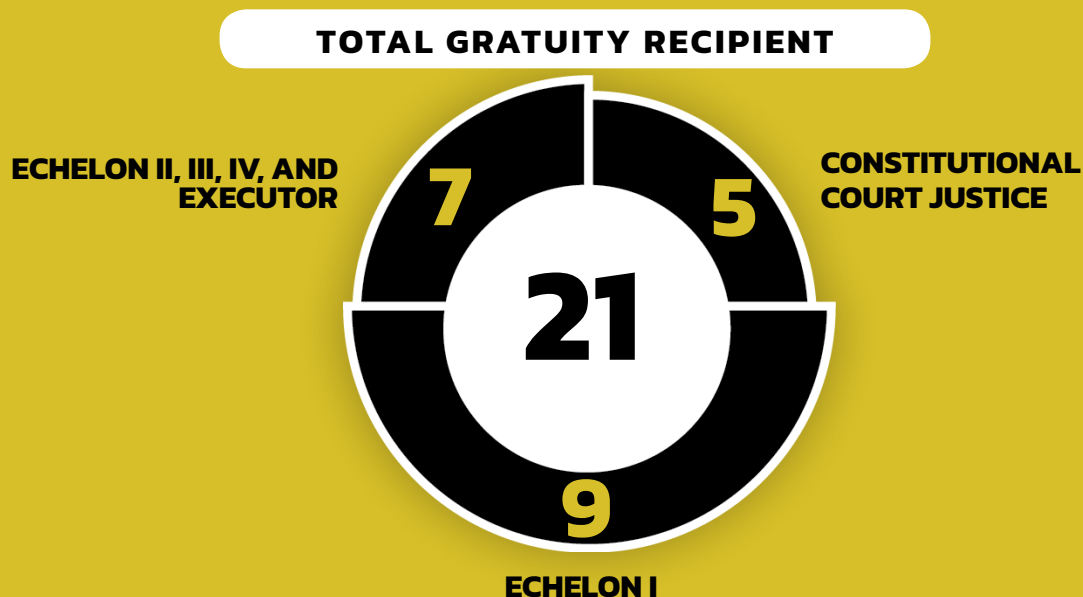
**7,6 Billion**

99,9%

# INTERNAL SUPERVISION IMPROVES PERFORMANCE

## GRATUITY MANAGEMENT

Amid a culture of maintaining personal and institutional integrity, gifts suspected or potential to be gratuities, either given to the Constitutional Court Justices and employees, are well managed. In 2022, there were 21 gratuity reports.



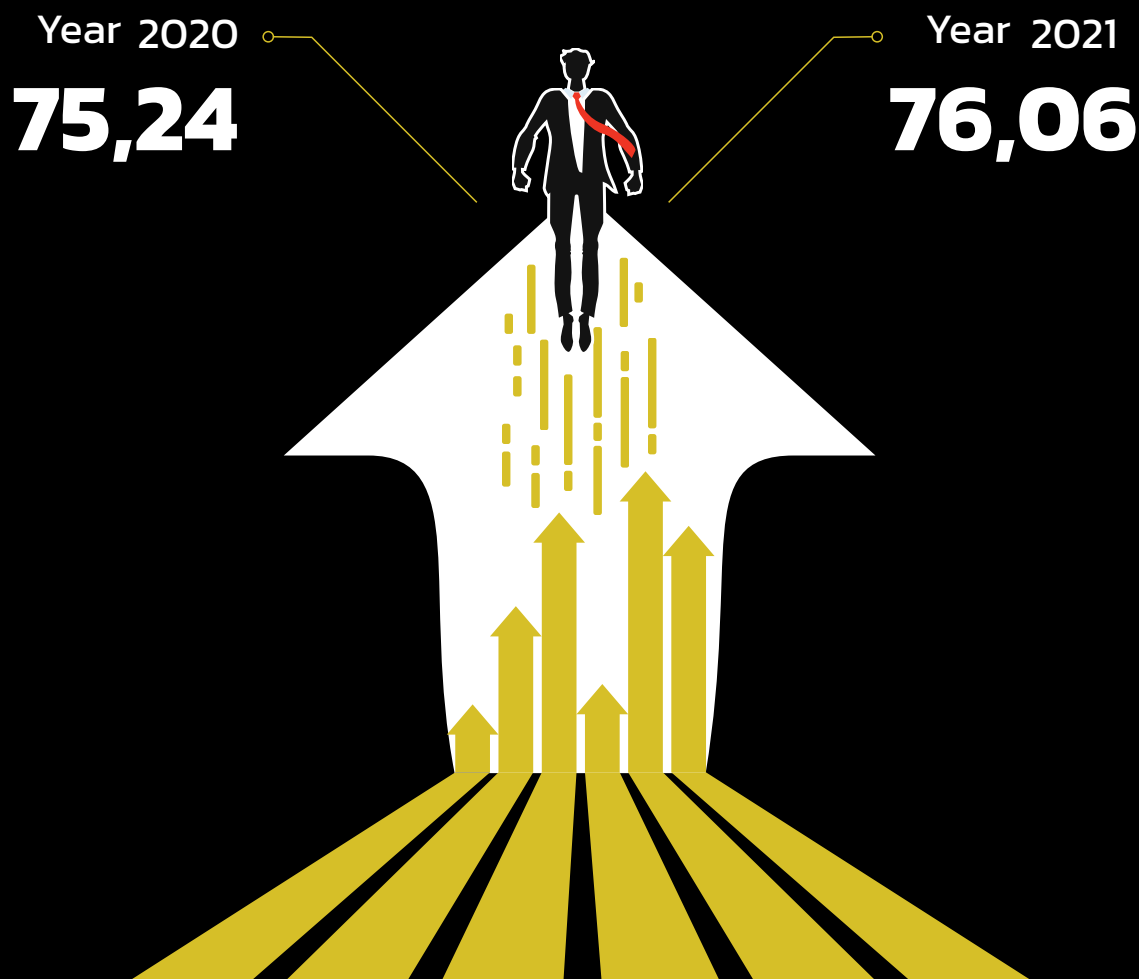
# TARGET ACHIEVEMENT OF BUREAUCRATIC REFORM

The essence of bureaucratic reform is renewal and fundamental changes in the aspects of institutional, management, and human resources apparatus to realize good governance, free from corruption, collusion, and nepotism, and to provide quality public services. In 2022, the target achievement of the 2021 Bureaucratic Reform Index of the MK based on the evaluation of the Ministry of Administrative and Bureaucratic Reform (Kemenpan RB) successfully increased.

**Target: 78**

**Realization: 76,06**

**Target Achievement: 97,51%**



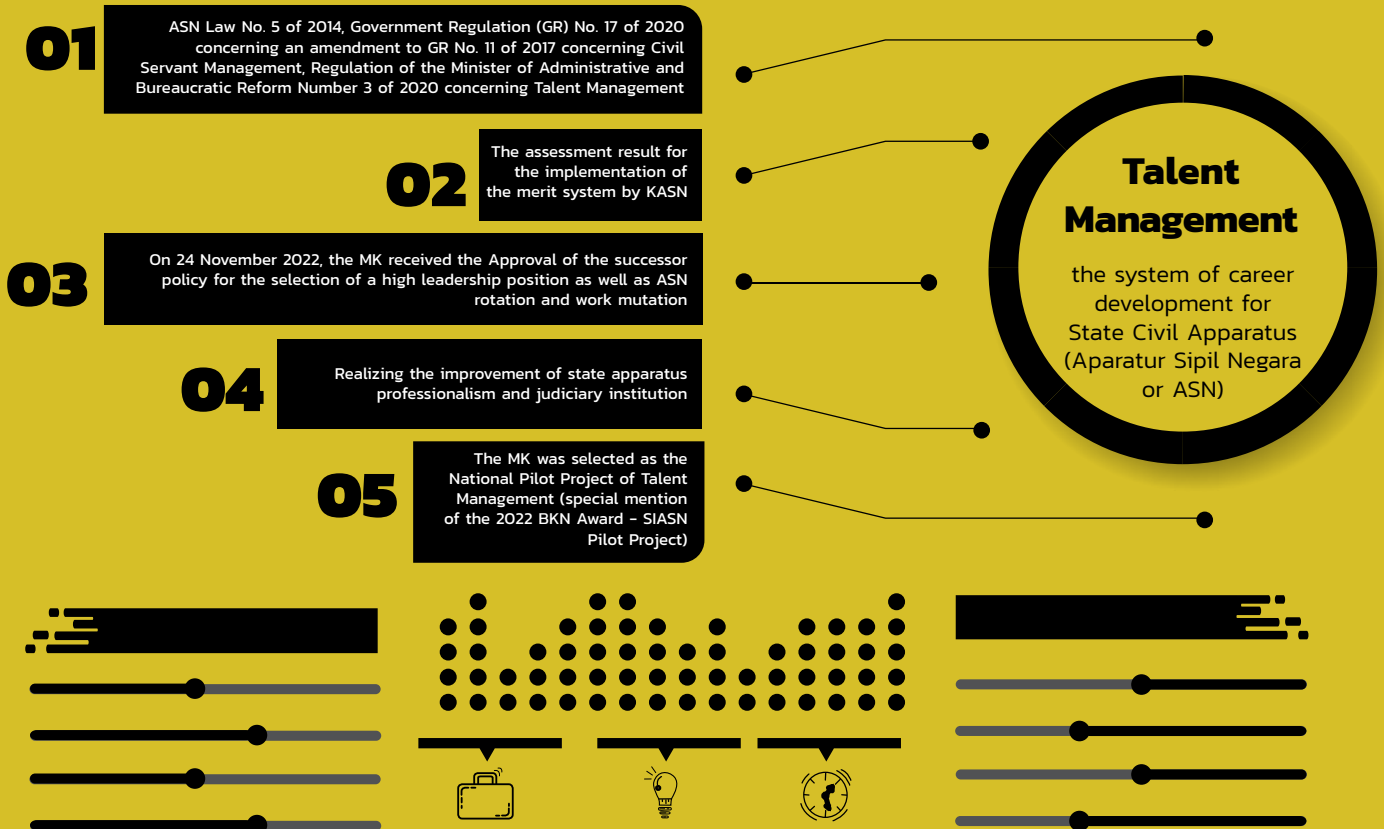
# ROAD TO THE INTEGRITY ZONE

After being declared as the Corruption Free Area (WBK) in 2021, the Center for Education of the Pancasila and Constitution was on the road to the Clean and Serving Bureaucratic Area (WBBM) this year. Following that, the Legal and the Registrar's Office Administration Bureau was submitted to become the WBK. This year, both work units were announced to have passed the administrative process.



# NATIONAL PILOT PROJECT OF TALENTA MANAGEMENT

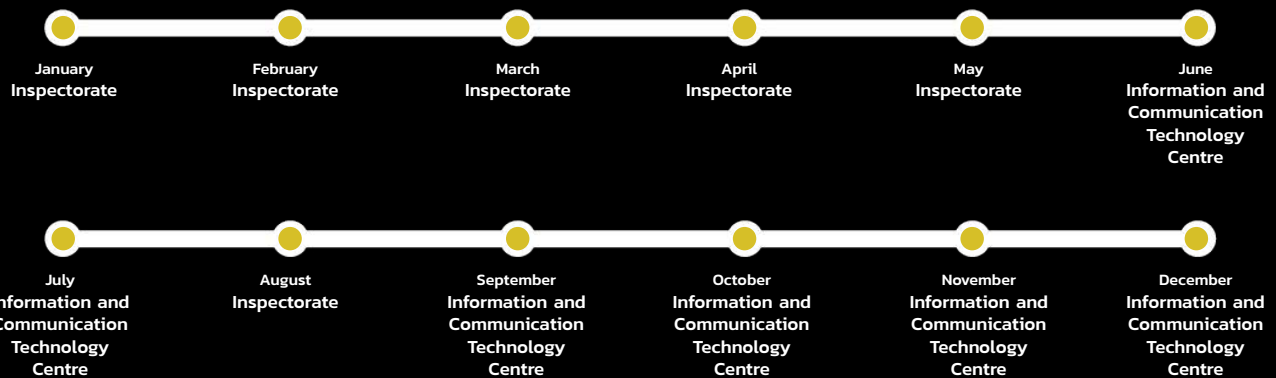
To search for, manage, develop, and retain the best human resources of apparatus prepared as future leaders to support the achievement of its vision and mission, the MK has implemented Talent Management. The Indonesian Civil Service Commission (Komisi Aparatur Sipil Negara or KASN) chose the MK to be the national pilot project of Talent Management.



# SIKD AWARD

## PERFORMANCE APPRECIATION AND COMPETITION

Healthy competition is needed to foster competitiveness and demonstrate excellence. At the MK, responses to the Dynamic Archives Information System (SIKD) are competed among work units so that teamwork can be developed. The SIKD Award is a rolling award given to the work unit with the highest response at the end of each month.



# CONTINUING **TECHNOLOGICAL INNOVATION FOR A MODERN JUDICIARY**

Within the framework of the ideal of realizing a modern judiciary, the MK continues technological innovation and optimization to support the smoothness of carrying out hearing and non-hearing activities. This has been done in the form of the development of the SIMANTAP application for the MK human resource talent management, the consultation room (chat room) for justice seekers, cyber security and prevention through CSIRT, and the text-to-speech feature so that the MK's home page is more disability-friendly.

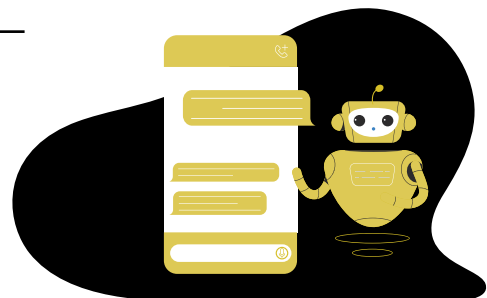


## **STATE GAZETTE APPLICATION**

An application for conveying the copy of decisions with granted verdicts and easing the Ministry of Law and Human Rights in the process of creating state gazette sheets.

## **CHAT ROOM**

This application can be used as a means of asking questions, case consultations, and information about the MK, which can be accessed at [mkri.id](http://mkri.id).



## **TEXT-TO-SPEECH**

A voice feature that enables justice seekers with visual disabilities to access various information about the MK at [mkri.id](http://mkri.id).

## **CSIRT-MK**

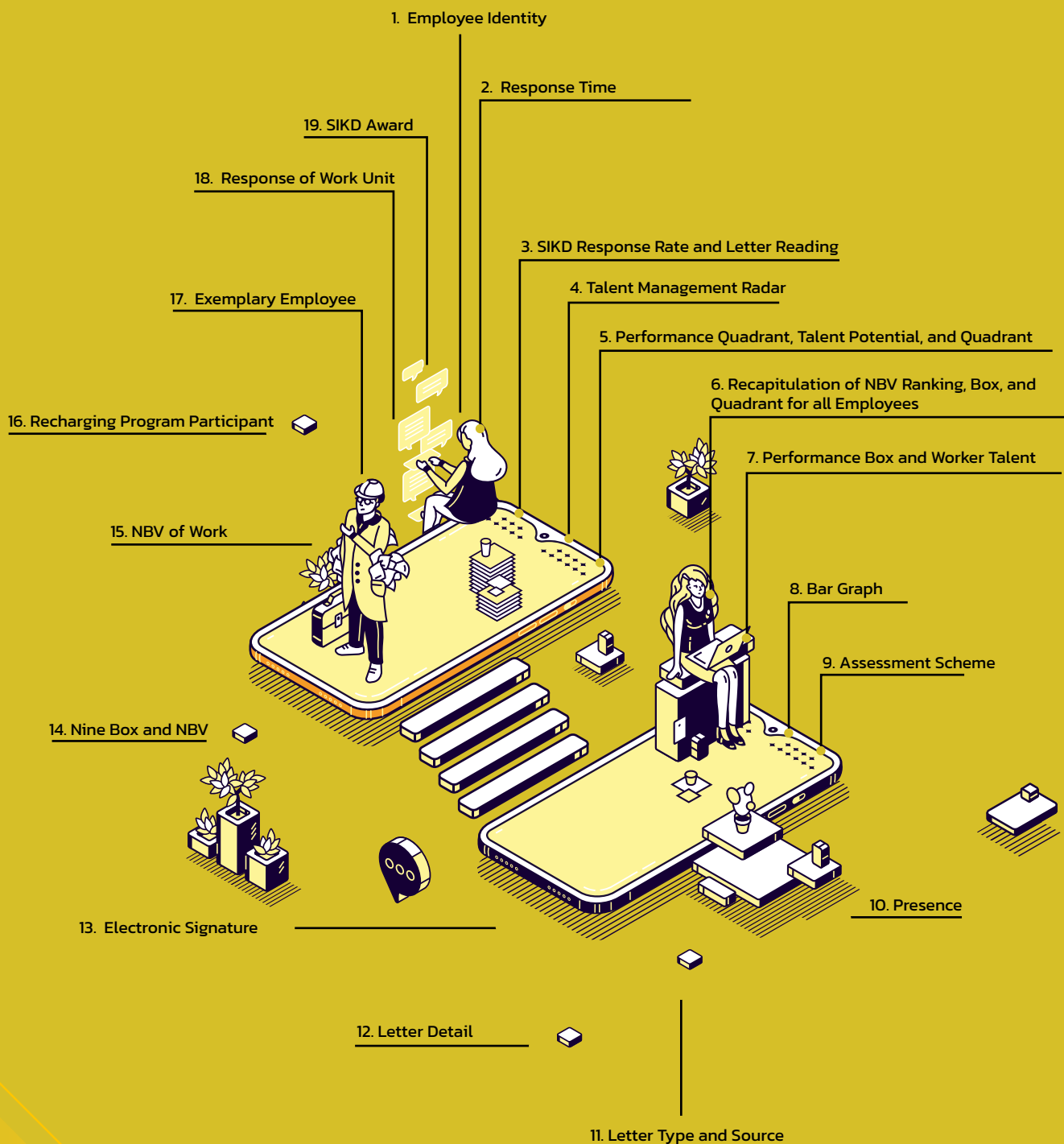
The Computer Security Incident Response Team (CSIRT-MK) collaborates with the National Cyber and Crypto Agency (BSSN) to be alert in detecting attacks, analyzing cyber security risks, and consulting regarding readiness to handle cyber incidents.



# TALENT MANAGEMENT

## THE EMPLOYEE TALENT MANAGEMENT INFORMATION SYSTEM

To get the right assessment of employees, the MK uses the Employee Talent Management Information System (SIMANTAP). The assessment result functions as an indicator to see and assess employee abilities and as an initial screening regarding employee potential in the process of finding the right position for employee placement. The employee assessment includes 19 indicators which are outlined in the following infographic.



# ARCHIVES

During 2006–2022, the MK routinely submitted static archives to the National Archives of the Republic of Indonesia 21 times. In 2022, 76 boxes of Case Archives of the Review of Law and 8 boxes of Case archives of Disputes over the Results of General/Regional Head Elections were handed over.



# THE AWARD IS A MIRROR OF THE TRUST

## PUBLIC APPRECIATION OF THE MK



Appreciation from the Venice Commission for the successful holding of the WCCJ's fifth Congress



2022 BKN Award Special Mention - SIASN Pilot Project



2022 BKN Award The Best ASN Management Implementation



2022 BKN Award Implementation of Performance Management



2022 BKN Award Implementation of Data Utilization-Information System and CAT



Appreciation for the Ninth Best Budget Performance for Fiscal Year 2021 with a Score of 95.36 and Very Good Category



Appreciation for Work Unit with the Third Best Budget Implementation Performance Indicators (IKPA) Ceiling of 100-500 Billion



Appreciation for Public Service Delivery Unit with Very Good Category



Appreciation for Withholding Taxpayer with the 11th Largest Tax Payment Contribution



Financial Statement with Unqualified Opinion



Public Information Commission Award as Informative Public Institution 92.96



Appreciation for the Result of Archive Supervision of the Constitutional Court with category "AA" (Very Satisfactory) and score of 91.70

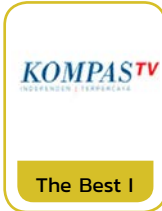


Awards are not the main goals, although as forms of appreciation, they are something to be grateful for. In 2022, the Constitutional Court received 11 awards from various institutions/agencies for various achievement categories. In addition, the Constitutional Court gave the Constitution Awards to partners who have supported the smoothness of the implementation of the Constitutional Court's vision, mission, and authorities.

## AWARDS GIVEN TO THE MK'S PARTNERS

**Constitution Award for Online Media Journalists**

 The Best I	 The Best II	 The Best III
<b>Andi Saputra</b> (detik.com)	<b>Yustinus Paat</b> (beritasatu.com)	<b>Muhammad Zulfikar</b> (antaranews.com)

**Constitution Award for TV Media Journalists**

 The Best I	 The Best II	 The Best III
<b>Kompas TV</b>	<b>TV One</b>	<b>Inews TV</b>

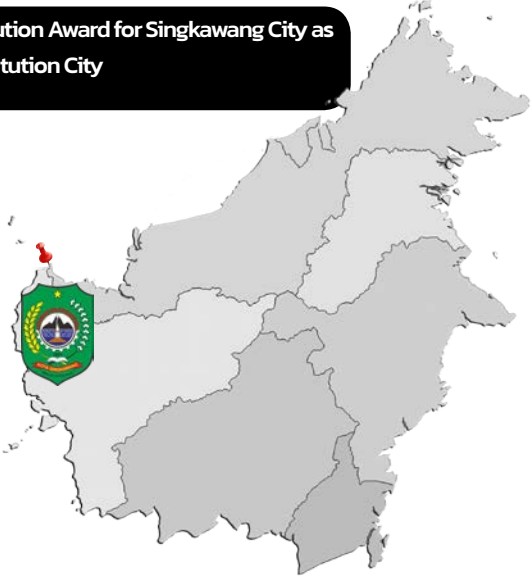
**Constitution Award for Print Media**

 The Best I	 The Best II	 The Best III
<b>Mimi Kartika</b> (Republika)	<b>Indriyani Astuti</b> (Media Indonesia)	<b>Vendy Yhulia Susanto</b> (Kontan Daily)

**Constitution Award for Video Conference Operator**

 The Best I	 The Best II	 The Best III
<b>The Faculty of Law of Universitas Brawijaya</b>	<b>The Faculty of Law of Universitas Pattimura</b>	<b>The Faculty of Law of Universitas Lambung Mangkurat</b>

**Constitution Award for Singkawang City as a Constitution City**



# INCREASING **CONSTITUTIONAL** AWARENESS



In line with the MK's second mission, which is increasing citizens' and state organizers' constitutional awareness, the MK also contributes to the increasing improvement of citizens' and state organizers' constitutional awareness.

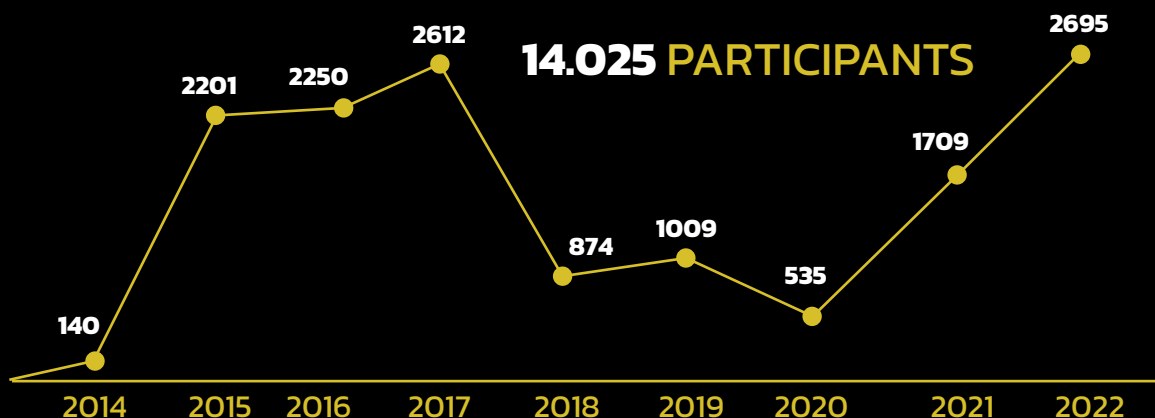
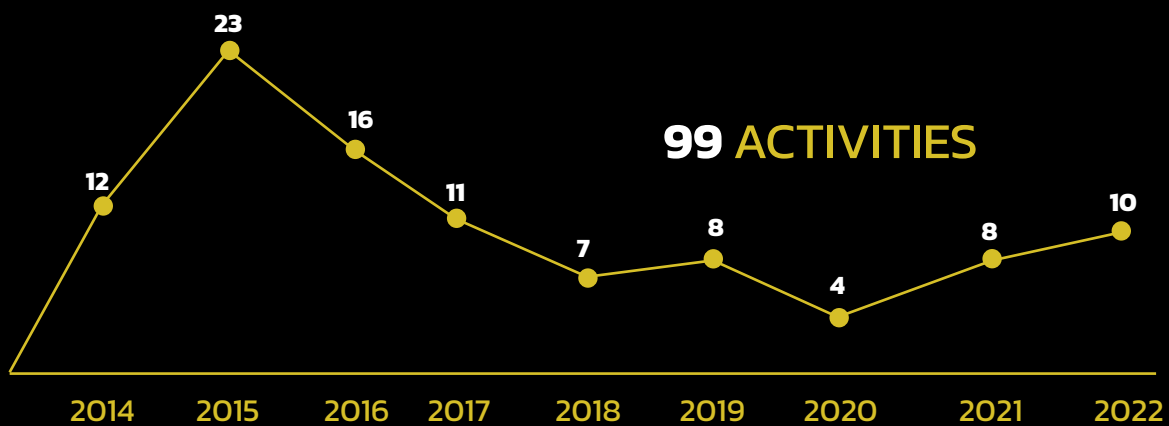
This year, programs and activities to increase constitutional awareness were held to echo the Pancasila values and increase constitutional awareness through PPHKWN, Technical Guidance, Domestic Cooperation (Kerja Sama Dalam Negeri or KSDN), Coffee Sessions with Courtizens, Constitution and Anti-Corruption Festival, Inauguration of Constitutional Village, Constitutional Speech Contest for Heads of Villages and Subdistricts in the Greater Solo, HKWN Icon, and Book Launch.



# THE IMPROVEMENT IN CITIZENS' UNDERSTANDING OF CONSTITUTIONAL RIGHTS

To carry out the mission of "Increasing Citizens' and State Organizers' Constitutional Awareness", the MK through the Pancasila and Constitution Education Centre since 2014 has held the Improvement in Citizens' Understanding of Constitutional Rights (Peningkatan Pemahaman Hak Konstitusional Warga Negara or PPHKWN) activities.

## PPHKWN 2014-2022





# CONSTITUTION HALAQAH (STUDIES)

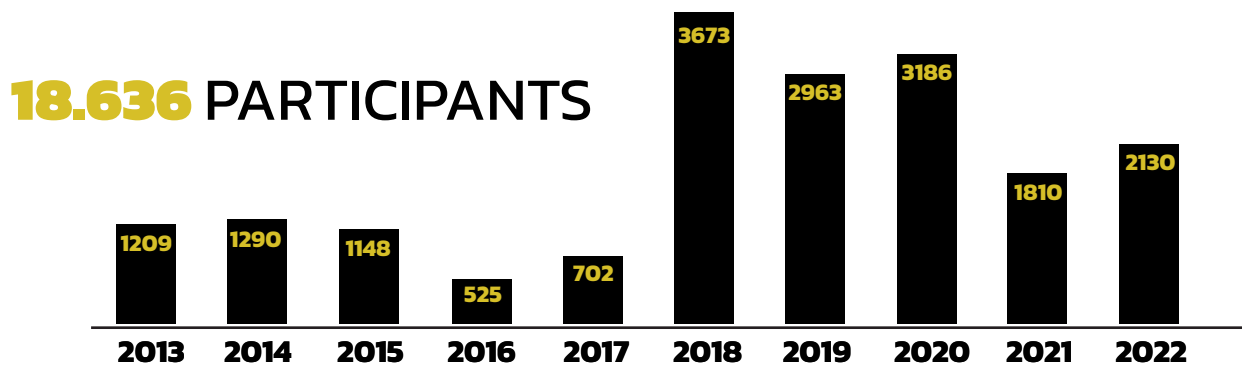
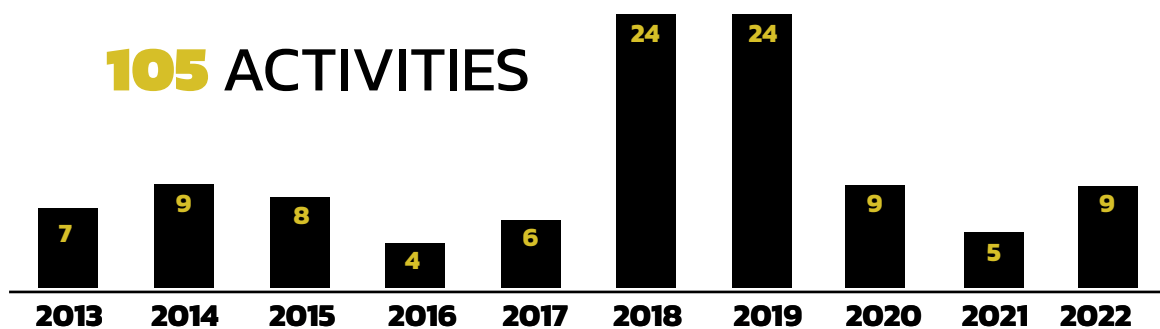
PPHKWN in the format of Constitution Halaqah was held online during the month of Ramadhan 1443 Hijriyah via live streaming on the YouTube channel of Mahkamah Konstitusi RI.



# TECHNICAL GUIDANCE ON PROCEDURAL LAW

To disseminate the knowledge and skills on procedural matters in constitutional cases to the public, the MK through the Pancasila and Constitution Education Centre since 2013 has held Technical Guidance (Bimtek) on the Constitutional Court Procedural Law, concerning PUU, SKLN, and PHPU.

## BIMTEK 2013–2022



# BIMTEK 2022

9 KEGIATAN 2130 PESERTA

## BIMTEK PUU

PARTICIPANTS

Legal Analysts of the  
Ministry of Law and  
Human Rights

---

Indonesian Bar Association  
(PERADI)

---

Indonesian Legal Aid  
Foundation

**4** ACTIVITIES  
**1362** PARTICIPANTS

## BIMTEK SKLN

PARTICIPANTS

Indonesian Bar Association  
(PERADI)

**1** ACTIVITY  
**400** PARTICIPANTS

## BIMTEK PHPU

PARTICIPANTS

Indonesian National  
Students Movement

---

Association of Alumni  
Family of the Faculty  
of Law of Universitas  
Diponegoro

---

Alumni Corps of the Islamic  
Students Association

**4** ACTIVITIES  
**368** PARTICIPANTS

# COOPERATION WITH I

**46**

**NATIONAL  
SEMINARS**

**60**

**PUBLIC  
LECTURES**

**4**

**WEBINARS**

**22**

**PKPA**

**KSDN  
ACTIVITIES**

**3**

**BOOK  
DISCUSSIONS**

**10**

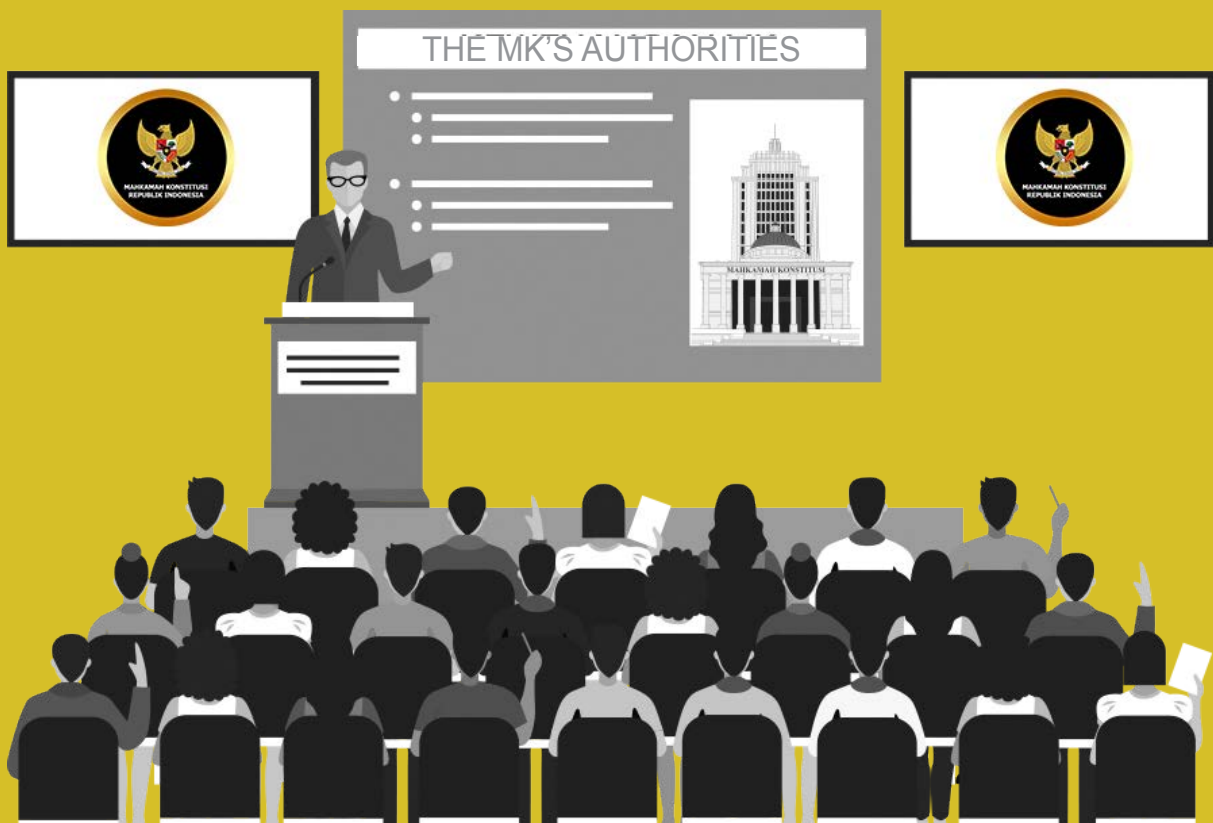
**PUBLIC  
DISCUSSIONS**

**2**

**EDUCATION AND  
TRAINING**

# DOMESTIC PARTNERS

To disseminate information and provide understanding about the MK, Constitution, and Pancasila, the MK cooperates with universities and other institutions in holding public lectures, national seminars, webinars, public discussions, book discussions, education and training, and advocate special professional education programs (Pendidikan Khusus Profesi Advokat or PKPA).



# COFFEE SESSIONS WITH COURTIZENS

MK held the event of "Coffee Session with Courtizens" on 22 July 2022. This particular event was a meeting and discussion forum between the MK and Courtizens (the followers of MK's social media). The purpose was to get insight from Courtizens in improving the quality of MK's social media management. Present as the interviewee were Hamdan Zoelva and Tsamara Amany with Cindy Systiarani as the host.



# CONSTITUTIONAL SPEECH CONTEST FOR HEADS OF VILLAGES AND SUBDISTRICTS IN THE GREATER SOLO

On 28 June 2022, the MK cooperated with the Universitas Sebelas Maret, Surakarta, in holding a Constitutional Speech Contest for Heads of Villages and Subdistricts in the Greater Solo. The process began on 20 May 2022 with the selection of speech videos. The contest was held to empower Heads of Villages/Subdistricts to increase constitutional awareness and disseminate the Constitutional Court Decision.

## THE WINNERS

**1 SUPARMANTO SM**  
Village Head of Slogoretno Village, Wonogiri

**2 JALU SETIO BINTORO**  
Village Head of Popongan Village, Karanganyar

**3 SUTRISNO**  
Subdistrict Head of Kepatihan Wetan, Surakarta





# 2022 CONSTITUTION AND ANTI-CORRUPTION FESTIVAL

The 2022 Constitution and Anti-Corruption Festival was held in Pontianak on 11-12 November 2022 by the MK in collaboration with the MPR (People's Consultative Assembly), KPK (Corruption Eradication Commission), and Universitas Tanjungpura, Pontianak. Carrying the theme "Recovered and Strong Together Based on the Pancasila, Constitution, and Anti-Corruption Spirit", a series of events were held including public lectures, Constitution Exhibitions and Bazaars, Gen-Z Talk Shows, and Talk Shows with the leaders of the MPR, MK, KPK and the Universitas Tanjungpura. Present as guest stars were Angelina Aqila (the 2022 Miss Indonesia from West Kalimantan), Tissa Biani (actor and singer), Kiki Saputri (comic), and accompanied with music by the T-Koes Band.



# INAUGURATION OF THE **MEKAR SARI VILLAGE AS A CONSTITUTIONAL VILLAGE**

The inauguration of the Mekar Sari Village as a Constitutional Village was part of the MK's appreciation and efforts to develop role models from the smallest apparatus in the state government structure for the upholding of the Pancasila and Constitution.



Constitutional Nagari  
**NAGARI PASIA LAWEH**

2021

2022

Constitutional Village  
**MEKAR SARI**

2018

Constitutional Village  
**BANGBANG**

2012

Constitutional Village  
**GALESONG**

2013

Constitutional Kampong  
**KAMPUNG WASUR**



# 66 ICONS HKWN



**Civil and Politic**  
41 icons



**Economy**  
5 icons



**Social**  
13 icons



**Culture**  
2 icons



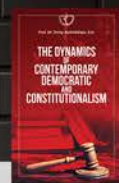
**Vulnerable Groups**  
(5 icons)

In December 2021, the MK launched 66 icons of Citizens' Constitutional Rights consisting of three groups of rights: individual rights, collective rights, and vulnerable communities rights. The icon was launched in collaboration with the Association of Constitutional Law and State Administrative Law Lecturers (APHTN-HAN) and the Faculty of Law of Universitas Jember (UNEJ).

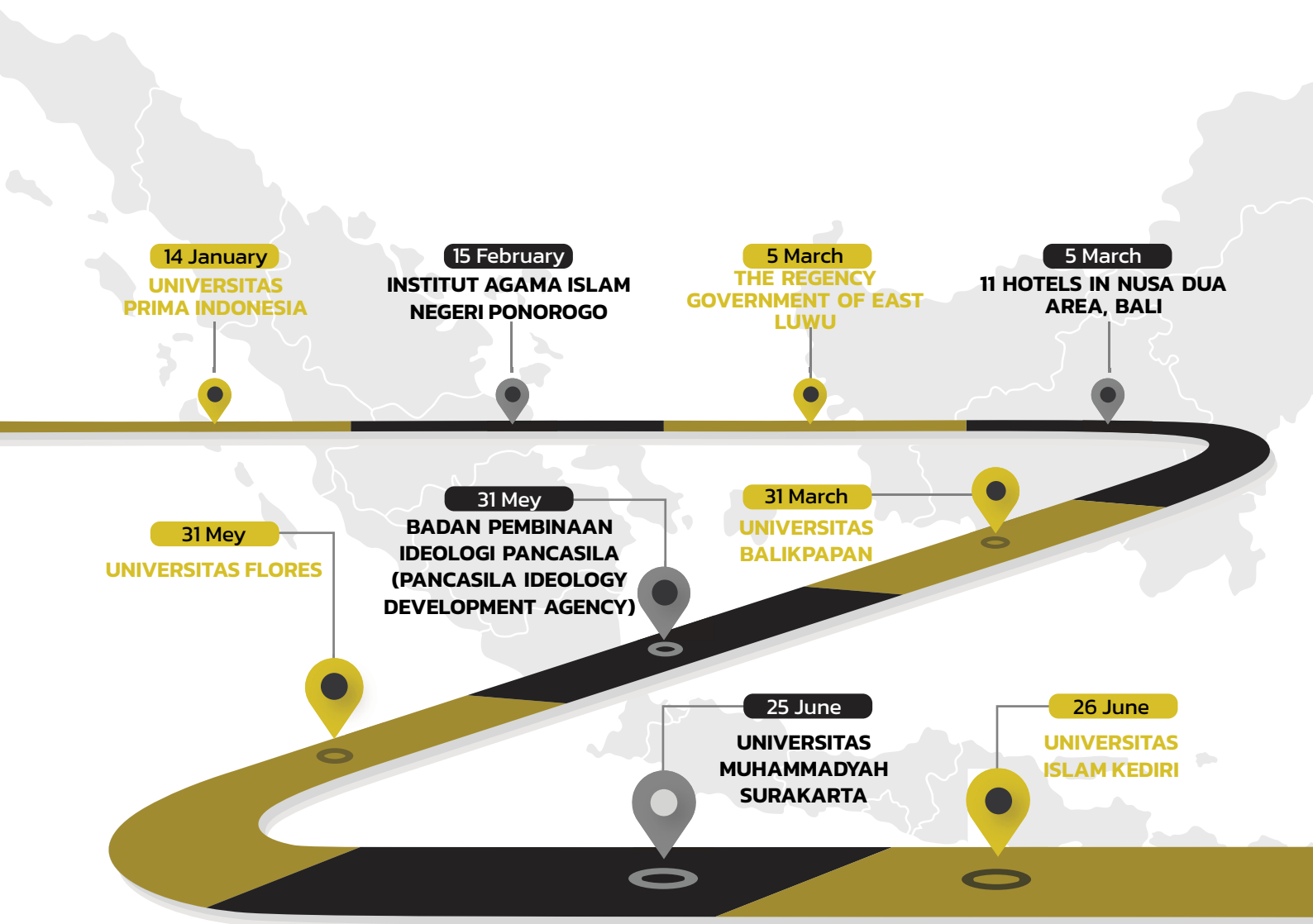


# BOOK LAUNCH

Since being established in 2003, the MK has had the academic tradition of expressing ideas and thoughts in scientific papers in the form of books. In December 2022, in commemoration of its 19th anniversary, the MK held a Launching of 33 Books and Book Discussion.

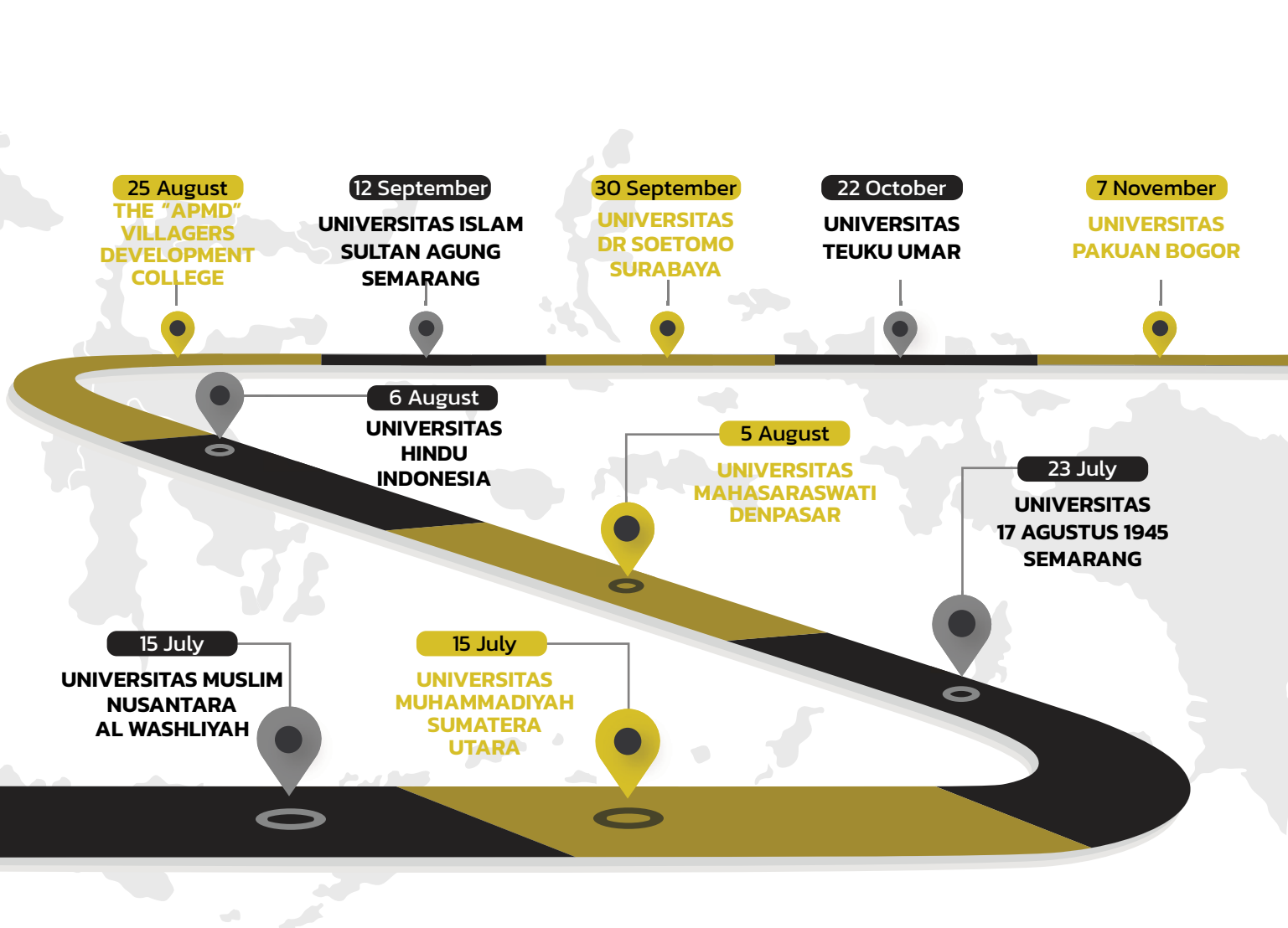


# EXPAND RELATIONSHIPS, STRENGTHEN COLLABORATIONS



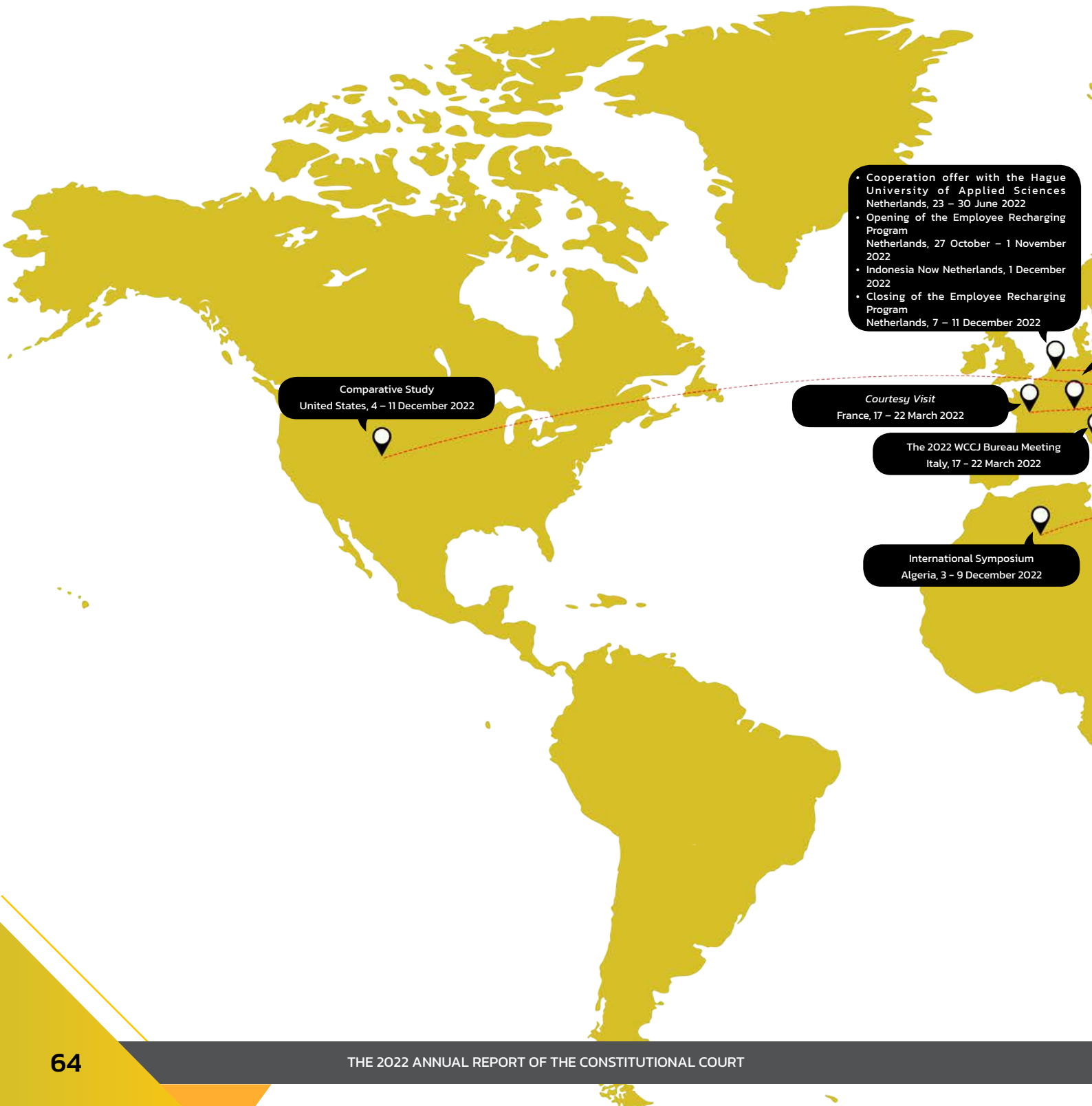
# SYNERGISTICALLY DEVELOPING DOMESTIC COOPERATION

This year, still to increase citizens' and state organizers' constitutional awareness, the MK expanded relationships by digitally signing a memorandum of understanding with 17 universities, the Regency Government of East Luwu, South Sulawesi, and 11 other working partners.



# ACTIVE INTERACTION IN GLOBAL ACTIONS

As part of the global constitutional judiciary community, the MK continues to build and establish communication with partners from various countries. Judicial dialogues are developed to obtain input to broaden insight and share experiences to improve the MK's institutional performance. This is done through Constitutional Justices' work visits to various constitutional judiciary or other relevant institutions.



Comparative Study  
United States, 4 – 11 December 2022

- Cooperation offer with the Hague University of Applied Sciences Netherlands, 23 – 30 June 2022
- Opening of the Employee Recharging Program Netherlands, 27 October – 1 November 2022
- Indonesia Now Netherlands, 1 December 2022
- Closing of the Employee Recharging Program Netherlands, 7 – 11 December 2022

Courtesy Visit  
France, 17 – 22 March 2022

The 2022 WCCJ Bureau Meeting  
Italy, 17 – 22 March 2022

International Symposium  
Algeria, 3 – 9 December 2022

## Memorandum of Understanding

- The MK of the Republic of Indonesia's (MKRI) Cooperation with the MK of Namibia, Bali (the 5th WCCJ Congress Activity), 5 October 2022
- The MKRI's Cooperation with the National Center of State Courts, United States, 5 December 2022
- The MKRI's Cooperation with William & Mary Law School, Kamis, United States, 18 December 2022



# FULFILLING PUBLIC RIGHTS TO INFORMATION

All MK's activities, both inside and outside of the court, are nothing less than public events. This is a consequence of the MK being a state institution. That way, the public has the right to know. So, the MK must fulfill these rights. For this reason, the MK provides the widest possible access to public information, including through the SUPREMASI Podcast, providing up-to-date information via social media, the MK's home page being more disability-friendly, the MK's openness and ease for the public to visit, and mass media reporting.



# CONSTITUTION TALKS ON PODCAST

Expanding constitutional awareness in society, especially among the millennial generation, the MK released a podcast program called "Supremasi" in 2020. "Supremasi", which was guided by the Head of the Public Relations and Domestic Cooperation Division of the MK, Fajar Laksono, has invited several resource persons, including the Chief Justice of the MK for the 2003 - 2008 period Jimly Asshiddiqie, former Chief Justice of the Supreme Court Bagir Manan, the election and democracy activist Titi Anggraini, and others. In 2022, "Supremasi" appeared in two episodes with the Indonesian Youth Laboratory Researcher Muhammad Faisal and Presidential Special Staff Angkie Yudistia as the resource speakers.

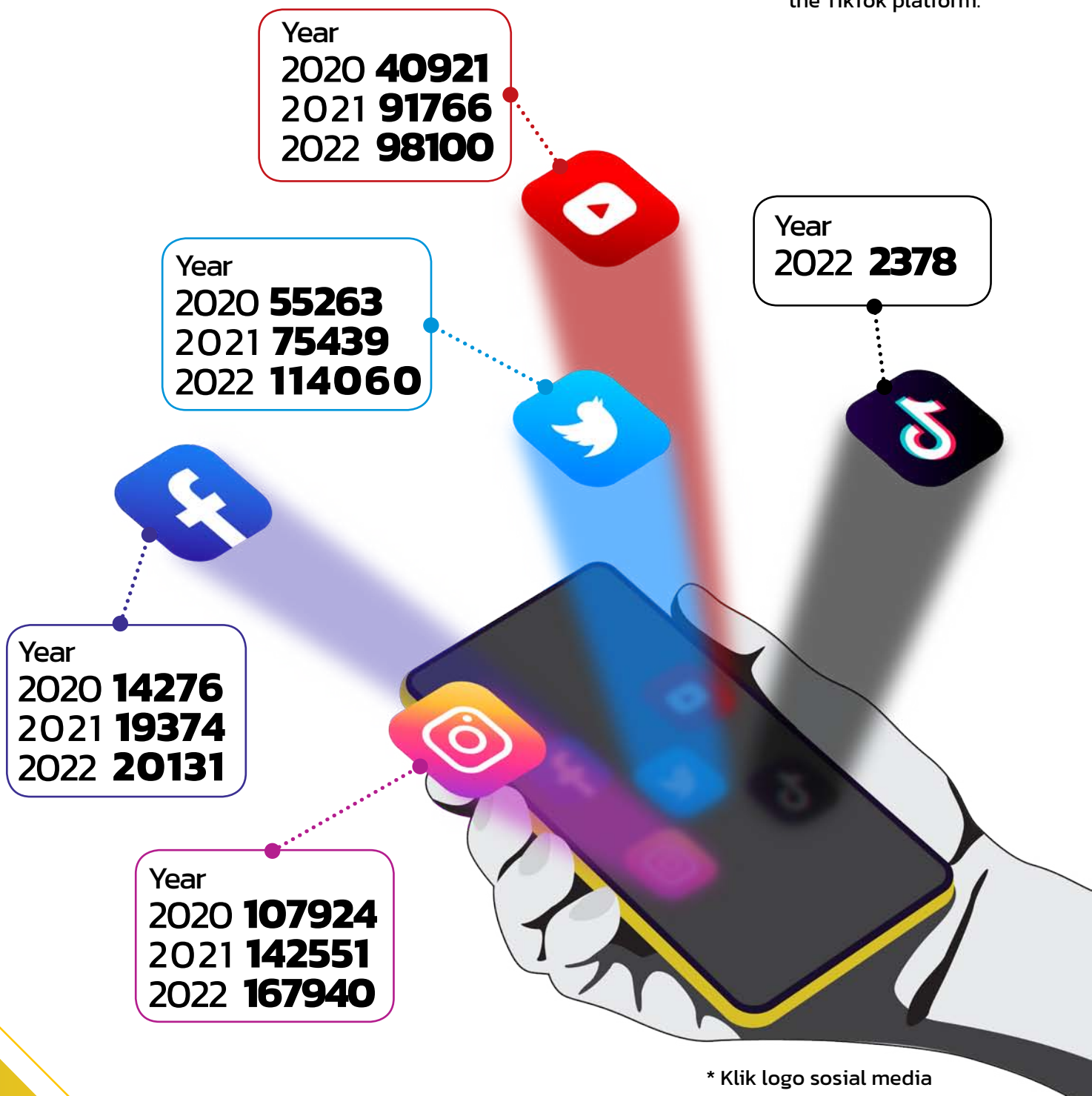


**SU·PRE·MA·SI**  
a podcast by mkri

# SOCIAL MEDIA INFORMATION

## The Growth of Social Media Followers

As it is known, the MK has several social media to disseminate to the public information regarding hearings and every activity taking place at the MK. In previous years, the MK's social media were only on five platforms, namely Facebook, Twitter, Instagram, YouTube and Spotify. In mid-2022, to keep up with the times, the MK opened the TikTok platform.



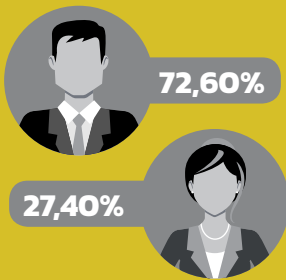
\* Klik logo sosial media

# THE DEMOGRAPHICS OF SOCIAL MEDIA FOLLOWERS

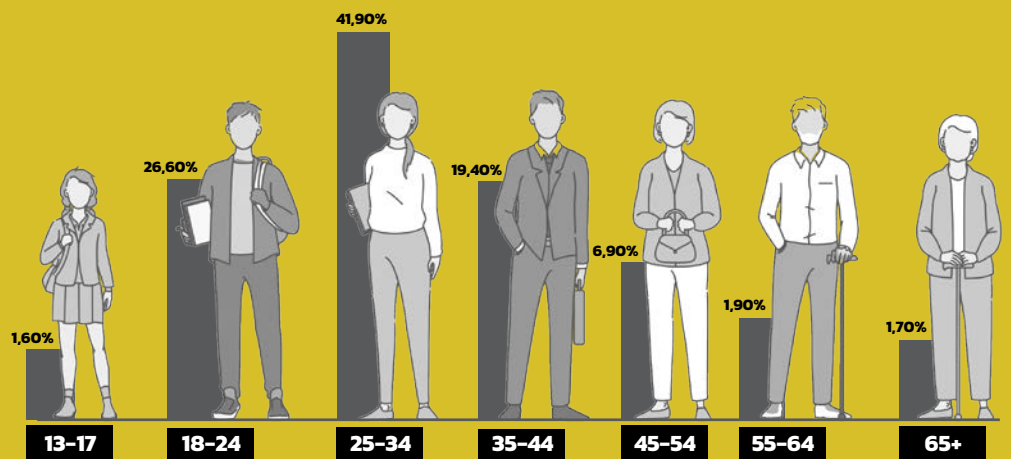
## CITY



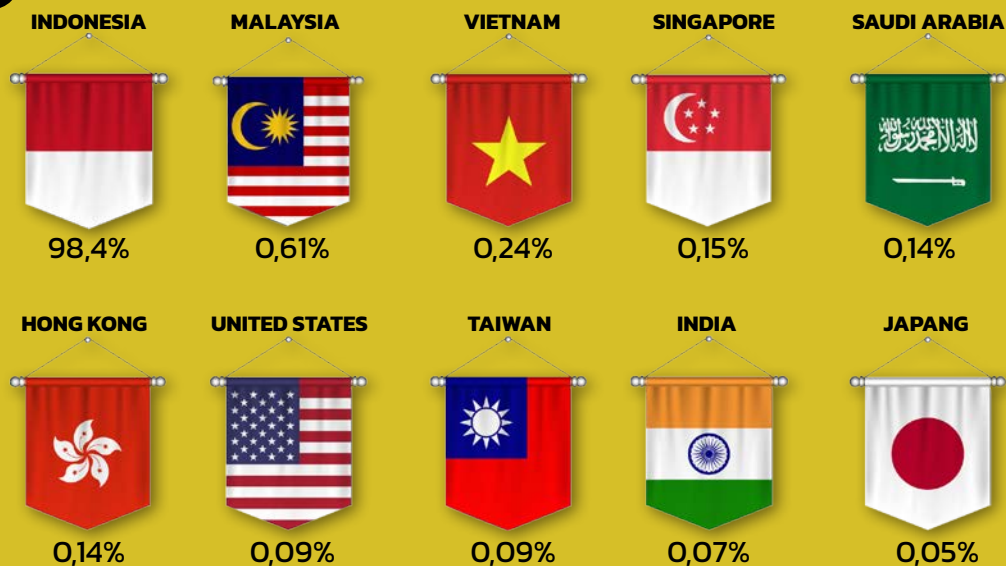
## GENDER



## AGE



## COUNTRY



# THE MK'S HOME PAGE IS DISABILITY-FRIENDLY

In 2022, the MK added website features that make it easier for justice seekers with disabilities. This was the MK's effort to fulfill the rights to accessibility for persons with disabilities as regulated in Article 18 of Law Number 8 of 2016 concerning Persons with Disabilities. The additional features in question were called text-to-speech readers (TTS) and sign language interpreters for verdict hearings.



# THE MK IS OPEN TO VISIT

Since the limitation of face-to-face visits for two years due to the COVID-19 pandemic, the MK began accepting visits again in mid-2022, both online and offline.

## TOTAL VISITS



## VISITORS CATEGORY



MAHKAMAH KONSTITUSI



# THE MK'S MASS MEDIA REPORTING

As part of the pillars of democracy, the relationship between the MK as a judiciary and the mass media is synergistic. Besides spreading information to the public, the mass media also helps oversee how the democratic process runs, including at the MK as a judiciary institution. During 2022, the news about the MK focused on three things.

**1** Updates on the Holding of the 2024 Election

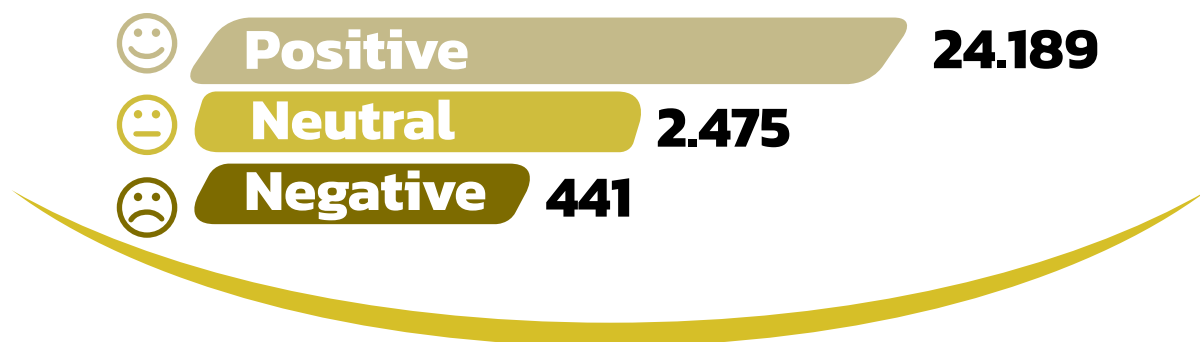
**2** the General Elections Law regarding Threshold was petitioned to the MK

**3** After the MK Holding a Verdict Hearing of PUU 11/2020 concerning Job Creation



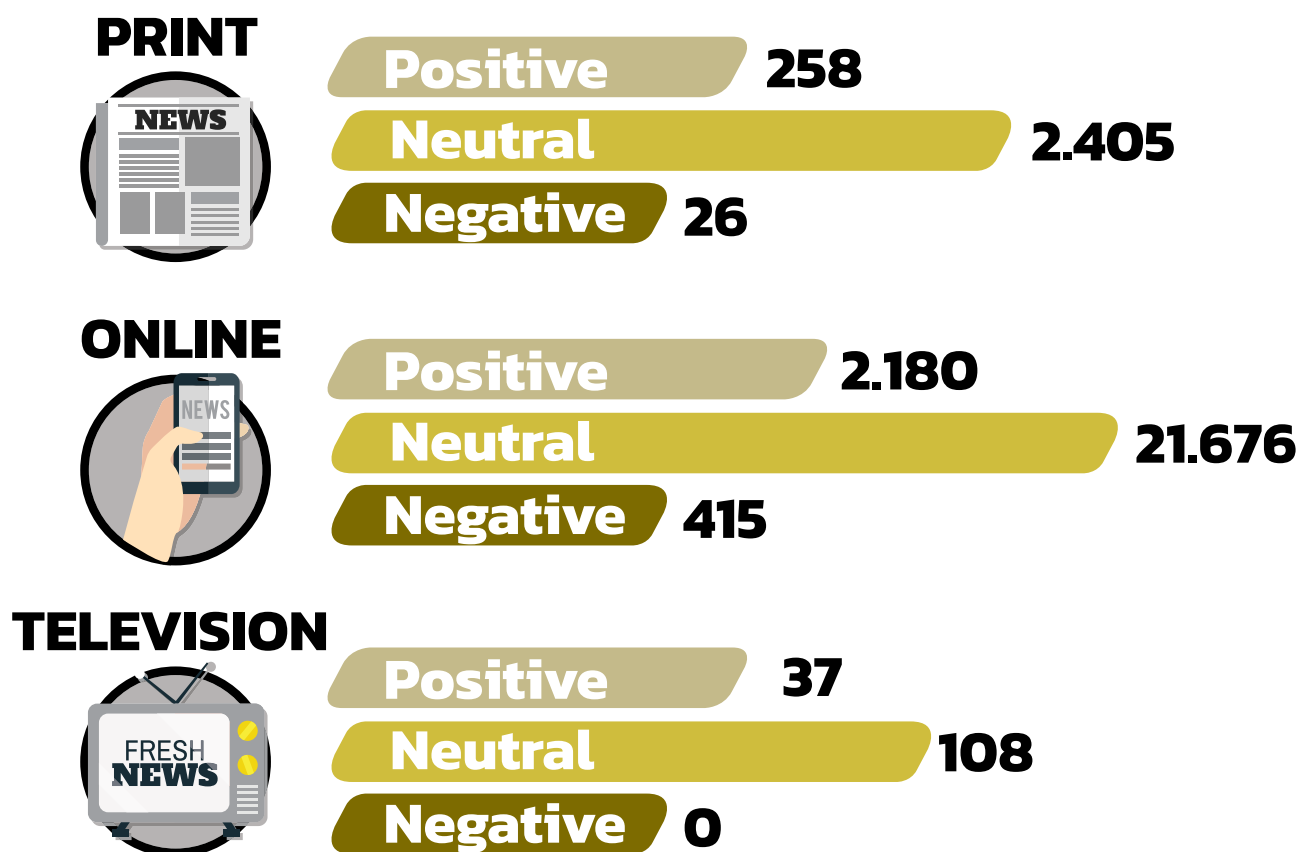
# NEWS BASED ON SENTIMENT

Based on sentiment, news related to the MK was dominated by neutral sentiment which was 24,189 news, followed by 2,475 positive news, and 441 negative news.



# NEWS BASED ON MEDIA TYPE

Based on media type, namely print, online, and television media, the news with positive and negative sentiments appeared frequently in online media.



# IMPROVING THE **QUALITY OF DECISIONS**



Decisions are the results and final products after a series of processes of seeking and finding solutions to citizens' legal problems submitted to be resolved by the MK. The essence of dignity of the MK lies in its decisions. From decisions too, justice with certainty is reflected and expressed. Thus, Decisions are the MK's crowns. In line with the third mission, "Improving the Quality of Decisions", this year the MK continued to take various steps and efforts orienting towards creating more quality decisions. This year, efforts to improve the quality of decisions were carried out through various steps and efforts.



# ASLI: TRANSFORMATION OF SUBSTANTIAL SUPPORT

The functional position of Researcher at the Research and Case Studies and Library Management Centre of the MK has been transformed into the Functional Position of the Constitutional Court Justice Expert Assistant (Asisten Ahli Hakim Konstitusi or ASLI). This cannot be separated from providing substantial aspects of support to the Constitutional Court Justices in deciding on the cases. This transformation is aimed at focusing on the substantial support of the Constitutional Court Justice Expert Assistant to further improve the quality of decisions. This year, 25 researchers were officially appointed and took the oath to become the Constitutional Court Justice Expert Assistant. The inauguration procession was held on Wednesday, 31 August 2022 in the MK's Hall of Building I.



Substantial support for each PUU case is provided through the preparation of case studies by the Constitutional Court Justice Expert Assistant. The study is prepared and then submitted to the Constitutional Court Justices as insights and additional perspectives that are non-binding. Out of the 121 PUU cases registered in 2022, 121 case studies have been prepared. In other words, the achievement of the preparation target was 100%.



# UPDATES ON PROCEDURAL REGULATION

To adapt to changes in legal aspects, needs, and the latest situation, the MK updates several Constitutional Court Regulations (*Peraturan Mahkamah Konstitusi or PMK*), especially those related to procedural matters in PUU cases. In 2022, the MK discussed three drafts of PMK.

**The PMK concerning  
Procedural Matters in Cases  
of Formal Review of Law**

**The PMK concerning the Election  
of the Chief Justice and the  
Deputy Chief Justice of the MK**

**The PMK concerning  
Procedural Matters in Cases  
of Material Review of Law**



# GAIN KNOWLEDGE BY BECOMING THE HOST OF THE 5TH WCCJ CONGRESS

**The World Conference on Constitutional Justice (WCCJ)** is a world constitutional justice conference that facilitates judicial dialogues between constitutional judiciaries on a global scale. The fifth WCCJ Congress with the theme “Constitutional Justice and Peace” was held on 4-7 October 2022 at the Bali Nusa Dua Convention Center, Bali. This congress was attended by delegates from the Constitutional Courts/similar institutions from 92 countries and four international constitutional law organizations.





**Anwar Usman**  
The Chief Justice of the  
Constitutional Court

“This congress succeeded in gathering the idea of constitutional judiciary’s roles, which must act as a balance to the other state institutions’ roles, besides guarding the upholding of the principle of constitutional supremacy and the protection of the citizen’s constitutional rights.”



**Ir. Joko Widodo**  
The President of RI

“The MKRI is the main pillar in upholding constitutional justice which is the key element of democracy, protecting human rights and legal certainty. This task is increasingly important when all countries in the world have to deal with various crises. The pandemic has not ended. The world economy has not fully recovered and the world is shocked by the war between Russia and Ukraine, which destroys the world trade supply chain.”



**Gianni Buiquicchio**  
The Emeritus President of the Venice  
Commission

“Peace must be achieved through the control of the constitutional judiciary, although there are still many voices saying that the constitutional judiciary has limitations in creating democratic peace. The true peace is not merely the absence of tensions. True peace is a condition of justice.”



## BALI COMMUNIQUE

Besides being a forum for the MK to share knowledge and experience from various constitutional judiciary institutions in various countries, this congress was also an opportunity to echo the legal system based on the Pancasila to which Indonesia adhered. The main purpose was that the Indonesian legal system could become a reference for the legal systems of democratic legal countries in various parts of the world. The congress was successful, attended by 96 constitutional judiciary institutions from 5 continents, and resulted in an agreement in the form of “the Bali Communique”.



## THE JOINT STATEMENT OF AACC AND CCJA



In the series of the 5th WCCJ Congress, a joint meeting was also held for the first time between the Association of Asian Constitutional Courts (AACC) and the Conference of Constitutional Jurisdictions of Africa (CCJA), inspired by the spirit of the 1955 Asian-African Conference. In this meeting, a Joint Statement of AACC-CCJA was concluded. Both the 5th WCCJ Congress and the AACC-CCJA meeting were expected to have implications, both directly and indirectly, for all participants, especially the MK, to develop the institutional capacity, including the improvement of decision quality.



# ICCIS INCREASE CONTRIBUTION TO SUPPORT CASE HANDLING



In the series of the 5th WCCJ Congress, a scientific meeting was held in the form of the 5th Indonesian Constitutional Court International Symposium (ICCIS) on 5 - 7 October 2022. The theme chosen was "Constitutional Court and Conflict Resolution". There were 27 speakers and responders from various countries at the symposium session. In this scientific meeting, several perspectives were produced regarding the role of the MK in the dynamics of upholding the constitution and protecting the constitutional rights of citizens in each country, including Indonesia. For the MK, the discussion of such scientific perspectives could be utilized and contribute to the improvement of decision quality.



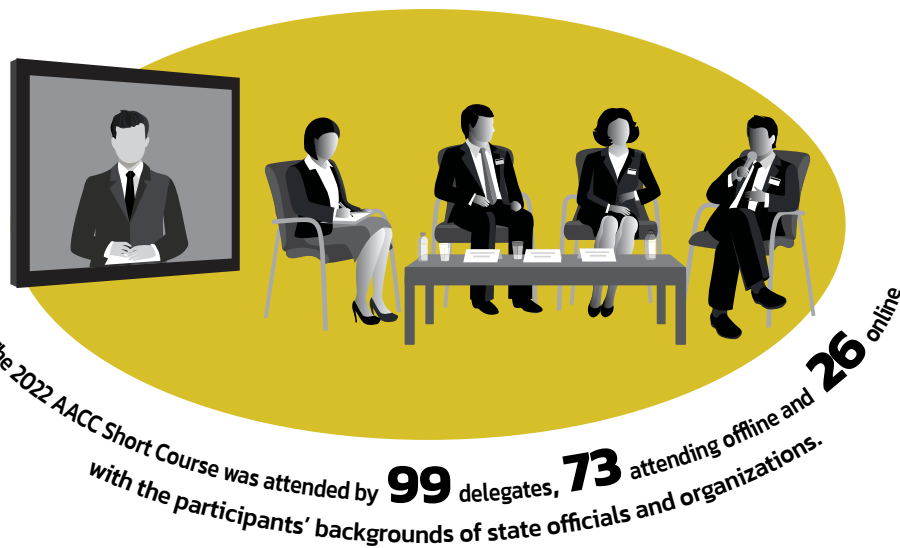
**27** speakers and responders attended offline

**300** participants attended online



# BEST PRACTICES COMPARISON TO SUPPORT THE MK

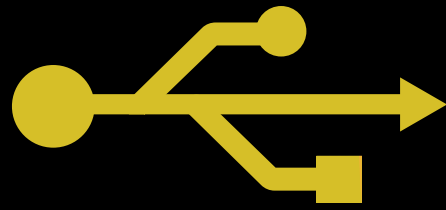
In its capacity as AACC Permanent Secretariat, continuing the previous year's program, the MK again held an International Short Course. This event was held in conjunction with the 5th WCCJ Congress on 5 - 6 October 2022 in Nusa Dua, Bali with the theme "Peace, Election, and Democracy". This event was attended by delegates from 99 countries (73 attending offline and 26 attending online) consisting of judiciary institution officials. Through this event, participants shared insightful information regarding best practices in each institution. From this information exchange, the MK could obtain the benefits for the improvement of decision quality.



The 2022 AACC Short Course was attended by **99** delegates, **73** attending offline and **26** online with the participants' backgrounds of state officials and organizations.



# 2022 RECHARGING PROGRAM



The 2022 Recharging Program was a collaboration between the MK and The Hague University of Applied Sciences (THUAS) Netherlands which was held on 31 October – 9 December 2022. For six weeks, 7 Constitutional Court employees consisting of 1 Substitute Registrar, 3 Constitutional Court Justice Expert Assistants, 1 Legal Analyst, 2 Processors of Cases and Decisions Data, as well as Analysts of Legislation and Draft Legislative Regulations, received the material “The Digital Transformation of Constitutional Adjudication in the Covid-19 Era: Legal and Ethical Dimensions”.



## PARTICIPATING **SUMMER SCHOOL**

Three employees of the MK participated in “the 10th Summer School Program” with the theme “Interpretation of the Constitution in the Protection of Fundamental Rights and Freedom” on 21 - 24 September 2022 held by the Constitutional Court of Turkey. In this event, participants gained additional insight

and views regarding methods of constitutional interpretation. For the MK, employees’ participation in this event went hand in hand with the effort to increase the level of employees’ competence to better contribute to providing substantial support for the improvement of decision quality.



## THE MK’S CONTRIBUTION AS **DELRI**

The MK sent two employees as part of the Indonesian Delegation (Delri) led by the Minister of Law and Human Rights to the Universal Periodic Review (UPR) of the UN Human Rights Council which was held in Geneva, Switzerland, 7 - 14 November 2022. The UPR was a periodic mechanism of cross-review among various countries in the world, especially the 193 member countries of the UN, regarding the conditions for protecting and respecting human rights in the respective countries which were carried out periodically every 4 - 5 years.

Through this event, Indonesia’s human rights achievements in the last 5 years as well as Constitutional Court Decisions, especially related to human rights protection, were presented. There were many Constitutional Court Decisions related to human rights protection, such as regarding the constitutionality and enactment of the death penalty in Indonesia, freedom of religion, the right to be a candidate, recognition for people with mental disabilities of the right to vote, advancement of women’s and children’s rights, the rights of children born out of wedlock, etc. These decisions have contributed to and strengthened the achievements of human rights protection in Indonesia.

# 2023 PROJECTION





Simultaneous General Elections, as well as Regional Head Elections, are close at hand. The time is fast approaching for the holding in 2024. So, 2023 is the year for the MK to do its best to prepare everything needed to support the smoothness and quality of the handling of Disputes over the Results of Elections (PHP) Cases. In the process and stages of General Elections, the MK plays a role at the final stage, namely deciding the PPHU if there is any arises. For this reason, throughout 2023, the majority of the MK's energy and resources will be utilized to provide relevant support, namely (1) Technical Guidance on the Constitutional Court Procedural Law, (2): workshops for employees, both for judiciary administration, general administration and safeguards; and (3) improving ICT infrastructure and buildings.

**1**

Through the holding of technical guidance on procedural law, the MK provides election stakeholders, both Election Organizers and Participants, with a greater understanding and mastery of the MK procedural law, especially the procedural law on disputes over the results of elections. The technical guidance contributes to the improvement of the whole case handling quality.

**2**

To increase the capacity and competence of (internal) employees, the MK organizes a series of workshops for judiciary administration, general administration, and safeguard employees, so they can provide the best support and service during the handling of disputes over the results of elections.

**3**

The MK seeks to improve facilities and infrastructure through ICT support and building expansion aimed at the smoothness of case handling and realizing citizens' access to justice towards the MK.

# APPENDICES



The Registrar's Office and the Secretariat General of the Constitutional Court  
Jl. Medan Merdeka Barat No. 6-7 Central Jakarta 10110  
Ph. (+6221) 23529000  
email: [office@mkri.id](mailto:office@mkri.id)  
[www.mkri.id](http://www.mkri.id)