Legal Policy for Returning
Former ISIS Members of Indonesian Citizenship

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Abstract:
After the defeat of ISIS in the war in Iraq and Syria caused refugee camps for ex-ISIS sympathizers in several places. Some refugees have been returned to their home countries, while others are still waiting for approval from their home countries. Indonesia is one of the countries that is still considering their return. The repatriation of these former ISIS members eventually led to a new debate among the Indonesian people, between rejecting or accepting them. The Indonesian government responded with caution in giving the repatriation decision. The research method in this study uses the sociological normative method by processing data sourced from the literature review and analysis of various aspects, both psychological, sociological and political. The conclusions obtained were that the Indonesian government could consider the repatriation of ex-ISIS members consisting of children and women, provided that they were not directly involved in the radicalism and terrorism movements of the ISIS movement.

Index Terms: Ex-ISIS Members, Radicalism, Terrorism, Indonesian Citizenship

1 INTRODUCTION

In recent days, Indonesian people have been busy talking about the discourse of the return of Indonesian Citizens (WNI), former combatants and sympathizers of the Islamic State of Iraq and Syria (ISIS), which are currently in several refugee camps in Syria. The issue of the return discourse has caused various comments from various elements of society, ranging from human rights experts, families of terrorist victims and even Indonesian government officials.

The Indonesian government in this condition must be meticulously addressing the discourse of repatriation of ex-ISIS combatants, including the return of family members such as wives and children. Some people agree to revoke the citizenship of this former ISIS combatant, but not with their families because their conditions are only participation. Therefore, the Indonesian government needs to review plans to revoke the citizenship of the wives and children of Indonesian citizens currently in refugee camps in Syria. Besides, the

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Indonesian government was asked to ensure that the children of former ISIS members were not considered to have committed crimes, including acts of terrorism against local government law, in this case against Iraqi and Syrian government authorities [1]. However, some people have different arguments. They stated that if the government refused to repatriate them to Indonesia, it would be even more dangerous, because if they managed to return to Indonesia or other Muslim countries without the Indonesian government knowing, then they might spread the seeds of understanding radicalism. Therefore, sending them home and rehabilitating would be better and safer in the arguments of this group than to leave them displaced in the refugee camp.

From the above problems, several questions have arisen as research objects in this article, including: What is the reason the Indonesian government can legally refuse to repatriate former ISIS members to their home countries? What is the negative impact of returning ISIS members and their families to the country of Indonesia?

2 METHODOLOGY

This research is a type of normative sociological research. Normative sociological research is doctrinal research or theoretical research. This is called normative sociological research because what is examined is government legal policy from theoretical or normative aspects, not to review aspects that are applied from its implementation. The approach used is philosophical. A philosophical approach is an approach that views law as a set of ideal values, which must be a reference in the formation, regulation, and implementation of the law. The philosophical approach is used because this research is ideal by using the perspective of legal philosophy which views law as law in ideas. The data used is secondary data. Secondary data is data that is not obtained directly by researchers or from other parties in the form of written documents. Researchers obtained data through searching library materials online. The data collected will be analyzed qualitatively. A qualitative data analyst is a form of analyst by interpreting and describing data through words in narration with scientific logic.

3 RESULT AND DISCUSSION

a. Radicalism Ideology in Theoretical Optics

The radical behavior of Indonesian citizens who are members of ISIS is an ideology and understanding that is the truth that is believed by its members. Therefore, when they departed from Indonesia, they burned Indonesian passports and did not recognize Indonesia as their country. Then what is radicalism?

Radicalism is an ideology (idea) and understanding that wants to make changes to the social and political system by using violent or extreme methods. Radical attitudes and actions of a person can be seen from how they use violence in bringing about the desired change, in addition to wanting a quick, short and drastic change and in conflict with the prevailing social system [2]. This is what makes a person’s radical behavior lead to terrorist behavior because radical groups can do anything they can to achieve their desires, including terrorizing those who disagree with them. Usually, this behavior is always associated with certain religions. Though the root of radicalism is not a religion, but because of political problems.
b. ISIS Movement as a Form of Radicalism and Terrorism

ISIS stands as *Ad-Daulah Islamiyah fi al-Iraq wa ash-Sham*, which means the Islamic State in Iraq and Syria. At its inception, ISIS was a jihadist movement as a fragmentation of al-Qaeda leader Osama bin Laden. He claims to be the Ahl Sunnah wa al-Jama’ah movement. According to Syria’s "Network for Human Rights" (2014), it is also known as ISIL (Islamic State of Iraq and the Levant), which emphasizes the scope of territory covering Jordan, Israel, Palestine, Lebanon, Cyprus and Turkey in the south. Before being named ISIS, this group had several different alliances since it was formed in 1999-2004 as Jama’at al-Tawhid wa al-Jihad. In October 2004, the group’s leader, Abu Mus’ab al-Zarqawi declared his loyalty to Osama bin Laden and changed his name to Tandzim Qa’idat al-Jihad fi Bilad al-Rafidayn, which was later abbreviated to al-Qaeda in Iraq (AQI). Although this organization has never explicitly called itself Al-Qaeda, the international community has joined the Al-Qaeda group. In January 2006, this organization joined an umbrella organization called the Mujahideen Shura Council [3].

This movement is accustomed to using methods of violence and terror in its activities, including carrying out suicide bombings and slaughtering its enemies with no human. However, because it was judged as a jihadist movement, it caused many citizens outside Syria and Iraq to join, including in this case Indonesian citizens. The method of violence used reinforces the view of the world community, that the ISIS movement is a terrorist movement which is a common enemy.

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<th>Group</th>
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<tr>
<td>Jamaat al-Tauhid wal Jihad (JTWI)</td>
<td>1999-2004</td>
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<td>Al-Qaida in Iraq (AQI)</td>
<td>2004-2006</td>
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<td>Majelis Syura al-Mujahidin (MSM)</td>
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<td>Islamis State of Iraq (ISI)</td>
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<td>Islamic State of Iraq and Syam (ISIS)</td>
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This movement then clashed with the ruling authorities in Syria, causing a long conflict. This then invited the arrival of large numbers of foreign nationals to the country. The motivation is diverse, some want to take part in armed conflict between ISIS and its opponents. Some others just want to live in the territory of ISIS oversight which applies strict Islamic law. Between 30,000 and 42,000 people from more than 110 countries have come to Syria and joined ISIS, even before ISIS declared its khilafah in 2014. Data collected by The Soufan Center shows Russia and the countries of the former Soviet Union (8,717), East Central (7,054), Western Europe (5,778), and the Arab Maghrib region (5,356) are the largest.
FTF contributors. The Indonesian government itself notes that from 2014 until now, as many as 1,580 Indonesian citizens have or have tried to go to Syria and Iraq to join ISIS. Of these, as many as 639 people were recorded to be still there.

The dispute in Syria has not only attracted the attention of male sympathizers who want to take part in ISIS propaganda. According to Tom Alert in the Reuters news agency explained that based on data in 2017 there were at least 113 women who were ISIS sympathizers and had been in Syria and Iraq [5]. Many Indonesian citizens who went to Syria took part in inviting and bringing along families including children. Data released by the government noted that there were more than one hundred Indonesian children who went to Syria and Iraq[6].

c. Indonesian Citizen Ex-ISIS in Syrian Refugees

After the defeat of ISIS forces against the Syrian government resulted in the wives and children and families of ISIS troops living in refugee camps, including ex-ISIS who came from Indonesia. While some who were ISIS soldiers had been killed apart from being detained in detention camps. Based on various data sources, there are currently 639 Indonesian citizens who are still in detention and refugee camps indicated to be related to ISIS. For women and children, most are in refugee camps. It is predicted that around 200 women and children in the al-Hawl refugee camp located in northern Syria, but there are no Indonesian institutions or governments that have accurate data related to their numbers, there may still be ISIS sympathizers, Indonesian citizens, in Syria, both combatants and non-combatants, who are still outside the detention or refugee camp.

The potential return of the Foreign Terrorist Fighters (FTF) certainly triggered the concern of the government and the people of Indonesia, because the experience of terrorism crimes that have occurred so far is a result of acts of terrorism committed by ex-middle eastern combatants, especially jihadis alumni from Afghanistan. They were welcomed back to Indonesia but instead committed terrorist crimes in Indonesia. So this experience is what makes a new polemic for the government and the people of Indonesia, is receiving the former ISIS home? or leave them in a Syrian refugee? Because if this is repeated, it means that the opportunity for terrorism crime to recur.

Many foreign nationals went to Syria by selling all of their assets to join armed groups in Syria. From the facts, many foreign citizens went to Syria not to fight, but only to fulfill their dreams of living in an area that implements Islamic law, at least this is ISIS propaganda. The desire of these radical sympathizers to return to their home countries or move to third countries has become a global concern. The experiences and policy choices of other countries can be used as a comparison in making policy in Indonesia.

In determining whether ISIS sympathizers who are in refugee camps or custody in Syria must be received back or not, it is certainly not an easy choice for the Indonesian government. In addition to potential security threats, the government must also calculate the availability of resources and the readiness of legal and institutional infrastructure to handle the repatriation process. Besides, the government is also faced with the challenges of political complexity in Syria after the defeat of ISIS in which some authorities scrambled for power and legitimacy amid the geopolitical competition of major powers [7].
Head of the National Counterterrorism Agency (BNPT) Suhardi Alius said the ex-ISIS citizens were scattered in three refugee camps in Syria. BNPT obtained this information from many Middle Eastern and International Red Cross (ICRC) intelligence agencies. In Al Roj, Al Hol and Ainisa, in three camps, all three of which are currently controlled by three power authorities, namely the SDF (Syrian Democratic Forces), the Syrian Government and the Kurdistan Government [8].

Quoting from the fifth edition of the Habibie Journal center in 2018, that several countries have carried out a repatriation process for their citizens who are in refugee camps in Syria. From these data, it is known that since June 2018, the US government has repatriated its citizens as many as eight people consisting of two women and six children [9]. Furthermore, in the June period, five children were surrendered by Kurdish authorities in Syria to the Norwegian government [10]. The woman is the mother and her children. They are Norwegians who went to Syria in 2015, while her husband who is from Africa has disappeared and died in a war during the conflict. Norwegian government officials said that the government's attitude to withdraw these children aims to save them from exposure to extremism and provide appropriate rehabilitation and reintegration programs for them. Then, in May a month earlier the leadership of the Kurdish Authority had also surrendered 148 citizens of Uzbekistan, consisting of 58 women and 90 children to his government [11]. In the same month, the Kazakh government repatriated 231 of its citizens from Syria, mostly children [12].

However, many countries in Western Europe prefer not to take care of their citizens who become combatants. The German government, for example, while repatriating some women and children, but seemed to buy time when dealing with FTF issues. At the same time, the German government also seems to be preparing the infrastructure and mechanisms needed if it is ultimately forced to repatriate [13]. German intelligence agencies, for example, continue to try to collect data and information related to their citizens who were detained in Syria [14]. The hope, when later repatriated, the German government will have enough evidence to start the prosecution process [14].

Based on the explanation of the issues and policies of other countries regarding this phenomenon, it is not easy for the government to be able to decide whether ex ISIS citizens can return home to Indonesia or whether it will remain stateless. Therefore, studies of various disciplines are very important to be discussed to solve this problem so that the government can provide the most appropriate policies for the stability of the Indonesian state but also does not neglect humanitarian values.

d. Study of Social Psychology Seeing the Trends of Ex-ISIS Indonesian Citizens to Terrorism

This section will be examined further in the psychological science approach to how the government should behave in dealing with ex-ISIS Indonesian citizens. As we all know, these sympathizers knowingly join ISIS, which has the goal of being able to uphold the Islamic caliphate in the world and apply Islamic law to all people at all costs, because they assume that the world will be saved only by Islam. So the intention of the ex-ISIS to join the Violent Religious Movement can be explained through the concept of religious orientation.

The concept of religious orientation itself was introduced by Allport & Ross (1967),
which illustrates a person’s motivation in religion. It was further explained that this term was divided into two constructs namely extrinsic and intrinsic religious orientation. Religious people with extrinsic orientation tend to have negative prejudices towards other adherents, while religious people with intrinsic orientation tend not to support prejudices against followers of other religions. Extrinsic religious orientation means the religion that is used. Religion is useful to support self-confidence, improve the status, defend against reality, or sanction a way of life. People with extrinsic religious orientation find religion useful in many ways, and emphasize what rewards they will get. Intrinsic religious orientation, on the other hand, defines religion as something that is lived. Faith is seen as valuable in itself which demands involvement and overcoming self-interest. Intrinsic religious orientation puts orientation motives under comprehensive involvement. This condition provides the potential for the emergence of two different points of view regarding religion, on the one hand creating goodness, on the other hand, creating evil.

Reflecting on this concept of religious orientation, it can be clarified that these investigators have an extrinsic religious orientation. They use religion to feel safe and social ties. Everyone wants to feel safe and avoid all anxiety. According to uncertainty-identity theory, this anxiety arises because humans can think, so they will feel uncomfortable about something that is uncertain or things beyond reason [15].

These investigators consciously or not have used religion for their benefit, even though it seems they have a high faith and are obedient in worship. An example of this is that these investigators commit acts as written by the scriptures but expect rewards that is heaven or they will get pleasure in the hereafter, so they will not hesitate to go to extremes or reach the Violent Religious Movement. It can be said that the actions they do aim to benefit themselves personally whatever form because they want to get out of a sense of uncertainty.

Unlike the extrinsic orientation, intrinsic orientation tends to live the religion and find mastery of their motives based on faith in God. They use religion as the ultimate goal and accommodate the needs of others to be in harmony with their religious values. Such people internalize faith and follow it wholeheartedly. Intrinsic religious orientation is a religious decision as an orientation in life-based on encouragement or initiative and truly believed from within the individual, not for other reasons from outside himself. Those who are intrinsically oriented do not have a prejudice against other people or other religions because they only seek peace. This religious orientation is closely related to the concepts of religiosity and spirituality. Piedmont et al. (2009) mention religiosity related to the human experience as transcendent beings expressed through community or social organizations while spiritual according to Good (2011) is defined as the search for the Most Holy, which is the non-material aspects or essence of Religiosity.

The concept of spirituality in Islam is known as Ihsan. This spiritual dimension of Islam contained an emphasis on efforts to cleanse the heart, maintain the connectedness of the heart with God and discover the meaning of life as a means to recognize God’s will in humans. Al-Ghazali in his book “The Alchemy of Happiness” states that happiness is obtained through searching through questions about God. However, Al-Ghazali mentions that questions about God are not sufficient until they are equipped with a love for God, which is true happiness [16]. Therefore, it can be said that the members of ISIS are people who have lost the essence of the teachings of Islam. To be more detailed, after this will be discussed whether the behavior of these investigators can be changed by deradicalization.
which will be carried out by the government? because this will relate to recommendations for the government to allow them to return to Indonesia or not.

In the developmental psychology approach, Hurlock (1983) [17] explains that the adult phase begins at the age of 18 years which has reached full size and strength or has matured. Jannah, Yacob, & Julianto (2017) [18] also stated that adults are individuals who have completed their growth and ready to accept their status in the social environment together with other adults. Adulthood itself is one of the phases in an individual’s life span after adolescence, adulthood can be seen in terms of biological, psychological, and pedagogical (moral-spiritual). In adulthood usually, someone already has a stable personality trait. The stability of this attitude is marked by behavior and ways of acting that do not change. Adults already have the responsibility of the chosen value system, both value systems that originate from religion and other norms based on thought maturity. Attitudes that have been formed and merged with values in one’s life, then relatively these attitudes will last a long time in that person. Attitudes will be difficult to change and even if there is a change in attitude in social psychology it will take a long time. Therefore, if religious values are chosen to become a way of life, then their behavior and actions are following the understanding of the religion they believe. Based on these explanations, ex-ISIS sympathizers will find it difficult to change their concept of thinking about the religious methods they believe in, so repatriating them has a large percentage to become the seeds of new terrorism in Indonesia.

The problem regarding the study of psychology in handling the ex-ISIS citizen case has not yet been resolved, other issues need to be discussed, namely, not only adults who participated, but children and adolescents also participated in this separatist movement. According to sources and data obtained it is explained that these children and adolescents joined the ISIS group because of being taken along by their parents and they had no choice not to follow where their parents went. In the theory of developmental psychology, children and adolescents still do not have the maturity of stable thinking and emotions, so they also do not have a steady self-attitude, so that their views on the world about moral and ethical values are still very limited [17]. For these conditions, given the moral character education program and Pancasila, these teenagers can be free from understanding extremism that leads to terrorism. Therefore, especially for adolescents and children under the age of 18, according to the author, it should be returned to Indonesia.

e. Study Analysis of Community Social Effects

Sociologically, the return of Indonesian citizens who are ISIS sympathizers to the country will add new social problems in the form of trauma that inhibits social contact, which leads to discriminatory behavior in social life, especially to Indonesian citizens who are ISIS sympathizers. Recent acts of terrorism often create a sense of fear, anxiety, and mutual suspicion that raises excessive concern in the community.

The bombing case in Surabaya in 2018 by a family, including children and women, is a new phenomenon of terrorism in Indonesia. According to Lies Marcoe, an observer of gender and radicalism issues viewed the Surabaya bombing phenomenon which involved one family: her husband, wife, and children proved that the role of women in the radical movement was no longer individual, but rather as the main actor who had powers that even
involved his children as terror and violence perpetrators [19].

The trauma of the community of terrorist acts is even increasing with the shift in orientation towards the religious terrorism movement in Indonesia. Acts of terror are no longer carried out by organizations, such as the past, but with the emergence of individual terrorism or Lone Wolf Terrorism. As a result, acts of terrorism that occurred in Indonesia experienced changes to be sporadic, unclear, and different from the previous period in terms of the number and intensity of terror attacks, modus operandi, targets of terrorist acts, and the actors involved in the terrorist movement scene [20].

The community’s fear of the potential for terrorism reoccurs, reinforced by doubts about the ability of the Government to deal with the de-radicalization of ex-convicted terrorists. BNPT data for 2018 states that currently there are 289 terrorism prisoners spread across 113 prisons throughout Indonesia, and there are 600 terrorist inmates who are free and live with the community [21]. The police hostage-taking by a terrorist prisoner in Mako Brimob on May 10, 2018, resulted in the death of five police officers and one terrorist prisoner, making the community doubtful of the government’s ability to deal with exterrorist inmates. Although there is a lot of speculation that caused this incident the ex-terrorist inmates managed to take the authorities hostage and even succeeded in seizing weapons and confiscated bombs [22].

To restore public confidence in the Government, it is time for the Government to take corrective measures in dealing with terrorist inmates. The government, in this case, the Directorate General of Corrections, must evaluate the placement of terrorist prisoners who are at high risk of gathering terrorist prisoners in a prison that has the potential to arouse radicalism. The government must resolve constraints over prison capacity, limited resources of prison staff in terms of quantity and quality as well as infrastructure. Besides, the government is also obliged to monitor 600 terrorist prisoners who have been released, making sure they have regretted what they have done in the past, and will not become terrorists again [23].

One thing that is difficult for the Indonesian government to be able to restore the mindset that is rooted in someone who has been infected with a virus of radicalism and terrorism. Because they have considered this as an ideology inherent in themselves.

When Indonesian citizens of ex-ISIS members are in the Middle East and become part of sympathizers, they are certain to get a doctrine about ISIS ideologies consisting of 5 basic principles that must be believed and understood, namely: First, jihad. It is an integral and important component of the jihadi Salafi movement which views jihad as the pinnacle of Islam, which makes the vehicle for this religion to survive and develop. Second, understand takfir or takfiri. Takfir’s understanding is the process of stating that other Muslims or a group of Muslims have left Islam because they are different from themselves. Third, al wala ‘wal baro’. The concept of al wala ‘wal baro’ can be used as an effort to protect the Muslim community by showing loyalty and providing legality to attack its enemies. Fourth, monotheism. It is a form of applying the being of the creature to God regarding His names and attributes. Fifth, hakimiyyah. This concept states that the sovereignty of the political system and the rules of state life only belongs to God. The enforcement of God’s sovereignty in the political system will not only secure God’s right.

Radical ideology like this that has been embedded in them, so, then believed to not be
eroded just like that when they returned to their homeland. They can even become agents to spawn new seeds to join ISIS sympathizers.

In this case, the author strongly agrees with Mahfud MD's view that the ISIS ideology remains a threat to Indonesia, so the government does not need to repatriate the former ISIS back to Indonesia. The reason for the existence of different ideologies is what later became the government's full confidence not to repatriate them.

It is indeed ironic if they are left stranded in the land of people who seem inhuman. But for the writer to save 250 million Indonesian citizens it is far more important not to be exposed to the virus of radicalism than to save some citizens who have been exposed to the understanding of radicalism. However, children and women of ex-ISIS wives who are currently still in shelters in Syria can be considered by the government to be able to allow them to return home. If in the future the former ISIS will return to their homeland by itself, it will be a personal grudge against themselves, and besides the government of the Republic of Indonesia, in this case indeed cannot refuse them, because this is part of human rights to own citizenship. If the government refuses it will give rise to a new status for them, namely loss of citizenship or stateless.

f. Analysis of State Institutional Capacity Readiness

Returning or refusing Indonesian citizens who are ISIS sympathizers to return to the country is an absolute decision of the government. But the government must also analyze the readiness of legal and institutional infrastructure in Indonesia, in addition to considering security and humanitarian aspects. Besides, the process of returning and handling the FTF (Foreign Terrorist Fighter) will involve various agencies. In this context, cross-institutional coordination becomes an important issue.

When viewed in terms of laws and regulations in Indonesia, this issue is related to Law Number 5 of 2018 concerning Amendment to Law Number 15 of 2003 concerning Establishment of Government Regulations instead of Law Number 1 of 2002 concerning Eradication of Criminal Acts Terrorism, which has now become a statutory regulation that also regulates that the National Counterterrorism Agency (BNPT) is increasingly functioning, including; to coordinate national policies, strategies, and programs in the field of combating terrorism. The BNPT is designated as the center of analysis and crisis control motor that serves as a facility for the President to determine policies and measures to deal with the crisis of radicalism, including the mobilization of resources in dealing with terrorism [24].

BNPT in carrying out efforts to prevent criminal acts of terrorism has prepared national preparedness programs, counter-radicalization, and deradicalization. Thus, BNPT should be a focal point in the process of returning ISIS sympathizers from Syria. To deal with FTF issues, the BNPT has also formed the Foreign Terrorist Fighters Task Force (FTF Task Force) [7].

In overcoming this problem, it is not only borne by the BNPT institution with its FTF Task Force, but many relevant agencies also play an important role hand in hand in the process of returning stages of this former ISIS Indonesian citizen. The police through its Special Detachment 88, as an element of carrying out the main tasks of the Republic of
Indonesia’s Police in the field of combating terrorism offenses, also plays a role in carrying out investigations and examinations of FTFs, returnees, and departments. Detachment 88 is also demanded to carry out its role in providing security and assistance during the repatriation, rehabilitation and repatriation processes.

According to Law Number 37 of 1999 concerning Foreign Relations which states that if an Indonesian citizen is threatened with real danger, the government is obliged to provide protection, help and gather them in safe areas, and try to repatriate them to Indonesia at the expense of the State. In this case, the role of the Ministry of Foreign Affairs of the Republic of Indonesia is also very important. Not only that in the Explanation of Law Number 12 of 2006 also stated that the principle of maximum protection, that the Indonesian government is obliged to provide full protection to every Indonesian citizen under any circumstances, both at home and abroad. It is one of the special points that form the basis of the drafting of the law. If so, the role of the Indonesian Embassy as Indonesia’s diplomatic representative in Syria and Turkey will require a very important role in the context of protecting this Indonesian citizen.

After completing the first phase, BNPT’s function as a coordinator and focal point must continue at the stage of handling ISI sympathizers, families and ex-combatants upon arrival in Indonesia. Deradicalisation programs that have been planned are applied to those who have been proven to have violated the law and must undergo punishment in prison, in this case, the BNPT must cooperate with the Ministry of Law and Human Rights. Furthermore, deradicalization and rehabilitation programs are also given to those who are not involved in legal cases, for example, children of former ISIS combatants, and they are required to undergo a reintegration program into the community. Supervision and guidance during the process and after reintegration are also the focus of BNPT’s policies. Strengthening, in substance and institutionally, for these three programs is absolutely necessary.

Furthermore, those who will play an important role are the Indonesian Ministry of Social Affairs and the Ministry of Women’s Empowerment and Child Protection (KPPA), especially in the context of handling women and children associated with the FTF. According to Law Number 23 of 2004 concerning Child Protection, which has been amended by Law Number 35 of 2014, regulates child protection rights and the state’s obligation to protect children. Every child is guaranteed the right by the state to be protected from involvement in armed disputes and war. Besides, armed conflict and displacement as happened in Syria, according to the law, can be considered an "emergency " for children, where the government and other state institutions are obliged and responsible to provide special protection.

In the mechanism of work of the Indonesian Ministry of Social Affairs for the rehabilitation program for children who are associated with terrorism, it is carried out at the Social Rehabilitation Center for Children Needing Special Protection (BRSAMPK). Also, the Ministry of Social Affairs runs a Home Protection / Trauma Center (RPTC) program that focuses on handling adult rehabilitation. In handling the institutions under the Ministry of Social Affairs, various examinations will be carried out including physical, health, identity, and psychological examinations. Specifically, for physical and health examinations, the Ministry of Social Affairs is also assisted by the Ministry of Health. The Ministry of Social Affairs, through BRSAMPAK and RPTC also conducts various rehabilitation classes and evaluates the progress of beneficiaries every week. Searching for families or the purpose of
returning the FTF, deportants, and returnees is also carried out by BRSAMPK, including further guidance if needed. In terms of providing program material, the Ministry of Social Affairs is also assisted by the Ministry of Religion.

4 CONCLUSION

From the discussion above, some conclusions can be drawn, including that the Indonesian Government can refuse to return ex-ISIS members to their homeland, but it is necessary to consider sending their children and wives in refugee camps on condition that they are not directly involved in the ISIS movement. This legal policy is based more on psychological, sociological, legal and human rights considerations. In addition to considering the readiness of the institutional capacity of the government if it then provides an opportunity for them to be able to return to their homeland. The repatriation of ex-ISIS members to Indonesia will certainly have an impact on the social life of the community. Because this behavior can certainly be transmitted to other members of the community so that later it will lead to a new virus of the terrorism movement which will disturb the stability of the security of society at large. Previous experience can be seen from the jihadist alumni returning from Afghanistan, who still uphold their ideological radicalism. Thus, terrorist bombings arose in several locations by these jihadi alumni.

5. REFERENCES


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