



Legal Standing and Organization's Right to Sue in Cases of *Onrechtmatige Overheidsdaad* (Unlawful Government Acts) After the Implementation of Law No. 30 of 2014

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Abstract: *The government as a legal subject that has the authority to carry out legal acts can actually be tested whether there is no authority approved by the State Administrative Court. This trial can of course be triggered by demands from certain parties who feel disadvantaged by the Government's actions. This research will examine the legal position and right to sue an organization in the Onrechtmatige Overheidsdaad Dispute. This research is normative juridical legal research. This research analyzes the legal position and right to sue the community regarding the defense of the Onrechtmatige Overheidsdaad. The research results concluded three things; First, organizations have sufficient requirements to file a lawsuit because their right to sue is regulated in Law Number 32 of 2009 concerning Environmental Protection and Management (UU 32/2009), and other regulations. Second, UUAP No. 30 of 2016 also regulates the authority to decide whether or not there are elements of authority exercised by Government Officials. This means that Law Number 30 of 2014 provides space for the public to file a lawsuit if there is a rejection of a permit permitted by the government. Third, there is a need to add the word 'organization' and add 'organizational requirements for filing a lawsuit' in UUAP No. 30 of 2014 explicitly.*

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Introduction

Government (bestuur) in a narrow sense is specifically defined as the executive authority acting as the law-applying organ, encompassing the functional organizations responsible for carrying out governance tasks that can be executed by the Cabinet and its apparatus, both at the central and regional levels. The government, as an executive branch, embodies two distinct roles: serving as an integral part of the state apparatus and functioning as a state administrative body. In the context of state administration, the government is regarded as a legal entity, a bearer of

rights and obligations (*drager van de rechten en plichten*) or a supporter of rights and duties. (Abrianto et al., 2020)

As a legal entity, the government engages in various activities or actions. In theory, government actions ("*bestuur handelingen*") can be classified into ordinary/actual/factual actions ("*feitelijke handelingen*") and legal actions ("*rechthandelingen*"). Ordinary actions are those that lack legal relevance and, therefore, do not give rise to legal consequences. These ordinary actions are also referred to as "Faktual" because, fundamentally, they do not have administrative legal implications. On the other hand, legal actions are those that, by their nature, can generate specific legal consequences, or "*een rechthandeling is gericht op het scheppen van rechten of plichten*" (a legal action is intended to create rights and obligations). (Susilo et al., 2009)

When the phrase "*tindakan hukum*" is employed in the realm of Administrative Law, it is recognized as "*Tindakan Hukum Administrasi*" (*administrative rechtshandeling*), referring to a declaration of intent emerging from an administrative organ in specific circumstances. Its purpose is to engender legal consequences within the field of Administrative Law. The legal consequences arising from such actions are results that bear relevance to the law, such as the establishment of new legal relationships or the alteration/termination of existing legal relationships.. (Asimah et al., 2020).

In the realm of Administrative Law, "*Tindakan Hukum Administrasi*" (*administrative rechtshandeling*) has the authority to bind citizens without requiring their consent, hence it must be grounded in prevailing legal regulations. As emphasized by (Susilo et al., 2009), such actions must adhere to and align with the applicable rules; they are not allowed to deviate or contradict the established norms. In other words, administrative legal actions can only be undertaken in situations and methods stipulated and authorized by legislation (Effendi, 2018). This ensures that legal consequences may arise, meaning that the administrative action is null and void or can be annulled if performed in violation of regulations. This concept gives rise to what is known as a TUN dispute, a conflict emerging in the field of State Administration (*Tata Usaha Negara*) that is filed by individuals or legal entities against State Administrative Agencies/Officials carrying out governmental affairs through actions governed by public law. (BIMASAKTI, 2018)

Administrative justice, while shouldering a crucial role, undertakes the responsibility of conducting and providing legally binding oversight. This is pivotal for establishing a balance and harmonizing legal relationships between the populace (individuals) on one side, who are governed, and the State Administrative Agencies/Officials on the other side, who govern. (Watung, 1967)

As previously stated, the government is capable of executing legal actions (*Rechtshandeling*). These actions conducted by the government often intersect with the interests of citizens and may even result in harm to citizens, as stipulated in Article 1365 of the Civil Code. Concerning wrongful acts (*Onrechtmatige daad*), in 1883, the Hoge Raad interpreted "*Onrechtmatige*" in Article 1365 of the Civil Code (1401 Civil Code Ned) as

"*een daad of verzuim in strijd met des daders rechtsplicht if inbreuk makend of eens anders recht*" (an act or omission conflicting with the legal duty of the wrongdoer or infringing upon someone else's right) (Penyelesaian et al., 2020).

The definition of wrongful act in 1919, as articulated by the Hoge Raad on January 31, 1919, as documented in the "*Nederlandsche Jurisprudentie*" 1919-101 journal, interprets the term "*onrechtmatige daad*" as an act contrary to morality or what is deemed appropriate in societal interactions. (Dharmasisya & Fakultas, 2022)

In the context of upholding and respecting the dignity and fundamental rights of citizens, it is only fitting that legal protection mechanisms be available for citizens whose interests are harmed by government actions, enabling them to voice objections and assert legal standing.

Legal standing is the determinant of whether a litigant qualifies as a legal subject according to the law to bring a case before the court, as regulated by the law in question. (Srilaksmi, 2020)

Furthermore, the losses experienced by the public due to government actions are closely tied to legal protection. Legal protection is the recognition and assurance provided by the law concerning human (fundamental) rights (Hadjon, 2002). The examination of legal protection is crucial because it is closely linked to the three fundamental legal principles outlined by Achmad Ali: justice, utility, and legal certainty for citizens (Ali, 1996).

This research aims to examine an organization's right to sue for *onrechtmatige overheidsdaad* (unlawful government acts) in the Administrative Court (PTUN). The right of organizations to file lawsuits in the Indonesian judicial system was only recognized in 1988 when the Central Jakarta District Court accepted a lawsuit filed by the Wahana Lingkungan Hidup Foundation (WALHI) against five government agencies and PT Inti Indorayon Utama (PT. IIU).

The WALHI lawsuit marked the first instance where the plaintiff did not appear in court as an individual victim or as a representative of victims. Instead, WALHI acted as an organization representing public interests, specifically advocating for the protection of ecosystem sustainability and environmental functions (Santosa & Sembiring, 1997).

Research Method

The research employed in this study is normative juridical legal research. (Irianto, 2009) Normative legal research involves an examination of legal regulations within a coherent legal framework. The research method entails a comprehensive review of all relevant legislation and regulations pertaining to legal issues associated with the State Administrative Court (Law No. 5 of 1986), Government Administration (Law No. 30 of 2014), and other pertinent legal provisions, including SEMA No. 4 of 2016 and Perma No. 2 of 2019. Data collection for this study is conducted through document and literature reviews, focusing on secondary data in the form of primary, secondary, and tertiary legal materials. The analytical approach employed is descriptive in nature.

Results and Discussion

History of Administrative Judiciary in Indonesia and Characteristics of Administrative Judiciary Post Law No. 30 of 2014 Regarding Government Administration

1) History of Administrative Judiciary in Indonesia

The existence of administrative judiciary in the concept of the rule of law is rooted in the government's authority to regulate all rules in the form of legislation. Therefore, administrative judiciary is provided as a forum for the public to seek justice. Additionally, the fundamental characteristic of legal actions taken by the government is the unilateral nature of decisions and determinations. These actions are considered unilateral because the execution of a legal action by the government depends solely on the unilateral will of the government. Decisions and determinations, as legal instruments used by the government in unilateral legal actions, can lead to legal violations against citizens, especially in a modern legal state that grants broad authority to the government to intervene in the lives of citizens. Therefore, legal protection for citizens against government legal actions is necessary. Consequently, administrative judiciary was established, fundamentally existing to protect the fundamental rights of citizens and to ensure that the people obtain legal certainty in seeking justice. (Arwanto, 2018)

In Indonesia, the authority to review government policies related to citizens' rights is vested in a separate judicial institution, namely the State Administrative Court (*Peradilan Tata Usaha Negara - PTUN*). The existence of PTUN is closely tied to Indonesia's commitment to establishing a legal state and protecting the interests of its citizens. The position of the State Administrative Court (PTUN) in the 1945 Constitution of the Republic of Indonesia post-amendments has been expressly regulated, particularly in Article 24 paragraph (2) of the 1945 Constitution, which states:

"The Judicial Power is carried out by a Supreme Court and lower courts under it in the general judiciary, religious judiciary, military judiciary, administrative judiciary, and by a Constitutional Court".

The explicit regulation of the position of the State Administrative Court (*Peradilan Tata Usaha Negara - PTUN*) in the constitution is influenced by the idea of the need to enhance the quality of government oversight. With the increasing potential for abuse of authority by government officials, which clearly harms the general public. Provisions regarding the substantive and procedural law of the State Administrative Court are then stipulated in Law Number 5 of 1986 concerning the State Administrative Court.

The absolute competence of PTUN is outlined in Article 47 of Law No. 5 of 1986, which determines that the court is tasked and authorized to examine, decide, and resolve disputes in state administration. The term "dispute in state administration" according to Article 1, number 4, refers to disputes arising in the field of state administration between individuals or

legal entities and state administrative bodies or officials, both at the central and regional levels, as a result of the issuance of State Administrative Decisions, including employment disputes based on prevailing regulations.

From the provisions in Law No. 5 of 1986, it is evident that the competence of PTUN is very narrow, limited to State Administrative Decisions deemed detrimental to the public. Decisions, as known, must be concrete, individual, and final; otherwise, PTUN does not have the authority to adjudicate them. This condition persisted for nearly 20 years. Subsequently, in line with the increasing responsibilities influenced by the welfare state concept and the government's discretionary powers—freedom to make policies in the absence of specific laws or vague laws held by the government—the competence of PTUN specified in Law No. 5 of 1986 was deemed irrelevant. It was too limited, only adjudicating decisions that are concrete, individual, and final.

To broaden legal protection for the public and prevent government arbitrariness, Law No. 30 of 2014 concerning Government Administration was enacted in 2014. In connection with this, many factual incidents have occurred in society. For example, community land being used for government construction projects, where the affected community had to relinquish their land. Moreover, cases involving the dismissal of individuals from their positions without clear reasons for the termination. These actions have the potential for arbitrariness if not properly controlled. This law expands the competence of PTUN, no longer limited to adjudicating State Administrative Decisions but also granted the authority to adjudicate other cases related to state administration. PTUN is given the authority to determine whether there is an abuse of authority in the decisions or actions of state administrative officials, issues related to positive fictitious decisions, and other competencies that increase both in quantity and complexity.

2) Characteristics of Administrative Court (TUN) Post Law No. 30 of 2014 Regarding Government Administration

Following the enactment of Law No. 30 of 2014 regarding Government Administration, the Administrative Court (TUN) experienced a shift in absolute competence to adjudicate Government Unlawful Actions (*onrechtmatige overheidsdaad*) that were previously examined and decided in general/civil courts. With the existence of the Government Administration Law, this jurisdiction shifted to the Administrative Court (PTUN).

In Article 1 Number 7 of the Government Administration Law, the elements of Administrative Court (KTUN) can be formulated as follows: *written decisions; issued by government bodies and/or officials; and in the context of government administration.*

This article seems to summarize the definition of Administrative Court, which has long been regulated in the Administrative Court Law. However, Article 87 of the Government Administration Law further regulates the elements of Administrative Court, stating: "With the enactment of this law, State Administrative Decisions as referred to in Law No. 5 of 1986 concerning

the State Administrative Court as amended by Law No. 9 of 2004 and Law No. 51 of 2009 must be interpreted as:

- a. Written decisions that also include Factual Actions;

Regarding the formulation of Factual Actions or ordinary actions, these are actions that are irrelevant to the law and therefore do not have legal consequences, meaning they do not have administrative legal implications.

Concerning factual actions (*feitelijk handelingen*) regulated in Article 87 letter a that can be challenged in the Administrative Court (PTUN), they can essentially be seen as written decisions and actual actions. Regarding Written Decisions, explicitly stated in Supreme Court Circular Number 4 of 2016, the objects of lawsuits in the Administrative Court include written decisions and/or factual actions. Regarding Actual Actions, this can also be interpreted as actions that have legal consequences, namely actions carried out (or ordered by) Legislative Regulations and actions whose activities have legal consequences and can harm legal subjects. (Asimah et al., 2020)

- b. Decisions of Administrative Bodies and/or Officials in the executive, legislative, judicial, and other state organizational environments:

The essence of this point is the expansion that not only Administrative Court decisions issued by Administrative Bodies and/or State Administrative Officials in the executive branch, such as presidential decisions, governor decisions, regent decisions, or mayor decisions, can be challenged. Still, Administrative Court decisions issued by the legislative, judicial (including decisions of the DPR chairman and decisions of the Chief Justice), and other state organizers can also be subject to legal challenge.

- c. Based on statutory provisions and Good Governance Principles;

The Government Administration Law incorporates the clause of the Principles of Good Governance (AUPB), where in Article 1 number 17, AUPB is defined as

“principles used as a reference for the exercise of authority by Government Officials in issuing Decisions and/or Actions in the administration of government”.

Supreme Court Circular No. 4 of 2016 provides an explanation regarding this, namely:

“It is issued based on statutory provisions and/or the principles of good governance (administrative decisions and/or actions derived from bound or discretionary authority).”

- d. Broadly Final in Nature;

In the Explanation of Article 87 letter d of Law No. 30 of 2014, it is mentioned, "The term 'broadly final' includes Decisions taken over by the authorized Superior Official.

e. Decisions with the Potential to Cause Legal Consequences;

In this provision, it can be understood that the enactment of Article 87 of the Government Administration Law causes an Administrative Court Decision (KTUN) that has the "potential" to cause legal consequences. Circular Letter No. 4 of 2014 provides an example of objects of State Administrative Decisions and/or Actions that have the potential to cause legal consequences, one of which is the Audit Report of the Supreme Audit Agency (BPKP).

The potential to cause legal consequences under this Government Administration Law provision is noteworthy. This provision expands the meaning, namely that if there is an Administrative Court Decision that has the potential to cause harm, even if the harm is not actual and not immediate, then the KTUN can already be challenged in the Administrative Court (PTUN). This provision may be included to emphasize that the government should always be cautious in issuing a Decision and, at the same time, prevent negative consequences that may arise from the issuance of such KTUN. Furthermore, the measure of the potential to cause legal consequences must be interpreted as the "possibility" of an Administrative Court Decision causing harm to the relevant legal subject. Thus, there is no need to wait for actual harm to occur for the legal subject to be considered aggrieved. (Effendi, 2018)

Responding to the paradigm shift in the Administrative Court Law, the Supreme Court of Indonesia, through various legal instruments, issued Circular Letter No. 4 of 2016 on the Implementation of the Results of the Plenary Session of the Supreme Court Chamber in 2016 as a Guideline for the Implementation of Duties for Courts, and Supreme Court Regulation (PerMA) No. 2 of 2019 on Guidelines for Resolving Disputes over Government Actions and the Authority to Adjudicate Unlawful Acts by Government Bodies and/or Officials (*Onrechtmatige Overheidsdaad*), which includes the competence of the Administrative Court to adjudicate cases of *onrechtmatige overheidsdaad*, including:

- a. *Authority to adjudicate lawsuits and petitions.*
- b. *Authority to adjudicate unlawful acts by the government, namely unlawful acts committed by holders of government power (Government Bodies and/or Officials) commonly referred to as onrechtmatige overheidsdaad (OOD).*
- c. *State administrative decisions that have been examined and decided through administrative appeal become the authority of the Administrative Court.*

Understanding Legal Standing and the Right to Sue in Terms of Legal Regulations

1) Definitions of Legal Standing and the Right to Sue

In order to comprehend legal standing and the right to sue, it is essential to acknowledge that the essence of humans is zoon politicon or social beings. (MULYATA, 2015) As social beings, humans inevitably interact with others, often leading to friction when their interests are disrupted or they feel harmed by the actions of others. To safeguard human interests in society, Sudikno Mertokusumo explains one of the most relevant social principles: the Law Principle. (Anwar & Lobubun, 2021)

The Law Principle, embodied in written laws, serves as a set of regulations. In the event of violations of these rules, the judiciary, representing society, is tasked with administering justice. (Dimiyati, 2020) Subsequently, to file a lawsuit in court, an individual must have a justifiable basis or reason, indicating why they have legal standing to bring such a claim. (Sri Redjeki Slamet, 2013)

Legal standing is adopted from the common law system. Black's Law Dictionary provides the following definition of Legal Standing: "A Party's right to make a legal claim or seek judicial enforcement of a duty or right." In essence, Legal Standing determines who is granted the right to make a legal claim.

According to Harjono, legal standing is the condition in which an individual or a party is determined to meet the requirements and, therefore, has the right to file a request for dispute resolution. (Benda-Beckmann & Turner, 2018)

The Right to Sue is an individual's right to file a lawsuit in a case where they believe their rights have been violated. Several experts offer definitions related to the right to sue. Yahya Harahap states that the party initiating dispute resolution is called the Plaintiff (Plaintiff=planctus, the party who institutes a legal action or claim). Furthermore, the plaintiff must be someone who genuinely possesses the appropriate legal standing and capacity. According to Retnowulan Sutantio and Iskandar Oeripkartawinata, the plaintiff is someone who "feels" that their rights have been violated and brings the person they "feel" has violated their rights to court as the defendant in a case before a judge. (Susilo et al., 2009)

In summary, the right to sue can be understood as the authority or entitlement to file a lawsuit, while legal standing pertains to the conditions or requirements that must be met to possess such a right or authority..

Legal Standing and the Right to Sue by Organizations in Cases of Onrechtmatige Overheidsdaad, Post-Enactment of Law No. 30 of 2014 Regarding Government Administration

The recognition of the right to sue for organizations originated in jurisprudence in the United States in 1972 in the case of Sierra Club vs. Morton. This case established the understanding that environmental organizations' rights are a part of standing law, and its principles have been widely accepted in various countries, including Indonesia. (Putra, 2021)

The right to sue for organizations in the Indonesian judicial system was first acknowledged in 1988 when the Central Jakarta District Court accepted a lawsuit filed by the Indonesian Forum for the Environment (WALHI) against five government agencies and PT Inti Indorayon Utama (PT. IIU).

WALHI's lawsuit marked the first instance where the plaintiff did not appear in court as an individual suffering harm and not as a representative of those suffering harm. Instead, it was presented as an organization representing public interests, specifically advocating for the protection of ecosystem sustainability and environmental functions. After the acknowledgment of WALHI's standing in that case, Indonesian courts subsequently recognized organizational standing in subsequent environmental cases.

In several Indonesian legal provisions, the Right to Sue for Organizations has been recognized in its Legal Standing, including:

Firstly, Law No. 32 of 2009 concerning Environmental Protection and Management (UU 32/2009), as amended by Law No. 06 of 2023 concerning Job Creation (Article 22). In line with this law, the Supreme Court issued Chief Justice Decision No. 36/KMA/SK/II/2013 on the Implementation of Guidelines for Handling Environmental Cases, where Article 92 paragraph (1) states:

"In the implementation of the responsibility for environmental protection and management, environmental organizations have the right to file lawsuits for the preservation of environmental functions."

Secondly, Law No. 8 of 1999 concerning Consumer Protection (UU 8/1999), as stated in Article 46 paragraph (1) letter c, which reads as follows: Lawsuits against business violators can be filed by:

"(c) self-funded consumer protection organizations that meet the requirements, namely in the form of a legal entity or foundation, whose articles of association explicitly state that the purpose of establishing the organization is for consumer protection and has carried out activities in accordance with its articles of association";

Thirdly, Republic of Indonesia Law No. 18 of 2008 concerning Waste Management. In the Fifth Part regarding the Right to Sue for Waste Organizations, Article 37 stipulates:

"(1) Waste organizations have the right to file lawsuits for the interest of safe waste management for public health and the environment".

Fourthly, Republic of Indonesia Law No. 41 of 1999 concerning Forestry, in conjunction with Law No. 19 of 2004, as amended by Law No. 6 of 2023 concerning Job Creation. The Right to Sue for Forestry Organizations is regulated in Article 73:

"(1) In the implementation of forest management responsibilities, forestry organizations have the right to file representative lawsuits for the preservation of forest functions".

Furthermore, Mas Ahmad Santosa mentions the conditions for an organization to have Legal Standing, including:

- a. Being a legal entity or foundation.
- b. The purpose of the organization's establishment is for the interest that is the subject of the dispute, and this purpose must be stated in the organization's articles of association.
- c. Having carried out activities in accordance with its articles of association.
- d. The organization must be sufficiently representative.

As previously explained, Legal Standing, according to Harjono, is the condition in which an individual or a party is determined to meet the requirements and, therefore, has the right to file a request for dispute resolution. Meanwhile, according to Retnowulan Sutantio and Iskandar Oeripkartawinata, a plaintiff is someone who "feels" that their rights have been violated and brings the person they "feel" has violated their rights to court as the defendant in a case before a judge. (Susilo et al., 2009)

With the abundance of rules regarding legal standing and the right to sue for organizations mentioned above, it is evident that organizations, according to regulations, have fulfilled the requirements to file a lawsuit. Furthermore, if legal standing and the right to sue for organizations are linked to Law No. 30 of 2014 regarding Government Administration, the question arises: Does this law grant organizations legal standing and the right to sue the government for abusing authority? To answer this, it is necessary to analyze the characteristics of Law No. 30 of 2014 regarding Government Administration.

As previously mentioned, in connection with this law, the Supreme Court issued Circular Letter No. 4 of 2016 on the Implementation of the Results of the Plenary Session of the Supreme Court Chamber in 2016 as a Guideline for the Implementation of Duties for Courts, and Supreme Court Regulation (PerMA) No. 2 of 2019 on Guidelines for Resolving Disputes over Government Actions and the Authority to Adjudicate Unlawful Acts by Government Bodies and/or Officials (Onrechtmatige Overheidsdaad). These regulations outline the competence of the Administrative Court to adjudicate cases of onrechtmatige overheidsdaad. In PerMA, the Administrative Court is granted authority in point (b):

“Authorized to adjudicate unlawful acts by the government, namely unlawful acts committed by holders of government power (Government Bodies and/or Officials) commonly referred to as onrechtmatige overheidsdaad (OOD).”

The provision regarding the authority of the Administrative Court is explicitly regulated in Article 21 of Law No. 30 of 2014, which reads in full:

(1) *“The court has the authority to receive, examine, and decide whether or not there is an element of abuse of authority committed by Government Officials.”*

Therefore, Law No. 30 of 2014 can serve as substantive law for organizations to file a lawsuit against the government for the abuse of authority by Government Officials.

the Legal Standing and Right to Sue for Organizations in Disputes of *onrechtmatige overheidsdaad*

Through this research, the author will attempt to formulate the rights to sue and legal standing for organizations in disputes of *onrechtmatige overheidsdaad* after the enactment of the Government Administration Law. Given that the regulations governing the rights of organizations to file lawsuits in disputes of *onrechtmatige overheidsdaad* have not been explicitly addressed in the legislation, the author proposes a normative formulation, namely:

Adding the term "organisasi" as a party eligible to file a lawsuit in the provisions of Law No. 30 of 2014 concerning Government Administration. Concerning the addition of the term "Organisasi," the Supreme Court has issued Supreme Court Regulation No. 01 of 2023 concerning Guidelines for Adjudicating Environmental Cases, where the Right to Sue in Environmental Cases is stipulated in Article 6 paragraph (1), stating: "Individuals, legal entities, whether incorporated or not, and/or Environmental Organizations whose interests have been and/or potentially harmed by State Administrative Decisions and/or Government Administrative Actions may file a lawsuit in the State Administrative Court. Although this rule is specific to environmental issues, it can certainly be expanded in scope as long as the issue is the same, namely, the issue of Unlawful Government Acts or disputes of *onrechtmatige overheidsdaad*."

In Law Number 30 of 2014 concerning Government Administration, in Chapter 2, Article 2, it is stated that "The Law on Government Administration is intended as one of the legal foundations for Government Bodies and/or Officials, the Community, and other parties related to Government Administration in an effort to improve the quality of governance." The term "organization" is not specifically mentioned in this article; hence, the author proposes the formulation of the norm above.

The researcher also recommends adding conditions to the lawsuit for disputes of *onrechtmatige overheidsdaad* submitted by an organization, including: 1) The organization must be a legal entity; 2) The concerned organization must have carried out actual activities in accordance with its articles of association for a minimum of 2 (two) years; 3) There must be an interest in filing an administrative lawsuit. The existence of such "interest" is a prerequisite for having "standing/right to sue"; 4) For claims for damages, the organization can only request compensation for specific actions without claiming damages, except for actual costs or expenditures incurred during the trial proceedings.

Conclusion

Based on the explanation above, two conclusions can be drawn. First, organizations have fulfilled the necessary requirements to file a lawsuit due to their legal standing and right to sue, regulated by Law Number 32 of 2009 concerning Environmental Protection and Management (UU 32/2009), along with other relevant regulations. Second, Law No. 30 of 2014 Regarding Government Administration explicitly mentions that the Administrative Court (PTUN) is authorized to receive, examine, and decide on the presence or absence of elements of authority abuse by Government Officials (Article 21 of Law No. 30 of 2014). Furthermore, the researcher recommends an amendment to Law No. 30 of 2014 by adding the term 'organization' as one of the parties eligible to file a lawsuit. Additionally, specific organizational requirements for filing a lawsuit should be included. Both of these additions should be explicitly stated in Law No. 30 of 2014.

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