



**CONSTITUTIONAL COURT  
OF THE REPUBLIC OF INDONESIA**

**SUMMARY OF DECISION  
FOR CASE NUMBER 29/PUU-XXI/2024**

**Concerning**

**Withdrawal of Judicial Review**

**of Election of Governors, Regents and Mayors Law**

- Petitioner** : Yayasan Perkumpulan untuk Pemilu dan Demokrasi (Perludem or Association for Elections and Democracy Foundation)
- Type of Case** : Judicial Review of Law Number 10 of 2016 concerning Second Amendment to Law Number 1 of 2015 concerning Determination of Government Regulation in Lieu of Law Number 1 of 2014 concerning Election of Governors, Regents and Mayors (Law 10/2016) against the 1945 Constitution of the Republic of Indonesia (1945 Constitution)
- Subject Matter** : Article 201 paragraph (7), paragraph (8), and paragraph (9) of Law 10/2016 which regulates the filling and periodization of regional head positions in the context of simultaneous regional elections has resulted in injuries in the form of, among others, non-simultaneous periods between the regional head position and the Regional Legislative Council, therefore, it has injured the Petitioner and thus it is contrary to the 1945 Constitution
- Verdict** :
1. To grant the withdrawal of the Petitioner's petition;
  2. To declare that Petition Number 29/PUU-XXII/2024 concerning the review of the constitutionality of Article 201 paragraph (7), paragraph (8), and paragraph (9) of Law Number 10 of 2016 concerning the Second Amendment to Law Number 1 of 2015 concerning the Determination of Government Regulation in Lieu of Law Number 1 of 2014 concerning the Election of Governors, Regents and Mayors (State Gazette of the Republic of Indonesia of 2016 Number 130, Supplement to the State Gazette of the Republic of Indonesia Number 5898) against the 1945 Constitution of the Republic of Indonesia (1945 Constitution).
  3. To declare that the Petitioner may not resubmit the *a quo* petition;
  4. To order the Registrar of the Constitutional Court to record the withdrawal of Petition Number 29/PUU-XXII/2024 in the Electronic Constitutional Case Registration Book (*Buku Registrasi Perkara Konstitusi Elektronik* or e-BRPK) and

return a copy of the petition file to the Petitioner.

**Date of Decision** : Wednesday, March 20, 2024

**Overview of Decision** :

The Petitioner is a non-governmental organization (NGO) that grows and develops independently, based on its own wishes and desires in the middle of society founded on concern and intention to participate in realizing democratic elections and democratization in Indonesia;

Whereas the Constitutional Court has received the petition dated 5 February 2024 which was received by the Registrar of the Constitutional Court on 5 February 2024 pursuant to the Deed of Submission of Petition Number 20/PUU/PAN.MK/AP3/02/2024, dated 5 February 2024, and it has been recorded in the Electronic Constitutional Case Registration Book (*Buku Registrasi Perkara Konstitusi Elektronik* or e-BRPK) under the Number 29/PUU-XXII/2024, dated 6 February 2024, regarding the petition for review of the constitutionality of Article 201 paragraph (7), paragraph (8), and paragraph (9) of Law Number 10 of 2016 concerning the Second Amendment to Law Number 1 of 2015 concerning the Determination of Government Regulation in Lieu of Law Number 1 of 2014 concerning the Election of Governors, Regents and Mayors against the 1945 Constitution of the Republic of Indonesia;

The Court conducted a preliminary examination of the petition through a Panel Hearing on 23 February 2024. After the Preliminary examination, the Petitioner submitted a letter regarding the Application for Withdrawal via email which was received by the Constitutional Court on 6 March 2024.

Furthermore, the Court held a second Preliminary Examination on 7 March 2024 with the agenda of hearing the revisions to the Petitioner's petition, at which hearing the Petitioner confirmed that he was revoking/withdrawing his petition.

Regarding the withdrawal of the petition, the Deliberation Meeting of Justices on 7 March 2024 determined that the application for revocation or withdrawal of the petition for Case Number 29/PUU-XXII/2024 was legally justifiable, so that the provisions of Article 35 paragraph (2) of the Constitutional Court Law which stated, "*Withdrawal as referred to in paragraph (1) shall mean that the Petition may not be re-submitted*".

Accordingly, the Court passed down a Decree which states as follows:

1. To grant the withdrawal of the Petitioner's petition;
2. To declare that Petition Number 29/PUU-XXII/2024 concerning the review of the constitutionality of Article 201 paragraph (7), paragraph (8), and paragraph (9) of Law Number 10 of 2016 concerning the Second Amendment to Law Number 1 of 2015 concerning the Determination of Government Regulation in Lieu of Law Number 1 of 2014 concerning the Election of Governors, Regents and Mayors (State Gazette of the Republic of Indonesia of 2016 Number 130, Supplement to the State Gazette of the Republic of Indonesia Number 5898) against the 1945 Constitution of the Republic of Indonesia (1945 Constitution);
3. To declare that the Petitioner may not resubmit the *a quo* petition;
4. To order the Registrar of the Constitutional Court to record the withdrawal of Petition Number 29/PUU-XXII/2024 in the Electronic Constitutional Case Registration Book (*Buku Registrasi Perkara Konstitusi Elektronik* or e-BRPK) and return a copy of the petition file to the Petitioner.