



**CONSTITUTIONAL COURT
OF THE REPUBLIC OF INDONESIA**

**SUMMARY OF DECISION
FOR CASE NUMBER 52/PUU-XXIII/2025**

Concerning

**Formal Review of Law Number 1 of 2025 concerning Third Amendment
to Law Number 19 of 2003 concerning State-Owned Enterprises**

- Petitioners** : **Abu Rizal Biladina and Bima Surya**
- Type of Case** : Formal review of Law Number 1 of 2025 concerning Third Amendment to Law Number 19 of 2003 concerning of State-Owned Enterprises (Law 1/2025) against the 1945 Constitution of the Republic of Indonesia (1945 Constitution);
- Subject Matter** : Formal Review of Law 1/2025 against the 1945 Constitution of the Republic of Indonesia (1945 Constitution);
- Verdict** : To declare that the Petitioners' petition is inadmissible;
- Date of Decision** : Wednesday, September 17, 2025
- Overview of Decision** :

Whereas Petitioner I and Petitioner II (hereinafter referred to as the Petitioners) are individual Indonesian citizens who are students at the Faculty of Law, Universitas Indonesia, and they are also student activists within the Student Executive Board (Badan Eksekutif Mahasiswa or BEM) who have particular concerns about political and legal issues and who collectively engage in studies, advocacy, and criticism of various government programs, policies, and activities to help build a democratic legal culture in Indonesia. In addition, Petitioner I is a member of the Student Representative Council of Universitas Indonesia (Dewan Perwakilan Mahasiswa Universitas Indonesia or DPM UI)

With respect to the Court's authority, since the Petitioners petition for a formal review of law, *in casu* Law 1/2025 against the 1945 Constitution, the Court has the authority to hear the petition *a quo*.

With respect to the deadline for submitting a formal review, the petition for formal review of Law 1/2025 is submitted within the grace period for submitting a formal review of a law. With respect to the deadline for completing the formal review, the Court is of the opinion that the 60 (sixty) business days should be calculated from the moment the President and/or the House of Representatives delivers their statement in the plenary session of the case examination, which serves as the starting point for counting the 60 (sixty) business days for reviewing the said law. However, in certain circumstances, when the President and the House of Representatives fail to present their statements in two (2) plenary sessions scheduled for hearing such statements, the Court may apply an alternative time frame to determine the deadline for completing the formal review.

Whereas before further considering the Petitioners' legal standing, the Court first emphasizes that although the petition *a quo* proceeded to the trial examination, it cannot be determined from the outset whether or not the Petitioners have the legal standing, it remains possible that legal standing may be established only after the petition is examined and assessed in the evidentiary stage. This is because, when the Court decided to continue examining the case *a quo* in the plenary session, there were still issues requiring further investigation concerning the fulfillment of the Petitioners' legal standing requirements. These matters can only be clearly known and confirmed whether the Petitioners do or do not have legal standing, after the trial examination is completed. In other words, the fact that a case has proceeded to a plenary session with an evidentiary agenda does not automatically confirm or guarantee the Petitioners' legal standing, as the Court may still investigate and reassess the Petitioners' legal standing and determine whether the petition satisfies the legal standing requirements. In this case, although the Court granted the Petitioners two opportunities, they still did not present any experts and/or witnesses to provide information during the trial examination.

Whereas in relation to the above matter, although the case *a quo* has proceeded to the trial examination stage, the Court is of the opinion that the Petitioners' description of the alleged loss of their constitutional rights arising from the alleged constitutional defects in the formation of Law 1/2025 has not been supported by evidence capable of convincing the Court of their active participation. This remains so even though the Petitioners identify themselves as student activists, particularly in relation to activities concerning state administration during the formation process of Law 1/2025. For example, evidence of active participation should be demonstrated through objective and verifiable forms of involvement, such as official documents or concrete empirical proof, including participation in seminars, discussions, legal studies, hearings, and/or the submission of written opinions to the lawmakers, or other activities indicating the Petitioners' substantive engagement in the process of forming Law 1/2025. In this case, in their objection, the Petitioners' argue that they have difficulty accessing information related to academic texts or draft texts of the Law *a quo* on the page <https://en.dpr.go.id>, *in casu* The Legal Documentation and Information Network of the Secretariat General (*Jaringan Dokumentasi Dan Informasi Hukum Sekretariat Jenderal* or JDIH) of the Indonesian House of Representatives, such argument is insufficient to prove a connection between the interests of the Petitioners and the process of forming Law 1/2025. The absence of any concrete evidence of the Petitioners' active participation in the formation of Law 1/2025 renders their claim of suffering a constitutional rights violation implausible. Furthermore, to assert that their constitutional right to meaningful participation was infringed, the Petitioners must first demonstrate that they had actively exercised their participatory rights, such as by submitting written inputs, lodging objections, or utilizing other officially available channels of participation in the legislative process for Law 1/2025. In this regard, it has been established that the Petitioners were unable to demonstrate any real involvement that satisfies the requirements of meaningful participation. The Petitioners likewise did not exercise their right to be heard, their right to be considered, or their right to obtain explanations from the lawmakers during the formation of Law 1/2025.

Pursuant to this matter, the Petitioners failed to convince the Court that there was any direct connection between them and the process of forming the Law *a quo*. Therefore, the Court is of the opinion that there is no relevance between the evidence submitted by the Petitioners and the alleged loss of constitutional rights as described by the Petitioners in explaining their legal standing, thus, the Petitioners are unable to explain the existence of a causal relationship between the alleged loss of the Petitioners' constitutional rights and the process of forming Law 1/2025 for which a formal review is requested in the petition *a quo*. Thus, after a series of hearings examining evidence and legal facts, the Court ultimately found no basis to doubt its conclusion in re-evaluating and declaring that the Petitioners do not have legal standing to submit the petition *a quo*.

Whereas although the Court has the authority for to hear the petition *a quo* and the petition was submitted within the period to submit such a petition, however, because the Petitioners do not have the legal standing to submit the petition *a quo*, the Court does not consider the subject matter of the petition.

Accordingly, the Court subsequently handed down a decision whose verdict states that the Petitioners' petition is inadmissible.

Dissenting Opinion

With respect to the Constitutional Court Decision *a quo*, 2 (two) Constitutional Justices, Constitutional Justice Suhartoyo and Constitutional Justice Saldi Isra, express a dissenting opinion, as follows:

Considering the legal considerations as described above, Petitioner I and Petitioner II have sufficiently described the basis for their alleged constitutional losses as individual Indonesian citizens who are currently students actively engaged in various critical activities, including daily activities related to studying proper legislative drafting to uphold the supremacy of law. They have also participated in activities expressing aspirations concerning the formation of Law 1/2025. Moreover, the difficulties they experience in accessing study materials related to the Law *a quo* have the potential to violate their constitutional rights to obtain information as guaranteed by Article 28F of the 1945 Constitution of the Republic of Indonesia. In addition, the Petitioners have demonstrated a causal relationship (*causal verband*) between the formation of Law 1/2025 and their legal interests as university students, particularly in relation to the process of forming the said law. Therefore, as Indonesian citizens who are students, the Petitioners have a specific, actual, or at least potential assumption of loss. Moreover, the alleged loss of constitutional rights *a quo* arises from their involvement in expressing aspirations related to the formation of Law 1/2025 and from their status as Indonesian citizens as referred to in Article 51 paragraph (1) letter a of the Constitutional Court Law, who were not provided with adequate access to participate actively in the process of forming Law 1/2025.

In light of the legal considerations outlined above, we are of the opinion that the Court should declare that the Petitioners have legal standing and may act as Petitioners (hereinafter referred to as the Petitioners) in submitting the petition *a quo*, and that the Court should proceed to examine the subject matter questioned in the Petitioners' petition.