

The Shift or Limitation of the Role of Dominus Litis in Law No. 20 of 2025 (Criminal Procedure Code) Regarding the Status and Authority of the Public Prosecutor as Dominus Litis

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Keywords:	Abstract
limitation of the function of <i>dominus litis</i> ; kuhap; public prosecutor.	The principle of dominus litis establishes the Prosecutor's Office as the authority responsible for controlling the prosecution process in criminal cases. However, in Indonesian criminal justice practice, the role of the Public Prosecutor (Jaksa Penuntut Umum/JPU) is subject to limitations, as stipulated in Article 62 paragraph (5) of Law Number 20 of 2025 concerning the Criminal Procedure Code (Kitab Undang-Undang Hukum Acara Pidana/KUHAP). This normative legal research analyzes the causes and implications of the shift or limitation of the dominus litis principle and formulates directions for its legal reconstruction. Employing statutory, conceptual, and comparative approaches, this study examines primary legal materials, including the 2025 KUHAP and the Law on the Prosecutor's Office, as well as secondary legal materials such as academic literature and judicial decisions. The results indicate a reduction in the Public Prosecutor's ability to control the completion of the investigation process before the case is formally transferred for prosecution, rather than a loss of the Public Prosecutor's authority to determine whether the case should proceed. The findings therefore show that, although the Prosecutor's Office retains ultimate authority over the continuation of prosecution, its capacity to ensure the completeness of the investigation before assuming control of the case has been significantly constrained.

INTRODUCTION

In the criminal justice system, the principle of dominus litis places the Prosecutor's Office at the center of the prosecution process and recognizes it as the principal authority responsible for determining whether a criminal case should proceed to court (Antai, 2024; Chornous & Leliuk, 2023; He, 2023; Vári, 2023; Widyawati et al., 2025). Under this principle, the prosecutor not only acts as the public prosecutor at trial but also exercises authority to determine whether a criminal case has sufficient legal and evidentiary grounds to be brought before the court or should be discontinued. This authority reflects the application of the principles of legality and prosecutorial discretion and is intended to ensure legal certainty, justice, and utility (Colvin, 2018; Green, 2018; Mashdurohatun et al., 2026). Historically and doctrinally, this central position has made the Prosecutor's Office an important filtering institution within the criminal justice system, preventing cases that do not meet the substantive or procedural requirements for prosecution from unnecessarily proceeding to trial (Garibli, 2025; Tymkovich & Stillwell, 2022).

The urgency of examining this issue stems from the potential weakening of prosecutorial authority as one of the central pillars of the criminal justice system. If the *dominus litis* principle is substantially weakened, the consequences may include a decline in the quality of case screening, an increased burden on courts resulting from incomplete or insufficiently prepared cases, and potential inconsistencies in law enforcement outcomes (Mulyadi, 2021; Santoso, 2022). Given the substantial number of criminal cases handled by the Prosecutor's Office annually, even limited changes to its authority may have significant systemic implications for the administration of justice (Borgesano et al., 2025; Le et al., 2025; Manzi, 2022; Wibianto et al., 2025). Furthermore, ambiguity surrounding the interpretation of "maximized investigation" may create legal uncertainty and generate disputes between investigators and prosecutors, thereby undermining the efficiency of the pre-prosecution process.

Previous research on the role of prosecutors in Indonesia has examined various dimensions of prosecutorial authority. Sihaloho (2025) critically examined functional differentiation in the Draft Criminal Procedure Code and highlighted concerns regarding the potential weakening of the prosecutor's filtering function. Love and Setiawan (2025) analyzed the application of the *dominus litis* principle under the reformed criminal procedural framework and concluded that the prosecutor's position remained central despite procedural changes. Riyanto (2021) advocated the functionalization of the *dominus litis* principle to maintain the effectiveness of law enforcement. However, these studies have not specifically examined Article 62 paragraph (5) of the 2025 KUHAP in depth or fully explored the operational implications of the shift from dominant prosecutorial control toward a more coordinated interagency model. This study addresses that gap by providing a systematic normative analysis of the limitation of *dominus litis* authority at the critical pre-prosecution stage (Henok et al., 2026; Nelson & Aini, 2025; Tanjung et al., 2026).

The ongoing reform of Indonesia's national criminal procedural law has introduced a significant shift in the position of the Public Prosecutor. The enactment of Law Number 20 of 2025 concerning the Criminal Procedure Code (Kitab Undang-Undang Hukum Acara Pidana/KUHAP), particularly the provision contained in Article 62 paragraph (5), indicates a limitation on certain aspects of prosecutorial authority. This provision creates a procedural framework that may restrict the prosecutor's discretion in controlling the direction and completion of criminal case proceedings. Conceptually, such a limitation may affect the substantive application of the *dominus litis* principle. This shift is not merely administrative or procedural but also concerns the broader legal philosophy underlying prosecutorial independence and authority within Indonesia's Integrated Criminal Justice System.

METHOD

Research Type/Type

This study employed normative legal research to examine the shift and limitation of the Public Prosecutor's function under the *dominus litis* principle, particularly based on Article 62 paragraphs (5) and (6) of Law Number 20 of 2025 concerning the Criminal Procedure Code (Kitab Undang-Undang Hukum Acara Pidana/KUHAP). The study applied a statutory approach by examining Article 62 of Law Number 20 of 2025 in relation to Law Number 11 of 2021 concerning amendments to Law Number 16 of 2004 on the Prosecutor's Office of the Republic of Indonesia. A conceptual approach was also employed to analyze the principles of

dominus litis, filter of justice, opportuniteitsbeginsel, and the Integrated Criminal Justice System.

The legal materials consisted of primary, secondary, and tertiary sources. Primary legal materials included Law Number 20 of 2025 concerning KUHAP, Law Number 16 of 2004 concerning the Prosecutor's Office of the Republic of Indonesia as amended by Law Number 11 of 2021, and implementing regulations governing pre-prosecution coordination between investigators and public prosecutors. Secondary legal materials included books, legal journals, previous legal research, and scholarly opinions relevant to prosecutorial authority, investigation, prosecution, and the dominus litis principle. Tertiary legal materials included legal dictionaries, the Kamus Besar Bahasa Indonesia (KBBI), and legal encyclopedias.

Legal materials were collected through library research by identifying, inventorying, and classifying relevant written legal sources. The materials were analyzed qualitatively using descriptive-analytical legal reasoning and grammatical, systematic, and teleological or sociological interpretation to examine the limitation of the dominus litis principle at the pre-prosecution stage.

RESULTS AND DISCUSSION

The Consequences of Article 62 Paragraph (5) of Law Number 20 of 2025 on the Position and Authority of the Public Prosecutor as *Dominus Litis*

The enactment of Law Number 20 of 2025 concerning the Criminal Procedure Code brings important changes to the relationship of authority between investigators and public prosecutors in the pre-prosecution stage. One of the relevant provisions in looking at the change is Article 62 paragraph (5), which stipulates that in the event that the investigator concludes that the investigation has sufficient evidence, while the public prosecutor is of the opinion that the investigation is not optimal, the investigator can submit the suspect along with the results of the investigation and evidence to the public prosecutor. This provision is then closely related to Article 62 paragraph (6), which gives a maximum of 14 days to the public prosecutor to determine whether or not the case will proceed to trial.

Normatively, these provisions show a change in the construction of the relationship between investigators and public prosecutors. In the construction of the new Criminal Procedure Code, differences of opinion regarding the adequacy and optimization of investigation results are not solely resolved by the mechanism of returning files to be completed, but can lead to the submission of suspects, investigation results, and evidence to the public prosecutor. Consequently, the public prosecutor is faced with a situation in which he has to make a prosecution decision based on the results of the investigation which, according to his own assessment, has not been optimal.

This situation has caused a number of juridical consequences for the public prosecutor, especially regarding the position of the public prosecutor as *dominus litis*, legal certainty, professional responsibility, inter-institutional coordination, and the effectiveness of evidence at trial.

A Shift in the Function of the *Dominus Litis* in the Pre-Prosecution Stage

The concept of *dominus litis* puts the Prosecutor's Office in a central position in determining the direction of a criminal case, especially regarding whether the case is worthy of being forwarded to court. The Prosecutor's Office itself explained its position as the

controller of the case process because the Prosecutor's Office functions as a filter between the investigation stage and the examination at trial.

This position is also related to the authority of the Prosecutor's Office in the criminal field, including prosecuting and completing certain case files through additional examinations before the case is transferred to the court.

However, Article 62 paragraph (5) of Law Number 20 of 2025 shows a shift. When the investigator states that the investigation has sufficient evidence while the public prosecutor considers that the investigation is not optimal, the investigator is still given the possibility to hand over the suspect along with the results of the investigation and evidence to the public prosecutor.

Thus, the public prosecutor's position at that stage is no longer entirely within a pattern of relationship in which the public prosecutor can effectively control the refinement of the investigation until it reaches the standard that the public prosecutor thinks is necessary for the interests of the prosecution. The public prosecutor can actually be placed in a position to make a decision on a case that, according to his own assessment, still has shortcomings.

This can be referred to as degradation or functional restriction of *the dominus litis*. This degradation does not mean that the Prosecutor's Office has lost its position as the controller of the case as a whole, but rather that the control authority is limited at certain points, especially in determining whether the investigation process must first be completed before the case enters the prosecution stage.

Public Prosecutors Face the Dilemma between Formal Adequacy and Material Adequacy

The next consequence is the emergence of a dilemma for the public prosecutor in determining whether a case can be held accountable to be brought to trial.

In prosecution practice, the adequacy of evidence is not only related to the amount of evidence, but also to the quality, relevance, interconnectedness of evidence, and the ability of the evidence to form the construction of evidence against the elements of criminal acts and criminal responsibility of the suspect.

Article 62 paragraph (5) uses the construction that the investigator concludes that the investigation has "sufficient evidence", while the public prosecutor can have an opinion that the investigation is "not optimal". These differences show that the assessment standards of investigators and public prosecutors can be different.

The problem arises when these differences do not result in the improvement of the investigation, but instead allow the handover of the suspect to the public prosecutor. In such conditions, the public prosecutor must determine an attitude based on materials that are still substantially considered to be suboptimal.

As a result, there are two possibilities that both contain risks.

First, when the public prosecutor proceeds the case to trial, there is a risk of evidentiary weaknesses that have actually been known since the pre-prosecution stage. These weaknesses can cause charges to be difficult to prove, the prosecution does not receive adequate evidence support, or even the case ends in a free or free verdict.

Second, if the public prosecutor does not proceed with the case, questions may arise regarding the reason for the termination or non-continuation of the case, especially if the investigator has previously stated that the investigation has sufficient evidence.

Thus, this norm can increase the professional burden of the public prosecutor because the public prosecutor must make decisions in the condition that there is a difference in judgment with the investigator.

Reduced Effectiveness of Public Prosecutors as a *Filter of Justice*

One of the important functions of the Prosecutor's Office in the criminal justice system is to be a filter before a case goes to trial. The Prosecutor's Office officially describes itself as a pivot and filter between the investigation process and the examination of cases at trial.

The function of *the filter of justice* means that not every case that has been declared completed by investigators must be automatically brought to court. The public prosecutor must have the opportunity to test whether the case meets the standards of the prosecution.

In this perspective, Article 62 paragraph (5) has the potential to reduce the effectiveness of the screening function if the public prosecutor must accept the case when the public prosecutor himself considers that the investigation process has not been optimal.

In other words, the problem does not lie in whether the public prosecutor still has the authority to determine whether the case is continued or not, because this authority is expressly still contained in Article 62 paragraph (6).

The problem is the quality of the materials that the public prosecutor must use in making the decision.

The public prosecutor still has the authority to determine the final direction of the case, but the space to ensure that the case material has been refined first can be more limited. This condition has the potential to shift the *dominus litis* function from active control of the case process to decision-making on the results of the investigation that has been formed by investigators.

The Emergence of Potential Conflicts of Authority between Investigators and Public Prosecutors

Article 62 paragraph (5) also has the potential to cause a conflict of authority or at least a difference in institutional perception between investigators and public prosecutors.

Investigators have an interest in determining that the investigation process is sufficient to declare the case over. Meanwhile, the public prosecutor has a different interest, namely ensuring that the case to be brought to trial has a strong legal construction and evidence.

These differences are basically something natural in an integrated criminal justice system. Even the difference in function between investigators and public prosecutors can be a mechanism of *checks and balances*.

However, if the mechanism for resolving differences of opinion is not formulated firmly enough, these differences can develop into a conflict of authority.

Article 62 itself has actually established a coordination mechanism through the return of files and case titles. In paragraph (2), investigators are given a maximum of 14 days to complete the file and invite the public prosecutor in the case which is attended by investigators, supervisors of investigators, public prosecutors, supervisors of public prosecutors, and experts.

However, Article 62 paragraph (5) opens up the possibility that even if the public prosecutor still considers the investigation to be not optimal, the suspect can still be handed over to the public prosecutor. This is where the juridical question arises: who ultimately determines the "maximum" standard of an investigation?

If these standards are not emphasized in implementing regulations, common guidelines, or measurable coordination mechanisms, then there is a possibility of differences in interpretation between law enforcement.

Increasing Burden of Professional Accountability of Public Prosecutors

Article 62 paragraph (5) also has consequences for the professional accountability of the public prosecutor.

The public prosecutor is the party who will bring the case to trial and be responsible for the charges and evidence before the judge. Therefore, when the public prosecutor knows that the results of the investigation have not been maximized but the case has been handed over to him, the public prosecutor still faces the demand to make a decision within the time limit set by law.

Article 62 paragraph (6) determines that after receiving the case file as referred to in paragraph (5), the public prosecutor determines whether the case is continued or not to proceed to trial for a maximum of 14 days.

The deadline on the one hand provides certainty and prevents cases from being protracted. However, on the other hand, the time limit can be a burden if the case has complex evidentiary characteristics.

Thus, the public prosecutor is in a situation that requires a balance between the speed of the case resolution and the meticulousness of ensuring the feasibility of the prosecution.

If a decision is made too quickly, the quality of the prosecution can be compromised. On the other hand, if the public prosecutor needs further examination but there is not enough space to make improvements, the *dominus litis function* becomes less effective.

Potential Legal Uncertainty in Determining the Standard of "Investigation Has Been Maximized"

The phrase "investigation has not been maximized" in Article 62 paragraph (5) is one of the aspects that is academically important to be studied.

The main issue is the objective measure of when an investigation is considered "maximum". Is the measure only based on the fulfillment of evidence? Does it have to include the examination of all relevant witnesses? Does it have to include expert examinations? Should certain evidence be confiscated or examined? Or is the size determined based on the possibility of proving elements of a criminal act at trial?

If there are no clear parameters, then the term has the potential to give rise to different interpretations between investigators and public prosecutors.

From the perspective of legal certainty, this condition has the potential to cause inconsistency in practice. In cases that have similar characteristics, one public prosecutor may consider the investigation to be adequate, while another public prosecutor may consider the investigation to be still not optimal.

Therefore, more objective parameters are needed regarding the standards of completeness and optimization of investigations so that Article 62 paragraph (5) does not result in disparities in the application of the law.

Risk of Weak and Ineffective Prosecution

Another consequence that needs to be considered is the possibility of a less than optimal prosecution.

If a case enters the prosecution stage with a construction of evidence that is not optimal, the public prosecutor may face difficulties in drafting an indictment, determining the right article, developing a evidentiary strategy, presenting witnesses and experts, and maintaining the construction of the case at trial.

This condition ultimately has an impact not only on the public prosecutor, but also on the criminal justice system as a whole.

Cases that should be resolved more thoroughly at the investigation stage can proceed to trial with flaws in evidence. As a result, the time, effort, and cost of law enforcement become less efficient.

Thus, restrictions on the public prosecutor's control space at the pre-prosecution stage can have implications for the effectiveness of prosecution.

Potential Weakening of the *Principle of Checks and Balances* if Coordination Is Ineffective

Basically, the difference between investigators and public prosecutors should not always be viewed as conflicts. These differences can actually become an instrument of *checks and balances* in the criminal justice system.

The investigator performs the investigative function, while the public prosecutor performs the function of assessing the feasibility of the prosecution. With this division, the public prosecutor can independently test the results of the investigation before the case is brought to court.

Problems arise when the coordination mechanism is unable to resolve these differences.

If the investigator considers the evidence to be sufficient while the public prosecutor considers the investigation to be not optimal, there should be a mechanism that allows the discrepancies to be resolved objectively and measurably. Article 62 paragraph (2) has recognized the mechanism for title cases involving elements of investigators, supervisors of investigators, public prosecutors, supervisors of public prosecutors, and experts.

However, the existence of Article 62 paragraph (5) shows that if differences still occur, the case can move to the stage of surrendering the suspect. Therefore, the effectiveness of *checks and balances* is highly dependent on how such coordination mechanisms are implemented in practice.

Impact on Public Prosecutor Independence

The position of the Prosecutor's Office as an institution that exercises state power in the field of prosecution independently is one of the important aspects in the construction of the prosecution institution. The Prosecutor's Office officially stated that based on Law Number 11 of 2021, the Prosecutor's Office exercises state power in the field of prosecution and other authorities based on the law independently.

In the context of Article 62 paragraph (5), the independence of the public prosecutor must be maintained. This means that even if the suspect, the results of the investigation, and the evidence have been submitted by the investigator, the public prosecutor should not be seen as automatically obliged to bring the case to trial.

In fact, Article 62 paragraph (6) shows that the final decision on whether or not the case will continue to trial is still up to the public prosecutor.

Therefore, the norm of Article 62 paragraph (5) is more appropriately understood as a restriction on the control space of the public prosecutor at the investigation stage, not as an elimination of *dominus litis authority*.

This construction is important so that there is no error in drawing the conclusion that the investigator has taken over all the authority of the public prosecutor. Normatively, this is not appropriate because the decision to forward or not to forward the case to trial remains with the public prosecutor based on Article 62 paragraph (6).

Potential Shift from *Dominus Litis* to a Coordinating Model

When viewed systematically, Article 62 of Law Number 20 of 2025 actually shows the tendency of lawmakers to develop a more coordinated relationship between investigators and public prosecutors.

This can be seen from the existence of a file return mechanism, the obligation to complete the investigation, the joint case title, and the possibility of handing over the suspect and the results of the investigation to the public prosecutor.

Thus, this development can be seen as a transformation from the *dominus litis* paradigm which strongly emphasizes the superiority of the prosecution function to an integrated criminal justice system paradigm that emphasizes coordination between law enforcement officials.

However, the change should not eliminate the main characteristic of *dominus litis*, namely the ability of the public prosecutor to make an independent assessment of the suitability of a case to be prosecuted.

Therefore, the legal issue is not solely whether the investigator is given certain authority, but whether the granting of that authority has been accompanied by a sufficient mechanism to ensure that the public prosecutor's decision remains independent and based on objective evidentiary standards.

Impact on the Effectiveness of the Integrated Criminal Justice System

Law Number 20 of 2025 itself is generally directed to strengthen coordination between investigators and public prosecutors and build an integrated criminal justice system.

Therefore, Article 62 paragraph (5) should not be solely seen as a norm that weakens the Prosecutor's Office. The norm can also be understood as an effort by lawmakers to avoid the dominance of one institution and build a coordinated relationship between law enforcement officials.

However, from the perspective of *dominus litis*, there is a problem if the coordination is not limited by a clear line of authority.

An integrated criminal justice system requires a clear division of authority, not just a division of labor. Investigators must have sufficient space to conduct investigations professionally, while public prosecutors must have sufficient authority to independently test and determine the feasibility of prosecution.

Thus, the balance between the authority of investigators and public prosecutors is the main factor in determining whether Article 62 paragraph (5) will strengthen or disrupt the integrated criminal justice system.

Juridical Analysis of *Dominus Litis* Degradation

Based on this description, it can be argued that the term "degradation of *dominus litis*" against the public prosecutor due to Article 62 paragraph (5) must be used with caution.

Normatively, *dominus litis* does not disappear because Article 62 paragraph (6) still gives the public prosecutor the authority to determine whether or not the case is continued to trial.

However, there is functional degradation if what is meant by *dominus litis* includes the ability of the public prosecutor to effectively control the quality and readiness of the case from the pre-prosecution stage.

With this construction, the main problem of Article 62 paragraph (5) does not lie in the loss of the authority of the public prosecutor, but in the change in the position of the public prosecutor from an active controller of the readiness of the case to a party who must make decisions on cases that may be in his own judgment not optimal in terms of investigation.

This has the potential to cause tension between two principles, namely the principle of efficiency in case resolution and the principle of prosecution meticulousness.

If efficiency is prioritized, the case can be immediately handed over to the public prosecutor so that the process does not drag on. However, if the quality of evidence is prioritized, the public prosecutor needs sufficient space to ensure that the investigation is really able to sustain the evidence at trial.

Ideal Legal Construction

To prevent the weakening of the *dominus litis function* while maintaining the spirit of the integrated criminal justice system, a legal construction is needed that places investigators and public prosecutors in a balanced coordinating relationship.

First, there needs to be objective parameters regarding the meaning of "the investigation has sufficient evidence" and "the investigation has not been maximized".

Second, it needs to be clarified that the surrender of suspects based on Article 62 paragraph (5) should not be interpreted as an obligation for the public prosecutor to transfer the case to the court.

Third, it should be emphasized that the authority of the public prosecutor based on Article 62 paragraph (6) is a concrete form of *dominus litis*, so the decision to continue or not to continue the case must remain a professional and independent decision of the public prosecutor.

Fourth, the mechanism for the title of the case as referred to in Article 62 paragraph (2) needs to be developed into a mechanism for resolving differences of opinion that is more objective and measurable.

Fifth, a joint technical guideline between investigators and public prosecutors is needed so that there are no differences in standards in determining the adequacy of investigation results.

Sixth, there must be a clear documentation mechanism regarding the reasons why the investigator stated that the investigation was sufficient and the reason why the public prosecutor stated that the investigation was not optimal. This documentation is important to ensure accountability if the case is not continued or there is a failure to prove it at trial.

CONCLUSION

Based on the foregoing analysis, it can be concluded that Article 62 paragraph (5) of Law Number 20 of 2025 raises juridical concerns for the Public Prosecutor because it alters the pattern of case control at the pre-prosecution stage. This provision allows investigators to transfer the suspect, the results of the investigation, and the relevant evidence to the Public Prosecutor even when the Public Prosecutor has previously considered the investigation to be incomplete or insufficiently developed.

The legal consequences that may arise include a shift in the functional application of the *dominus litis* principle, difficulties for the Public Prosecutor in assessing the sufficiency of

evidence, an increased burden of professional responsibility, potential conflicts of authority between investigators and Public Prosecutors, uncertainty regarding the parameters of a “maximized” investigation, the risk of insufficient evidentiary support at trial, and possible disparities in law enforcement practice.

However, it would not be juridically accurate to conclude that Article 62 paragraph (5) eliminates or transfers the Public Prosecutor’s authority under the *dominus litis* principle. Article 62 paragraph (6) expressly preserves the Public Prosecutor’s authority to determine whether a case should proceed to trial.

Therefore, a more academically appropriate formulation is “the functional degradation or limitation of the Public Prosecutor’s *dominus litis* authority at the pre-prosecution stage.” This degradation lies in the reduced ability of the Public Prosecutor to control the completion of the investigation before the case is formally transferred, rather than in the loss of authority to determine whether the case should proceed.

Accordingly, the principal challenge arising from Article 62 paragraph (5) is not to position investigators and Public Prosecutors in opposition, but to establish an appropriate balance among investigative authority, prosecutorial independence, the *dominus litis* principle, and the need to maintain an integrated criminal justice system. The ideal legal framework should preserve adequate room for coordination with investigators while ensuring that the Public Prosecutor retains independent authority to assess the quality and completeness of the investigation and determine whether the case is sufficiently supported to proceed to trial.

REFERENCE

- Antai, G. O. (2024). Methods of judicial cooperation and the procedure for enforcement under international law; Identifying the nexus between theory and practice. *Newport International Journal of Current Research in Humanities and Social Sciences*, 4(3), 80–88.
- Borgesano, F., De Maio, A., Laghi, P., & Musmanno, R. (2025). Artificial intelligence and justice: a systematic literature review and future research perspectives on Justice 5.0. *European Journal of Innovation Management*, 28(11), 349–385.
- Chornous, Y., & Leliuk, T. (2023). Organization of forensic examinations in criminal proceedings as a condition for the effectiveness of the investigation of criminal offences. *Law Journal of the National Academy of Internal Affairs*, 2(13), 50–62.
- Colvin, V. (2018). The riddle of prosecutorial discretion. In *The Evolving Role of the Public Prosecutor* (pp. 139–153). Routledge.
- Garibli, I. (2025). The Procedure for the Enforcement of Court Decisions in Civil Cases. *Global Spectrum of Research and Humanities*, 2(5), 204–218.
- Green, B. A. (2018). Prosecutorial discretion: The difficulty and necessity of public inquiry. *Dickinson L. Rev.*, 123, 589.
- He, X. (2023). Plea leniency and prosecution centredness in China’s criminal process. *The China Quarterly*, 254, 448–465.
- Henok, A. H., Panggabean, M. L., & Saragi, P. (2026). The Strengthening the Authority of the Public Prosecutor as *Dominus Litis* an Integrated and Accountable Indonesian Criminal Justice System. *Kosmik Hukum*, 26(1), 70–83.
- Le, L. C., Mai, S. T., Hoang, Y. H., Nguyen, D. Q., Pham, T. N., & Luong, H. T. (2025). Mandatory prosecution in the changing time: a systematic literature review. *Criminal Justice Ethics*, 44(1), 78–106.

- Love, D. L. P., & Setiawan, M. R. (2025). The application of the principle of dominus litis in positive law in Indonesia after the enactment of the new Criminal Code. *The Juris*, 9(2), 603–611.
- Manzi, L. (2022). Prosecutorial gatekeeping and its effects on criminal accountability: the Roman prosecutor's office and corruption investigations in Italy, 1975–1994. *Justice System Journal*, 43(3), 445–469.
- Mashdurohatun, A., Wazna, M. W. M. A., Abdasmad, M. E. A., & Alkhatib, J. R. M. (2026). Bridging Formal Legality and Living Law Public Prosecutorial Policies to Achieve Justice. *Contrarius*, 2(2), 110–136.
- Nelson, F. M., & Aini, A. N. (2025). Bridging the Gap of Ineffective Coordination in Indonesia: A Comparative Study on the Functional Differentiation and Dominus Litis Principle. *Media Iuris*, 8(3), 387–416.
- Republic of Indonesia. (2021). Law of the Republic of Indonesia Number 11 of 2021 concerning Amendments to Law Number 16 of 2004 concerning the Prosecutor's Office of the Republic of Indonesia. Statute Book of the Republic of Indonesia Year 2021 Number 292. Jakarta.
- Riyanto, T. A. (2021). Functionalization of the Principle of Dominus Litis in Criminal Law Enforcement in Indonesia. *Lex Renaissance*, 6(3), 481–492.
- Sihaloho, A. P. (2025). The Role of the Prosecutor as a Dominus Litis in the Indonesian Criminal Justice System (Criticism of Functional Differentiation in the RKUHAP). *Integrative Perspectives of Social and Science Journal*, 2(2), 1509–1517.
- Tanjung, I. U., Rambe, D. S., Jiliani, C., & Firjatullah, G. S. (2026). The Prosecutor's Pre-Prosecution And Prosecution In Accordance With The Criminal Procedure Code. *ISNU Nine-Star Multidisciplinary Journal*, 3(1), 32–37.
- Tymkovich, T., & Stillwell, H. (2022). Malicious prosecution as undue process: a Fourteenth Amendment theory of malicious prosecution. *Geo. JL & Pub. Pol'y*, 20, 225.
- Vári, V. (2023). The role of the public prosecutor in the investigation. *Magyar Rendészet*, 23(1), 49–68.
- Wibianto, M. Y., Hartiwiningsih, H., & Handayani, I. G. A. K. R. (2025). Real justice, real impact with the prosecutors in action. *Journal of Human Rights, Culture and Legal System*, 5(3), 1015–1041.
- Widyawati, A., Adhari, A., Masyhar, A., Deo Syahputra, B., & Purnomo, D. (2025). Dynamics of the penitentiary system, transparent and accountable handling of criminal cases in criminal execution law in Southeast Asia: Convergence and divergence of international perspectives. *Indonesia Law Review*, 15(1), 2.