

The Role of Military and Public Prosecutors in Joinder of Parties to Enhance Law Enforcement in Indonesia

Hangrengga Berlian¹, Hibnu Nugroho², Kuat Puji Prayitno³, Budiyo⁴, Bagas Heradhyaksa⁵.

¹ Universitas Jenderal Soedirman, Indonesia, email: hangrengga.berlian@mhs.unsoed.ac.id

² Universitas Jenderal Soedirman, Indonesia, email: hibnu.nugroho@unsoed.ac.id

³ Universitas Jenderal Soedirman, Indonesia, email: kuat.prayitno@unsoed.ac.id

⁴ Universitas Jenderal Soedirman, Indonesia, email: budiyo0711@unsoed.ac.id

⁵ UIN Walisongo Semarang, Indonesia, email: bagashera@walisongo.ac.id

Abstract

The coordination between the military and civilian justice systems in Indonesia in handling the joinder of parties in criminal cases continues to face various challenges. This study aims to evaluate the effectiveness of the joinder of parties mechanism in strengthening law enforcement by examining the roles of military prosecutors (JAMPIDMIL) and public prosecutors. The research adopts a normative legal approach, involving a qualitative analysis of the implementation of relevant laws and regulations. The findings indicate that although Presidential Regulation Number 15 of 2021 concerning JAMPIDMIL has facilitated greater integration between the military and civilian justice systems, procedural inconsistencies and limited resources hinder effective coordination. The prosecution process is further complicated by conflicting jurisdictional determinations between the two systems. These issues, along with a fragmented legal framework and complex procedures, make the theory of an Integrated Criminal Justice System difficult to implement optimally. To address these challenges, a comprehensive strategy is required, including the establishment of a special committee to draft Standard Operating Procedures (SOPs), regulatory reform, and the enhancement of human resource capabilities through targeted training. JAMPIDMIL must be empowered under strict supervision to prevent any misuse of authority. These measures are expected to improve efficiency, facilitate the transfer of cases between military and civilian courts, and enhance legal certainty in joinder cases. Despite regulatory progress, aligning the prosecution functions of military auditors and public prosecutors still demands continuous and concerted efforts to achieve higher standards of justice

Keywords: *Joinder of Parties; Law Enforcement; Military Prosecutor; Public Prosecutor.*

1. INTRODUCTION

The laws specified in the Criminal Procedure Code (KUHP) shape Indonesia's approach to the joinder of parties, particularly within its criminal justice system. The joinder of parties often involves crimes committed jointly by civilians and military personnel, requiring coordination between civilian and military authorities. According to Articles 89–94 of KUHP, such cases are primarily tried in civilian courts unless the Minister of Defence and Security, with the approval of the Minister of Justice, decides that the military court should handle them. This regulatory framework, designed to promote clarity and procedural consistency, ensures that these cases are addressed systematically. To

address ongoing challenges, regulatory reform and enhanced inter-agency collaboration are needed to maintain a consistent approach in handling joinder of parties' cases. The division of jurisdiction between military and general courts remains a frequent source of legal contention. Military prosecutors are overseen by the Military Auditorate, while civilian prosecutors fall under the supervision of the Attorney General's Office. These two institutions differ in their organizational structures, procedures, and priorities. Inefficiencies in case resolution may arise from the absence of clear operational standards.¹ Crimes committed by military personnel involving civilians, for example, may be prosecuted in either military or civilian tribunals, depending on the nature of the act and the persons involved. The decision to transfer such cases to a military court must be approved by the Minister of Defense and Security, who will consider the degree of harm to military interests. This approach tries to ensure that all culprits receive equal legal treatment while maintaining military discipline². Minister of Defense and Security-based This discretion is exercised in conformity with the Criminal Procedure Code and Military Justice Law. The Defense Minister's discretion is not absolute; it must be exercised after agreement with the Minister of Justice. This collaborative process is designed to guarantee that the decision to transfer a case to a military court is taken in the best interests of justice and national security.³ This discretion is exercised in accordance with the Criminal Procedure Code and Military Justice Law. The Defense Minister's discretion is not absolute; it must be exercised after consultation with the Minister of Justice. This collaborative approach aims to ensure that the decision to transfer a case to a military court is made in the broader interest of justice and national security.⁴

The gap between military and civilian jurisdictions has been addressed through the establishment of the Deputy Attorney General for Military Crimes (JAMPIDMIL), as outlined in recent regulations such as Presidential Regulation No. 15 of 2021. However, the implementation of these regulations is still hindered by a lack of professional human resources and inadequate inter-institutional coordination. In particular, shortcomings in professionalism and impartiality during investigative procedures remain a concern. For instance, the integrity and objectivity of the legal process can be compromised by the limited investigative expertise of superior officers who hold the authority to impose disciplinary actions.⁵ Rather, inter institutional coordination continues to be a challenge. The military justice system in Indonesia has historically operated with a degree of autonomy, and the integration of it with the civilian justice system necessitates substantial efforts. Stricter supervision and enhanced regulatory mechanisms are necessary to guarantee effective coordination as a result of the lack of coordination.⁶

1 Guillermo Trejo and Camilo Nieto-Matiz, "Containing Large-Scale Criminal Violence through Internationalized Prosecution: How the CICIG Contributed to the Reduction of Guatemala's Murder Rate," September 2019, <https://doi.org/10.33774/apsa-2019-crqt0>.

2 Handika Syahputra Tamba, July Esther, and Jusnizar Sinaga, "Criminal Offenses Committed by Civilians Together With Members Of The Military," *Indonesian Journal of Law and Justice* 2, no. 3 (January 2025), <https://doi.org/10.47134/ijlj.v2i3.3576>.

3 Okta Nofia Sari, Nur Arfiani, and Mustofa Mustofa, "Independensi Penuntutan Perkara Koneksitas Ditinjau Dari Peraturan Presiden Nomor 15 Tahun 2021 Tentang Organisasi Dan Tata Kerja Kejaksaan," *WELFARE STATE Jurnal Hukum* 2, no. 2 (November 2023): 143–62, <https://doi.org/10.56013/welfarestate.v2i2.2307>.

4 Rizqi Afandi, Fajar Sudewo, and Achmad Hamzani, "Implementation Of Judge's Decisions On Decisions In Connection Cases Criminal Justice System," in *Proceedings of the 1st International Conference on Law, Social Science, Economics, and Education, MALAPY 2022, 28 May 2022, Tegal, Indonesia* (EAI, 2022), <https://doi.org/10.4108/eai.28-5-2022.2320534>.

5 Sjafrie Sjamsoeddin et al., "The Analysis of Civil-Military Cooperation in Implementation of Indonesia National Defense Policy," *Journal of Namibian Studies : History Politics Culture* 33 (May 2023), <https://doi.org/10.59670/jns.v33i.707>.

6 Andhika Okta Syahbana, "Kewenangan Penyidikan Oleh ANKUM Pada Kasus Pidana Militer Dalam Menghadapi Tantangan Konflik Kepentingan Internal," *Hukum Inovatif: Jurnal Ilmu Hukum Sosial Dan Humaniora*

This discrepancy highlights the need for a more comprehensive regulatory framework that harmonizes military and civilian prosecution functions, ensures the consistent application of the law, and improves the management of joinder of parties cases. The regulations governing connectivity courts remain ambiguous and open to multiple interpretations, which often leads to challenges for law enforcement officers in determining the most appropriate legal approach for such cases. Additionally, regulatory reforms⁷ are necessary to adapt to the evolving legal landscape and the complexities of modern criminal activities.⁸Top of FormBottom of Form

As required by the Criminal Procedure Code (KUHP), the Indonesian approach to Joinder of Parties is to guarantee a consistent approach when crimes involve both civilians and the military. The complexity of overlapping jurisdictions is a significant factor in determining whether the parties should be tried in civilian or military courts, making the Joinder of Parties an especially important consideration. Unless the Minister of Defense, with the approval of the Minister of Justice, determines that these cases should be handled in military courts, KUHP mandates that they are typically heard in civilian courts. This method is essential for the consistent application of justice, the prevention of fragmentation, and the preservation of the legal system's integrity, irrespective of the party affiliation of the relevant parties.⁹ The Criminal Code of the Russian Federation applies to military personnel who commit crimes outside the country, including those that involve civilians. Military personnel are subject to accountability under both domestic and international military laws, as outlined in part 2 of Article 12 of the Criminal Code, and are tried in accordance with international legal regulations.¹⁰

In contrast, the Join of Parties approach is different in various countries. The Uniform Code of Military Justice (UCMJ) is the legal framework under which military personnel who commit offenses against civilians are prosecuted. However, the Joinder of Parties may be resolved in civilian courts, contingent upon the nature of the offense. The United States permits dual jurisdiction, which permits both civilian and military courts to exercise overlapping authority in the prosecution of crimes committed jointly by military personnel and civilians. The challenging issue regarding the issues of military-civilian jurisdiction is as follows: The selection of the appropriate court for connectivity cases is frequently a contentious issue, resulting in inconsistencies and delays in the prosecution process. The absence of explicit guidelines for the resolution of connectivity cases presents a challenge for government officials in the pursuit of justice and accountability.¹¹

1, no. 4 (September 2024): 287–94, <https://doi.org/10.62383/humif.v1i4.818>.

⁷ Imam Asmarudin et al., "Initiating the Reform of Principle Norms in the Formation of Laws in Indonesia," *Jurnal IUS Kajian Hukum Dan Keadilan* 12, no. 2 (August 19, 2024): 208–26, <https://doi.org/10.29303/IUS.V12I2.1390>.

⁸ Ali Ridlo and Siswantari Pratiwi, "Analisis Penyelesaian Perkara Koneksitas Dalam Perspektif Pidana Umum Dan Pidana Militer," *Pagaruyuang Law Journal* 8, no. 1 (2024): 45–57.

⁹ Astri Dewi Setyarini et al., "Pembahasan Mengenai Asas-Asas Dalam Ranah Hukum Militer Dan Hukum Pidana Umum," *Socius: Jurnal Penelitian Ilmu-Ilmu Sosial* 1, no. 5 (2023): 48–54.

¹⁰ Melakukan Langkah and Cuci Tangan, "Analisis Yuridis Perkembangan Penyelesaian Koneksitas Pasca Dibentuk Jaksa Muda Pidana Bidang Militer," *Mora Zilliansyah Dongoran STIKes* 1, no. 2 (2024): 51–60.

¹¹ Tamba, Esther, and Sinaga, "Criminal Offenses Committed by Civilians Together With Members Of The Military." approved by the Minister of Justice, to transfer it to a military court. This decision is usually based on consideration of the degree of harm caused to military interests. Based on the types and sources of data used in this research, the author applies normative qualitative research methods. Normative qualitative research is an approach carried out through literature studies by utilizing various references, such as laws, books, journals, theses, and laws and regulations relevant to the formulation of research problems. Conflicting sentences reflect the complexity of the criminal justice system involving various legal institutions, such as military police, civilian police, military prosecutors. The handling of this case requires good coordination between institutions to ensure a transparent legal process, in accordance with applicable regulations. This mechanism aims to accommodate equal legal treatment of perpetrators, both members of the military and civilians, while maintaining military discipline, the rule of law. Conflicting crimes reflect the complexity of the criminal justice system in Indonesia, because they involve two different legal

Nurul Amaliah's prior research suggests that the authority of military prosecutors as public prosecutors in military courts is in conflict with the principle of *dominus litis*, which grants the prosecutor's office the exclusive right to prosecute as the sole state institution in the country. The principle of *dominus litis* and the prosecutor's office's exclusive authority as the state's legal representative is undermined by the authority of military prosecutors in military courts. Nevertheless, the inclusion of JAMPIDMIL as a public prosecutor in military courts within the prosecutor's office organization serves as a solution to reestablish the principle of *dominus litis* as a foundation. To resolve Nurul Amaliah, it is imperative to reform the Military Justice Law in order to ensure that military prosecution practices are consistent with the principle of *dominus litis*, thereby preserving the prosecutor's office's exclusive role.¹²

The Deputy Attorney General for Military Crimes, as demonstrated by the research conducted by Amabel Shahab Maleakhi Panjaitan et al., serves as a supporter of the Attorney General in the execution of the Prosecutor's Office's responsibilities and authorities in the areas of technical coordination of prosecution conducted by the judicial body and the management of connection cases. The Deputy's presence has implications for the eradication of disparity and dualism in prosecution, as well as the pursuit of effectiveness, efficiency, and transparency in the management of Joinder of Parties¹³. Furthermore, research conducted by Iwan Kurniawan indicates that a substantial number of TNI members participate in criminal activities with civilians, either as perpetrators, accomplices, or assistants, as a result of their desire to improve their standard of living or economic motivations, in conjunction with their unique status in the midst of civilian society. In numerous instances, they faced difficulties in the management of TNI members and civilians.¹⁴

The uniqueness of this research is its comprehensive examination of the changing role of military prosecutors and public prosecutors in connectivity crimes. This is achieved by examining the practical impact of JAMPIDMIL on case handling, in addition to its structural and legal implications. This investigation investigates the impact of the interaction between military and civilian judicial authorities on prosecutorial discretion, legal certainty, and case resolution efficiency, in contrast to prior research that concentrated on the principle of *dominus litis* (Nurul Amaliah), the technical coordination of prosecution (Amabel Shahab Maleakhi Panjaitan et al.), and the socio-economic factors that facilitate military personnel's involvement in criminal activities (Iwan Kurniawan). It also evaluates the degree to which the integration of military prosecutors within the Attorney General's Office enhances inter-agency collaboration and reduces legal dualism in Joinder of Parties.

In Indonesia's criminal justice system, the legal foundation and functions of the military auditor and prosecutor's office are based on the principles of justice and accountability, particularly in cases involving military personnel. Law No. 31 of 1997 concerning Military Courts establishes the framework for military auditors and

jurisdictions. The mechanisms set out in the Military Justice Law aim to ensure justice for perpetrators and victims, while still considering the efficiency and effectiveness of the legal process.

12 Nurul Amaliah, M. Syukri Akub, and Haeranah, "Enforcement of the Prosecutor's *Dominus Litis* Principle Against the Authority of Military Auditors as Public Prosecutors in Military Courts," *Al-Risalah Jurnal Ilmu Syariah Dan Hukum*, November 2022, 224, <https://doi.org/10.24252/al-risalah.vi.34355>.

13 Amabel Shahab Maleakhi Panjaitan, Agus Suro, and Handar Subhandi Bakhtiar, "Juridical Analysis of the Role and Position of the Young Attorney General for Military Criminal Affairs in Connection Cases," *International Journal of Social Science and Human Research* 7, no. 05 (May 2024), <https://doi.org/10.47191/ijssshr/v7-i05-96>.

14 Iwan Kurniawan, Handar Subhandi Bakhtiar, and Beniharmoni Harefa, "Connectivity Case a Juridical Review of the Handling Process before and After the Establishment of the Attorney General in the Military Criminal Field," *International Journal of Social Science and Human Research* 7, no. 05 (May 2024), <https://doi.org/10.47191/ijssshr/v7-i05-57>.

prosecutors to investigate and prosecute offenses committed by members of the armed forces, thereby governing the military judiciary system. The establishment of the Deputy Attorney General for Military Crimes (JAMPIDMIL) within the Attorney General's Office further institutionalizes this process by bridging the gap between military and civilian judicial procedures.¹⁵ The military prosecutor's responsibilities encompass the supervision of investigations, the compilation of evidence, and the prosecution of cases to guarantee that military personnel comply with legal requirements. This position is essential for the preservation of the military justice system's integrity and the maintenance of discipline. It ensures that cases are handled in accordance with both military law and, when necessary, civilian procedures to achieve comprehensive justice.¹⁶ This research aims to identify the challenges that remain insufficiently addressed in the coordination between military and civilian legal institutions and to propose innovative solutions for enhancing the efficiency of the judicial process. It also has the potential to contribute novel insights into the regulatory framework governing the roles of military and civilian prosecutors within the criminal justice system, as well as the practical application of these regulations in legal proceedings.

2. ANALYSIS AND DISCUSSION

2.1. Theoretical Basis

To function as a cohesive entity, the Theory of an Integrated Criminal Justice System emphasizes the need for seamless cooperation and coordination among the various components of the justice system namely the police, prosecution, courts, and correctional institutions. The core principle of this theory is that each component should not operate in isolation, but rather in an interconnected manner to enhance overall efficiency and effectiveness. It acknowledges that the criminal justice process is sequential, with the output of one agency serving as the input for the next. As such, an integrated approach helps to reduce inefficiencies, including case backlogs, inconsistent judicial decisions, and miscommunication between agencies.¹⁷

Furthermore, the integrated criminal justice theory advocates for the concept of synergy within the system, positing that the combined efforts of subsystems (namely, the police, judiciary, and correctional services) can yield superior outcomes when compared to each entity operating independently. This theory is consistent with the General Systems Theory (GST), which regards organizations as interconnected components that operate in concert to accomplish a shared objective. This method is being used more frequently in contemporary criminal justice systems to address the complexities of inter-institutional communication and cross-agency collaboration while also promoting fairness, transparency, and effectiveness.¹⁸

The utilization of Integrated Criminal Justice Forums (ICJFs) in South Africa serves as an illustration of the application of the Integrated Criminal Justice System Theory. Developed in accordance with the principles of General Systems Theory, these forums

15 Novalia Pertiwi, "Analisis Yuridis Proses Penuntutan Perkara Koneksitas Dalam Tindak Pidana Korupsi Perspektif Hukum Positif," *Penambahan Natrium Benzoat Dan Kalium Sorbat (Antiinversi) Dan Kecepatan Pengadukan Sebagai Upaya Penghambatan Reaksi Inversi Pada Nira Tebu*, no. 0341 (2014).

16 Muhammad Ishar Helmi et al., "Effectiveness of Criminal Offense Law Regarding Illegal Levies: Reforming Social Organizations within the Indonesian Legal Framework," *Volksgeist: Jurnal Ilmu Hukum Dan Konstitusi*, December 2024, 411–30, <https://doi.org/10.24090/volksgeist.v7i2.10882>.

17 Sony Cipto Leksono, Hadi Purnomo, and Hernawati RAS, "Criminal Justice System in the Perspective of Integration," *International Journal of Asia Pasific Collaboration* 1, no. 3 (2023): 82–90.

18 Bambang Dwi Baskoro, Hj. Nina Mirantie Wirasaputri, and Irma Cahyaningtyas, "Efforts to Create Integrated Criminal Justice Systems: Judicial Management Approach," *IOP Conference Series: Earth and Environmental Science* 175 (July 2018): 012178, <https://doi.org/10.1088/1755-1315/175/1/012178>.

are designed to enhance the coordination and collaboration among various elements of the criminal justice system, such as the police, courts, and correctional services. Regular meetings between stakeholders from a variety of subsystems are facilitated by the ICJFs to ensure more effective coordination, problem-solving, and case management. The forums contribute to a more comprehensive and integrated approach to criminal justice by fostering collaboration, which in turn reduces delays in the justice process and improves communication among agencies. This method is especially advantageous in regions where institutional fragmentation and miscommunication frequently impede the system's efficient operation.¹⁹

The Theory of Division of Power is a fundamental concept in political science that promotes the separation of governmental functions into distinct branches executive, legislative, and judicial in order to prevent the concentration of power and promote checks and balances within a sovereign state. This division guarantees that democratic governance and accountability are preserved by preventing any single branch from dominating or abusing authority.²⁰ Each branch is responsible for its own function: the executive enforces laws, the legislature creates laws, and the judiciary interprets them, all of which work together to guarantee legal integrity and fairness.

Functional differentiation, as defined in sociological and organizational theory, is the division of labor and specialization of roles within intricate social or institutional systems. It enhances efficiency by assigning specific functions to specialized subsystems, each of which is dedicated to distinct responsibilities, such as politics, economics, education, or law. This enables more effective decision-making and problem-solving within each domain. This concept is essential in contemporary governance, as functional differentiation in public administration facilitates the operation of a variety of governance domains, such as economic, legal, and family systems.

The Theory of Division of Power is applicable to a variety of systems, and the European Union (EU) serves as a practical illustration. The division of power in the EU is demonstrated by the separation of authority between supranational institutions (e.g., the European Commission European Parliament) and member states, which facilitates a balance between the centralization of decision-making and the autonomy of individual nations. The principle of Functional differentiation is also evident, as the EU permits member states to opt out of specific policies or legal frameworks, resulting in varying degrees of integration across different sectors (e.g., the Eurozone for monetary policy). Allowing states to engage with collective policies in a flexible manner enables the EU to function effectively despite the diversity of its members.²¹

The Theory of Legal Harmonization is concerned with the alignment of legal rules and systems across various jurisdictions to promote consistency, efficiency, and cooperation, particularly in situations involving transnational or federal legal frameworks. Legal harmonization can take place within a federal structure, such as the European Union or the United States, or between sovereign states through multilateral agreements

19 Anis Widyawati et al., "Supervision in Integrated Justice: Legal Reform and Constructive Enforcement in the Criminal Justice System," *Journal of Law and Legal Reform* 5, no. 2 (2024): 433–58, <https://doi.org/10.15294/jllr.vol5i2.3886>.

20 Kharisatul Janah, Siti Fatimah, and Hajar Salamah Salsabila Hariz, "The Role of Aceh Local Parties in The 2024 General Election in Realizing Democratization," *Volksgeist: Jurnal Ilmu Hukum Dan Konstitusi* 6, no. 1 (June 2023): 33–47, <https://doi.org/10.24090/volksgeist.v6i1.7532>.

21 Novritsar Hasintongan Pakpahan and Indonesia Indonesia, "Kekosongan Hukum Dalam Penilaian Letak Kerugian Pada Kepentingan Umum Atau Kepentingan Militer Sebagai Dasar Kewenangan Peradilan Koneksitas," *Sanskara Hukum Dan HAM* 1, no. 02 (December 2022): 37–46, <https://doi.org/10.58812/shh.v1i02.65>.

or the adoption of foreign legal systems, which is occasionally referred to as “legal transplantation.”²²

The theory contends that harmonization is essential when decentralized legal systems are unable to achieve optimal regulatory solutions, which are frequently the result of externalities, economies of scale, or the provision of public goods. Harmonization facilitates the reduction of legal fragmentation, which can impede international cooperation, investment, and trade. The subsidiarity principle is a fundamental concept in this theory, which posits that legal harmonization is the preferred solution when local or decentralized governance is inefficient or ineffective in resolving specific issues.²³

Harmonization may result in more cohesive legal systems; however, it is confronted with obstacles, such as the need to balance global uniformity with local preferences. Harmonization is frequently pursued by nations in order to eliminate legal obstacles to cross-border activities. However, the process is more intricate than simple legal unification due to the need to consider cultural and societal distinctions within jurisdictions. Consequently, the theory endorses harmonization initiatives when deemed appropriate while acknowledging the constraints imposed by local conditions and the necessity of adaptable, flexible legal systems.²⁴

The European Union’s approach to environmental criminal law serves as a practical illustration of the Theory of Legal Harmonization. Legislative frameworks such as Directive 2008/99/EC, which mandates minimum requirements for environmental protection, are used to encourage member states to harmonize their environmental criminal law standards in the EU. This harmonization enables the EU to guarantee that member states adhere to uniform legal standards when prosecuting environmental crimes, effectively address cross-border issues, and mitigate the risk of inconsistent penalties across jurisdictions. The directive seeks to harmonize the legal treatment of environmental offenses while permitting member states to preserve specific national distinctions. This method is consistent with the fundamental principles of legal harmonization, as it prioritizes collaboration while acknowledging the legal autonomy of member states.

The Theory of Law Enforcement Effectiveness emphasizes the correlation between law enforcement operations and their capacity to mitigate criminal activity, preserve justice, and guarantee public safety. It argues that in order to achieve a deterrent effect on crime, law enforcement agencies must strategically deploy resources, apply appropriate sanctions, and ensure a high probability of apprehending offenders. The coordination between offense and defense (i.e., crime and collective law enforcement) is a critical factor in the effectiveness of law enforcement, as indicated by research. Research has shown that the presence of law enforcement, in conjunction with effective enforcement activities, can significantly reduce crime rates and minimize social losses associated with criminal activities.²⁵

Furthermore, contemporary assessments of law enforcement effectiveness incorporate both quantitative and qualitative criteria, including the alignment of law enforcement

22 Daniel R. Cahoy and Lynda J. Oswald, “Is Legal Harmonization Always Better? The Counter-Case of Utility Models,” *American Business Law Journal* 58, no. 3 (September 2021): 525–78, <https://doi.org/10.1111/ablj.12190>.

23 M Zen Abdullah, “Urgensi Perlunya Pembaharuan Hukum Acara Pidana Nasional Di Indonesia Yang Lebih Responsif,” *Jurnal Ilmiah Universitas Batanghari Jambi* 20, no. 1 (February 2020): 281, <https://doi.org/10.33087/jiubj.v20i1.885>.

24 Kelaesar Anna Hasanah Lapae, Hambali Thalib, and Nur Fadhillah Mappaselleng, “Kewenangan Jaksa Agung Muda Bidang Pidana Militer Dalam Penuntutan Tindak Pidana Koneksitas,” *Journal of Lex Generalis (JLG)* 3, no. 9 (2022): 1506–21.

25 Ekaterina V. Mikhaylova, “SETTLEMENT APPROVAL BY COURT: PROBLEMS OF THE THEORY AND THE LAW ENFORCEMENT PRACTICE,” *Justice of the Peace*, November 2023, 33–37, <https://doi.org/10.18572/2072-4152-2023-12-33-37>.

strategies with public interest, public opinion, and crime rates. Public perception of law enforcement is also being increasingly employed as a metric of success, with countries such as the United States, France, and Japan incorporating public feedback into their evaluations. The theory underscores that the most effective law enforcement is achieved by balancing punitive measures with preventive and community-based approaches. These approaches not only deter crime but also foster public trust in legal institutions. In order to maintain their effectiveness, law enforcement agencies must modify their strategies in response to the changing nature of crime, technological advancements, and socio-economic conditions.²⁶

A study on international experiences in assessing law enforcement effectiveness in various countries, including the U.S., France, Japan, and Italy, provides an example of the application of the Theory of Law Enforcement Effectiveness. Public opinion is becoming increasingly significant in the evaluation of the performance of law enforcement agencies in these countries, which employs both quantitative and qualitative criteria. For instance, in the United States, the effectiveness of law enforcement is significantly influenced by public perception, which is measured by trust in authorities. The theory's application underscores the necessity of a combination of robust statistical crime data and public trust metrics to evaluate the influence of law enforcement on community safety, resource allocation, and crime prevention.²⁷

The Dominus Litis Principle denotes the authority that public prosecutors are granted to manage criminal cases after they have been submitted to the court. In Latin, "dominus" denotes "owner" and "litis" denotes "case" or "lawsuit." This principle establishes the prosecutor as the primary figure in determining whether a case should be pursued in court or dismissed. The prosecutor in Indonesia is a powerful figure in the criminal justice system, as they are tasked with evaluating the comprehensiveness of case files submitted by investigators and determining whether or not to prosecute a case. The Dominus Litis Principle is designed to guarantee that the prosecution is conducted in a fair, efficient, and judicially overseen manner.²⁸

Nevertheless, delays may occasionally result from the application of this principle, particularly when there are discrepancies between the investigative and prosecutorial processes. For instance, the judicial process may be delayed by prolonged back-and-forth communication between investigators and prosecutors regarding the adequacy of evidence. In Indonesia, the Dominus Litis Principle is essential for the preservation of the functional distinction between investigators and prosecutors. The latter is responsible for managing cases to ensure that they adhere to legal standards prior to their presentation in court. Prosecutors are granted exclusive authority to manage and control the course of criminal cases once they have been submitted for prosecution, a practice known as the Dominus Litis Principle, which is implemented in numerous legal systems beyond Indonesia. For instance, in France, prosecutors are instrumental in the determination of which cases should proceed to trial, as well as in the management of case flow and the direction of investigations. This is indicative of a prosecutorial system

26 Iylyana Che Rosli et al., "Judicial Preclusion in International Arbitration: Comparative Analysis of UK, Australia, and Malaysia's Practices," *Jambe Law Journal* 7, no. 2 (November 2024): 313–40, <https://doi.org/10.22437/home.v7i2.385>.

27 D. A. Belova, "Civil Liability for Neuroprosthesis Damage: Current Problems of Theory and Law Enforcement," *Courier of Kutafin Moscow State Law University (MSAL)* 1, no. 11 (January 2025): 54–61, <https://doi.org/10.17803/2311-5998.2024.123.11.054-061>.

28 Yuris Oktaviyani Citizen, "Termination of Prosecutions Based on Restorative Justice in The Settlements of Criminal Cases In The Area Of The Hight Prosecutors Of Lampung," *Pancasila and Law Review* 3, no. 2 (December 2022): 111–20, <https://doi.org/10.25041/plr.v3i2.2734>.

that is deeply ingrained in the judicial process and in which the prosecutor is granted substantial discretion in the selection of cases for trial²⁹

In Germany, prosecutors are required to pursue cases based on the principle of legality. However, they also have the authority to dismiss minor offenses without trial if it is more beneficial to justice. German prosecutors, in their capacity as *dominus litis*, are instrumental in guaranteeing that the legal process is both efficient and in accordance with the public interest by identifying cases that may not necessitate full court proceedings. German prosecutors are obligated to prosecute all offenses in which there is sufficient evidence, as they operate under the principle of legality (*Legalitätsprinzip*). Nevertheless, they are still able to dismiss minor offenses or settle cases without formal prosecution when it is more appropriate for the sake of justice. This adaptability is indicative of the *Dominus Litis Principle*, which dictates that the prosecutor determines which cases to pursue and which to dismiss. This subject can be further investigated by reading articles on comparative legal systems or German criminal procedure law, such as the works of scholars on European prosecutorial systems.

The prosecutorial role in federal courts in the United States is highly discretionary under the *Dominus Litis Principle*. Prosecutors in the United States determine whether to pursue charges, dismiss cases, or negotiate plea deals. This discretion enables the management of high case volumes with flexibility and guarantees that only viable cases are brought to trial. Like their European counterparts, U.S. prosecutors serve as gatekeepers to the judicial system, significantly influencing the outcomes of criminal justice procedures.³⁰

2.2. Military Prosecutors and Prosecutors in the Criminal Justice System Connectivity

According to Presidential Regulation No. 15 of 2021, the function of prosecutors in Indonesia's Joinder of Parties is to oversee and coordinate the prosecution of cases that involve both military personnel and civilians. This regulation establishes the position of the Deputy Attorney General for Military Crimes (JAMPIDMIL), who is responsible for the oversight and consistency of the handling of Joinder of Parties. The JAMPIDMIL functions as a central authority, facilitating the prosecution of such cases by streamlining processes, eliminating jurisdictional conflicts, and ensuring coherence between the civilian and military judicial systems.

Depending on the nature of the crime and the decision made in conjunction with the Ministry of Defence and the Ministry of Law and Human Rights, prosecutors play a pivotal role in determining whether a connectivity case should proceed under the civilian court system or be transferred to the military court system, under the coordination of the JAMPIDMIL. This regulation improves the technical coordination within the Attorney General's Office, guaranteeing that prosecutorial functions are consistent across military and civilian jurisdictions. The objective is to ensure procedural fairness, expedite case handling, and maintain legal certainty when addressing crimes that intersect both military and civilian domains. Indonesia's endeavors to reform and integrate its criminal justice system for effective Joinder of Parties are reflected in this structured approach, which is designed to ensure a balanced application of justice.³¹

29 Dewi Setyowati, "Diversion in the Child Criminal Justice System as an Effort to Implement Restorative Justice," *Unram Law Review* 4, no. 1 (April 2020): 64–73, <https://doi.org/10.29303/ulrev.v4i1.108>.

30 Elvira Orzhynska et al., "Comparative Analysis of Prosecutorial Systems: Insights From the United States and European Countries," *Syariah: Jurnal Hukum Dan Pemikiran* 24, no. 2 (2024): 299–313, <https://doi.org/10.18592/sjhp.v24i2.14472>.

31 Putu Nadya Prabandari, I Nyoman Gede Sugiarta, and I Made Minggu Widyantara, "Peranan Jaksa Agung Muda Bagian Pidana Militer Dalam Penanganan Perkara Koneksitas," *Jurnal Analogi Hukum* 4, no. 2 (2022): 182–

In Indonesia, the Military Prosecutor is instrumental in the management of Joinder of Parties, particularly in criminal cases that involve both military personnel and civilians. The Criminal Procedure Code (KUHAP) and Law No. 31 of 1997 on Military Judiciary regulate the Joinder of Parties, which necessitates collaboration between the military and civilian judicial systems. The following is a comprehensive summary of the roles and responsibilities of military prosecutors in these cases, accompanied by pertinent references.³²

The Military Prosecutor is a critical member of the investigative team that manages the case in Joinder of Parties. A permanent investigative team is established to handle the Joinder of Parties in accordance with Article 89 of the Criminal Procedure Code (KUHAP). This team is composed of elements from the National Police, Military Police, and Military Prosecutors. This team guarantees that all facets of the investigation are conducted in a thorough manner, with each unit conducting investigations that are pertinent to their jurisdiction (e.g., police handle civilian suspects, and military police handle military suspects).³³

Additionally, the Military Prosecutor collaborates with the civilian prosecutor to identify the court that will preside over the case. The team is responsible for determining whether the case will be tried in a civilian or military court in situations where both military and civilian elements are involved, depending on the nature of the crime and the interests at stake (KUHAP, Articles 89-91).³⁴

In practice, there are numerous obstacles, including the coordination of case handling in civilian or military courts by the Deputy Attorney General for Military Criminal Affairs (JAMPIDMIL). Nevertheless, the principle of equality before the law is often disregarded as perpetrators are frequently tried in separate courts, resulting in disparities. The Joinder of Parties has recently adjudicated corruption cases involving military and civilian defendants.³⁵ A decision has been The Deputy Attorney General for Military Criminal Affairs is responsible for determining the Joinder of Parties in the appropriate jurisdiction based on a variety of criteria, including the number of offenses committed, the number of offenders, the extent of harm caused, the number of victims or damage caused, the existence of special courts for certain offenses, and the level of public attention. Additionally, Disparities between civilian and military defendants frequently arise in the legal framework and jurisdiction. In general, the material law that is applied in connectivity cases is frequently distinct despite the fact that the legal objects and facts are identical. This is further complicated by the potential for two distinct judicial systems to generate decisions that are inconsistent, if not outright contradictory. In this instance, the Joinder of Parties system requires reform to ensure that it generates decisions that are more consistent and equitable. Especially when the judge is from a general court, military judges frequently face limitations in terms of rank or authority when attempting to prosecute defendants of higher ranks in the context of military justice. Consequently, it is advised that general court judges who are assigned

86.

32 Sabrina Septiana and August Hamonangan P., "Kedudukan Peradilan Umum Dan Peradilan Militer Dalam Perkara Koneksitas Ditinjau Dari Perspektif Hukum Positif Indonesia," *Jurnal Ilmiah Publika* 11, no. 1 (2023): 108, <https://doi.org/10.33603/publika.v11i1.8206>.

33 Mohammad Mahmudi and Ludfi, "Tanggung Jawab Hukum Anggota Militer Dalam Kasus Korupsi Melalui Peradilan Koneksitas Antara KPK Dan TNI," *HUNILA: Jurnal Ilmu Hukum Dan Integrasi Peradilan* 2, no. 1 (2023): 113–24, <https://doi.org/https://doi.org/10.53491/hunila.v2i1.672>.

34 Muhammad Ihsan, "Kedudukan Kejaksaan Republik Indonesia Dalam Proses Penuntutan Peradilan Militer Di Indonesia," *Jurnal Intelektualita: Keislaman, Sosial Dan Sains* 10, no. 2 (September 2021): 283–92, <https://doi.org/10.19109/intelektualita.v10i2.8907>.

35 Yulinda Regina C. Lumban Gaol et al., "Kewenangan KPK Untuk Menyidik Anggota TNI Bersama-Sama Dengan Sipil Secara Koneksitas," *Jurnal Ilmu Hukum, Humaniora Dan Politik* 4, no. 4 (June 2024): 779–89, <https://doi.org/10.38035/jihhp.v4i4.2073>.

to military trials be granted titular ranks that are equivalent to or higher than their own in order to preserve the dignity and honor of the trial process. This arrangement also seeks to guarantee that the legal process is conducted within a framework that upholds the status of soldiers and prevents bias in decision-making.³⁶

The coordination of military prosecutors in the Joinder of Parties is overseen by the Deputy Attorney General for Military Crimes (JAMPIDMIL), which was established under Presidential Regulation No. 15 of 2021. In order to guarantee that military and civilian prosecution strategies are in accordance, military prosecutors must work in conjunction with JAMPIDMIL during the prosecution process. This coordination is instrumental in the resolution of jurisdictional issues and the efficient and equitable management of cases involving both military and civilian defendants.³⁷

The Military Prosecutor is authorized to conduct investigations, research the results of investigations, and provide recommendations on whether a case should be resolved through trial or closure. The Military Prosecutor is required to coordinate these activities with civilian prosecutors in the context of Joinder of Parties. This entails the exchange of legal opinions and the conduct of joint examinations to ascertain the most appropriate judicial environment for the trial, whether it be military or civilian.³⁸

The decision-making process in the Joinder of Parties is significantly influenced by the Military Prosecutor. If a connectivity case is to be tried in a Military Court, the Military Prosecutor is responsible for the preparation and presentation of the case. The military and civilian prosecutors collaborate to ensure that both military and civilian interests are represented in the event that the case is to be tried in a civilian court. A joint examination team, which includes high-ranking officials and both military and civilian prosecutors, frequently determines the appropriate court, as mandated by Article 90 of KUHAP.³⁹

The Military Prosecutor also serves as the representative of military interests during trial proceedings, particularly when a mixed panel of judges is necessary, as outlined in Article 94 of KUHAP. In such cases, the Military Prosecutor is responsible for maintaining the rule of law and military discipline while also offering pertinent military-specific insights that are essential for the panel's decision-making process.⁴⁰ The Military Prosecutor is responsible for ensuring that the prosecution process in Joinder of Parties adheres to national legal norms and military discipline. This entails the representation of military personnel in court and the guarantee of the respect of the rights of both military and civilian defendants throughout the judicial process. The obligations of military prosecutors to ensure that military personnel are prosecuted in accordance with national legal norms and military discipline, particularly in Joinder of Parties that involve both military and civilian personnel.⁴¹ The Deputy Attorney General for Military Crimes (JAMPIDMIL) mitigates potential biases and increases transparency, a prevalent issue in military personnel cases. Military prosecutors must

36 Oktoberiandi Oktoberiandi, Sujono Sujono, and Sudarto Sudarto, "Problematics of Judicial Connection in Handling Corruption Cases (Decision Number: 74/Pid.Sus-TPK/2022/PN.Jkt.Pst)," *LITERATUS* 6, no. 1 (April 2024): 335–39, <https://doi.org/10.37010/lit.v6i1.1673>.

37 Nofia Sari, Arfiani, and Mustofa, "Independensi Penuntutan Perkara Koneksitas Ditinjau Dari Peraturan Presiden Nomor 15 Tahun 2021 Tentang Organisasi Dan Tata Kerja Kejaksaan."

38 M. Dastin Meta Swandana, "Kewenangan Peradilan Militer Terhadap Penegakan Hukum Pada Perkara Koneksitas Yang Dilakukan Oleh Tentara Nasional Indonesia (TNI)," no. 31 (2016): 1–23.

39 Indra Aprio and Handry Saragih, "Issues and Prospects of Regulatory Process in Handling Connectivity Cases," *The Prosecutor Law Review* 02, no. 3 (2024): 83–107.

40 Lisnawaty W Badu and Apripari, "Menggagas Tindak Pidana Militer Sebagai Kompetensi Absolut Peradilan Militer Dalam Perkara Pidana 'Initiating Military Criminal Acts As A Competence Of Military Justice Absolute In Criminal Crime,'" *Jurnal Legalitas* 12, no. 1 (2022): 57–81.

41 Alyssa Sekarini, "Analisis Yuridis Penerapan Splitsing Dalam Penyelesaian Perkara Koneksitas Ditinjau Dari KUHAP Dan KUHAPMIL," 2016.

comply with established procedures and relevant laws to preserve public confidence in the management of Joinder of Parties.⁴²

JAMPIDMIL's presence can serve as an incentive for implementing institutional authority in the dismal section. This perspective is anticipated to be implemented to establish a unified prosecution system. The effectiveness of military justice is contingent upon JAMPIDMIL's leadership. This encompasses the provision of strategic guidance to Military Prosecutors and guaranteeing that they are adequately equipped with the requisite resources and training to effectively fulfill their responsibilities. The authority's leadership significantly influences the legal framework for military justice, which guarantees that it is consistent with the overarching objectives of maintaining discipline and order within the military. However, in practice, JAMPIDMIL's difficulties in achieving effective law enforcement in case connectivity in Indonesia are a result of various systemic and procedural challenges, such as the enforcement effort being complicated by the absence of a cohesive legal framework for managing interconnected cases. The ineffective management of complex cases, including human trafficking and terrorism, is a result of the insufficient training and capacity of law enforcement personnel.⁴³ Additionally, the credibility of law enforcement agencies is compromised by corruption, as evidenced by high-profile cases that have eroded public confidence, such as the connexity of alleged corruption of the Army's Mandatory Housing Savings Fund or TWP AD in 2019-2020.⁴⁴ The role of JAMPIDMIL is crucial. To reestablish trust, it is necessary to implement comprehensive reforms to enhance access to justice and eradicate corruption. The pervasive belief that the law is applied unevenly results from ongoing issues, which erodes public confidence in legal institutions.

In numerous countries, the proper conduct of judicial proceedings is contingent upon the involvement of military auditors or prosecutors in criminal cases involving military personnel who collaborate with civilians. The Uniform Code of Military Justice (UCMJ) governs military prosecution in the United States in cases where military personnel are involved in criminal actions alongside civilians. The determination of whether such cases are under military or civilian jurisdiction is the responsibility of military prosecutors. If the crime impacts civilian and military jurisdictions, military personnel may be tried in civilian courts if appropriate. In high-profile cases, such as war crimes, military prosecutors frequently work in conjunction with civilian authorities to guarantee that justice is administered consistently.⁴⁵

The prosecution of crimes committed by military personnel in collaboration with civilians, particularly in the context of armed conflict, is a critical responsibility of military prosecutors in Ukraine. In such instances, military prosecutors are authorized to investigate and prosecute war crimes and other offenses in collaboration with civilian prosecutors. The Ukrainian prosecutor's office is responsible for ensuring the legality and supervision of military personnel during periods of war, as the conflict with Russia has substantially increased the number of such cases.

42 Vania Oktaviani Dewi and Irwan Triadi, "Penyelesaian Tindak Pidana Korupsi Oleh Subjek Militer Saat Sedang Menduduki Jabatan Sipil," *Hakim: Jurnal Ilmu Hukum Dan Sosial* 1, no. 4 (2023): 197.

43 Arief Fahmi Lubis, "Profesionalisme Perwira Hukum Dalam Membangun Visi-Misi Hukum Militer Dalam Rangka Menghadapi Tantangan Tugas TNI Di Masa Depan," *Jurnal Media Administrasi* 4, no. 2 (October 2019): 01-16, <https://doi.org/10.56444/jma.v4i2.1066>.

44 Deni Dwi Firmansyah and Elza Qorina Pangestika, "Ketidakadilan Dalam Penegakan Hukum Di Indonesia: Sebuah Tinjauan Kritis," *Jurnal Pustaka Cendekia Hukum Dan Ilmu Sosial* 2, no. 3 (November 2024): 219-23, <https://doi.org/10.70292/pchukumsosial.v2i3.67>.

45 Ahmad Taufik et al., "Perspektif Teori Maslahat Pada Asas Oportunitas Dalam Melakukan Penuntutan Perkara Pidana Keywors : Maslahat , Penuntutan Indonesia Sebagai Negara Yang Berbentuk Republik Yang Berdasarkan UUD1945 Yang Merupakan Konstitusi Negara Indonesia Tertuang Dalam P" 2, no. 1 (2024): 56-68.

Military prosecutors were accountable for the prosecution of Japanese military personnel who had committed crimes against both military and civilian populations during post-World War II trials in the Netherlands East Indies. In addition to cases of forced prostitution and violations of the armistice, these military trials were distinctive in that they illustrated the military's responsibility for addressing crimes that impacted both military personnel and civilians. Military prosecutors are essential in ensuring that crimes committed by military personnel in collaboration with civilians are prosecuted fairly and consistently in these examples. This often necessitates coordination with civilian legal authorities to balance military discipline with civilian justice.

Indonesia can potentially adopt the Uniform Code of Military Justice (UCMJ) from the United States. The system is intended to safeguard service members' rights and preserve discipline and order within the military. The role of advocates in the military justice system of the United States is comparable to that of JAMPIDMIL, which underscores the significance of legal expertise in preserving the system's integrity. The JAMPIDMIL system in Indonesia is confronted with challenges related to institutional independence and dual oversight. In contrast, the UCMJ is a centralized and established legal framework with clear structures and procedures that Indonesia could implement. The JAMPIDMIL system is still developing its legal framework and ensuring judicial independence, whereas the UCMJ has undergone reforms to align with civil law standards. The UCMJ in the United States is generally considered more effective and efficient than the JAMPIDMIL system in Indonesia. The UCMJ is widely recognized as a fair and established system despite the criticism it has received for its handling of specific types of cases. Conversely, the JAMPIDMIL system is confronted with substantial obstacles regarding efficiency, transparency, and independence, which have impeded its capacity to administer justice efficiently.⁴⁶

To further elucidate these advantages and establish a legal framework, more explicit legislative guidelines should be implemented to define the jurisdiction of the Administrative Court and the General Court. This could be particularly beneficial in land and contractual disputes with government entities, as it could help reduce ambiguity and overlap. The concept of "joint proceedings" could be implemented to address cases involving civil and administrative law elements. This approach can streamline legal processes and provide legal certainty by enabling cases to be heard under a unified procedure. Improve the training of judges to facilitate their comprehension and navigation of overlapping jurisdictions. This can help guarantee that the law is applied consistently and impartially in various courts.⁴⁷

2.3. Handling of Joinder of Parties in Indonesia

The complexities inherent in managing cases involving military personnel and civilians are reflected in the handling of Joinder of Parties by military auditors and prosecutors in Indonesia, which is based on the Military Criminal Code (KUHPM) and relevant legal frameworks in Indonesia. The Joinder of Parties, regulated by Articles 89-94 of the Criminal Procedure Code (KUHP), necessitates meticulous coordination between civilian and military judicial authorities. It is imperative to involve military

⁴⁶ Chris Jenks, "US Military Prosecutions during Non-International Armed Conflict," in *Between Crime and War* (Oxford University Press New York, 2023), 519–48, <https://doi.org/10.1093/oso/9780197638798.003.0018>.

⁴⁷ Elisabeth Sundari et al., "Jurisdiction Conflict between Indonesian District Courts and State Administrative Courts: The Possibility Using 'Joint-Proceeding' Concept for Resolution," *INTERNATIONAL JOURNAL OF SOCIAL SCIENCE AND EDUCATION RESEARCH STUDIES* 02, no. 11 (November 2022), <https://doi.org/10.55677/ijssers/V02I11Y2022-13>.

auditors and prosecutors to ensure that military personnel are held accountable under military law while also ensuring that the civilian justice system is integrated.⁴⁸

Prosecutors are granted exclusive authority over the prosecution process under the Dominus Litis Principle, which determines whether cases should be advanced to court. Military prosecutors are the “masters” of the case from the military perspective in Joinder of Parties that involve military personnel. They evaluate whether the actions of military personnel violate military law and whether the case should be transferred to the civilian court or remain in the military court system. In cases where military and civilian jurisdiction overlap, the Military Criminal Code grants military prosecutors discretion in handling cases. This principle is essential for guaranteeing that the military prosecution system functions autonomously while collaborating with civilian prosecutors to achieve a unified approach to justice.⁴⁹

A nuanced comprehension of the roles and constraints of public prosecutors within the criminal justice system is necessary for the optimization of the Dominus Litis principle and prosecutorial discretion in case connectivity cases in Indonesia. The principle posits that the prosecutor has exclusive authority over prosecution, which is essential for the preservation of justice. It also allows for discretion in the termination of cases based on public interest or restorative justice principles.⁵⁰ Applying the Dominus Litis principle may be complicated by the challenges associated with overlapping authorities, particularly military prosecutors. The necessity of clear guidelines is underscored by incidents such as the Cipulir incident, which emphasize the potential for human rights violations when prosecutorial discretion is not carefully managed. The ambiguity surrounding the Dominus Litis Principle may result in inconsistent applications of prosecutorial discretion, which could raise concerns about the fairness and legality of the justice system.⁵¹

Lawful harmonization theory emphasizes the necessity of consistency and integration among various legal systems to prevent fragmentation. In the context of Joinder of Parties, there is frequently a discrepancy between military and civilian legal proceedings. Military personnel are subject to the Military Criminal Code (KUHPM), while civilians are subject to civilian law. To guarantee that the cases are handled fairly, regardless of the legal status of the accused, Indonesia must implement legal harmonization in its handling of Joinder of Parties. The establishment of the Deputy Attorney General for Military Crimes (JAMPIDMIL) by Presidential Regulation No. 15 of 2021 is a significant advancement in the integration of military and civilian legal systems. This regulation ensures that military prosecutors and civilian judicial authorities work in harmony.⁵²

48 Jacob Hattu and Astuti Nur Fadillah, “Penyidikan Terhadap Anggota Militer Yang Melakukan Tindak Pidana Umum Dan Tindak Pidana Korupsi,” *LUTUR Law Journal* 4, no. 2 (2023): 81–91, <https://doi.org/10.30598/lutur.v4i2.10633>.

49 Dwi Agus Arfianto, Pujiyono, and Irma Cahanintyas, “Harmonizing Prosecution Agencies in Indonesia: Implementing the Dominus Litis Principle Policy,” *Pakistan Journal of Criminology*, January 2024, 47–57, <https://doi.org/10.62271/pjc.16.1.47.57>

50 Hermawan Hermawan and Hendra Setyawan Theja, “Analisis Asas Domitus Litis Dan Penghentian Penuntutan Berdasarkan Keadilan Restoratif Dalam Perspektif Perjak No 15 Tahun 2020,” *Al-Qanun: Jurnal Pemikiran Dan Pembaharuan Hukum Islam* 25, no. 1 (June 2022): 128–40, <https://doi.org/10.15642/alqanun.2022.25.1.128-140>.

51 Anzil Rahmahdila and Arfi Exza Dheo Renova, “Pelanggaran Prinsip Miranda Rule Pada Proses Penyidikan Perkara Pidana Di Indonesia (Tinjauan Kasus Pengamen Cipulir Jakarta Selatan 2013),” *Presidensial: Jurnal Hukum, Administrasi Negara, Dan Kebijakan Publik* 1, no. 3 (August 2024): 25–33, <https://doi.org/10.62383/presidensial.v1i3.63>.

52 Endro Nurwantoko, Dey Ravena, and Dini Dewi Heniarti, “Application of the Dominus Litis Principle in Enforcement of Administrative Law as a Military Prosecutor in Order to Achieve Legal Certainty in Settlement of Cases in the Military Judiciary Environment,” *International Journal of Research and Innovation in Social Science* VII, no. IV (2023): 987–93, <https://doi.org/10.47772/IJRISS.2023.7482>.

Establishing clear guidelines and reducing ambiguity in legal interpretations can significantly mitigate jurisdictional disputes through harmonizing legal frameworks across military and civilian courts. This process is critical in complex operational environments where military and civilian laws intersect, particularly during conflicts or stability operations. Harmonization ensures that all individuals, including civilians associated with military operations, are judged by competent and impartial courts by aligning military and civilian legal standards, thereby promoting fair trial rights. This alignment has been criticized for its potential to undermine human rights by preventing the misuse of military courts for civilian cases. A harmonized legal framework can simplify procedures, facilitate the resolution of disputes more quickly, and improve the collaboration between military and civilian entities during operations.⁵³ It can also alleviate the burden on military courts by restricting their jurisdiction to exclusively military matters, thereby enabling civilian courts to more effectively address issues civilian-related.

The Integrated Criminal Justice System Theory posits that the justice system's subsystems police, prosecutors, courts, and correctional institutions must operate seamlessly. In connectivity crimes, military auditors and prosecutors must collaborate with their civilian counterparts to guarantee that the case is resolved fairly and efficiently. It is necessary to establish clear communication and coordination between the military and civilian courts to prevent jurisdictional conflicts or procedural delays. This integration is facilitated by establishing JAMPIDMIL, which serves as a bridge between the military and civilian justice systems. This ensures that military personnel cases are processed in coordination with civilian law enforcement when necessary.

The functional differentiation theory underscores the specialization of various roles within intricate systems. In Indonesia's military justice system, the military auditors and prosecutors are responsible for the investigation and prosecution of military personnel on a specialized basis. Their function is distinct from civilian prosecutors; however, they must operate within the broader legal framework, encompassing civilian justice procedures. It is imperative to distinguish between military and civilian legal systems to guarantee that military personnel are held accountable under the appropriate jurisdiction. Additionally, this specialization enables military auditors to apply military law context-specific, thereby preserving military discipline and order. The integration with civilian courts guarantees the protection of civilian victims and interests.⁵⁴

The jurisdictional disparity between the military and civilian legal systems is one of the primary obstacles to the successful management of the Joinder of Parties. Military prosecutors and auditors are responsible for determining which cases should be handled by military courts and which should be transferred to civilian courts. If the two systems are not correctly synchronized, this can result in complications and delays. Although the establishment of JAMPIDMIL and Presidential Regulation No. 15 of 2021 has enhanced coordination between military and civilian judicial institutions, obstacles persist in guaranteeing that both systems function effectively. If crimes involve military personnel and civilians, military auditors must balance the necessity for cooperation with civilian authorities and the requirements of military discipline.

Several institutional obstacles exist between military and civilian authorities that impede the effective implementation of Presidential Regulation No. 15 of 2021.

⁵³ Emmanuel Guillermo Carreño Bernal, "Harmonization of Cross-Border Contract Law: Legal Solutions in a Globalized World," *Journal of Policy and Society* 2, no. 2 (December 2024): 2273, <https://doi.org/10.59400/jps2273>.

⁵⁴ Bona Fernandez M.T. Simbolon et al., "The Prosecutor's Promise in Executing the Claim Cessation Based on Restorative Justice," *Revista de Gestão Social e Ambiental* 18, no. 7 (April 2024): e05634, <https://doi.org/10.24857/rgsa.v18n7-023>.

These challenges result from structural, legal, and operational issues that interfere with compliance and collaboration. For example, legal and regulatory obstacles. The absence of clear legal guidelines can result in ambiguity in the legal framework, leading to confusion regarding roles and responsibilities. This can make it difficult to enforce regulations. Insufficient Performance Incentives: There is minimal incentive for stakeholders to adhere to rules without performance-based rewards or penalties. Additional Human Resource Challenges with The operationalization of regulations can be impeded by a lack of skilled personnel who comprehend the laws, particularly in the context of decentralization.⁵⁵

The need for a harmonized legal framework that balances the interests of military discipline and civilian justice is reflected in the handling of Joinder of Parties in Indonesia, particularly by military auditors and prosecutors. The significance of ensuring coordination and integration between military and civilian legal systems is underscored by the Dominus Litis Principle, Integrated Criminal Justice System Theory, and Legal Harmonization Theory. The introduction of regulatory mechanisms such as JAMPIDMIL has made progress; however, ongoing efforts are required to address jurisdictional disparities and enhance cooperation between military and civilian judicial institutions to ensure justice in the Joinder of Parties.⁵⁶

Adapting to the changing nature of crime, particularly in the digital realm, necessitates a multifaceted approach to implementing law enforcement strategies in the context of connectivity. Successful strategies must incorporate traditional methods with innovative practices addressing the distinctive challenges of organized crime and cybercrime, such as stringent measures. Moving beyond the conventional reactive model, implementing a structured approach to digital evidence collection and processing can significantly reduce the evidence backlog and improve the reliability of evidence presented in court by emphasizing partnerships between the public and private sectors. This can enhance crime prevention and response efforts,⁵⁷ Preserving digital evidence is essential for successful prosecutions, and establishing rapid response protocols at crime scenes ensures this. A balanced law enforcement strategy that can adapt to a wide range of criminal activity is achieved by addressing crime from both reactive and proactive perspectives.⁵⁸

2.4. Solution to the Problem of Technical Harmonization of Prosecution

To enhance the coordination between the military audit and the prosecutor's office in the management of Joinder of Parties in Indonesia, it is imperative to implement several strategic measures and policy recommendations. These recommendations aim to guarantee that the military and civilian justice systems operate cohesively, streamline legal procedures, and improve cooperation.⁵⁹ Incorporate comprehensive provisions regarding the coordination between the military and civilian legal systems, particularly in cases that involve both parties, into Law No. 31 of 1997 on Military Courts and the Criminal Procedure Code (KUHAP). This framework should delineate the roles

55 "Institutional Obstacles to Structural Transformation," in *Institutional Challenges at the Early Stages of Development* (Cambridge University Press, 2023), 221–322, <https://doi.org/10.1017/9781009285735.010>.

56 Muhammad Yusni, "The Problematics of the Implementation of the Dominus Litis," *Budapest International Research and Critics Institute (BIRCI-Journal): Humanities and Social Sciences* 3, no. 4 (October 2020): 2986–93, <https://doi.org/10.33258/birci.v3i4.1321>.

57 Da-Yu Kao, Ni-Chen Wu, and Fuching Tsai, "A Triage Triangle Strategy for Law Enforcement to Reduce Digital Forensic Backlogs," in *2020 22nd International Conference on Advanced Communication Technology (ICACT)* (IEEE, 2020), 1173–79, <https://doi.org/10.23919/ICACT48636.2020.9061240>.

58 Schneider Stephen, "Adapting the Typology for Organized Crime Enforcement," in *An Ontology of Organized Crime* (New York: Routledge, 2024), 180–237, <https://doi.org/10.4324/9781003485872-9>.

59 Didik Kurniawan Maroni, Heni Siswanto, and H.S Tisnanta, "FUNCTIONAL DIFFERENTIATION IN CRIMINAL CODE: THE ROLE OF PROSECUTORS AS CASE CONTROLLERS IN INDONESIAN LAW," *International Journal of Advanced Research* 10, no. 10 (October 2022): 1203–10, <https://doi.org/10.21474/IJAR01/15598>.

and responsibilities of military auditors and civilian prosecutors, guaranteeing that jurisdictional boundaries are unambiguous and that decision-making processes are standardized.

The proposal's objective is to amend Law No. 31 of 1997 and the KUHAP to enhance the quality of law enforcement in connexity cases, with a particular emphasis on those involving military and civilian personnel. The amendments are designed to rectify deficiencies in the current judicial process, frequently resulting in the division of cases between military and civilian courts, thereby undermining the principle of equality before the law. The proposed modifications will enable a more comprehensive judicial approach, guaranteeing that all parties involved in connectivity cases are tried under a unified legal framework. The amendments will create a connectivity mechanism enabling the joint trial of military and civilian offenders, thereby fostering consistency and fairness in legal proceedings. To guarantee that the law is responsive to the changing nature of crime in the digital era, a comprehensive regulatory framework is required to establish the parameters of connectivity cases.⁶⁰

Facilitate the coordination between the military audit and the prosecutor's office by empowering the JAMPIDMIL to take a more proactive role. The JAMPIDMIL should be the central authority in all Joinder of Parties, ensuring that military and civilian prosecutors collaborate effectively. Equip the JAMPIDMIL with heightened legal authority and resources to monitor and mediate military and civilian cases. Guarantee that JAMPIDMIL is empowered to render binding decisions in the event of jurisdictional disputes between military and civilian courts.⁶¹ Organize joint case review committees, including civilian prosecutor's office representatives and the military audit. Early in the process, these committees should review the Joinder of Parties to ascertain the appropriate jurisdiction and simplify legal procedures. Establish joint committees at the regional level to address local cases and a national committee to supervise high-profile or complex Joinder of Parties. Review case outcomes regularly to evaluate the efficacy of these committees.⁶²

In connectivity cases involving military and civilian personnel, joint case review committees that include representatives from the military audit and civil prosecutor's office are essential. These committees aim to ensure that the judicial process is streamlined and that cases are resolved fairly and efficiently. The Indonesian Army and Police's involvement in human trafficking cases underscores the necessity of close collaboration between military and civilian institutions to resolve legal and procedural complexities. Despite not being directly related to military cases, Nt audits offer a perspective on collaborative endeavors across jurisdictions, underscoring the significance of clear legal frameworks and cooperation.⁶³ Although the joint case review committees are designed to simplify procedures, obstacles persist, particularly in providing adequate budget allocations and competent human resources for military personnel assigned to these positions. Furthermore, the legal framework must be continuously revised and adjusted

60 Nina Yu. Skripchenko, "The Use of Information and Telecommunication Networks for Criminal Purposes: Regulatory Accounting and Prospects for Expanding Criminal Law Authority," *RUDN Journal of Law* 28, no. 1 (March 2024): 196–214, <https://doi.org/10.22363/2313-2337-2024-28-1-196-214>.

61 RUDI PRADISETIA SUDIRDJA, "PENGUATAN KEWENANGAN PENUNTUT UMUM MELALUI PENGESAMPINGAN PERKARA PIDANA DENGAN ALASAN TERTENTU," *LITIGASI*, no. 20 (January 2020): 291–313, <https://doi.org/10.23969/litigasi.v20i2.2032>.

62 Rinaldi Chandra, "PENYELESAIAN KASUS HUKUM DI LINGKUNGAN PENGADILAN MILITER DALAM PERKARA TINDAK PIDANA PENIPUAN YANG DILAKUKAN OLEH ANGGOTA TNI," *Pamulang Law Review* 1, no. 2 (June 2020): 75, <https://doi.org/10.32493/palrev.v1i2.5328>.

63 Amir Khorram-Manesh et al., "Civilian-Military Collaboration before and during COVID-19 Pandemic—A Systematic Review and a Pilot Survey among Practitioners," *Sustainability* 14, no. 2 (January 2022): 624, <https://doi.org/10.3390/su14020624>.

to improve efficiency and justice in connectivity cases, as the overlap of authority between military and civilian prosecutors can result in delays and uncertainties.⁶⁴

Create Standard Operating Procedures (SOPs) that outline step-by-step processes for Managing the Joinder of Parties includes specific guidelines for the collaboration between military auditors and prosecutors. Develop these standard operating procedures (SOPs) with the assistance of legal professionals from both the military and civilian sectors to guarantee that they satisfy the requirements of both systems. Please distribute these guidelines to all pertinent authorities, such as military auditors, prosecutors, and law enforcement agencies, and offer training on their implementation.

Facilitate real-time collaboration between the military audit and the prosecutor's office by establishing effective communication channels and information-sharing platforms. Guarantee that both institutions have access to case files, evidence, and investigative findings pertinent to the Joinder of Parties. Create a secure digital case management system that enables the real-time exchange of information between military and civilian legal institutions. Conduct consistent briefings and meetings to facilitate the discussion of ongoing cases and guarantee that the two systems are in alignment.⁶⁵ Enhance the jurisdictional flexibility of the Joinder of Parties process by reforming existing laws. This would facilitate more seamless transitions between military and civilian courts, contingent upon the unique circumstances of each case. Modify the legal provisions of KUHAP and Law No. 31 of 1997 to facilitate the transfer of cases between military and civilian jurisdictions when necessary. Guarantee that the JAMPIDMIL possesses the legal authority to efficiently facilitate these transfers.

The efficiency and fairness of legal proceedings could be significantly enhanced by granting JAMPIDMIL enhanced legal authority and resources in Joinder of Parties settlements. This modification would rectify the current discrepancies in the judicial system, particularly in cases involving military and civilian interactions, thereby guaranteeing that all parties are treated equally under the law.⁶⁶ Practical implications include JAMPIDMIL, which has the potential to reduce the current practice of disparate trials that frequently result in perceived injustices by establishing a single court system for both military and civilian cases. Additionally, with greater authority, JAMPIDMIL could implement standardized procedures for handling Joinder of Parties, thereby minimizing delays and enhancing case management. In addition, the accrual of additional resources results in JAMPIDMIL being able to guarantee equitable access to justice by providing legal assistance to economically disadvantaged individuals with the help of improved resources.⁶⁷ Afterward, to address the shortage of human resources, it is necessary to invest in training and development for legal personnel. This will enhance the quality of legal representation and decision-making in the Joinder of Parties.

64 Ika Dewi Sartika Saimima and Mochammad Syafruddin Rezky Sanaky, "Justice Connectivity in the Criminal Prosecution of Human Trafficking," *SASI* 1, no. 1 (March 2024): 75, <https://doi.org/10.47268/sasi.v1i1.1828>.

65 Nuralis and Sugiharto, "PENYELESAIAN PERKARA PERBEDAAN PENDAPAT ANTARA PAPER DAN ODITUR MELALUI DILMILTAMA TERHADAP PERKARA PENELANTARAN DALAM RUMAH TANGGA YANG DILAKUKAN OLEH PRAJURIT," *Jurnal Magister Ilmu Hukum*, July 2024, 87–105, <https://doi.org/10.55499/dekrit.v14n1.255>.

66 Oktoberiandi, Sujono, and Sudarto, "Problematics of Judicial Connection in Handling Corruption Cases (Decision Number: 74/Pid.Sus-TPK/2022/PN.Jkt.Pst)." both general and special crimes, such as corruption. Provisions regarding koneksitas courts are regulated in detail in the Criminal Procedure Code, specifically in CHAPTER XI Article 89 to Article 94, as well as Article 198 to Article 203 in Law Number 31 of 1997 concerning Military Courts. However, in practice, when there is a criminal offense involving members of the TNI and civilians, the case should be resolved through a koneksitas mechanism. In reality, perpetrators are often tried in different courts, with TNI members being tried in military courts and civilian perpetrators in general courts.

67 Anubhab Mukherjee, "Efficacy of Legal Aid: Bridging the Justice Gap," *Galore International Journal of Applied Sciences and Humanities* 8, no. 3 (November 2024): 29–41, <https://doi.org/10.52403/gijash.20240304>.

3. CONCLUSION

The study's findings indicate that Indonesia continues to face significant challenges in coordinating the military and civilian justice systems in managing the merger of parties in criminal cases. Although Presidential Regulation No. 15 of 2021 concerning JAMPIDMIL has contributed to narrowing the institutional gap, effective coordination remains hindered by procedural disparities and limited resources. Jurisdictional inconsistencies between military and civilian courts further complicate the prosecution process. The theory of an Integrated Criminal Justice System has not been effectively implemented, largely due to an inconsistent legal framework and complex procedural requirements. To address these challenges, a more comprehensive strategy grounded in the principles of the Integrated Criminal Justice System is required. This includes legal reforms through the establishment of a specialized committee tasked with drafting standard operating procedures (SOPs), as well as the enhancement of JAMPIDMIL's authority. The expansion of JAMPIDMIL's role must be supported by capacity-building initiatives, such as targeted training to improve the professionalism and competence of relevant personnel. However, the persistence of regulatory inconsistencies and the potential for abuse of power pose serious risks, particularly if JAMPIDMIL is granted broader authority without sufficient oversight. These proposed measures are expected to improve institutional efficiency, facilitate smoother transitions between military and civilian courts, and strengthen legal certainty in the handling of merger of parties cases. Despite regulatory advancements, sustained efforts are still needed to fully harmonize the prosecutorial functions of military auditors and civilian prosecutors in pursuit of more equitable justice.

REFERENCES

- Abdullah, M Zen. "Urgensi Perlunya Pembaharuan Hukum Acara Pidana Nasional Di Indonesia Yang Lebih Responsif." *Jurnal Ilmiah Universitas Batanghari Jambi* 20, no. 1 (February 2020): 281. <https://doi.org/10.33087/jiubj.v20i1.885>.
- Afandi, Rizqi, Fajar Sudewo, and Achmad Hamzani. "Implementation Of Judge's Decisions On Decisions In Connection Cases Criminal Justice System." In *Proceedings of the 1st International Conference on Law, Social Science, Economics, and Education, MALAPY 2022, 28 May 2022, Tegal, Indonesia*. EAI, 2022. <https://doi.org/10.4108/eai.28-5-2022.2320534>.
- Amaliah, Nurul, M. Syukri Akub, and Haeranah. "Enforcement of the Prosecutor's Dominus Litis Principle Against the Authority of Military Auditors as Public Prosecutors in Military Courts." *Al-Risalah Jurnal Ilmu Syariah Dan Hukum*, November 2022, 224. <https://doi.org/10.24252/al-risalah.vi.34355>.
- Andhika Okta Syahbana. "Kewenangan Penyidikan Oleh ANKUM Pada Kasus Pidana Militer Dalam Menghadapi Tantangan Konflik Kepentingan Internal." *Hukum Inovatif: Jurnal Ilmu Hukum Sosial Dan Humaniora* 1, no. 4 (September 2024): 287–94. <https://doi.org/10.62383/humif.v1i4.818>.
- Anzil Rahmahdila, and Arfi Exza Dheo Renova. "Pelanggaran Prinsip Miranda Rule Pada Proses Penyidikan Perkara Pidana Di Indonesia (Tinjauan Kasus Pengamen Cipulir Jakarta Selatan 2013)." *Presidensial: Jurnal Hukum, Administrasi Negara, Dan Kebijakan Publik* 1, no. 3 (August 2024): 25–33. <https://doi.org/10.62383/>

presidensial.v1i3.63.

- Aprio, Indra, and Handry Saragih. "Issues and Prospects of Regulatory Process in Handling Connectivity Cases." *The Prosecutor Law Review* 02, no. 3 (2024): 83–107.
- Arfianto, Dwi Agus, Pujiyono, and Irma Cahanintyas. "Harmonizing Prosecution Agencies in Indonesia: Implementing the Dominus Litis Principle Policy." *Pakistan Journal of Criminology*, January 2024, 47–57. <https://doi.org/10.62271/pjc.16.1.47.57>.
- Arief Fahmi Lubis. "Profesionalisme Perwira Hukum Dalam Membangun Visi-Misi Hukum Militer Dalam Rangka Menghadapi Tantangan Tugas TNI Di Masa Depan." *Jurnal Media Administrasi* 4, no. 2 (October 2019): 01–16. <https://doi.org/10.56444/jma.v4i2.1066>.
- Asmarudin, Imam, Mohammad Fauzan, Abdul Aziz Nasihuddin, Riris Ardhanariswari, Hariyanto Hariyanto, and Bhanu Prakash Nunna. "Initiating the Reform of Principle Norms in the Formation of Laws in Indonesia." *Jurnal IUS Kajian Hukum Dan Keadilan* 12, no. 2 (August 19, 2024): 208–26. <https://doi.org/10.29303/IUS.V12I2.1390>.
- Badu, Lisnawaty W, and Apripari. "Menggagas Tindak Pidana Militer Sebagai Kompetensi Absolut Peradilan Militer Dalam Perkara Pidana 'Initiating Military Criminal Acts As A Competence Of Military Justice Absolute In Criminal Crime.'" *Jurnal Legalitas* 12, no. 1 (2022): 57–81.
- Baskoro, Bambang Dwi, Hj. Nina Mirantie Wirasaputri, and Irma Cahyaningtyas. "Efforts to Create Integrated Criminal Justice Systems: Judicial Management Approach." *IOP Conference Series: Earth and Environmental Science* 175 (July 2018): 012178. <https://doi.org/10.1088/1755-1315/175/1/012178>.
- Belova, D. A. "Civil Liability for Neuroprosthesis Damage: Current Problems of Theory and Law Enforcement." *Courier of Kutafin Moscow State Law University (MSAL)* 1, no. 11 (January 2025): 54–61. <https://doi.org/10.17803/2311-5998.2024.123.11.054-061>.
- Cahoy, Daniel R., and Lynda J. Oswald. "Is Legal Harmonization Always Better? The Counter-Case of Utility Models." *American Business Law Journal* 58, no. 3 (September 2021): 525–78. <https://doi.org/10.1111/ablj.12190>.
- Carreño Bernal, Emmanuel Guillermo. "Harmonization of Cross-Border Contract Law: Legal Solutions in a Globalized World." *Journal of Policy and Society* 2, no. 2 (December 2024): 2273. <https://doi.org/10.59400/jps2273>.
- Chandra, Rinaldi. "PENYELESAIAN KASUS HUKUM DI LINGKUNGAN PENGADILAN MILITER DALAM PERKARA TINDAK PIDANA PENIPUAN YANG DILAKUKAN OLEH ANGGOTA TNI." *Pamulang Law Review* 1, no. 2 (June 2020): 75. <https://doi.org/10.32493/palrev.v1i2.5328>.
- Che Rosli, Iyllyana, Ahmad Ghouri, Norhasliza Ghapa, Asril Amirul Zakariah, and Murshamsul Kamariah Musa. "Judicial Preclusion in International Arbitration: Comparative Analysis of UK, Australia, and Malaysia's Practices." *Jambe Law Journal* 7, no. 2 (November 2024): 313–40. <https://doi.org/10.22437/home>.

v7i2.385.

- Citizen, Yuris Oktaviyani. "Termination of Prosecutions Based on Restorative Justice in The Settlements of Criminal Cases In The Area Of The Hight Prosecutors Of Lampung." *Pancasila and Law Review* 3, no. 2 (December 2022): 111–20. <https://doi.org/10.25041/plr.v3i2.2734>.
- Deni Dwi Firmansyah, and Elza Qorina Pangestika. "Ketidakadilan Dalam Penegakan Hukum Di Indonesia: Sebuah Tinjauan Kritis." *Jurnal Pustaka Cendekia Hukum Dan Ilmu Sosial* 2, no. 3 (November 2024): 219–23. <https://doi.org/10.70292/pchukumsosial.v2i3.67>.
- Dewi, Vania Oktaviani, and Irwan Triadi. "Penyelesaian Tindak Pidana Korupsi Oleh Subjek Militer Saat Sedang Menduduki Jabatan Sipil." *Hakim: Jurnal Ilmu Hukum Dan Sosial* 1, no. 4 (2023): 197.
- Gaol, Yulinda Regina C. Lumban, Alvi Syahrir, Edy Ikhsan, and Wessy Trisna. "Kewenangan KPK Untuk Menyidik Anggota TNI Bersama-Sama Dengan Sipil Secara Koneksitas." *Jurnal Ilmu Hukum, Humaniora Dan Politik* 4, no. 4 (June 2024): 779–89. <https://doi.org/10.38035/jihhp.v4i4.2073>.
- Hattu, Jacob, and Astuti Nur Fadillah. "Penyidikan Terhadap Anggota Militer Yang Melakukan Tindak Pidana Umum Dan Tindak Pidana Korupsi." *LUTUR Law Journal* 4, no. 2 (2023): 81–91. <https://doi.org/10.30598/lutur.v4i2.10633>.
- Helmi, Muhammad Ishar, Pujiyono Pujiyono, Khamami Zada, Mara Sutan Rambe, and Mualimin Mochammad Sahid. "Effectiveness of Criminal Offense Law Regarding Illegal Levies: Reforming Social Organizations within the Indonesian Legal Framework." *Volksgeist: Jurnal Ilmu Hukum Dan Konstitusi*, December 2024, 411–30. <https://doi.org/10.24090/volksgeist.v7i2.10882>.
- Hermawan, Hermawan, and Hendra Setyawan Theja. "Analisis Asas Domitus Litis Dan Penghentian Penuntutan Berdasarkan Keadilan Restoratif Dalam Perspektif Perjak No 15 Tahun 2020." *Al-Qanun: Jurnal Pemikiran Dan Pembaharuan Hukum Islam* 25, no. 1 (June 2022): 128–40. <https://doi.org/10.15642/alqanun.2022.25.1.128-140>.
- Ihsan, Muhammad. "Kedudukan Kejaksaan Republik Indonesia Dalam Proses Penuntutan Peradilan Militer Di Indonesia." *Jurnal Intelektualita: Keislaman, Sosial Dan Sains* 10, no. 2 (September 2021): 283–92. <https://doi.org/10.19109/intelektualita.v10i2.8907>.
- "Institutional Obstacles to Structural Transformation." In *Institutional Challenges at the Early Stages of Development*, 221–322. Cambridge University Press, 2023. <https://doi.org/10.1017/9781009285735.010>.
- Janah, Kharisatul, Siti Fatimah, and Hajar Salamah Salsabila Hariz. "The Role of Aceh Local Parties in The 2024 General Election in Realizing Democratization." *Volksgeist: Jurnal Ilmu Hukum Dan Konstitusi* 6, no. 1 (June 2023): 33–47. <https://doi.org/10.24090/volksgeist.v6i1.7532>.
- Jenks, Chris. "US Military Prosecutions during Non-International Armed Conflict." In *Between Crime and War*, 519–48. Oxford University Press New York, 2023. <https://doi.org/10.1093/oso/9780197638798.003.0018>.

- Kao, Da-Yu, Ni-Chen Wu, and Fuching Tsai. "A Triage Triangle Strategy for Law Enforcement to Reduce Digital Forensic Backlogs." In *2020 22nd International Conference on Advanced Communication Technology (ICACT)*, 1173–79. IEEE, 2020. <https://doi.org/10.23919/ICACT48636.2020.9061240>.
- Khorram-Manesh, Amir, Luc J. Mortelmans, Yohan Robinson, Frederick M. Burkle, and Krzysztof Goniewicz. "Civilian-Military Collaboration before and during COVID-19 Pandemic—A Systematic Review and a Pilot Survey among Practitioners." *Sustainability* 14, no. 2 (January 2022): 624. <https://doi.org/10.3390/su14020624>.
- Kurniawan, Iwan, Handar Subhandi Bakhtiar, and Beniharmoni Harefa. "Connectivity Case a Juridical Review of the Handling Process before and After the Establishment of the Attorney General in the Military Criminal Field." *International Journal of Social Science and Human Research* 7, no. 05 (May 2024). <https://doi.org/10.47191/ijsshr/v7-i05-57>.
- Kurniawan Maroni, Didik, Heni Siswanto, and H.S Tisnanta. "FUNCTIONAL DIFFERENTIATION IN CRIMINAL CODE: THE ROLE OF PROSECUTORS AS CASE CONTROLLERS IN INDONESIAN LAW." *International Journal of Advanced Research* 10, no. 10 (October 2022): 1203–10. <https://doi.org/10.21474/IJAR01/15598>.
- Langkah, Melakukan, and Cuci Tangan. "Analisis Yuridis Perkembangan Penyelesaian Koneksitas Pasca Dibentuk Jaksa Muda Pidana Bidang Militer." *Mora Zilliansyah Dongoran STIKes* 1, no. 2 (2024): 51–60.
- Lapae, Kelaesar Anna Hasanah, Hambali Thalib, and Nur Fadhilah Mappaselleng. "Kewenangan Jaksa Agung Muda Bidang Pidana Militer Dalam Penuntutan Tindak Pidana Koneksitas." *Journal of Lex Generalis (JLG)* 3, no. 9 (2022): 1506–21.
- Leksono, Sony Cipto, Hadi Purnomo, and Hernawati RAS. "Criminal Justice System in the Perspective of Integration." *International Journal of Asia Pasific Collaboration* 1, no. 3 (2023): 82–90.
- Mahmudi, Mohammad, and Ludfi. "Tanggung Jawab Hukum Anggota Militer Dalam Kasus Korupsi Melalui Peradilan Koneksitas Antara KPK Dan TNI." *HUNILA: Jurnal Ilmu Hukum Dan Integrasi Peradilan* 2, no. 1 (2023): 113–24. <https://doi.org/10.53491/hunila.v2i1.672>.
- Mikhaylova, Ekaterina V. "SETTLEMENT APPROVAL BY COURT: PROBLEMS OF THE THEORY AND THE LAW ENFORCEMENT PRACTICE." *Justice of the Peace*, November 2023, 33–37. <https://doi.org/10.18572/2072-4152-2023-12-33-37>.
- Mukherjee, Anubhab. "Efficacy of Legal Aid: Bridging the Justice Gap." *Galore International Journal of Applied Sciences and Humanities* 8, no. 3 (November 2024): 29–41. <https://doi.org/10.52403/gijash.20240304>.
- Nofia Sari, Okta, Nur Arfiani, and Mustofa Mustofa. "Independensi Penuntutan Perkara Koneksitas Ditinjau Dari Peraturan Presiden Nomor 15 Tahun 2021 Tentang Organisasi Dan Tata Kerja Kejaksaan." *WELFARE STATE Jurnal Hukum* 2, no.

- 2 (November 2023): 143–62. <https://doi.org/10.56013/welfarestate.v2i2.2307>.
- Nurmalis, and Sugiharto. “PENYELESAIAN PERKARA PERBEDAAN PENDAPAT ANTARA PAPERA DAN ODITUR MELALUI DILMILTAMA TERHADAP PERKARA PENELANTARAN DALAM RUMAH TANGGA YANG DILAKUKAN OLEH PRAJURIT.” *Jurnal Magister Ilmu Hukum*, July 2024, 87–105. <https://doi.org/10.55499/dekrit.v14n1.255>.
- Nurwantoko, Endro, Dey Ravena, and Dini Dewi Heniarti. “Application of the Dominus Litis Principle in Enforcement of Administrative Law as a Military Prosecutor in Order to Achieve Legal Certainty in Settlement of Cases in the Military Judiciary Environment.” *International Journal of Research and Innovation in Social Science* VII, no. IV (2023): 987–93. <https://doi.org/10.47772/IJRISS.2023.7482>.
- Oktoberiandi, Oktoberiandi, Sujono Sujono, and Sudarto Sudarto. “Problematics of Judicial Connection in Handling Corruption Cases (Decision Number: 74/Pid.Sus-TPK/2022/PN.Jkt.Pst).” *LITERATUS* 6, no. 1 (April 2024): 335–39. <https://doi.org/10.37010/lit.v6i1.1673>.
- Orzhynska, Elvira, Viktoria Rarytska, Konstiantyn Stoianov, Denys Dontsov, and Anatoliy Terletsii. “Comparative Analysis of Prosecutorial Systems: Insights From the United States and European Countries.” *Syariah: Jurnal Hukum Dan Pemikiran* 24, no. 2 (2024): 299–313. <https://doi.org/10.18592/sjhp.v24i2.14472>.
- Pakpahan, Novritsar Hasintongan, and Indonesia Indonesia. “Kekosongan Hukum Dalam Penilaian Letak Kerugian Pada Kepentingan Umum Atau Kepentingan Militer Sebagai Dasar Kewenangan Peradilan Koneksitas.” *Sanskara Hukum Dan HAM* 1, no. 02 (December 2022): 37–46. <https://doi.org/10.58812/shh.v1i02.65>.
- Panjaitan, Amabel Shahab Maleakhi, Agus Surono, and Handar Subhandi Bakhtiar. “Juridical Analysis of the Role and Position of the Young Attorney General for Military Criminal Affairs in Connection Cases.” *International Journal of Social Science and Human Research* 7, no. 05 (May 2024). <https://doi.org/10.47191/ijsshr/v7-i05-96>.
- Pertiwi, Novalia. “Analisis Yuridis Proses Penuntutan Perkara Koneksitas Dalam Tindak Pidana Korupsi Perspektif Hukum Positif.” *Penambahan Natrium Benzoat Dan Kalium Sorbat (Antiinversi) Dan Kecepatan Pengadukan Sebagai Upaya Penghambatan Reaksi Inversi Pada Nira Tebu*, no. 0341 (2014).
- Prabandari, Putu Nadya, I Nyoman Gede Sugiartha, and I Made Minggu Widyantara. “Peranan Jaksa Agung Muda Bagian Pidana Militer Dalam Penanganan Perkara Koneksitas.” *Jurnal Analogi Hukum* 4, no. 2 (2022): 182–86.
- Ridlo, Ali, and Siswantari Pratiwi. “Analisis Penyelesaian Perkara Koneksitas Dalam Perspektif Pidana Umum Dan Pidana Militer.” *Pagaruyuang Law Journal* 8, no. 1 (2024): 45–57.
- Saimima, Ika Dewi Sartika, and Mochammad Syafruddin Rezky Sanaky. “Justice Connectivity in the Criminal Prosecution of Human Trafficking.” *SASI* 1, no. 1 (March 2024): 75. <https://doi.org/10.47268/sasi.v1i1.1828>.

- Sekarini, Alyssa. "Analisis Yuridis Penerapan Splitsing Dalam Penyelesaian Perkara Koneksitas Ditinjau Dari KUHAP Dan KUHAPMIL," 2016.
- Septiana, Sabrina, and August Hamonangan P. "Kedudukan Peradilan Umum Dan Peradilan Militer Dalam Perkara Koneksitas Ditinjau Dari Perspektif Hukum Positif Indonesia." *Jurnal Ilmiah Publika* 11, no. 1 (2023): 108. <https://doi.org/10.33603/publika.v11i1.8206>.
- Setyarini¹, Astri Dewi, Muhammad Rafli, Sefriyan Reynaldi, Fajar Muhammad, and Samuel Arthur Hulu. "Pembahasan Mengenai Asas-Asas Dalam Ranah Hukum Militer Dan Hukum Pidana Umum." *Socius: Jurnal Penelitian Ilmu-Ilmu Sosial* 1, no. 5 (2023): 48–54.
- Setyowati, Dewi. "Diversion in the Child Criminal Justice System as an Effort to Implement Restorative Justice." *Unram Law Review* 4, no. 1 (April 2020): 64–73. <https://doi.org/10.29303/ulrev.v4i1.108>.
- Simbolon, Bona Fernandez M.T., Alvi Syahrin, Ediwarman, and Marlina. "The Prosecutor's Promise in Executing the Claim Cessation Based on Restorative Justice." *Revista de Gestão Social e Ambiental* 18, no. 7 (April 2024): e05634. <https://doi.org/10.24857/rgsa.v18n7-023>.
- Sjafrie Sjamsoeddin, Purnomo Yusgiantoro, Herlina Juni Risma Saragih, and Budi Susilo Soepandji. "The Analysis of Civil-Military Cooperation in Implementation of Indonesia National Defense Policy." *Journal of Namibian Studies : History Politics Culture* 33 (May 2023). <https://doi.org/10.59670/jns.v33i.707>.
- Skripchenko, Nina Yu. "The Use of Information and Telecommunication Networks for Criminal Purposes: Regulatory Accounting and Prospects for Expanding Criminal Law Authority." *RUDN Journal of Law* 28, no. 1 (March 2024): 196–214. <https://doi.org/10.22363/2313-2337-2024-28-1-196-214>.
- Stephen, Schneider. "Adapting the Typology for Organized Crime Enforcement." In *An Ontology of Organized Crime*, 180–237. New York: Routledge, 2024. <https://doi.org/10.4324/9781003485872-9>.
- SUDIRDJA, RUDI PRADISETIA. "PENGUATAN KEWENANGAN PENUNTUT UMUM MELALUI PENGESAMPINGAN PERKARA PIDANA DENGAN ALASAN TERTENTU." *LITIGASI*, no. 20 (January 2020): 291–313. <https://doi.org/10.23969/litigasi.v20i2.2032>.
- Sundari, Elisabeth, Helidorus Chandera Halim, Maria Acynta Christy, and G. Widiartana. "Jurisdiction Conflict between Indonesian District Courts and State Administrative Courts: The Possibility Using 'Joint-Proceeding' Concept for Resolution." *INTERNATIONAL JOURNAL OF SOCIAL SCIENCE AND EDUCATION RESEARCH STUDIES* 02, no. 11 (November 2022). <https://doi.org/10.55677/ijssers/V02I11Y2022-13>.
- Swandana, M. Dastin Meta. "Kewenangan Peradilan Militer Terhadap Penegakan Hukum Pada Perkara Koneksitas Yang Dilakukan Oleh Tentara Nasional Indonesia (TNI)," no. 31 (2016): 1–23.
- Tamba, Handika Syahputra, July Esther, and Jusnizar Sinaga. "Criminal Offenses Committed by Civilians Together With Members Of The Military." *Indonesian*

Journal of Law and Justice 2, no. 3 (January 2025). <https://doi.org/10.47134/ijlj.v2i3.3576>.

- Taufik, Ahmad, Farza Kejaksaan, Tinggi Palembang, and Sumatera Selatan. "Perspektif Teori Maslahat Pada Asas Oportunitas Dalam Melakukan Penuntutan Perkara Pidana Keywords : Maslahat , Penuntutan Indonesia Sebagai Negara Yang Berbentuk Republik Yang Berdasarkan UUD1945 Yang Merupakan Konstitusi Negara Indonesia Tertuang Dalam P" 2, no. 1 (2024): 56–68.
- Trejo, Guillermo, and Camilo Nieto-Matiz. "Containing Large-Scale Criminal Violence through Internationalized Prosecution: How the CICIG Contributed to the Reduction of Guatemala's Murder Rate," September 2019. <https://doi.org/10.33774/apsa-2019-crqt0>.
- Widyawati, Anis, Ridwan Arifin, Rohadhotul Aisy, Shofriya Qonitatin Abidah, and Heru Setyanto. "Supervision in Integrated Justice: Legal Reform and Constructive Enforcement in the Criminal Justice System." *Journal of Law and Legal Reform* 5, no. 2 (2024): 433–58. <https://doi.org/10.15294/jllr.vol5i2.3886>.
- Yusni, Muhammad. "The Problematics of the Implementation of the Dominus Litis." *Budapest International Research and Critics Institute (BIRCI-Journal): Humanities and Social Sciences* 3, no. 4 (October 2020): 2986–93. <https://doi.org/10.33258/birci.v3i4.1321>.