

Analysis of Law Enforcement Through the Establishment of Jampidmil in Handling Military Judicial Connectivity Cases

Muhammad Jouhar Robby¹ Prija Djatmika² Milda Istiqomah³

mjouharrob@student.ub.ac.id¹ prija.djatmika@ub.ac.id² milda.istiqomah@ub.ac.id³

Faculty of Law, Universitas Brawijaya, Indonesia

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Abstract

The formation of JAMPIDMIL itself is expected to have firm steps in law enforcement, especially in the scope of prosecution coordination carried out in Handling cases on connectivity. This study aims to determine the existence of the Deputy Attorney General for Military Crimes in handling connectivity cases and to determine the legal consequences of the position of the Attorney General in handling connectivity cases based on Article 35 Paragraph (1) letter g of Law Number 11 of 2021. The theory used as an analytical tool in this study is the theory of authority and the theory of law enforcement. The research method used is normative legal research with the approach used being the statutory approach. The results of the study show that 1) the existence of the Deputy Attorney General for Military Crimes in handling connectivity cases forms an impetus in implementing the accountability of each institution without emphasizing the obligations of one over the other. 2) The legal consequences of the Attorney General's position in handling connectivity cases based on Article 35 Paragraph (1) letter g of Law Number 11 of 2021 delegates the authority to prosecute to the Public Prosecutor in the scope of general courts and the Auditor in the scope of military courts. In practice, resolving connectivity cases often poses challenges if carried out separately, which can lead to dualism in prosecution policies and disparities in sentencing.

1. Introduction

The Unitary State of the Republic of Indonesia (NKRI) is a law-abiding territory that upholds judicial power by implementing a judiciary based on the state ideology and the 1945 Constitution. Judicial power, in this context, refers to the state authority to freely administer justice with the aim of upholding law and justice. As a law-abiding state, it is imperative that laws are enforced in accordance with the prevailing regulations.¹ This means that all directives and prohibitions established by the state must be obeyed, and anyone failing to comply with these rules must be subject to and carry out the prescribed penalties. In other words, human behaviour must not deviate from the existing legal framework. Recognising Indonesia as a legal state, it becomes crucial to strengthen law enforcement. Law enforcement in Indonesia represents a manifestation of judicial power exercised within four judicial environments.

Institutions are divided into two main elements, namely as organs and functions within the criminal justice system. Institutions as organs refer to their structural form, while their functions refer to the operation of these structures in line with their intended purpose. The prosecutor's office serves as an organ within the criminal justice system, positioned as an executive instrument, while its functions are inherently interrelated with the judiciary as the judicial power. Furthermore, in addition to the general criminal justice system, there is a special criminal justice system, such as the military criminal justice system, as stipulated in Law No. 31 of 1997 on Military Courts.

Returning to the initial discussion, as Indonesia is a legal state, there must also be a cohesive effort to strengthen law enforcement institutions in the country. Strengthening law enforcement institutions in Indonesia is critical, particularly in exercising the authority of these institutions. Without adequate

¹ Moeljatno. *Asas-Asas Hukum Pidana, Cetakan Keempat*. (Jakarta: Bina Aksara. 1987).

reinforcement and clear mandates, law enforcement institutions may face issues such as dualism of power and authority between two or more institutions in handling criminal cases. One example of dualism in case handling occurs between the Prosecutor's Office and the Military Auditor in the handling of military criminal cases.

One such instance is the application of military law to members of the Indonesian National Armed Forces (Tentara Nasional Indonesia). Military law is a branch of criminal law that specifically addresses "military" as its subject. The term "military" itself is defined in the Military Criminal Code (Kitab Undang-Undang Hukum Pidana Militer) and the Criminal Code (Kitab Undang-Undang Hukum Pidana). Military personnel, as referred to in Article 1 Point (1) of Law Number 25 of 2014 on Military Discipline Law, are members of a nation's armed forces as regulated by statutory provisions.²

The purpose of implementing military law in the Republic of Indonesia is to ensure legal certainty for military personnel who commit criminal offences. One of the primary objectives of military law is to maintain discipline among military personnel. This is aimed at ensuring that members of the military follow orders and adhere to the established codes of conduct and standards of behaviour. Additionally, military law seeks to uphold justice within the military sphere and safeguard the rights and obligations of military personnel by providing a framework to protect their rights and responsibilities within the Republic of Indonesia. Military law in Indonesia is classified as a special branch of criminal law. This special nature means that its regulations differ from general criminal law and apply only to specific groups (in this case, military personnel). This distinction is based on the principle of "Lex specialis derogat legi generalis," which stipulates that specific laws override general laws. Accordingly, if a member of the military commits a criminal offence, the

² Undang-undang Nomor 25 Tahun 2014 Tentang Hukum Disiplin Militer, Tambahan Lembaran negara Republik Indonesia Nomor 5591.

applicable rules are those outlined in the Military Criminal Code (Kitab Undang-Undang Hukum Pidana Militer or KUHPM), rather than the general Criminal Code (Kitab Undang-Undang Hukum Pidana or KUHP). This is due to the unique position of military law as a special criminal provision, meaning that cases governed by its provisions fall outside the scope of the general Criminal Code. Thus, based on the principle of "Lex specialis derogat legi generalis," military law takes precedence over the general Criminal Code (KUHP). Military courts are a manifestation of judicial authority within the Armed Forces, tasked with upholding law and justice while considering the interests of national defence and security.

The military judicial system in Indonesia is distinct from the general criminal judicial system due to its primary duty to protect, defend, and maintain the integrity and sovereignty of the nation, in this case, Indonesia. This distinction necessitates a specialised organisation as well as tailored maintenance and education to align with its core tasks and functions. Furthermore, military courts are separate from general courts because of the implementation of strict and severe legal norms or regulations based on military criminal law and military discipline.³ Punishments for military personnel committing criminal offences are also more severe, with sentences increased by one-third compared to similar offences committed by civilians.

One type of case handled in both military and general courts is connectivity cases. Connectivity refers to criminal acts jointly committed by civilians and military personnel. Civilians, as a rule, are tried in general courts, while military personnel are tried in military courts.⁴ In handling cases involving military courts (Dilmil), the prosecution involves the Prosecutor's Office, as it is a government institution authorised to conduct prosecutions under applicable regulations. In military criminal cases, particularly

³ SR Sianturi, *Hukum Pidana Militer di Indonesia*. (Jakarta: Alumni AHM-PTM, 1985). hlm. 21.

⁴ Faisal, S. M. *Peradilan Militer di Indonesia*. (Bandung: Mandar Maju. 2004).

connectivity cases, the involvement of the military auditor and prosecutors often reveals overlapping roles but a lack of technical coordination. Without clear interrelations, this can lead to disparities in case handling.

The establishment of the Jampidmil (*Junior Attorney General for Military Crimes*) is expected to provide a decisive step in law enforcement, particularly in coordinating prosecutions for connectivity cases. The Jampidmil's role and authority in technical prosecution—carried out by military auditors—and in managing connectivity cases are directly accountable to the Attorney General. The Jampidmil position can be filled by either civil servants or military personnel who meet the competency and expertise requirements as stipulated by law.⁵

Connectivity cases involve criminal acts committed jointly by military personnel and civilians. As stated in Article 89 Paragraph (1) of the Criminal Procedure Code (KUHP), offences committed jointly by members of the Indonesian National Armed Forces (TNI) and civilians fall under the jurisdiction of both general and military courts. These cases are to be examined and adjudicated in general courts, except where the Minister of Defence and Security, with the approval of the Minister of Justice, decides that the case must be tried in military courts.

Jampidmil is a newly established structure within the Attorney General's Office for military criminal chambers. Jampidmil gained legitimacy as part of the Attorney General's Office through Presidential Regulation No. 15 of 2021, which amended Presidential Regulation No. 38 of 2010 on the Organisation and Working Procedures of the Attorney General's Office of the Republic of Indonesia. Article 25A Paragraph (1) of this regulation states that the Junior Attorney General for Military Crimes is an auxiliary element of leadership tasked with coordinating technical prosecutions carried out by

⁵ Pasal 62 Peraturan Presiden Nomor 15 Tahun 2021 tentang Perubahan Kedua atas Perpres No. 38 Tahun 2010 tentang Organisasi dan Tata Kerja Kejaksaan Republik Indonesia.

military auditors and managing connectivity cases, reporting directly to the Attorney General. Further elaboration on prosecution is provided in Article 25B Paragraph (2), which outlines the scope of coordination in technical prosecution. This includes investigation of connectivity cases, review of investigation results, additional examination, legal advice to case officers, case dismissal, discontinuation of prosecution, prosecution, appeals, legal remedies, execution of final court decisions, examination, supervision of conditional criminal decisions, oversight of supervisory criminal decisions, conditional release decisions, and other legal actions related to technical prosecution coordination in military courts and connectivity cases.⁶

Regarding the pressure for the need for the role of the Jampidmil, this is because, until now, criminal acts committed by civilians are prosecuted by the Public Prosecutor's Office in the General Court. Meanwhile, for criminal offenders from the military, both the prosecution and adjudication are carried out exclusively in military courts, with the prosecution team also being from the military. These two separate courts, one for civilians and one for the military, give rise to dualism and disparities in prosecution. The legal issue that arises is that when both legal subjects are involved in a single criminal act, it results in injustice in law enforcement. Additionally, there is a legal issue regarding the disharmony of law, as military prosecutors tend not to report the prosecution activities they have undertaken to the Attorney General, who is the highest authority responsible for prosecution in Indonesia.

Based on this background, the journal examines two key issues: the existence of the Junior Attorney General for Military Crimes in handling connectivity cases? and the legal consequences of the Attorney General's

⁶ Kelaesar Anna Hasanah Lapae, Hambali Thalib & Nur Fadhilah Mappaselleng, Kewenangan Jaksa Agung Muda Bidang Pidana Militer Dalam Penuntutan Tindak Pidana Koneksitas", *Journal of Lex Generalis* (JLG), Vol.3, No. 9, September, 2022.

position in managing connectivity cases based on Article 35 Paragraph (1) Letter (g) of Law No. 11 of 2021?.

2. Research Methodology

The research methodology employed is normative juridical research. Normative legal research is a process of discovering a legal principle or legal doctrine to address the issues at hand. The approach used is the legislative approach (statute approach), which includes the Criminal Code (Kitab Undang-Undang Hukum Pidana); the Criminal Procedure Code (Kitab Undang-Undang Hukum Acara Pidana); Law Number 31 of 1997 on Military Courts; Law Number 8 of 1981 on Criminal Procedure; Law Number 34 of 2004 on the Indonesian National Armed Forces; and Law Number 16 of 2004 on the Prosecutor's Office of the Republic of Indonesia, as amended by Law Number 11 of 2021 on the Prosecutor's Office of the Republic of Indonesia.

3. Result and Discussions

The Existence of the Deputy Attorney General for Military Criminal Affairs in Handling Connectivity Cases

The Deputy Attorney General for Military Criminal Affairs (JAMPIDMIL) was established under Presidential Regulation No. 15 of 2021, which amends Presidential Regulation No. 38 of 2010 on the Organisation and Working Procedures of the Attorney General's Office of the Republic of Indonesia.⁷ Based on the principle of *dominus litis*, which signifies that the control of prosecution procedures conducted by public prosecutors in a country should be under the sole authority of the Attorney General as the highest prosecutorial authority, JAMPIDMIL is expected to establish a

⁷ Peraturan Presiden Nomor 15 Tahun 2021 tentang Perubahan kedua Atas Peraturan Presiden Nomor 38 Tahun 2010 Tentang Organisasi dan Tata Kerja Kejaksaan Republik Indonesia. Lembaran Negara Republik Indonesia Tahun 2021 Nomor 67.

functional relationship between prosecutors and military prosecutors (*Oditur*) as public prosecutors in military cases. The Attorney General will thus assist in handling cases of military criminal acts.

The Deputy Attorney General for Military Criminal Affairs is anticipated to serve as an intermediary in implementing the function of military prosecutors as public prosecutors within the military judicial environment. This includes applying prosecution techniques and rules under the authority of the Attorney General as the highest public prosecutor. Meanwhile, the position of the Judge Advocate General (*Oditur Jenderal*) *rema JAMPIDMIL* holds the authority to prosecute in general courts concerning military personnel suspected of committing general crimes. Its fundamental principles are integrative, coordinative, and collaborative, which entail coordinating the roles of superiors authorised to impose punishment (*Ankum*), Military Police, case referral officers (*Papera*), and the roles of military prosecutors and public prosecutors in managing cases from investigation to execution. *ins* subordinate to the Attorney General within the organisational hierarchy. The principle of complementarity emphasises non-conflict between military authorities (*Ankum*, Military Police, military prosecutors) and public prosecutors, reinforcing and complementing each other.⁸ This aligns with the theory of authority, which defines authority as the scope of public legal actions and governance that extends beyond merely issuing administrative decisions (*bestuur*), encompassing task implementation, and granting or distributing authority, primarily as stipulated in legislation.⁹ Legally, authority is the ability granted by laws and regulations to produce legal consequences. According to H.D. Stoud,

⁸ Putu Nadya Prabandari, I Nyoman Gede Sugiarta dan I Made Minggu Widyantara. "Peranan Jaksa Agung Muda Bagian Pidana Militer dalam Penanganan Perkara Koneksitas." *Jurnal Universitas Warmadewa*, hlm. 183.

⁹ Indrohato, *Op.cit.*, hlm. 65.

authority (bevoegheid) is defined as "the entirety of administrative legal competences granted to public legal subjects within the framework of public administrative legal transactions." This means authority encompasses all rules relating to the acquisition and exercise of governmental authority by public legal entities under public law.¹⁰

The establishment of JAMPIDMIL is summarised chronologically in Figure 1:

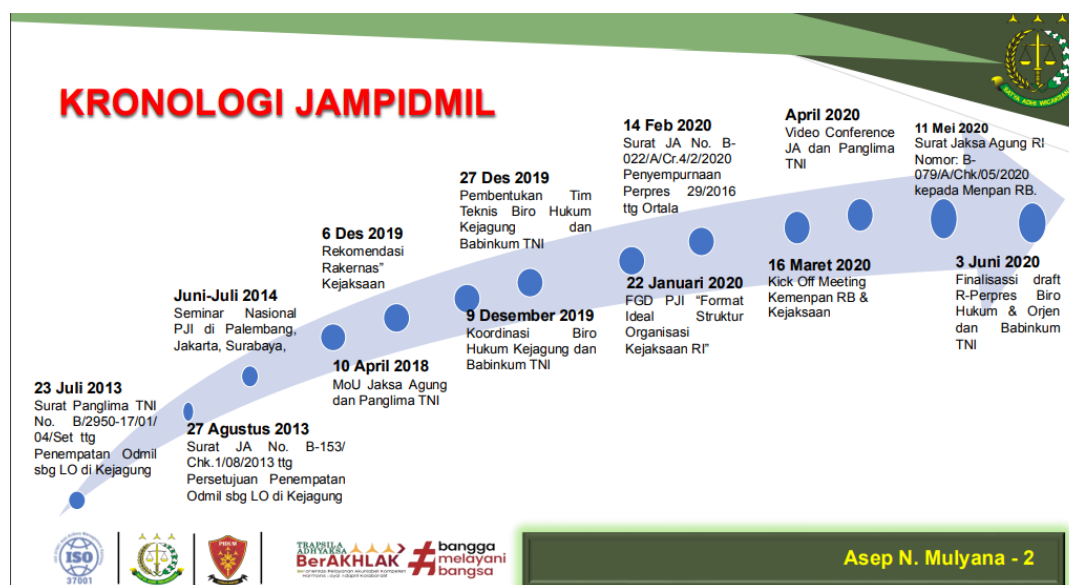


Figure 1.
Chronology of JAMPIDMIL

The duties and authority of JAMPIDMIL are based on three principles. First, integrative, coordinative, and collaborative. JAMPIDMIL coordinates the tasks of the Superior with Authority to Punish (Ankum), Military Police, Case Referral Officers (Papera), Military Prosecutors, and Public Prosecutors, then unifies the process of handling cases from investigation, inquiry, to execution. Second, complementarity, meaning it does not negate one another, whether the authority of military organic bodies such as the Superior with Authority to Punish, Military Police, Military Prosecutors, or Public

¹⁰ Stout HD, de Betekenissen van de wet, dalam Irfan Fachruddin, *Op.cit.*, hlm.4.

Prosecutors, and instead strengthens and complements each other. Third, the clarification of the execution of tasks and functions, namely setting parameters between disciplinary violations by soldiers and criminal acts or offences committed. It also clarifies the execution of tasks and functions when there is an overlap of authority between the Superior with Authority to Punish and Law Enforcement Officers.

The principle of establishment of JAMPIDMIL is as shown in figure 2 below:

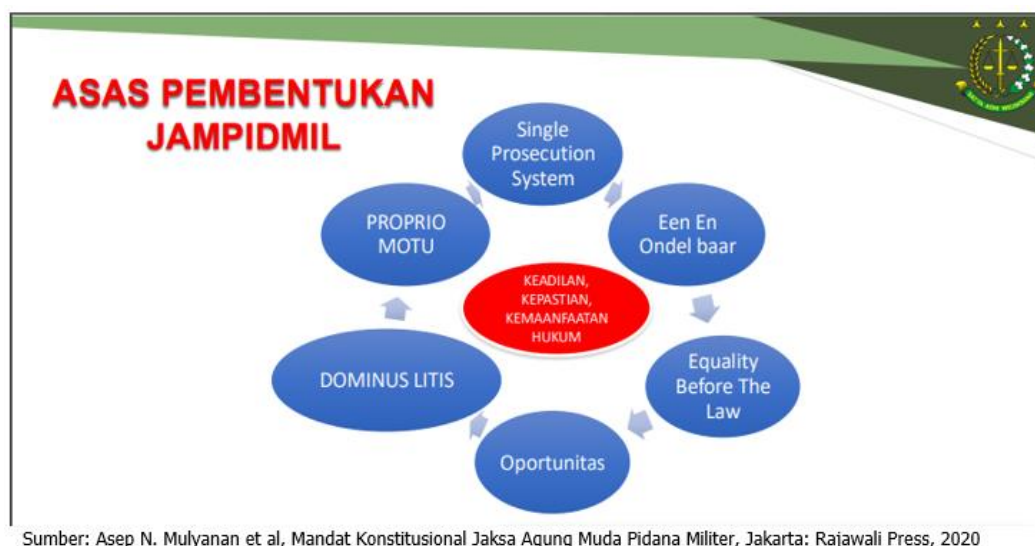


Figure 2.
Principles of JAMPIDMIL Formation

The basis for the formation of JAMPIDMIL is the principle of dominus litis, which means that the control of prosecution procedures in a country must be carried out under a single control, namely under the authority of the Attorney General as the highest public prosecutor. The formation of JAMPIDMIL was initiated to establish a functional relationship between prosecutors and military prosecutors (Oditur), making it important to restructure the organisation of the Attorney General's Office. The Attorney General, as the highest public prosecutor, has the task of assisting in military criminal matters. Prosecutorial regulations serve as the basis for prosecutors to hold group discussions to address this issue, involving legal experts,

professionals, and non-profit organisations representing society to analyse the formation of JAMPIDMIL.

The existence of the Deputy Attorney General for Military Criminal Affairs is expected to encourage the implementation of accountability in each institution without overburdening the responsibilities of one another. Regarding connectivity cases, inclusion is stipulated as regulated in Article 55 Paragraph (1) Point 1 of the Indonesian Criminal Procedure Code (KUHAP). It addresses individuals who commit, order to commit, participate in, and incite criminal acts. The rules regarding connectivity cases are regulated in military law and the Criminal Procedure Code. The handling of connectivity cases carried out together by legal subjects recorded in both general and military courts is adjudicated in a general court, unless there is a determination by the Minister of Defence and Security with the agreement of the Minister of Justice that the case requires examination and decision by a Military Court.

Based on the above explanation, the author analyses and concludes, based on the theory of authority, that the Deputy Attorney General for Military Criminal Affairs (JAMPIDMIL) was formed to create a functional relationship between prosecutors and military prosecutors as public prosecutors in military cases. The Attorney General will have the task of assisting in military criminal cases. Article 2 Paragraph (2) of Law No. 11 of 2021 concerning the Attorney General's Office of the Republic of Indonesia constitutes a unified and inseparable entity in the execution of prosecution. The Attorney General has the authority to organise the work structure of the prosecution service, as it is unified and inseparable.

Additionally, the issue at hand is that, on one hand, there is a correlation between the prosecutorial authority held by the Attorney General, who is the highest authority responsible for prosecuting criminal cases, whether civil or military, while on the other hand, there is a legal disharmony

because military prosecutors tend not to report the prosecution activities they have undertaken to the Attorney General, who is the highest prosecutorial authority in Indonesia.¹¹

As a result, it seems that there are two prosecution bodies handling military criminal cases: the Military Prosecutor's Office and the Public Prosecutor, due to the Explanation of Article 57 (1) of Law No. 31 of 1997 and the Explanation of Article 18 (1) of the Prosecutor's Law. This suggests that, until now, coordination occurs only between subsystems, leading to legal disharmony. Therefore, in accordance with the theory of legal harmonisation, there is a need for adjustments in regulations, government decisions, and the legal system to improve legal certainty. Legal harmonisation in terms of regulatory adjustments should be done by aligning the Explanation of Article 57 (1) of Law No. 31 of 1997 and the Explanation of Article 18 (1) of the Prosecutor's Law while maintaining the Attorney General as the highest authority in prosecution, where the structural and functional positions of military prosecutors, military high prosecutors, and the general prosecutor's office should be under the control of the Attorney General.¹²

Legal harmonisation in terms of government decision adjustments can be made by the President issuing a Presidential Regulation allowing military prosecutors, military high prosecutors, and general prosecutors to serve as officials within the Prosecutor's Office, thus facilitating coordination in prosecuting military criminal offenders. In terms of the legal system, legal harmonisation can be achieved by adding a new structural position at Echelon I, directly under the Attorney General, known as the Deputy Attorney

¹¹ Widodo, Tedhy. "Gugatan Pihak Ketiga Terhadap Eksekusi Barang Sitaan dalam Perkara Tindak Pidana Korupsi." *Jurnal Magister Hukum Udayana (Udayana Master Law Journal)* 7, no. 2 (2018): 238-249.

¹² Soma Dwipayana, I Gusti Ketut Ariawan, "Reformulasi Pembentukan Kewenangan Jaksa Agung Muda Pidana Militer dalam Penanganan Perkara Pidana Militer di Indonesia", *Jurnal Kertha Semaya*, Vol. 9 No. 3 Tahun 2021, hlm. 482-492.

General for Military Crimes. The creation of this position could reduce the duality of prosecutorial bodies in handling military criminal cases in Indonesia. The presence of the Deputy Attorney General for Military Crimes would serve as a bridge between the Attorney General and the Commander of the Indonesian National Armed Forces (TNI), thereby enhancing coordination in handling military criminal offenses.¹³

The Juridical Consequences of the Attorney General's Position in Handling Connectivity Cases Based on Article 35 Paragraph (1) Letter g of Law Number 11 of 2021

The handling of connectivity cases during the prosecution stage involves the development of investigations to be jointly reviewed by prosecutors and auditors. The results of the review are reported to the Attorney General as the highest public prosecutor or to the Director General of Military Justice (Dirjen Otmil) to determine whether the case investigation will be submitted to general courts or military courts. If there is an agreement for the case to be handled by the general court, it will be forwarded to the general court. Conversely, if the agreement is for the military court, it will be forwarded there. By managing connectivity cases through a connectivity team, the principle of equality before the law can be upheld, preventing prolonged case handling.

The resolution of connectivity cases during the prosecution stage involves submitting the case to court. The case file is transferred from military courts to the relevant district attorney's office. The court date is then set, and the indictment is read by the prosecutor. The public prosecutor presents the charges based on considerations from the Deputy Attorney General for Military Crimes. This includes objective and subjective evaluations. An

¹³ *Ibid.*

objective evaluation focuses on the negligence of the accused in committing the crime, while a subjective evaluation considers the intent and circumstances of the accused, especially regarding harm caused to the victim and violations of existing regulations.

During prosecution, the prosecutor can take pre-prosecution measures for incomplete case files before submitting them to court. This step aims to prepare the case for court proceedings and ensure successful prosecution by gathering material evidence as a basis for the trial process.¹⁴ Pre-prosecution involves retrieving case files from investigators when prosecutors deem the investigation incomplete and indicating additional information is needed.¹⁵

Currently, there seem to be two prosecutorial bodies handling military criminal cases: the Military Auditor and the Public Prosecutor. This dualism arises from the explanation of Article 57 Paragraph (1) of Law No. 31 of 1997 and Article 18 Paragraph (1) of Law No. 11 of 2021 concerning the Attorney General's Office of Indonesia. This situation reflects coordination issues among subsystems, leading to legal disharmony. According to the theory of legal harmonisation, adjustments to regulations, government decisions, and legal systems are needed to improve legal certainty.

Based on the data of military criminal cases, such as the connectivity cases as shown in Figure 3 below:

¹⁴ Prodjohamidjojo, M. *Tanya Jawab KUHAP*. (Jakarta: Ghalia Indonesia, 1982).

¹⁵ Waluyo, B. *Pidana dan Pemidanaan*. (Jakarta: Sinar Grafika. 2004).

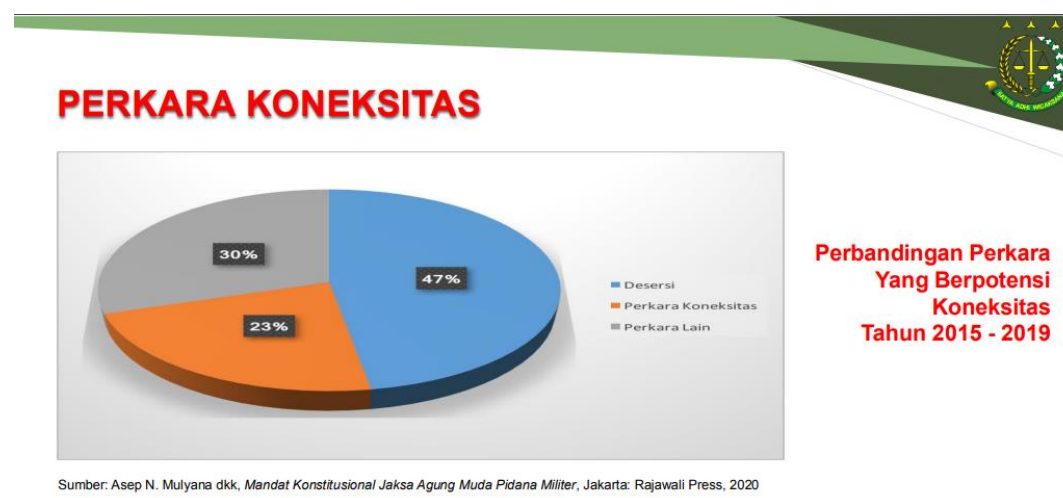


Figure 3.
Connectivity Case

Based on the data of military criminal cases that were not reported in prosecution activities to the Attorney General as part of the single prosecution system, as happened in April 2022, a connectivity criminal case occurred involving Brigadier General YAK of the Indonesian National Armed Forces (TNI) along with a civilian named NPP. The first trial was held regarding the alleged corruption in the mandatory housing savings fund for the Army from 2013 to 2020. The two defendants were prosecuted at the High Military Court II in Jakarta, after being detained by the Connectivity Investigative Team, which consisted of Military Prosecutors from the Attorney General's Office for Military Criminal Affairs, the Indonesian Army Military Police, and the High Military Prosecutor's Office II in Jakarta. Additionally, in March 2022, the Connectivity Investigative Team at the Attorney General's Office named TNI members as suspects, including Colonel Czi (Ret.) CW AHT, due to causing financial losses to the state, as temporarily calculated by the Connectivity Investigative Team, amounting to Rp59 billion. This was related to a breach in the land procurement agreement in Gandus, where payments were made outside the established mechanism and procurement took place

without technical studies.¹⁶

In January 2022, the issue of dualism in prosecuting connectivity crimes emerged once again when military personnel were allegedly involved in a corruption case involving satellites. On one side, the Secretary-General of Transparency International Indonesia, Danang Widoyo, stated that criminal cases occurring outside wartime should be handled by the general court. On the other side, Attorney General ST Burhanuddin said that if any TNI members were found involved in corruption, the case would be handed over to the military police. Coordination actions were carried out with the military police, and the authority rests with the military police, unless otherwise specified during connectivity cases. This highlights the importance of clear regulations in addressing potential dualism in prosecution. Even as of 2021, there were still 2,726 connectivity criminal cases that had not been processed through court. This number accounted for 23 percent of the total 12,017 criminal cases handled by the Attorney General's Office. On Wednesday, March 30, 2022, at the office of the Attorney General's Deputy for Military Criminal Affairs, the Connectivity Investigative Team conducted an interrogation of the suspect KGS MMS, the land provider for housing in the Nagreg, West Java, and Gandus, Palembang areas, as a suspect in the alleged corruption case involving the Army's Mandatory Housing Savings Fund (TWP AD) from 2013 to 2020.¹⁷

Given the prevalence of dualism in prosecuting connectivity crimes and the high demand for resolving these cases, effective law enforcement measures are needed to achieve justice, certainty, and utility. To fulfil principles of bureaucratic reform and accelerate legal services to the public, it is essential to enhance the effectiveness of the Attorney General's Office of Indonesia in coordinating prosecution with the military auditor and handling

¹⁶ Kelaesar Anna Hasanah Lapae, Hambali Thalib & Nur Fadhilah Mappaselleng, *Op.cit.*

¹⁷ *Ibid.*

connectivity cases.

This situation aligns with legal enforcement theories that emphasise the role of law enforcement officers. The effectiveness of law enforcement in handling connectivity cases largely depends on the law enforcers themselves. While good regulations may be in place, the success of enforcement also relies on the professionalism, mentality, and integrity of the officers. Therefore, one of the keys to successful law enforcement is the mentality and character of the law enforcers involved.

In accordance with its duties and authorities, the Deputy Attorney General for Military Crimes performs the following functions:

1. Formulating policies in the area of technical coordination for prosecution conducted by the military auditor and the handling of connectivity cases;
2. Implementing technical coordination for prosecution conducted by the military auditor and enforcing the law in the handling of connectivity cases;
3. Handling connectivity cases;
4. Coordinating and synchronising the implementation of policies in the field of technical prosecution conducted by the military auditor and law enforcement in the handling of connectivity cases;
5. Establishing working relationships with domestic and international agencies or institutions in the area of technical coordination for prosecution conducted by the military auditor, as well as handling connectivity cases and improving human resource quality;
6. Monitoring, analysing, evaluating, and reporting on the implementation of technical coordination for prosecution conducted by the military auditor and the handling of connectivity cases; and
7. Performing other tasks assigned by the Attorney General.

The author analyses that the juridical consequence of the Attorney

General's position as the highest Public Prosecutor is the delegation of prosecution authority to prosecutors within the scope of general courts and to military auditors within the scope of military courts. In practice, resolving connectivity cases often poses challenges when conducted separately, potentially leading to dualism in prosecution policies and disparities in sentencing. Therefore, according to the Attorney General, an integrated approach is key to achieving fair and effective law enforcement.

Law enforcement efforts require synergy between the Attorney General's Office and military judicial institutions in handling connectivity cases. This is in accordance with Article 35 Paragraph (1) Letter g of Law Number 11 of 2021.

As the highest authority in prosecution, Article 35 of Law No. 11 of 2021 concerning the Prosecutor's Office specifically outlines the duties and authorities of the Attorney General as follows:

- (1) The Attorney General has the duties and authorities to:
 - a) Establish and control the policies of law enforcement and justice within the scope of the Prosecutor's Office's duties and authorities;
 - b) Enhance the effectiveness of law enforcement as stipulated by legislation;
 - c) Set aside cases in the public interest;
 - d) File appeals for the sake of legal interest with the Supreme Court in the context of general courts, administrative courts, religious courts, and military courts;
 - e) Provide legal technical considerations to the Supreme Court in the examination of appeals within the scope of general courts, administrative courts, religious courts, and military courts;
 - f) Prevent or prohibit certain individuals from entering or leaving the territory of the Republic of Indonesia due to their involvement in criminal cases, in accordance with legal provisions;

- g) Coordinate, control, and conduct investigations, inquiries, and prosecutions for criminal acts committed jointly by individuals subject to general courts and military courts;
 - h) Act as an investigator, prosecutor, and executor of court decisions that have obtained legal force in cases of gross human rights violations;
 - i) Delegate part of the prosecutorial authority to the Judge Advocate General for prosecution purposes;
 - j) Delegate part of the prosecutorial authority to Public Prosecutors for prosecution purposes; and
 - k) Handle criminal acts that cause harm to the nation's economy and may impose peace fines in economic crimes based on legislation.
- (2) Further provisions regarding the delegation of authority as referred to in paragraph (1) letters i and j are regulated by Prosecutor's Office Regulations.

The establishment of the Deputy Attorney General for Military Criminal Affairs aims to facilitate coordination and accelerate the resolution of cases involving two different judicial systems, particularly in addressing cases of connectivity where the accused commits violations jointly between civilians and the military. The Deputy Attorney General for Military Criminal Affairs (JAMPIDMIL) is regulated under a Presidential Regulation of the Republic of Indonesia concerning the Organisation and Work Procedure of the Prosecutor's Office of the Republic of Indonesia and is further implemented based on Prosecutor's Office Regulations. The formation of this Deputy Attorney General for Military Criminal Affairs ensures legal certainty and fairness in the sanctions imposed on suspects in connectivity cases. Fairness essentially means giving each individual what is rightfully theirs, based on the principle that everyone has equal standing before the law (equality before the law). A prosecutor is an official authorised to conduct

public prosecutions. The Prosecutor's Office of the Republic of Indonesia, as a state institution that enforces state power in the prosecution field, operates independently, unaffected by government power. A military prosecutor is an official authorised to act as a prosecutor within military courts, carrying out duties similar to a civilian prosecutor. Military prosecutors operate within military courts, which function as special courts responsible for examining and adjudicating criminal acts committed by members of the Indonesian Armed Forces (TNI).

4. Conclusion

Based on the results and discussion above, the conclusions of this journal are as follows:

- a. The existence of the Deputy Attorney General for Military Crimes (JAMPIDMIL) in handling connected cases serves as a driving force for implementing institutional accountability without placing undue emphasis on one institution over another. JAMPIDMIL was established to create a functional relationship between Prosecutors and Auditors acting as Public Prosecutors in military cases, where the Attorney General is tasked with assisting in cases of military criminal offences. Article 2 Paragraph (2) of the Law on the Attorney General's Office of the Republic of Indonesia states that the Attorney General's Office is unified and inseparable in carrying out prosecution duties. The Attorney General has the authority to regulate the working methods of the Attorney General's Office because it operates as a unified and inseparable institution.
- b. The legal consequences of the Attorney General's position in handling connected cases, as stipulated in Article 35 Paragraph (1) letter g of Law No. 11 of 2021, delegate prosecution authority to Public Prosecutors in the general judiciary and Auditors within the military judiciary. In practice, resolving

connected cases often presents challenges when handled separately, potentially leading to dual prosecution policies and sentencing disparities. Therefore, according to the Attorney General, integrated handling is key to achieving fair and effective law enforcement. Law enforcement is carried out through synergy between the Attorney General's Office and military judicial institutions in handling connected cases. This is in line with Article 35 Paragraph (1) letter g of Law No. 11 of 2021.

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