



THE URGENCY OF DERADICALIZATION MEASURES FOR TERRORISM INMATES IN CORRECTIONAL FACILITIES

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Abstract:

Terrorism crimes pose a threat to the state ideology, national security, state sovereignty, human values, and various aspects of societal, national, and state life, and they often have a transnational nature. These terrorism crimes require deradicalization measures for terrorism inmates in Indonesia, taking into account the individual conditions of each perpetrator, their families, and their social environment. The problem addressed in this paper pertains to the urgency of deradicalization measures for terrorism inmates in correctional facilities. This paper adopts an empirical juridical approach, conducting field research that examines legal regulations combined with data and behavior prevalent in society. The research findings indicate that: (1) The implementation of deradicalization measures for terrorism inmates in correctional facilities is not yet effective due to internal factors, which involve the lack of integration in handling terrorism inmates. Additionally, external factors, such as insufficient socialization, lack of training for officers, inadequate support facilities, budget constraints, and limited facilities in correctional facilities, contribute to the inefficiency. (2) The regulation of deradicalization for terrorism inmates in correctional facilities is based on Law Number 22 of 2022 concerning Correctional Institutions. The deradicalization regulation for terrorism inmates is stipulated in Article 54 paragraph (4), which outlines the stages: identification and assessment, rehabilitation, reeducation, and social reintegration. (3) The urgency of deradicalization measures for terrorism inmates in correctional facilities is not specific, as it is still treated similarly to other cases involving inmates. The deradicalization measures are carried out through social reintegration programs, education programs, skills training, and entrepreneurship programs for terrorism inmates, which aims to improve their well-being after their release and facilitate their reintegration into society to support their families. The independence and self-confidence of terrorism inmates in returning to society will prevent them from returning to their terrorist groups.

Keywords: Deradicalization Measures; Terrorism Inmates; Correctional Facilities.

Abstrak:

Kejahatan terorisme mengancam ideologi negara, keamanan nasional, kedaulatan negara, nilai-nilai kemanusiaan, dan berbagai aspek kehidupan bermasyarakat, berbangsa, dan bernegara, dan seringkali bersifat transnasional. Tindak pidana terorisme ini memerlukan langkah deradikalisasi bagi narapidana terorisme di Indonesia dengan mempertimbangkan kondisi individu masing-masing pelaku, keluarga, dan lingkungan sosialnya. Permasalahan yang diangkat dalam tulisan ini adalah urgensi tindakan deradikalisasi bagi narapidana terorisme di Lapas. Tulisan ini menggunakan pendekatan yuridis empiris, melakukan penelitian lapangan yang mengkaji peraturan hukum yang dipadukan dengan data dan perilaku yang lazim di masyarakat. Hasil penelitian menunjukkan bahwa: (1) Pelaksanaan langkah-langkah deradikalisasi terhadap narapidana terorisme di Lapas belum efektif karena faktor internal, antara lain belum terintegrasinya penanganan narapidana terorisme. Selain itu, faktor eksternal seperti sosialisasi yang kurang, kurangnya pelatihan petugas, fasilitas pendukung yang tidak memadai,

keterbatasan anggaran, dan keterbatasan fasilitas di Lapas juga berkontribusi terhadap ketidakefisienan. (2) Pengaturan deradikalisasi terhadap narapidana terorisme di Lapas didasarkan pada Undang-Undang Nomor 22 Tahun 2022 tentang Lapas. Pengaturan deradikalisasi bagi narapidana terorisme diatur dalam Pasal 54 ayat (4) yang menguraikan tahapan: identifikasi dan asesmen, rehabilitasi, reedukasi, dan reintegrasi sosial. (3) Urgensi tindakan deradikalisasi terhadap narapidana terorisme di Lapas belum spesifik, karena masih diperlakukan sama dengan kasus lain yang melibatkan narapidana. Langkah-langkah deradikalisasi dilakukan melalui program reintegrasi sosial, program pendidikan, pelatihan keterampilan, dan program kewirausahaan bagi narapidana terorisme, yang bertujuan untuk meningkatkan kesejahteraan mereka setelah bebas dan memfasilitasi reintegrasi mereka ke dalam masyarakat untuk menghidupi keluarga mereka. Kemandirian dan kepercayaan diri narapidana terorisme untuk kembali ke masyarakat akan mencegah mereka untuk kembali ke kelompok terorisnya.

Kata Kunci: *Langkah-Langkah Deradikalisasi; Narapidana Terorisme; Lembaga Pemasyarakatan.*

A. Introduction

As a country based on the rule of law (Rechtsstaat) rather than mere power (Machtsstaat), Indonesia's Government is obliged to harmonize law enforcement efforts grounded in the values of Pancasila with the national objectives to achieve the welfare of society. The concept of a legal state (Rechtsstaat) is closely associated with law enforcement. Law enforcement in countering terrorism crimes essentially represents a process of translating legal objectives into reality. (Sudikmo Mertokusumo, 2010)

Terrorism poses a threat to the state's ideology, national security, sovereignty, humanitarian values, and various aspects of community, nation, and state life. It is transnational, organized, and has extensive networks, with specific goals, necessitating special, planned, directed, integrated, and continuous countermeasures based on Pancasila and the 1945 Constitution of the Republic of Indonesia.

According to Gerry Van Klinken,(Klinken, 2007) terrorism, as a form of violence against society, has significant impacts. The violence is carried out by small secretive groups and cannot be considered as collective violence. Terrorism has been widely discussed by the public since the collapse of the World Trade Centre (WTC) and the Pentagon in America. Almost every country worldwide has been busy enhancing their security measures and preventing similar incidents. Indonesia has also experienced acts of terrorism, such as the Bali I bombing in Kuta Legian, Bali, on October 12, 2002.(Fauzan Al-Anshari, 2005)

The bombing incident of Bali I prompted the Indonesian Government to issue Government Regulation in Lieu of Law (PERPU) to fill the legal vacuum regarding counterterrorism measures. The Government, under President Megawati, issued two PERPUs: Number 1 of 2002 on Combating Terrorism and Number 2 of 2002 on the Investigation, Prosecution, and Trial of the Bali Bombing Case. One year later, PERPU Number 1 of 2002 was enacted into Law Number 15 of 2003 on Combating Terrorism. Subsequently, this Law underwent changes with the issuance of the Republic of Indonesia Law Number 5 of 2018 on Amendments to Law Number 15 of 2003 concerning the Determination of Government Regulation in Lieu of Law Number 1 of 2002 on Combating Terrorism as Law.

Deradicalization efforts have been undertaken for terrorist acts, but in reality, acts of terror continue to occur until today. Indonesia has experienced several bombings with almost similar modus operandi, such as the bombing at Soekarno-Hatta Airport on April 27, 2003, the bombing at the Marriott Hotel lobby on August 5, 2003. Additionally, there were bombings in front of the Australian Embassy on September 9, 2004, at

Tentena Market in Poso on May 28, 2005, Bali II bombing on October 1, 2005, at JW Marriott Hotel and Ritz Carlton on July 17, 2009, and a series of other incidents, including book bomb threats and a bombing at Cirebon Police Headquarters on April 5, 2011, causing anxiety.(Chusniyah & Mubarak, 2021)

The recidivism of terrorist inmates needs attention as more than 100 inmates are released every year. Based on the data from the Institute for Analysis of Conflict (IPAC) on September 4, 2020, there were 94 terrorism recidivists out of 825 terrorist inmates from 2002 to May 2020. Among the 94 recidivists, some were re-arrested by other countries (Malaysia, Afghanistan, the Philippines) for the second time, while others went to Syria to join ISIS. There were also 13 terrorist recidivists who committed their second terrorism offense while still in prison.(Hasisi et al., 2020)

The Indonesian Government has enacted Law Number 5 of 2018 on Combating Terrorism, which includes severe penalties, including the death penalty, for terrorist offenders. However, acts of terrorism still persist. In Article 10A, paragraph (1) of Law Number 5 of 2018 on Combating Terrorism, it states that any person who unlawfully brings into the territory of the Unitary State of the Republic of Indonesia, manufactures, receives, acquires, delivers, possesses, stocks, transports, conceals, or removes from the territory of the Unitary State of the Republic of Indonesia chemical, biological, radiological, microorganism, nuclear, radioactive weapons or their components, with the intent to commit Terrorism, shall be punishable by imprisonment for a minimum of 3 (three) years and a maximum of 20 (twenty) years, life imprisonment, or the death penalty.

Seto Widagdo, In their report, several obstacles in the implementation of the deradicalization program are highlighted, including the lack of a clear regulation (blueprint) regarding the deradicalization program. Insufficient human resources and facilities related to the execution of the program also pose challenges. The presence of Correctional Facilities (LAPAS) as places for terrorist inmates is considered crucial, making it one of the strategic locations for deradicalization efforts.(Salas & Anwar, 2021)

The correctional system aims to rehabilitate inmates as law-abiding citizens to protect society from the possibility of repeat offenses by the inmates and is an integral part of the values embodied in Pancasila. The involvement of the community is also necessary, both through cooperation in the rehabilitation process and by being willing to accept back inmates who have completed their sentences.

Former terrorism inmates who continue to engage in terrorist activities indicate the suboptimal state of deradicalization in correctional facilities. According to Law Number 22 of 2022 concerning Correctional Facilities, these facilities are places for the rehabilitation of inmates. Rehabilitation, in general, is a process that involves the use of human resources, equipment, budgets, time, methods, and systems based on certain principles to achieve predetermined goals with maximum utility and effectiveness. The current pattern of rehabilitation (deradicalization) for terrorism inmates is still assimilated with regular inmates. The deradicalization process for terrorism inmates involves separating them into specific blocks or cells and additional security measures. The urgency of countering the deradicalization of terrorism inmates is necessary as an effective rehabilitation effort for terrorism inmates in correctional facilities.

B. Problem Formulation

Based on the aforementioned introduction, the research problems can be formulated as follows:

1. How effective is the implementation of deradicalization for terrorism inmates in correctional facilities?
2. What is the current regulation regarding deradicalization for terrorism inmates in correctional facilities?
3. What is the urgency of countering the deradicalization of terrorism inmates in correctional facilities?

C. Research Method

The methodological approach used in this research is the empirical juridical method. Empirical juridical research is legal research that examines the application of normative legal provisions in action on specific legal events that occur within society. Empirical juridical research involves field research (research on primary data) which combines the approach of legal regulations with data and real-life behavior in the community. Empirical legal research is a study or observation conducted in the field, focusing on collecting empirical data in the field.(Ibrahim, 2018)

The research is conducted to examine the actual or real situation that occurs in society with the aim of identifying and discovering the required facts and data. After the necessary data is collected, the research proceeds to problem identification and ultimately towards problem-solving.

In the juridical-empirical approach concerning the Implementation of Deradicalization Regulation for Terrorism Convicts in Correctional Institutions (LAPAS), the guidelines provided by the Director General of Correctional Institutions, Ministry of Law and Human Rights of the Republic of Indonesia, Number: PAS-172.PK.01.06.01 Year 2015, regarding the Standard for the Rehabilitation of Terrorism Convicts, are used in the operational management of terrorism convicts in LAPAS, which is considered as equivalent to the deradicalization program in LAPAS. The standard for the rehabilitation of convicts itself refers to Law Number 22 Year 2022 on Correctional Institutions and its implementing regulations.(Soekanto, 2019)

D. Discussion

1. The Effective Implementation of Deradicalization for Terrorism Convicts in Correctional Institutions

Radicalism is closely related to fundamentalism, which is characterized by a return to the fundamentals of religion by society. Fundamentalism is a kind of ideology that makes religion a way of life for society and individuals. Fundamentalism is often accompanied by radicalism and violence when the freedom to return to religion is hindered by the political situation surrounding society.

Thomas More stated that combating crime with violence will not make the crime cease. In the context of countering terrorism, repressive strategies are considered less appropriate because terrorist movements are rooted in radical ideology, and deradicalization is the answer. Deradicalization is an effort to neutralize radical beliefs through an interdisciplinary approach, involving law, psychology, religion, and socio-culture, for those influenced by violent ideologies. The deradicalization process prioritizes dialogue over physical actions, making it more effective and respecting human rights.(Hendrojono, 2015)

According to Barda Nawawi Arief, terrorism is an extraordinary crime that requires extraordinary efforts. All institutions, both government and private, must focus on their respective roles in countering terrorism and enhancing extensive cooperation from all segments of society. Combating crime with criminal sanctions must also be accompanied by non-penal efforts. Non-penal preventive activities play a strategic role and must be intensified and made effective.(Luthan, 1995)

In countering terrorism in Indonesia, Romly Atmasasmita emphasizes the need for a legal framework with a vision, mission, and adequate legal principles that can strengthen the legal foundation for the criminal justice system, from the investigation level to reflect the evolving and necessary values of Indonesian society and nation. It should also reflect universal values recognized by the international community.(Oktadhika, 2020)

Terrorism convicts must receive special treatment, meaning that their treatment cannot be equated with that of other convicts. The treatment should aim to eliminate opportunities for involvement in terrorism activities, both inside and outside the correctional institution. Ideally, the treatment of terrorism convicts should focus on changing their radical beliefs (deradicalization).

In reality, terrorism convicts exhibit high levels of solidarity among their fellow group members. As a result, sometimes a terrorism convict refuses to participate in the rehabilitation programs inside the correctional institution due to negative reactions from their group. Currently, the rehabilitation of terrorism convicts receives special attention to address the treatment of those who have been convicted and placed in the correctional institution. Terrorism convicts must receive special treatment that is distinct from the treatment of other general convicts. The treatment should aim to gradually free them from the ideological influence and ties of the terrorism convict movement (disengagement).

The implementation of deradicalization to change the perspective of terrorism convicts faces challenges both from within the program itself and external factors, such as insufficient budget and facilities in the correctional institution, as well as societal perceptions that may lead to rejection of the deradicalization program by former terrorism convicts after they reintegrate into society. These external factors significantly hinder the effectiveness of the deradicalization program. The Research and Development Agency of Law and Human Rights (BALITBANGKUMHAM) suggests that several factors contribute to the ineffectiveness of the deradicalization program within the correctional institution, including:(Febriyansah et al., 2017)

1. The implementation of rehabilitation and social reintegration stages has not shown optimal results so far. The failure of the rehabilitation for terrorism convicts can be seen in the high rate of recidivism where they repeat their criminal activities. The doctrine adopted by terrorism convicts is challenging to eradicate even after undergoing rehabilitation within the correctional institution.
2. Another challenge is the lack of integrated handling of terrorism offenders, meaning that the attention towards the treatment of convicted terrorists often stops once they are apprehended or sentenced. This responsibility seems to solely fall on the shoulders of correctional officers.
3. Insufficient specialized personnel for the rehabilitation of terrorism convicts is also a significant issue. Specialized officers are crucial to maximize the

- rehabilitation process for terrorism convicts, requiring competence in leadership, religious expertise, and the ability to guide and support them.
4. The phenomenon of radical ideologies spreading within the correctional institution is linked to the vulnerable environment of the prison itself. The prison becomes a fertile ground for radicalization, where ordinary convicts get recruited or involved with extremist groups, spreading radical beliefs to other inmates.
 5. The societal legal culture rejecting the rehabilitation of terrorism convicts in the correctional institution also poses challenges. Many people expect individuals connected to terrorist networks to receive the death penalty. The presence of terrorism convicts within the correctional institution is generally not welcomed, hindering the smooth progress of rehabilitation efforts.
 6. The process of social reintegration for terrorism convicts often encounters obstacles. The labeling of former terrorism convicts as terrorists by society leads to stigma and difficulties for them in finding jobs or starting businesses after their release from prison.

The rehabilitation of terrorism convicts must adhere to existing regulations and the Republic of Indonesia Government Regulation No. 99 of 2012 regarding the Second Amendment to Government Regulation No. 32 of 1999 on the Requirements and Procedures for the Implementation of the Rights of Correctional Facility Residents. This emphasizes security, public order, and societal justice. The emphasis on fulfilling the rights of terrorism convicts should align with the overall concept of the correctional system according to the mandate of Law No. 22 of 2022 concerning Correctional Institutions.

To ensure effective rehabilitation for terrorism convicts, specific treatment patterns must be developed, as the current approach is still generalized and treated similarly to other types of convicts. Formulations for high-risk convicts have not been effectively implemented due to several obstacles, such as lack of socialization, inadequate training for personnel, and insufficient supporting facilities.

2. The Current Regulation of Deradicalization for Terrorism Convicts in Correctional Institutions

In the future, countering terrorism in Indonesia can be achieved by implementing a legal policy that prioritizes human rights principles. This is essential considering that Indonesia, as a rule of law state, recognizes and protects human rights, manifesting in legal certainty that upholds justice and the benefit of the law. (Raharjo, 2000)

Currently, there is no specific regulation governing deradicalization for terrorism convicts in correctional institutions. The operational guidelines for handling terrorism convicts in correctional institutions are based on the Decision of the Directorate General of Correctional Facilities of the Ministry of Law and Human Rights of the Republic of Indonesia, Number PAS-172.PK.01.06.01 of 2015 concerning the Standard for the Rehabilitation of Terrorism Convicts, which has not yet adjusted to the enactment of Law Number 5 of 2018 concerning the Eradication of Terrorism Crimes and Government Regulation Number 77 of 2019 concerning the Prevention of Terrorism Crimes and Protection of Investigators, Prosecutors, Judges, and Correctional Officers.

The correctional institutions use the operational guidelines outlined in the aforementioned Decision of the Directorate General of Correctional Facilities to handle terrorism convicts, considering it equivalent to deradicalization programs. The standard for the rehabilitation of convicts generally refers to the Republic of Indonesia Law Number 12 of 1995 concerning Correctional Institutions (currently amended by Law Number 22 of 2022) and its derivatives. The Law on Correctional Institutions refers to rehabilitation, including personality and independence rehabilitation, but does not specifically mention deradicalization programs. Rehabilitation, whether personality or independence rehabilitation, applies generally to all convicts, both terrorism and non-terrorism convicts.

The deradicalization of terrorism convicts (Nara Pidana Terorisme or NAPITER) sentenced in correctional institutions is based on the penal system. This aligns with Stanley Grupp's view that the validity of a penal theory depends on an individual's assumptions about human nature, the information considered as beneficial knowledge, the type and extent of knowledge that can be acquired, the assessment of requirements to apply certain theories, and the possibilities of meeting those requirements.

According to Muladi, the purpose of punishment is to repair individual and social damages caused by criminal acts. A set of punishment objectives must be fulfilled, depending on the individual case. The mentioned punishment objectives include prevention (general and specific), public protection, maintaining social solidarity, and balancing interests. (muladi, 2002)

Yudi Zulfachri, a former terrorism convict who underwent training in the Jalin Mountains, states that the government's current deradicalization program only addresses radical behavior without eliminating the radical ideology ingrained in terrorists. In his opinion, the practice of deradicalization mainly involves supporting entrepreneurship, among other aspects. (Romdhoni, A. Sajari, 2014)

According to the author, the implementation of the deradicalization program in correctional institutions (LAPAS) still has several weaknesses, including:

1. The presence of Terrorism Convicts (NAPI Teroris) who refuse to participate in the deradicalization program or interact with correctional officers. According to some NAPIs who refuse to participate, such as the core group, hardcore, and militants, deradicalization is seen as a religious dilution. Some of these groups even refuse to interact with correctional officers.
2. Inadequate facilities and infrastructure to support correctional officers in implementing the deradicalization program for terrorism convicts. Specific correctional institutions for terrorism convicts and correctional officers with specialized knowledge to handle terrorism convicts are lacking. Currently, some correctional institutions house terrorism convicts alongside general criminals, and not all of these institutions have correctional officers with the necessary expertise to handle terrorism convicts effectively.
3. The Deradicalization Center (Pusderad) under the National Counterterrorism Agency (BNPT) only accepts terrorism convicts willing to undergo the deradicalization program in correctional institutions. Pusderad is the final step for terrorism convicts before they are declared free and reintegrated into society. If a terrorism convict refuses to

participate in the deradicalization program in correctional institutions, they are unlikely to follow the program at Pusderad.

4. The lack of information provided by BNPT regarding the number of Terrorism Convicts undergoing periodic deradicalization programs and the progress of the deradicalization program for Terrorism Convicts in correctional institutions and Pusderad. Various sources the author has found indicate that BNPT only mentions the overall number of Terrorism Convicts who have undergone the deradicalization program.

Efforts to combat crime are essentially an integral part of social defense and the pursuit of social welfare in society. Therefore, it can be said that the ultimate goal of criminal law policy is to protect society to achieve its well-being.(Barda Nawawi Arief, 1996)

Rehabilitation for prisoners, according to C.I. Harsono, is based on the recognition that the objectives of punishment are no longer in line with the evolving values and essence of life in society. Prisoners are human beings with potential for positive development, capable of transforming themselves to become more productive and better individuals after serving their sentences. The author expects the results of the rehabilitation of terrorism convicts (NAPITER) to prepare them for their future roles as responsible parents, productive members of society, and law-abiding citizens. The pattern of prisoner rehabilitation is a method adopted by the correctional system to achieve the goal of enabling NAPITER to reintegrate as productive and useful members of society and the nation.

The deradicalization program for NAPITER in Indonesia shares similarities with the program conducted in Yemen in 2002, which established a Committee for Dialogue. This program prioritized dialogue and intellectual debate, aiming to convince violent activists involved in terrorism that their understanding is misguided. However, relying solely on a "theological dialogue" model without sufficient support from other programs was considered unsuccessful, with a success rate of only 60%, leading to its closure in 2005.(Adiwilaga & Kurniawan, 2021)

Arab Saudi designed a more comprehensive deradicalization program compared to Yemen, known as Prevention, Rehabilitation, and After Care (PRAC), carried out by the Lajnah al-Munashah (Advisory Committee) under the Ministry of Interior. Lajnah al-Munashah's main task is to advise and engage in dialogues with terrorism convicts in Saudi Arabian prisons, consisting of four commissions or subcommittees: Lajnah 'Ilmiyyah (Scientific Commission); Lajnah Amniyyah (Security Commission); Lajnah Nafsiyyah Ijtima'iyah (Psychological and Social Commission); Lajnah I'lamiyyah (Media Commission). Egypt's deradicalization program for NAPITER involves a theological dialogue concept aimed at dismantling misconceptions about terrorism and reconstructing the underlying ideology behind radical actions. The government facilitates meetings between leaders and scholars of Al-Azhar. This initiative, known as al-mubadarah liwaqfil unfi (initiative for violence cessation), results in leaders initiating efforts to halt violent activities. The above deradicalization initiatives are compiled into a comprehensive book that reexamines various religious doctrines often used as justifications by terrorist groups in their actions. Unlike the deradicalization approaches in Yemen and Saudi Arabia, Egypt's focus is not on individual NAPITER but on deradicalizing entire groups or organizations.(Andreas Casptack, 2013)

3. The Urgency of Countering Deradicalization for Terrorism Convicts in Correctional Institutions

Based on the Decree of the Director General of Corrections, Ministry of Law and Human Rights of the Republic of Indonesia Number PAS-172.PK.01.06.01 of 2015 regarding the Standard of Rehabilitation for Terrorism Convicts, the current policy formulation that includes the rehabilitation of terrorism convicts in correctional institutions (LAPAS) already exists. However, specifically, there is no provision that regulates the deradicalization program for terrorism convicts in LAPAS.

LAPAS does not lose its main function in rehabilitating convicts but can also adjust and implement deradicalization programs in accordance with legal mandates. The use of the term "deradicalization" will clarify and eliminate any doubts or debates about the absence of a deradicalization program for terrorism convicts in LAPAS. Correctional officers will also understand that deradicalization must be carried out in conjunction with the rehabilitation process of convicts in LAPAS.

In the stages of the deradicalization program in LAPAS, namely identification and assessment, rehabilitation, reeducation, and social reintegration, the existing stages of the rehabilitation pattern for terrorism convicts in LAPAS can be adopted and implemented. This is to facilitate LAPAS in executing the deradicalization program, as essentially, the newly issued policy formulation on deradicalization in LAPAS does not significantly change what has been implemented thus far. The stages of the deradicalization program are structured as follows: [continue with the specific stages of the deradicalization program].

- a. The Identification and Assessment Stage can be carried out through the Introduction to the Environment Period, Profiling, Assessment, and Community Writing. During the initial admission of convicts, their cell placement is based on risk assessment and classification made by the Director General of Corrections. The analysis of data obtained from profiling serves as a consideration for the needs of rehabilitation and placement. Profiling data can be updated according to evolving information, changes in attitudes, behaviors, ideological views, and perspectives towards the Unitary State of the Republic of Indonesia (NKRI) and Pancasila.

Terrorism convicts in correctional institutions can still be visited, interacted with, or communicated with their networks or followers, making it more difficult to conduct rehabilitation and change their radical ideologies. These terrorism convict figures can still disseminate their ideological influence and plan terrorist actions from within the correctional institution. An example of this occurred with the terrorism convict figure Abu Bakar Ba'asyir, who, on July 18, 2014, inside the mosque of Pasir Putih Correctional Institution on Nusa Kambangan, was involved in pledging allegiance (ba'iat) to the extremist group Islamic State of Iraq and Syria (ISIS) with the assistance of correctional institution officers. (Muhammad & Hiariej, 2021)

In the case of terrorism convict Roki Aprisdianto alias Abu Ibrahim, alias Atok, alias Heru Cokro, who was convicted in a bomb terror case in Klaten, he escaped from the correctional institution after nearly serving 2 years of his 6-year prison sentence. He escaped while wearing a niqab after being visited by 23 niqab-wearing women on November 6, 2012. (Purwawidada, 2014)

- b. The Rehabilitation Stage can be carried out through Psychological Rehabilitation, Religious Rehabilitation (religious dialogue), and Social Rehabilitation involving family and community, as follows:
 1. Psychological Rehabilitation Program involves providing psychological counseling, treatment, and care, as well as physical health development. The guidance is directed towards reestablishing a proper psychological mindset for convicts to interact and socialize with others. Incorrect personalities are significantly influenced by an understanding of religion that does not respect differences. A psychological approach is necessary to analyze various aspects of the convict's personality.
 2. Religious Rehabilitation can be conducted through religious dialogues focused on terrorism convicts, assessing their motives, and understanding their roles in their networks. These networks have different levels, such as the core group, which is highly radical, followed by cooperative levels with less radicalism, and then supporting or sympathizing groups.
 3. Social Rehabilitation is a program aimed at helping terrorism convicts gradually change their perceptions of society. It assists in their mental recovery and rekindles their zest for life while in correctional institutions, involving their families and the community.
- c. The Reeducation Stage can be carried out through Guidance on religious awareness, National insight and peace issues, Legal awareness, Intellectual development, Character education, Conflict resolution knowledge, and Development of independence. The guidance on religious awareness for terrorism convicts aims to change their orientation from radical and violent religious understanding to inclusive, peaceful, and tolerant religious understanding, so that they do not repeat their actions after leaving the correctional institution. The guidance on national awareness aims to raise the awareness of terrorism convicts to become good citizens who are devoted to their nation and country.
- d. The Social Reintegration Stage can be implemented by providing confidence-building to reintegrate into society so that after their release, they are not dependent on and rejoin their terrorist networks. This includes instilling self-confidence and fearlessness to reintegrate into society, understanding how to interact with society, improving social skills and abilities to support themselves and their families, leading a peaceful and prosperous life.

According to the author, a just approach to social reintegration is one where correctional institutions not only impose restrictions on inmates' lives but also provide education, skills, and entrepreneurship to terrorism convicts, making them better individuals upon release, capable of supporting their families. Independence and restored self-confidence in society will prevent them from intending to return to their terrorist groups.

The Penitentiary Process can begin from the time a convict is designated and registered in BAPAS (Correctional Affairs Office). BAPAS's role in conducting Litmas (Social Examination) and profiling determines the placement of terrorism convicts in correctional institutions according to their risk levels. The stages of the deradicalization program for convicts in correctional institutions can be conceived as follows:

- a) Early Guidance: 0-1/3 of the sentence is spent in the Super Maximum Security correctional institution to conduct guidance for high-risk convicts,

aiming to encourage behavior change and risk reduction. If the assessment and Litmas show a change in attitude and behavior and a decrease in risk level according to the success indicators of the guidance, the convict will be transferred to a Maximum Security correctional institution.

- b) Intermediate Stage I: 1/3 - 1/2 of the sentence is spent in a Maximum Security correctional institution to conduct guidance aimed at encouraging behavior change in convicts who are aware of their mistakes, comply with laws and regulations, and improve discipline. If there is a change in attitude and behavior, the convict can be transferred to a Medium Security correctional institution.
- c) Intermediate Stage II: 1/2 - 2/3 of the sentence is spent in a Medium Security correctional institution to conduct guidance aimed at encouraging behavior change in convicts who are aware of their mistakes, comply with laws and regulations, and improve their competencies and abilities. If there is a change in attitude and behavior, the convict can be transferred to a Minimum Security correctional institution.

Final Stage: 2/3 until release is spent in a Minimum Security correctional institution to conduct guidance aimed at shaping behavior change, enhancing independence, and productivity for the convict.

Analysis of deradicalization efforts for terrorism convicts in Correctional Institutions using Muladi's Theory of Integration suggests that the issue of punishment has become increasingly complex due to a focus on factors related to human rights and making punishment operational and functional. This requires a multi-dimensional and fundamental approach to the impact of punishment, both on individuals and on society.(Muladi, 2002) Punishment is not seen solely as punishment, but rather as a means to achieve certain objectives. Past thinkers have put forth opinions on the justification or grounds for punishment, whether it is purely punitive or linked to the objectives of punishment itself.(Adami Chazawi, 2010)

Rehabilitation and social reintegration programs for former terrorism convicts aim to break the chain of crime by internalizing values through strengthening psychological, economic, emotional relationships, and building self-confidence, gradually eroding radical ideologies. This aligns with the objectives of punishment, which can be categorized into three main thoughts: improving the individual criminal, deterring future crimes, and incapacitating certain criminals who cannot be reformed through other means.(Adami Chazawi, 2010)

Addressing terrorism convicts is not enough through penal policies (punishment), but alternative non-penal approaches need to be sought, as mentioned earlier. This consideration arises from the pros and cons of radical criminology regarding offender-oriented perspectives, emphasizing the protection of the perpetrator's human rights, and victim-oriented perspectives, focusing on the protection of victims. Victim-oriented approaches are massive and random, protecting the rights to life, freedom from fear, democracy, territorial integrity, national security, stable governance, development, public order, and international peace.

The deradicalization process prioritizes dialogue over physical action to be more effective and safe from human rights violations. Deradicalization is also applied by other countries such as Yemen, Saudi Arabia, Egypt, and Indonesia itself, where the National Counterterrorism Agency (BNPT) is responsible for formulating national

policies and strategies to counter terrorism. Initially, deradicalization was meant to persuade terrorists and their supporters to abandon violence.(Muluk et al., 2020)

According to the author, deradicalization efforts are not solely focused on countering radical ideologies but aim to provide protection, education, and the ability to empower terrorism actors, especially former convicts, to instill nationalism in others still involved in radical movements.

E. Conclusion

1. Conclusion

Based on the above discussion, the following conclusions can be drawn:

- 1) The implementation of deradicalization for terrorism convicts in correctional institutions is not yet effective due to internal factors, such as the lack of integration in handling terrorism convicts, which seems to stop once they are captured or sentenced. External factors, such as lack of socialization, inadequate training for officers, insufficient support facilities, budgetary constraints, inadequate facilities in correctional institutions, and public perceptions of the deradicalization program, also contribute to the continued rejection of former terrorism convicts after they return to society.
- 2) The regulation of deradicalization for terrorism convicts in correctional institutions is based on the Decree of the Director-General of Corrections, Ministry of Law and Human Rights of the Republic of Indonesia Number: PAS-172.PK.01.06.01 of 2015 concerning the Standard of Rehabilitation for Terrorism Convicts, which still refers to the Republic of Indonesia Law Number 22 of 2022 concerning Corrections. The revision of Law Number 22 of 2022 concerning Corrections, by amending and adding clauses in Article 54 paragraph (4) governing deradicalization for terrorism convicts with stages: identification and assessment, rehabilitation, reeducation, and social reintegration. Meanwhile, paragraph (5) governs further provisions regarding special services or rehabilitation and deradicalization as referred to in paragraphs (1) and (4), regulated by Government Regulation.
- 3) The urgency of addressing deradicalization for terrorism convicts in correctional institutions in the future can be carried out effectively. The treatment pattern for terrorism convicts has not yet been specific and still equated with the treatment pattern for other criminal convicts. The Social Reintegration Program, wherein correctional institutions not only provide punishment in the form of confinement but also education, skills, and entrepreneurship programs for terrorism convicts, can improve their lives after release and support their families. The sense of independence and self-confidence in terrorism convicts reintegrating into society will deter them from returning to terrorist groups.

2. Recommendations

- a. For the Government, revise Law Number 22 of 2022 concerning Corrections to align it with the new Terrorism Laws (Law Number 5 of 2018 and Government Regulation Number 77 of 2019) by adopting relevant Correctional Rehabilitation programs and adding disengagement, psychological

rehabilitation, religious rehabilitation, and social rehabilitation programs involving the community and families of terrorism convicts.

- b. For the National Counterterrorism Agency (BNPT), actively cooperate with relevant stakeholders in implementing deradicalization. As the coordinating body for counterterrorism efforts, BNPT should provide assistance and support to correctional institutions in implementing deradicalization for terrorism convicts.

For the Society, participate in the efforts to counter deradicalization for terrorism convicts who are released from correctional institutions and reintegrate them into society as law-abiding citizens

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