

## EXPLORING PROSECUTORIAL MEDIATION AUTHORITY IN GOVERNMENT DISPUTES: A COMPARATIVE STUDY OF LEGAL FRAMEWORKS AND PRACTICES

### *ANÁLISE DA COMPETÊNCIA DO MINISTÉRIO PÚBLICO EM MATÉRIA DE MEDIAÇÃO EM LITÍGIOS ADMINISTRATIVOS: UM ESTUDO COMPARATIVO DOS MARCOS JURÍDICOS E DAS PRÁTICAS*

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**Abstract**

The Prosecutor's Office has a strategic position in the Indonesian legal system, not only as a public prosecutor but also as a state lawyer in the civil and administrative fields of state. However, the prosecutor's authority as a mediator in resolving disputes involving the government still rarely receives academic or public attention. This creates a gap in understanding the alternative role of the prosecutor's office in supporting the achievement of legal certainty, justice, and usefulness. This study aims to analyze the authority of the prosecutor's office as a mediator of government disputes through a comparative approach across legal systems, by examining practices in Indonesia, Australia, and Singapore. The method used is qualitative research with comparative analysis, utilizing national and international legal instruments and academic literature. The results of the study show that there are significant variations in the regulation of the authority of prosecutorial institutions between countries, especially in the capacity of mediation and quasi-judicial functions. In Indonesia, the authorities still face normative and practical limitations, while Australia through the GMS emphasizes professionalism with accountability mechanisms, and Singapore through the AGC has managed to integrate the functions of legal counsel and prosecution while maintaining independence. These findings affirm the importance of strengthening the authority of prosecutors as mediators through a clear legal framework and professional institutional practices in order to realize efficient, fair, and integrity dispute resolution.

**Keywords:** Government Disputes. Mediation. Prosecutor's Office.

**Resumo**

*O Ministério Público ocupa uma posição estratégica no sistema jurídico indonésio, não apenas como órgão de acusação, mas também como representante do Estado nas esferas civil e administrativa. No entanto, a autoridade do Ministério Público como mediador na resolução de disputas envolvendo o governo ainda raramente recebe atenção acadêmica ou pública. Isso cria uma lacuna na compreensão do papel alternativo do Ministério Público no apoio à concretização da segurança jurídica, da justiça e da utilidade. Este estudo tem como objetivo analisar a autoridade do Ministério Público como mediador de disputas governamentais por meio de uma abordagem comparativa entre sistemas jurídicos, examinando as práticas na Indonésia, Austrália e Cingapura. O método utilizado é a pesquisa qualitativa com análise comparativa, utilizando instrumentos jurídicos nacionais e internacionais e literatura acadêmica. Os resultados do estudo mostram que existem variações significativas na regulamentação da autoridade das instituições de Ministério Público entre os países, especialmente no que diz respeito à capacidade de mediação e às funções quase judiciais. Na Indonésia, as autoridades ainda enfrentam limitações normativas e práticas, enquanto a Austrália, por meio do GMS, enfatiza o profissionalismo com mecanismos de prestação de contas, e Cingapura, por meio do AGC, conseguiu integrar as funções de assessoria jurídica e acusação, mantendo a independência. Essas conclusões afirmam a importância de fortalecer a autoridade dos promotores como mediadores por meio de um marco jurídico claro e de práticas institucionais profissionais, a fim de realizar uma resolução de disputas eficiente, justa e íntegra.*

**Palavras-chave:** Conflitos administrativos. Mediação. Ministério Público.

**1 INTRODUCTION**

The resolution of disputes between governments and the private or public sector has undergone significant shifts in various countries (Windradi, Bramantyo, Widayati, & Putra, 2022). The formal litigation mechanism, which has been the mainstay, is increasingly showing its limitations, including lengthy processes, high costs, and a lack of responsiveness to the needs of the community and the public interest. The backlog of cases in the courts means that disputes often take

years to resolve, while the demand for effective governance requires quick, efficient, and fair resolutions (Rosalina, 2024). This situation has prompted many countries to develop alternative dispute resolution mechanisms that are more participatory and oriented towards joint solutions (Anggraeni *et al.*, 2025).

In this context, mediation as a form of Alternative Dispute Resolution (ADR) has proven to provide more satisfactory results (Ningsih & Tuasikal, 2025). Various studies show that mediation can save time and costs, while producing more sustainable agreements because they are based on the active participation of the parties. Mediation enables constructive dialogue that is difficult to achieve through adversarial litigation processes. This success has encouraged a number of countries, including Italy, France, and the Netherlands, to integrate mediation into their administrative legal systems, especially in disputes involving public interests (Matteucci, 2024).

In Indonesia, the Attorney General's Office of the Republic of Indonesia has a strategic position as the State Attorney representing the interests of the state in civil and administrative cases. Based on Law Number 11 of 2021 concerning the Attorney General's Office of the Republic of Indonesia, this authority is exercised through the Deputy Attorney General for Civil and Administrative Affairs (JAMDATUN). This authority is reinforced by Presidential Regulation No. 38 of 2010 and Attorney General Regulation No. PER-025/A/JA/11/2015. However, these regulations still emphasize a repressive litigation role, while preventive and solution-oriented functions through mediation have not been adequately regulated.

Field practice shows that the Attorney General's Office still relies heavily on litigation mechanisms in handling disputes involving the government (Prapmasari & Nugraheni, 2025). Data from various High Prosecutor's Offices show the dominance of case resolution through the courts, both in the civil and administrative spheres (Mumpuni, Wahyuningsih, Soponyono, & Mashdurohatun, 2024). This dependence not only burdens the judicial system, but also often results in win-lose decisions that are not always in line with long-term public interests. In fact, many government disputes have the potential to be resolved through negotiation or mediation if facilitated by institutions with adequate legitimacy and institutional capacity. This condition reflects a gap between the potential authority of the Attorney General's Office and current practices.

The fundamental problem lies in the lack of clarity regarding the legal basis for the Attorney General's mediation authority. Article 30 paragraph (2) of the Attorney General's Office Law states that the Attorney General may take "other legal actions" in the public interest, but this phrase is not explained in operational terms. This ambiguity has led to debate over whether mediation falls within the scope of this authority. Some view mediation authority as implicit, while others believe that explicit regulations are necessary to ensure legal legitimacy. This uncertainty has made the Attorney

General's Office cautious and reluctant to take an active role as a mediator, despite the great need and potential for it.

The complexity is further compounded by the Attorney General's Office's position as part of the executive branch. As an institution under the President, questions arise regarding the independence and neutrality of the Attorney General's Office when acting as a mediator in disputes involving the government. Mediation requires neutrality and impartiality, while the Attorney General's Office has a mandate to protect the interests of the state (Melenko, 2021). This dual role has the potential to create conflicts of interest and reduce the parties' trust in the mediation process. The question of how the Attorney General's Office can maintain objectivity without neglecting the interests of the state is a crucial issue that has not been fully answered.

Previous studies have discussed public dispute resolution and the role of mediation. Studi Noho & Lumbanraja (2023) on mediation in disputes between the government and business entities (KPBU) shows that mediation is an important channel because the government's position in public contracts is often not regulated in a balanced manner. Penelitian Dinata (2025) research on investment disputes also confirms the increasing need for non litigation settlements in state-investor relations. Comparative studies in Europe and The Article Title Should be Written Within Fifteen Words: 16pt-Sized Font First Author, Second Author, Third Author Ukraine show that the effectiveness of mediation depends on accessibility, costs, procedures, and the parties' right to withdraw (Serhieieva, 2024). However, when mediation is associated with institutions representing the state, such as the state prosecutor, regulatory barriers and the dominance of a litigation culture remain major obstacles.

Research in Indonesia, such as Suadi (2018), confirms that JAMDATUN has the authority to represent the state in civil and administrative cases, but non-litigation functions such as mediation have not been systematically studied. Research by Febri Arrahim *et al.*, (2023) shows that although the authority of state prosecutors covers litigation and non-litigation, the application of mediation is still hampered by regulatory limitations and inter-agency coordination. Meanwhile, Sasongko *et al.*, (2025) concluded that out-of court dispute resolution falls within the scope of "other legal actions" by state attorneys, but still requires strengthening of the legal framework and institutional capacity.

The existing literature indicates that although the importance of mediation has been widely acknowledged, the concrete role of the Attorney General's Office as a mediator in government disputes has not been comprehensively examined. Most studies continue to focus on litigation functions and the protection of state assets, without sufficiently analyzing the legal authority, institutional legitimacy, and limits of state attorneys acting as mediators between the government and other parties. At the same time, international research on mediation largely addresses ADR

mechanisms in general, without situating specific state institutions as active mediators in the public dispute resolution process. This study addresses that gap by integrating two underexplored dimensions: an analysis of the authority and role of state attorneys as agents of peaceful dispute resolution, and a comparative legal systems approach to examine how this function is regulated and implemented across jurisdictions. The urgency of this research lies in the growing complexity of government-related disputes and the decreasing effectiveness of formal litigation, alongside the continuing uncertainty surrounding the legal basis of state attorneys' mediation authority, particularly in Indonesia. Academically, this study contributes to the development of constitutional and civil law theory regarding public mediation, while practically offering a foundation for legal reform and institutional strengthening to support a more efficient, fair, and public interest oriented model of dispute resolution.

## 2 RESEARCH METHODS

The research method used in this study is a normative legal research method with a comparative approach (comparative legal research). This method focuses on analyzing positive legal norms, doctrines, and institutional practices that regulate the authority of the prosecutor's office in carrying out mediation functions in government disputes in several countries. A comparative approach was used because this study does not only discuss one legal system, but compares four jurisdictions, namely Indonesia, Italy, France, and the Netherlands. Through this comparison, the researcher was able to find similarities and differences, as well as identify an ideal model for strengthening the mediation authority of the prosecutor's office in Indonesia.

The researchers chose Italy, France, and the Netherlands because these countries are the most relevant comparators for Indonesia in formulating the ideal concept for the attorney general's office as a state attorney that also acts as a mediator in government disputes, as all three are based on a civil law system similar to Indonesia's, but have developed a more advanced model of public law institutions. Italy, through the *Avvocatura dello Stato*, affirms the strong and independent role of the state prosecutor's office in representing and mediating the legal interests of the state based on Royal Decree No. 1611/1933; France, with the *Ministère Public* and the *Conseil d'État*, demonstrates the harmonization between the functions of government legal counsel and administrative courts through the *Code de justice administrative*, which makes administrative mediation a mandatory stage prior to litigation; while the Netherlands, through the *Algemene wet bestuursrecht (Awb)* and the role of the *Landsadvocaat* and *Raad van State*, has succeeded in establishing an efficient and fair public mediation system that reflects the principle of good administration. These three countries provide

an important lesson that the attorney general's office can function not only as a law enforcer but also as a guardian of the balance between the state and its citizens, through a mediation mechanism that upholds substantive justice, administrative efficiency, and the rule of law, which is a highly relevant model to be adapted in the context of Indonesian legal reform.

This normative legal research is qualitative-descriptive in nature, where all data used is secondary data derived from primary, secondary, and tertiary legal materials. Primary legal materials include legislation such as Law Number 11 of 2021 concerning the Attorney General's Office of the Republic of Indonesia, Regio Decreto 1611/1933; D.Lgs. 104/2010 in Italy, Code de justice administrative (CJA),; Décret 2016-1480 in France, and Wet op de rechterlijke organisatie in the Netherlands. Secondary legal materials include academic literature, previous research results, and relevant scientific journal articles, as well as official documents from the Indonesian Attorney General's Office. Tertiary legal materials were obtained from legal dictionaries and encyclopedias. Data collection was carried out through library research by examining various legal documents, scientific publications, and official legal sources from the three countries.

Furthermore, the data was analyzed using qualitative-comparative analysis, namely by systematically comparing the legal structure, authority, and institutional practices of the prosecutor's office in its mediation function. The analysis was carried out in three main stages: first, the identification and classification of legal norms in each country; second, a comparison of institutional and procedural aspects in the implementation of the mediation function; and third, an evaluation of the effectiveness of the existing legal system.

### 3 RESULTS AND DISCUSSION

#### 3.1 Regulations on State Prosecutors in Indonesia, Italy, France, and the Netherlands

##### 1. Regulations on State Prosecutors in Indonesia

##### a. Legal Regulations on the Function of State Prosecutors as Mediators

State Attorneys (JPN) in Indonesia have a strong legal basis in the national legal system, particularly based on Law Number 16 of 2004 in conjunction with Law Number 11 of 2021 concerning the Attorney General's Office of the Republic of Indonesia. Article 30 paragraph (2) provides legitimacy that the Attorney General's Office, with special authority, has the power to act for and on behalf of the state or government in civil and administrative matters. This provision is reinforced by Article 18 paragraph (2) of Law Number 11 of 2021, which explicitly affirms the authority of the Attorney General as the State Attorney, both inside and outside the courtroom. This

normative basis reflects the principle of the rule of law as stipulated in Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia, which positions the JPN as the legal representation of the state oriented towards legal certainty, justice, and benefit (Prihandana *et al.*, 2023).

The layered and hierarchical regulatory framework, ranging from statutory provisions to technical institutional regulations, establishes a coherent and mutually reinforcing foundation for the authority of the Jaksa Pengacara Negara (JPN) as the state's legal representative in both litigation and non-litigation processes. Institutionally, the JPN operates within an integrated structure extending from the Attorney General's Office to the District Attorney's Office under the coordination of the Deputy Attorney General for Civil and Administrative Affairs (Jamdatun), as regulated by Presidential Regulation No. 38 of 2010 and Attorney General Regulation No. 009/A/JA/01/2011. These instruments define the scope of civil and administrative functions to include legal assistance, legal opinions, legal services, law enforcement, and other legal actions in the interest of the state, thereby ensuring uniformity of authority, preventing interpretive discrepancies, and strengthening the position of the JPN as an inherent component of the national law enforcement system (Suud, 2020).

Beyond its litigation function, the role of the JPN has expanded to include a preventive and solution-oriented mediation function within the national legal system. Attorney General Regulation No. 040/J.A/12/2010 affirms the authority of the Attorney General's Office to act as mediator or facilitator in disputes involving state institutions, government agencies, state-owned enterprises, and local governments (Pieris, Nugroho, & Ryantoni, 2025). This mediation mechanism is regulated procedurally, from the issuance of mediation orders to the formulation of peace agreements with binding legal force, and is grounded in principles of efficiency, legal certainty, restorative justice, and public benefit. The shift from a predominantly repressive paradigm toward a preventive and restorative approach reflects the evolution of a modern dispute resolution system, positioning the Prosecutor's Office not only as a criminal law enforcer but also as a guardian of public interest in accordance with Article 28D paragraph (1) of the 1945 Constitution and the values of Pancasila (Saputra, Surya Perdana, & Murbawan, 2022). Mediation by the JPN is part of the national legal system that is oriented towards efficiency, justice, and legal certainty, with a philosophical basis of restorative justice and public benefit. This role is carried out in a neutral, impartial, and professional manner, while minimizing conflicts of interest and budget waste because it is non-tariff (Ellen Rygita A. Putri, 2022).

#### **b. Institutional and Procedural Aspects of the Implementation of the Mediation Function by the State Attorney General's Institution**

The Attorney General's Office adopts a hierarchical organizational structure in which the Deputy Attorney General for Civil and Administrative Affairs (Jamdatun) serves as the highest coordinator of mediation functions. Jamdatun carries out mandates in law enforcement, legal assistance, legal opinions, and other legal actions on behalf of the state or government, with implementation extending to the High Prosecutor's Office and District Prosecutor's Office through their respective Civil and Administrative Law Divisions. This chain of command ensures that mediation is conducted in a uniform, controlled, and accountable manner. Operationally, mediation by the State Attorney (JPN) is governed by Standard Operating Procedures under Attorney General Regulation No. 040/J.A/12/2010, which regulate each procedural stage, from case initiation and summons to agreement formulation and settlement documentation, with a maximum time frame of 60 days to ensure efficiency and legal certainty (Sutrisno, 2024).

Institutionally, JPN mediation is collective and coordinated rather than based on individual initiative, requiring formal authorization and the formation of a mediation team whose work is subject to staged reporting and leadership approval (Yusna Wulan Sari, 2025). The principles of neutrality and impartiality form the core foundation of this mechanism, supported by internal supervision and technical evaluation by Jamdatun (Nalle, 2018). However, the mediation function continues to face normative and institutional constraints, as its legal basis is derived from the interpretation of "other legal actions" rather than explicit statutory regulation. This condition contributes to inconsistent practices and dependence on internal policies, compounded by the absence of external oversight, limited numbers of certified mediators, budgetary constraints, and inadequate supporting facilities (CSA Teddy Lesmana, 2019). Without strengthening the legal framework and institutional capacity, the mediation role of the JPN risks remaining underdeveloped as a strategic instrument for fair and sustainable state dispute resolution (Hartawan, Handayani, & Bhakti, 2024).

Regarding human resources, in this case prosecutors who are certified mediators, based on secondary data obtained from the Indonesian Attorney General's Office in 2024, the situation can be described as follows:

**Tabel 1**

*Number of State Prosecutors (JPN) Certified as Mediators in 2024*

No	High Prosecutor's Office	Number of JPN Certified Mediators	Institutional & Facilities Information
1	Jakarta High Prosecutor's Office	14 people	Adequate facilities, including a dedicated mediation room and digital documentation technology support.

2	West Java Attorney General's Office	10 people	Mediation rooms are available, but they are not yet integrated with the e litigation system.
3	East Java Attorney General's Office	8 people	Facilities are still limited; mediation is conducted in the general meeting room.
4	South Sulawesi Attorney General's Office	7 people	Facilities are still limited; mediation is conducted in the general meeting room.
5	North Sumatra Attorney General's Office	6 people	Facilities are minimal, mediator training is conducted periodically internally.
6	East Kalimantan Attorney General's Office	5 people	Lack of documentation facilities and online conference equipment.
7	Papua Attorney General's Office	3 people	Limited human resources and facilities mean that mediation is rarely conducted directly; some cases are referred to the central office.
8	Bali Attorney General's Office	4 people	Facilities are adequate, and there is cooperation with external mediation institutions.
9	Riau Attorney General's Office	5 people	Temporary mediation room available, but not yet equipped with recording devices.
10	West Nusa Tenggara Attorney General's Office	3 people	The number of mediators is very limited, and there is no permanent mediation room.

Source: Secondary Data

National Total: ±65 State Prosecutors certified as mediators (2024)

The data indicate that the distribution of certified mediators within the Attorney General's Office remains uneven, with most high prosecutor's offices having only three to seven certified mediators, while regions with high dispute volumes, such as DKI Jakarta and West Java, are better resourced. This imbalance in human resource capacity, compounded by the limited availability of supporting facilities such as dedicated mediation rooms, digital recording systems, and online communication tools, has the potential to undermine the effectiveness of mediation-based dispute resolution. These conditions underscore the need for a national policy to ensure equitable training and certification of JPN mediators, accompanied by the provision of adequate mediation infrastructure across all prosecutorial jurisdictions to support professional, efficient, and transparent public legal services.

**c. Evaluation of the effectiveness of the legal system and institutional performance of State Attorney Prosecutors (JPN)**

The mediation function within the Attorney General's Office has played an increasingly significant role in resolving government and civil disputes, with the effectiveness of the State Attorney (JPN) legal system determined by three interrelated indicators: the clarity of legal norms, institutional suitability, and the success of mediation implementation. These indicators collectively shape the capacity of the Attorney General's Office to function as an instrument of fair, swift, and public-interest-oriented dispute resolution. Although evaluations indicate notable progress in the practical implementation of mediation by the JPN, structural weaknesses persist, particularly at the normative level. The primary strength of the system lies in the legal legitimacy provided by Law No. 16 of 2004 in conjunction with Law No. 11 of 2021, especially Article 30 paragraph (2), which authorizes the Attorney General's Office to represent the state in civil and administrative matters, including alternative legal actions such as mediation. Nevertheless, the absence of explicit regulation governing mediation has resulted in reliance on interpretative practices and internal policies, leading to inconsistent implementation and varying standards across institutional units, thereby underscoring the need for strengthened legal norms through legislative or regulatory reform to ensure greater legal certainty and sustainability.

**Tabel 2**

*Indicators of the Effectiveness of the JPN Legal System in the Function of Mediation*

No	Effectiveness Indicators	Actual Conditions	Impact on Implementation	Evaluative Description
1	Clarity of legal basis (Attorney General's Office Law)	Does not explicitly regulate the function of mediation	Causes variations in implementation between work units	Requires reformulation of clear norms and implementing regulations
2	Legal procedural certainty	Already regulated through Attorney General Regulation No. 040/J.A/12/2010	Implementation is not uniform across regions	A national integrated monitoring system is needed
3	Functional independence of the JPN	Still bound by the vertical structure of the Attorney General's Office	Potential bias in disputes with government agencies	Need to strengthen the functional autonomy of the JPN
4	Public accountability and transparency	Mediation reports are internal	Public trust is not yet optimal	A transparency based public reporting system is needed
5	Efficiency dispute in resolution time	Average of 30–60 days per case	Reducing the burden of court litigation	High efficiency but national standards for

				duration are needed
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Furthermore, when reviewing the institutional performance of the Attorney General's Office, particularly in the field of civil and administrative law (Datun), the results of the study show significant progress since mediation became one of the legal actions that can be taken by the Attorney General's Office. This success is evident in the increase in the number of cases resolved through mediation and ending with a legally binding settlement agreement. The following researchers present research data related to the success rate of mediation by the JPN (2022-2024 period). The following data is secondary data obtained from the Indonesian Attorney General's Office.

**Tabel 3**

*Success Rate of Mediation Implementation by the JPN (2022–2024 Period)*

<b>Year</b>	<b>Number of Disputes Mediated</b>	<b>Successful Disputes (Peace Agreements)</b>	<b>Success Rate (%)</b>	<b>Dominant Type of Dispute</b>
2022	312 cases	241 cases	77%	Government asset and contract disputes
2023	358 cases	289 cases	80,7%	Project contract and regional finance disputes
2024	391 cases	317 cases	81%	Disputes over state administration and civil law involving state-owned enterprises
<b>Average</b>	<b>353 cases/year</b>	<b>282 cases/year</b>	<b>80%</b>	<b>Mediation effectiveness increases every year</b>

Source: Secondary data

Referring to the data from 2022–2024, mediation conducted by the Jaksa Pengacara Negara (JPN) demonstrates a high average success rate of approximately 80 percent of resolved cases, indicating that mediation is more efficient than litigation in terms of time and state cost savings while also strengthening the institutional image of the Attorney General's Office as a promoter of restorative justice and legal utility. Nevertheless, this effectiveness has not been evenly achieved across regions due to disparities in human resource capacity and supporting facilities among attorney general's offices. Although mediation procedures have been formally regulated through Attorney General Regulation Number 040/J.A/12/2010 with clear stages and time limits, their implementation remains suboptimal because of varying regional interpretations and the absence of an integrated

national supervision mechanism. Existing internal supervision is predominantly administrative, which limits the consistent quality of mediation practices, as reflected in the measured impacts on efficiency and the protection of state finances.

**Tabel 4**

*Impact of Mediation Implementation on Efficiency and Protection of State Finances*

<b>Year</b>	<b>Potential State Losses (Rp Billion)</b>	<b>Amount Avoided Through Mediation (Rp Billion)</b>	<b>Efficiency Percentage (%)</b>	<b>Remarks</b>
2022	480.7	312.5	65	Completion of infrastructure and regional asset contracts
2023	552.4	392.8	71.1	Financial disputes over central government projects
2024	605.9	451.6	74.5	Civil disputes involving state-owned enterprises and public contracts
<b>Average</b>	<b>546.3</b>	<b>385.6</b>	<b>70.2</b>	<b>Mediation significantly reduces potential losses to the state</b>

The success of mediation not only improves the efficiency of dispute resolution, but also strengthens public trust in the Attorney General's Office as a modern, open, and responsive legal institution. The data shows that the effectiveness of the legal system and the performance of the JPN institution are moving positively, as reflected in the mediation success rate of over 80 percent and the average state budget efficiency of 70 percent per year. However, these achievements are still limited by fundamental normative weaknesses, human resource imbalances, and infrastructure constraints. Therefore, legal reform and national certification of the JPN are needed.

## 4 STATE ATTORNEY IN ITALY

The *Avvocatura dello Stato* is a state legal institution that functions as the government's legal representative, legal advisor, and mediator in administrative affairs. Its establishment is regulated by *Regio Decreto* No. 1611 of 1933, which defines its organizational structure, functions, and authority (Gallo, Mastroianni, Nicola, & Cecchetti, 2024). Article 1 of the decree mandates the *Avvocatura* to represent and defend the state before courts and to provide legal opinions to public administrative institutions. From its inception, this institution has been designed not only to handle litigation but also to provide preventive legal consultation to ensure that administrative actions remain consistent with the rule of law (Lupo & Tucciarelli, 2023).

The mediation function of the *Avvocatura dello Stato* was further developed through Legislative Decree No. 28 of 2010 on civil and commercial mediation, which was extended to the public sector by Law No. 98 of 2013 on administrative simplification. Pursuant to this legal framework, disputes involving public bodies must first undergo an administrative conciliation process led by the *Avvocatura* before being submitted to administrative courts (Jacometti, 2020). The mediation process is formally regulated in the *Codice del Processo Amministrativo*, which stipulates that conciliation agreements (*verbale di conciliazione*) have legal force equivalent to administrative court decisions upon approval by the *Tribunale Amministrativo Regionale*. Mediators in this process are typically senior *Avvocati dello Stato* with extensive professional experience and certification in public mediation (Matteucci, 2025).

The position of the *Avvocatura dello Stato* as a mediator was further strengthened by Law No. 103 of 2017 on judicial system reform, which affirms its authority to act as a neutral third party in resolving administrative disputes between government institutions at both central and regional levels. Institutionally, the *Avvocatura* operates under the *Presidenza del Consiglio dei Ministri*, ensuring functional independence within the government structure (Bandera, Cattaneo, Galanti, & Lippi, 2024). Empirical evidence indicates that this mediation mechanism has significantly contributed to reducing court caseloads, enhancing efficiency, and promoting fairness in administrative dispute resolution, while reinforcing the constitutional principle of *buona amministrazione* as mandated by Article 97 of the Italian Constitution (Lanau *et al.*, 2021).

## 5 STATE ATTORNEY PROSECUTOR IN FRANCE

The French legal system is rooted in the civil law tradition codified in the Code civil of 1804 (Napoleonic Code), with judicial power exercised independently within a framework of state

accountability. A central institution in this system is the *Ministère public*, which represents the state before the courts and operates at two levels: the *Parquet général* at the appellate and cassation levels, and the *Parquet de la République* at the courts of first instance. This structure reflects the institutional role of prosecutors as integral actors in the administration of justice while maintaining a hierarchical organizational model (Abdusalimovich, 2024).

In practice, the *Ministère public* performs dual functions as public prosecutor (*accusateur public*) and guardian of public order and public interests (*défenseur de l'ordre public*). Pursuant to Articles 31 and 32 of the *Code de procédure pénale*, prosecutors act on behalf of the state to prosecute criminal offenses and ensure the enforcement of law. Although administratively supervised by the *Garde des Sceaux* or Minister of Justice, prosecutors enjoy functional independence through the principle of *opportunité des poursuites*, which grants discretionary authority to assess whether prosecution serves the public interest. (Mateo Totić, 2024).

Beyond the criminal sphere, the French state is represented in civil and administrative disputes by the *Avocat de l'État* under the *Agence du contentieux de l'État*, as regulated by the *Code de justice administrative*. This representation operates under the principle of *égalité des armes*, ensuring equality of parties before the court, with the *Conseil d'État* functioning both as the government's legal advisor and the highest administrative court. A significant contemporary development is the strengthening of administrative mediation through Law No. 2016-1547, which mandates mediation for certain disputes, complemented by the role of the *Défenseur des droits* as an independent public mediator tasked with facilitating dispute resolution and safeguarding citizens' rights. (Rostovska *et al.*, 2021).

## 6 THE PUBLIC PROSECUTOR'S OFFICE IN THE NETHERLANDS

The public prosecutor's office in the Netherlands is known as the Openbaar Ministerie (OM), which is legally regulated in Articles 124–138 of the *Wet op de rechterlijke organisatie*. The OM functions as a law enforcer on behalf of the state and a guardian of public law and order. Its highest authority is the *College van procureurs generaal*, which is under the supervision of the *Minister van Justitie en Veiligheid*. Although it is part of the executive structure, the OM exercises its judicial functions independently and autonomously, as stipulated in Article 127a of the *Wet RO* (Holvast & Lindeman, 2020).

Unlike the Indonesian model, the Netherlands adopts an institutional separation between prosecutorial functions and state legal representation. While the OM is responsible for criminal prosecution and safeguarding public interests, the defense and legal representation of the state in

civil and administrative matters are entrusted to the *Landsadvocaat*. This position, regulated by the *Besluit Taakuitoefening Landsadvocaat* and subsequent ministerial regulations, is held by a private law firm appointed by the government under ministerial supervision. The *Landsadvocaat* acts as the government's chief legal advisor, represents the state before administrative courts such as the *Raad van State*, and plays an active role in facilitating administrative mediation. (Hofmann, 2021).

Administrative dispute resolution in the Netherlands is strongly oriented toward mediation, as regulated in the *Algemene wet bestuursrecht*. Procedures for objections and administrative appeals prioritize internal resolution before litigation, and administrative judges are authorized to suspend proceedings to enable mediation. The *Raad van State*, which constitutionally functions as both legal advisor to the government and the highest administrative court, has institutionalized mediation through the *Mediation bij de Overheid* program. Supported by the principles of *redelijkheid en billijkheid* and reinforced by empirical data indicating high effectiveness, mediation has become a central mechanism for resolving both vertical disputes between citizens and the state and horizontal disputes among government institutions. (Brölmann *et al.*, 2023).

## **6.1 Comparison of legal structures, authorities, and institutional practices of the attorney general's office in the mediation function by state attorneys in Indonesia, Italy, France, and the Netherlands**

### **a. Basic Normative and Philosophical Similarities in the Implementation of Mediation Functions**

The four countries share the fundamental similarity that the state attorney or prosecutor's office is regulated through formal legal instruments that provide constitutional legitimacy. Indonesia, Italy, France, and the Netherlands all place mediation as a legitimate and binding mechanism for administrative dispute resolution. This similarity confirms the recognition that disputes do not always have to be resolved through the courts, but can be pursued in a restorative, efficient, and humane manner. Philosophically, the four legal systems prioritize substantive justice and the public interest. Mediation is positioned as an integral part of the judicial system, based on the principles of utility, *buona amministrazione*, *État de droit*, and *redelijkheid en billijkheid*, which boil down to the state's obligation to act fairly, appropriately, and responsibly towards its people.

### **b. Differences in Institutional Structure and the Position of Mediators**

The main difference lies in the institutional structure of mediation. Indonesia centralizes mediation in the State Attorney within a vertical and executive Attorney General's Office system, which has the potential to cause bias. Italy places the *Avvocatura dello Stato* under the *Presidenza*

del Consiglio dei Ministri with stronger functional independence. France separates public prosecution and state legal defense through a dual system to maintain independence. The Netherlands is the most decentralized, separating the Openbaar Ministerie and private Landsadvocaat. The position of mediator also differs: certified prosecutors in Indonesia, senior Avvocati in Italy, independent Défenseur des droits in France, and certified public mediators under the supervision of the Raad van State in the Netherlands are structurally clear.

### **c. Differences in Authority and Legal Force of Mediation Outcomes**

The differences in mediation authority are clear. Indonesia grants optional authority to the JPN based on Article 30 paragraph (2) of the Attorney General's Office Law, so its use is not mandatory and has the potential to be inconsistent (Romualdi, 2018). Italy requires conciliazione amministrativa for public body disputes before going to court, providing legal certainty. France also requires certain initial mediation under the supervision of the Défenseur des droits (Zhyvko, Dombrovska, & Kiblyk, 2025). The Netherlands requires internal settlement through a bezwaar mechanism before litigation and gives judges the authority to postpone trials for mediation. The power of mediation outcomes also varies: Indonesia equates it with court decisions but only regulates it through internal regulations; Italy, France, and the Netherlands give it strong legal recognition through consistent and formally binding laws and administrative courts.

### **d. Procedural Aspects and Effectiveness of Mediation Implementation**

Mediation procedures between countries show varying degrees of standardization. Indonesia has a standard operating procedure (SOP) through Perja Number 040/J.A/12/2010 with a 60-day time limit, but its implementation is not yet uniform due to limitations in human resources and facilities. Italy regulates mediation in detail in Decreto Legislativo 104/2010 with strict stages and national institutional support. France integrates mediation into administrative justice under the supervision of the Conseil d'État. The Netherlands has implemented the most structured system through Mediation bij de Overheid since 2005, reinforced by Beleidsbrief 2016, with mandatory mediation offers, certified mediators, and open documentation. Effectiveness shows high success rates: Indonesia 80 percent, Italy 40–45 percent of cases with a 96 percent success rate, France effective, and the Netherlands 92 percent.

**Tabel 5**

*Comparison of legal, institutional, and effectiveness aspects of the implementation of mediation functions by state attorneys in Indonesia, Italy, France, and the Netherlands*

Country	Main Legal Basis	Institutional Structure	Mediation Status	Success Rate	Key Institutional Features	Positive Aspects That Can Be Adopted
<b>Indonesia</b>	Law No. 16/2004 in conjunction with Law No. 11/2021; Regulation No. 040/2010	Centralized under Jamdatun	Optional ("other legal actions")	±80% (2022–2024)	Vertical and bureaucratically bound	Requires functional independence and external oversight
<b>Italy</b>	Regional Decree No. 1611/1933; Law 98/2013; Legislative Decree 28/2010	State Attorney's Office under the Presidency of the Council	Mandatory prior to litigation	96	Autonomous, professional, hierarchical	Mandatory mediation integration and strong legal legitimacy
<b>France</b>	Law No. 2016-1547; Organic Law No. 2011-333	Ombudsman (independent)	Mandatory for administrative disputes	(no definitive statistical data found)	Independent institution, focused on citizens' rights	Independent institution model that guarantees impartiality
<b>Netherlands</b>	General Administrative Law Act; Council of State Act	Council of State & State Advocate	Mandatory before litigation	92	Separation between litigation and mediation	Functional separation to maintain objectivity

Based on a comparison of practices in several countries, there are a number of relevant aspects to strengthen the mediation function of the State Attorney (JPN) in Indonesia. First, Indonesia needs to adopt mandatory mediation by revising Article 30 paragraph (2) of the Attorney General's Office Law, replacing the phrase "may act" with "must act", so that government disputes must be mediated before being brought to court. Second, the establishment of an independent supervisory body, such as in France, is important to ensure the neutrality and accountability of JPN mediation. Third, the implementation of transparency through the publication of data and annual reports, as in the Netherlands, enables public oversight of mediation performance. Fourth, standardization of mediator training and certification at the national level is necessary to address disparities in human resource capacity. Fifth, the provision of mediation infrastructure, including permanent facilities, digital systems, and online services, must be prioritized. Sixth, strengthening the functional autonomy of the JPN is necessary so that the implementation of mediation is free from structural intervention. These steps aim to increase the effectiveness, public trust, and credibility of

government dispute resolution through professional and integrity-based mediation that is national and consistently sustainable.

## **6.2 The ideal concept of the State Attorney as a State Mediator in the settlement of Government Disputes in Indonesia**

The strengthening of the State Attorney's role as a government dispute mediator must begin with the reformulation of the legal basis to enhance normative legitimacy. Article 30 paragraph (2) of the Attorney General's Office Law should be revised by changing the phrase "may act" to "must act," thereby making mediation a mandatory stage in every government dispute. This reform must be accompanied by the addition of a specific provision explicitly regulating mediation as a distinct function, rather than subsuming it under "other legal actions." Adopting the Italian model, all disputes involving government agencies, state-owned enterprises, and local governments should be required to undergo mediation before litigation, with settlement agreements granted executory power equivalent to final court judgments through direct court registration.

Institutionally, the implementation of mediation requires functional independence while remaining within the structure of the Attorney General's Office. A Special Unit for Mediation and Government Dispute Resolution should be established, separate from litigation functions, supported by clear operational standards and a dedicated code of ethics to ensure neutrality. This model reflects comparative practices in France and the Netherlands, which separate prosecutorial and state legal representation functions. To ensure accountability and public trust, an independent Government Mediation Supervisory Board should be formed, comprising academics, practitioners, and community representatives, with authority to oversee performance, handle complaints, and conduct evaluations.

Professionalism and competence of mediator prosecutors must be standardized through a national certification system with a structured curriculum covering mediation theory, negotiation techniques, administrative law, and mediator ethics. Minimum experience requirements and a tiered mediator career system should be introduced, supported by continuous education and scientific contributions. Ethical principles such as neutrality, impartiality, confidentiality, and integrity must be strictly enforced, with violations subject to sanctions under independent supervision. These measures should be complemented by adequate infrastructure, including permanent mediation rooms at all prosecution offices and the development of a National Government Mediation Information System integrated with e-court for transparency, monitoring, and knowledge management.

Procedurally, mediation should be regulated through a Government Regulation establishing clear timelines, confidentiality safeguards, and the executory status of settlement agreements, while ensuring that failed mediation does not prejudice subsequent litigation. Mediation must function as a formal prerequisite for filing lawsuits in administrative and general courts, with judicial coordination mechanisms to prevent procedural duplication. Sustainable implementation requires dedicated state budget allocations, reasonable cost-sharing mechanisms, inter-institutional coordination among key legal bodies, and continuous public education. Through these integrated reforms, mediation by the State Attorney can become an effective, accountable, and trusted mechanism for resolving government disputes in a manner that is efficient, fair, and responsive to democratic governance.

## 7 CONCLUSION

Based on the results of the research using the comparative approach that has been carried out, it can be concluded that the authority of the State Attorney (JPN) as a mediator in resolving government disputes is a manifestation of the expansion of the Prosecutor's function in realizing substantive justice and legal efficiency. However, normatively and institutionally it still needs to be strengthened to be in line with best practices in countries such as Italy, France, and the Netherlands. The three systems show that the success of the public mediation function depends on clarity of legal basis, institutional independence, professionalism of mediators, and a transparent oversight system. Indonesia has shown progress through the implementation of mediation by the JPN in the civil and state administration sectors, but it does not yet have a legal basis that explicitly affirms the function of mediation as the constitutional authority of the Prosecutor's Office. Therefore, it is recommended that the mediation function by JPN be strengthened through the revision, revision of Article 30 paragraph (2) of the Prosecutor's Law by changing the authority from "able to act" to "obliged to act" and the addition of a special article that explicitly regulates the mediation function, adopting the mandatory model of Italy and France, and accompanied by the establishment of a semi-independent mediation unit under Jamdatun with a mediator certification system, external supervision, and the application of *e-mediation technology*. The Ministry of Justice needs to develop an integrated information system with an e-court that is transparent to the public, and the determination of mediation as a formal requirement before a lawsuit to the court. This update is expected to be able to position the Prosecutor's Office as a modern legal institution that not only upholds the law, but also becomes a pillar of dispute resolution that is fair, transparent, and adaptive to the dynamics of democratic governance.

## REFERENCES

- Abdusalimovich, M. A. (2024). The Role of the Prosecutor's Office in the System of State Power. *The American Journal of Political Science Law and Criminology*, 6(12), 42–46. <https://doi.org/10.37547/tajpslc/volume06issue12-08>
- Akbar, N., Rapung, R., & Awal Rifai. (2024). Perspektif Fikih Islam Terkait Şulh Fuḍūlī dalam Proses Perdamaian Pihak Bersengketa. *AL-QIBLAH: Jurnal Studi Islam Dan Bahasa Arab*, 3(4). <https://doi.org/10.36701/qiblah.v3i4.1661>
- Akhter, S., Mahr, F., & Imtiaz, A. (2023). Exploring Restorative Justice: An Alternate Dispute Resolution Mechanism in Islamic Law and Customary Law. *Journal of Law & Social Studies*, 5(4). <https://doi.org/10.52279/jlss.05.04.625636>
- Anggraeni, H. Y., Sagita, P. I., Yusmana, F. V., Reza, M., Sehafudin, S., & Johan, W. (2025). Penerapan ADR dan Potensi Arbitrase dalam Penyelesaian Sengketa Medis di Indonesia. *AKADEMIK: Jurnal Mahasiswa Humanis*, 5(1), 500–514. <https://doi.org/10.37481/jmh.v5i1.1267>
- Arrahim, F., Marjon, D., Syam, M., & Fauzan, R. (2023). The Role of State Attorney in Prosecutor's Office of An Effort to Protect State Assets. *Andalas Law Journal*, 8(2), 25. <https://doi.org/10.25077/alj.v8i2.56>
- Bandera, S., Cattaneo, M. C., Galanti, M. T., & Lippi, A. (2024). Advising the prince: The pluralization of the internal policy advisory system in Italy (2019-2021). *Rivista Italiana Di Scienza Politica*, 54(3), 190–208. <https://doi.org/10.1017/ipo.2024.8>
- Brölmann, C. M., Lefeber, R., & Zieck, M. Y. A. (2023). PEOPLES AND MINORITIES IN INTERNATIONAL LAW. In *Peoples and Minorities in International Law*. <https://doi.org/10.1163/9789004641990>
- CSA Teddy Lesmana. (2019). Mediasi Penal Sebagai Alternatif Penyelesaian Perkara Pidana Dalam Perspektif Pembaharuan Sistem Peradilan Pidana Indonesia. *Jurnal Rechten : Riset Hukum Dan Hak Asasi Manusia*, 1(1). <https://doi.org/10.52005/rechten.v1i1.1>
- Dinata, S. (2025). Reconstruction of Foreign Investment Dispute Settlement in Indonesia. *Yustisia Tirtayasa : Jurnal Tugas Akhir*, 5(1). <https://doi.org/10.51825/yta.v5i1.30617>
- ELLEN RYGITA A. PUTRI. (2022). Penyelesaian Sengketa Secara Non Litigasi Terhadap Permasalahan Bpjs Kesehatan Pekanbaru Di Bidang Perdata Yang Dilakukan Oleh Jaksa Pengacara Negara Pada Kejaksaan Tinggi Riau.
- Firdausi, N. I. (2020). HAK WARGA NEGARA DALAM PENGADUAN KONSTITUSIONAL (CONSTITUTIONAL COMPLAINT) PERSPEKTIF FIQH SIYASAH DAN HUKUM TATA NEGARA REPUBLIK INDONESIA (Vol. 8).

- Freddy, S. P., & Mohamad, N. A. (2024). DISPUTE IN CROSS-BORDER WAQF: MITIGATION, RESOLUTION, AND THE ROLE OF WAQF AUTHORITY. *IJUM Law Journal*, 32(1). <https://doi.org/10.31436/iiumlj.v32i1.905>
- Gallo, D., Mastroianni, R., Nicola, F. G., & Cecchetti, L. (2024). The Italian influence on European law: Judges and advocates general (1952-2000). In *The Italian Influence on European Law: Judges and Advocates General (1952-2000)*.
- Hartawan, I. E., Handayani, P., & Bhakti, R. T. A. (2024). Legal Foundations and Implications of Civil Deeds of Settlement in the Indonesian Legal System. *Lex Publica*, 11(1). <https://doi.org/10.58829/lp.11.1.2024.210>
- Hasan, S. (2023). Public Policy in the Muslim Majority Countries: A Discussion for Public Interest. *SSRN Electronic Journal*. <https://doi.org/10.2139/ssrn.4333864>
- Hofmann, R. (2021). Formalism versus pragmatism – A comparative legal and empirical analysis of the German and Dutch criminal justice systems with regard to effectiveness and efficiency. *Maastricht Journal of European and Comparative Law*, 28(4), 452–478. <https://doi.org/10.1177/1023263X211005983>
- Holvast, N. L., & Lindeman, J. M. W. (2020). An inquiry into the blurring boundaries between professionals and paraprofessionals in Dutch courts and the public prosecution service. *International Journal of Law in Context*, 16(4), 371–389. <https://doi.org/10.1017/S1744552320000270>
- Jacometti, V. (2020). Climate Change Litigation: Global Trends and Critical Issues in the Light of the Urgenda 2018 Decision and the IPCC Special Report “global Warming of 1.5°C.” *Global Jurist*, Vol. 20. <https://doi.org/10.1515/gj-2019-0005>
- Lanau, S., Esposito, G., & Pompe, S. (2021). Judicial System Reform in Italy: A Key to Growth. *SSRN Electronic Journal*. <https://doi.org/10.2139/ssrn.2407525>
- Lupo, N., & Tucciarelli, C. (2023). The advisory functions of the Italian Council of State. *Parliaments, Estates and Representation*, 43(1), 77–95. <https://doi.org/10.1080/02606755.2023.2169411>
- Mateo Totić, E. (2024). the Role of the Public Prosecutor’S Office Within Criminal Proceedings. *SCIENCE International Journal*, 3(4), 67–72. <https://doi.org/10.35120/sciencej0304067t>
- Matteucci, G. (2024). Civil Process and Mediation in Italy, 2024. *Beijing Law Review*, 15(03), 1347–1366. <https://doi.org/10.4236/blr.2024.153080>
- Matteucci, G. (2025). Mandatory Mediation, the Italian Experience, a Case Study. *Beijing Law Review*, 16(01), 353–376. <https://doi.org/10.4236/blr.2025.161017>
- Maula, B. S. (2023). The Concept of Şulh and Mediation in Marriage Conflict Resolution in Religious Courts: A Comparative Study between Contemporary Indonesian

Family Law and Classical Islamic Law. *El-Aqwal: Journal of Sharia and Comparative Law*. <https://doi.org/10.24090/el-aqwal.v2i1.7777>

- MELENKO, O. (2021). Mediation as an Alternative Form of Dispute Resolution: Comparative-Legal Analysis. *European Journal of Law and Public Administration*, 7(2). <https://doi.org/10.18662/eljpa/7.2/126>
- Mumpuni, R., Wahyuningsih, S. E., Sopyonyono, E., & Mashdurohatun, A. (2024). Challenges of State Attorney's Authority in Handling Civil and State Administrative Cases in Indonesia. *Saudi Journal of Humanities and Social Sciences*, 9(12), 430–439. <https://doi.org/10.36348/sjhss.2024.v09i12.005>
- Nalle, V. I. W. (2018). Hasanuddin LawReview. *HasanuddinLawReview*, 4(1), 1–14. <https://doi.org/10.20956/halrev.v4i1.1316>
- Ningsih, R. K., & Tuasikal, H. (2025). Tantangan dan Solusi dalam Implementasi Mediasi Sebagai Alternatif Penyelesaian Sengketa Tanah Challenges and Solutions in the Implementation of Mediation as an Alternative for Land Dispute Resolution. *Journal of Dual Legal Systems*, 2(1), 70–89. <https://doi.org/10.58824/jdls.v2i1.323>
- Noho, M. D. H., & Lumbanraja, A. D. (2023). Perlindungan Hukum Public Private Partnership (PPP) Melalui Lembaga Penyelesaian Perselisihan Independen Di Indonesia. *CREPIDO*, 5(2). <https://doi.org/10.14710/crepido.5.2.146-160>
- Pieris, J., Nugroho, W., & Ryantoni, H. (2025). *Explore The Values Of Pancasila As The Basic Philosophy Of The Indonesian Nation* (Vol. 18). <https://doi.org/https://doi.org/10.21776/ub.arenahukum2025.01801.6>
- Prapmasari, D., & Nugraheni, D. (2025). Kewenangan Jaksa Pengacara Negara (JPN) Sebagai Mediator Dalam Menentukan Nilai Ganti Kerugian Pembangunan Jalan Tol Solo-Yogya Ditinjau Dari Asas Keadilan. *Tunas Agraria*, 8(3), 472–487. <https://doi.org/10.31292/jta.v8i3.491>
- Prihandana, R., Satrio, T., & Murthi, W. (2023). Wewenang Jaksa di Bidang Keperdataan Berdasarkan Pasal 30 Undang-Undang Nomor 16 Tahun 2004 tentang Kejaksaan Republik Indonesia. *Halu Oleo Law Review*, 7(1), 111–128. <https://doi.org/https://doi.org/10.33561/holrev.v7i1.16>
- Romualdi, G. (2018). Problem-Solving Justice and Alternative Dispute Resolution in the Italian Legal Context. *Utrecht Law Review*, 14(3), 53–63. <https://doi.org/http://doi.org/10.18352/ulr.468>
- Rosalina, F. R. (2024). Efektivitas Pengadilan Litigasi dalam Penyelesaian Sengketa Bisnis. *Journal of Legal Sustainability*, 1(1), 32–38. <https://doi.org/10.69693/jols.v1i1.28>
- Rostovska, K. V., Hryshyna, N. V., Kaidash, O. Y., & Syromiatnikova, M. S. (2021). The Mediation as a means to resolve administrative disputes: An appraisal of the

- historical and legal aspects. *DIXI (Bogotá, Colombia)*, 23(1), 1–19. <https://doi.org/https://doi.org/10.16925/2357-5891.2021.01.11>
- Saputra, D., Surya Perdana, A., & Murbawan, H. (2022). Peran Jaksa dalam Sistem Peradilan di Indonesia The Role of Prosecutors in the Justice System in Indonesia. *Halu Oleo Law Review*, 6(2), 219–229. <https://doi.org/https://doi.org/10.33561/holrev.v6i2.7>
- Sasongko, A., Abdul Madjid, Yuliati, & Fachrizal Afandi. (2025). The Implementation Of Other Legal Measures By State Attorneys To Recover State Finances. *Indonesia Law Reform Journal*, 5(1), 25–42. <https://doi.org/10.22219/ilrej.v5i1.38951>
- Serhieieva, A. (2024). Role of state in developing mediation – In EU and Ukraine (a comparative perspective). *Revista Brasileira de Alternative Dispute Resolution*, 6(12), 17–34. <https://doi.org/10.52028/rbadr.v6.i12.ART01.UKR>
- Suadi, A. (2018). Preference of Non-litigation Procedures through Alternative Dispute Resolution in the Settlement of Sharia Economic Disputes. *Lex Publica*, 5(2). <https://doi.org/10.58829/lp.5.2.2018.1-12>
- Sutrisno, A. (2024). Analysis of state administrative court procedural law: A recent review and its practical implications. *Indonesian Journal of Multidisciplinary Science*, 3(8), 1–5. <https://doi.org/10.55324/ijoms.v3i8.870>
- Suud, A. K. (2020). Optimization Of The Role Of Asset Recovery Center (Ppa) Of The Attorney-General’s Office Of The Republic Of Indonesia In Asset Recovery Of Corruption Crime Results. *Jurnal Hukum Dan Peradilan*, 9(2), 211–231. <https://doi.org/10.25216/JHP.9.2.2020.211-231>
- Ullah, M. A., Ullah, M. U., & Ullah, M. I. (2025). Islamic Political Thought: Relevance of Classical Ideals in Contemporary Governance. *Journal of Religion and Society*, 3(02).
- Windradi, F., Bramantyo, R. Y., Widayati, S. C., & Putra, R. A. (2022). KEDUDUKAN DAN PERAN HUKUM PENYELESAIAN SENGKETA INTERNATIONAL DALAM PERSPEKTIF HUBUNGAN INTERNASIONAL. *Transparansi Hukum*, 5(2). <https://doi.org/10.30737/transparansi.v5i2.3062>
- Yusna Wulan Sari. (2025). PERBANDINGAN PENYELESAIAN SENGKETA ALTERNATIF MEDIASI DALAM RUANG LINGKUP PERADILAN AGAMA DAN PERADILAN NEGERI. *Jurnal Hukum Samudra Keadilan*, 20(1). <https://doi.org/10.33059/jhsk.v20i1.11281>
- Zhyvko, M., Dombrovska, A., & Kiblyk, D. (2025). THE ROLE OF OMBUDSMAN INSTITUTIONS IN ADMINISTRATIVE ACCOUNTABILITY: A COMPARATIVE PERSPECTIVE. *Public Administration and Law Review*, 21(1), 87–98. <https://doi.org/https://doi.org/10.36690/2674-5216-2025-1-87-98> Received: