



Implementation of Loss Assessment Theory in Improving the Effectiveness of the Connexity Justice System

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Abstract This research discusses the dynamics and challenges in legal regulation related to human trafficking with a focus on refugees in Indonesia. Although Indonesia is a significant transit country for refugees, the existing legal framework, particularly Law No. 6 of 2011 on Immigration, does not specifically regulate the status and protection of refugees. Consequently, refugees are often viewed as illegal immigrants, leading to human rights violations and legal uncertainties. The first subtitle conducts an analysis of how dynamic legal regulations interact with the challenges faced in human trafficking. It further explores the necessary efforts to create legal certainty, including the need for more specific regulations and transparent procedures. This research is expected to contribute to the development of better policies and practices in handling human trafficking cases and protecting the rights of refugees in Indonesia.

Keywords: human trafficking, refugees, legal regulation, Indonesia, human rights

Introduction

When laws are discussed and debated in the legislature, all parties assume that the proposed drafts are optimal and complete (Kobba, 2008). However, once enacted, these laws are immediately confronted with various concrete issues that were unanticipated or unthought of during the drafting process. This reflects the limitations of humans in accurately projecting what might happen in the future, considering that the dynamics of social life, both nationally, regionally, and internationally, continuously evolve. Social change is an inevitable part of the natural law in the history of human life. (Harahap, 2006) The development of various crime models that emerge demands reform and renewal in the existing legal system to adapt to societal conditions that evolve more dynamically than the law

itself. One crucial aspect of this is the regulation concerning the assessment of connexity, which is a series of legal problems that cannot be left unclear. This issue is rooted in fundamental aspects of law enforcement processes aimed at ensuring legal certainty.

Prosecution is a fundamental element in the law enforcement process. As an integral part of the criminal justice system, prosecution is expected to create order and tranquility in society, as well as prevent and address legal violations after a crime has occurred (Bouza, 2013). In the supremacy of law, the core of governmental institutional framework focuses not only on the existence of a strong independent judiciary but also on effective prosecution committed to upholding law and human rights in the administration of justice. Article 137 of the Indonesian Criminal Procedure Code (KUHP) states: "The public prosecutor has the authority to prosecute criminal acts that occur within his/her jurisdiction by submitting the case to the competent court." Prosecution cannot occur without criminal acts. Generally, a criminal act is an act performed with a specific mental attitude and fulfills the elements regulated in the law and is carried out by a legal subject. The Indonesian Penal Code (KUHP) aims to protect public interests of individuals, while the Indonesian Military Penal Code protects military interests for military legal subjects. However, if military legal subjects violate public interests, the case falls within the realm of connexity (Basri, 2021).

The judicial system in Indonesia is regulated based on judicial power according to Law No. 48 of 2009 on Judicial Power. This system includes General Courts, Religious Courts, Administrative Courts, and Military Courts. In the realm of Military Courts, its substantive law is regulated by various regulations, including the Criminal Code (KUHP) and the Military Penal Code. The KUHP functions to protect the public interests of every individual, while the Military Penal Code plays a role in protecting military interests for military legal subjects. (Budi Pramono, 2020) Meanwhile, formal law in Military Courts is regulated through Law No. 31 of 1997 on Military Courts. Article 9 of Law No. 31 of 1997 on Military Courts stipulates that subjects who can be tried in Military Courts include:

- a) Soldiers;
- b) Those who are equated with Soldiers by law;
- c) Members of groups, agencies, or bodies that are considered or equated as Soldiers by law;
- d) Someone outside categories a, b, or c who, based on the decision of the Commander, with the approval of the Minister of Justice, must be tried within the Military Court environment.

In practice, crimes may occur jointly by military members and civilians. If such a crime involves perpetrators from military and civilian ranks, the case requires special handling in Military Courts or General Courts through a mechanism called "Connexity Justice." The meaning of "connexity" comes from the Latin word *connexio*, which refers to crimes examined in the general court environment when

the perpetrators consist of parties that include the jurisdiction of the general and military courts. However, if the crime causes losses directly related to military interests, the case will be examined by the military court. Connexity courts are regulated in Article 198 of Law No. 31 of 1997 on Military Courts and Articles 89-94 of Law No. 8 of 1981 on Criminal Procedure (KUHAP) (Lapae et al., 2022).

These provisions regulate the implementation of connexity justice, including the establishment of a connexity team and determining which court, military or general, has the authority to handle the case (Setiawan et al., 2023). According to Article 89 of the KUHAP, connexity crimes are those that are committed together by those who are within the environment of the general and military courts. Investigations of connexity cases are conducted by a permanent team consisting of investigators, military police, and military prosecutors or high military prosecutors. Article 198 of Law No. 31 of 1997 on Military Courts emphasizes that crimes committed jointly by those who are in the jurisdiction of military and general courts are tried and adjudicated in the general court environment, with investigations conducted by a permanent team consisting of military police, prosecutors, and investigators in the general court environment. Based on these articles, crimes involving perpetrators from both the general and military court environments will be tried and adjudicated in the general court, unless based on a decision from the Minister of Defense and Security with the approval of the Minister of Justice, the case must be examined in military court. With the implementation of the One Roof System placing all courts under the Supreme Court, this approval authority is now under the Supreme Court, in accordance with Article 16 of Law No. 48 of 2009 on Judicial Power.

Provisions regarding connexity justice present a solution to the complexity of handling cases involving perpetrators from both the general and military courts (Shina, 2024). The establishment of an investigative team from elements of military police, military prosecutors, and general court investigators aims to ensure that the investigation process is conducted professionally and comprehensively. This connexity mechanism is also an important step to prevent potential jurisdiction conflicts that may occur when a criminal act involves perpetrators from two different judicial environments. On the other hand, this connexity mechanism reflects the importance of assessing loss and impact from the criminal act in determining whether the case should be examined in a general or military court. Thus, the connexity system serves to maintain a balance of authority between general and military courts while ensuring justice for all parties involved.

In cases of assisted crimes between military members and civilians handled through connexity as regulated in the KUHAP and Law on Military Courts, the principle states that the authority to examine and try is generally with the court in the general court environment. However, based on the decision of the Chief Justice of the Supreme Court (MA), this authority may be transferred to the court in the military court environment, as regulated in Article 89 paragraph (1) of Law No. 8

of 1981 on Criminal Procedure and Article 198 paragraph (1) of Law No. 31 of 1997 on Military Courts, based on the assessment of the weighting of the resulting damages (Tirtayasa, 2017).

Determining whether the damage arising from criminal acts has more impact on public interests or military interests is regulated under Article 91 of the KUHAP in conjunction with Article 200 of the Military Courts Law. If the weight of damage lies in the public interest, the case must be tried in the general court. Conversely, if the main damage is more related to military interests, the case must be adjudicated in military court. Assessment of the weighting of losses between public and military interests is conducted after the investigation stage, at the prosecution stage by the Prosecutor and Military Prosecutor.

The legal basis for establishing loss assessment in connexity courts, according to Article 89 paragraph (1) of Law No. 8 of 1981 on Criminal Procedure (KUHAP), emphasizes that in connexity cases involving perpetrators from both general and military courts, the determination of the competent court jurisdiction is based on discussions between the prosecutorial and military prosecutor's office. However, in practice, the KUHAP does not provide detailed provisions or explicit parameters regarding the factors to be considered in assessing the weighting of losses between public and military interests, which can lead to potential conflict and jurisdictional ambiguity. In this regard, a method of loss assessment is required that can provide legal certainty and facilitate the connexity process more effectively. One proposed method is to assess losses based on actual costs incurred and repair costs from the effects of the criminal acts committed, both on public and military interests. This method aims to determine the extent to which the crime materially harms military or state institutions, thereby facilitating the determination of the jurisdiction of military or general courts. The adoption of a cost-based loss assessment is expected to reduce disputes among agencies by providing a clear benchmark in weighing authority based on the financial impact and interests of the crime that occurred. With a clear assessment method, the resolution process of connexity cases becomes more directed and effective, as it can enhance collaboration among relevant legal institutions and ensure stronger legal certainty in addressing crimes that involve both military and civilian elements simultaneously. Therefore, the author will discuss how loss assessment determines jurisdiction in trials between general courts and military courts, as well as the consequences of legal vacuums governing loss assessment and efforts in determining losses in adjudication between general and military courts.

Methods

Normative juridical research is the method used in legal studies focusing on document studies and legal norms. This method aims to analyze the applicable legal rules and how such rules are implemented or interpreted within a particular regulation. In normative juridical research, the primary sources used are statutory

regulations and other legal literature. This approach is highly relevant for researching legal issues that are theoretical and conceptual, such as loss assessment in determining jurisdiction in trials between general and military courts and the consequences of legal vacuums governing loss assessment and efforts in determining losses in adjudication between general and military courts. One of the approaches used in this method is a regulatory approach (statute approach) and a conceptual approach (conceptual approach) (Syamsuddin, 2017). The regulatory approach involves examining and analyzing various rules governing specific issues, such as Law No. 31 of 1997 on Military Courts and related regulations. Through this approach, the researcher can elaborate on the assessment discussed above in this study regarding the loss assessment in determining jurisdiction between general and military courts, as well as the consequences of legal vacuums regarding loss assessment and efforts to determine losses in judgments between general and military courts.

Results and Discussion

Loss Assessment in Determining Jurisdiction between General Courts and Military Courts

Crimes occurring in society may involve military members or soldiers collaborating with civilians, which must be adjudicated in one court, either within the general court (District Court) or within the military court (Military Court). This process is known as the Connexity Examination Procedure, the provisions of which are regulated in Chapter Five, Articles 198 to 203 of Law No. 31 of 1997 on Military Courts. Additionally, some legal scholars refer to it as Connexity Justice, governed under Chapter XI, Articles 89 to 94 of Law No. 8 of 1981 on Criminal Procedure (KUHP). The Connexity Examination Procedure, also known as Connexity Justice, is a judicial system applied to criminal acts involving suspects or defendants with a participation relationship (involvement) or jointly committed (co-perpetrators) between civilians and military personnel. Connexity Justice is the system applied in cases of crimes involving participation between civilians and military members. Thus, connexity justice always relates to participation crimes committed by civilians together with military personnel as regulated in Articles 55 and 56 of the KUHP.

If participation exists between military members (subject to military court jurisdiction) and civilians (subject to general court jurisdiction), the principle states that the court authorized to adjudicate is the court within the general court environment. Military courts trying civilian and military defendants together are exceptions. This exception is regulated under Article 16 of Law No. 48 of 2009 regarding Judicial Power, which places the decision-making authority with the Chief Justice of the Supreme Court, while the provisions of Article 89 paragraph (1) of Law No. 8 of 1981 on Criminal Procedure (KUHP) and Article 198 of Law

No. 31 of 1997 on Military Courts establish that the decision rests with the Minister of Defense and Security with the approval of the Minister of Justice.

Connexity justice is a court system specifically governing criminal cases involving participation between civilians and military members. Participation is defined as a joint action carried out by two or more people, each involved in the same crime. The regulations governing participation are detailed in Articles 55 and 56 of the Indonesian Penal Code (KUHP). In cases of participation involving military members—the subjects of military courts—and civilians who are subjects of the general courts, generally, the court authorized to adjudicate these cases is the general court. It is important to note that even though the general court is the primary institution with authority in such cases, certain circumstances may allow military courts to adjudicate cases involving both military and civilian defendants.

This exception is regulated under Article 16 of Law No. 48 of 2009 on Judicial Power, which grants the Chief Justice of the Supreme Court the authority to decide which court shall be entitled to handle the case. In other words, even though the general court is the primary authority, the Chief Justice has the authority to determine whether a case involving military and civilian defendants should be heard in military court. The provisions regarding this authority are detailed in Article 89 paragraph (1) of Law No. 8 of 1981 on Criminal Procedure (KUHP) and Article 198 of Law No. 31 of 1997 on Military Courts. Both articles stipulate that the decision regarding which court will handle a case involving military and civilian defendants must be approved by the Minister of Defense and Security, followed by approval from the Minister of Justice. This process illustrates the cooperation between various agencies in law enforcement and reflects the complexities involved in handling cases that engage two distinct judicial environments.

The intention and objectives of connexity justice are to guarantee the swift and fair execution of justice, although this process may not be as efficient as the ordinary criminal case trial. With a connexity between two groups in different judicial environments in a criminal act, lawmakers argue that it is more effective to try them in one judicial forum. However, Andi Hamzah also pointed out that the regulation regarding connexity faces practical challenges related to bureaucratic decision-making regarding which forum holds jurisdiction over the case, which often takes a longer time to resolve. In the Criminal Procedure Law (KUHP), the principle of speedy trial is adopted, wherein a case can only be tried as a connexity case after receiving a decision from the Minister of Defense, approved by the Minister of Justice. Furthermore, this process also awaits the evaluations from the investigative team formed to determine whether the case falls into the general court or military court jurisdiction, thus the time required to resolve such cases can be very long. Therefore, attention to this issue is paramount for achieving the goals and intentions of connexity justice to provide swift and fair execution of justice, without overlooking the fundamental values of justice.

If, in the case of participation crimes, the authorized court is in the general court environment, this aligns with the principle that if the weighting of losses caused falls within public interests, the case should be tried in the general court. Conversely, exceptions dictate that if the weighting of loss leans towards military interests, the case must be tried in the military court. The complexity of differing opinions regarding the assessment of loss between public and military interests during the investigation stage raises its own dynamics within legal practice. Despite the existence of clear regulations, should the differences in opinion between investigative officers, the public prosecutor, and military prosecutor continue to impact views between the Attorney General and the Military Attorney General, then the opinion of the Attorney General prevails.

The application of the loss assessment theory in addressing differences in opinion about court jurisdiction is based on the understanding that loss signifies a violation of rights of a legal subject requiring restitution to the original state. With respect to the comparison of losses suffered by public society and the military, one relevant theory is the loss assessment theory proposed by the Honorable Gray. Gray affirms that the assessment of losses in a case must consider three main aspects: the actual damage suffered, the ability to restore the condition to its original state, and the urgency to advance the interests of each party. This theory categorizes damage in a measurable manner based on priorities. In criminal matters, damages incurred can be material or immaterial. For simplification purposes, initial damage is limited to material losses that can be first calculated, whereas immaterial losses will be assessed alongside subsequent assessment aspects (Marzuki, 2006).

The implementation of the loss assessment theory in connexity courts offers a structured approach to resolve differences in opinion regarding court jurisdiction. Essentially, this theory is rooted in the understanding that every damage suffered by a legal subject is a form of rights violation that requires restoration to the original state. In situations where loss is faced by two different entities, namely the public and the military, understanding the type of loss incurred becomes crucial in determining the appropriate judicial forum. Therefore, the application of this loss assessment theory is anticipated to provide clarity in legal decision-making, especially in cases involving both groups.

One relevant approach in loss assessment is the theory proposed by the Honorable Gray, emphasizing the importance of three main aspects in loss assessment: firstly, the actual loss suffered by the aggrieved party; secondly, the capacity to restore the original state; and thirdly, the urgency of continuing the interests of each party. By taking these three aspects into account, Gray's theory provides a structured framework to assess losses and determine the impact of each action taken. This also serves to ensure that decisions made are not only fair but also efficient and aligned with the interests of all parties involved.

The loss assessment theory also classifies damages according to priorities, allowing for a more focused and measurable evaluation. In criminal cases, damages

that arise are often material, such as financial losses, and immaterial, which includes psychological impact or reputational harm. To simplify the assessment process, the initial stage of loss assessment is confined to material losses that can be concretely calculated. Immaterial losses will be assessed in subsequent stages, after other aspects are evaluated. This limitation not only eases the evaluation process but also helps mitigate the complexities of issues that may arise during investigations and trials.

The next aspect of loss assessment is the ability to restore the state to its prior condition. This loss assessment does not solely consider the nominal amount initially, but also contemplates external factors that may elevate or diminish the value of the loss. Factors to be taken into account may include types of losses, such as net loss, fair market value, and opportunity costs. Net loss refers to losses that do not represent direct rights of the aggrieved party but rather costs incurred due to the actions of the party causing the loss. Fair market value is intended to assess the reasonableness of the loss value suffered by one party, taking into consideration the existing situation and condition. Fair market value must reflect prior examples and find commonalities, often referred to as apple-to-apple comparisons. Additionally, opportunity cost or alternative cost relates to the resolution of losses taking into account various settlement methods prioritizing minimal costs or burdens, thus yielding a more optimal outcome without adversely affecting any party.

This loss assessment theory is crucial to be applied in various issues during the investigation process, wherein investigators can provide necessary information related to existing losses. This theory also emphasizes the role of the court in determining the relevance of connexity judgments. For instance, in cases involving mandatory housing savings funds of the army, it would be more appropriate for the case to be adjudicated by military court. This references the provisions of Article 94 paragraph (3) of Law No. 8 of 1981 concerning Criminal Procedure, stating that the panel of judges consists of the Chief Judge of the Military Court, one judge member from the Military Court, and one judge member from the relevant local General Court with a military title. Similar provisions also apply in connexity general courts, such as in cases of corruption related to satellite issues, according to Article 94 paragraph (2) of Law No. 8 of 1981 concerning Criminal Procedure, wherein the examination process is carried out by a panel of judges.

Consequences of Legal Vacuums Regulating Loss Assessment and Efforts to Determine Losses in Adjudication in General and Military Courts

The legal vacuum regarding loss assessment has serious implications for the judicial system. Absent clear regulations regarding criteria and procedures for loss assessment, law enforcement officers including prosecutors, judges, and investigators often operate in ambiguous conditions. This lack of clarity encourages variations in legal interpretation that may lead to inconsistent application. For instance, one case might be handled differently by various prosecutors and judges,

resulting in inconsistent outcomes for similar cases. This legal uncertainty can result in injustices for the parties involved in the judicial process. For example, if one party feels that the losses they experienced should be assessed higher or lower, but there is no clear legal basis to substantiate this, they will struggle to present a robust argument in court. Such injustice can adversely affect public perception of the legal system, potentially diminishing societal trust in the judicial process. Legal uncertainty may also prolong judicial processes. When law enforcement officers lack clear guidelines, they may need to conduct additional research or attempt to seek solutions through prolonged internal discussions. This not only consumes time but may also add unnecessary workload to the judicial system. In such situations, the speed and effectiveness of law enforcement may be hindered, which means that crime victims may not receive timely justice.

The legal vacuum in loss assessment frequently incites disputes between general and military judicial agencies regarding the court's authority. Without clear guidelines, these agencies may have differing interpretations concerning the same case, which may further complicate the determination of which court has the authority to adjudicate the matter. For example, in cases where military members are involved alongside civilians, differing views on the weighting of losses can lead both agencies to claim their authority to handle the case.

Consequently, these disputes not only have the potential to extend legal processes but also generate dissatisfaction among the involved parties. When one party feels that their case is not being adequately addressed or that jurisdiction decisions lack consistency, they may feel aggrieved and lose faith in the judicial system. This dissatisfaction can lead to complaints, protests, or even further litigation, further complicating the judicial process. Additionally, this ambiguity may increase administrative burdens on each judicial agency. Every time there is a disagreement related to jurisdiction, the time and resources that should have been used to resolve cases could be wasted addressing internal conflicts. This process not only drains resources but also affects the agencies' abilities to effectively serve the public.

The lack of clarity in laws governing loss assessment potentially prolongs judicial processes. In situations where investigators and prosecutors do not have clear guidelines for evaluating losses, they may struggle to gather evidence and determine relevant loss weighting. This can lead to confusion in necessary investigative measures and extends the time required to resolve cases. Such uncertainty can create obstacles in clarifying existing facts, which are crucial to determining the eligibility of a case to be brought before the court.

The slow handling of cases not only impacts the efficiency of the judicial system but may also harm all parties involved. For victims or aggrieved parties, delays in case resolution can worsen their psychological and financial situations, especially if the damages they experienced are material. They may feel neglected by the legal system that is supposed to protect their rights. Conversely, the accused

or defendants may also face negative consequences from slow processes, including uncertainties about their legal status and potential social repercussions arising from legal stigmas. Furthermore, a sluggish judicial process can affect the public image of the judicial institution itself. If society perceives that the judicial system cannot resolve cases quickly and efficiently, confidence in legal institutions may decline. This could create negative perceptions regarding justice and equality before the law, which is critical for maintaining the legitimacy of the judicial system.

The legal vacuum governing loss assessment can significantly affect the effectiveness of law enforcement. Law enforcement agencies, including investigators, prosecutors, and judges, require clear guidelines to optimally perform their duties. In the absence of a stringent legal framework, they may encounter difficulties in determining the necessary actions for a particular case. This ambiguity can create situations where the required actions are not executed properly, degrading the overall quality of law enforcement.

One implication of this legal vacuum is the potential for impunity among criminal offenders. If there are no clear guidelines regarding loss assessment, certain cases may not be processed effectively, allowing perpetrators to escape legal responsibility. This not only harms victims but also sends a misleading message that legal violations can be committed without consequences. In the long term, such a situation can erode the integrity of the judicial system and generate distrust among the public in the law's ability to deliver justice. Lack of effectiveness in law enforcement can breed frustration among victims and society. When victims feel their rights are not protected or that the violations they experienced fail to garner appropriate attention, it may lead to discontent and skepticism toward legal institutions. Additionally, societies may hesitate to report legal violations, considering the negative experiences they have witnessed or undergone. This distrust could lead to a cycle wherein legal transgressions continue without being addressed, thereby threatening social security and stability.

One fundamental step toward addressing the legal vacuum concerning loss assessment within the judicial system is the formulation of clear and comprehensive regulations. Such regulations serve as a legal foundation providing guidance and direction to law enforcement agencies in executing their functions and duties. Revising or refining the Criminal Procedure Code (KUHP) and the Military Courts Law becomes crucial. The current legal processes often face uncertainty in determining losses, which can lead to interpretative differences and inconsistent case handling. The development of clear regulations should encompass detailed provisions regarding loss assessment criteria. These criteria need to include types of damages that can be accounted for, both material and immaterial, as well as procedures for evaluating those damages. For instance, regulations could specify concrete steps to be taken by investigators and prosecutors in collecting and analyzing evidence on loss. With measurable criteria in place, it is hoped that the

loss assessment process can be conducted objectively and transparently, ensuring all parties involved receive equitable justice.

Furthermore, the assessment methodology for loss evaluation should also be clearly delineated within the regulations. This methodology encompasses the approaches that must be utilized to measure the losses incurred by victims or aggrieved parties. For instance, the methodology may incorporate economic assessment techniques to calculate material losses, alongside psychological approaches to gauge immaterial damages, such as trauma or reputational loss. With clearly established methodologies, law enforcement officials will find it easier to assess losses in a consistent and accountable manner. The importance of clear regulations is not limited to procedural and methodological arrangements, but also includes mechanisms for supervision and accountability. Regulations must establish how the loss assessment processes will be monitored and evaluated, ensuring each decision made can be held accountable. Consequently, a clear and comprehensive set of regulations regarding loss assessment not only provides guidance for law enforcement agencies but also assures the public that justice will be upheld consistently and transparently.

In handling complex cases, employing experts in loss assessment becomes crucial. Experts from various fields, such as economics, psychology, or even medicine, can provide in-depth insights and objective analyses about the damages suffered by victims. In this context, economic experts can assist in assessing material losses using analytical methods to calculate financial loss, including lost income, repair costs, and the long-term impacts of such losses. This approach enables courts to gain a more accurate and objective understanding of the extent of the damages incurred.

Conversely, psychological experts can play a crucial role in assessing immaterial losses, such as psychological trauma, reputational harm, or emotional suffering experienced by victims. Through interviews and other evaluative methods, psychology experts can furnish reports depicting the psychological impact of the incidents suffered, as well as gauge the severity of such effects. The information provided by these experts is invaluable for courts to grasp the context of the losses incurred, facilitating more balanced and equitable decision-making.

The involvement of experts can also enrich the loss assessment process by providing robust and detailed evidence, which may not be available from the parties engaged in the case. By consulting these experts, the judicial process can proceed more transparently and factually, reducing the chances of bias or errors in evaluation. The results of the analyses provided by experts may serve as a stronger foundation for legal decisions made by judges, giving confidence that the loss assessments are conducted in a manner that is accurate and adheres to principles of justice.

Conclusion

Connexity justice is an essential system for addressing criminal cases involving collaboration between civilians and military personnel, with the aim of ensuring fair legal processes through the appropriate courts. Although its principles affirm that general courts have primary jurisdiction over such cases, exceptions allow military courts to become involved depending on the weighting of the damages incurred from the criminal acts. The loss assessment theory proposed by the Honorable Gray provides a systematic framework for evaluating such losses, considering actual aspects, restoration capabilities, and the urgency of each party's interests, thereby facilitating the identification of the appropriate judicial jurisdiction. Additionally, cooperation among agencies through the approval mechanisms of the Minister of Defense and the Minister of Justice adds complexity and challenges to the implementation of justice, where clear regulations and the use of expert assessments in loss evaluation can help expedite legal processes and ensure just decisions. Thus, connexity justice serves to address the challenges arising from the interaction between two different judicial systems while maintaining the values of justice and safeguarding the rights of legal subjects involved.

The legal vacuum in loss assessment within the judicial system significantly impacts justice, efficiency, and effectiveness in law enforcement. Without clear regulations outlining criteria and procedures for assessing losses, law enforcement officers operate in an ambiguous environment, potentially leading to inconsistent interpretations and injustices for the parties involved. Lengthy and inefficient judicial processes not only harm victims, who may face psychological and financial impacts due to delays, but also diminish public trust in legal institutions. This ambiguity exacerbates disputes between judicial institutions, complicating legal processes and increasing administrative burdens. To address these issues, comprehensive and clear regulatory frameworks for loss assessment are required, including measurable criteria and methodologies, alongside oversight mechanisms to enhance accountability. Furthermore, involving experts in loss assessment can provide objective and profound analysis, thereby aiding courts in making balanced and equitable decisions. As a result, law enforcement can be more effective and just, increasing public trust in the judicial system and ensuring that the rights of all parties involved are adequately protected.

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