



CONSTITUTIONAL COURT

REPUBLIC OF INDONESIA

ADJUDICATION SUMMARY OF

CASE NUMBER 18/PUU-XIX/2021

Regarding

**The provisions of the 1945 Constitution which cannot reach the acts of nature
destruction that occurred in Indonesia**

- Applicant** : **Muhammad Taufiq, S.Kom.**
- Case Type** : Review of the 1945 Constitution of the Republic of Indonesia (UUD 1945) to Pancasila.
- Merits of Case** : Review of Article 33 paragraph (3) and Article 37 of the 1945 Constitution to Pancasila.
- Adjudication** : Declaring that the Constitutional Court is not authorized to hear the Applicant's request.
- Adjudication Date** : Tuesday, August 31st, 2021

Adjudication Summary:

Whereas the Applicant is an individual Indonesian citizen, the Applicant feels that his constitutional rights have been impaired, especially the right to legal certainty and personal

protection because the articles filed for review cannot cover the crimes and environmental damage that occurred.

Whereas the Applicant filed a request for review of Article 33 paragraph (3) and Article 37 of the 1945 Constitution to Pancasila to the Constitutional Court on February 12th, 2021 and recorded in the Electronic Constitutional Case Registration Book (Buku Registrasi Perkara Konstitusi Elektronik/ e-BRPK) Number 18/PUU-XIX/2021 on May 28th, 2021.

Whereas the Constitutional Court has held a preliminary examination session on June 9th, 2021. In that trial, the main issues raised by the Applicant were that the articles of the 1945 Constitution filed for review by the Applicant could not cover acts of nature destruction that occurred in Indonesia, and this is contrary to Pancasila values.

Whereas with respect to the problem as described above, the Court has given advice to the Applicant which in essence is that the Applicant determine the norms of the Law being reviewed to accommodate the Applicant's request in order to prove the impairment of the Applicant's constitutional rights as referred to in Article 51 of the Constitutional Court Law, so that the norms of the law that is the object of the request become clear.

Whereas in the trial for the revision of the request on July 26th, 2021, the Applicant remained in his position, namely filing a request for review of Article 33 paragraph (3) and Article 37 of the 1945 Constitution to the Pancasila, namely the First Precept, Second Precept and Fifth Precept and did not make corrections to the request as advised by the Court on pre-trial hearing.

Whereas because the Applicant' request does not relate to the judicial review of the Constitution, the Court is not authorized to hear the *a quo* Applicant' request. Meanwhile, Article 48A paragraph (1) letter a of the Constitutional Court Law, states, “The

Constitutional Court issues provisions in terms of: a. request does not fall within the authority of the Constitutional Court to hear the case being requested”.

Based on the considerations above, the Court subsequently issued the adjudication which declared that the Constitutional Court was not authorized to hear the Applicant's request.