



The Justification for Enhancing the Attorney General's Intelligence Authority in Human Rights-Oriented Law Enforcement in Indonesia

Subagio Gigih Wijaya¹, Pujiyono Suwadi², Muhammad Rustamaji³

¹Department of Law, Faculty of Law, Universitas Sebelas Maret, Surakarta, Jawa Tengah 57126, Indonesia

²Department of Law, Faculty of Law, Universitas Sebelas Maret, Surakarta, Jawa Tengah 57126, Indonesia

³Department of Law, Faculty of Law, Universitas Sebelas Maret, Surakarta, Jawa Tengah 57126, Indonesia

Abstract: Prosecutorial Intelligence is crucial in providing comprehensive support for successfully handling criminal cases, encompassing the stages of investigation, prosecution, and execution. This research examines the rationale behind enhancing the power of prosecutorial Intelligence as a form of law enforcement intelligence grounded in human rights principles, aiming to achieve optimal performance. This study employs normative, empirical research methods. The findings indicated that the elements contributing to the necessity of enhancing the power of prosecutorial Intelligence as Intelligence for law enforcement based on human rights: (1) The implementation of tasks faces several problems, such as resource constraints, legal discrepancies, political neutrality, coordination deficiencies, technological hurdles, and political and security instability. (2) The execution of intelligence tasks is subject to several constraints, including limitations in conducting investigations, restrictions on wiretapping, restricted access to classified material, constraints in disseminating information to the public, limitations in making decisions, and scarcity of resources. (3) Enhancing the power of prosecutorial Intelligence is necessary to safeguard human rights, eliminate grave offences, enhance legal adherence, improve the efficacy of investigation and prosecution, foster public confidence, adapt to technological advancements, bolster resilience against security risks, and fortify democracy and good governance.

Keywords: prosecutorial intelligence, law enforcement, justice

Received: 20 March 2024

Revised: 28 May 2024

Accepted: 18 June 2024

1. Introduction

Law No. 17/2011 on State Intelligence established the legal framework for State Intelligence in Indonesia. This law explicitly defines the role of State Intelligence as the first line of defence in the national security system to safeguard national security. The judicial intelligence unit of the prosecutor's office offers assistance to many responsibilities within the office, including handling special and general offences, civil and state administration, and providing supervision and direction. Moreover, the intelligence of the AGO plays a crucial role in providing comprehensive support for the successful handling of criminal cases, including the entire process from investigation and prosecution to execution.¹

¹ Nanang Nurcahyo, Ramalina Ranaivo, and Mikea Manitra, 'Why Have Indonesian Murderers Not Paid Victims ' Heirs ? Murder Victims By Gender 2019-', *Journal of Law, Environmental and Justice*, 1.2 (2023), 155–69 <<https://doi.org/10.62264/jlej.v1i2.13>>.

The Indonesian Attorney General's Intelligence performance is exceptional, surpassing expectations and achieving high effectiveness. Recently, the Attorney General's Office of Intelligence has been investigating and managing cases of alleged money laundering crimes at the national level, which have significantly impacted state finances. The compiler has obtained data from the Attorney General's Intelligence regarding alleged Money Laundering Crimes with Corruption Origin Crimes. The entities involved include PT Jiwasraya Insurance, PT Asabri, PT Indonesian Credit Insurance (Askrindo), Djoko Candra & Attorney Pinangki, PT Danareksa Sekuritas, and Pertamina Pension Fund Breach.²

As highlighted in a CNN news article, the Attorney General's Office (AGO) has been criticised for its inadequate intelligence capabilities. Attorney General ST Burhanuddin acknowledged that the AGO's intelligence needed to be more robust since it failed to apprehend Djoko Sugiarto Tjandra, a fugitive involved in the Bank Bali receivables case when he was in Jakarta. "On 8 June, Djoko Tjandra received notification to appear at the South Jakarta Court in order to formally submit his appeal." "This is indeed a vulnerability of our intelligence, but it is the reality," stated Burhanuddin during the DPR Commission III Working Meeting with the Attorney General at the Parliament Complex in Jakarta.³ One contributing cause to authorities' failure to enforce the law is their tendency to adopt a coercive approach, where the implementation of new law enforcement measures only begins after illegal events have already taken place. Intelligence personnel consistently analyse the events leading up to, occurring in the present, and following legal activities or criminal incidents.⁴

Currently, intelligence is comprehended through a material perspective, which can be categorized into three definitions: intelligence as an organization, intelligence as an activity, and intelligence as knowledge. On the other hand, the intelligence function approach perceives intelligence as an investigative, security-oriented, and mobilization-related activity.⁵ As objectively defined, intelligence encompasses the systematic activities of detecting, recognising, assessing, analysing, interpreting, and presenting information. Its purpose is to provide early warning regarding potential dangers to the safety and existence of a nation and state. Additionally, it entails identifying opportunities that align with the country's interests and security. Intelligence encompasses the ability to recognise, alert, predict, and solve problems in advance.⁶

Pradeka's research identifies additional barriers that impede the effective execution of the prosecutor's intelligence responsibilities. These include a shortage of intelligence personnel, both in quantity and quality, as many have yet to receive intelligence education. Furthermore, more resources and infrastructure are needed to support the implementation of the prosecutor's intelligence responsibilities.⁷ Rahman et al.'s study also identified several problems that impede Prosecutorial Intelligence, including a scarcity of Investigative Prosecutors, challenges in acquiring documents, the inclusion of biased reports, and the frequent relocation of targets of operations.⁸

² Januar Rahadian and Silas Oghenemaro, 'Monodualistic and Pluralistic Punishment Politics in Criminal Code Reform : Lessons from Indonesia', *Journal of Law, Environmental and Justice*, 1.3 (2023), 225–43 <<https://doi.org/10.62264/jlej.v1i3.17>>.

³ L. Yes Esty Pratiwi and others, 'In-Depth Review : Legal Review on Human Rights Enforcement in the ASEAN and EU Context', *Journal of Law, Environmental and Justice*, 1.3 (2023), 202–24 <<https://doi.org/10.62264/jlej.v1i3.16>>.

⁴ Muhammad Khalif, FX Hastowo Broto Laksito, and Andriamalala Laurent, 'Role and Position of Indonesian Medical Disciplinary Honour Council : Fair Medical Dispute Resolution', *Journal of Law, Environmental and Justice*, 1.3 (2023), 185–201 <<https://doi.org/10.62264/jlej.v1i3.15>>.

⁵ Pujiyono, Sufmi Dasco Ahmad, and Rani Tiyas Budiyaniti, 'Sex Selection Using Assisted Reproductive Technology: An Islamic Law Perspective', *Medicine and Law*, 36.4 (2017), 45 – 52.

⁶ Jamal Wiwoho and others, 'Islamic Crypto Assets and Regulatory Framework: Evidence from Indonesia and Global Approaches', *International Journal of Law and Management*, 2023 <<https://doi.org/10.1108/IJLMA-03-2023-0051>>.

⁷ Dasco Ahmad Sufmi, Arsyad Aldyan, and Pujiyono, 'A Criminological Review on 'cornering the Market' Practice in Securities Trading in Capital Market (a Study in Indonesia)', *Journal of Advanced Research in Law and Economics*, 8.7 (2017), 2263 – 2267 <[https://doi.org/10.14505/jarle.v8.7\(29\).27](https://doi.org/10.14505/jarle.v8.7(29).27)>.

⁸ M. C. Ricklefs, *A History of Modern Indonesia since c .1200, A History of Modern Indonesia since c .1200* (London And New York: Palgrave Macmillan Ltd., 2008) <<https://doi.org/10.5040/9781350394582>>.

Efforts are being made to enhance connections with observers, students, NGOs, journalists/media, and the community and to protect persons and resources by disclosing alleged corruption acts.⁹ Meanwhile, Ishwara's research revealed that the West Nusa Tenggara High Prosecutor's Office Intelligence faces obstacles in uncovering allegations of Money Laundering Crimes. These obstacles include technical difficulties caused by missing documents intentionally left out by the perpetrator and limited information available when gathering data on the suspect's assets. Non-technical barriers include intimidation from individuals who seek to conceal their criminal activities. This prior research provides a detailed explanation of the barriers that can impede the implementation of the prosecutor's intelligence role as law enforcement intelligence.¹⁰

In the Riau High Prosecutor's Office, it has been discovered that the challenges faced in carrying out the responsibilities and authority of the intelligence sector are primarily due to the inadequate use of non-punitive measures in preventing corruption.¹¹ This is attributed to the weak derivative rules and implementing norms for preventing non-punitive corruption, as well as regulations that hinder the intelligence activities of prosecutors in combating corruption. Additionally, there is a lack of support and collaboration among different sectors, unscrupulous prosecutors who engage in fraudulent activities for personal gain, insufficient facilities and budget limitations, and a perception among the public that the prosecutor's office is playing games or being selective in its efforts to eradicate corruption.¹² Harahap's research revealed that the Attorney General's Office (AGO) faces challenges in effectively investigating corruption cases due to difficulties in summoning witnesses, gathering evidence, and the apprehension of those questioned due to potential interference from relevant agencies.

The discovery of multiple hurdles that undermine the effectiveness of the prosecutor's intelligence function, both in terms of technical limitations in the field and legislative restraints, highlights the significance of initiatives aimed at enhancing the authority of the prosecutor's intelligence.¹³ Enhancing this jurisdiction can enhance the effectiveness of prosecutorial intelligence in delivering and documenting crucial information about law enforcement operations in Indonesia. Authority primarily comprises attribution, delegation, and mission. Within the domain of prosecutorial intelligence, the authority in question is referred to as attributive authority due to its involvement in implementing criminal law.¹⁴ The principle of legality in the Indonesian Criminal Procedure Code (KUHAP) is characterised by a more positivistic approach that is more robust than the legality principle found in substantive criminal law. This underscores the significance of the attributive authority bestowed by legislation, enabling law enforcement personnel to lawfully apprehend, investigate, detain, seize, and conduct wiretapping.¹⁵

In the era of Society 5.0, ensuring a harmonious integration of technological advancements with the reinforcement of prosecutorial intelligence is crucial. Modern society is intricately intertwined with the Internet and relies heavily on information technology, ensuring constant and daily interaction with this technology.¹⁶ This condition necessitates the implementation of compelled endeavours or law enforcement activities. Physical actions such as arrest, custody, search, seizure, and technological

⁹ Áine Clancy, 'A Better Deal? Negotiated Responses to the Proceeds of Grand Corruption', *Criminal Law Forum*, 33.2 (2022), 149 – 188 <<https://doi.org/10.1007/s10609-022-09436-6>>.

¹⁰ Frank G Madsen, 'Corruption: A Global Common Evil', *RUSI Journal*, 158.2 (2013), 26 – 38 <<https://doi.org/10.1080/03071847.2013.787730>>.

¹¹ Rian Saputra, Albertus Usada, and Muhammad Saiful Islam, 'Ecological Justice in Environmental Criminal Sanctions for Corporations in Indonesia: Problems and Solution', *Journal of Law, Environmental and Justice*, 2.1 (2024), 1–17 <<https://doi.org/10.62264/jlej.v2i1.19>>.

¹² Pujiyono Pujiyono, Bambang Waluyo, and Reda Manthovani, 'Legal Threats against the Existence of Famous Brands a Study on the Dispute of the Brand Pierre Cardin in Indonesia', *International Journal of Law and Management*, 63.4 (2020), 387 – 395 <<https://doi.org/10.1108/IJLMA-01-2018-0006>>.

¹³ Saldi Isra, 'Peran Mahkamah Konstitusi Dalam Penguatan Hak Asasi Manusia Di Indonesia', *Jurnal Konstitusi*, 11.3 (2016), 409 <<https://doi.org/10.31078/jk1131>>.

¹⁴ Dora Kusumastuti and Hussein Gibreel, 'Enhancing Local Revenue via Tax Incentives : A Strategy to Establish Fair and Balanced Taxes', *Journal of Law, Environmental and Justice*, 1.3 (2023), 170–84 <<https://doi.org/10.62264/jlej.v1i3.11>>.

¹⁵ Chalik Mawardi and Farah Hanum, 'Policy on the Handling of Rohingya Refugees in Aceh : Balancing State Sovereignty and Human Rights?', *Journal of Law, Environmental and Justice*, 1.2 (2023), 122–36 <<https://doi.org/10.62264/jlej.v1i2.7>>.

¹⁶ Rian Saputra, Josef Purwadi Setiodjati, and Jaco Barkhuizen, 'Under-Legislation in Electronic Trials and Renewing Criminal Law Enforcement in Indonesia (Comparison with United States)', *JOURNAL of INDONESIAN LEGAL STUDIES*, 8.1 (2023), 243–88 <<https://doi.org/10.15294/jils.v8i1.67632>>.

methods can be used. The emergence of society in the 5.0 age necessitates the implementation of wiretapping as a crucial measure for law enforcement. It refers to an inevitable event or outcome, regardless of one's wishes or preferences. A revision of the jurisdiction of prosecutorial intelligence is necessary to mitigate the potential emergence of criminogenic elements.¹⁷ Criminogenic factors are intricate social phenomena that arise from settings that heighten the likelihood of illegal activities being perpetrated and initiating a criminal trajectory.

One aspect of prosecutorial intelligence authority that requires enhancement is the power to conduct eavesdropping. Wiretapping can intercept communications in the context of criminal offences. The issue of wiretapping authority is contentious and viewed as a violation of human rights.¹⁸ Human rights can be infringed upon when there is a law that governs and controls them. In order to align with the advancements of society during the 5.0 period, it is necessary to enhance coalitional action by granting wiretapping ability. This capacity should be regulated by dedicated legislation or incorporated into existing laws, such as the Criminal Procedure Code.¹⁹ The KUHAP (Indonesian Code of Criminal Procedure) has a broader scope than other legislations, such as the KPK Law (Corruption Eradication Commission Law) or the Terrorism Law. Enhancing the legislative power to modify outdated laws no longer aligned with the principles of society 5.0 is a crucial measure for enhancing law enforcement.²⁰

The reform of intelligence about secrecy should enhance the level of confidentiality of classified intelligence information, ensuring that it remains inaccessible to any unauthorised individuals or users, except for the user responsible for planning and directing. This task must be completed to prevent the misuse of intelligence for political ends.²¹ Nevertheless, it is imperative that users, particularly end users who are consumers, possess the capability or even pledge to refrain from utilising intelligence for their own or collective political agendas.²² The scope of Intelligence Reform should include enacting legal measures to protect State Intelligence professionals rather than depending exclusively on criminal prohibitions. The oversight of intelligence operations in countries such as Canada, South Korea, and the United States involves not only the establishment of organisational frameworks but also deals with matters of power, secrecy, well-being, and legal safeguards.²³

The explanation above highlights the significance of enhancing the prosecutor's intelligence jurisdiction to effectively fulfil its role as a law enforcement entity while ensuring compliance with human rights based on Pancasila. Every individual possesses inherent human rights from the moment of birth. However, laws must govern society, the nation, and the state to establish social order.²⁴ In this scenario, prosecutorial intelligence is necessary because it contributes to establishing a well-organized and secure society by providing information that may be effectively pursued by prosecutors. The execution of the prosecutor's intelligence work does not infringe upon human rights but rather safeguards these rights against the activities of malevolent individuals.²⁵ Prosecutorial intelligence aims to establish equitable

¹⁷ Agung Basuki and others, 'Establishing Ecological Justice in the Governance of Land Inventory , Ownership , and Utilisation in Indonesia', *Journal of Law, Environmental and Justice*, 18.2 (2023), 137–54 <<https://doi.org/10.62264/jlej.v1i2.12>>.

¹⁸ P Pujiyono, Sufmi Dasco Ahmad, and Reda Manthovani, 'The Future of the Leniency Program as an Efforts to Reveal Cartel Practices in Indonesia', *ARNP Journal of Engineering and Applied Sciences*, 14.20 (2019), 7599 – 7608 <<https://doi.org/10.36478/JEASCI.2019.7599.7608>>.

¹⁹ Nurcahyo, Ranaivo, and Manitra.

²⁰ O L van Daalen, J V J van Hoboken, and M Rucz, 'Export Control of Cybersurveillance Items in the New Dual-Use Regulation: The Challenges of Applying Human Rights Logic to Export Control', *Computer Law & Security Review*, 48 (2023), 105789 <<https://doi.org/https://doi.org/10.1016/j.clsr.2022.105789>>.

²¹ Imentari Siin Sembiring, Elly Sudarti, and Andi Najemi, 'Urgensi Perumusan Perbuatan Memperdagangkan Pengaruh Sebagai Tindak Pidana Korupsi', *Undang: Jurnal Hukum*, 3.1 (2020), 59–84 <<https://doi.org/10.22437/ujh.3.1.59-84>>.

²² Fx Hastowo and Broto Laksito, 'Policy Discrimination against the Minority Group of Flows of Believers Citizens in Indonesia : An Administrative Justice Perspective', *Journal of Law, Environmental and Justice*, 1.1 (2023), 36–49.

²³ Satryo Sasono, Isharyanto Isharyanto, and Delasari Krisda, 'Child and Women Domestic Abuse Victims ' Social Health Insurance Protection : An Affirmative Justice Perspective', *Journal of Law, Environmental and Justice*, 1.2 (2023), 105–21 <<https://doi.org/10.62264/jlej.v1i2.8>>.

²⁴ Rowena Rodrigues, 'Legal and Human Rights Issues of AI: Gaps, Challenges and Vulnerabilities', *Journal of Responsible Technology*, 4 (2020), 100005 <<https://doi.org/https://doi.org/10.1016/j.jrt.2020.100005>>.

²⁵ D Wolfe and others, 'Human Rights and Access to Hepatitis C Treatment for People Who Inject Drugs', *International Journal of Drug Policy*, 26.11 (2015), 1072–80 <<https://doi.org/https://doi.org/10.1016/j.drugpo.2015.05.007>>.

social justice for the entire Indonesian population. The data gathered by the prosecutor's intelligence can serve as a lawful instrument for the prosecutor's office in fulfilling their law enforcement responsibilities. The preliminary data collection indicates that implementing the prosecutor's intelligence task encounters multiple impediments. This scenario presents an intriguing opportunity for researching the topic of enhancing the legitimacy of prosecutorial intelligence as a form of law enforcement intelligence that is grounded in human rights principles.

2. Research Methods

This research uses an empirical juridical approach.²⁶ The research method employed in this study is normative or doctrinal legal research, which involves utilising both a statutory approach and a conceptual approach.²⁷ The research employs an empirical legal approach, utilising data analytic tools through an interactive analysis model. The analytical process for this work follows an interactive model consisting of multiple stages. Firstly, the acquired data will be evaluated through data reduction, presentation, and conclusion drafting.²⁸

3. Results and Discussion

3.1. Problems with prosecutor intelligence in human rights-based law enforcement

According to Article 1 point 1 of Law No. 17/2011 on State Intelligence, intelligence refers to the acquisition, organisation, and actions associated with developing policies, national strategies, and decision-making processes. This is done by analysing information and facts gathered through methods aimed at detecting and providing early warnings to prevent, deter, and address any potential threat to national security.²⁹

Intelligence, in the context of knowledge, refers to unprocessed information or data that has been evaluated and analysed. This information is then interconnected with other processed data to meet the user's specific requirements.³⁰ Once processed, intelligence is the end product provided to the user to develop plans and policies and make informed decisions. This information is analysed by a highly skilled specialist with specialised knowledge and expertise in specific intelligence domains.³¹

Intelligence, as a process, encompasses three distinct activities: investigation, security, and mobilisation. These actions aim to prevent criminal acts and support law enforcement through preventative and repressive measures in various areas such as ideology, politics, economy, finance, socio-cultural, defence, and security.³² They also dissuade specific individuals and/or contribute to maintaining public order and peace. The findings from a study conducted using structured interviews indicate that the effective execution of the responsibilities and tasks of the Prosecutor's intelligence in law enforcement plays a crucial role in facilitating the successful resolution of criminal cases, spanning from inquiry to execution. Here are the steps for implementation:

²⁶ Rian Saputra, Muhammad Khalif Ardi, and others, 'Reform Regulation of Novum in Criminal Judges in an Effort to Provide Legal Certainty', *JILS (Journal of Indonesian Legal Studies)*, 6.2 (2021), 437–82 <<https://doi.org/10.15294/jils.v6i2.51371>>.

²⁷ Pujiyono Suwadi and others, 'Legal Comparison of the Use of Telemedicine between Indonesia and the United States', *International Journal of Human Rights in Healthcare*, ahead-of-p.ahead-of-print (2022) <<https://doi.org/10.1108/IJHRH-04-2022-0032>>.

²⁸ Rian Saputra, M Zaid, and others, 'Reconstruction of Chemical Castration Sanctions Implementation Based on the Medical Ethics Code (Comparison with Russia and South Korea)', *Lex Scientia Law Review*, 7.1 (2023), 61–118 <<https://doi.org/10.15294/lesrev.v7i1.64143>>.

²⁹ Mathew Y H Wong, Ying-ho Kwong, and Venisa Yeuk Wah Chau, 'Democracy, Constitutional Framework, and Human Rights: A Comparison of Monaco, Tonga, Hong Kong, and Singapore', *International Journal of Law, Crime and Justice*, 64 (2021), 100438 <<https://doi.org/https://doi.org/10.1016/j.ijlcj.2020.100438>>.

³⁰ Putri Adhira and Devi Triasari, 'Illiberal Peace in Sri Lanka: Reasons and Achievements of the Resulting Peace', *Journal of Law, Environmental and Justice*, 2.1 (2024), 63–88 <<https://doi.org/10.62264/jlej.v2i1.92>>.

³¹ Belengar Francis Maïnkade, 'Corporate Human Rights Obligations of Investors in Recent Investment Agreements: The Progressive Hardening Process of CSR Clauses', *Heliyon*, 9.4 (2023), e15120 <<https://doi.org/https://doi.org/10.1016/j.heliyon.2023.e15120>>.

³² Rachmawaty Rachmawaty, Matthew Marcellinno Gunawan, and Novi Nurviani, 'Judicial Perspectives on the Equitable Resolution of Anti-SLAPP Cases: Insights from Indonesia', *Journal of Law, Environmental and Justice*, 2.1 (2024), 18–41 <<https://doi.org/10.62264/jlej.v2i1.88>>.

Investigation: "Prosecutorial intelligence should collaborate with other law enforcement authorities, such as the police, to gather information and evidence about the criminal case under investigation. Perform comprehensive analyses of the acquired data and information to ascertain the culprits, methods employed, criminal networks involved, and essential evidence.³³ Investigation involves gathering robust and admissible evidence in a court of law. Oversee the advancement of the inquiry and ensure that the investigative technique adheres to relevant legal protocols. Offer uninterrupted intelligence assistance to the investigating team to surmount any obstacles or challenges that may develop throughout the investigation process.³⁴ Prosecution: "Examine the collected evidence and develop a successful strategy for presenting the case in court." Furnish the Prosecutor with pertinent facts and thorough analysis to adequately prepare the case for trial. Offer essential intelligence assistance during the trial to effectively counterarguments from the opposing party and bolster the prosecution's case.³⁵

Objective: "Ensure the proper and timely execution of court judgements." Assist law enforcement by providing pertinent information regarding the implementation of court judgements, including details about individuals who are either suspects or convicts who require apprehension or execution.³⁶ Supervising the implementation of court rulings to guarantee that all parties adhere to the verdict. Furthermore, it is crucial for the Prosecutor's intelligence to consistently enhance information networks and establish collaboration with other institutions, both domestically and internationally, to acquire broader knowledge and facilitate efficient law enforcement. The successful management of criminal cases and enhancing public confidence in the judicial system can be achieved by efficiently incorporating intelligence duties and functions in law enforcement, as carried out by the Prosecution Service.³⁷

The execution of the prosecution's intelligence responsibilities, as mentioned earlier, encounters numerous challenges that need to be addressed.³⁸ The interviews yielded findings regarding the challenges faced by the Prosecutor's intelligence in fulfilling its responsibilities as a law enforcement agency rooted in human rights principles and guided by Pancasila. The identified impediments are as follows: Firstly, the availability of resources is limited. "Prosecutorial Intelligence may face constraints in terms of human, financial, and technological resources." This could impact their capacity to gather pertinent data and assess it suitably. Furthermore, legal discrepancies arise from contradictions between the methods used in investigations and prosecutions, the principles of human rights and the values of Pancasila. For instance, there could be instances of torture or misuse of authority that are in direct opposition to these ideals.³⁹

Furthermore, the issue of political impartiality arises in the context of prosecutorial intelligence. There are instances where it can be exploited by the government or specific interest groups, resulting in the misuse of authority and human rights infringements.⁴⁰ The fourth challenge is the need for collaboration among various law enforcement entities, including the police, intelligence services, and the judiciary. This lack of coordination might impede the efficiency of Prosecutorial intelligence in fulfilling its responsibilities. The fifth problem pertains to technology. In the digital era, the Prosecutor's intelligence faces obstacles related to data security and using technology for illegal purposes. The sixth challenge is

³³ Januar Rahadian Mahendra, Rizal Akbar Aldyan, and Silas Oghenemaro Emovwodo, 'Examining Indonesian Government Policies in Tackling Deforestation: Balancing Economy and Environment', *Journal of Law, Environmental and Justice*, 2.1 (2024), 42–62 <<https://doi.org/10.62264/jlej.v2i1.93>>.

³⁴ Nanang Nurcahyo and others, 'Reform of the Criminal Law System in Indonesia Which Prioritizes Substantive Justice', *Journal of Law, Environmental and Justice*, 2.1 (2024), 89–108 <<https://doi.org/10.62264/jlej.v2i1.91>>.

³⁵ Eva Nave and Lottie Lane, 'Countering Online Hate Speech: How Does Human Rights Due Diligence Impact Terms of Service?', *Computer Law & Security Review*, 51 (2023), 105884 <<https://doi.org/https://doi.org/10.1016/j.clsr.2023.105884>>.

³⁶ Basuki and others.

³⁷ Rebecca Strating, Sunil Rao, and Sallie Yea, 'Human Rights at Sea: The Limits of Inter-State Cooperation in Addressing Forced Labour on Fishing Vessels', *Marine Policy*, 159 (2024), 105934 <<https://doi.org/https://doi.org/10.1016/j.marpol.2023.105934>>.

³⁸ Rian Saputra, M Zaid, and Devi Triasari, 'Executability of the Constitutional Court ' s Formal Testing Decision : Indonesia ' s Omnibus Law Review', *Journal of Law, Environmental and Justice*, 1.3 (2023), 244–58 <<https://doi.org/10.62264/jlej.v1i3.18>>.

³⁹ Paweł Marcin Nowotko, 'AI in Judicial Application of Law and the Right to a Court', *Procedia Computer Science*, 192 (2021), 2220–28 <<https://doi.org/https://doi.org/10.1016/j.procs.2021.08.235>>.

⁴⁰ Hanita Mayasari, 'A Examination on Personal Data Protection in Metaverse Technology in Indonesia : A Human Rights Perspective', *Journal of Law, Environmental and Justice*, 1.1 (2023), 64–85 <<https://doi.org/10.62264/jlej.v1i1.4>>.

political and security instability, which can hinder the effectiveness of prosecutorial intelligence in acquiring information and enforcing the law.⁴¹

To surmount these challenges, Prosecutorial intelligence must consistently increase its capabilities, foster collaboration with other organisations, guarantee adherence to legal and human rights norms, and preserve its autonomy from political influence or personal agendas. Furthermore, advancing sophisticated information and communication technologies is crucial for enhancing the Prosecutor's intelligence capabilities in fulfilling its responsibilities.

3.2. Human rights-based law enforcement prosecutor intelligence authority restrictions

Various types of constraints on power can impede the intelligence services in executing their responsibilities. Firstly, there are investigative limits when it comes to prosecutorial Intelligence, meaning that prosecutors may face restrictions in conducting direct investigations similar to those faced by the police.⁴² They lack the jurisdiction to carry out direct investigations or arrests, rendering them reliant on information acquired from alternative sources. Additionally, there are restrictions on wiretapping in certain jurisdictions, where Prosecutorial Intelligence may need more authority to carry out wiretaps autonomously. This can provide a hindrance in acquiring information on intricate cases or crimes that involve organised criminal networks.⁴³

Furthermore, certain information or data may be deemed sensitive or restricted in terms of accessibility, particularly in relation to investigations and inquiries. Prosecutorial Intelligence can access such material without special approval or collaboration with other authorised entities. Furthermore, there are restrictions on disseminating information to the public regarding Prosecutorial Intelligence, as a significant amount of information is classified as confidential or sensitive. This can provide a hindrance to establishing public confidence in their performance.⁴⁴

The Prosecutor's Office may need more support in decision-making or the implementation of specific measures due to the necessity of adhering to rigorous legal procedures and human rights norms. Furthermore, the Intelligence Prosecution's Intelligence may need more support in terms of human, financial, and technological resources, which can hinder its capacity to carry out its duties efficiently and impair its capacity to gather, analyse, and utilise information efficiently. To address these constraints, Prosecution intelligence must collaborate with other entities, including law enforcement agencies, intelligence agencies, and other institutions, and effectively use the resources available to it. Furthermore, it is crucial for them to consistently enhance their capabilities, particularly in areas such as advancing information and communication technology and strengthening analytical proficiencies.

3.3. Enhancing the prosecutor's intelligence authority to safeguard human rights and enhance the efficacy of investigation and prosecution.

The profound impact of the rapid advancement of computer-based information communication technologies on contemporary society cannot be denied. This technology then enabled the community.⁴⁵ The internet is considered one of the technical benefits that the community enjoys. In the present era,

⁴¹ Kusumastuti and Gibreel.

⁴² Anis Widyawati and others, 'Urgency of the Legal Structure Reformation for Law in Execution of Criminal Sanctions', *Lex Scientia Law Review*, 6.2 (2022), 327–58 <<https://doi.org/10.15294/lesrev.v6i2.58131>>.

⁴³ Marcos Alan Ferreira and Anna Beatriz Gonçalves, 'Criminal Governance and Systems of Parallel Justice: Practice and Implications in Brazilian Urban Peripheries', *International Journal of Law, Crime and Justice*, 68 (2022), 100519 <<https://doi.org/https://doi.org/10.1016/j.ijlcj.2021.100519>>.

⁴⁴ Branislav Hock, 'Policing Corporate Bribery: Negotiated Settlements and Bundling', *Policing and Society*, 31.8 (2021), 950–66 <<https://doi.org/10.1080/10439463.2020.1808650>>.

⁴⁵ Nani widya sari, "Kejahatan cyber dalam perkembangan teknologi informasi berbasis computer", *Jurnal surya kencana dua: dinamika masalah hukum dan keadilan*, Vol. 5, No. 2, 2018, hlm. 578.

information plays a crucial role in determining the economic progress of both developing and established nations.⁴⁶

The progression of time, which results in advancements in science and technology, has both positive and negative implications. On the bright side, technical advancements have led to the digitalization of practically every area of existence. Science and technology, often known as iptek, play a crucial role in the progress of a civilization. Various world civilizations have demonstrated that the ideas of influential persons from their time have contributed to their nation's advancement and civilization.⁴⁷ The ancient Greek civilization was highly advanced and is still revered by many modern countries today due to its exceptional grasp of science. The advancement of science and technology is mainly driven by the human mindset, which has become more rational and less focused on myths than prior eras.⁴⁸

Technological and scientific advancements should be directed towards promoting the well-being and benefit of humanity. Humans, with their capacity for innovation, discover many new technologies in all areas of life. The advantages of science and technology in meeting human wants are rational, but they do not necessarily diminish the significance of knowledge as a way of satisfying life's necessities. The law is likewise susceptible to this occurrence. Laws that are accurate and universally applicable to human dignity should not be diminished to tools that benefit a select few individuals.

Technology advances swiftly in parallel with human progress. Utilitarianism is the belief that research is considered good and morally correct if it can produce advantageous outcomes. Evaluating advantages will undermine the ethical value factor in this perspective. The law must possess the capacity to regulate the consequences of technical advancements, starting from the research phase and extending to their practical application. Human existence inherently involves the law in its social aspect.⁴⁹ The existing legislation (*ius constitutum*) is based on empirical observations and aims to safeguard current human interests, which are expected to evolve.⁵⁰

Discovering the optimal legislation for the future is a challenging task. It is accomplished by extrapolating present phenomena as hypotheses. The assumption is formed from philosophical and introspective reflection, empirical inquiry, and meticulous observation. Subsequently, a more tangible and specific model is produced, which serves as a basis for future legislation (*ius constituendum*).⁵¹ The issue is that contemporary society needs scientific autonomy, ethical principles, and legal safeguards to enable individuals to freely engage in innovation and use technology according to their own moral compass.⁵²

In the Indonesian context, anticipatory law consistently originates from human principles and is focused on upholding human dignity.⁵³ Legal protection is granted from conception, considering the principles of human dignity and vulnerability. In the future, if the perception of justice and civilisation evolves, the fundamental principles of Indonesian legal growth will still be rooted in the value of human dignity and solidarity with the vulnerable. At the regulatory level, anticipatory legal protection is established by the

⁴⁶ Giovanni De Gregorio and Roxana Radu, 'Digital Constitutionalism in the New Era of Internet Governance', *International Journal of Law and Information Technology*, 30.1 (2022), 68–87 <<https://doi.org/10.1093/ijlit/eaac004>>.

⁴⁷ Erwin Rooze, 'Differentiated Use of Electronic Case Management Systems', *International Journal for Court Administration*, 3.1 (2010), 50 <<https://doi.org/10.18352/ijca.53>>.

⁴⁸ Dian Latifiani, 'Human Attitude And Technology : Analyzing A Legal Culture On Electronic Court System In Indonesia (Case Of Religious Court)', *Jils (Journal of Indonesian Legal Studies) Volume*, 6.1 (2021), 157–84 <<https://doi.org/doi.org/10.15294/jils.v6i1.44450>>.

⁴⁹ Zayanti Mandasari, 'Politik Hukum Pengaturan Masyarakat Hukum Adat (Studi Putusan Mahkamah Konstitusi)', *Jurnal Hukum Ius Quia Iustum*, 21.2 (2014), 227–50 <<https://doi.org/10.20885/iustum.vol21.iss2.art4>>.

⁵⁰ Yohanes Suahrdin, 'Peranan Hukum Dalam Mewujudkan Kesejahteraan Masyarakat', *Jurnal Hukum Pro Justitia*, 25.3 (2007), 270–82.

⁵¹ Herning Setyowati and Nurul Muchiningtias, 'Peran Advokat Dalam Memberikan Bantuan Hukum Kepada Masyarakat Dalam Perspektif Hak Asasi Manusia', *Lex Scientia Law Review*, 2.2 (2018), 155–68 <<https://doi.org/10.15294/lesrev.v2i2.27582>>.

⁵² Husen Alting, 'Penguasaan Tanah Masyarakat Hukum Adat (Suatu Kajian Terhadap Masyarakat Hukum Adat Ternate)', *Jurnal Dinamika Hukum*, 11.1 (2011) <<https://doi.org/10.20884/1.jdh.2011.11.1.75>>.

⁵³ Sasono, Isharyanto, and Krisda.

presence of articles that can foresee and anticipate potential infringements of human values or infractions of the law.⁵⁴

With the advent of Society 5.0, marked by the rapid advancement of information and communication technology, several sectors of human life, including law enforcement, are being significantly influenced.⁵⁵ As a result, Prosecutorial Intelligence may encounter several vulnerabilities when fulfilling its responsibilities. Prosecutorial Intelligence may be constrained by technological and skill limits, which can hinder utilising cutting-edge technologies for efficient data collection, analysis, and storage. Furthermore, more expertise and comprehension of emerging technology might also be needed.⁵⁶

Prosecutorial Intelligence must confront intricate information security difficulties while gathering and maintaining sensitive material. Threats such as cyber-attacks or data breaches pose a risk to the security of information maintained by Prosecutorial Intelligence. Restricted Data Access: Despite the increased availability of data in the Society 5.0 era, Prosecutorial Intelligence may encounter obstacles in obtaining pertinent data, particularly material subject to privacy restrictions or privately owned. Difficulties in Analysing Big Data: Society 5.0 offers a plethora of extensive and intricate data sources. Prosecutorial Intelligence must overcome obstacles to evaluating vast data to produce valuable and pertinent information for their tasks.⁵⁷

Ethical Dilemmas in Technology Utilisation: Using technology such as artificial Intelligence (AI) or predictive analytics can create ethical dilemmas, including personal privacy, discrimination, and the possibility of misuse of authority. Prosecutorial Intelligence must ensure that such technology is utilised with proper consideration for ethical considerations and human rights. Legal Restrictions on the Utilisation of Technology: The utilisation of specific technology in intelligence operations may encounter legal constraints, particularly if they infringe upon individuals' privacy rights or are inconsistent with the principles of the legal system. In order to rectify these shortcomings, intelligence prosecutors must consistently enhance their technology capabilities and staff expertise while ensuring adherence to privacy standards and relevant legislation. Furthermore, they must formulate suitable protocols and guidelines for implementing emerging technology while considering ethical and human rights in all their endeavours.⁵⁸

The current regulations confer prosecutorial intelligence with the power to exercise discretion in carrying out its duties while establishing explicit restrictions that must be adhered to. Some regulations that may impose limitations or provide leeway to the discretion of the Prosecutor's Office include Law No. 16/2004, which concerns the Prosecutor's Office of the Republic of Indonesia. It specifically regulates the organisation and duties of the Public Prosecution Service. The statute confers the Prosecutor's Office the authority to conduct investigations and prosecutions. However, it also sets down certain limits and procedures that must be followed in its duties.⁵⁹

Law No. 35/2009 on Narcotics confers authority upon the intelligence branch of the Prosecutor's Office to carry out investigations and initiate legal proceedings in cases involving drug-related offences. Furthermore, it establishes detailed guidelines for inquiry, exploration, and confiscation of evidence, which must be carried out strictly with existing standards. Law No. 19/2016, also referred to as the

⁵⁴ Matthew Marcellinno and M Yazid Fathoni, 'The Establishment of Simple Lawsuit Rules in Business Disputes in Indonesia : An Challenge to Achieve Fair Legal Certainty', *Journal of Law, Environmental and Justice*, 1.1 (2023), 19–35.

⁵⁵ M Yazid Fathoni and Acasio Fernandez, 'Establishment of Land Court in Indonesia : An Effort to Realise Justice Based on Pancasila', *Journal of Law, Environmental and Justice*, 1.2 (2023), 86–104 <<https://doi.org/10.62264/jlej.v1i2.6>>.

⁵⁶ Matthew Marcellinno Gunawan, Pujiyono Suwadi, and Muhammad Rustamaji, 'Comparison of Restorative Justice Implementation in Indonesia, Usa, Germany, Poland and Switzerland', *Revista de Gestão Social e Ambiental*, 18.1 (2024), e04677 <<https://doi.org/10.24857/rgsa.v18n1-055>>.

⁵⁷ Pujiyono, Jamal Wiwoho, and Kartika Laksmisari, 'The Effectiveness of Customer Complaint Resolution Facilitation Program by Financial Service Authority', *International Journal of Economic Research*, 14.5 (2017), 71 – 86.

⁵⁸ Syafril Hendrik Hutabarat, Hartiwiningsih, and Pujiyono Suwadi, 'RECONSTRUCTING THE AUTHORITIES OF INVESTIGATORS OF THE FINANCIAL SERVICE AUTHORITY', *Journal of Law and Sustainable Development*, 11.2 (2023) <<https://doi.org/10.55908/sdgs.v11i2.323>>.

⁵⁹ Bambang Sugeng Rukumono and others, 'Arrangement Registration Of Geographical Indications Of Traditional Alcoholic Beverages In Indonesia Based Multiculturalism', *Revista de Gestão Social e Ambiental*, 17.6 (2023), 1–14 <<https://doi.org/10.24857/rgsa.v17n6-001>>.

Amendment to Law No. 11/2008 on Electronic Information and Transactions (ITE Law), regulates the use and protection of electronic information. The Prosecutorial Intelligence has the authority to conduct investigations into illegal activities that occur through technological means. However, the exercise of this authority must also comply with the limitations specified in the legislation. Government Regulation No. 43/2014 confers the Prosecutor's Office with the power to investigate law infringements concerning monopolistic activities and unfair commercial competition, as outlined in Law No. 5/1999.⁶⁰

Multiple factors contribute to the need for expanding the jurisdiction of the Prosecutor's intelligence as law enforcement intelligence based on human rights and Pancasila principles. Strengthening the intelligence authority of the Prosecutor's Office can help protect human rights by ensuring that law enforcement complies with the principles of human rights as outlined in Pancasila and the state constitution. Moreover, the AGO's intelligence capabilities can significantly strengthen its capacity to prevent and eradicate serious offences such as corruption, drug trafficking, terrorism, and transnational crimes, thanks to its strong authority. Moreover, by strengthening prosecutorial intelligence, legal compliance can be successfully improved by imposing strict penalties on wrongdoers and lowering the occurrence of illegal activities. In addition, improving the quality of investigations and prosecutions can be accomplished by offering the Prosecutor's Office sufficient jurisdiction, allowing them to conduct more effective and skilled investigations and prosecutions. Consequently, this would improve the likelihood of successfully dealing with criminal matters.⁶¹

Reinforce the reliability of the Prosecutor's intelligence activities to strengthen public confidence. Transparency and accountability in law enforcement institutions will foster confidence. Furthermore, they will guarantee that law enforcement is carried out in an unbiased manner and in strict adherence to the principles of Pancasila. Moreover, it is crucial to expand the Prosecutor's authority in intelligence matters to properly address the intricacies of cybercrime, considering the progress made in information and communication technology.⁶²

In addition, the expanded authority of the AGO will empower its intelligence capabilities to efficiently tackle security threats arising from both local and international origins. This includes efforts to counteract terrorism, radicalism, and international criminal operations. Moreover, strengthening the jurisdiction of the Prosecutor's Office in intelligence affairs can significantly enhance democracy and promote good governance. This legislation ensures that state institutions fulfil their obligations to maintain security and justice for all Indonesian residents. The objective is to expand the authority of the Prosecutor's Office, transforming it into an intelligence agency that prioritises the protection of human rights and is based on Pancasila's values. This transformation aims to create a judicial system that is fair, democratic, and unbiased for all Indonesian residents.

4. Conclusion

The justification for enhancing the intelligence authority of the prosecutor in the context of law enforcement intelligence based on human rights principles: a. The implementation of tasks faces various obstacles, such as scarcity of resources, legal incompatibility, political impartiality, lack of coordination, technological challenges, and political and security instability; b. The execution of intelligence tasks is subject to several limitations, namely restricted investigations, limited wiretapping, limited access to confidential data, limited dissemination of information to the public, limited decision-making, and limited resources; c. It is imperative to enhance the authority of prosecutorial intelligence to safeguard human rights, eradicate serious crimes, enhance legal compliance, improve the quality of investigation and prosecution, foster public trust, adapt to technological advancements, withstand security threats, and fortify democracy and good governance.

⁶⁰ Bambang Waluyo and Pujiyono, 'The Model of Sanctions for Violators of Corporate Social Responsibility (CSR) (Study in Indonesia)', *International Journal of Applied Business and Economic Research*, 15.15 (2017), 299 – 312.

⁶¹ Suzy E Park, 'Technological Convergence: Regulatory, Digital Privacy, and Data Security Issues', 2019.

⁶² Bart Custers, 'A Fair Trial in Complex Technology Cases: Why Courts and Judges Need a Basic Understanding of Complex Technologies', *Computer Law & Security Review*, 52 (2024), 105935 <<https://doi.org/https://doi.org/10.1016/j.clsr.2024.105935>>.

References

- [1]. Adhira, Putri, and Devi Triasari, 'Illiberal Peace in Sri Lanka: Reasons and Achievements of the Resulting Peace', *Journal of Law, Environmental and Justice*, 2.1 (2024), 63–88 <<https://doi.org/10.62264/jlej.v2i1.92>>
- [2]. Alting, Husen, 'Penguasaan Tanah Masyarakat Hukum Adat (Suatu Kajian Terhadap Masyarakat Hukum Adat Ternate)', *Jurnal Dinamika Hukum*, 11.1 (2011) <<https://doi.org/10.20884/1.jdh.2011.11.1.75>>
- [3]. Basuki, Agung, M Zaid, Alnour Abobaker, and Mohamed Musa, 'Establishing Ecological Justice in the Governance of Land Inventory , Ownership , and Utilisation in Indonesia', *Journal of Law, Environmental and Justice*, 18.2 (2023), 137–54 <<https://doi.org/10.62264/jlej.v1i2.12>>
- [4]. Clancy, Áine, 'A Better Deal? Negotiated Responses to the Proceeds of Grand Corruption', *Criminal Law Forum*, 33.2 (2022), 149 – 188 <<https://doi.org/10.1007/s10609-022-09436-6>>
- [5]. Custers, Bart, 'A Fair Trial in Complex Technology Cases: Why Courts and Judges Need a Basic Understanding of Complex Technologies', *Computer Law & Security Review*, 52 (2024), 105935 <<https://doi.org/https://doi.org/10.1016/j.clsr.2024.105935>>
- [6]. van Daalen, O L, J V J van Hoboken, and M Rucz, 'Export Control of Cybersurveillance Items in the New Dual-Use Regulation: The Challenges of Applying Human Rights Logic to Export Control', *Computer Law & Security Review*, 48 (2023), 105789 <<https://doi.org/https://doi.org/10.1016/j.clsr.2022.105789>>
- [7]. Fathoni, M Yazid, and Acasio Fernandez, 'Establishment of Land Court in Indonesia : An Effort to Realise Justice Based on Pancasila', *Journal of Law, Environmental and Justice*, 1.2 (2023), 86–104 <<https://doi.org/10.62264/jlej.v1i2.6>>
- [8]. Ferreira, Marcos Alan, and Anna Beatriz Gonçalves, 'Criminal Governance and Systems of Parallel Justice: Practice and Implications in Brazilian Urban Peripheries', *International Journal of Law, Crime and Justice*, 68 (2022), 100519 <<https://doi.org/https://doi.org/10.1016/j.ijlcj.2021.100519>>
- [9]. Francis Maïnkade, Belengar, 'Corporate Human Rights Obligations of Investors in Recent Investment Agreements: The Progressive Hardening Process of CSR Clauses', *Heliyon*, 9.4 (2023), e15120 <<https://doi.org/https://doi.org/10.1016/j.heliyon.2023.e15120>>
- [10]. De Gregorio, Giovanni, and Roxana Radu, 'Digital Constitutionalism in the New Era of Internet Governance', *International Journal of Law and Information Technology*, 30.1 (2022), 68–87 <<https://doi.org/10.1093/ijlit/eaac004>>
- [11]. Gunawan, Matthew Marcellino, Pujiyono Suwadi, and Muhammad Rustamaji, 'Comparison of Restorative Justice Implementation in Indonesia, Usa, Germany, Poland and Switzerland', *Revista de Gestão Social e Ambiental*, 18.1 (2024), e04677 <<https://doi.org/10.24857/rgsa.v18n1-055>>
- [12]. Hastowo, Fx, and Broto Laksito, 'Policy Discrimination against the Minority Group of Flows of Believers Citizens in Indonesia : An Administrative Justice Perspective', *Journal of Law, Environmental and Justice*, 1.1 (2023), 36–49
- [13]. Hock, Branislav, 'Policing Corporate Bribery: Negotiated Settlements and Bundling', *Policing and Society*, 31.8 (2021), 950–66 <<https://doi.org/10.1080/10439463.2020.1808650>>
- [14]. Hutabarat, Syafril Hendrik, Hartiwiningsih, and Pujiyono Suwadi, 'RECONSTRUCTING THE AUTHORITIES OF INVESTIGATORS OF THE FINANCIAL SERVICE AUTHORITY', *Journal of Law and Sustainable Development*, 11.2 (2023) <<https://doi.org/10.55908/sdgs.v11i2.323>>
- [15]. Isra, Saldi, 'Peran Mahkamah Konstitusi Dalam Penguatan Hak Asasi Manusia Di Indonesia', *Jurnal Konstitusi*, 11.3 (2016), 409 <<https://doi.org/10.31078/jk1131>>
- [16]. Khalif, Muhammad, FX Hastowo Broto Laksito, and Andriamalala Laurent, 'Role and Position of Indonesian Medical Disciplinary Honour Council : Fair Medical Dispute Resolution', *Journal of Law, Environmental and Justice*, 1.3 (2023), 185–201 <<https://doi.org/10.62264/jlej.v1i3.15>>
- [17]. Kusumastuti, Dora, and Hussein Gibreel, 'Enhancing Local Revenue via Tax Incentives : A Strategy to Establish Fair and Balanced Taxes', *Journal of Law, Environmental and Justice*, 1.3 (2023), 170–

- 84 <<https://doi.org/10.62264/jlej.v1i3.11>>
- [18]. Latifiani, Dian, 'Human Attitude And Technology : Analyzing A Legal Culture On Electronic Court System In Indonesia (Case Of Religious Court)', *Jils (Journal of Indonesian Legal Studies) Volume*, 6.1 (2021), 157–84 <<https://doi.org/doi.org/10.15294/jils.v6i1.44450>>
 - [19]. Madsen, Frank G, 'Corruption: A Global Common Evil', *RUSI Journal*, 158.2 (2013), 26 – 38 <<https://doi.org/10.1080/03071847.2013.787730>>
 - [20]. Mahendra, Januar Rahadian, Rizal Akbar Aldyan, and Silas Oghenemaro Emovwodo, 'Examining Indonesian Government Policies in Tackling Deforestation: Balancing Economy and Environment', *Journal of Law, Environmental and Justice*, 2.1 (2024), 42–62 <<https://doi.org/10.62264/jlej.v2i1.93>>
 - [21]. Mandasari, Zayanti, 'Politik Hukum Pengaturan Masyarakat Hukum Adat (Studi Putusan Mahkamah Konstitusi)', *Jurnal Hukum Ius Quia Iustum*, 21.2 (2014), 227–50 <<https://doi.org/10.20885/iustum.vol21.iss2.art4>>
 - [22]. Marcellinno, Matthew, and M Yazid Fathoni, 'The Establishment of Simple Lawsuit Rules in Business Disputes in Indonesia : An Challenge to Achieve Fair Legal Certainty', *Journal of Law, Environmental and Justice*, 1.1 (2023), 19–35
 - [23]. Mawardi, Chalik, and Farah Hanum, 'Policy on the Handling of Rohingya Refugees in Aceh : Balancing State Sovereignty and Human Rights?', *Journal of Law, Environmental and Justice*, 1.2 (2023), 122–36 <<https://doi.org/10.62264/jlej.v1i2.7>>
 - [24]. Mayasari, Hanita, 'A Examination on Personal Data Protection in Metaverse Technology in Indonesia : A Human Rights Perspective', *Journal of Law, Environmental and Justice*, 1.1 (2023), 64–85 <<https://doi.org/10.62264/jlej.v1i1.4>>
 - [25]. Nave, Eva, and Lottie Lane, 'Countering Online Hate Speech: How Does Human Rights Due Diligence Impact Terms of Service?', *Computer Law & Security Review*, 51 (2023), 105884 <<https://doi.org/https://doi.org/10.1016/j.clsr.2023.105884>>
 - [26]. Nowotko, Paweł Marcin, 'AI in Judicial Application of Law and the Right to a Court', *Procedia Computer Science*, 192 (2021), 2220–28 <<https://doi.org/https://doi.org/10.1016/j.procs.2021.08.235>>
 - [27]. Nurcahyo, Nanang, Ramalina Ranaivo, and Mikea Manitra, 'Why Have Indonesian Murderers Not Paid Victims ' Heirs ? Murder Victims By Gender 2019-', *Journal of Law, Environmental and Justice*, 1.2 (2023), 155–69 <<https://doi.org/10.62264/jlej.v1i2.13>>
 - [28]. Nurcahyo, Nanang, Ricky Ricky, FX Hastowo Broto Laksito, and Ramalina Ranaivo Mikea Manitra, 'Reform of the Criminal Law System in Indonesia Which Prioritizes Substantive Justice', *Journal of Law, Environmental and Justice*, 2.1 (2024), 89–108 <<https://doi.org/10.62264/jlej.v2i1.91>>
 - [29]. Park, Suzy E, 'Technological Convergence: Regulatory, Digital Privacy, and Data Security Issues', 2019
 - [30]. Pratiwi, L. Yes Esty, Triyono Adi, Kholilul Rahman, Samsul Arifin, and Muhammad Saiful Islam, 'In-Depth Review : Legal Review on Human Rights Enforcement in the ASEAN and EU Context', *Journal of Law, Environmental and Justice*, 1.3 (2023), 202–24 <<https://doi.org/10.62264/jlej.v1i3.16>>
 - [31]. Pujiyono, Sufmi Dasco Ahmad, and Rani Tiyas Budiyantri, 'Sex Selection Using Assisted Reproductive Technology: An Islamic Law Perspective', *Medicine and Law*, 36.4 (2017), 45 – 52
 - [32]. Pujiyono, P, Sufmi Dasco Ahmad, and Reda Manthovani, 'The Future of the Leniency Program as an Efforts to Reveal Cartel Practices in Indonesia', *ARNP Journal of Engineering and Applied Sciences*, 14.20 (2019), 7599 – 7608 <<https://doi.org/10.36478/JEASCI.2019.7599.7608>>
 - [33]. Pujiyono, Pujiyono, Bambang Waluyo, and Reda Manthovani, 'Legal Threats against the Existence of Famous Brands a Study on the Dispute of the Brand Pierre Cardin in Indonesia', *International Journal of Law and Management*, 63.4 (2020), 387 – 395 <<https://doi.org/10.1108/IJLMA-01-2018-0006>>
 - [34]. Pujiyono, Jamal Wiwoho, and Kartika LaksmiSari, 'The Effectiveness of Customer Complaint Resolution Facilitation Program by Financial Service Authority', *International Journal of Economic*

- Research*, 14.5 (2017), 71 – 86
- [35]. Rachmawaty, Rachmawaty, Matthew Marcellinno Gunawan, and Novi Nurviani, 'Judicial Perspectives on the Equitable Resolution of Anti-SLAPP Cases: Insights from Indonesia', *Journal of Law, Environmental and Justice*, 2.1 (2024), 18–41 <<https://doi.org/10.62264/jlej.v2i1.88>>
 - [36]. Rahadian, Januar, and Silas Oghenemaro, 'Monodualistic and Pluralistic Punishment Politics in Criminal Code Reform : Lessons from Indonesia', *Journal of Law, Environmental and Justice*, 1.3 (2023), 225–43 <<https://doi.org/10.62264/jlej.v1i3.17>>
 - [37]. Ricklefs, M. C., *A History of Modern Indonesia since c .1200, A History of Modern Indonesia since c .1200* (London And New York: Palgrave Macmillan Ltd., 2008) <<https://doi.org/10.5040/9781350394582>>
 - [38]. Rodrigues, Rowena, 'Legal and Human Rights Issues of AI: Gaps, Challenges and Vulnerabilities', *Journal of Responsible Technology*, 4 (2020), 100005 <<https://doi.org/https://doi.org/10.1016/j.jrt.2020.100005>>
 - [39]. Rooze, Erwin, 'Differentiated Use of Electronic Case Management Systems', *International Journal for Court Administration*, 3.1 (2010), 50 <<https://doi.org/10.18352/ijca.53>>
 - [40]. Rukumono, Bambang Sugeng, Rian Saputra, Pujiyono Suwadi, Narendra Jatna, and Joko Probowinarto, 'Arrangement Registration Of Geographical Indications Of Traditional Alcoholic Beverages In Indonesia Based Multiculturalism', *Revista de Gestão Social e Ambiental*, 17.6 (2023), 1–14 <<https://doi.org/10.24857/rgsa.v17n6-001>>
 - [41]. Saputra, Rian, Muhammad Khalif Ardi, Pujiyono Pujiyono, and Sunny Ummul Firdaus, 'Reform Regulation of Novum in Criminal Judges in an Effort to Provide Legal Certainty', *JILS (Journal of Indonesian Legal Studies)*, 6.2 (2021), 437–82 <<https://doi.org/10.15294/jils.v6i2.51371>>
 - [42]. Saputra, Rian, Josef Purwadi Setiodjati, and Jaco Barkhuizen, 'Under-Legislation in Electronic Trials and Renewing Criminal Law Enforcement in Indonesia (Comparison with United States)', *JOURNAL of INDONESIA LEGAL STUDIES*, 8.1 (2023), 243–88 <<https://doi.org/10.15294/jils.v8i1.67632>>
 - [43]. Saputra, Rian, Albertus Usada, and Muhammad Saiful Islam, 'Ecological Justice in Environmental Criminal Sanctions for Corporations in Indonesia: Problems and Solution', *Journal of Law, Environmental and Justice*, 2.1 (2024), 1–17 <<https://doi.org/10.62264/jlej.v2i1.19>>
 - [44]. Saputra, Rian, M Zaid, Pujiyono Suwadi, Jaco Barkhuizen, and Tiara Tioline, 'Reconstruction of Chemical Castration Sanctions Implementation Based on the Medical Ethics Code (Comparison with Russia and South Korea)', *Lex Scientia Law Review*, 7.1 (2023), 61–118 <<https://doi.org/10.15294/lesrev.v7i1.64143>>
 - [45]. Saputra, Rian, M Zaid, and Devi Triasari, 'Executability of the Constitutional Court ' s Formal Testing Decision : Indonesia ' s Omnibus Law Review', *Journal of Law, Environmental and Justice*, 1.3 (2023), 244–58 <<https://doi.org/10.62264/jlej.v1i3.18>>
 - [46]. Sasono, Satryo, Isharyanto Isharyanto, and Delasari Krisda, 'Child and Women Domestic Abuse Victims ' Social Health Insurance Protection : An Affirmative Justice Perspective', *Journal of Law, Environmental and Justice*, 1.2 (2023), 105–21 <<https://doi.org/10.62264/jlej.v1i2.8>>
 - [47]. Sembiring, Imentari Siin, Elly Sudarti, and Andi Najemi, 'Urgensi Perumusan Perbuatan Memperdagangkan Pengaruh Sebagai Tindak Pidana Korupsi', *Undang: Jurnal Hukum*, 3.1 (2020), 59–84 <<https://doi.org/10.22437/ujh.3.1.59-84>>
 - [48]. Setyowati, Herning, and Nurul Muchiningtias, 'Peran Advokat Dalam Memberikan Bantuan Hukum Kepada Masyarakat Dalam Perspektif Hak Asasi Manusia', *Lex Scientia Law Review*, 2.2 (2018), 155–68 <<https://doi.org/10.15294/lesrev.v2i2.27582>>
 - [49]. Strating, Rebecca, Sunil Rao, and Sallie Yea, 'Human Rights at Sea: The Limits of Inter-State Cooperation in Addressing Forced Labour on Fishing Vessels', *Marine Policy*, 159 (2024), 105934 <<https://doi.org/https://doi.org/10.1016/j.marpol.2023.105934>>
 - [50]. Sufmi, Dasco Ahmad, Arsyad Aldyan, and Pujiyono, 'A Criminological Review on 'cornering the Market' Practice in Securities Trading in Capital Market (a Study in Indonesia)', *Journal of Advanced Research in Law and Economics*, 8.7 (2017), 2263 – 2267

- <[https://doi.org/10.14505/jarle.v8.7\(29\).27](https://doi.org/10.14505/jarle.v8.7(29).27)>
- [51]. Suwadi, Pujiyono, Priscilla Wrestry Ayuningtyas, Shintya Yulfa Septiningrum, and Reda Manthovani, 'Legal Comparison of the Use of Telemedicine between Indonesia and the United States', *International Journal of Human Rights in Healthcare*, ahead-of-p.ahead-of-print (2022) <<https://doi.org/10.1108/IJHRH-04-2022-0032>>
 - [52]. Waluyo, Bambang, and Pujiyono, 'The Model of Sanctions for Violators of Corporate Social Responsibility (CSR) (Study in Indonesia)', *International Journal of Applied Business and Economic Research*, 15.15 (2017), 299 – 312
 - [53]. Widyawati, Anis, Pujiyono Pujiyono, Nur Rochaeti, Genjie Ompoy, and Nurul Natasha Binti Muhammad Zaki, 'Urgency of the Legal Structure Reformation for Law in Execution of Criminal Sanctions', *Lex Scientia Law Review*, 6.2 (2022), 327–58 <<https://doi.org/10.15294/lesrev.v6i2.58131>>
 - [54]. Wiwoho, Jamal, Irwan Trinugroho, Dona Budi Kharisma, and Pujiyono Suwadi, 'Islamic Crypto Assets and Regulatory Framework: Evidence from Indonesia and Global Approaches', *International Journal of Law and Management*, 2023 <<https://doi.org/10.1108/IJLMA-03-2023-0051>>
 - [55]. Wolfe, D, N Luhmann, M Harris, A Momenghalibaf, E Albers, J Byrne, and others, 'Human Rights and Access to Hepatitis C Treatment for People Who Inject Drugs', *International Journal of Drug Policy*, 26.11 (2015), 1072–80 <<https://doi.org/https://doi.org/10.1016/j.drugpo.2015.05.007>>
 - [56]. Wong, Mathew Y H, Ying-ho Kwong, and Venisa Yeuk Wah Chau, 'Democracy, Constitutional Framework, and Human Rights: A Comparison of Monaco, Tonga, Hong Kong, and Singapore', *International Journal of Law, Crime and Justice*, 64 (2021), 100438 <<https://doi.org/https://doi.org/10.1016/j.ijlcj.2020.100438>>
 - [57]. Yohanes Suahrdin, 'Peranan Hukum Dalam Mewujudkan Kesejahteraan Masyarakat', *Jurnal Hukum Pro Jutistia*, 25.3 (2007), 270–82