

Legal Analysis of The Implementation of The Single Prosecution System in The Criminal Justice System (Study at The District Prosecutor's Office of Bogor Regency)

Veronika Oxtafia¹⁾ & Umar Ma'ruf²⁾

¹⁾ Faculty of Law, Universitas Islam Sultan Agung (UNISSULA) Semarang, Indonesia,
E-mail: veronikaoxtafia.std@unissula.ac.id

²⁾ Faculty of Law, Universitas Islam Sultan Agung (UNISSULA) Semarang, Indonesia,
E-mail: umarmaruf@unissula.ac.id

Abstract. *The criminal justice system has a single prosecution system principle that places the prosecutor as the public prosecutor and is interpreted as an implementation of the principle reflected in Article 2 paragraph (2) of Law Number 11 of 2021, this principle is the true meaning of the principle of one and inseparable. The objectives of this research are: 1) to study and analyze the legal implementation of the single prosecution system in the current criminal justice system; 2) to study and analyze the legal weaknesses of the implementation of the single prosecution system in the criminal justice system and their solutions. This research uses an empirical legal approach, employing a descriptive analytical research method. The data used are primary and secondary data, which will be analyzed qualitatively. The research problem is analyzed using the theory of authority, the theory of legal systems, and the theory of justice. The results of the study concluded that: 1) The implementation of a single prosecution system in the current criminal justice system that the Single Prosecutor in the criminal justice system will provide legal certainty, with the implementation of a single prosecutor in the existing justice system it will be ensured that every prosecution process is under the responsibility of the prosecutor as the highest authority holder. The legal certainty created by the single prosecutor system makes the implementation of prosecution better, less ambiguous, and effective; 2). The weakness of the legal substance aspect of the implementation of the single prosecution system in the criminal justice system is that there is no clear separation between the criminal justice subsystems so that there is a phenomenon of overlapping authority between the subsystems. The weakness of the legal structure aspect is that the investigative power, the prosecutorial power has not been structured in the chapter on Judicial Power in the 1945 Constitution. The weakness of the legal culture aspect is that the public does not fully trust the criminal justice system. The solution to the weakness of the legal*

substance aspect is to make a clear separation between the criminal justice subsystems so that there is no phenomenon of overlapping authority between the subsystems, while the solution to the weakness of the legal structure aspect is the need to place the investigative power, the prosecutorial power in the chapter on Judicial Power in the 1945 Constitution if in the future there will be a fifth amendment. The weakness of the legal culture aspect is to implement effective law enforcement and be free from political influence.

Keywords: *Criminal Justice System; Legal Analysis; Single Prosecution System.*

1. Introduction

The definition of the stages of criminal justice as stipulated in Article 1 of the Criminal Procedure Code (KUHP) is considered unclear, but it is a completely new concept, having not previously been included in the HIR. This provision is definitive and serves as the authentic guideline for law enforcement and implementing regulation makers, preventing misinterpretation. This is crucial for achieving a common understanding for all parties and, of course, ensuring greater legal certainty.¹ Specifically, when it comes to the prosecution process, Indonesia adheres to a single prosecution system, meaning prosecutions are conducted by only one authorized state institution, the Prosecutor's Office. This is as stipulated in Article 1 of Law Number 11 of 2021 concerning Amendments to Law Number 16 of 2004 concerning the Prosecutor's Office of the Republic of Indonesia, which states:

"The Attorney General's Office of the Republic of Indonesia, here in after referred to as the Attorney General's Office, is a government institution whose functions are related to judicial power, which carries out state power in the field of prosecution and other authorities based on the Law."

¹ Andi Hamzah, *Hukum Acara Pidana Indonesia*, Jakarta : Sinar Grafika; 2016, p. 3.

The composition of the Prosecutor's Office is divided into three, including the Attorney General's Office which is located in the capital of the Republic of Indonesia and is led by an Attorney General as the highest leader in this institution, then the High Prosecutor's Office which is located in the provincial capital and is led by the Head of the High Prosecutor's Office, the District Prosecutor's Office which is located in the district or city capital and is led by the Head of the District Prosecutor's Office and the Branch of the District Prosecutor's Office which is located in the District Capital and is led by the Head of the Branch of the District Prosecutor's Office.² The criminal justice system has the principle of a single prosecution system which places the prosecutor as the public prosecutor and is interpreted as an implementation of the principle reflected in Article 2 paragraph (2) of Law Number 11 of 2021, this principle is the true meaning of the principle of one and inseparable (*een en ondeelbaar*). The principle of single prosecution itself is a universally applicable legal principle, although in several other country constitutions such as Ukraine, Finland, Russia, Vietnam, the People's Republic of China, South Africa, and Ghana, there are several nomenclatures that mention the principle of single prosecution, such as unified system, highest prosecutor, single centralized system, chief procurator of the Supreme People's Organ of Control, the highest procuratorial organ, and single national prosecuting authority, but all have the same meaning, namely the principle of single prosecution which regulates the Prosecutor's Office as the only prosecution institution and positions the Attorney General as the highest public prosecutor who controls the prosecution.

² Andi Hamzah & Irdan Dahlan, *Perbandingan KUHP, HIR dan komentar*, Jakarta : Ghalia Indonesia; 1984, p. 20.

This statement is a constitutional norm born from a public consensus to agree on the regulation of prosecutorial power with various prosecution policies within it being under the control of the Attorney General as the highest public prosecutor. In addition to the various constitutions in several countries, the position of the Attorney General as the highest public prosecutor is also regulated in various laws and regulations in Indonesia that regulate the Prosecutor's Office as mentioned in the background section. Finally, through Article 18 paragraph (1) of Law Number 11 of 2021 which states "The Attorney General is the highest Public Prosecutor and state attorney in the Unitary State of the Republic of Indonesia". In practice, the principle of single prosecution is implemented into a system called the single prosecution system. There are several models of the single prosecution system as the implementation of the single prosecution principle. The first model is a pure single prosecution system, namely the prosecution is carried out by the prosecutor's institution (the Prosecutor's Office) in an absolute manner. Absolute authority belongs to the Attorney General as the highest public prosecutor who controls and is responsible for the prosecution, even though the implementation of investigations and inquiries is carried out by other institutions.³ The second model is an impure single prosecution system. This impurity stems from the fact that prosecutorial authority is delegated to another institution, but its implementation is under the coordination and control of the Attorney General, who is responsible for the prosecution's implementation.⁴ In addition to the single prosecution system model, there are two scopes of the single prosecution system. First, the single prosecution system in the narrow sense, namely, prosecution policy is per se focused solely on pre-prosecution and prosecution activities.⁵ Second, the single prosecution system in the broad sense, namely the authority of the Attorney General in determining technical and administrative policies for the implementation of investigations, inquiries, prosecutions, evidence in court, up to legal action.⁶ This allows the public prosecutor to conduct a series of investigative actions for the purposes of prosecution. This is because they cannot be separated from the investigative function. Both pure and impure single prosecution systems, as well as prosecution systems in the broad and narrow senses, all position the Attorney General as the highest public prosecutor who controls prosecutorial power. The principle of single prosecution plays a crucial role in preventing disparities in prosecution by providing access to justice in the form of equal treatment in every prosecution case, as implemented in the principles of equality before the law and non-discrimination.

³ EQ. RM. Surachman dan Jan S. Maringka, *Op.Cit*, p. 119-403.

⁴ Mia Banulita, *Asas Penuntutan Tunggal*, (Jakarta: Guepedia, 2023), p. 287-307

⁵ *Ibid*

⁶ *Ibid*

With the independence of the Attorney General's Office as the holder of prosecutorial power within the constitutional structure of the Republic of Indonesia, it will automatically be entrusted with the task and responsibility to formulate and implement law enforcement policies in Indonesia. Thus, the success or failure of law enforcement will be the full responsibility of the Attorney General's Office, and must be accounted for to all levels of society throughout Indonesia. In other words, this institution must be able to oversee the upholding of the rule of law and the protection of human rights in the life of society, the nation, and the state, so that the ideals of a just and prosperous Indonesian state based on the rule of law can be realized.⁷ In carrying out prosecutorial authority in the region in this case the Regency/City, as mandated by Article 4 paragraph (3) of Law No. 11 of 2021 concerning amendments to Law No. 16 of 2004 concerning the Prosecutor's Office, in Bogor Regency the Bogor Regency District Prosecutor's Office was formed based on Presidential Decree of the Republic of Indonesia Number 34 of 1993 concerning the Establishment of the District Prosecutor's Office in Cibinong which covers the legal area of the Bogor Level II Regional Regency. The duties and authorities of the District Prosecutor's Office are a delegation of authority and mandate from the Attorney General's Office of the Republic of Indonesia and the West Java High Prosecutor's Office, so that in its implementation it continues to carry out prosecutions in the designated legal area. In exercising its prosecutorial authority within the jurisdiction of Bogor Regency, now known as Bogor Regency, the Bogor Regency Prosecutor's Office, based in Cibinong, certainly faces obstacles and challenges, both due to the characteristics of the community and the characteristics of law enforcement in the criminal justice system. These obstacles include a lack of coordination regarding the handling of minor crimes, such as minor assaults or minor thefts (under 2,500,000 Rupiah), which allows investigators to prosecute. Furthermore, in resolving cases through restorative justice, conducted at the investigator level, the Bogor Regency Prosecutor's Office has in some cases not received notification regarding the termination of an investigation. Furthermore, there are gaps in the handling of connected cases, which can result in different verdicts or the failure to prosecute one of the perpetrators, whether civilian or military. This impacts justice and legal certainty for perpetrators of criminal acts.

2. Research Methods

This research uses an empirical juridical approach. The research method employed in completing this thesis is descriptive qualitative. The data used are primary and secondary data, which will be analyzed qualitatively. The research problem is analyzed using the theory of authority, the theory of legal systems, and the theory of justice.

⁷ *Ibid*

3. Results and Discussion

3.1. Implementation of the Single Prosecution System in the Current Criminal Justice System

3.1.1. The Concept of Single Prosecution Within the Framework of Prosecutorial Power

The prosecutorial power is a free and independent state power, and has a fundamental position in protecting the interests of the state, the public, and the law within a country. Unlike the judicial power, which is passively awaiting a case, the state, through its prosecutorial power, can prosecute anyone who commits an act that violates the interests of the state, the public, and the law. No country is without prosecutorial power. The prosecutorial power is a free and independent power free from the influence of any other power, which is a characteristic of the judiciary or judicial power. Therefore, the prosecutorial power is part of the judicial power whose function is related to the judicial power to realize just prosecution as the main goal of the prosecutorial power.

Prosecutorial power, as a state power, is not absolute but is limited by law. In Indonesia, prosecutorial power is exercised by the Attorney General, led by the Attorney General, based on the law governing the Prosecutor's Office. Various laws and regulations have shifted prosecutorial power from the Prosecutor's Office, initially positioned as a state instrument, to Law 5/1991, which then positioned it as a government institution within the executive branch. This legal policy continues to this day, under Law 11/2021. It is clear that prosecutorial power, which should be free and independent from the influence of any power, especially the executive branch, is "controlled" and "refuses" to be released from the "control" of the executive branch. Consequently, a compromise legal policy was adopted, emphasizing that although prosecutorial power is exercised by the Prosecutor's Office as an executive institution, its exercise is free and independent.

Responding to the political reality of the law, and to maintain the purity of the free and independent prosecutorial power to protect the interests of the state, the public, and the law, legal principles are needed that can serve as the spirit or justification for regulating, implementing, and supervising prosecutorial power. Scientific studies of the legal principles underlying prosecutorial power are essential to achieve just prosecutions that are comprehensive and meet the principles of scientific truth. Prior to this study, there were several studies that examined various legal principles related to prosecutorial power, but they were not codified, scattered, and not yet comprehensive. This study attempts to collect these various legal principles of prosecution so that they can serve as a justification

for regulating, implementing, and supervising prosecutorial power to achieve just prosecutions.

3.1.2. Sole Prosecution Within a Legal Framework

Policy *Single Prosecution System* plays a crucial role in maintaining integration and coordination among prosecutors throughout Indonesia. Through this policy, the Attorney General, as the highest public prosecutor, ensures that all investigative and prosecution actions are coordinated, under a single, clear command. The implementation of a single prosecution system will refer again to the legal system. According to Friedman, a key aspect of the legal system is its substance. By substance, we mean the rules, norms, and actual patterns of human behavior within that system. Therefore, legal substance concerns applicable laws and regulations that are binding and serve as guidelines for law enforcement officials.

According to him, the legal basis for establishing this system is very clear: Law Number 16 of 2004 concerning the Indonesian Attorney General's Office establishes the Attorney General as the highest public prosecutor in Indonesia. Furthermore, Law Number 11 of 2021 concerning the Attorney General's Office strengthens the Attorney General's role as the sole controller of all prosecution processes in Indonesia, both in the civil and military justice sectors. This aims to create justice through uniform law enforcement by an independent body to prevent interference in the process.

One important aspect of the Single Prosecution System is its ability to integrate law enforcement across various sectors, including in connection trials involving military and civilian elements. The connection system is regulated by Law Number 31 of 1997 concerning Military Justice and the Criminal Procedure Code, where the Attorney General has the authority to determine which courts have the authority to try connection cases, through coordination with the Indonesian National Armed Forces (TNI) Auditor General and other law enforcement agencies.

In several major cases involving military corruption, such as the corruption case involving the Indonesian Army's Mandatory Housing Savings Fund (TWP) and the Ministry of Defense's satellite orbital slot procurement project, the Attorney General's Office, through the Deputy Attorney General for Military Crimes (JAMPIDMIL), has played a key role in investigations and prosecutions. This system has also been effective in addressing criticisms of the prosecutor's office's handling of corruption cases, which are considered less effective than those handled by the Corruption Eradication Commission (KPK) and the Indonesian National Police.

Legally, the authority of the Prosecutor's Office in investigating corruption crimes has been explicitly regulated in various laws, including Law Number 16 of 2004 as amended by Law 11 of 2021 concerning the Indonesian Prosecutor's Office. This

authority is also supported by the principle of *dominus litis*, which places the prosecutor as the party that controls the course of investigation and prosecution.

One of the main challenges is ensuring that various law enforcement agencies, such as the Corruption Eradication Commission (KPK), the National Police (Polri), and the Indonesian National Armed Forces (TNI), can work harmoniously with the Attorney General's Office. However, this policy is complemented by mechanisms that allow the Attorney General to address differences of opinion or obstacles that arise in the field.

Article 35 letter j of Law Number 11 of 2021 stipulates that all prosecutions in connected criminal cases must remain accountable to the Attorney General. In cases involving multiple law enforcement agencies, the Attorney General's Office retains the highest authority in controlling the prosecution process. Indonesia adheres to a single prosecution system, meaning prosecutions are carried out by only one authorized state institution, the Attorney General's Office. This is reinforced by Article 2 of Law Number 11 of 2021 concerning the Attorney General's Office of the Republic of Indonesia. The single prosecution system, or "single prosecution system," is a single prosecution system. The phrase "the prosecutor must prosecute" should be interpreted as implementing the principle of a single prosecution system in the criminal justice system. This term embodies the true meaning of the principle of one and inseparable (*een en ondeelbaar*) as the foundation for implementing prosecutorial duties, which aims to maintain a unified prosecution policy that displays a unified characteristic in its mindset, behavior, and work procedures.

The application of the single prosecution system principle in an international context can be seen in Article 11 of the United Nations Guidelines on the Role of Prosecutors, which states that prosecutors must play an active role in the prosecution process and play an active role in investigations if permitted, supervise the legality of such investigations, supervise the implementation of court decisions and carry out other functions as representatives of the public interest. The application of the single prosecution system principle in the Prosecutor's Office is a necessity or obligation in the criminal justice system in Indonesia. This principle provides benefits and understanding that prosecutors in the Indonesian criminal justice system are organized within a state institution called the Attorney General's Office of the Republic of Indonesia. The Attorney General's Office of the Republic of Indonesia is led by the Attorney General. However, currently, there are several other institutions that also carry out prosecution and execution functions but are not controlled by the Attorney General. For example, corruption cases are carried out by the Corruption Eradication Commission (KPK) or against perpetrators of criminal acts in the military court environment which are carried out by the military auditorate, the

high military auditorate, and the Indonesian National Armed Forces (TNI) auditorate.

Single prosecutor In the criminal justice system, the single prosecutor system is absolute, in line with the principle of *dominus litis*, which implies that control of prosecution policy in a country must be carried out in one hand, namely under the control of the Attorney General as the highest public prosecutor. By implementing a single prosecutor system, it is hoped that law enforcement will be formed that is full of responsibility and legal certainty and justice, in accordance with the ideals to be achieved in the regulations and principles governing the prosecution system in Indonesia. A single prosecutor in the criminal justice system will provide legal certainty, with the implementation of a single prosecutor in the existing justice system, it will be ensured that every prosecution process is under the responsibility of the prosecutor as the highest authority holder. The legal certainty created by the single prosecutor system makes the implementation of prosecution better, unambiguous, and effective.

The single prosecution system is understood according to the theory of functional differentiation, namely that the Prosecutor's Office functions as a form of institutional specialization that maintains the integrity and efficiency of the legal system. The Prosecutor's Office's single prosecution is part of a differentiation structure that systematically differentiates law enforcement functions, prevents overlapping authority, and ensures a fair and transparent legal process.

3.1.3. Single Prosecution System at the Bogor Regency District Attorney's Office

According to Sudikno Mertokusumo, *das sollen* is a normative reality or what should be done based on a written rule. While *das sein* is a natural reality or concrete event. There is disharmony in the interpretation and application of the term *aquo*. For example, for minor crimes, the Bogor Regency District Attorney has never received case files to then examine whether or not the *aquo* case can be tried. Regarding the demands made by investigators, in this case the police who are prosecuting minor crimes *vide* Article 205 of the Criminal Procedure Code paragraph (2), it must still be the prosecutor's authority, namely the Prosecutor's Office, as they can assess whether the case is worthy of trial or not. The Prosecutor's Office is an independent institution because it has a strategic function and position as an executor of state power in the field of prosecution. The *aquo* matter is stipulated in Article 2 of Law No. 11 of 2021 concerning amendments to Law No. 16 of 2004 concerning the Indonesian Prosecutor's Office. The *aquo* article explains that the prosecutor's office in carrying out its duties is not influenced by other powers. Regarding the power of the prosecutor in terms of prosecution or *dominus litis*, the prosecutor should be a monopoly institution in the field of prosecution which determines the direction of the resolution of criminal cases.

Exceptions to the principle of *dominus litis* do not mean that the prosecutor's office does not have the right to supervise the prosecution process carried out by other institutions. For example, the police who carry out prosecutions in cases of minor crimes vide Article 205 of the Criminal Procedure Code paragraph (1) must still coordinate with the prosecutor's office to ensure uniformity in the application of the law, supervision of prosecution practices and no abuse of power because referring to the exception is only limited to the efficiency of the *pro justitia* process and still respects *dominus litis* as the main principle.

Based on the theory of functional differentiation, each institution has a specific function within the social system. The prosecutor's function is to legally and fairly direct cases to court. This is a manifestation of *dominus litis*, a specialized function separate from the investigative and judicial functions. This power does not belong to the prosecutor personally, but rather to the institutional power within the legal function. Failure to implement this principle, in addition to violating the principle of *dominus litis*, will result in a lack of integration in case administration. This situation results in a lack of synchronization between the number of minor crime cases handled by the police and the prosecutor's office reports. As a result, the prosecutor's office cannot evaluate the quality or quantity of minor crime cases handled to achieve legal certainty and justice.

Regarding the theory of power, namely the prosecutor's office in matters of prosecution, or *dominus litis*, the prosecutor's office should be the monopoly institution in the field of prosecution, determining the direction of criminal case resolution. In the case of police investigators acting as public prosecutors for minor crimes, this is for the sake of efficiency in the *pro justitia* process and adheres to the principles of speedy, simple, and low-cost justice. This does not mean overriding the principle of *dominus litis*.

3.1.4. Implementation of Prosecution at the Bogor Regency District Attorney's

Office is Based on Justice

The law enforcement process through prosecution requires formal technical arrangements in prosecution planning. This contributes to uniform prosecutions based on justice and legal certainty. The Bogor Regency District Attorney's Office formally defines the following parameters for determining a prosecution: Attorney General's Guideline Number 24 of 2021 concerning the Handling of General Criminal Cases. This regulation aims to ensure uniformity and legal certainty. This guideline is a crucial instrument in ensuring that prosecutions are conducted in a uniform, targeted, and proportional manner among prosecutors throughout Indonesia, thereby preventing disparities in prosecutions for similar cases.

The next goal is to strengthen the implementation of the principle of single prosecution, thus the demand to strengthen the function of the Prosecutor's Office as the sole prosecution institution (*dominus litis*), with a vertical control system from the Public Prosecutor to the Chief Prosecutor. This is also to be able to encourage the accountability and professionalism of Prosecutors in every prosecution action, not only based on intuition or experience of the prosecutor, but must be proven and accounted for in writing with legal, sociological, and philosophical analysis.

With the Prosecutor's Office directly verifying and approving the *rentut*, the potential for abuse of authority, legal discrimination, and the prosecutor's subjective interests can be minimized, as the *rentut* is not merely a formality or a document completion requirement. It is an integral part of the Prosecutor's Office's legal strategy to maintain the fairness, efficiency, and integrity of the criminal justice system.

3.2. Legal Weaknesses of the Implementation of the Single Prosecution System in the Criminal Justice System and Their Solutions

In practice, the implementation of the single prosecution system in the Bogor Regency District Attorney's Office has not been entirely ideal. Several legal weaknesses hinder the optimal implementation of the *dominus litis* principle. Police investigators frequently transfer minor criminal cases directly to the court without notifying the public prosecutor, despite Article 205 of the Criminal Procedure Code (KUHAP) requiring investigators to act under the authority of the public prosecutor.

Furthermore, regarding case resolution through restorative justice, there are several cases where the investigators resolved the case at the investigation stage without coordination or notification to the prosecutor's office. As a result, there are data gaps and a lack of integration between the police and the prosecutor's office. These weaknesses arise from several aspects, including:

3.2.1. Weaknesses of the Legal Substantive Aspect

According to Soerjono Soekanto, law and law enforcement are factors in law enforcement that cannot be separated because they can result in the failure to achieve what is expected by law enforcement.⁸ The law can play a good and correct role in the behavior of society if the implementation instruments are accompanied by the authority of law enforcement, one of which is the Attorney

⁸ RM. Surachman dan Andi Hamzah, *Jaksa Di Beberapa Negara. Peranan dan Kedudukannya*, (Jakarta : Sinar Grafika; 1996), p. 5.

General's Office of the Republic of Indonesia.⁹ The Attorney General's Office of the Republic of Indonesia is one of the bodies whose functions are related to judicial power and a government institution that exercises state power in the field of prosecution and other powers carried out independently by the Attorney General's Office, the High Prosecutor's Office and the District Prosecutor's Office in accordance with the applicable laws on state power.¹⁰

The central position of the Prosecutor's Office as prosecutor and executor of judges' decisions in the integrated criminal justice system must always be integrated with investigations, trials and corrections.¹¹ It is important to strengthen the role of prosecutors in law enforcement functions, as mandated in the United Nations Guidelines on the Role of Prosecutors and adopted at the 8th Crime Prevention Congress, in Havana, 27 August–7 September 1990.

Article 11 of the UN Guidelines on the Role of the Prosecutor states that the Prosecutor must play an active role in the process of handling criminal cases, including conducting prosecutions and, if permitted by law or in accordance with local customs, playing an active role in investigations, supervising the legality of such investigations, supervising the implementation of court decisions and carrying out other functions as representatives of the public interest. The phrase "The Prosecutor conducts prosecutions" should be interpreted as an implementation of the principle of a single public prosecutor (Single Prosecution System) in the criminal justice system.

Legally, the Prosecutor's Office is regulated in Law Number 11 of 2021 concerning Amendments to Law Number 16 of 2004 concerning the Prosecutor's Office of the Republic of Indonesia (Prosecutor's Office Law). Its position is said to be an authorized body in enforcing law and justice that exercises state power in the field of Prosecution. The Prosecutor's Office is led by the Attorney General who is appointed by and responsible to the President. However, the mandate of Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia and the formulation of Article 2 of the Prosecutor's Office Law which emphasizes the position of the prosecutor's office or public prosecutor in terms of implementing state power in the field of prosecution and other authorities based on the law independently has not been implemented ideally, especially in eradicating corruption. It is necessary to understand the empirical, philosophical, and legal background regarding the principle of the Single Prosecution System in criminal

⁹ Kejaksaan Agung Republik Indonesia. *Independensi Kejaksaan Dalam Kaitannya Dengan Sistem Negara Hukum*. *Op. Cit.* p. 160.

¹⁰ Soerjono Soekanto, *Faktor-Faktor Yang Memengaruhi Penegakan Hukum*, Jakarta : Rajawali; 1983, p.5.

¹¹ Marwan Effendy, *Kejaksaan RI (Posisi dan Fungsinya Dari Perspektif Hukum)*, Jakarta : PT Gramedia Pustaka Utama; 2005, p.1

acts of corruption and its implications for prosecution policy from the perspective of the Criminal Justice System in Indonesia.

Referring to Law Number 11 of 2021 concerning Amendments to Law Number 16 of 2004 concerning the Attorney General's Office of the Republic of Indonesia, it explains that the Attorney General's Office as one of the law enforcement agencies is required to be able to play a greater role in upholding the supremacy of law, protecting public interests, upholding human rights, and eradicating Corruption, Collusion, and Nepotism. Therefore, the Attorney General's Office was previously given the mandate to act as the sole public prosecutor in resolving corruption cases. The case that was handled by the Attorney General as the sole public prosecutor was the corruption case of Former Foreign Minister Ruslan Abdulgani in April 1957. However, in reality, the handling of the a quo was not as easy and smooth as it was carried out because the prosecutor received a lot of intervention from various parties. It was considered that Law Number 5 of 1991 was no longer in accordance with the demands and developments of society, and the lack of independence of the Attorney General's Office from executive influence due to its position as a government institution, it was replaced by Law Number 16 of 2004 concerning the Attorney General's Office.¹²

In the new Prosecutor's Law, it is explained that the Prosecutor's Office of the Republic of Indonesia as a state institution that carries out state power in the field of prosecution must carry out its functions, duties and authorities independently, free from the influence of government power and the influence of other powers. The criminal justice system in Indonesia, the position of the Prosecutor's Office is as the sole public prosecutor (single prosecution system) and as the sole institution implementing criminal decisions (executive ambtenaar). In its development, it has been increasingly neglected, considering that currently there are several other institutions that carry out the functions of prosecution and execution but are not controlled by the Attorney General, for example against Corruption Crimes carried out by the Corruption Eradication Commission (KPK) or against perpetrators of crimes in the military justice environment carried out by the Military Auditorate, the High Military Auditorate and the Indonesian National Armed Forces Auditorate.¹³

The Indonesian Attorney General's Office is a work unit authorized to conduct investigations, inquiries, pre-prosecution, additional examinations, prosecution, legal efforts, implementation of judges' decisions and court decisions that have permanent legal force, examinations and supervision of the implementation of

¹² Hernold Ferry Makawimbang, *Kerugian Keuangan Negara*, Yogyakarta : Thafa Media; 2014, p.110

¹³ Adami Chazawi. *Pelajaran Hukum Pidana : Percobaan dan Penyertaan Bagian 3*. Jakarta : Rajawali Pers; 2005, p.7

conditional sentences and conditional release decisions in corruption cases and other special criminal cases as well as other legal actions.

The principle of the Single Prosecution System cannot be separated from the meaning of the Prosecutor as one and inseparable (*een en ondeelbaar*)” which in its history originated from Law Number 7 of 1947 dated February 27, 1947 concerning the Composition and Powers of the Supreme Court and the Attorney General’s Office, which was later replaced by Law Number 19 of 1948 dated June 8, 1948 concerning the Composition and Powers of Judicial Bodies and the Attorney General’s Office. In both laws, it is basically regulated that each Court (Supreme Court, High Court and District Court) has one Prosecutor’s Office with the same jurisdiction and which consists of one or several Prosecutors counted as one Head of the Prosecutor’s Office.¹⁴

The court consists of several judges, each of whom is counted as one judge. However, the prosecutors in the court, although consisting of several prosecutors, are a single entity and are only counted as one prosecutor under the Chief Prosecutor. This is the true meaning contained in the principle of "*een en ondelbaar*," namely, the Prosecutor's Office is one and inseparable. In fact, this principle speaks to the unity of prosecutorial policy under the Attorney General as the Supreme Public Prosecutor.¹⁵ The regulation of the principle of "*een en ondelbaar*" is none other than to maintain the unity of prosecution policy which displays a characteristic that is integrated in the mindset, behavior and work procedures of the Prosecutor's Office.

The affirmation of the Single Prosecution System principle in Indonesia's criminal justice system aims to avoid disparities in prosecutions in case handling. This is crucial to minimizing confusion in law enforcement that could lead to injustice for those seeking justice.

In carrying out prosecutions, prosecutors are a key element in the justice system. Therefore, in carrying out their duties and authorities, prosecutors must protect and respect humanitarian values and support human rights, which contributes to ensuring a just process and the proper functioning of the criminal justice system. Prosecutors play a role as the vanguard of the judicial institution.

The implementation of state power in the field of prosecution can be viewed from two aspects. First, institutional independence, meaning that the Prosecutor's

¹⁴ Black, Henry Campbell, *Black's Law Dictionary*, Diedit oleh Bryan A, Gardner, 5 Harvard Law Review, St. Paul : West Publishing Co; 2009, <https://doi.org/10.2307/1322241>

¹⁵ Bolifaar, Andhy Hermawan, & Henry Dianto Pardamean Sinaga, Managing Evidence of Tax Crime in Indonesia: An Artificial Intelligence Approach in Integrated Criminal Justice System, *Ayer Journal*, Vol.27 No.1, 2020, p.143

Office is placed in an institutionally independent position, free from any authority. Second, functional independence, meaning that the Prosecutor's Office can be free and independent in carrying out its duties, whether to prosecute or not.

Based on objective reality, the determination and control of prosecution policy rests solely with one person, the Attorney General. The authority inherent in the Attorney General's position as controller of prosecution policy, in accordance with the principle of the single prosecution system, also places him as the highest-ranking public prosecutor in the country.

Understanding the substance of the single prosecution system principle outlined above eliminates disparities in prosecution and various other issues related to prosecution techniques. The existence of a unified prosecution policy not only demonstrates equal treatment for civilian and military legal subjects, but also fulfills the objectives of law enforcement for justice, certainty, and expediency. The substance of the principle of equality before the law, which is a constitutional mandate, is intended to maintain a balance in protecting interests between the state, society, and individual interests, including the interests of perpetrators and victims of crime.

Article 24 paragraph (1) of the 1945 Constitution before the amendment emphasized that judicial power is exercised by the Supreme Court and other judicial bodies according to law. Furthermore, in the explanation, judicial power is an independent power, free from the influence of government power. From the formulation above, it can be seen that the 1945 Constitution initially did not provide a definition of what is meant by judicial power, Article 24 of the 1945 Constitution only emphasized which body is entrusted with the task/authority to carry out or implement judicial power. Likewise, the explanation of Article 24 does not provide a definition of judicial power, but only emphasizes the nature, position, and existence of judicial power, namely as an independent and autonomous power.

So the 1945 Constitution initially did not provide a definition of judicial power. The definition of judicial power only existed after the issuance of Law Number 14 of 1970 concerning the Principles of Judicial Power which has now been amended by Law Number 35 of 1999, and was most recently replaced by Law Number 4 of 2004. Article 1 of Law No. 14/1970 in conjunction with Law No. 35/1999 states that: Judicial power is the power of an independent state to administer justice in order to uphold law and justice based on Pancasila, for the sake of the implementation of the rule of law of the Republic of Indonesia.

Furthermore, Article 2 emphasizes that: The implementation of judicial power as stated in Article 1 is delegated to judicial bodies and determined by law, with the main task of receiving, examining and trying, and resolving every case submitted

to it. This formulation was then included in the amendment to Article 24 of the 1945 Constitution, 3rd amendment (November 9, 2001), which emphasizes the following:

1) Judicial power is an independent power to administer justice to uphold law and justice.

2) Judicial power is exercised by a Supreme Court and judicial bodies under it in the scope of general courts, religious courts, military courts, state administrative courts, and by a Constitutional Court. Taking into account the wording of the formulation above, it can be concluded that the Judicial Power Law, Law No. 14/1970 in conjunction with Law No. 35/1999 and Law No. 4/2004 and the 1945 Constitution (amendment), places more emphasis and prominence on the understanding of judicial power in a narrow sense.

This is evident from the above wording, which emphasizes the concept of judicial power as the power of an independent state to administer justice. Therefore, judicial power is identified with judicial power or the power to adjudicate. Therefore, the Judicial Power Law and the 1945 Constitution (amended) only limit judicial power in the narrow sense, namely the power to uphold law and justice in judicial bodies. According to Barda Nawawi Arief, this limitation of the concept of judicial power in the narrow sense should be reexamined because, in essence, judicial power is the state's power to uphold the law.

So judicial power is identical to the power to enforce the law or the power of law enforcement. The essence of this understanding is actually also revealed in the formulation of Article 1 of Law No. 14/1970 Juncto Law No. 35/1999 concerning Judicial Power, namely in the last sentence that reads: In order to uphold law and justice based on Pancasila, for the sake of the implementation of the rule of law of the Republic of Indonesia. Unfortunately, this sentence is not formulated as the essence of the understanding of judicial power, but instead is formulated as the purpose of the implementation of justice.

The weakness of the legal substance aspect is that there is no clear separation between the criminal justice sub-systems so that there is no phenomenon of overlapping authority between these sub-systems.

3.2.1. Weaknesses of Legal Structure Aspects

According to Barda Nawawi Arief, this goal is the true essence of judicial power. Therefore, it can be concluded that judicial power is the power to uphold law and

justice for the sake of the rule of law of the Republic of Indonesia.¹⁶ With the broad understanding of judicial power as stated above, judicial power can be interpreted not only as the power to judge, but can be interpreted as the power to enforce the law in a law enforcement process. From the perspective of the integrated criminal justice system (SPP), judicial power in the field of criminal law includes all authorities in enforcing criminal law, namely the power of investigation, the power of prosecution, the power to judge and the power to implement decisions/criminals.

The Indonesian Prosecutor's Office (PKRI) is an institution that exercises state power in the field of criminal prosecution. From the explanation above, it can be concluded that the prosecutor's office is essentially an integral part of the judicial branch. As explained in the previous chapter, the prosecutor's office plays a crucial role in enforcing criminal law. The prosecutor's office plays a role in every stage of the criminal justice system. As the executor of judicial power, the prosecutor's independence must also be realized in its role in exercising criminal prosecution power. Judicial independence must extend beyond judicial power.

This feudalistic character is also experienced by law enforcement officials such as the Police and the Prosecutor's Office, which structurally serve as assistants to the president in the cabinet. Therefore, placing the Prosecutor's Office and the Police as part of the executive branch has created bottlenecks in law enforcement in Indonesia. The Prosecutor's Office must be repositioned from its position as an executive institution. Furthermore, Andi Hamzah also suggested that the law concerning the Prosecutor's Office, which positions the Prosecutor's Office as a tool of the government, be replaced with a new law. The Prosecutor's Office should be part of the Supreme Court as an independent judicial authority, unimpeded by executive power. This means Andi Hamzah believes that the Prosecutor's Office should be within the scope of judicial authority, not government authority.

That the Prosecutor's Office must be independent and the Prosecutor's Office as a law enforcement tool must be firmly reformulated in the 1945 Constitution and its organic laws for the sake of the independence of the Prosecutor's Office. The independence aquo is disturbed by many misinterpretations of the intent of Article 205 paragraph (2) of the Criminal Procedure Code which states that investigators with legal counsel can carry out prosecutions. This is a weakness because there is no explicit regulation stating that the Prosecutor's Office has a dominus litis principle for minor crimes. Interpretations so far have only been

¹⁶ Edita Elda, Arah Kebijakan Pemberantasan Tindak Pidana Korupsi Di Indonesia: Kajian Pasca Perubahan Undang-Undang Komisi Pemberantasan Korupsi. *Jurnal Ilmiah Ilmu Hukum*, Vol.1 No.2, 2019. p.166

based on grammar and have not systematically interpreted the Prosecutor's Office law itself.

Recognizing that prosecutorial power is part of judicial power, the definition of judicial power outlined in the 1945 Constitution as amended is crucial for review. Judicial power in the field of criminal law enforcement is, in reality, embedded within an integrated criminal law enforcement system. This integration mutually influences and controls the institutions within the criminal law enforcement system. Therefore, it is necessary to place investigative and prosecutorial powers within the chapter on Judicial Power within the 1945 Constitution in case a fifth amendment is to be made in the future.

If the prosecutorial power can be accommodated within the state structure and become a separate state institution that receives constitutional guarantees in the Constitution of the Republic of Indonesia, then the prosecution system in Indonesia applies a single public prosecution system. The characteristics of a single public prosecution system include:

1. The Prosecutor's Office is an independent institution, led by the Attorney General;
2. The appointment of the Attorney General is non-political and therefore unaffected by cabinet changes. In carrying out his daily functions, the Attorney General is not under political or executive control. The Attorney General also enjoys independence guaranteed by the constitution.
3. The police do not perform a prosecutorial function; their role is limited to investigative functions. However, the Prosecutor's Office has the authority to conduct supplementary investigations, whether based on the results of police investigations or on the Prosecutor's own initiative.
4. The prosecutor's office has discretionary authority not to prosecute a case even if there is strong evidence;
5. The prosecutor's office also has the authority to stop the judicial process at any level before it is decided by the court.¹⁷

With the independence of the Attorney General's Office as the holder of prosecutorial power within the constitutional structure of the Republic of Indonesia, it will automatically be entrusted with the task and responsibility to

¹⁷ Rangga Trianggara Paongan, Kewenangan Penuntutan Komisi Pemberantasan Korupsi Dan Kejaksaan Dalam Penanganan Tindak Pidana Korupsi Di Indonesia. *Lex Crimen*, Vol.2 No.1, 2013, p.21-36

formulate and implement law enforcement policies in Indonesia. Thus, the success or failure of law enforcement will be the full responsibility of the Attorney General's Office, and must be accounted for to all levels of society throughout Indonesia. In other words, this institution must be able to oversee the upholding of the rule of law and the protection of human rights in the life of society, the nation, and the state, so that the ideals of a just and prosperous Indonesian state based on the rule of law can be realized.¹⁸

The principle of the single prosecution system is reflected in Article 2 paragraph (3) of Law 16 Number 2004 concerning the Attorney General's Office of the Republic of Indonesia which states that the prosecutor's office is one and inseparable (*een en ondeelbaar*). This means that prosecution must be in one institution, namely the Attorney General's Office, in order to maintain the unity of policy in the field of prosecution so that it can display a unified characteristic in its way of thinking, behavior, and work procedures. The application of the principle of the single prosecution system in the international context can be seen in Article 11 of the United Nations Guidelines on the Role of Prosecutors which states that the Prosecutor must play an active role in the process of handling criminal cases, including conducting prosecutions and if permitted by law or in accordance with local customs, playing an active role in investigations, supervising the validity of the investigation, supervising the implementation of court decisions and carrying out other functions as representatives of the public interest.¹⁹

The implementation of the single prosecution system principle in the prosecutor's office is a necessity or obligation in the Indonesian criminal justice system. This principle provides the benefit and understanding that prosecutors in the Indonesian criminal justice system are organized within a state institution called the Attorney General's Office of the Republic of Indonesia. The Attorney General's Office of the Republic of Indonesia is led by the Attorney General. The Attorney General is a high-ranking legal official and acts as a guardian of the public interest. The Attorney General is the controller of law enforcement and justice policies within the scope of the Attorney General's duties and authorities. The Attorney General's authority is implemented based on the principle of the Attorney General's Office as a unified and inseparable entity. Therefore, the Attorney General controls law enforcement and justice policies in a centralized manner for all prosecutors throughout the jurisdiction of the Republic of Indonesia.²⁰ The weakness of the legal structure aspect is that the investigative power and the

¹⁸ Barda Nawawi Arief, (2008), *Masalah Penegakan Hukum dan Kebijakan Penggulungan Kejahatan*, Jakarta : Prenanda Media Grup, p. 33

¹⁹ RM. Surachman dan Andi Hamzah, *Jaksa Di Beberapa Negara. Peranan dan Kedudukannya*, (Jakarta : Sinar Grafika; 1996), p. 5.

²⁰ *Kejaksaan Agung Republik Indonesia. Independensi Kejaksaan Dalam Kaitannya Dengan Sistem Negara Hukum. Op. Cit.* p. 160.

prosecutorial power have not been structured in the chapter on Judicial Power in the 1945 Constitution.

3.2.2. Weaknesses of Legal Culture Aspects

An independent judiciary would be meaningless if it existed only in one subsystem, namely the power to adjudicate. Furthermore, based on several meetings, it is important to note that the prosecution system, in carrying out its role in a country, must be adapted to the culture and history of each country to function effectively. The position of the Prosecutor's Office as part of the executive branch is influenced by political and cultural factors from the past. Throughout Indonesia's constitutional history, the existence of the Prosecutor's Office as part of the executive branch has been influenced by the history of Indonesian law enforcement, which has consistently faced intervention from those in power. Since the pre-war era, prosecutors' authority as law enforcement officials has been recognized as having a strategic role in the criminal law enforcement system. Efforts have always been made to politicize the role of prosecutors for specific political interests.²¹

The Attorney General's Office's past as an executive institution has proven to have led to a history of law enforcement in Indonesia that is fraught with the interests of those in power. As discussed in the previous chapter, there are numerous facts surrounding prosecutors' attempts to intervene in law enforcement by those in power. From a cultural perspective, placing the Attorney General as a cabinet member or ministerial-level official also significantly impacts the independence of the Attorney General's office. As Denny Indrayana points out, centuries of colonialism in Indonesia have created a culture of extreme respect for leaders.²²

The prosecution power in Indonesia is also carried out by institutions other than the Prosecutor's Office, namely the Corruption Eradication Commission (KPK) and the Military Prosecutor, each of which carries out prosecutions individually (prosecution trialism), resulting in disparities in the prosecution of criminal cases, namely the application of different laws in criminal cases. Indonesian legislation since Indonesia's independence until now regulates the single prosecution system as the implementation of the principle of single prosecution which places the Attorney General as the highest public prosecutor who will be responsible for the implementation of prosecution to the state. The principle of single prosecution is a universally applicable legal principle and has aspects of justice, benefit and legal certainty, and its existence is recognized in the constitution and its derivative regulations in several countries. The implementation model of the single prosecution principle includes a pure single prosecution system (the Prosecutor's

²¹ <http://pji.kejaksaan.go.id/index.php/home/berita/877>, accessed on 21 May 2025

²² Ratna Sari Dewi Polontalo, *op.cit.*, p. 37.

Office as the sole prosecution institution), an impure single prosecution system (other prosecution institutions are responsible and coordinated to the Attorney General), a narrow single prosecution system (prosecution policy per se), and a broad single prosecution system (prosecution policy includes the process of inquiry, investigation, prosecution, up to legal efforts). Ideally, the Indonesian criminal justice system applies a broad single prosecution system model and an impure single prosecution system model so that the implementation of prosecutorial authority carried out by the Corruption Eradication Commission (KPK) and the Military Audit Office is responsible to the Attorney General as the highest public prosecutor who controls the prosecutorial power. In addition, the prosecution policy with such a model can include the investigative function so that the prosecution can run effectively.

Prosecution cannot be separated from the investigative function because the public prosecutor is the one who will be responsible for the results of the investigation. Through the principle of single prosecution that places control of the prosecution policy holder in the Attorney General, it can realize equality in the application of the law in the judicial process and avoid disparities in prosecution that are the result of trialism in prosecution. In order to strengthen the power of prosecution functionally, the principle of the single prosecution system must be regulated in the revision of the Criminal Procedure Code, the revision of the Corruption Eradication Commission Law, the revision of the Military Court Law, as well as the formation of a law on prosecutorial power and its regulations in the 1945 Constitution so that a unified action and policy in the field of prosecution can be realized.

The legal policy of the prosecution system by the Attorney General's Office continues to face challenges. Public demands for transparency and justice have driven reform of the prosecution system towards a better and fairer direction. The balance between prosecutorial authority, institutional independence, and accountability is key to ensuring the prosecution system can function optimally in upholding law and justice. Effective law enforcement free from political influence is a prerequisite for ensuring public trust in the judicial system and government in Indonesia. Therefore, the weakness of the legal culture aspect is that the public does not yet fully trust the criminal justice system. The solution to the weakness of the legal substance aspect is to create a clear separation between the criminal justice subsystems to prevent the phenomenon of overlapping authority between these subsystems. Meanwhile, the solution to the weakness of the legal structure aspect is the need to place investigative and prosecutorial powers in the chapter on Judicial Power in the 1945 Constitution in case of a future fifth amendment. If the prosecutorial power can be accommodated within the state structure and become a separate state institution that is constitutionally guaranteed in the Constitution of the Republic of Indonesia, then the prosecution system in

Indonesia applies a single public prosecution system. The weakness of the legal culture aspect is implementing effective law enforcement that is free from political influence.

4. Conclusion

The implementation of a single prosecution system in the current criminal justice system is that a single prosecutor in the criminal justice system will provide legal certainty. With the implementation of a single prosecutor in the existing justice system, it will be ensured that every prosecution process is under the responsibility of the prosecutor as the highest authority holder. The prosecutor's office, as *dominus litis* in the single prosecution system, holds great power. The theory of limited power ensures that power does not violate the law or human rights, while the theory of justice-based authority ensures that prosecution is carried out for the benefit of the law, not merely a legal formality. The weakness of the legal substance aspect of the implementation of the single prosecution system in the criminal justice system is that there is no clear separation between the criminal justice subsystems, resulting in the phenomenon of overlapping authority between the subsystems. The weakness of the legal structure aspect is that the investigative power and the prosecutorial power have not been structured in the chapter on Judicial Power in the 1945 Constitution. The weakness of the legal culture aspect is that the public does not fully trust the criminal justice system. The next solution to the weakness of the legal substance aspect is to make a clear separation between the criminal justice subsystems so that there is no phenomenon of overlapping authority between the subsystems. Meanwhile, the solution to the weakness of the legal structure aspect is the need to place the investigative power and the prosecutorial power in the chapter on Judicial Power in the 1945 Constitution if in the future a fifth amendment will be held. If the prosecutorial power can be accommodated in the state structure and become a separate state institution that is constitutionally guaranteed in the Constitution of the Republic of Indonesia, then the prosecution system in Indonesia applies a single public prosecution system. The weakness of the legal culture aspect is to implement effective law enforcement and be free from political influence.

5. References

Journals:

- Bolifaar, Andhy Hermawan, & Henry Dianto Pardamean Sinaga, Managing Evidence of Tax Crime in Indonesia: An Artificial Intelligence Approach in Integrated Criminal Justice System, *Ayer Journal*, Vol.27 No.1, 2020
- Edita Elda, Arah Kebijakan Pemberantasan Tindak Pidana Korupsi Di Indonesia: Kajian Pasca Perubahan Undang-Undang Komisi Pemberantasan Korupsi. *Jurnal Ilmiah Ilmu Hukum*, Vol.1 No.2, 2019

Rangga Trianggara Paongan, Kewenangan Penuntutan Komisi Pemberantasan Korupsi Dan Kejaksaan Dalam Penanganan Tindak Pidana Korupsi Di Indonesia. *Lex Crimen*, Vol.2 No.1, 2013

Books:

Adami Chazawi. *Pelajaran Hukum Pidana : Percobaan dan Penyertaan Bagian 3*. Jakarta : Rajawali Pers; 2005

Andi Hamzah & Irdan Dahlan, *Perbandingan KUHP, HIR dan komentar*, Jakarta : Ghalia Indonesia; 1984

Andi Hamzah, *Hukum Acara Pidana Indonesia*, Jakarta : Sinar Grafika; 2016

Barda Nawawi Arief, (2008), *Masalah Penegakan Hukum dan Kebijakan Penggulangan Kejahatan*, Jakarta : Prenanda Media Grup

Black, Henry Campbell, *Black's Law Dictionary*, Diedit oleh Bryan A, Gardner, 5 Harvard Law Review, St. Paul : West Publishing Co; 2009, <https://doi.org/10.2307/1322241>

Hernold Ferry Makawimbang, *Kerugian Keuangan Negara*, Yogyakarta : Thafa Media; 2014

Kejaksaan Agung Republik Indonesia. *Independensi Kejaksaan Dalam Kaitannya Dengan Sistem Negara Hukum*.

Marwan Effendy, *Kejaksaan RI (Posisi dan Fungsinya Dari Perspektif Hukum)*, Jakarta : PT Gramedia Pustaka Utama; 2005

Mia Banulita, *Asas Penuntutan Tunggal*, (Jakarta: Guepedia, 2023)

RM. Surachman dan Andi Hamzah, *Jaksa Di Beberapa Negara. Peranan dan Kedudukannya*, (Jakarta : Sinar Grafika; 1996)

RM. Surachman dan Andi Hamzah, *Jaksa Di Beberapa Negara. Peranan dan Kedudukannya*, (Jakarta : Sinar Grafika; 1996)

Soerjono Soekanto, *Faktor-Faktor Yang Memengaruhi Penegakan Hukum*, Jakarta : Rajawali; 1983

Internet:

<http://pi.kejaksaan.go.id/index.php/home/berita/877>, accessed on 21 May 2025

Regulation:

Law No. 1 of 1946 concerning Criminal Law Regulations.

Law No. 8 of 1981 concerning Criminal Procedure Law

Law of the Republic of Indonesia Number 1 of 2023 concerning the Criminal Code.

Law of the Republic of Indonesia Number 11 of 2021 concerning Amendments to
Law Number 16 of 2004 concerning the Attorney General's Office of the
Republic of Indonesia

The 1945 Constitution of the Republic of Indonesia.